



PLANNING AND DEVELOPMENT COMMITTEE

Date: Thursday, 9 December 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

AGENDA

PART 1

1. APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

2. MINUTES

To approve as a correct record the Minutes of the previous meeting held on Tuesday 2 November 2021.

Pages 5 – 26

3. 21/01150/CC - THE VALLEY SCHOOL, BROADHALL WAY, STEVENAGE

To consider application for the proposed erection of a one-storey building for a replacement special needs school together with ancillary external play and teaching areas, landscaping, parking and other associated works, including demolition of existing caretaker's bungalow and provision of temporary construction access from Broadhall Way.

Pages 27 – 58

4. 21/00872/FP - GLADSTONE COURT, SPRING DRIVE, STEVENAGE, HERTFORDSHIRE SG2 8AY

To consider installation of a new heat dump for the roof solar panels on the south elevation of building at first floor level above the existing plant room doors.

Pages 59 – 64

5. 21/00536/FPM - LAND TO THE NORTH WEST OF JUNCTION 7 OF THE A1(M)

To consider erection of electric vehicle charging station with ancillary retail unit associated electrical infrastructure, car parking and landscaping

Pages 65 - 102

ADJOURNMENT

There will be a short adjournment at the conclusion of Item 5.

6. 21/00944/FPM - GARAGES AT DUNN CLOSE, STEVENAGE

To consider demolition of existing garage blocks and their replacement with a development comprising a two storey supported housing building containing a mix of 21no 1, 2 and 3 person units and associated facilities and a separate two storey terrace comprising 6 x one bedroom class C3 dwellings together with associated amenity areas, car and cycle parking bin store

Pages 103 – 162

7. 21/00971/FPM - COURTLANDS, TODDS GREEN, STEVENAGE, HERTS, SG1 2JE

To consider redevelopment of existing riding stables to provide 11no. three bedroom and 6no. four bedroom dwellings with associated access road, parking, landscaping, footpath connections, infiltration basin and pump station

Pages 163 – 212

8. 21/00754/FPM - ROEBUCK RETAIL PARK, LONDON ROAD, STEVENAGE

To consider conversion of existing units at Roebuck Park to provide a self-storage facility (within Use Class B8) at Unit 3 and employment units for a flexible range of employment uses (within Use Classes E(g)(iii), B2 and/or B8) at Units B1, C2 and C3, together with the provision of three new build employment units either side of the existing terrace (Units A1, D1 and D2) for a flexible range of employment uses (within Use Classes E(g)(iii), B2 and/or B8), and associated works

Pages 213 – 234

9. 21/00057/FP - LAND AT WATERCRESS CLOSE, COOPERS CLOSE AND WALNUT TREE CLOSE, STEVENAGE

To consider erection of two detached dwelling houses including new site access from Watercress Close and 560sqm of publicly accessible open space to the south of the site

Pages 235 – 258

10. 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 259 – 276

11. 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 277 - 278

12. URGENT PART I BUSINESS

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

13. 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.

14. URGENT PART II BUSINESS

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

NOTE: Links to Part 1 Background Documents are shown on the last page of the individual report, where this is not the case they may be viewed by using the following link to agendas for Executive meetings and then opening the agenda for Thursday, 9 December 2021 – <http://www.stevenage.gov.uk/have-your-say/council-meetings/161153/>

This page is intentionally left blank

STEVENAGE BOROUGH COUNCIL

PLANNING AND DEVELOPMENT COMMITTEE MINUTES

Date: Tuesday, 2 November 2021

Time: 6.30pm

Place: Council Chamber

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

Start / End Start Time: 6.30pm
Time: End Time: 9.52pm

1 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were submitted on behalf of Councillors Matt Creasey and Mrs Joan Lloyd.

There were no declarations of interest.

2 MINUTES - 5 OCTOBER 2021

It was **RESOLVED** that the Minutes of the meeting of the Planning and Development Committee held on 5 October 2021 be approved as a correct record and signed by the Chair, subject to the addition of the name of Councillor Graham Lawrence to those Members who had submitted their apologies for absence for the meeting.

3 21/01025/ENF - 7 BOXFIELD GREEN, STEVENAGE

The Principal Planning Officer reminded the Members that this item had been deferred at the meeting of the Committee held on 5 October 2021 to allow additional time for the owners of 7 Boxfield Green to prepare for this meeting, and to allow officers time to negotiate with the owners to see whether the planning issues raised could be resolved.

The Principal Planning Officer advised that further information had been provided by the owners of 7 Boxfield Green. The eastern rooflight facing 8 Boxfield Green had been removed, and officers considered that the rooflight facing the Whiteway (although unauthorised) was not considered to cause a loss of privacy to the properties on the opposite side of the Whiteway due to the distance of separation. However, even with a potential change of colour to the unauthorised dormer cheeks to more closely match the colour of the roof tiles, officers maintained that the cheeks were visually unacceptable, creating development that was out of keeping and incongruous in the street scene. They were still recommending that enforcement action be authorised to secure removal of the cheeks.

The Chair invited Mr Duffett, an objector to the application and occupier of 8 Boxfield Green, to address the Committee. Mr Duffett raised the following issues:

- in 2014, the first planning application had been submitted and refused for a two storey extension to 7 Boxfield Green;
- since then there had many several other applications, including for dormer windows in the roof;
- he considered that the current dormer windows/cheeks were incongruous in the street scene and not in keeping with the neighbourhood;
- as a result of the current bulk of the roof of No. 7 caused by the dormers, there was a loss of sunlight in his garden, and he felt his property had been devalued;
- he considered the whole site to be overdeveloped, and supported the officer recommendation for enforcement action to remedy the situation.

The Chair thanked Mr Duffett for his presentation and invited Mr Burrage, a further objector to the application and occupier of 9 Boxfield Green, to address the Committee. Mr Burrage raised the following issues:

- he referred to a series of photographs he had supplied showing No. 7 before and after the extension and dormer windows/cheeks;
- a major concern was the patio doors on the first floor of the property which overlooked a number of bedrooms, toilet and back garden of his property, thereby resulting in a loss of privacy, which had affected the value of his property;
- the white dormer checks appeared top heavy and were not in keeping with the street scene;
- the form of the letters of support to the look of No. 7 were very similar in content and were not provided by residents living close to the property; and
- he referred to a resident of the Whiteway, who had not been consulted on the matter, but who felt that the velux window facing the Whiteway affected her privacy.

The Chair thanked Mr Burrage for his presentation, and invited Mr Barron and Ms Allen, the owners of 7 Boxfield Green, to address the Committee. They raised the following issues:

- they asserted that they had received all the necessary permissions (both planning permission and Permitted Development). They further asserted that the Planning Department had advised that they could be implemented as a “whole build”, and that they were never advised that the dormer window element was a fall back option;
- the privacy issue worked both ways and they intended to plant trees alongside the boundary with No. 9 to mitigate the overlooking effect of the first floor patio doors/Juliet balcony;
- some trees had been removed from No. 8, but these were taken down after the No. 7’s extension had been built;
- this was first time they had heard of the objection from a property across the road in the Whiteway;

- they had received letters of support from others asking for details of the architect/builder who had designed/built the extension;
- they had supplied photographs of other roof extensions in the area which far exceeded the scale of those of their own property;
- since the 5 October 2021 Committee meeting, they had endeavoured on several occasions to contact the Planning Department. They had eventually received a response stating that the Juliet balcony was acceptable and that the patio doors would need to be obscure glazed. A further e-mail from Planning acknowledged that the velux window facing No. 8 had been removed, but stating that the dormers cheeks element of the property was unacceptable, and therefore that it was still proposed to recommend enforcement action for their removal.

The Chair thanked Mr Barron and Ms Allen for their presentation.

Members asked a number of questions of the Principal Planning Officer. In response to these questions, together with the issues raised by the public speakers, she commented as follows:

- she had no written record of the Planning Department advising the owners of No. 7 that they either could or could not implement both the planning permission and Permitted Development at the same time as “one build”;
- Class B additions to roofspaces required dormer windows to be set back at least 20cm from the roof edge;
- the submitted plans for the non-material amendment application did show lines that alluded to a box dormer, but did not contain any wording specifying it as such, and so the approval related only to the other clearly specified elements of the plans;
- in terms of consultation for the planning application, it was confirmed that the owners of properties physically adjoining No. 7 would have been sent a letter from the Planning Department. A Site Notice had been displayed near the Bus Stop on the Whiteway, but no residents of the Whiteway would have been sent a consultation letter; and
- it was re-iterated that no minor adjustment to the dormer cheeks, such as a change in colour, would be sufficient to overcome her recommendation that enforcement action should be authorised for their removal.

Having heard the evidence presented by both the owners of 7 Boxfield Green; the local objectors; and the officer report, presentation and answers to questions, the Committee agreed to authorise the commencement of enforcement action to secure the removal of the unauthorised dormer cheeks at 7 Boxfield Green.

It was **RESOLVED:**

1. That an Enforcement Notice be issued and served by the Assistant Director of Planning and Regulation and subject to an appointed solicitor by the Council being satisfied as to the evidence, requiring the removal of the dormer window construction, namely the white render dormer walls and associated internal structure supporting this, and re-instating the original roof slope profile with tiles of a matching material. The precise terms of the Enforcement Notice, including all time periods, to be delegated to the Assistant Director of Planning and

Regulation.

2. That, subject to an appointed solicitor by the Council being satisfied as to the evidence, the Assistant Director of Planning and Regulation be authorised to take all steps necessary, including prosecution or any other litigation/works in default to secure compliance with the Enforcement Notice.
3. That in the event of any appeal against the Enforcement Notice, the Assistant Director of Planning and Regulation be authorised to take any action required to defend the Enforcement Notice and any appeal against the refusal of planning permission.

4 21/00357/FP - 37 FELLOWES WAY, STEVENAGE

Application No:	21/00357/FP
Location	37 Fellowes Way, Stevenage
Proposal	Part change of use of ground floor of the main house to use as a dance studio
Applicant:	Mrs Kimberly Clark
Recommendation:	GRANT PLANNING PERMISSION

The Principal Planning Officer reminded Members that this item had been deferred at the meeting of the Committee held on 5 October 2021 to enable the applicant to attend the next Committee meeting.

The Principal Planning Officer advised that the property had been used, without planning permission, for dance classes at various times throughout the Covid pandemic, partly due to the closure of a number of larger venues. This unauthorised activity had ceased and the applicant was now applying for a much reduced timetable at the property for organised dance classes.

The Principal Planning Officer confirmed that both SBC Environmental Health and HCC Highways had raised no concerns regarding the application. In recommending that the application be granted permission, she stated that a number of recommended conditions had been drafted as a result of Case Law and appeals regarding similar change of use applications.

In response to a Member question in respect of monitoring of conditions, officers explained that they would rely on any intelligence from neighbouring properties regarding alleged breaches of conditions. If noise nuisance was alleged, the SBC Environmental Health Team would be requested to monitor the premises. Log Books could also be kept by neighbours to record instances of excessive noise emanating from the property. The Principal Planning Officer commented that, if approved, the permission would be temporary for one year in the first instance to enable monitoring of the site and the situation to be re-assessed with any appropriate evidence at the conclusion of the one year period.

In reply to a further question regarding whether or not the length of the dropped

kerbs for the parking area were sufficient, the Principal Planning Officer stated that this had been assessed by HCC Highways and found to be acceptable.

The Committee supported the recommendation that planning permission be granted.

It was **RESOLVED** that application 21/00357/FP be GRANTED planning permission, subject to the following conditions and with any amendments to those conditions being delegated to the Assistant Director of Planning and Regulation:

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:
2121 P001; 2121 P004.
- 2 The use hereby approved shall be for a limited period of one year only from the date of implementation, expiring on or before that date after which time the use hereby permitted shall be discontinued, unless otherwise agreed in writing by the Local Planning Authority, in the form of an application.
- 3 The use hereby permitted shall operate only between the hours of 16:00-20:00 Monday to Thursday and 12:00-16:00 on Saturday.
- 4 Between the permitted hours of use set out in condition 3, no more than 8 students in total shall attend the dance studio daily, with no more than 3 students in total per class. A record shall be kept of all students referred to in this condition by listing the student's name and their arrival/departure times and mode of arrival/departure. The record shall be kept and made available for inspection on request.
- 5 During the permitted hours of use set out in condition 3, the two parking spaces indicated on drawing 2121 P004 shall be kept permanently available for the parking of cars in association with the use of the dance studio.
- 6 There shall be an interval of at least fifteen minutes between the end of one class and the start of another class.
- 7 The converted annexe shall only be used for dance classes or as part of the Property's living accommodation and for no other purpose.
- 8 There shall be no more than 1 dance teacher operating from the dance studio per day.
- 9 Noise and music from the dance studio shall not be audible from the boundaries of the site at any time during the hours of use as set out in condition 3.

INFORMATIVE

Hertfordshire County Council as Highways Authority.

AN1) Storage of materials: The applicant is advised that the storage of materials

associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence.

Further information is available via the website

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047.

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

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> telephoning 0300 1234047.#

Community Infrastructure Levy

Stevenage Borough Council adopted a Community Infrastructure Levy (CIL) Charging Schedule at Full Council on 27 January 2020 and started implementing CIL on 01 April 2020. This application may be liable for CIL payments and you are advised to contact the CIL Team for clarification with regard to this. If your development is CIL liable, even if you are granted an exemption from the levy, please be advised that it is a requirement under Regulation 67 of The Community Infrastructure Levy Regulations 2010 (as amended) that CIL Form 6 (Commencement Notice) must be completed, returned and acknowledged by Stevenage Borough Council before building works start. Failure to do so will mean you risk losing the right to payment by instalments and a surcharge will be imposed. NB, please note that a Commencement Notice is not required for residential extensions if relief has been granted. Stevenage's adopted CIL Charging Schedule and further details of CIL can be found on the Council's webpages at www.stevenage.gov.uk/CIL or by contacting the Council's CIL Team at CIL@Stevenage.gov.uk.

Building Regulations

To obtain advice regarding current Building Regulations please contact Hertfordshire Building Control Ltd. by emailing us at 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).

5 **21/00529/FPM - LAND WEST OF NORTH ROAD**

Application No:	21/00529/FPM
Location	Land West of North Road, Stevenage
Proposal	Development for use classes E (g) (iii), B2, B8 and associated works to include servicing, access, landscaping, means of enclosure and associated works.
Applicant:	New Road Stevenage Investment LLP
Recommendation:	GRANT PLANNING PERMISSION

The Principal Planning Officer advised that late letters of representation from Highways England and SBC Environmental Health had been circulated to Members.

The Principal Planning Officer stated that this was a major application for employment use on allocated Site EC14 in the Local Plan (with approval for up to 20,000sqm of employment space). The access to the site would be from a four-armed junction with North Road and the new HO3 (“Forster Country”) site. This junction had been fully assessed and modelled to allow it to be allocated for both sites, and the assessment had concluded that it would not result in a detrimental impact on traffic flows. The assessment had been provided to Highways England.

The Principal Planning Officer commented that the application proposed the construction of 18,534sqm of employment space in three buildings, together with associated parking provision and an area in the south-west corner of the site a large area of green open space for outside use by employees. In mitigation to the occupiers of premises adjacent to the site, the application proposed the construction of acoustic barriers along the boundaries with Cygnet Hospital, Elizabeth Court, Victoria Court and Foxholm.

The Principal Planning Officer concluded that the proposed development of this strategic site with 18,534sqm GIA employment floorspace was acceptable in principle, subject to the signing of a Section 106 Agreement. On balance, the provision of employment use on the site, with associated access, parking, landscaping and mitigation measures, outweighed the small number of concerns expressed in respect of the visual implications of the acoustic fencing and 24 hour

use of the site. Through the imposition of conditions, the impact could be suitably controlled and a much needed provision of employment floorspace brought forward early in the Local Plan period.

The Chair invited Mr Mann, an objector to the application on behalf of the residents of Foxholm, to address the Committee. The points/questions raised by Mr Mann included the following:

- an assertion that the residents of Foxholm had not been consulted about this application or the allocation of the site in the Local Plan;
- they had invested a significant amount into improvements to Foxholm, which would not be realised should they be forced into selling the property;
- they were unaware of the change of access arrangements, as the original plans had been for an access further to the south of North Road, nearer to the Rugby Club access. Foxholm would now be much closer to a very busy four-armed junction;
- highway safety concerns of increased traffic (particularly HGVs), as there had already been an increase in road traffic accidents in the vicinity of the junction of North Road with Graveley Road;
- the apparent disregard to the amenity of occupiers of Foxholm during the construction works and “live” use of the site;
- the proposed 4.5m acoustic barrier may block noise, but would result in a reduction of daylight reaching Foxholm;
- there was no tiering of the site to reduce its impact;
- concerns about pollution during the construction process;
- whilst discussions had been held with Wrenbridge to sell Foxholm in order to mitigate the impact on Mr Mann’s family, the sale of the property was in no way guaranteed;
- they would wish to be consulted before any work commenced on erection of the acoustic barriers, as they felt a 4.5m high barrier was unacceptable; and
- they also wished to be consulted on details regarding the four-armed access arrangements.

At the Chair’s request, the Assistant Director of Planning and Regulation clarified that there would be 2 access points for the NO3 (“Forster Country”) development, one being the four-armed access referred to earlier in the meeting and the other further to the south on North Road. Both the NO3 and EC14 sites were extensively consulted upon as part of the Stevenage Local Plan approval process.

The Chair invited Mr Gareth Pritchard, a Planning Consultant acting on behalf of the applicant, to address the Committee. The points raised by Mr Pritchard included the following:

- the development would provide a high quality commercial space for a site allocated for employment purposes in the Local Plan;
- the plans avoided any form of built form underneath the electricity pylons located on the site;
- the developer had been unable to deliver a more southerly access point to the development, as this would have reduced the floorspace of the buildings

- affecting viability and providing less jobs;
- the developer would endeavour to minimise the noise emanating from the site and its impact on Foxholm. This included the acoustic barrier, which would be set back in the site as far as possible and would be constructed in wire mesh with climbing plants on the side facing Foxholm in order to soften its appearance;
- the officer report balanced the effect of the scheme on the amenity of the residents of Foxholm and the economic growth provided by the development;
- the buildings would be constructed to an environmental standard EPC A+, using net zero carbon construction materials and techniques;
- subject to planning approval, Unit B had already been pre-let and there had been significant interest in Units A and C;
- subject to planning approval, the intention was to commence work on site in early 2022, with completion in early 2023.
- the applicant was prepared to liaise with and consult the owners of Foxholm regarding the construction process as part of the Construction Management and Traffic Plan for the site.

Members asked a number of questions of the Principal Planning Officer. In response to these questions, together with the issues raised by Mr Mann, she commented as follows:

- the HO3 site had been granted outline planning permission, subject to the signing of a Section 106 Agreement (which had yet to be signed). The Reserved Matters application would, in due course, be determined by the Committee. Therefore, development on that site was less imminent than that on EC14, although the developers were committed to providing the junction with North Road;
- there would be a 3.5m wide footpath along the North Road frontage of the site. The Bridleway to the south of the site would be retained at a width of 4m (3m for pedestrians/cyclists and a further 1m for horses);
- the applicant was in negotiation with HCC regarding the location/re-location of the bus stops on North Road;
- regarding the potential for flooding of the south-western green open space area of the site, the Local Lead Flood Authority had raised no objections to the scheme, but had proposed appropriate conditions which were recommended for approval;
- in relation to Paragraph 5.12 of the report, it was confirmed that the new SBC Biodiversity Supplementary Planning Document required developers to provide a financial contribution to the Council to re-provide biodiversity on Council-owned land elsewhere in the Borough. In this case, it would be provided in Fishers Green Wood, an area of land running alongside the A1(M);
- the materials to be used in construction of the three buildings would all be of a grey colour, but would vary in terms of the textures used; and
- the information provided in the Transport statement regarding road traffic accidents had been taken from the HCC database. She re-iterated that the four-armed junction element of the scheme had received no objection from the Highway Authority, although a definitive response was still awaited from Highways England.

The Committee was in support of the economic growth opportunities afforded by the application, including the creation of additional jobs associated with the commercial use of the site. However, Members were concerned with the potential impact of the scheme on Foxholm, especially during the construction process, and supported an addition to proposed Condition 3 requiring the applicant's detailed Construction Management and Traffic Plan to include specific reference to a bespoke communication strategy for the occupiers of Foxholm aimed at mitigating the construction impacts on that property.

It was **RESOLVED** that application 21/00529/FPM be GRANTED planning permission, subject to the signing of a Section 106 Agreement in respect of the following:

- Biodiversity net gain;
- Local employment and apprenticeships;
- Highways works (S278);
- Travel Plan Monitoring; and
- Strand 2 highways contributions,

and subject to the following conditions including an amended Condition 3, with any amendments to those conditions and/or Heads of Terms of the S106 Agreement, and the recommendations of Highway England following cessation of their holding direction, being delegated to the Assistant Director of Planning and Regulation:

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:
4594-CA-00-00-DR-A-00060; 4594-CA-00-00-DR-A-00001; 31536-RG-LD-DWG-01G GA-01-00; 31536-RG-LD-DWG-01G GA-01-01; 31536-RG-LD-DWG-01G GA-01-02; 31536-RG-LD-DWG-01G GA-01-03; 31536-RG-LD-DWG-01G GA-01-04; 20-024-EX-001 P6; 4594-CA-00-00-DR-A-00061_PL5; 4-CA-00-00-DR-A-00062_PL3; 4594-CA-00-00-DR-A-00063_PL2; 4594-CA-00-00-DR-A-00065_PL2; 4594-CA-00-00-DR-A-00066; 4594-CA-00-GF-DR-A-00106_PL2; 4594-CA-00-GF-DR-A-00116_PL2; 4594-CA-00-GL-DR-A-00101_PL2; 4594-CA-00-RL-DR-A-00100_PL2; 4594-CA-00-RL-DR-A-00105_PL2; 4594-CA-00-RL-DR-A-00115_PL2; 4594-CA-00-XX-DR-A-00200_PL2; 4594-CA-00-XX-DR-A-00205_PL2; 4594-CA-00-XX-DR-A-00215_PL2; 4594-CA-00-XX-DR-A-00350_PL3; 4594-CA-00-XX-DR-A-00352; 4594-CA-00-ZZ-DR-A-00102; 4594-CA-00-ZZ-DR-A-00107_PL2; 4594-CA-00-ZZ-DR-A-00117_PL2; 4594-CA-00-ZZ-DR-A-00150_PL2; 4594-CA-00-ZZ-DR-A-00151_PL2; 4594-CA-00-ZZ-DR-A-00155_PL2; 4594-CA-00-ZZ-DR-A-00156_PL2; 4594-CA-00-ZZ-DR-A-00166_PL2; 4594-CA-00-ZZ-DR-A-00165_PL2; 4594-CA-00-XX-DR-A-00351; 4594-CA-00-XX-DR-A-00300.
- 2 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 3 No development shall take place (including site clearance) until a detailed Construction and Traffic Management Plan (CTMP) produced to CLOCS standards, has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried

out in accordance with the approved CTMP. The Construction Management and Traffic Plan shall include details of the following:

- a) Map showing the location of construction traffic routes to and from the site, details of their signing, monitoring and enforcement measures;
 - b) Access arrangements to the site;
 - c) Traffic management requirements;
 - d) site set up and general arrangements for storing plant including cranes, materials, machinery and equipment, temporary offices and other facilities;
 - e) Details of provisions for temporary car parking, loading/unloading and vehicle turning areas;
 - f) Details of hoarding;
 - g) Control of dust and dirt on the public highway;
 - h) Siting and details of wheel washing facilities;
 - i) Cleaning of site entrances, site tracks and the adjacent public highway;
 - j) Timing of construction activities (including delivery times and removal of waste);
 - k) The estimated number and type of vehicles per day/week;
 - l) Details of any vehicle holding area;
 - m) Details of the vehicle call up procedure;
 - n) Access and protection arrangements around the site for pedestrians, cyclists and other customers;
 - o) Coordination with other development projects in the vicinity;
 - p) Post construction restoration/reinstatement of the working areas and temporary access to the public highway;
 - q) Where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements;
 - r) Construction programme and phasing plan;
 - s) Details of consultation and complaint management with local businesses and neighbours;
 - t) A Site Waste Management Plan (SWMP) including mechanisms to deal with environmental impacts such as air quality and dust control measures, noise and vibration restriction measures, light and odour and predicted and latterly actual waste arisings and how this is to be managed and where it is sent to;
 - u) Details of any proposed piling operations, including justification for the proposed piling strategy, a vibration impact assessment and proposed control and mitigation measures; and
 - v) A bespoke communication strategy for the occupiers at Foxholm. In particular, contact details for site manager, notice of noisy or disruptive works and air quality mitigation during construction.
- 4 The development permitted by this planning permission shall be carried out in accordance with the approved Site Specific Flood Risk Assessment prepared by Sweco Consulting Engineers Ltd reference 66202061-SWE-ZZ_XX-RP-C-0001 Revision 3, dated 28 July 2021, the Surface Water Drainage Strategy and Water Quality Treatment drawing number 66202061-SWE-ZZ-XX-DR-C-9020 Revision P02 dated 09 September 2021 prepared by Sweco Consulting Engineers Ltd, 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 during the 1 in 100 year event plus 40% for 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 in a minimum of 2914.80 m³ (or such storage volume agreed with the LLFA) of total storage volume in permeable paving, infiltration basins, pond, swales and geocellular tanks.
3. Discharge of surface water from the private drain to ground via infiltration.

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.

- 5 No development shall take place until a detailed surface water drainage scheme for the site based on the approved drainage strategy and sustainable drainage principles, has been submitted to and approved in writing by the Local Planning Authority. The drainage strategy should demonstrate the surface water run-off generated up to and including 1 in 100 year+ climate change critical storm will not exceed the run-off from the 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. Provision of infiltration tests to BRE Digest 365 standards at the exact locations and depths of all proposed infiltration features.
 2. 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.
 3. Full, detailed drawings of all works proposed to the ordinary watercourse Ash Brook including any realignment, reprofiling and regrading, etc.
 4. Provision of robust SuDS management and treatment.
 5. Relocation of surface water pipes from under buildings.
 6. 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. The calculation should consider the worst case infiltration rates.
 7. Exceedance flow routes for storm events greater than the 1 in 100 year + 40% climate change storm.
 8. Final detailed management plan to include arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its lifetime.
- 6 Upon completion of the drainage works for the site in accordance with the timing, phasing arrangements, a management and maintenance plan for 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.

- 7 Prior to occupation of the development an updated Travel Plan(s) shall be submitted to and approved in writing by the Local Planning Authority to take account of individual occupiers of the units as necessary. No part of the development shall be occupied until implementation of the approved Travel Plan. Those parts of the approved Travel Plan that are identified therein as being capable of implementation after occupation shall be implemented in accordance with the timetable contained therein and shall continue to be implemented as long as any part of the development is occupied.
- 8 Prior to the approved development hereby permitted first being brought into use, details of the acoustic fencing including the sound insulation values shall be submitted to and approved in writing by the Local Planning Authority. The details shall be in accordance with the "Noise Impact Assessment, North Road, Stevenage", Report reference 66202764-SWE-ZZ-XX-RP-YA-0001 Revision C02 dated 3 August 2021 by Sweco. The development shall thereafter be implemented in accordance with the approved details, and shown to be effective, and shall be retained in accordance with those details thereafter.
- 9 Prior to first use of each static plant or machinery, a scheme shall be submitted to and approved in writing by the Local Planning Authority, to demonstrate that the cumulative sound rating level of all fixed plant within the Development shall not exceed the current typical background sound levels at any time at the nearby noise sensitive receptors as specified in Table 14 Target Sound Criteria, of Report reference 66202764-SWE-ZZ-XX-RP-YA-0001 Revision C02. All plant, machinery and equipment installed or operated in connection with the carrying out of this permission shall be so enclosed and/or attenuated that noise resulting from its operation shall not exceed the existing background level inclusive of any penalty for tonal, impulsive or other distinctive acoustic characteristics when measured or calculated according to the provisions of BS4142:2014+A 2019.
- 10 Prior to the first occupation / use of individual units within the development a plan agreeing the appropriate Servicing and Delivery arrangements for the each unit shall be submitted to and approved in writing by the Local Planning Authority. Subsequent occupiers of the building are required to also update the Servicing and Delivery Plan for their unit.
- 11 The buildings hereby approved shall be constructed in accordance with the materials and finishes as set out in Drawing numbers 4594-CA-00-XX-DR-A-00200_PL2, 4594-CA-00-XX-DR-A-00205_PL2 AND 4594-CA-00-XX-DR-A-00215_PL2 to the satisfaction of and unless otherwise agreed in writing by the Local Planning Authority.
- 12 No site clearance or construction work relating to this permission shall be carried out on any Sunday, Public or Bank Holiday nor at any other time, except between the hours of 0730 and 1800 on Mondays to Fridays and between the hours of 0800 and 1300 on Saturdays, unless otherwise agreed in writing by the Local Planning Authority. These times apply to work which is

audible at the site boundary.

- 13 The development hereby approved shall be carried out in accordance with the External LED Lighting Assessment Report July 2021 Revision P4 and associated drawing number 20-024-EX-001 P6 External Lighting Layout, unless otherwise agreed in writing by the Local Planning Authority. No alterations or changes to the approved lighting shall be made without written agreement from the Local Planning Authority, following submission of further details.
- 14 Prior to the first occupation of the development hereby permitted the vehicular access from North Road shall be provided and thereafter retained at the position shown on Drawing number 4594-CA-00-00-DR-A-00061 PL5 in accordance with the highway specification. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.
- 15 Prior to the first occupation of the development hereby permitted the service yards and car parking areas as detailed on Drawing number 4594-CA-00-00-DR-A-00061_PL5 shall be surfaced and marked out or completed as applicable, in accordance with the approved plan and thereafter retained for the sole use of servicing and parking for the development hereby permitted.
- 16 Prior to the first occupation of the development hereby permitted the secure and covered cycle car parking stores and bin stores as detailed on Drawing numbers 4594-CA-00-00-DR-A-00061_PL5; 4594-CA-00-00-DR-A-00062_PL3; 4594-CA-00-00-DR-A-00063_PL2; 4594-CA-00-00-DR-A-00065_PL2 and 4594-CA-00-XX-DR-A-00350_PL3 shall be fully completed and ready for use in accordance with the approved plan and thereafter retained for the sole use of cycle parking and bin storage for the development hereby permitted.
- 17 Prior to the first occupation of the development hereby permitted the passive infrastructure and active Electric Vehicle Charging Points (EVCP) shall be installed and ready for use, in accordance with the approved plan Drawing Number 4594-CA-00-00-DR-A-00061_PL5 and thereafter retained for the sole use of electric car charging for the development hereby permitted.
- 18 The development hereby approved shall be constructed in accordance with the measures to address adaptation to climate change as laid out in the Design and Access Statement to include the following:
 - a) Building Management System to ensure air tightness, temperature control and ventilation within the amenity hub building;
 - b) Energy efficient LED lighting;
 - c) Recycled grey water for flushing toilets;
 - d) Solar Photovoltaic panels;
 - e) SuDS drainage solutions including an infiltration pond;
 - f) Use of natural daylighting where possible;These measures shall then be permanently maintained in accordance with the approved details.

- 19 The development shall be carried out in accordance with the scheme of soft and hard landscaping, including all hard surfacing, rain garden features, retained, felled and new trees and shrubs as detailed on Drawing numbers 31536-RG-LD-DWG-01G GA-01-00; 31536-RG-LD-DWG-01G GA-01-01; 31536-RG-LD-DWG-01G GA-01-02; 31536-RG-LD-DWG-01G GA-01-03; 31536-RG-LD-DWG-01G GA-01-04.
- 20 All planting, seeding and turfing comprised in the approved landscaping details as specified in condition 19 of this approval shall be carried out in the first planting and seeding seasons following the first occupation of the development hereby permitted or, the completion of the approved development whichever is the sooner.
- 21 All hard surfacing comprised in the approved landscaping details as specified in condition 19 of this approval shall be carried out prior to first occupation of the development hereby permitted or, the completion of the approved development, whichever is the sooner.
- 22 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.
- 23 No tree shown retained on the approved plans, or subsequently approved landscaping scheme, shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped within five years of the completion of development without the written approval of the Local Planning Authority.
- 24 All areas of hedges, scrub or similar vegetation where birds may nest which are to be removed as part of the development, are to be cleared outside the bird-nesting season (March - August inclusive) or if clearance during the bird nesting season cannot be reasonably be avoided, a suitably qualified ecologist will check the areas to be removed immediately prior to clearance and advise whether nesting birds are present. If active nests are recorded, no vegetation clearance or other works that may disturb active nests shall proceed until all young have fledged the nest.
- 25 Following removal of the identified trees in the Arboricultural Impact Assessment (AIA) and before any development commences, including any site clearance, all retained trees identified in the AIA shall be protected in accordance with the details as approved in the AIA and detailed on the Tree Protection Plan 10918 TPP 01 Rev C contained therein. The protection measures shall be maintained until the conclusion of all site and building operations remain in place, unless otherwise agreed by the Local Planning Authority
- 26 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in

writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 27 which is subject to the approval of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 28.

- 27 In the event that contamination is found at any time when carrying out the approved development that was not previously identified, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historic environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.
- 28 In the event that contamination is found at any time when carrying out the approved development that was not previously identified, as required under condition 21, the approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval in writing of the Local Planning Authority.
- 29 Notwithstanding the provisions of Article 3 of the Town and Country Planning Use Classes Order 1987 (as amended), and Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any Orders revoking or re-enacting these Orders) this permission shall only permit the use of the premises as Class E(g)(iii), B2 and B8 and for no other use or purpose, including any use or purpose within the same use Class.

The Council has acted Pro-Actively for the following reason:-

Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant at the pre-application stage and during the determination process which lead to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the National Planning Policy Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

INFORMATIVE

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 or by contacting the Council's CIL Team at CIL@Stevenage.gov.uk.

2 Hertfordshire County Council as Highways Authority

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

3 Hertfordshire County Council as Highways Authority

Parking and Storage of materials: The applicant is advised that all areas for parking, storage, and delivery of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx> or by telephoning 0300 1234047.

4 Hertfordshire County Council as Highways Authority

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

<http://www.hertfordshire.gov.uk/services/transtreets/highways/> or by telephoning 0300 1234047.

5 Hertfordshire County Council as Highways Authority

Debris and deposits on the highway: It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made up carriageway, or any or other debris on a highway to the interruption of any highway user. 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 and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.

6 Hertfordshire County Council as Highways Authority

Avoidance of surface water discharge onto the highway: The applicant is advised that the Highway Authority has powers under section 163 of the Highways Act 1980, to take appropriate steps where deemed necessary (serving notice to the occupier of premises adjoining a highway) to prevent water from the roof or other part of the premises falling upon persons using the highway, or to prevent so far as is reasonably practicable, surface water from the premises flowing on to, or over the footway of the highway.

6 21/00367/COND - LAND AT SIX HILLS HOUSE, LONDON ROAD, STEVENAGE

Application No:	21/00367/COND
Location	Land at Six Hills House, London Road, Stevenage
Proposal	Discharge of conditions 11 (Construction Method Statement) and 18 (Site Waste Management) attached to planning permission references 16/00482/FPM and 20/00624/FPM
Applicant:	Westgold Developments Ltd
Recommendation:	DISCHARGE PLANNING CONDITIONS

The Development Manager advised that the major issues for consideration in connection with this application were its impact on Six Hills House and the nearby established Wildlife Site, which included the Six Hills mounds classed as a Scheduled Ancient Monument.

The Development Manager stated that the residential development, as approved by the Council as Local Planning Authority, was located at the northern end of the existing Six Hills House site. As a consequence of this, the only way large construction vehicles (e.g. HGV's) could access this part of the site would be through the existing surface car park. Given this car parking area currently served the residents who resided within Six Hills House, this could potentially result in a significant safety issue.

In order to overcome the aforementioned, the Development Manager explained that the applicant was proposing to construct a temporary access road along the existing cycle and pedestrian route which ran along the eastern boundary of the Six Hills House site. This would involve the creation, at the southern end, of a 2.4m wide shared cycle and pedestrian route with the hedge cut back (not removed) in order to create sufficient width. Adjacent to the shared cycle and pedestrian route would be the proposed construction access route which would measure approximately 3.7m in width. Located between the construction vehicle access and the shared cycle/pedestrian route would be the provision of safety hoarding / fencing. This would be to ensure that there was no conflict between pedestrians, cyclists and vehicles. Located between the main site access/proposed site compound and this shared surface area for pedestrians and cyclists, there would be provision of mobile barriers. These mobile barriers would be operated by on-site 'traffic marshals'. The vehicle holding area then widened to 4m and would be enclosed by hoarding, with the shared pedestrian and cycle area widened to 3m and would run to the left hand side of the vehicle holding area. The proposed vehicle access route also comprised a small turning area located centrally. This was in order to allow vehicles to safely manoeuvre on this road and exit onto Kings Road in a forward gear.

The Development Manager commented that, following extensive negotiations, Hertfordshire County Council as Highway Authority had advised that they considered the Construction Management Plan and updated temporary vehicle access layout plans to be acceptable. As such, the proposal would accord with the relevant policies set out in the NPPF (2021).

The Chair invited Ms Jennifer Gildea, an objector to the application and resident of Six Hills House, to address the Committee. The points/questions raised by Ms Gildea included the following:

- in relation to the cladding of the existing Six Hills House building, all of the leaseholders in the building were affected by the Grenfell Tower situation, being unable to sell their properties due to the presence on non-compliant cladding materials (although a £1.2M grant had been earmarked for the carrying out of remediation works). Her concern was that, should these remediation works commence, how would this work alongside the construction programme for the current application?;
- what would be the responsibilities of the applicant to make good after the temporary access road had been removed?;
- the hours of construction proposed were 8am to 6pm Monday to Friday and 8am to 1pm on Saturdays, although Paragraph 7.1.19 of the report referred to possible night-time road closures outside of these times, which implied further disruption for residents;

- would pedestrian access be restricted due to the vehicle turning area?; and
- how would the turning area function effectively and safely should the cladding works to Six Hills House be taking place at the same time?.

The Chair thanked Ms Gildea for her presentation.

The Development Manager referred to a supplementary agenda tabled at the meeting detailing the late comments of the HCC Archaeology Team on the application. He recommended that, given these late comments, delegated powers be given to the Assistant Director of Planning and Regulation, in conjunction with the Chair of the Committee, to agree the outstanding issues to be resolved between the applicant and HCC Archaeology before any decision was issued by the Council as Local Planning Authority.

Members asked a number of further questions of the Development Manager. In response to these questions, together with those asked by Ms Gildea, he commented as follows:

- the logistics of managing two adjoining sites should the Six Hills House cladding works coincide with works regarding the current application would need to be managed through liaison between the various contractors on site, in order to minimise potential conflict;
- the contractor, in consultation with the Highway Authority, would be required to make good any damage caused to the highway and/or cycle track before leaving the site;
- the need for possible road closures outside the hours of construction would be managed by HCC and would be for reasons such as the transporting of a crane onto the site. Residents would be advised of such road closures;
- the turning area would be fenced off to prevent vehicles encroaching onto the adjacent historic Common area;
- a Breach of Condition Notice would be served should the developer fail to comply with the approved conditions;
- because the construction access arrangements were temporary, there was no requirement to seek the approval of a Planning Inspector to allow the contractor to build on Common land;
- Historic England had initial concerns about the impact of the application on the historic common area, but no longer had any objections due to the temporary nature of the construction access works;
- the construction method for the turning circle on part of the historic common would not involve excavating below the surface, but would comprise a less penetrative method involving the laying down of metal grates which could be safely removed at the end of the scheme without damaging the ground; and
- the Council's own Conservation & Historic Advisor had been consulted on the application and had raised no objections.

The Committee voted on the application and permission was granted with 6 votes for the application and 5 votes against.

It was **RESOLVED** that conditions 11 (Construction Method Statement) and 18 (Site

Waste Management) attached to planning permissions 16/00482/FPM and 20/00624/FPM are hereby discharged, subject to the development being carried out in accordance with the approved details, and that delegated powers be given to the Assistant Director of Planning and Regulation, in conjunction with the Chair of the Planning and Development Committee, to agree the outstanding issues to be resolved between the applicant and HCC Archaeology before any decision is issued by the Council as Local Planning Authority.

7 INFORMATION REPORT - DELEGATED DECISIONS

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

8 INFORMATION REPORT - APPEALS/CALLED IN APPLICATIONS

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

9 URGENT PART I BUSINESS

Climate Change

The Chair advised that a good proportion of the membership of the Committee was similar to that of the Environment & Economy Select Committee. Therefore, in order to prevent duplication of effort, he and the Chair of the Environment & Economy Select Committee had agreed that work on a review of the Council's Climate Change Strategy would be led by that Select Committee.

10 EXCLUSION OF THE PRESS AND PUBLIC

Not required.

11 URGENT PART II BUSINESS

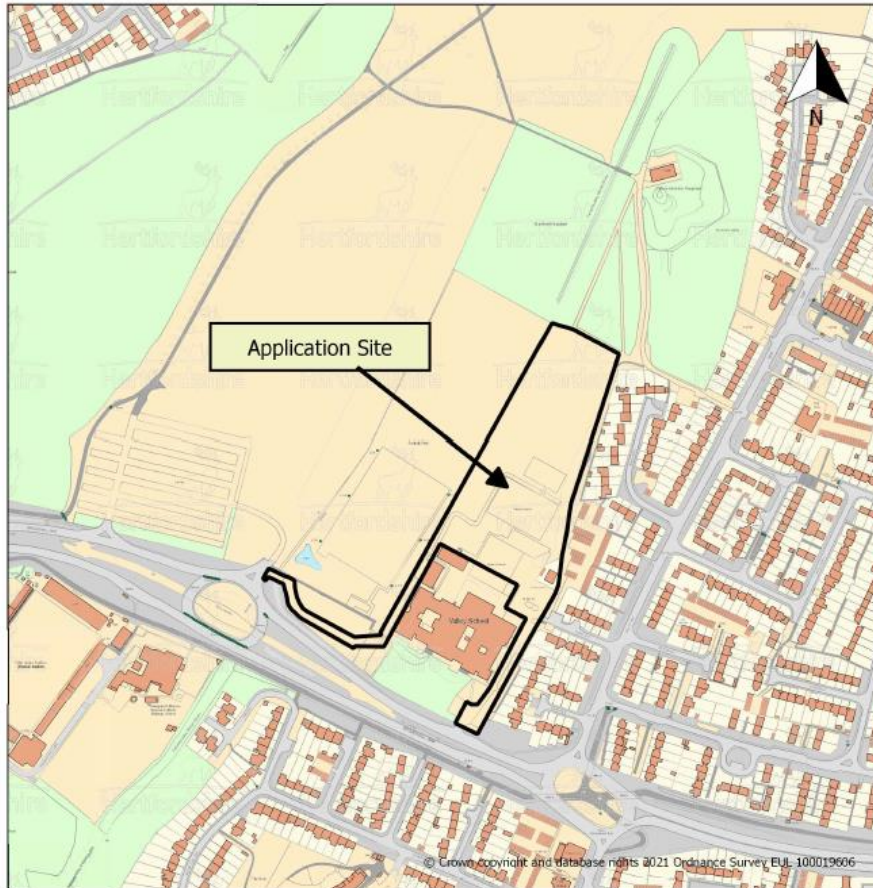
None.

CHAIR

This page is intentionally left blank

Meeting:	Planning and Development Committee	Agenda Item:
Date:	9 December 2021	
Author:	James Chettleburgh	01438 242266
Lead Officer:	Zayd Al-Jawad	01438 242257
Contact Officer:	James Chettleburgh	01438 242266

Application No:	21/01150/CC
Location:	The Valley School, Broadhall Way, Stevenage
Proposal:	Application for the proposed erection of a one-storey building for a replacement special needs school together with ancillary external play and teaching areas, landscaping, parking and other associated works, including demolition of existing caretaker's bungalow and provision of temporary construction access from Broadhall Way.
Drawing Nos.:	TVS-SBA-XX-XX-VA-A-235 P0; TVS-SBA-XX-XX-VS-A-234 P0; TVS-SBA-XX-RL-DR-A-014 P0; TVS-SBA-XX-GF-DR-A-013 P0; TVS-SBA-XX-XX-DR-A-503 P0; TVS-SBA-XX-ZZ-DR-A-205 P0; TVS-SBA-XX-ZZ-DR-A-204 P0; TVS-SBA-XX-DR-A-203 P0; TVS-SBA-XX-ZZ-DR-A-202 P0; TVS-SBA-XX-ZZ-DR-A-201 P0; TVS-SBA-XX-DR-A-200 P0; TVS-SBA-XX-ZZ-DR-A-109 P0; TVS-SBA-XX-ZZ-DR-A-108 P0; TVS-SBA-XX-XX-DR-A-504 P1; TVS-SBA-XX-XX-VS-A-236 P0; F1754/PS/200-02; F1754/PS/200-03; F1754/PS/001 C; F1754/PS/200-01;
Applicant:	Hertfordshire County Council
Date Valid:	6 August 2021
Recommendation:	No objection to the proposed development.



Application for the proposed erection of a one-storey building for a replacement special needs school together with ancillary external play and teaching areas, landscaping, parking and other associated works, including demolition of existing caretaker's bungalow and provision of a temporary construction access from Broadhall Way at The Valley School, Broadhall Way, Stevenage, Hertfordshire, SG2 9BN

0 100 200 300 400 500 metres



© Crown copyright and database rights 2021 Ordnance Survey EUL 100019606
 You are permitted to use this data solely to enable you to respond to, or interact with, the organisation that provided you with the data.
 You are not permitted to copy, sub-licence, distribute or sell any of this data to third parties in any form. Use of this data is subject to terms and conditions.

Plan for information purposes only

1. SITE DESCRIPTION

- 1.1 The application site, which measures approximately 2.4 hectares, is located at the southern end of the Borough, located adjacent to Broadhall Way (A602) and due west of Valley Way. The site comprises land which is located north of the existing buildings which make up The Valley School. The majority of this area comprises grass playing fields for the school along with the disused hard courts. The site also comprises a small bungalow and associated garage which was previously occupied by the school caretaker. The land to the east and west of the existing school buildings would be utilised to provide access to the proposed development area.
- 1.2 The school site is currently accessed via an existing vehicular access off Valley Way to the east which also includes pedestrian and cycle access. The school is also accessed from Broadhall Way to the south-east. The site has a sloping topography which

declines from the existing car park at the northern end towards the south of the main school buildings and the playing fields at the northern end.

- 1.3 To the north of the site lies Shackledell and Grassland Valley Wood and to the west of the site are sports pitches which are operated by the Sports Academy. Beyond these pitches lies Fairlands Valley Park. To the east is the predominantly residential area of Valley Way and to the south is Broadhall Way. To the south-east beyond Broadhall Way is Stevenage Football Club.
- 1.4 The Valley School is a special educational needs secondary school for pupils aged 11-16 with the buildings dating back to the 1960s.

2. RELEVANT PLANNING HISTORY

- 2.1 Planning application 2/0086/63 sought permission for the provision of playing fields for the proposed grammar school. This application was granted planning permission in September 1963.
- 2.2 Planning application 2/0100/65 sought permission for the erection of a 3 FE Grammar School. This application was granted planning permission in July 1965.
- 2.3 Planning application 2/0058/67 sought permission to erect extensions to the school (Phase II). This application was withdrawn (No date specified on system).
- 2.4 Planning application 2/0031/71 sought permission for the erection of tennis courts. This application was granted planning permission in January 1971.
- 2.5 Planning application 2/0290/75 sought permission for two external fire escape staircases. This application was granted planning permission in January 1976.
- 2.6 Planning application 2/0353/89 sought permission for the change of use of the first floor of one block for occupation by County Council Staff for 3 years. The application was withdrawn in November 1989.
- 2.7 Consultation reference 05/00486/REG3 by HCC for proposed external fire escape and alterations of existing parking facilities to accommodate a new fire evacuation location point. New DDA lift, access road, parking bay and front entrance ramped approach. The Council raised no objection to the proposed development in October 2005.
- 2.8 Consultation reference 10/00142/CC by HCC for the erection of a 2.4m high close board timber fence to the eastern boundary of the school site. The Council raised no objection to the proposed development in May 2010.

3. THE CURRENT APPLICATION

- 3.1 To provide a Council response to Hertfordshire County Council (HCC) on planning reference PL/0218/21 (Stevenage Borough Council Reference:- 21/01150/CC) which is for the following proposed development:-

Application for the proposed erection of a one-storey building for a replacement special needs school together with ancillary external play and teaching areas, landscaping, parking and other associated works, including demolition of existing caretaker's bungalow and provision of temporary construction access from Broadhall Way.

- 3.2 The replacement school building would accommodate the same number of secondary school-age pupils where the current school capacity is 165 pupils with 75 staff. The

new building has been designed to meet the specific needs of the pupils. The proposed building would be single storey with its main entrance to the south. The building's new main hall, sports hall and fitness studio, as well as the outdoor sports facilities, would be open to the wider community outside of school hours.

- 3.3 This application comes before the Planning and Development Committee as it is a consultation from HCC for a Major Development in Stevenage.

4. PUBLIC REPRESENTATIONS

- 4.1 Hertfordshire County Council as the Local Planning Authority will have undertaken the necessary consultation with local residents. As such, all public representations will be directed to HCC as the determining authority.

5. CONSULTATIONS

5.1 Council's Environmental Health Section

- 5.1.1 Environmental Health recommends the following conditions are imposed / matters to be considered as part of the decision making process:-

Contaminated Land

- 5.1.2 If during the course of development any contamination is found or suspected, works shall cease and the local planning authority shall be informed immediately. The development shall not continue until any required remediation as agreed in writing by the local planning authority has been undertaken.

Dust Emissions

- 5.1.3 Dust emissions shall be controlled throughout the construction and demolition phases so as to prevent nuisance to the occupiers of neighbouring premises. The use of screening, damping down and thorough cleaning must be implemented, as well as regular wheel cleaning and monitoring of traffic by banksmen / traffic marshals.

Disposal of Waste

- 5.1.4 I note that there is a paragraph in the CEMP about disposal of waste, the Environmental Health Section would recommend adding no burning of waste to be allowed on site.

Noise

- 5.1.5 No demolition or construction works relating to this permission shall be carried out on any Sunday or Bank Holiday, nor before 07.30 hours or after 18.00 hours on any weekdays, nor on any Saturday before 08.00 hours or after 13.00 hours. In the CEMP it mentions work on Saturday until 14.00 or 15.00 – our local recommendations are that noisy works should cease at 13.00. These times apply to work which is audible at the site boundary. The proximity to adjacent residents must be considered when undertaking noisy work such as piling, which is likely to cause disruption. The mitigation procedures set out in the CEMP must be followed. Communication with local residents around scheduled noisy works is recommended.

Lighting

- 5.1.6 Site lighting must not cause nuisance to local residents.

Air Quality

- 5.1.7 Vehicle engines must be switched off when vehicles are stationary; clear signage to prevent idling should be displayed, and the rule enforced by authorised personnel, who can turn off engines if they witness a contravention.

5.2 Council's Arboricultural Manager

- 5.2.1 Following an assessment of the application, there is no objection from an arboricultural view point. However, in order to prevent any tree encroachment onto the proposed building, it is suggested a condition is imposed. This condition will require the applicant to carry out the necessary cutback works by a qualified tree surgeon and sympathetically to the trees health, stability and amenity value.

5.3 Council's Parks and Amenities Section

- 5.3.1 No comments.

5.4 Council's Leisure and Community Services

- 5.4.1 Following attendance at the consultation event, it was agreed in principle that the school would want some community use. However, the specialist nature of the school and the design of it may limit the use to very small specialist groups. However, this view may have changed since the event and the school may be subject to a CUA (Community Use Agreement).

5.5 Police Crime Prevention and Design Advisor

- 5.5.1 I note from the documentation that has been submitted that the intention is to build to the aspirations of the Police preferred minimum security standard that is Secure by Design (SBD). However, the applicants have forgotten to mention that the project team have already engaged with Hertfordshire Constabulary's Crime Prevent Design Service (CPDS) and have had dialogue with the local Crime Prevention Design Advisor (CPDA) to discuss the project with a view to seeking to achieve SBD accreditation. During the meeting minor alterations were made to the original design and notes on the required third-party certification of various components were made.
- 5.5.2 In light of these events the Police CPDS fully support this planning application and the CPDA looks forward to receiving the SBD paperwork once the planning permission is granted.

5.6 Herts and Middlesex Wildlife Trust

- 5.6.1 There is no in principle objection to this application but more information is required before the application can be decided. The full NE biodiversity metric spreadsheet must be supplied to enable the summary figures contained in the report to be verified. This must correspond with the areas on the submitted landscape plans.
- 5.6.2 The wildflower mixes specified in the landscape plan for do not accord with naturally occurring communities and are not acceptable. More authentic mixes that simulate appropriate NVC communities will be required. Hedgerow and scrub mixes should contain a minimum of 8 species to maximise opportunities for biodiversity.
- 5.6.3 Once these changes have been made and the required information has been supplied and accepted, the application can be approved with a condition for a landscape and ecological management plan that delivers the habitat condition as set out in the metric. The LEMP must specify exactly how many habitat units will be delivered and the

establishment, management and monitoring regimes required achieving this. HMWT can supply a suitable condition once the requested information has been received and approved.

6. CONSULTATION RESPONSES TO HERTFORDSHIRE COUNTY COUNCIL

6.1 Sport England

6.1.1 Sport England raise no objection to the application as a statutory consultee, subject to the proposed financial contribution to mitigate the impact of the development on the playing fields being secured through a section 106 agreement and a planning conditions being imposed requiring the submission and approval of a community use agreement as set out in their response.

6.1.2 Sport England advised that it is understood that the proposal prejudices the use, or leads to the loss of use, of land being used as a playing field or has been used as a playing field in the last five years, as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2015 (Statutory Instrument 2015 No. 595). The consultation with Sport England is therefore a statutory requirement. Sport England has considered the application in light of the National Planning Policy Framework (in particular Para. 99), and against its own playing fields policy, which states:

'Sport England will oppose the granting of planning permission for any development which would lead to the loss of, or would prejudice the use of:

- All or any part of a playing field, or
- Land which has been used as a playing field and remains undeveloped, or
- Land allocated for use as a playing field.

6.1.3 In summary, the planning application involves redeveloping the Valley School site to provide a replacement SEN school that would be sited on the school's existing natural turf playing field, hard play areas and car park to the north of the site. The existing school's buildings to the south of the site would remain in operation while the new school is built. The new school buildings, external areas and replacement hard play would result in the loss of all of the existing hard play areas and a substantial proportion of the natural turf playing field (approximately 0.41 ha). The northern part of the playing field (approximately 0.45 ha) would be retained for supporting the new school. As set out in the Planning Statement and the Sport England Note, it is proposed that the loss of part of the Valley School's playing field will be principally mitigated by a financial contribution being offered that would be used towards the delivery of community playing field projects within Stevenage.

Assessment against Sport England Policy

6.1.4 The applicant has engaged with Sport England and Stevenage Borough Council at pre-application stage and during the determination of the planning application with a view to developing a playing field mitigation package that would accord with our policy. The current package is set out in Planning Statement and the Sport England Note, and, in summary, involves:

- A financial contribution of £102,234 being paid to Stevenage Borough Council that would be used towards the delivery of 3G artificial grass pitch, grass playing pitches or playing pitch ancillary facilities in Stevenage that would be paid prior to

- commencement of development and would need to be used within a period of 5 years from receipt of payment;
- The new school would include a hall, sports hall, fitness studio that would be made available for community use outside of school hours in addition to the remaining playing field and replacement multi-use games area.
- 6.1.5 Exception 4 of Sport England's playing fields policy permits the loss of playing fields if the playing field that would be lost as a result of the proposed development would be replaced by a playing field of equivalent or better quality and of equivalent or greater quantity, in a suitable location and subject to equivalent or better management arrangements, prior to the commencement of development. When assessed against this exception (which is consistent with paragraph 99(b) of the NPPF), the package may not entirely accord with the policy. This is because the proposal to make a financial contribution that would be used towards 3G artificial grass pitch, grass playing pitches or playing pitch ancillary facility projects in Stevenage may not deliver a replacement playing field of equivalent or greater quantity to the playing field that is being lost on the application site because the contribution is more likely to be used towards enhancing the facilities at an existing playing field site rather than creating a new playing field. Furthermore, due to the potential time lag between development starting on the playing fields on the application site and the mitigation projects (that would be funded by the financial contribution) being delivered, the replacement playing fields would not be expected to be available prior to development commencing on the playing fields that would be lost.
- 6.1.6 Whilst the principal element of the mitigation package that has been offered would not fully accord with exception 4, the following considerations which apply specifically to this case are significant to Sport England's assessment, the part of the playing field that would be lost to the new school development is not needed for educational use and has not had any recent community use outside of school hours. The Valley School is a SEN school that does not mark out pitches as this is not responsive to the educational needs of the pupils that the school accommodates.
- 6.1.7 While a smaller playing field area needs to be retained for the school, this would be used for informal sport and recreation rather than marked out playing pitch use. It is understood that because the site was originally designed as a secondary school before it was converted to a SEN school that it had a much larger playing field area than that required to meet the educational needs of the current school. The retained area of playing field would still exceed the recommended guidance for special educational needs schools in terms of the minimum area that should be provided in quantitative terms. The playing field is understood to not have had any community use since the adjoining Sports Academy used the site in 2018 and therefore no existing or recent community use would be displaced by the proposals.
- 6.1.8 Sport England have consulted the Football Foundation (who represent the FA and Herts County FA) who have advised that they would have no objection to the loss of part of the playing field (subject to the mitigation being secured) because there is no formal community use of it and there is no community use agreement in place.
- 6.1.9 Replacing the playing field that would be lost with an equivalent playing field in quantitative terms (in accordance with exception 4 of the above policy) elsewhere would not on this occasion be considered to provide a facility that would be responsive to local community needs and be sustainable to operate in practice. As the playing field area that would be lost is only 0.41 ha, it would only be possible to accommodate a single junior football pitch or two small mini football pitches in the space if a direct replacement facility was provided. Based on Sport England's experience, providing a small standalone playing field with limited supporting facilities would not usually be attractive to community youth football clubs to use because clubs prefer larger multi-

pitch sites where multiple teams within the club can play at the same time and which are supported by suitable toilet and refreshment facilities. Small playing fields are also more difficult for local authorities to sustainably manage and are likely to become vulnerable to being taken out of formal playing pitch use. It would also be unclear who would be able to sustainably manage such a facility over a long term period if it was provided given that the Valley School do not need such a facility.

- 6.1.10 In view of the above considerations that apply to this particular site, the principle of using a financial contribution to provide or enhance facilities on strategically important existing community playing field sites would be considered to offer more benefits to community sport than providing a replacement playing field of equivalent quantity on this occasion.
- 6.1.11 While Stevenage Borough Council's Playing Pitch Strategy (2014) is no longer up-to-date in terms of identifying local playing pitch needs and priorities, the recent Stevenage Local Football Facilities Plan (2020) was prepared by the Football Foundation in consultation with the Borough Council has identified a need for additional 3G artificial grass pitches and improvements to existing grass playing pitches and supporting pavilion facilities and several priority projects have been identified for addressing each of these needs. The Borough Council have been engaged by the applicant and has proposed that if the financial contribution is secured it would be used towards implementing projects that would be consistent with the Local Football Facilities Plan's priorities for addressing playing field deficiencies. Using the proposed financial contribution to deliver priority projects that would help address these needs would be considered to offer greater benefits to community sport than safeguarding the part of the playing field on the application site that would be lost given the considerations outlined above.
- 6.1.12 The Football Foundation and the Herts County FA welcome the financial contribution being used for delivering these projects. It is considered that using a financial contribution towards the delivery of football led projects would be appropriate on this occasion given that the only realistic community use of the part of the Valley School's playing field that would be lost, would be for community football use and given that the only known historic use of the school playing field by the community has been for football use.
- 6.1.13 The financial contribution that has been proposed is considered to be appropriate in terms of its amount for providing a replacement playing field that would be equivalent or better in quantity and quality to the playing field that would be lost. The proposed contribution would be equivalent to the current capital cost (based on Sport England's average facility costings) of providing a playing field equivalent in area (0.41 ha) to that which would be lost in accordance with Sport England's design guidance together with the cost associated with providing some basic toilet/refreshment facilities. Consequently, the scale of the financial contribution proposed would be adequate for delivering a replacement playing field that would meet exception 4 of our policy.
- 6.1.14 As the area of playing field that would be lost is not needed by the Valley School and does not have any existing community use, on this occasion it is not essential that the replacement facilities funded by the financial contribution are completed and operational in advance of development commencing because there is not a need to provide continuity of provision for an existing playing field user.
- 6.1.15 The new Valley School would provide replacement sports facilities including a hall, sports hall and fitness studio. While these would be replacement facilities rather than new ones, they would be superior in quality to the dated facilities in the existing school that they would replace as they would be designed to current DfE guidance. These facilities, while not being designed for community use, would in principle be expected to

be suitable for activities such as dance, fitness and martial arts. As set out in the Planning Statement, these facilities would be made available for community use and access would be secured through a community use agreement. Due to the quality of the facilities in the new school, they would offer more potential for meeting local community needs for indoor facilities than the facilities that they will replace. The remaining playing field area and replacement MUGA would also be made available for community use and secured through a community use agreement.

- 6.1.16 At present, as set out above there is no existing community use of the school's playing field and no community use agreement in place to secure such use over a long term period. Consequently, the new school would offer replacement and retained facilities that would offer much greater benefits to both the school and the local community than the existing facilities. While the benefits offered by the replacement sports facilities would not be sufficient in isolation to outweigh the detriment caused by the impact on the playing field (and thereby allow the proposal to meet exception 5 of our policy), they would in addition to the proposed financial contribution, represent an important part of the mitigation package.
- 6.1.17 On the basis of the above considerations, while I am of the view that the proposed playing field mitigation would broadly meet the intention of exception 4 of our policy, Sport England are satisfied that exceptional circumstances exist to justify a departure from our playing fields policy on this occasion in relation to the proposal not according with the equivalent or greater quantity and continuity of use criteria in exception 4 on the basis of the considerations set out above that apply specifically to this proposal.

Conclusions and Recommendation

- 6.1.18 In conclusion, it is considered that while the proposed playing field mitigation package would not fully accord with exception 4 of our policy, on this occasion based on the specific considerations set out above which are unique to this proposal, a departure to our policy in relation to expecting all of the criteria in the exception 4 to be met is considered to be justified. Sport England makes no objection to the planning application as a statutory consultee. However, this position is strictly subject to the matters set out below being addressed through a section 106 agreement and a planning condition if planning permission is forthcoming.

Section 106 Agreement

- 6.1.19 A section 106 agreement would need to make provision for the following in relation to the proposed financial contribution that would be paid by the applicant which is along the lines set out in the submitted Sport England Note:
- A £102,234 financial contribution (index linked to the date when planning permission is granted) to be paid by the applicant to Stevenage Borough Council prior to commencement of development on the application site;
 - The contribution to be ring fenced in the agreement towards the delivery of off-site 3G artificial grass pitches, grass playing pitches or playing pitch ancillary facilities within the Borough of Stevenage and the projects to be agreed in consultation with Sport England prior to the contribution being used;
 - The agreed project(s) that the contribution would be used towards to be implemented within 5 years of the contribution being paid unless otherwise agreed by the Borough Council following consultation with Sport England.

Planning Condition

- 6.1.20 A planning condition would need to be imposed on any planning permission which requires a community use agreement for the new school's sports facilities to be

submitted and approved by the local planning authority (in consultation with Sport England) prior to first use of the development in order to ensure that community access to the sports facilities (at least the school hall, sports hall, fitness studio and playing field) is secured in practice.

- 6.1.21 A community use agreement sets out a school's policy and arrangements for community use of its sports facilities and covers matters such as hours of use, types of bookings accepted, restrictions on community use etc. The agreement is usually between a school and the relevant local authority (i.e. Stevenage Borough Council) but other bodies such as Active Partnerships and sports governing bodies can also be parties. Sport England regularly secures the completion of such agreements through planning conditions on planning permissions for school developments. Such a condition is justified to avoid a scenario where community access (outside of school hours) to the proposed facilities does not take place (or is significantly restricted) following the implementation of the proposed development and to ensure that the community use arrangements are safe and well managed.
- 6.1.22 A community use agreement also provides clarity and formalisation with respect to community access arrangements for all parties. The applicant has offered to secure community use through the completion of a community use agreement in the Planning Statement. Community use agreement templates, examples of completed agreements and further advice can be provided upon request although advice should be sought from both Stevenage Borough Council and Sport England before an agreement is prepared. The following condition is requested to be imposed to address this which is based on model condition 16 of Sport England's conditions schedule.

6.2 Hertfordshire County Council Landscape Section

Existing trees

- 6.2.1 The submitted arboricultural information provides a fair assessment of the impact of the development upon the existing trees. The recommended tree protection measures and method statements, including other tree works, should be implemented in full to ensure that the retained trees are protected throughout the demolition and construction stages of the development, and remain safe for the long term. The proposed development does not have an unacceptable adverse effect upon any locally valued landscapes or views.

Landscape and visual appraisal

- 6.2.2 Overall the proposed development is not considered to result in any unacceptable adverse effect upon the locally valued landscapes.

Proposed landscaping scheme.

- 6.2.3 There is concern for the proposed landscape layout plan (LLP) that lacks any soft landscape within the school grounds and car park and appears to be dominated by hard surfacing and substantial runs of fencing. This appears to be at odds with the objectives set out within the Design and Access Statement (DAS). At this stage the landscape scheme is not supported and further detail and clarification is required to demonstrate how the scheme would deliver a high quality and pleasant environment for its occupiers.

Statutory protection, tree survey and Arboricultural impact Assessment

- 6.2.4 The submitted information confirms that there are no trees subject to a Tree Preservation Order (TPO) or located within a conservation area. The submitted

information provided with the application confirms the presence of the following trees on or adjacent to the trees:-

TYPE	TREES				TREE GROUPS				HEDGEROWS			
CATEGORY	A ⁶	B ⁷	C ⁸	U ⁹	A	B	C	U	A	B	C	U
NO.		8	2				1				1	
TOTAL	10				1				1			

- 6.2.5 In regards to the arboricultural impact assessment, the submitted information identified that no trees will be removed to accommodate the development. In addition, it also confirmed that with the regards to tree T007 (Category B, English Oak), a section of hardstand nominally intrudes within the Root Protection Area (RPA) of this tree. This identifies has only minor influence on the RPA and as such, it is considered appropriate to undertake linear root pruning, thus obviating the need for specialist no dig techniques at this location.
- 6.2.6 The submitted information also recommends works to trees for health and safety reasons. These include the removal of snapped branches, deadwood and ivy. With regards to tree protection, the Arboricultural Reports set out detailed tree protection measures and confirms the requirement for linear root pruning to one tree (Tree T007).

Valued landscapes

- 6.2.7 The northern part of the site overlaps a locally designated ‘Green Link’ as identified within the local development plan. In broad terms this policy seeks to protect the continuity of views, recreational, structural, amenity or wildlife value, and connectivity with existing ‘Green Links.’ Within this area, the proposed amenity grass reflects the existing land-use as sports pitches, and the proposed strip of wildflower grassland along the northern and eastern site boundaries, should serve to enhance the amenity and wildlife value here.
- 6.2.8 It is noted that the northern end of the site is immediately adjacent to highly sensitive land-uses that include ‘principal open space’ and ‘wildlife site’ as identified within the local development plan, however these should remain unaffected. Overall the proposed development is not considered to result in any unacceptable adverse effect upon the locally valued landscapes.

Proposed landscape scheme (Mitigation and Enhancements)

- 6.2.9 There is concern for the lack of any proposed soft landscaping throughout the school grounds which, as shown on the proposed landscape layout plan (LLP), appears to be dominated by hard surfacing comprising predominantly tarmac, wet pour rubber, and paving slabs. Indeed, the Design and Access Statement (DAS) shows the location of all soft informal spaces constrained to the sport pitches and along the eastern site boundary.
- 6.2.10 There is also concern for the lack of soft landscaping within the car park area, which currently only shows 3 proposed trees and some small areas of shrub planting. Planting is important as it provides many benefits including, for example, visual amenity, the improvement of acoustics, and the provision of shade, especially within the hard courtyard areas. It can also provide a connection between the school grounds and the wider area, especially within this landscape setting.
- 6.2.11 With regards to the outdoor learning spaces, the DAS refers to “*designated areas for specific activities including sensory areas with raised bed and mix planting.*” With regards to the two courtyards, the DAS refers to “*Raised beds provide visual amenity, sensorial experience, and opportunities for educational and health and wellbeing*”

activities. Some of the planters are proposed to be used for stormwater harvesting from rooftops. There will also be an area for staff members with ornamental planting, tables and chairs.” The LLP shows a pergola structure without any apparent planting.

- 6.2.12 The above referenced planting areas do not appear to be shown on the LLP. The provision of new allotments is fully supported in principle. There is concern for the negative impact of the proposed 1.5 m high timber paled fence to all outdoor learning areas and the allotments, upon the landscape quality and visual amenity of the circulation areas to the perimeter of the building (which are shown on the LLP as permeable tarmac areas). It is not clear what the fencing will actually look like, for example, will it have hit and miss vertical boards and some degree of visual permeability, or will it be solid and completely visually impermeable.
- 6.2.13 At this stage there is concern for the long runs of fencing that almost entirely envelop the ground floor of the building and create long narrow corridors around its periphery, and to the building entrances. From these areas it will appear as a relatively continuous high barrier that could feel overbearing.

6.3 Thames Water

- 6.3.1 With regard to surface water drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Management of surface water from new developments should follow Policy SI 13 Sustainable drainage of the London Plan 2021. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required.
- 6.3.2 There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way.
- 6.3.3 Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses. Thames Water would advise that with regard to WASTE WATER NETWORK and SEWAGE TREATMENT WORKS infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.
- 6.3.4 With regard to water supply, this comes within the area covered by the Affinity Water Company.

Note:- At the time of publishing this report, no additional consultation had been received by Hertfordshire County Council's Planning Department. Any additional consultation responses received by that department will be made available for the Planning and Development Committee for its consideration.

7. RELEVANT PLANNING POLICIES

7.1 Background to the development plan

- 7.1.1 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).

7.2 Central Government Advice

- 7.2.1 A revised National Planning Policy Framework (NPPF) was published in June 2021. This largely reordered the policy substance of the earlier 2012 and 2019 versions 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.

7.3 Planning Practice Guidance

- 7.3.1 The PPG contains guidance supplementing the NPPF and with which Members are fully familiar. The PPG is a material consideration to be taken into account together with the National Design Guide (2019) which has the same status as the PPG.

7.4 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 SP9: Healthy Communities;
 Policy SP11: Climate change, flooding and pollution;
 Policy SP12: Green infrastructure and the natural environment;
 Policy IT4: Transport Assessment and Travel Plans;
 Policy IT5: Parking and access;
 Policy IT7: New and improved links for pedestrians and cyclists;
 Policy GD1: High Quality Design;
 Policy FP7: Pollution
 Policy HC4: Existing health, social and community facilities;
 Policy HC5: New health, social and community facilities;
 Policy HC6: Existing leisure and cultural facilities;
 Policy HC8: New and refurbished leisure and cultural facilities;
 Policy FP1: Climate Change;
 Policy FP2: Flood risk in Flood Zone 1;
 Policy FP3: Flood risk in Flood Zone 2;
 Policy FP5: Contaminated land;
 Policy FP7: Pollution;
 Policy FP8: Pollution sensitive uses;
 Policy NH1: Principal open spaces;
 Policy NH2: Wildlife sites;
 Policy NH3: Green corridors;
 Policy NH4: Green links;
 Policy NH5: Trees and woodland.

7.5 Supplementary Planning Documents

Parking Provision Supplementary Planning Document October 2020
Stevenage Design Guide Supplementary Planning Document January 2009.
The Impact on Biodiversity SPD 2021
Developer Contributions SPD 2021

7.6 Community Infrastructure Levy Charging Schedule

- 7.6.1 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 floor space of a development. This proposal is not CIL liable.

8. APPRAISAL

- 8.1.1 The determining issues in this application relate to the principle of development and land use policy considerations; visual impact of the development; impact on residential amenities; parking provision; highway implications; impact on the environment; trees and landscaping; biodiversity, ecology and protected species; Development and Flood Risk.
- 8.1.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that all planning applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

8.2 Principle of development and land use policy considerations

Principle of development

- 8.2.1 The application site encompasses an area of brownfield land and amenity grassland and is located within the defined urban limits of Stevenage. The provision of a new school building which provides sufficient infrastructure to support the wider community in accordance with Policies SP2, SP9 and HC5 of the Stevenage Borough Local Plan 2011 – 2031 (adopted 2019). Furthermore, the NPPF (2021) under paragraph 95 states that *'it is important that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:*
- a) give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications; and*
- b) work with school promoters, delivery partners and statutory bodies to identify and resolve key planning issues before applications are submitted'.*
- 8.2.2 In addition to the above the Governments Planning Statement: Planning for Schools Development stipulates that the provision of new schools should be supported and the planning system should not be used in a way to restrict such development.
- 8.2.3 The proposed new school, being sited north of the existing school buildings, would ensure that the existing school can continue to operate so as to not disrupt the delivery of education of the pupils whilst the new school is under construction. The new school would accommodate the existing number of pupils (165) who attend The Valley School. As such, the principle of the proposed construction of the replacement school on this site is in accordance with policies set out in the adopted Local Plan (2019) and the NPPF (2021).

Impact on open space / natural turf playing areas.

- 8.2.4 Given the proposed development would be located within the curtilage of the Valley School site, the scheme would have no impact on Fairlands Valley Park and Shackleton Spring Woodland Principal Parks in accordance with Policy NH1. The northern part of site falls within the designated Fairlands Valley Green Link as fined by Policy NH4. Given this, the proposed building has been positioned so as to not encroach on the area which is designated as falling within a Green Link. As such, there would be no physical or visual break to this link with this area remaining generally untouched by the proposal.
- 8.2.5 The proposed development would result in the loss of a minor area of open space located outside of the Green Link which forms part of the playing pitch. However, this has been identified in the supporting documentation as being poor quality in terms recreational and environmental value with most of this area comprising hardstand. In addition, as set out in detail in sections 7.8 and 7.9 of this report, the proposal seeks to provide enhanced landscaping and biodiversity features which off-set the limited loss of this space.
- 8.2.6 Turning to the natural turf playing areas, part of the proposed development would result in a substantial loss of approximately 0.41ha of the natural turf playing area. As the retained area of natural turf is not sufficient to provide extensive replacement facilities, Sport England has confirmed that mitigation would be provided in the form of a financial contribution towards the provision of replacement and/or enhanced sports facilities in the area. This would have to be secured as part of a Section 106 legal agreement which at the time of drafting this report, has been executed by all parties (including Stevenage Borough Council) but will only be completed if Hertfordshire County Council is minded to grant planning permission. In addition, they would be seeking the provision of a Community Use Agreement to ensure the local community would have access to certain facilities outside of school hours. This would have to be secured via condition if Hertfordshire County Council (HCC) as Planning Authority, decides to grant planning permission.
- 8.2.7 In summary, whilst it is clear there would be an element of open space lost by this development; the proposed development would enhance the quality and usability of the remaining open space within the site, with the loss of this area compensated, in accordance with policies SP12 and NH6 of the Local Plan. In addition, great weight should be given to the construction of a new school which would enable the on-going learning of existing pupils and provide significantly enhanced classrooms and learning facilities to meet the educational needs to the pupils attending the school. Therefore, it is considered that the overall benefits of this development would significantly outweigh the loss of the area of open space.

8.3 Visual impact of the development

- 8.3.1 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”.
- 8.3.2 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.
- 8.3.3 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”.
- 8.3.4 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”.
- 8.3.5 Policy SP8 of the adopted Local Plan (2019) requires new development to achieve the highest standards of design and sustainability which can deliver substantial improvements to the image and quality of the town’s built fabric. Policy GD1 of the Local Plan generally requires all forms of development to meet a high standard of design which includes form of built development, elevational treatment and materials along with how the development would integrate with the urban fabric, its relationship between buildings, landscape design and relevant aspects of sustainable design.
- 8.3.6 The National Design Guide (2019) which was published by National Government is a material consideration in the determination of planning applications. It sets out that Buildings are an important component of places and proposals for built development are a focus of the development management system. However, good design involves careful attention to other important components of places. These include:
- the context for places and buildings;
 - hard and soft landscape;
 - technical infrastructure – transport, utilities, services such as drainage; and
 - social infrastructure – social, commercial, leisure uses and activities.
- 8.3.7 A well-designed place is unlikely to be achieved by focusing only on the appearance, materials and detailing of buildings. It comes about through making the right choices at all levels, including:
- the layout;
 - the form and scale of buildings;
 - their appearance;
 - landscape;
 - materials; and
 - their detailing.
- 8.3.8 The Guide further iterates that all developments are made up of these components put together in a particular way. As such, the choices made in the design process contribute towards achieving the ten characteristics and shape the character of a place. For reference, these ten characteristics are as follows:-
- Context – enhances the surroundings;

- Identity – attractive and distinctive;
- Built form – a coherent pattern of built form;
- Movement – accessible and easy to move around;
- Nature – enhanced and optimised;
- Public spaces – safe, social and inclusive;
- Uses – mixed and integrated;
- Homes and buildings – functional, healthy and sustainable;
- Resources – efficient and resilient;
- Lifespan – made to last.

8.3.9 The proposed development would comprise the construction of single-storey building following demolition of the existing bungalow and associated garage. The school has been designed to provide a suitable environment with a high level of therapeutic support and teaching facilities for children with social, emotional and mental health needs. The building would comprise inner courtyards and outdoor spaces with the building being served by a dedicated and managed pick up and drop off point in a secure environment.

8.3.10 The development has been designed to fit within the natural topography of the site and positioned as far as possible from nearby residential properties. The building has also been positioned so as to not have any impact on the designated Green Link. In terms of visual appearance, the development would be finished in modern, contemporary and contrasting material to add variety and interest to the built form. The building would also incorporate green roofs on the pitched elements in order to boost biodiversity on the site as well as form part of a sustainable drainage system for the site.

8.3.11 The overall façade of the buildings would appear robust, with a combination of brick plinths running up to underside of the window with a coloured render above. The windows would be modern PPC (Polyester Powder Coating) aluminium framed windows which would be finished in a colour to complement the brickwork. The classrooms are detailed as showing a mixture of natural ventilation and horizontal louvres in order to service the mechanical ventilation and openable windows. The main entrance of the building and sports hall would have a strong visual presence with the combination of brick and feature cladding. The façade itself has been designed so that the masonry and glazed detailing naturally flow to form a series of vertical panels. The cladding itself reflects the school's theme of using purple with a random pattern in order to create something which catches the eye and complements the contemporary modern design.

8.3.12 Given the above, it is considered that the proposed development has been designed to the highest quality standard and would significantly enhance the visual appearance of the site. Moreover, the building appears functional and has been designed to meet the needs of the pupils who attend the school. Therefore, it can be concluded that the proposed development would accord with the policies set out in the adopted Local Plan (2019), the Council's Design Guide SPD (2009), the NPPF (2021) and PPG.

8.4 Impact on residential amenities

Outlook and Privacy

8.4.1 The Council does not have specific policies when it comes to outlook and privacy for non-residential development. Notwithstanding this, the school building being single-storey and located approximately 41m from the nearest residential properties on Shackledell, is unlikely to cause any significant issues in terms of outlook and privacy.

8.4.2 In addition to the above, the scheme would seek to retain a number of mature trees which run along the eastern boundary of the site with a combined boundary wall. This

would ensure that the development is well-screened from the nearby residential properties.

Sunlight and Daylight

- 8.4.3 Due to the siting, design and scale of the proposed development, it would not cause any significant loss to the level of sunlight or daylight which is currently received by neighbouring properties.

Noise

- 8.4.4 With respect to noise, Policy FP8: Pollution Sensitive Uses stipulates that planning permission for pollution sensitive uses will be granted where they will not be subjected to unacceptably high levels of pollution exposure from either existing, or proposed pollution generating uses.
- 8.4.5 The application is supported by a Noise Impact Assessment prepared by DBX Acoustics (dated April 2021, report reference 21020 The Valley SEN School R01). The assessment concludes that the development would not cause any unacceptable harm on the amenity of neighbouring residents. In addition, mitigation measures through the provision of sound insulation where required are also detailed within this assessment. This is in order to ensure the proposal meets the relevant standards on noise.
- 8.4.6 Following consultation with the Council's Environmental Health Section, they have not raised concerns in relation to the proposed development in terms of noise. This is due to the fact the site is already operating as a school, so the environment in terms of noise is not changing significantly. In terms of construction, the Council's Environmental Health Section has recommended a condition relating to hours of construction. This is in order to mitigate the impact of construction activities on local residents. An appropriately worded condition should therefore be imposed if HCC are minded to grant planning permission.

8.5 Parking provision

- 8.5.1 Policy IT5 of the adopted Local Plan (2019) states that planning permission would be granted where proposals comply with the parking standards set out in the plan. The Council's adopted Parking Standards and Sustainable Transport Supplementary Planning Document designates the site in an 'all others area' zone allowing for a 75-100% provision of the required parking provision. Based on the requirements of the 2020 SPD the following provision would be required based on the proposed development details submitted –
- 1 space per full time staff (75 staff);
 - 1 space per 100 pupils (165 pupils); and
 - 1 space per 20 pupils under the age of 17 (165 pupils).
- 8.5.2 Calculating the requirements for the proposed school based on the above standards, the proposal would require between 63 spaces to 84 spaces. The development seeks to provide 63 parking spaces which accords with the Council's adopted standards. In terms of electric cars the newly adopted SPD requires 20% provision of active EVCPs, with the remaining 80% to have at least passive infrastructure provided for future installation. The development proposes to install 7 no. charging points which would serve 2 spaces each, so 14 in total. This exceeds the requirement to provide a minimum of 13 EV spaces.

8.5.3 For disabled parking, there is a requirement to provide 1 space for each employee who is a disabled motorist and 5% of the total capacity. In addition, a further 5% of total spaces should be to an enlarged standard which can be adapted to be parking spaces for those who are disabled in the future. Taking these standards into consideration, there would be a requirement to provide 3 spaces plus an additional 3 spaces for the future. The proposed development would seek to provide 6 disabled spaces plus some additional spaces which are of a sufficient size to be converted in the future if required. As such, the proposal would have more than sufficient disabled parking provision in line with the Council's standards.

8.5.4 Turning to cycle parking, the standards set out the following requirements:-

- 1 long term space per 8 staff;
- 1 long term space per 8 pupils; and
- 1 short term space per 100 pupils.

As such, there would be a requirement to provide 32 cycle spaces. The proposed development would seek to provide 36 cycle spaces which would exceed the Council's requirements. Given this site is highly accessible by bicycle, any additional spaces to encourage a modal shift away from the private car are supported by officers.

8.5.5 Overall, the proposed development would accord the requirements set out in the adopted Parking Standards and Sustainable Transport SPD (2020) and Policy IT5 of the adopted Local Plan (2019).

8.6 Highway implications

8.6.1 The application site, which currently operates a one-way system for all vehicular traffic, is currently accessed off Broadhall Way (A602) which is a principal road. Vehicles then egress the site via the gated exit onto Valley Way. The proposed development would seek to utilise this existing operational arrangement in terms of highway access and egress. The site is also accessible via public footpath and can also be accessed by people on bicycles and this arrangement will remain unchanged.

8.6.2 Further to the above, the site is highly accessible by bus with the nearest bus stop (eastbound) being located 100m south on Broadhall Way. The second bus stop (westbound) located on this road would be located 320m from the school. As such, both stops are within the recommended 400m walking distance from the site and therefore, the TS sets out that no improvements or additional measures are required to facilitate access to the existing transport network.

8.6.3 Dealing with personal injury collision, the data obtained by Hertfordshire County Council (as set out in the applicants Transport Statement (TS)) show that a total of 18 accidents have taken place over the course of a 5 year period, an average of 3.6 accidents per year. The accidents recorded are slight severity and there are very few accidents involving pedestrians. Based on the information provided, the TS sets out the proposed development will not lead to an increase in the number and type of accidents noted above.

8.6.4 The above is considered to be a reasonable assumption as the proposal seeks to replace the existing school which is currently in operation. In terms of its operation, the proposal does not seek to increase the capacity of the school which is currently 75 staff

and 165 pupils. However, in terms of betterment to the existing access arrangement, the applicant has confirmed as set out in an Access Arrangement Document that the gates will remain open during the day when the site is operating. This is in order to help alleviate vehicles queuing into the road when accessing the site. Currently, vehicles have to wait in the layby in order to access the site.

- 8.6.5 With regards to trip generation, data has been obtained from the existing school and detailed in the TS. The school opening hours are between 0900 and 1510, up to 1630 to account for afternoon school clubs. The school therefore, does not generate PM Peak hour trips, and there are no trips at the weekend. The TS provides a detailed mode split of pupils and staff travel, where the existing school can generate 67 staff car movement trips in the AM peak, and 42 car movements associated with pupils. 104 pupils access the school via the school bus, with 2 staff members walking, 2 accessing public transport and 4 cycling.
- 8.6.6 The existing travel plan for the school seeks to reduce the number of staff vehicle movements through the promotion of walking, cycling and public transport as viable alternative methods of travel to/from the school. Given the identified flows of traffic which are already on the network, it is not considered the proposed development would cause significant highways issues to arise.
- 8.6.7 Turning to construction traffic, it is noted that these would be accessing the site whilst the existing school is in operation; therefore, it is recommended that Hertfordshire County Council imposes a condition for Construction Traffic Management. This would ensure that there are no conflicts with existing users of the school site and control the level of impact on the surrounding highway network.
- 8.6.8 In relation to the existing school itself, it is noted that this would still be in place once the new school is in operation. As such, the vacated school should no longer be used as the TS submitted with the application is based on a set number of pupils and staff. Therefore, it is agreed, as set out in the Access Document that a condition should be imposed to ensure the existing school buildings are no longer used once the staff and pupils have transferred to the new school buildings. If the existing buildings were to be used in the future, Stevenage Borough Council would want to be formally consulted on any applications.
- 8.6.9 As the proposed development does not seek to amend the existing access arrangement and the overall level of traffic generation / vehicle movements for the school will not change, it is considered unlikely the proposed development would prejudice highway safety. Given the above and with the use of appropriate conditions, the proposal is considered acceptable in this regard. However, it would be for Hertfordshire County Council as Highway Authority to advise as the technical expert on highway related matters as to whether or not the proposed development would prejudice highway safety.

8.7 Impact on the environment

Contamination

- 8.7.1 The application site, as detailed in the applicants Ground Site Investigation Report, identifies that the site was previously fields prior to the construction of the site as a school. The report concludes that there are no elevated concentrations of contamination with the soils and made up ground beneath the site. As such, it is considered that there

should be no risk to the population, environment or water bodies and no remediation is necessary.

- 8.7.2 Following consultation with the Council's Environmental Health Section, they do not raise any concerns with the overall findings of the Ground Site Investigation Report. However, they do recommend a condition is imposed to any permission issued. The condition would be a catch-all condition in that in the event previously unidentified contaminants are identified during the demolition and construction phases of the development, then a remediation strategy would need to be submitted for approval. That strategy would then need to be put in place prior to works re-commencing accordingly.
- 8.7.3 The above condition would ensure that in the event unsuspected contaminants were found, the relevant measures are put in place in order to protect the population, environment and water bodies.

Air Quality

- 8.7.4 Policy FP7 of the adopted Local Plan (2019) states that all development proposals should minimise, and where possible, reduce air, water, light and noise pollution. Looking at air quality and air pollution specifically, The Air Quality Annual Status Report (ASR) 2019 by Stevenage Borough Council identifies that the development site is not located within or in close proximity to an Air Quality Management Area (AQMA). In terms of Air Quality in the nearby area surrounding the development site, the nearest diffusion tube and their reading in the aforementioned Report are as follows:-

- Tube 3 (Valley Way) – 18.1 NO₂ µg/m

The data above shows that the readings do not exceed the NO₂ annual mean objective of 40µg/m³. This generally shows that the Air Quality in the area is within national guidelines.

- 8.7.5 The air quality assessment undertaken by the applicants consultant (Report prepared by Redmore environmental, June 2021, report reference:- 4195r1) focuses on both the demolition/construction phase and operational phase of the development. Dealing with the construction phase, it is noted that there would be activities which would affect local air quality. These include dust emissions and exhaust emissions from plant, machinery and construction traffic.
- 8.7.6 In terms of the construction phase of development, the applicant would be looking to put in place a number of mitigation measures to reduce impact on air quality. This includes the development and creation of a Dust Management Plan (DMP), overseeing the management and monitoring of dust which is generated during the construction phase with mitigation measures (e.g. enclosure of specific operations, dust causing activities located away from residential properties, covering stockpiles) put in place. It also sets out a restriction on the use of fires (which is also a requirement of Environmental Health) as well requiring vehicles to be switched off when stationary. Replacing the use of diesel or petrol power generators with the use of mains electricity is also recommended.
- 8.7.7 Cutting and grinding equipment would incorporate dust control measures along with the use of dust suppression measures on site. In addition and where required, it is

recommended to use dust sweepers on the roads, implement wheel washing facilities and to ensure materials are covered then they leave and enter the site.

- 8.7.8 In terms of the operational phase, the scheme has been designed to operate a net zero carbon operation (See Section 7.11 for further details). The scheme is also looking to provide a number of EV charging points as well as trying to encourage staff through the travel plan to use alternative forms of transport other than the private car. Furthermore, appropriate signage could also be erected on-site to encourage visitors / drop offs to switch off vehicles when stationary in order to further reduce emissions. With these measures in place, they should reduce the development's operational impacts on the wider environment.

8.8 Trees and landscaping

- 8.8.1 Policy NH5 of the adopted Local Plan (2019) states that development proposals will be expected to protect and retain individual trees within the development site and should include new planting where appropriate.
- 8.8.2 The application is accompanied by an Arboricultural Impact Assessment (AIA) which identifies that there are total of 10 trees, one group of trees and one area of hedge. The trees are located along the eastern boundary of the site adjacent to the properties in Shackledell. The trees are not protected by a Tree Preservation Order (TPO) and as the site is not located within a Conservation Area, no permission is required from Stevenage Borough Council to undertake any works to these trees.
- 8.8.3 With regards to the impact on these trees, as set out under paragraph 6.2.5, none of the trees are to be removed as part of this development proposal. In terms of works to the trees, the AIA identifies the need to undertake some tree surgery works (see paragraph 6.2.6). It is considered that these minor tree surgery works would help support the health and vigour of the retained trees.
- 8.8.4 Turning to the protection of trees during construction, the AIA recommends the use of protective fencing in accordance with BS 5837:2012 around the Root Protection Areas (RPA). This fencing would be erected prior to the commencement of any development on-site to ensure maximum protection is in place. All the tree protection barriers would remain in place and regarded as sacrosanct i.e. they cannot be removed or altered without the prior consent of the Local Planning Authority Arboricultural Officer.
- 8.8.5 In terms of construction, the installation of a new hard surfaced area for a section of the proposed informal area would encroach within a small portion of the RPA of tree T007 (English Oak). Due to the minor level of intrusion, the AIA recommends the applicant undertake linear root pruning as part of the access facilitation pruning works (pruning to reduce the crown of a tree). This would obviate the need for the applicant to undertake a no dig construction method in this situation. The main school building itself is not located within an RPA or fall under the crown spread of a retained tree etc.
- 8.8.6 In relation to site construction set up, there is adequate space within the site to locate site compounds away from the RPA of any trees and landscape features which are to be retained. In terms of the site during construction, this would be regularly monitored by the appointed Arboricultural Consultant in accordance with the Arboricultural Method Statement and Tree Protection Plan prepared as part of the AIA. This would ensure that no damage is caused to any trees during the construction phase of development.
- 8.8.7 Given the aforementioned assessment, as no trees are to be removed and sufficient protection measures would be put in place for trees which are to be retained, it is not considered that the proposed development, including its construction would cause

harm to these trees. However, it is recommended these tree protection measures are secured by condition if the County Council is minded to grant planning permission.

- 8.8.8 Turning now to landscaping, the application is accompanied by a hard and soft landscaping plan. These plans provide details of the hard landscape materials, boundary treatments, wildlife habitat features along with soft landscaping. In terms of soft landscaping, the plans provide details of proposed shrub planting, tree planting, and wildflower grassland as well as details of the tree pits.
- 8.8.9 It is noted that the HCC's Landscape Section has raised concerns around the proposed landscaping strategy. Officers would agree with their comments in that the strategy proposed is predominantly for hard landscaping and these areas should be softened up in order to create a sense of place. In addition, the provision of additional soft landscaping would significantly enhance the overall visual appearance of the development as well as provide additional biodiversity benefits.
- 8.8.10 Taking into consideration the above, it is recommended that the overall landscaping strategy is revised based on the comments raised by HCC's Landscape Section before a decision is issued. However, if HCC is under pressure to make a formal decision on the application, it is recommended that if HCC is minded to grant permission, a condition should be imposed to any permission issued. It is recommended this condition requires a detailed hard and soft landscaping strategy (including outdoor furniture) be submitted prior to construction of any hard and landscaping works associated with the development take place.
- 8.8.11 In relation to the trees, the Council's Arboricultural manager does not raise any concerns to the proposed development from an arboricultural perspective. However, they suggest be imposed if the County Council is minded to grant planning permission. This condition will require the applicant to carry out the necessary cutback works by a qualified tree surgeon and sympathetically to the trees health, stability and amenity value.

8.9 Biodiversity, Ecology and Protected Species

8.9.1 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.

- 8.9.2 The application is accompanied by a Biodiversity Survey Report which includes details of an extended Phase 1 Habitat Survey along with a Desk Study utilising record from the Hertfordshire Environmental Records Centre (HERC). In addition, utilises data and information from the Multi Agency Geographical information for the Countryside (MAGIC). The Report also details surveys which were undertaken, which included bat surveys as well as a flora and fauna survey of the site, invasive species survey as well as other wild animals.
- 8.9.3 The site is identified of being predominantly made up of hardstand including former play areas with small pockets of amenity grassland. The proposal also seeks to demolish the former caretaker's bungalow and bungalow. There are no statutory or non-statutory designated sites or ancient woodlands which occur upon the site itself. In addition, there are no Special Areas of Conservation (SAC) or Special Protection Areas (SPA) within 8 km radius of the site and therefore, no impacts will occur upon statutory sites of European Importance.
- 8.9.4 There is one statutory designated site of National Importance, namely Knebworth Woods Site of Special Scientific Interest (SSSI), lies within 1 km of the site. However, there are no Local Nature Reserves (LNR) within a 2 km radius of the site. Turning back to the SSSI, due to the significant level of separation combined with the relatively minor nature of the proposed development, it is not considered that it will have a detrimental impact on the SSSI.
- 8.9.5 In terms of non-statutory Local Wildlife Sites (LWS) within a 2 km radius, there are 26 in total, 3 of which are located in close proximity to the development site. These are as follows:-
- Shackledell Grassland;
 - Triangular Grassland by Fairlands Valley Park;
 - Valley Way Wood.
- 8.9.6 Whilst the LWS border the application site, the proposed building itself would be located over 100m away from these sensitive areas. As such, the building itself would have no direct impact on the LWSs in this instance. However, given the proximity of the site to these sensitive areas, there is a chance some of the construction works could potentially have an indirect impact upon the biodiversity of these areas. Therefore, a Construction Environmental Management Plan would need to be formalised. It is recommended that this is secured via a condition if the County Council were minded to grant planning permission.
- 8.9.7 In terms of the other 23 LWS as well as the ancient semi-natural woodland, these are located in excess of 320m from the site according the MAGIC. Given the significant level of separation, it is not envisaged the proposed development would cause any harm to these areas. Turning to the on-site habitat, as set out in paragraph 8.9.3, the site predominantly comprises previously developed land with a small pocket of amenity grassland. The proposed new building would be located to the north of the existing building and would be located on the previously developed land and amenity grassland.
- 8.9.8 The assessment sets out in more detail the habitats which would require removal in order to facilitate this development. The habitats to be removed, apart from the amenity grass land, include scattered tall ruderal (plant that grows on waste land), scattered ephemeral / short perennial vegetation, areas of hardstanding, the two on-site buildings as well as areas of scattered scrub. The Biodiversity Survey has identified that the key ecological features of the site are identified as the hawthorn edge. In addition, there are a number of mature trees off-site with some of the eastern and northern edge

hedgerow being identified as low value. As such, the site generally has a low ecological value.

- 8.9.9 The Biodiversity Report suggests that by designing in many of the existing natural habitats as possible, this would result in the unavoidable loss of existing habitats to be minimised. In addition, where vegetation is to be removed, suitable replacement planting (see Section 7.8 for further details) would need to be put in place in order to mitigate the impact on vegetation loss.
- 8.9.10 With regards to bats, the Biodiversity Report recommends bat detector surveys are undertaken of the existing caretakers bungalow and garage to determine whether or not these buildings support an ecologically significant bat roost or roosts. This is because during inspections of the bungalow, evidence of bats being present was identified. The need for and scope of the required licenced bat mitigation would be governed based on the findings of the bat detection survey work. In terms of the garage, no evidence was identified.
- 8.9.11 Further to the above, the Biodiversity Report recommends the provision of bat boxes as replacement roosting opportunities would be required. In addition, external lighting would need to be carefully designed so as to not affect bat roosting (if in the area) and foraging activities. It is recommended these are controlled by condition if the County Council are minded to grant planning permission.
- 8.9.12 Looking at priority habitats, one habitat of principal importance occurs on site, namely two-native species dominated hedgerows. In terms of offsite, but bordering the site, these are an area of lowland mixed deciduous woodland, scrub and unimproved grasslands which are of principal importance. There are also potential relevant priority species which include wild mammal species, notable bird species and invertebrates. In terms of mitigation measures, the Report sets out that measures during construction would need to be put in place for mammals and in relation to birds, clearance works should only take place outside of the nesting season. The report also suggests that bird boxes should also be fitted to new buildings and on the retained trees. Given the suggested mitigation measures as well as improving nesting opportunities, these aspects should also be managed by an appropriately worded condition.
- 8.9.13 In relation to reptiles and amphibians, the report recommends that the on-site amenity grassland would need to be carefully managed to ensure the proposed work areas remain unfavourable for foraging and sheltering. With respect to invertebrates, the report suggests the provision of a loggery to provide a dead wood habitat should also be created to enhance the environment for invertebrates.
- 8.9.14 In terms of invasive species, there was one floral species identified as a species subject to control under the Wildlife and Country Side Act 1981 (as amended) was noted, namely wall spray (invasive perennial plant). The Biodiversity Report advises this would need to be removed and appropriately disposed of.
- 8.9.15 Turning now to Biodiversity Net Gain, the applicant has submitted a Biodiversity Net Gain Assessment. The scheme has been predicted to achieve 24.36% (0.79 units) net gain with respect to habitats (non-linear) and a 97.31% (1.10 units) net gain with respect to hedgerows (linear). The landscaping strategy detailed would achieve the minimum threshold of 10% net gain. Following consultation with Herts and Middlesex Wildlife Trust (HMWT), they do not raise any in principle concerns with the application. However, they request a full copy of the Natural England biodiversity metric spreadsheet should be sought in order to enable the summary figures in the report to be verified.

- 8.9.16 Further to the above, HMWT do not consider the wildflower mixes specified in the landscape do not accord with naturally occurring communities are deemed to be unacceptable. As such, they recommend more authentic mixes that simulate NVC (National Vegetation Classification) communities are required for this site.
- 8.9.17 In relation to the hedgerow and scrub mixes, these will need to contain a minimum of 8 species to maximise opportunities for biodiversity. Once the recommended changes have been undertaken by the applicant, HMWT recommend the application can be approved with a condition for landscape and ecological management plan (LEMP) that delivers the habitat set out in the applicant's metric calculations for biodiversity net gain.
- 8.9.18 Given the above, the Council recommends that Hertfordshire County Council (HCC) should seek a copy of the Natural England Biodiversity metric spreadsheet from the applicant in order to verify the summary figures contained in their report. In addition, HCC should also seek amendments to the landscaping strategy in order to overcome the concerns which have been raised by HMWT before any final decision is made by the Council. This will ensure that the proposed development accords with Stevenage Borough Council's adopted Biodiversity SPD (2021).

8.10 Development and Floodrisk

- 8.10.1 The application site is located within Flood Zone 1 within the Environment Agency's flood risk map. Flood Zone 1 is defined as lands having less than 1 in 100 annual probability of flooding, therefore, all developments are generally directed to Flood Zone 1. Notwithstanding this, the application which has been submitted to the Council is classified as a Major, therefore, in line with the Town and Country Planning (General Development Procedure) (England) Order 2015, the applicant has provided a Sustainable Urban Drainage Strategy.
- 8.10.2 The proposed drainage strategy for this development would comprise the provision of green roofs, rain gardens, permeable surfaces, filter drainage and perforated pipes, underground geo-cellular attenuation tanks combined with the provision of petrol interceptors, silt traps and similar devices used as part of the overall drainage strategy. It is noted that the site is constrained in being able to use infiltration techniques.
- 8.10.3 HCC as the determining planning authority would need to ensure that the development has an acceptable drainage strategy through consultation with HCC as Lead Local Flood Authority (LLFA). In addition, it would need to impose appropriate conditions to ensure that the drainage strategy as agreed by the LLFA is put in place prior to first occupation of the development.

8.11 Archaeology

- 8.11.1 The application is accompanied by an updated Archaeological Assessment prepared by AOC Archaeology Group (Dated: September 2021, Document reference:- 34432). This has identified that there is potential for remains dating to the later prehistoric, Roman, medieval and post-medieval periods to be present within the site. However, as the site was previously levelled in order to facilitate the construction of the school and associated playing fields, it is likely this would have resulted in the removal or truncated any surviving archaeological remains in at least some areas of the site.
- 8.11.2 As a result, the Archaeological Assessment which includes a Written Scheme of Investigation (WSI) details further archaeological investigations which need to take

place on site, including a geophysical survey and trial trenches within the open areas of the site. The results of the investigation will then be presented to the County Council as Local Planning Authority.

- 8.11.3 The County Council as the determining authority will need ensure whether the details set out in the WSI are acceptable. This is because any potential archaeological remains within the site which are identified are properly recorded. Therefore, the County Council will need to engage the County Archaeologist to determine that the methodology in the WSI is acceptable and if required, to impose appropriately worded conditions if it was minded to grant planning permission.

8.12 Other matters

Sustainable construction and climate change

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

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

- 8.12.2 The proposed development has been designed to target net zero carbon operation, and incorporates the following sustainability measures:-

- High level of insulation combined with a high performance building (based on a fabric first approach) to limit heat loss and gain as well as minimise the level of air leakage;
- Provision of triple glazed windows, with the glazing design to reduce heating demands in the winter as well as reduce solar gains in the summer to reduce cooling demand;
- External shading to further reduce solar gains;
- Construction of green roofs to provide additional cooling along with biodiversity enhancements;
- Mechanical ventilation systems with a heat recovery system;
- Installation of point of use water heaters to reduce demand for energy to supply hot water;
- Water-based air source heat pump systems for space heating;
- Rooftop solar PV to provide a renewable energy resource;
- Energy efficient plant, equipment and lighting;
- Ongoing metering and monitoring during operation in order to manage and ensure ongoing efficiency.

- 8.12.3 With the above measures in place, the proposed development would be adaptable to climate change in accordance with Policy FP1. However, to ensure the development meets the net zero carbon operation, which this Council very much welcomes, the Council recommends that HCC imposes a condition to any planning permission issued. This condition should require the development to be constructed in accordance with the

sustainability measures detailed in the application submission prior to the first occupation of the building.

Waste and recycling

- 8.12.4 The Design Guide (2009) states, provision should be made within new development for the storage and collection of waste from a site. The application submission does not specify how waste and recycling would be managed for this development. Therefore, the County Council would need to ensure that there is sufficient waste and recycling facilities to serve the new school building.

Community Infrastructure Levy

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

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

- 8.12.6 CIL is a non-negotiable charge. The exact charge will be determined by the Council's CIL officer after an application has been granted in accordance with the CIL Charging Schedule and the Community Infrastructure Levy Regulations 2010 (as amended). Opportunities for relief or exemption from the CIL charge exist and will be taken into account in the calculation of the final CIL charge.

- 8.12.7 CIL replaces the need for S106 agreements to specify financial and/or land contributions for non-site-specific infrastructure projects. This allows infrastructure to be planned on a borough-wide scale rather than on a site-by-site basis as mitigation against the impacts of individual proposals. The proposed development would generally be liable for CIL, but as it would fall into the category "All other development", CIL would be £0.

Crime prevention/anti-social behaviour/security

- 8.12.8 There are no crime related issues with the proposed development as identified by the Police Crime Prevention Design Advisor. In addition, it is evident that the applicant has approached the Police Crime Prevention Design Advisor to ensure the building meets Secure by Design accreditation.

Human Rights and Equalities

- 8.12.9 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.
- 8.12.10 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.
- 8.12.11 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.
- 8.12.12 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.
- 8.12.13 The existing school currently operates as a Special Educational Needs (SEN) school and therefore, there are pupils whom attend this school who have protected characteristics as identified in the Equalities Act 2010. Specifically, the school caters for pupils who have autism, speech, language communication and learning difficulties. The proposed development seeks to replace the school because the buildings are dated, are in a poor condition with ongoing significant costs in maintenance and repairs. In addition, the school was originally designed as a mainstream school and therefore, does not provide for the specific requirement of the pupils who attend. As such, the existing school buildings are no longer fit for purpose.
- 8.12.14 The new school has been designed to cater for needs of the pupils who currently attend. The school would comprise a series of year group clusters containing classrooms, social and dining areas, calm rooms and break out areas. There would also subject specific class rooms incorporating ICT facilities, music practice rooms, hall and drama spaces, sports hall and fitness area. All of the clusters will have direct access to external spaces. The building has also been designed to be fully compliant with Part M of the Building Regulations which relates to access, specifically for those who are disabled.
- 8.12.15 Given the above, the proposed development would not have a detrimental impact on persons with protected characteristics. This is because the new school building seeks to replaced outdated educational facilities for those who are disabled. Therefore, it can be deduced that the proposed development would not result in any form of discrimination as identified in the Equalities Act 2010.

Statement of community consultation

- 8.12.16 This application is accompanied by a Statement of Community Consultation (SCC) which has been prepared by Smith Jenkins Ltd (document reference: 811, dated June 2021). This document set out that pre-application consultations were undertaken with HCC Development Management Team along with HCC as LLFA, HCC as Highways Authority, HCC Archaeology and Sport England. The document also sets out that a consultation was undertaken with the local community which was held virtually and

went live on the 28th June 2021. This virtual consultation, in support of an in-person Public Consultation, was launched by the application due to Covid-19 and the hesitancy of the general public in terms of attending the public event once restrictions had been lifted at that point. This approach ensures that everyone is given an equal opportunity to provide any comments they had on the proposed development.

8.12.17 The website was advertised to Councillors and via HCC and The Valley School channels to relevant stakeholders including parents and local residents. The in-person public consultation was held on the 22nd June 2021 which was held at the school. This was advertised through a leaflet drop to residents in the local street, and through the school channels.

8.12.18 Focusing on the public consultation event, as officers at Stevenage Borough Council were not involved in pre-application discussions, the comments raised related to external and outdoor space, construction strategy and management, light pollution and future expansion of the school. These comments have been taken into consideration by the applicant and helped shape the proposed development which has been submitted to Hertfordshire County Council for its decision.

9. CONCLUSIONS

9.1 In summary, and subject to the imposition of appropriately worded conditions, the replacement school would accommodate the same number of pupils and staff members. The principle of development on this site is acceptable being an established school site with the scheme itself meeting specific educational needs. The proposed development has been designed to ensure the existing school can operate during its construction so as to not disrupt the education of pupils who currently attend the school.

9.2 The school would also provide wider community benefits through the availability of a new hall, sports hall and fitness studio, as well as outdoor sports facilities, which would be made available for community use outside of school hours. The proposed building has been positioned outside of the Green Link and therefore, would not create a physical break. The development would also introduce a variety of enhancements, including landscaping and biodiversity, subject to addressing the concerns which have been raised in this report, along with the provision of sustainability measures. Furthermore, the proposal would not have a significant impact on trees, ecology or residential amenity. Moreover, the proposed development would not cause issues of flooding or generate environmental issues such as noise and air pollutants.

9.3 Given the aforementioned assessment, it is considered that on balance, the proposed development accords with the Council's adopted Local Plan (2019), the Council's Supplementary Documentation, the NPPF (2021) and PPG.

10. RECOMMENDATIONS

10.1 That the Council raises No Objection to the proposed development. However, this is subject to the County Council ensuring the proposed development does not prejudice highway safety and has an acceptable drainage strategy. Furthermore, the Council recommends that appropriately worded conditions are imposed to any permission issued as specified in this committee report. Moreover, that the concerns raised in respect to landscaping and biodiversity net gain are sufficiently addressed before any formal decision is made by Hertfordshire County Council as the determining authority.

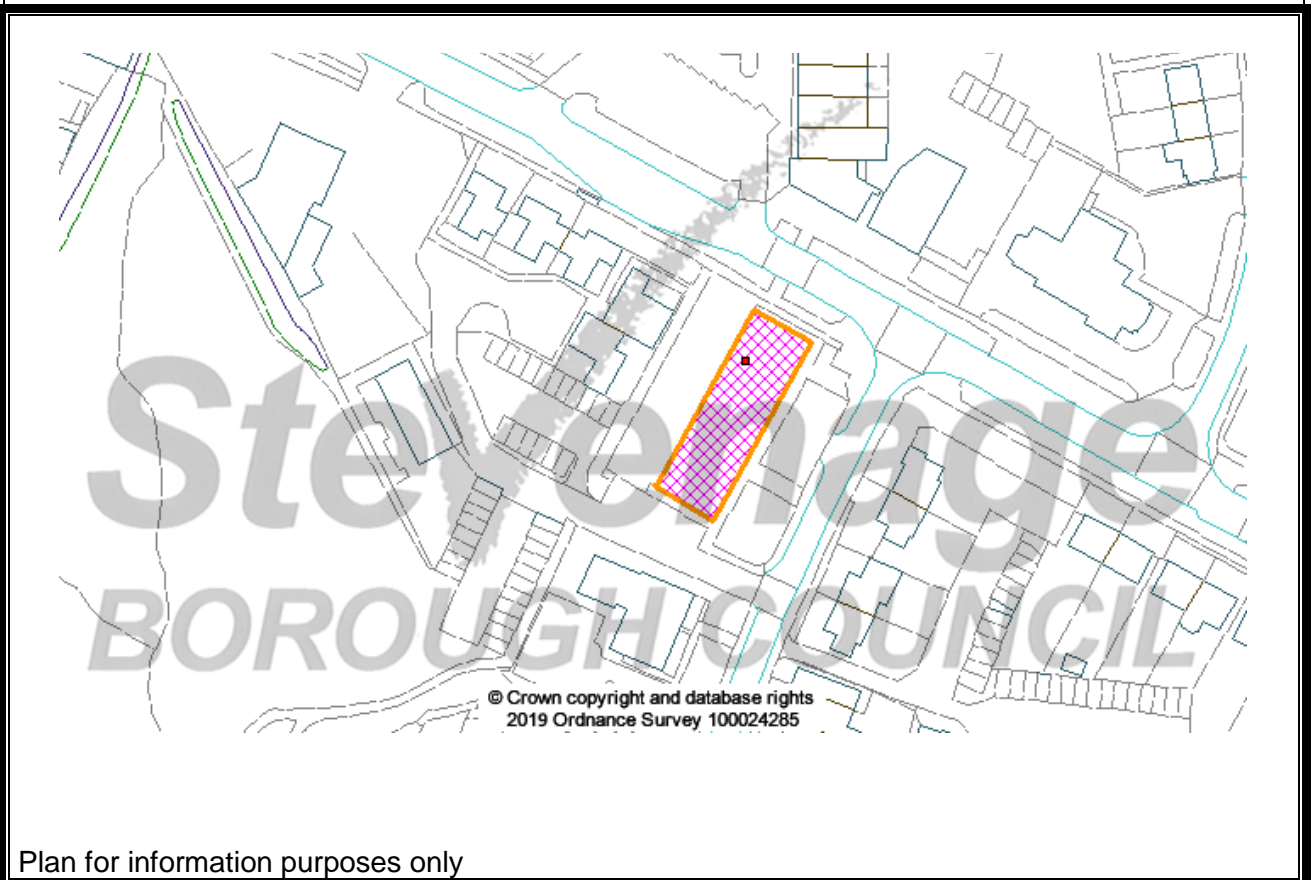
11. BACKGROUND DOCUMENTS

1. The application file, forms, plans and supporting documents having the reference number relating to this item.
2. Stevenage Borough Council Supplementary Planning Documents – Parking Provision adopted October 2020, Stevenage Design Guide adopted October 2009, The impact of Development on Biodiversity adopted March 2021, Stevenage Borough Council Developer Contributions adopted March 2021.
3. Stevenage Borough Local Plan 2011-2031 adopted 2019.
4. Responses to consultations with statutory undertakers and other interested parties referred to in this report.
5. Central Government advice contained in the National Planning Policy Framework July 2021 and Planning Policy Guidance March 2014.

This page is intentionally left blank

Meeting:	Planning and Development Committee	Agenda Item:
Date:	9 December 2021	
Author:	James Chettleburgh	01438 242266
Lead Officer:	Zayd Al-Jawad	01438 242257
Contact Officer:	James Chettleburgh	01438 242266

Application No:	21/00872/FP
Location:	Gladstone Court, Spring Drive, Stevenage, Hertfordshire SG2 8AY
Proposal:	Installation of a new heat dump for the roof solar panels on the south elevation of building at first floor level above the existing plant room doors
Drawing Nos.:	CD-C392-Gladstone Court-04 Rev P2; -11 Rev P2; 12 Rev P2; and -13 Rev P2
Applicant:	Stevenage Borough Council
Date Valid:	6 August 2021
Recommendation:	GRANT PLANNING PERMISSION



Plan for information purposes only

1. SITE DESCRIPTION

- 1.1 The application site comprises a six storey block of flats at the junction of Spring Drive and Broadwater Crescent, owned by Stevenage Borough Council. The site is adjoined to the west by the car park for the flats and some bungalows; to the south by a single storey medical centre; and to the east and north by Spring Drive and Broadwater Crescent respectively. On the opposite side of Spring Drive are two storey dwellings while on the opposite side of Broadwater Crescent are a mix of single and two storey buildings. The application site is within Roebuck Ward and is within a Conservation Area.

2. RELEVANT PLANNING HISTORY

- 2.1 Planning application 21/00624/FP sought permission for the 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. Planning permission was Granted 13 July 2021.

3. THE CURRENT APPLICATION

- 3.1 Planning permission is sought for the installation of a new heat dump fan unit. This unit is to service the roof solar panels on the south elevation of the building at first floor level above the existing plant room doors. The unit would be mounted on a steel 0.6m deep bracket positioned immediately above the plant room doors. The unit itself would measure 0.67m in height, span 0.57m in width and 0.3m in depth.
- 3.2 Positioned above the heat dump fan unit would be a timber acoustic screen. The screen would measure 3.8m in width, 0.35m in height and project 0.6m from the wall. It would incorporate a shallow mono-pitched roof. The acoustic screen itself would be finished in grey.
- 3.3 The application comes before Committee for consideration as the applicant is Stevenage Borough Council.

4. PUBLIC REPRESENTATIONS

- 4.1 This planning application has been publicised by way of a site notice and neighbour notification letter along with a press notice. No responses were received.

5. CONSULTATIONS

5.1 Council's Environmental Health Section

- 5.1.1 A review has been undertaken of the Noise Impact Assessment for this application, dated 1st October (ref. AP1697/21322/0). The Environmental Health Section note the recommendation for an acoustic screen to be installed to mitigate noise from the proposed heat dump unit and that revised plans have been submitted (drawing no. CD-C392-Gladstone Court – 13, revision P3).
- 5.1.2 The Environmental Health Section recommends that if planning permission is granted, a condition is attached requiring the provision of the acoustic screen to the specification shown in the revised plans.

5.2 Council's Conservation and Historic Advisor

- 5.2.1 Gladstone Court is a circa 1950s / 1960s brick-built block of Independent Living Scheme flats located opposite the 'neighbourhood centre' within the Marymead area of Broadwater. Due to its height (compared to surrounding development), it is a focal point within the Broadwater (Marymead) Conservation Area.
- 5.2.2 The Conservation Area was designated in 2007 as a good example of one of Stevenage's Mark 1 'New Town' neighbourhoods. Conservation Areas are defined as "areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance".
- 5.2.3 The proposed addition of a solar panel heat dump above the boiler room doors (ground floor, south elevation – not north as referred to in the application) will represent a small scale, minor visual change to this side elevation. As such, the proposals are considered to preserve the significance of the Broadwater (Marymead) Conservation Area in line with National and Local Plan Policy. No objection.

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 June 2021. This largely reordered the policy substance of the earlier 2012 and 2019 versions 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 SP8: Good Design;
Policy SP13: The Historic Environment;
Policy GD1: High Quality Design;
Policy FP7: Pollution
Policy NH10: Conservation Areas.

6.4 Supplementary Planning Documents

Broadwater Conservation Area Management Plan SPD (2012).
Council's Design Guide SPD (2009).

6.5 Community Infrastructure Levy Charging Schedule

- 6.5.1 Stevenage Borough Council adopted a Community Infrastructure Levy Charging Schedule in 2020. This allows the Council to collect a levy to fund infrastructure projects based on the type, location and floor space of a development. This proposal is not CIL liable.

7. APPRAISAL

- 7.1 The determining issues in this application relate to the impact of the development upon the character and appearance of the building and the area and whether it would preserve or enhance the character and appearance of the Broadwater (Marymead) Conservation Area, and the impact of the proposal upon the amenities of the neighbouring properties.

7.2 Impact on the Character and Appearance of the Area and the Conservation Area

- 7.2.1 The application site comprises a six storey block of flats in a prominent location at the junction of Spring Drive and Broadwater Crescent. It is a focal point of the Broadwater (Marymead) Conservation Area. The proposed works would have very little impact upon the external appearance of the building, considering their limited nature. Similarly, the impact upon the character and appearance of the street scene would be limited. The development would preserve the character and appearance of the Conservation Area as advised by the Council's Conservation and Heritage Advisor. The visual impact of the proposed development would, therefore, be acceptable.

7.3 Impact upon Neighbouring Amenities

- 7.3.1 The application is accompanied by a Noise Impact Assessment prepared by Spectrum Acoustic Consultants (ref. AP1697/21322/0). The assessment concludes that mitigation would be required in order to reduce noise from the fan to an acceptable level. The proposed mitigation, as set out in paragraph 3.2 of this report, is through the installation of an acoustic screen which is to be positioned above the fan. This is in order to block the line of sight from the unit to the habitable rooms above. With this screen in place, the noise impact from the fan would be reduced to an acceptable level.
- 7.3.2 Following consultation with the Council's Environmental Health Section, they consider the proposed development would be acceptable subject to the imposition of a condition. This condition would require the acoustic screen to be installed in accordance with the updated plans.

7.4 Other Considerations

Human Rights and Equalities

- 7.4.1 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.

- 7.4.2 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.
- 7.4.3 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.
- 7.4.4 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.
- 7.4.5 Due to the nature of the proposed development, it would not cause any harm to persons who fall within the aforementioned protected characteristics. As such, there are no equality related issues with this development.

8. CONCLUSIONS

- 8.1 The proposed development would not have any adverse impacts upon the character and appearance of the building, would preserve the character and appearance of the Broadwater (Marymead) Conservation Area and would not, subject to conditions, have any adverse amenity impacts either as a result of its limited nature.
- 8.2 It is concluded the proposed development accords with the Policies specified in the adopted Local Plan (2019), the Council's Design Guide SPD (2009), the NPPF (2021) and the PPG (2014).

9. RECOMMENDATIONS

- 9.1 That planning permission be GRANTED subject to the following conditions:-
- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:

CD-C392-Gladstone Court – 04 Revision P2; CD-C392-Gladstone Court – 11 Revision P2; CD-C392-Gladstone Court – 13 Revision P3.
- 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 Prior to the first use of the heat dump fan unit, the acoustic screen as detailed on drawing number CD-C392-Gladstone Court – 13 Revision P3 and in the Noise Impact Assessment prepared by Spectrum Acoustic Consultants (ref. AP1697/21322/0) shall be installed in accordance with the approved details. The acoustic screen shall thereafter be maintained in accordance with the manufacturer's specification and be permanently retained in its approved position until such time the heat dump fan unit is no longer required.

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

Pro-active statement

1. Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the National Planning Policy Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

INFORMATIVES

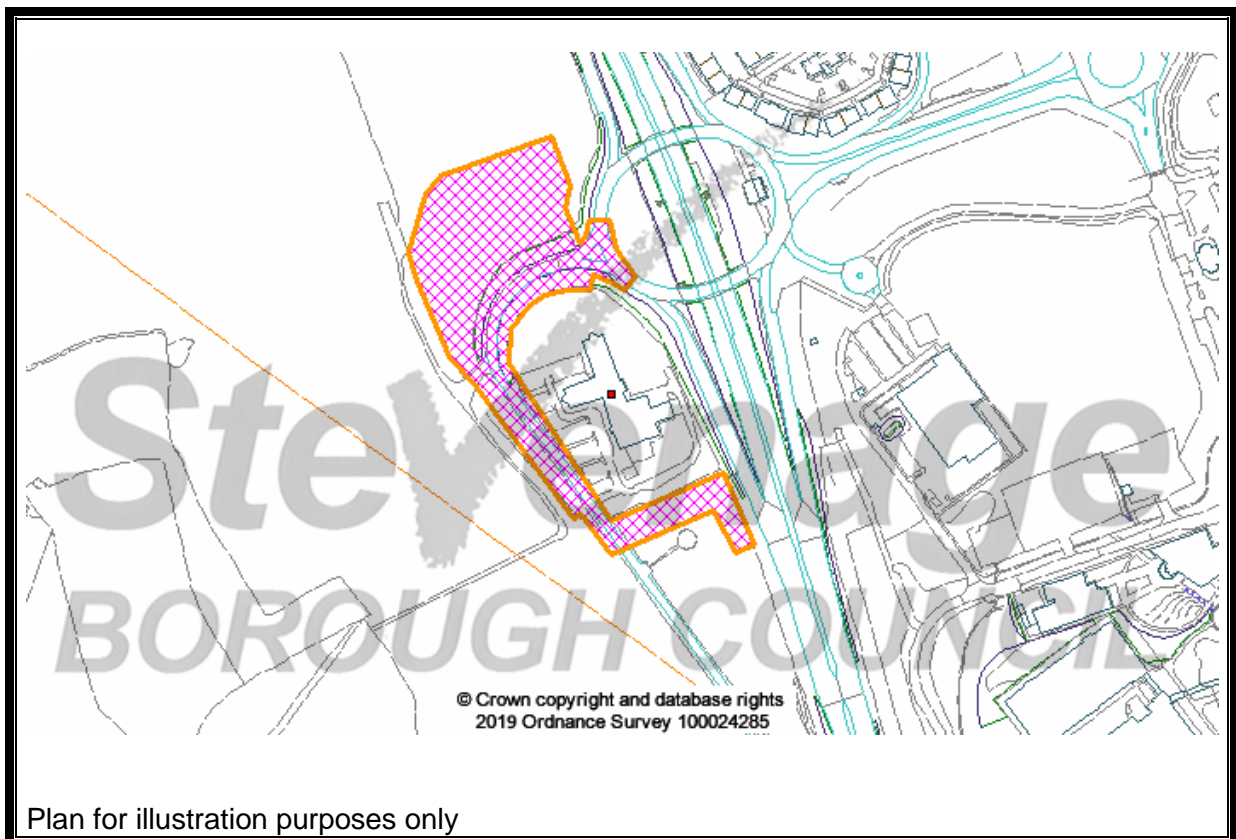
- 1 The applicant is advised that consideration must be given to not blocking the emergency vehicular access to the adjacent Marymead Surgery, 18 Spring Drive, Stevenage during the development.

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 – Design Guide adopted October 2009, Broadwater Conservation Area Management Plan SPD adopted 2012.
3. Stevenage Borough Local Plan 2011-2031 adopted 2019.
4. Responses to consultations with statutory undertakers and other interested parties referred to in this report.
5. Central Government advice contained in the National Planning Policy Framework July 2021 and Planning Policy Guidance March 2014.

Meeting:	Planning and Development Committee	Agenda Item:
Date:	Thursday 9 December 2021	
Author:	Linda Sparrow	01438 242837
Lead Officer:	Zayd Al-Jawad	01438 242257
Contact Officer:	Linda Sparrow	01438 242837

Application No :	21/00536/FPM
Location :	Land To The North West Of Junction 7 Of The A1(M)
Proposal :	Erection of electric vehicle charging station with ancillary retail unit, associated electrical infrastructure, car parking and landscaping
Drawing Nos.:	05-899-301-C; BOW-A0-ZZ-DR-A-0100; BOW-A0-ZZ-DR-A-0101; BOW-A0-ZZ-DR-A-0102; 8306-BOW-A0-ZZ-DR-A-0103; 8306-BOW-A0-ZZ-DR-A-0104; 8306-BOW-A0-ZZ-DR-A-0105; 8306-BOW-A0-ZZ-DR-A-0200; 8306-BOW-A0-ZZ-DR-A-0201; 8306-BOW-A0-ZZ-DR-A-0300; 8306-BOW-A0-ZZ-DR-A-0301; 8306-BOW-A0-ZZ-DR-A-0700; D02-01; 21/3746/E63/EX01; 21/3746/E63/EX02;
Applicant :	GRIDSERVE Sustainable Energy Ltd
Date Valid:	11 May 2021
Recommendation :	GRANT PLANNING PERMISSION



1. SITE DESCRIPTION

- 1.1 The site is situated to the north west of Junction 7 of the A1(M), to the south and west of Stevenage, and in particular the extensive commercial areas to the east of the motorway. The western spur of the junction also provides access to the Knebworth House via a privately owned and privately-maintained road through the Knebworth Estate.
- 1.2 The site is made up of open countryside with the site lying within the Metropolitan Green Belt. To the west and north of the site is an ancient semi-natural woodland (which is also a Site of Special Scientific Interest) and to the east is the A1(M) and beyond this is the urban area of Stevenage. To the south of the development site is the Novotel complex which comprises of single storey up to four storey buildings. There is also the wider landscape of Knebworth Park which forms part of Knebworth House estate.

2. RELEVANT PLANNING HISTORY

- 2.1 None relevant

3. THE CURRENT APPLICATION

- 3.1 The application before the Council seeks planning permission for the erection of an electric vehicle charging station with ancillary retail unit, associated electrical infrastructure, car parking and landscaping.
- 3.2 The facilities being provided on this site comprise the following:
- 24 no. Higher powered charging (DC) units (175 – 350kW). Two of which will be accessible spaces.
 - 6 no. lower powered charging (AC) units (22kW). One of which will be an accessible space
 - 3 no. Higher powered charging (DC) units (175-350kW) for future HGV use.
 - 8 no. branded charging units.
 - 31 no. parking spaces for staff and customer use, two of which will be accessible spaces. Some of these spaces will also be available for future additional charging units should demand dictate.
 - An air and water bay of suitable depth and length for accessible use.
 - A vehicle queueing lane for 7 vehicles.
 - 6 no. covered cycle hoops for 12 bicycles.
 - A motor-cycle bay with security anchor point.
 - An external seating / picnic area for customer use.
 - An infiltration pond in line with the surface water drainage strategy.
 - A retail storage area including refuse storage set back from the main access route with dedicated service vehicle bay.
 - Extensive landscaping with perimeter screening to the western and northern boundaries of the site is proposed.
 - Weather canopies over the central charging area.
- 3.3 The application site is located within Green Belt and as the application is classified as a major development, on a site not allocated for such uses in the Local Plan, it is considered a departure from the Development Plan.
- 3.4 The application comes before the Planning and Development Committee as it is a major commercial scheme.

4. PUBLIC REPRESENTATIONS

- 4.1. The application was publicised by way of neighbour notification letters, a press notice and site notices. As the proposed development would be a departure from the adopted Local Plan, a further site notice and press notice has been issued. Any additional representations which are made and are materially different to the representations which have been received to date, will be reported to the planning committee.
- 4.2 Seven representations were received from the addresses below:
- 35 Julian's Road
 - 92 Briardale
 - 9 Kennet Way
 - Flay 90, Skyline House, Swingate
 - 80 Torquay Crescent
 - 55 Grenville Way
 - 225 Cleveland Way
- 4.3 Summaries of the comments received are outlined below:
- GridServe's Essex location is an excellent example of what is needed in Stevenage
 - Will give local residents opportunity to own and drive an EV without the requirement to charge at home
 - Please bring this to fruition
 - Valuable addition to local infrastructure
 - Useful for residents without a driveway
 - Design is modern and environmentally friendly
 - Commitment to use only renewably generated electricity and use of battery storage are additional benefits
 - Fantastic opportunity for Stevenage to be a leading Town for EV's.
 - Concerns raised by Highways England about traffic shows how little they understand EV's and how they are charged
 - Much needed facility in the area.

5. CONSULTATIONS

5.1 Hertfordshire County Council Highways

- 5.1.1 Hertfordshire County Council as Highway Authority has considered that the proposal would not have an unreasonable impact on the safety and operation of the adjoining highways and consequently would have no objections on highway grounds subject to the recommended planning conditions and highway informative.
- Vehicle Access - sufficient width and capacity to accommodate the traffic generated by the new development; will enable traffic to enter/leave large events at Knebworth Estate; horizontal geometry of new road layout has sufficient capacity to accommodate two-way traffic and complies with Roads in Hertfordshire Highway Design Guide.
 - Emergency Vehicles – within the required 45m to all parts of the building from the access road; will accommodate large fire appliances.
 - Traffic Generation - The proposed development is not expected to contribute to a significant increase in vehicle movements, given the distance to the nearest junctions of the A1(M) the new trips anticipated from local areas would be from the A602 Broadhall Way arm of the Junction 7 of the A1(M).
 - Local Highway Network – primary distributor road has sufficient capacity to accommodate site traffic.
 - Sustainability – the development is not a significant development that needs to provide cycle ways and pedestrian links.

5.1.2 Hertfordshire County Council as Highway Authority has considered that the proposal would not have an unreasonable impact on the safety and operation of the adjoining highways and consequently would have no objections on highway grounds subject to the above recommended planning conditions and highway informative.

5.2 Herts & Middlesex Wildlife Trust

5.2.1 Objection – the ecological report is a preliminary assessment and therefore unacceptable for this type of application. Further reports are required and the Biodiversity Net Gain of 10% has not been proven.

Amended comments received 9 July 2021

5.2.2 Happy with the updated report, the mitigation measures detailed in the report can be conditioned in the decision.

5.3 Cadent Gas Network/National Grid

5.3.1 There is apparatus in the vicinity of the site which may be affected by the development. Plant Protection will need informing of the decision of the application as soon as possible. The developer will need to contact them to discuss works prior to commencement if permission is granted. Cadent have identified operational gas apparatus within the application site boundary. This may include a legal interest (easements or wayleaves) in the land which restricts activity in proximity to Cadent assets in private land. The Applicant must ensure that proposed works do not infringe on Cadent's legal rights and any details of such restrictions should be obtained from the landowner in the first instance. If buildings or structures are proposed directly above the gas apparatus then development should only take place following a diversion of this apparatus. The Applicant should contact Cadent's Plant Protection Team at the earliest opportunity to discuss proposed diversions of apparatus to avoid any unnecessary delays. If any construction traffic is likely to cross a Cadent pipeline then the Applicant must contact Cadent's Plant Protection Team to see if any protection measures are required.

5.4 Thames Water

5.4.1 Waste – there are public sewers on the site so the developer is advised to contact Thames to discuss.

5.4.2 Surface Water – if the developer follows the sequential approach to the discharge of water then there is no objection. Thames approval will be needed to discharge to a public sewer.

5.4.3 Waste Water and Sewage Treatment – no objections.

5.5 Highways England

5.5.1 AECOM have assessed the transport assessment and raised a number of concerns including collision patterns, trip generations for the amenity hub building, trips leaving the site due to site being at capacity, staff & ancillary trips, traffic flow data sources, traffic flow from A602, evidence to support trip assignments for new trips, confirmation of no committed developments nearby that would influence data, concerns regarding the LinSig model.

Amended comments received 9 September 2021

5.5.2 No objections

5.6 Hertfordshire County Council as Lead Local Flood Authority

5.6.1 As the site is greenfield it is expected that the drainage scheme would prioritise above ground features. Areas of hardstanding do not appear to be actively drained. It is noted that infiltration is the proposed discharge method for surface water discharge from the development and that an infiltration rate of 1×10^{-5} m/s has been assumed based on the Loamy Sand / Sandy Loam soil type. We would however expect at this stage the applicant to conduct infiltration testing to confirm that infiltration is a feasible method of disposal of surface water runoff. We note that due to surface water from the access road (motorway roundabout) being taken into the drainage system we would expect that the additional pollution indices for motorways are included in the treatment assessment. We would advise an updated treatment train assessment should be provided. We note that there is an area of the site towards the south east that has a high risk of surface water flooding we would expect this flood risk to be managed within the drainage system to reduce the risk of surface water flooding. The applicant should justify why a below ground features like the cellular soakaway has been proposed as well as an above ground feature. Technical clarification around why solely above ground features cannot be utilised should be submitted. We would expect the application to provide evidence that infiltration is a feasible method of surface water discharge by conducting Infiltration testing to BRE Digest 365 Standards. We would expect the applicant to actively drain all areas of hardstanding for the proposed development.

Amended comments received 23 September 2021:

5.6.2 We note that the applicant has not clarified as to why a solely above ground feature drainage scheme cannot be utilised for the site. We would expect the applicant to provide this information. The applicant should undertake further infiltration testing compliant with BRE Digest 365 Standards to confirm that infiltration is a viable method of surface water discharge for the site. If infiltration is shown not to be viable, an alternative surface water discharge mechanism will need to be proposed. We acknowledge that the additional pollution from the motorway has been included within the treatment indices calculations. We understand however that the treatment for surface water runoff is still reliant on below ground separators. We would expect the applicant to evidence that the below ground treatment is the only viable method of treatment for the site. Mechanical methods of treatment require a rigorous maintenance regime and the applicant should explore on surface treatment such as filter drains, filter trenches, filter strips, swales etc.

Amended Comments received 22 November 2021

5.6.3 We note that the additional infiltration testing is not compliant with BRE Digest 365 Standards and a number of the infiltration results have been extrapolated after being left overnight. The LLFA do not accept extrapolated rates to be accurate of the infiltration rates for the site. The applicant could explore other surface water discharge methods as currently shallow infiltration cannot be evidenced to be a viable method of surface water discharge. Deep-bore infiltration could be explored as a means of surface water discharge. Without the evidence to confirm that infiltration is feasible the proposed development has no method of surface water discharge. And therefore, the layout and management of surface water treatment cannot be agreed until the discharge method is confirmed.

5.7 Hertfordshire County Council Archaeology

5.7.1 Recent archaeological excavations adjacent to the north of the site (at Norton Green) have uncovered Roman and medieval settlement activity of some density. Given the agricultural use of the land, it is likely that any archaeological remains present within the site may be well preserved. Any such remains present would be impacted upon by the development. I

consider that the proposed development should be regarded as likely to have an impact on heritage assets of archaeological interest. Request conditions to be imposed.

5.8 Natural England

5.8.1 This application has triggered one or more Impact Risk Zones, indicating that impacts to statutory designated nature conservation sites (European sites or Sites of Special Scientific Interest) are likely. The designated site which could be impacted by this proposal is Knebworth Woods SSSI which is designated for its woodland interest. We strongly advise the retention of ancient woodland and veteran trees *within* the application site as they have important roles to perform as local landscape features and possibly as visual screening, as wildlife habitats for woodland species (including NERC Act s41 priority species such as stag beetle) and ecological corridors for mobile species. Depending on the configuration of the proposed development, they may also act as buffers to the designated site.

5.8.2 Larger sites have more options for green infrastructure in general, but we suggest that woodland/veteran trees within the application site are designed into an ecological network / local landscaping which includes connections to other wooded habitat and transitions to semi-natural habitats, such as long grassland.

5.9 SBC Arboricultural and Conservation Manager

5.9.1 I visited the site and can confirm that, whilst I do not object to this proposal in general, I would have hoped that Oak tree T13 is kept and protected rather than removed. In my view, this Oak tree is one of the most valuable trees on site from an amenity, conservation and historical viewpoints.

5.10 SBC Environmental Health

5.10.1 I currently have no objections with regard to air quality, nor noise. If I see something that looks like it might cause an issue, I'll get back to you.

5.11 Herts Police Crime Prevention Design Advisor

5.11.1 Thank you for inviting me to comment on this application. I have previously commented on this at the pre-app stage back in 2019. I am disappointed that my original comments seem to have been ignored or forgotten.

5.11.2 I have substantive concerns regarding the paragraph 3.26 of the Planning Statement regarding the pedestrian and cycle access to the site. The motorway slip roads actually form part of the motorway network -it is illegal for both pedestrians and cyclists to use the motorway network. Besides which this is a very busy junction and the increase of pedestrian and cyclists would increase the chances of incidents involving them and other road users. Please note that during large events at Knebworth Park the junction has to be closed for public safety to allow for pedestrians to cross to and from the Park. Having discussed this issue with our Traffic management office we would both recommend a separate crossing facility that is segregated from the roundabout.

5.11.3 I note that the proposal has what appears to be a new roundabout at the entrance; this appears to be sited on the current roundabout. I have substantive to fundamental concerns regarding this as the traffic flow is shown to be two way instead of the current single flow. If this is made two way this will lead to increased conflict between all users and their vehicles.

5.11.4 I note that the proposed cycle storage will use 'Sheffield Hoops'. From a security point of view, I would prefer to see cycle racks that are third party certified to Sold Secure level gold or the Police preferred minimum security standard that is Secured by Design.

5.11.5 As stated earlier I originally commented on this at the pre-app stage. I have attached a copy of them as they are still relevant;

- Page three the final point reference existing charging provision. This is an emerging issue, still in the early stages, but we are aware that there is a rise in complaints where the highway and footpaths are being obstructed so that vehicles can be recharged.
- Page seven - given the apparent modular design of the main building I would encourage the client to seek to achieve the Police minimum security standard for the building that is Secured by Design national Build Approval. This would mean that wherever this was built then it would have already achieved SBD 'silver' accreditation for the physical security of the building. This can also assist where BREEM accreditation is required. Any lighting should not include the use of bollard style lighting as this is ineffective and very prone to damage, especially where vehicles are concerned. I would suggest that LED style lighting together with directional luminaires should be used to reduce light pollution. (The Lighting Engineer may wish to look at mesoscopic style lighting for this site). The provision for E-Bike charging could cause issues due to the junction being part of the motorway and there being no provision for footpaths or cycleway.
- If this progresses I would need to see further information regarding both formal and natural surveillance of this site - in order to help addressing any crime opportunities.

5.11.6 I note that within the lighting proposals the applicant intends to use bollard lighting I have substantive concerns for this as stated above. In addition, it would be very difficult to achieve accreditation to BS 5489:2020 using such lighting. Given the concerns raised here the Police Crime Prevention design Service are not in a position to support this application in its current form.

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 Planning Practice Guidance

- 6.3.1 The PPG contains guidance supplementing the NPPF and with which Members are fully familiar. The PPG is a material consideration to be taken into account together with the National Design Guide (2019) which has the same status as the PPG.

6.4 Stevenage Borough Local Plan 2011-2031 (Adopted 2019)

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 SP10: Green Belt;
Policy SP11: Climate Change, Flooding and Pollution;
Policy SP12: Green infrastructure and the natural environment;
Policy SP13: The Historic Environment;
Policy IT4: Transport Assessments and Travel Plans;
Policy IT5: Parking and Access;
Policy IT6: Sustainable transport;
Policy IT7: New and improved links for pedestrians and cyclists;
Policy GD1: High Quality Design;
Policy GB1: Green Belt;
Policy FP1: Climate Change;
Policy FP2: Flood risk in Flood Zone 1;
Policy FP5: Contaminated land;
Policy FP7: Pollution;
Policy NH2: Wildlife Sites;
Policy NH5: Trees and woodland;

6.5 Supplementary Planning Documents

Parking Provision Supplementary Planning Document October 2020
Stevenage Design Guide Supplementary Planning Document January 2009
Developer Contributions Supplementary Planning Document (March 2021)
Impact of Biodiversity on Developments Supplementary Planning Document (March 2021)

6.6 Community Infrastructure Levy Charging Schedule

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

7. APPRAISAL

- 7.1.1 The main issues for consideration in the determination of the application are its acceptability in land use policy terms in the Green Belt, Impact on visual amenity of the Green Belt, Impact on amenities, archaeology, parking provision, means of access and highway safety, trees and landscaping, impact on the environment, development and flood risk and ecology and protected species.
- 7.1.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that all planning applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

7.2 Policy Considerations

Sustainable Development

- 7.2.1 The NPPF (2021) states at paragraph 7 that the purpose of the planning system is to contribute to the achievement of sustainable development. The NPPF (2021) also stipulates that decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area. In addition, the Framework also sets out that sustainable development needs to be pursued in a positive way and at the heart of the framework is a "presumption in favour of sustainable development".
- 7.2.2 Policy SP2 of the Local Plan provides that planning permission will be granted where proposals demonstrate, how amongst other matters they will:
- Regenerate areas of the town that are under performing;
 - Make good use of land and maximise opportunities for brownfield redevelopment in the town;
 - Improve quality of life and make sure that residents share in the benefits of regeneration;
 - Promote journeys by bus;
 - Make high quality buildings and spaces that respect and improve their surroundings; and
 - Support facilities that encourage people to live, work and spend leisure time in Stevenage.
- 7.2.3 Looking at the site itself in terms of its allocation in the Local Plan, it is an open space within the Green Belt and not allocated for development. The proposed development is seeking to erect an electric vehicle (EV) charging station with associated infrastructure and a building containing open rest areas, meeting rooms, a café and toilets.
- 7.2.4 With regards to sustainability, the test is to determine if the development would result in such harm as a result of its scale, form and location that it cannot reasonably be considered to constitute sustainable development regarding Section 2 of the NPPF (2021).
- 7.2.5 The Government's Road to Zero paper (2018) included details of the intention to ban the sales of new petrol and diesel vehicles by 2040. The Government expects electric vehicles (EV) to be at the forefront of the transition to zero emission transport and this will require a charging infrastructure network that is easy to use, affordable and readily accessible. A widespread public charging network is vital for drivers who do high mileage, travel long distances or who do not have access to charging points at home or work.
- 7.2.6 In order to combat "range anxiety" (the fear of having insufficient power to reach your destination or the next charging infrastructure), the Government acknowledges the importance of increasing the provision of charging points on the strategic and major road network. Research commissioned by the Committee on Climate Change (2018) concluded that an additional 710 rapid chargers and over 24,000 public top-up chargers are required by 2030. Highways England have a target of having a charging point every 20 miles on the Strategic Road Network by 2020.
- 7.2.7 The Ten Point Plan for a Green Industrial Revolution published in November 2020 brought forward the ban of sales of new petrol, diesel and most hybrid vehicles to 2030. Transforming the existing charging network is critical to achieving the Governments targets and increase ownership of EVs.
- 7.2.8 In light of this, the A1 and A1(M) provides a key network which connects London to Edinburgh. The road has a high volume of traffic, including freight and is therefore important to the economy. The proposed siting of the EV charging station adjacent to this important

highway network is therefore logical. The site is approximately halfway between South Mimms Services and Baldock Services.

- 7.2.9 It is considered that there would be, in the most part, two main types of users for development. The first being those already on the A1(M), passing through to another destination who use the site to re-charge their vehicle before going on their way. The second would be those with a destination in and around Stevenage, for work or pleasure, who require re-charging their vehicle before returning home. Both groups of users would already be on the local highway network and neither would result in new trips. It is most likely that local homeowners would be more likely to charge their vehicles whilst on existing shopping or work trips rather than make a dedicated trip for the sole purpose of charging their vehicle. As such, it is not considered that the proposed development would become a destination in its own right.
- 7.2.10 Using available information, it is estimated that there are 19 charging points across the town, of which 12 are provided by the Council in public car parks. The proposed development would provide 41 charging points and it is not considered that this amount would preclude other local businesses, or indeed the Council, from providing further points in the town. The number of charging points proposed supports the Government's strategy in the Road to Zero paper and the Ten Point Plan and would make a significant contribution to the charging network in an area which is currently under-supplied.
- 7.2.11 On the basis of the aforementioned points, it is considered that the development constitutes sustainable development in terms of location and scale. It would support local employment, albeit in small numbers, and support those living and working in the area whilst also helping support local businesses, such as Knebworth House, attract visitors from further afield.
- 7.2.12 The proposed development would help reduce the numbers of petrol and diesel vehicles on the road, thereby cutting emissions and reducing pollution. Accordingly, the proposed development would make a positive contribution to the economic, social and environmental aspects of sustainable development as per Section 2 of the NPPF (2021).

Green Belt Policy

- 7.2.13 The NPPF (2021) sets out the government's approach to protecting the Green Belt. Paragraph 138 of the NPPF sets out the five purposes of the Green Belt which are:-
- a) to check the unrestricted sprawl of large built-up areas;
 - b) to prevent neighbouring towns merging into one another;
 - c) to assist in safeguarding the countryside from encroachment;
 - d) to preserve the setting and special character of historic towns; and
 - e) to assist in urban regeneration, by encouraging the recycling of derelict
 - f) and other urban land.

Paragraphs 147 and 148 of the framework stipulate that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 148 goes on to state that "very special circumstances" will not exist unless the potential harm to the Green Belt by way of inappropriateness and any other harm resulting from the proposal are clearly outweighed by other considerations. Paragraph 150 goes on to advise that certain forms of development are not inappropriate in the Green Belt, namely local transport infrastructure. However, under paragraph 151, some elements of renewable energy projects will be inappropriate development and the developer will need to demonstrate very special circumstances to justify the location.

- 7.2.14 Policy GB1 of the Local Plan (2019) sets out the areas of designated Green Belt on the proposals map which the application site forms part of.

- 7.2.15 The key test here is to determine whether the harm to the openness of the Green Belt by way of the infrastructure and buildings, would be outweighed by other considerations, and therefore, whether very special circumstances exist.
- 7.2.16 In 2015, a review of the Green Belt areas in the Town was carried out on behalf of the Council by Amec Foster Wheeler (AFW). This review concluded that the Green Belt within which the proposed development would be located, makes only a limited contribution to the five purposes of the Green Belt as set out in paragraph 138 of the NPPF.
- 7.2.17 The proposed development is located within “Segment W7” of the Green Belt. This segment only performed highly in relation to purpose (c) of paragraph 138 of the NPPF – that is “to assist in safeguarding the countryside from encroachment”. The AFW review concluded that Segment W7 was “visually enclosed and strongly bounded by Newton Wood..... the release of this parcel will not compromise the wider purpose of the Green Belt”.
- 7.2.18 The AFW review also stated that:
“...Segment W7 to the south is more complex, being dominated by Newton Wood and having towards its eastern extent similar functions to Segments W3 and W6, but with a clear parcel of land adjacent to Junction 7 of the A1(M). This has partly been developed for hotel use and has irregular boundaries defined by Newton Wood. The Green Belt functions of some of easterly areas of Segment W7 are not clear.”
In this regard, the proposed site lies within the eastern area of the segment and the review questions whether this section of the site performs its role and function as Green Belt.
- 7.2.19 The AFW review ultimately concludes that this parcel of land makes a limited contribution to the Green Belt when assessed against the five criteria listed in point 7.2.13 above and therefore functions poorly in the overall context of the Green Belt.
- 7.2.20 The proposed development would not result in an increase in urban sprawl; it acts a stand-alone independent development and the remaining areas of Green Belt, woodland and the SSSI have a greater impact and ability to prevent urban sprawl and protect the Knebworth Estate from inappropriate encroachment.
- 7.2.21 The proposed development limits the extent of buildings, to maximise site openness; the largest building, the amenity hub, would be on the eastern boundary, with only low level enclosures and the relatively open canopy over the charging points across the remainder of the site. Large areas of the site will comprise soft landscaping. A total of 4,121sqm of soft landscaping will be provided, compared with 830sqm of building. In this regard, it is not considered that the proposed development would have an overly detrimental impact on the openness of the Green Belt. However, by definition it is still considered inappropriate as defined in the NPPF. Consequently, the applicant has submitted a case of very special circumstances to demonstrate that the overall benefits of the development outweigh the level of harm caused to the Green Belt’s openness. This is considered in more detail in the following sections of the report below.
- 7.2.22 As outlined previously in this report, the primary benefit of the development is that it makes a significant contribution to the Governments Road to Zero strategy and the Council’s target of net zero emissions by 2030. The applicant is developing and building large scale hybrid solar and battery projects across the UK. The hybrid projects generate electricity that is contractually sent to their electric forecourts, which will include the application site if the Council is minded to grant planning permission. This ensures that they can provide certified and guaranteed 100% renewable energy to the proposed site.
- 7.2.23 In addition to the above, the Metropolitan Green Belt covers vast areas around the A1(M), especially within Hertfordshire, which limits the provision of alternative sites. The proposed site is in close proximity to a point of connection to the national power grid which makes it

one of very few possible sites, especially given the need for this type of development to be located in an easily accessible position from the main highway network, on routes with high traffic volume. The scheme would also provide additional employment as well as contribute to the local economy.

7.2.24 Lastly, the proceeds from the development would be used by Knebworth Estate for the purposes of securing the future conservation of the Listed Knebworth House and its grounds. The income from the lease of the land to the applicant will contribute to the preservation and maintenance of the estate, including the house, surrounding park, roadways, amenities, avenues and woodland to the benefit of visitors and the environment.

7.2.25 In conclusion, the Council is satisfied that the applicant has provided sufficient evidence to demonstrate that a case of very special circumstances exist and that the benefits of the development significantly outweigh any harm to the Green Belt.

7.3 Design, Layout and Impact on Visual Amenity

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 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.

7.3.5 The Council’s Design Guide SPD (2009) sets out that a high quality environment is essential for providing a good quality of life for residents. A well-designed and managed space not only provides a visually attractive environment, but can also help to ensure that a place is easy to move around and within, is safe and secure, and is useful for all members of the community.

7.3.6 The National Design Guide (2019) which was published by National Government is a material consideration in the determination of planning applications. It sets out that Buildings are an important component of places and proposals for built development are a focus of

the development management system. However, good design involves careful attention to other important components of places. These include:

- the context for places and buildings;
- hard and soft landscape;
- technical infrastructure – transport, utilities, services such as drainage; and
- social infrastructure – social, commercial, leisure uses and activities.

7.3.7 A well-designed place is unlikely to be achieved by focusing only on the appearance, materials and detailing of buildings. It comes about through making the right choices at all levels, including:

- the layout;
- the form and scale of buildings;
- their appearance;
- landscape;
- materials; and
- their detailing.

7.3.8 The Guide further iterates that all developments are made up of these components put together in a particular way. As such, the choices made in the design process contribute towards achieving the ten characteristics and shape the character of a place. For reference, these ten characteristics are as follows:-

- Context – enhances the surroundings;
- Identity – attractive and distinctive;
- Built form – a coherent pattern of built form;
- Movement – accessible and easy to move around;
- Nature – enhanced and optimised;
- Public spaces – safe, social and inclusive;
- Uses – mixed and integrated;
- Homes and buildings – functional, healthy and sustainable;
- Resources – efficient and resilient;
- Lifespan – made to last.

7.3.9 This section of the report will deal with the aforementioned characteristics excluding nature and movement. With regards to nature, this will be dealt with in Sections 7.8 (Trees and Landscaping) and 7.11 (Ecology and Protected Species) of this report. In relation to movement, this will be dealt with in Section 7.7 (Means of access and highway safety) of the report.

7.3.10 The site is made up of open countryside with the site lying within the Metropolitan Green Belt. To the west and north of the site is an ancient semi-natural woodland (which is also a SSSI) and to the east is the A1(M) and beyond this is the urban area of Stevenage. To the south of the development site is the Novotel complex which comprises of single storey up to four storey buildings. There is also the wider landscape of Knebworth Park which forms part of Knebworth House estate.

7.3.11 The layout of the site has developed in response to several factors; the need for the building to be located as close to the A1(M) as possible for maximum visibility for passing traffic; the available point of access onto the site; and the necessary traffic flow around the site for safe customer use. There is a main circulatory road from which the site facilities are accessed with the forecourt charging area centrally located and in front of the main building. The facilities being provided on this site comprise the following:

- 24 no. Higher powered charging (DC) units (175 – 350kW). Two of which will be accessible spaces.

- 6 no. lower powered charging (AC) units (22kW). One of which will be an accessible space
- 3 no. Higher powered charging (DC) units (175-350kW) for future HGV use.
- 8 no. branded charging units.
- 31 no. parking spaces for staff and customer use, two of which will be accessible spaces. Some of these spaces will also be available for future additional charging units should demand dictate.
- An air and water bay of suitable depth and length for accessible use.
- A vehicle queueing lane for 7 vehicles.
- 6 no. covered cycle hoops for 12 bicycles.
- A motor-cycle bay with security anchor point.
- An external seating / picnic area for customer use.
- An infiltration pond in line with the surface water drainage strategy.
- A retail storage area including refuse storage set back from the main access route with dedicated service vehicle bay.
- Extensive landscaping with perimeter screening to the western and northern boundaries of the site is proposed.
- Weather canopies over the central charging area.

All charging spaces have an overall width of 3 metres and are 5 metres deep with a safe walkway zone to the rear of the space and pedestrian walkway at the head of the space. There will be a total of 5 accessible spaces provided.

7.3.12 The amenity building will be located on the eastern side of the site and will form the main focal point. The ground floor will contain a café, retail space, office space, communal circulation areas, toilet facilities and back of house storage areas. The first floor will comprise of mostly communal circulation areas with a hot food area, gym/exercise area and further toilet facilities. Over the two floors, the internal floorspace amounts to 729.7sqm. The building would measure between 7.5m and 10.5m high; it would be 20m wide across its front (western) and rear (eastern) elevations and 23m deep on the northern and southern side elevations.

7.3.13 With respect to visual appearance, the ancillary building would be constructed from contrasting, high quality and resilient materials which would comprise the following:-

- Kingspan panelling in colour: Altaris Copper Metallic;
- Euro cladding in colour: Dark Grey (Ral 7016);
- Kingspan panelling in colour: Light Grey (RAL 7035);
- Kingspan panelling in colour: Dark Grey (RAL 7016);
- Louvres in colour: Light Grey (RAL 7035);
- Curtain walling in colour: Dark Grey (RAL 7016);
- Living green walls

7.3.14 The building has a broadly square footprint with strong angled walls and a flat roof. It is of a contemporary design which uses expansive areas of glazing and copper coloured panelling with a modern architectural form to create the focal point of the site. Living green walls will be added to the north and south elevations to help integrate the building into the surrounding landscape. The development site aims to be a cutting edge facility and the design of the amenity building reflects this.

7.3.15 The nearby Gunnels Wood Employment area offers a range of building styles, heights and materials. The closest building to the site is the Novotel complex to the south which is a hotel varying between single storey and four storeys high. Whilst the ground levels are such that the development would be set lower than the highway network of Gunnels Wood Road and Broadhall Way, the building would be seen in the context of the neighbouring employment area and adjacent Novotel complex and it is considered that the building's design would complement and sit well within its surroundings in this regard.

- 7.3.16 The canopied charging area will be the predominant feature of the site due to its size. Its appearance is broadly similar to that of a traditional petrol filling station albeit with two long slimline canopies with solar PV panels running parallel to each other in an east-west horizontal position across the centre of the site. The canopies will stand 4.5m high and will be white in colour. The visual appearance of the canopies is considered acceptable and being lower than the amenity building, they would not be seen from the Gunnels Wood employment area or the adjacent A1(M).
- 7.3.17 The associated infrastructure required to operate the site will be contained within compounds on the north and west of the site. These compounds will be enclosed behind 3m high timber fencing with soft landscaping to the public frontages. Whilst the fences are high, this is necessary for site safety and it is considered that the growth of the soft landscaping over time will ensure there is minimal visual impact in the long-term.
- 7.3.18 Extensive landscaping is proposed to the perimeter of the site which will be discussed later in this report. In terms of the visual impact of the development as a whole, the development will be sited on ground level similar to that of the A1(M) and lower than all the other surrounding highway networks and employment areas. The existing and proposed landscaping, which consists of a large number of trees, will act as a natural screen to the site in order that it does not appear over dominant from short and long distance views.
- 7.3.19 In addition to the above, the proposal also comprises engineering works to the access road off the A1(M) junction 7 roundabout in order to create a new access into the site. This access will be on the south-western corner of the site. The existing hardsurfaced access road will require widening and a small roundabout to facilitate the new access. It is not considered that this additional hardsurfacing would result in undue harm to the visual amenities of the area given the extensive new landscaping which would be planted adjacent to this widened access road.
- 7.3.20 It is considered that the scale and design of the proposed development is acceptable in this location with a strong articulated design with the use of high quality materials on the façade.
- 7.3.21 Given the aforementioned assessment, it can be deduced that the proposal would deliver a high quality development. It would appear in keeping with the massing and scale of existing development in the area and would help to facilitate the Governments Road to Zero strategy and the Council's target of net zero emissions by 2030.

7.4 Impact on Amenities

- 7.4.1 In terms of impact on amenities, due to the siting and position of the proposed development, the nearest residential development is Norton Green, of which the closest property, Norton Green Farm, is approximately 800m to the north and separated from the application site by large areas of dense woodland. Given this, it is not considered likely that there would be harmful levels of noise during the construction and operation phases to impact these residential neighbours.
- 7.4.2 The site lies to the west of the Gunnels Wood Employment Area, separated by the A1(M). This established employment area has a number of different uses and building types. Glaxo SmithKline is located to the south-east beyond the A1(M) and the Novotel hotel complex is due south.
- 7.4.3 The offices located within the Arlington complex to the east are approximately 130m from the application site boundary, separated by the A1(M), which is considered sufficient distance such that they would not be affected by the proposed development.

- 7.4.4 Novotel hotel complex is the closest building to the application site. The southern site boundary of the application site is approximately 40m from the northern elevation of the hotel and the charging structures and amenity building would be approximately 110m from the northern elevation of the hotel. The submitted Noise Impact Assessment (page 14) confirms that the projected level of noise generated from the proposed development would be up to 16dB lower than the current noise levels exhibited from the adjacent A1(M). Further, due to ground level changes, the proposed development would be sited much lower than the hotel and with good levels of natural landscaping; it is not therefore considered that there would be privacy or overlooking issues between the two premises. As such, it is not considered that the proposed development would have a harmful impact on the amenities of the occupiers of this neighbouring hotel.
- 7.4.5 Knebworth House is located approximately 1600m to the south-west of the site and will have no view of the proposed development due to distance and the extensive natural landscaping which lies between the two sites.
- 7.4.6 Taking the above into consideration and the established noise environment which already exists, the Council's Environmental Health Section has not raised any concerns in terms of noise when consulted on this particular planning application. In addition, noise during the construction phase can be managed via the imposition of suitable conditions.

7.5 Archaeology

- 7.5.1 The NPPF paragraph 194 states that *"In determining applications....Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation"*.
- 7.5.2 Paragraph 195 notes *"Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal"*.
- 7.5.3 As part of the application, archaeological reports were submitted relating to the historic environment. This included an archaeological desk based assessment (DBA). This assessment concluded that the site has a low potential for archaeological remains of all periods to be present within the Site, based on existing information. Due to the proximity of the Six Hills Roman Barrows some 1km to the north of the Site, which are thought to be of early Roman date and likely to have been associated with a Roman settlement in the area that has not yet been identified, it is considered that if later prehistoric (Iron Age) or Roman finds were present within the Site then their archaeological importance would be slightly elevated.
- 7.5.4 Hertfordshire County Council's Historic Environment Advisor, advises that recent archaeological excavations adjacent to the north of the site (at Norton Green) have uncovered Roman and medieval settlement activity of some density. Given the agricultural use of the land, it is likely that any archaeological remains present within the site may be well preserved. Any such remains present would be impacted upon by the development. However, they raise no objection to the development subject to the imposition of conditions requiring an Archaeological Written Scheme of Investigation to be submitted and approved.

7.6 Parking Provision

- 7.6.1 Policy IT5 of the Local Plan (2019) states that planning permission will be granted where proposals comply with the parking standards set out in the plan.
- 7.6.2 The Council's Parking Standards SPD (2020) sets out the maximum level of parking requirements for petrol filling stations which this development could be matched against in terms of the type of service offered. In this regard, there is a requirement for 3 parking spaces per 4 employees plus 3 parking spaces for waiting per row of bays. The submitted application states that there will be 5 employees so the required number of spaces would be 6; there are two bays of charging units so an additional 6 spaces would be required for waiting, giving a total requirement of 12 spaces. The proposal has 31 spaces, two of which would be accessible spaces. In this regard, the car parking provision is considered acceptable.
- 7.6.3 In terms of cycle parking, there is no defined requirement for the type of proposed development. Given that the objective of the site is to provide motor vehicle charging, and given its location, it is not considered that there would be visitors to the site arriving by bicycle. It is possible that staff may cycle to work, of which the site will employ 5 staff. The development has 6 cycle racks, accommodating 12 bicycles. In this regard, the cycle provision on site is considered satisfactory.
- 7.6.4 There is a small retail/café area included in the plans for the convenience of users and whilst a retail use would normally generate a parking requirement, this facility is to be used by those who will be waiting while their vehicle charges. As such, it will not be a stand-alone destination for cycle and pedestrian travel. In addition, it would help to create a sustainable transport charging hub.

7.7 Highway Safety

- 7.7.1 Whilst Policy IT6 of the Local Plan sets out a number of new and improved sustainable transport schemes which focus on non-car modes of transport, the provision of an electric vehicle charging station will allow car users to switch to a more sustainable electric vehicle to the benefit of the environment.
- 7.7.2 The plans and Transport Assessment submitted with the application identify that vehicular access to the site would be taken from the existing access road to Knebworth Park and Novotel off Junction 7 of the A1(M). In order not to interfere with or prioritise traffic flow already using this private estate road, it is intended to install a roundabout at the south west corner of the proposed development site where the levels difference between the proposed site and the existing access road are at their lowest. In addition, a new section of wider access road approaching this new roundabout is also proposed so as not to restrict traffic travelling to the Knebworth Estate or the Novotel Hotel.
- 7.7.3 On entering the site, vehicles will be directed around a one-way road system to access the various charging facilities on the site. The width of the main circulation road is 6 metres to allow for all vehicle types to drive through the site. Allowance has been made for future HGV charging on this site. A vehicle queuing area is also provided for customers waiting to access the main centrally located vehicle charging forecourt.
- 7.7.4 Service vehicles will enter the site using the same access road. A dedicated service bay is to be provided off the main internal circulatory road for retail deliveries and refuse collections.
- 7.7.5 With regards to the safety of road users, Bryan and Hall Transport Consultants produced a technical note to address concerns raised by Highways England. This note advises that during the study period, 5 accidents occurred within the study area, none of which involved pedestrians or cyclists. There were no accidents involving the turning movements at

Junction 7, and all accidents were spread over a wider area and not clustered in any one location.

- 7.7.6 In order to ascertain the potential use of the ancillary facilities on site by non-charging trips, surveys have been undertaken at the Braintree GridServe site (the only operational site by GridServe in the UK). Based on the surveys undertaken, during July 2021, 11 ancillary trips were made to the site during peak morning and evening hours. In comparison, the accompanying Transport Assessment with the application predicts 54 non-charging visits during peak hours. This higher use prediction is a 'worst case scenario' when in reality it is unlikely to be realised in practice given the experience of the established site at Braintree.
- 7.7.7 Further, in relation to this matter, there are other sites within the Gunnels Wood employment area and beyond which would offer similar facilities in closer proximity to the working environment, such as the Starbucks Coffee drive-thru and BP petrol filling station with Spar shop at the junction of Gunnels Wood Road and Broadhall Way. Given this, it is therefore highly unlikely that pedestrians and cyclists would attempt to visit the site when there are more accessible sites for such persons.
- 7.7.8 In relation to the A1(M) mainline, Baldock service station at Junction 10 is located approximately 14km to the north of the site and the South Mimms service station is located approximately 22km to the south of the site. Both of these service stations have the full Motorway Service Offer and as a consequence will be much more attractive to those making a stop for general refreshments on a long journey, than the offering at the proposed site.
- 7.7.9 The submitted Transport Assessment (TA) details the trip generation profile for Junction 7 of the A1(M). A survey was undertaken on 10th December 2019 between 7am and 7pm. It calculates the Degree of Saturation (DoS) of various points – a DoS of 90% represents the maximum acceptable in order to avoid operational issues. Of the 7 areas monitored, the maximum DoS observed at Junction 7 was 55% in the morning and 51.7% in the evening for the southbound off-ramp and 65.2% for the morning and 66.2% for the evening for the northbound off-ramp. Junction 7 is therefore well within its operational capacity and it is not considered that the proposed development would exceed the 90% threshold.
- 7.7.10 The TA sets out a "high use" forecast of 80-140 vehicles per day with 54 trips in and 54 trips out (total trip generation 108 trips) during the morning and evening peak hours. Of these trips, 86 (80%) would be pass-by and 22 (20%) would be new, although overall 94 would be new to Junction 7 even if classified as pass-by. Pass-by trips are those vehicles already on the highway network for another reason that would divert to recharge, whilst new trips would be those who specifically set out to visit the site to recharge their vehicle and who would not otherwise be on the highway network. The 20% new trips figure acknowledges that there may be some trips generated from the residential areas of the town.
- 7.7.11 Highways England reviewed the initial TA and that review flagged three areas of the assessment that required further investigation/clarification by the applicant. The three areas of concern related to a further investigation of road traffic accidents near the site, additional explanation of how the trip rates and trip assignments had been developed and refinements to the LinSig transport model of A1(M) Junction 7. In response to comments on the TA, Bryan and Hall Transport Consultants produced a technical note 'Stevenage Technical Note' 16th August 2021. Highways England has reviewed the note and are content that their previous concerns have been suitably covered. They have no objections to the proposed development.
- 7.7.12 Hertfordshire Highways as highway authority have also assessed the application and have raised no objections subject to suitable conditions and informatives. They are satisfied that the new road layout has sufficient capacity to accommodate two-way traffic. They concur that the proposed development would not result in a significant increase in vehicle

movements that would result in detrimental harm to the operation or safety of the local highway network.

7.7.13 In terms of construction, the Highways Authority recommends the inclusion of a Construction Traffic Management Plan condition be imposed if permission were to be granted. This is to ensure that the development does not prejudice highway safety during the construction phase of development.

7.7.14 In summary, the proposed development can be accommodated on the local highway network and there are overall benefits which will be accrued in terms of sustainable transport. Fundamentally, the development would not prejudice the safety and operation of the highway network and car parking and cycle parking are considered satisfactory.

7.8 Trees, Landscaping and Impact on the Knebworth Woods SSSI

7.8.1 Policy NH5 of the adopted Local Plan (2019) states that development proposals will be expected to protect and retain individual trees within the development site and should include new planting where appropriate.

7.8.2 The Site is located on land to the north west of Junction 7 of the A1(M). The site is set down from the elevated junction. On the southern boundary and on the banks that lead down to the site are clumps of hawthorn and small trees that from the highway planting for the junction. The western boundary is defined by a wide hedge with large gaps and mature oak trees. The northern boundary is undefined, and the eastern boundary is defined by the existing highway planting on the adjacent A1(M). Within the site boundary are only a single mature Oak and two smaller mature Hawthorn trees.

7.8.3 The Zone of Theoretical Visibility (ZTV) with buffers represents the approximate zone within which it may be possible to see any part of the site. Within the ZTV there may be some areas from which no views of the Site or development will be possible as a result of intervening landform, vegetation or built form, which may obscure views. Outside the defined ZTV, there would be no perceptible views of the Site or the development would be very difficult to perceive or distinguish. There are a number of receptors within the surrounding landscape, and these are described below:

- From the Public Right of Way (ref no 45) on the edge of Cannocks Wood looking south east towards the site;
- From Public Right of Way (ref no 45) on the edge of Newtons Wood looking east towards the site;
- From Public Right of Way (ref no 45) on the edge of Newtons Wood looking north east towards the site;
- Access Gate layby to Knebworth Estate on the Spur road looking north towards the site;
- Rear Car Park to the adjoining Novotel looking north towards the Site;
- Access Road to Knebworth Estate looking north west towards the site;
- Slip Road off the A1 and the rear windows of the Commercial Units off Whittle Way.

7.8.4 The submitted Landscape Appraisal identifies that these receptor points will have varying degrees of impacts, from slight to moderate to significant in years 1 to 5; however by year 15 all viewpoints will have no significant impact due to the on-site provision of landscaping, outlined in point 7.8.8 below, reaching or near reaching maturity.

7.8.5 In terms of the impact on the visual amenities of the Green belt, the proposed development is set within and bounded by some existing tree and understorey planting. In addition, this will be enhanced by additional tree and understorey planting along the proposed site's boundaries which will restrict views into the site and in visual terms will have a less than substantial harmful impact on the openness of the green belt in the wider landscape.

- 7.8.6 Natural England were consulted as part of the application and they advised there was potential for the site to impact on the nearby Site of Special Scientific Interest (SSSI) and they advise that veteran trees within the site boundary should also be retained. A SSSI is a conservation designation which describes an area of particular interest to science due to the flora, fauna, geological features or physiological features that may be found within it. Whilst they provided statutory guidance on SSSI's and planning applications, they did not request any specific conditions in relation to this application. The Knebworth Woods SSSI is located over 200m from the northern boundary of the site and is separated by an extensive area of grassland. In this regard, it is considered that the SSSI is separated a sufficient distance from the site boundary so as not to be harmed by the construction or future use of the site. Further, the extensive new landscaping would enhance the visual context of the SSSI in its wider views.
- 7.8.7 The existing site plan (8306-BOW-A0-ZZ-DR-A-014) identifies the 3 trees mentioned in point 7.8.2 above. Of these three trees, only one is marked for removal which is the large singular Oak tree in the middle of the site. The two hawthorns at the southern end of the site will be retained. The Council's Arboricultural and Conservation Manager advised that he would have hoped this tree, i.e. the Oak tree, could be retained but otherwise raised no concerns with the development. However, due to its location, it needs to be removed as it stands centrally in the site and would prevent the site being constructed in this location. To move the site further north to retain this tree would result in the site being too close to the Knebworth Woods SSSI and therefore the scheme would likely have unacceptable impacts on this SSSI. Further, moving the site, or reconfiguring it to accommodate this singular tree would have impacts on the site layout, amount of electrical chargers which could be installed and impact on the deliverability of the scheme through highway implications and vehicle manoeuvrability. No Arboricultural Impact Assessment has been provided for the three trees within the site boundary so it is unclear of the category classification of these trees. The loss of any tree should always be avoided where possible but as stated previously, the site cannot be moved to accommodate the retention of the Oak tree so a planning balance must be undertaken to assess the impact of the loss of this single tree. From the access road and hotel complex, views of the Oak are limited by the hedgerow, scrub and hawthorn trees and it cannot be readily seen from the adjacent A1(M). The developer intends to extensively increase the soft landscaping within and around the perimeter of the development, which is discussed in point 7.8.8 below. As such, whilst the loss of this singular tree is unfortunate, it should be borne in mind that it will be replaced by a significant number of new trees and soft landscaping to mitigate its loss. It should also be noted that this Oak tree is not protected by a Tree Preservation Order nor is it within a Conservation Area so could be removed in any case without the need for permission from the Council. Therefore, on balance, the loss of one tree to protect the SSSI, and deliver a key sustainable infrastructure, outweigh the harm of the loss of this one tree.
- 7.8.8 The submitted landscape strategy plan (05-899-301-C) outlines the extensive landscaping which will take place which includes:
- Enhancing existing native hedgerows on the boundaries and extending this to all sides of the site;
 - Erecting deer proof fencing to the north, west and east boundaries;
 - Planting of new trees to the north, south and west boundaries;
 - Areas of low level decorative hedging and turf around the inner areas of the site;
 - Landscaped picnic area to the south of the site
 - Landscaped infiltration basin to the south-west of the site for drainage purposes.
- 7.8.9 Subject to the submission of a detailed landscaping strategy, to include details of the specific planting arrangements, the proposed tree works and landscaping scheme are considered acceptable at this time and will create a verdant setting that would be appropriate in its Green Belt setting. To ensure a satisfactory outcome, suitably worded

conditions for the landscaping strategy and future management plans will be imposed on any decision issued if planning permission is granted.

7.9 Ecology, Biodiversity and Protected Species

- 7.9.1. 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
- 7.9.2 The site is identified as open un-maintained grassland which is surrounded by maintained grassland and woodland areas further afield. The applicant has provided an ecological survey to assess the habitats present within the site and to assess the potential for site to support protected and notable species.
- 7.9.3 The survey work undertaken to determine the ecological baseline for the site included a desk study, an extended Phase 1 Habitat Survey, and an environmental DNA survey of all ponds within 500 m of the site boundary not separated from the site by dispersal barriers. The survey comprised a desk top study from Hertfordshire Biological Records Centre and from the multi-agency Geographical Information for the Countryside (MAGIC) along with Ordnance Survey and Aerial imagery. A field survey was also undertaken along with a Bat Survey and Great Crested Newt Survey.
- 7.9.4 The survey concluded that the site is classified as 'species-poor semi-improved neutral grassland. There are three ponds within 500m of the site boundary which all support great crested newts, however all three ponds are located adjacent to high quality habitat in the form of woodland, and separated from the application site by large areas of open, regularly maintained grassland and as such, it is highly unlikely that the great crested newts would be present on the application site, now or in the future. The surrounding scrub habitats are potentially suitable for reptiles who could make their way to the perimeter of the site only. Whilst the grassland and single Oak tree provide opportunities for birds, similar, and better, habitat is readily available in the immediate surrounds of the site. Badgers are likely to commute across the site, however no setts were found within the site or within 30m of the site boundary. The perimeter hedgerow and scrub habitat has potential for use by bats, although the Oak tree within the site was assessed to have low roosting potential and two oak trees on the perimeter (which are to be retained) have moderate roosting potential.
- 7.9.5 A number of construction and future operational use mitigation and enhancement measures have been put forward in the Ecology Appraisal and Herts and Middlesex Wildlife Trust have assessed this information. They have raised no concerns about the proposal in this regards, subject to a suitably worded condition to ensure the mitigation measures are carried out. These mitigations/enhancements include, but not limited to, the following:
- Site clearance works undertaken outside bird nesting season where possible. Where not possible, an experienced ecologist is to check the site first.

- New planting and bird boxes to be provided to mitigate for the loss of bird nesting sites.
- Grassland to be cut down in two phases and overseen by an Ecological Clerks of Works to encourage reptiles and amphibians to disperse.
- Storage of materials to be kept on pallets and no excavations left open to fill with rainwater.
- Tree to be felled in bat active season to prevent disturbance of hibernating bats and a licensed bat ecologist to make checks first.
- If no bats found, tree to be felled immediately, however if bats are found then contact with Natural England will be made to seek advice.
- Use of LED lights on site with no UV elements to reduce the attraction of invertebrates to the lights.
- Only lights with a 0% upward light ratio to be used and fitted on the horizontal to avoid excessive up-lighting, back-lighting and light spillage onto boundary trees and hedgerows.
- Lights to feature peak wavelengths higher than 500nm to avoid the component of light most disturbing to bats.
- Perimeter landscaping to be un-lit.
- No excavations to be left uncovered without a means of escape to animals being trapped.
- Planting will aim to enhance the biodiversity value of the site and be of native species, or those of known value to wildlife, sourced from local nurseries to enhance foraging opportunities for local birds and bats, by increasing the invertebrate diversity on-Site.

7.9.6 Given the mitigation and avoidance measures to be put in place no residual effects are anticipated in relation to any of the important faunal ecological features at the site.

7.9.7 The Government's release of the Environment Bill foretold of a future legal requirement which will be placed on developers to provide a 10% net gain in biodiversity as part of any development; this has been adopted into the Council's Biodiversity SPD (2021).

7.9.8 A Biodiversity Impact Assessment was conducted, using the Biodiversity Metric 2.0 (2019). Biodiversity Metric 2.0 is a biodiversity accounting tool that can be used for the purposes of calculating biodiversity net gain. The calculation ascertains whether the proposals achieve a net gain in biodiversity, calculated as biodiversity units and percentage biodiversity units.

7.9.9 The result of the calculation is a net gain in biodiversity. The total net unit change in habitats is +0.49 habitat units whilst the total net % change is +19.70%. Given these figures, the proposals deliver a good level of biodiversity net gain and are therefore acceptable in this regard as the requirements of chapter 15 of the NPPF (2021) and the Council's Biodiversity SPD (2021) are considered to be met.

7.10 Impact on the Environment

Land contamination

7.10.1 The applicant submitted a Geo-environmental assessment report as part of the application submission. This report concludes that the site has been in continuous use as farmland through its history with no buildings ever shown to have present on historical maps. 19 borehole tests were undertaken across the application site and no contamination was found.

7.10.2 Notwithstanding this, if permission was to be granted, a condition should be imposed requiring a watching brief be kept during initial site preparation works to identify any potentially contaminated materials. If any contaminants are identified, then further conditions would require the applicant at that point to submit a remediation strategy which has to be approved by the Council. With these conditions in place, they would ensure that the future

health of residents is not detrimentally affected by potential contaminants on the site. It would also help to protect the wider environment.

Groundwater

- 7.10.3 The site is not located within an area of groundwater sensitivity or source protection zones. During initial site investigations, groundwater was not encountered, however water, or damp deposits were observed during borehole testing. This was concluded to be due to isolated areas of surface water or collected rainwater in the monitoring well. The existing ditch on the southern boundary was observed to contain water on the second monitoring visit following a week of heavy rainfall. The submitted Flood Risk Assessment (FRA) indicates that the southern area of the site could be at a higher risk from surface flooding.
- 7.10.4 With regards to drainage, the submitted FRA suggests the following mitigation measures for any potential surface flooding:
- Finished floor levels of amenity hub building to be 1.4m above the area identified as most at risk of flooding;
 - Ground levels on site to be set to fall away from the building to the perimeter of the site; and
 - Underground drainage systems and external areas to be designed with sufficient capacity to accommodate extreme rainfall events up to a 1 in 100 year return period.
- 7.10.5 Rainwater Harvesting is incorporated into the scheme to reuse roof water from the main building for toilet flushing. This will reduce the volume of water discharging via infiltration into the ground. The development site will drain to an Infiltration Basin to the southern boundary of the site and an underground cellular attenuation soakaway tank in the north east corner.
- 7.10.6 Surface water runoff from the external areas within the development will be collected by a mixture of trapped road gullies / linear drainage channels and discharge via a Class 1 Bypass Separator. Prior to discharge to the infiltration basin or underground cellular soakaway, surface water from external areas will also pass through a proprietary treatment system to further remove fine sediments, heavy metals and hydrocarbons. Roof water from the canopies and the overflow from the Rainwater Harvesting tank will also discharge via the proprietary treatment system.

Air quality and air pollution

- 7.10.7 Policy FP7 of the adopted Local Plan (2019) states that all development proposals should minimise, and where possible, reduce air, water, light and noise pollution. Policy FP8 of the same document stipulates that planning permission for pollution sensitive uses will be granted where they will not be subjected to unacceptably high levels of pollution exposure from either existing, or proposed, pollution generating uses.
- 7.10.8 Looking at air quality and air pollution specifically, the development is not located within, or in close proximity to, an Air Quality Management Area (AQMA). In terms of the impact of the development on air quality, dealing firstly with the construction phase of development, it is noted there would be a number of activities which will affect local air quality. These include dust emissions and exhaust emissions from plant, machinery and construction traffic.
- 7.10.9 In order to mitigate the construction phase, the applicant would need to implement a Dust Management Plan which will include the recording of any complaints and to identify causes in order to take action. They will also need to plan the site layout to ensure machinery and dust causing activities are located away from receptors as far as possible. During construction, solid barriers or screens should be erected around dusty activities. If permission were to be granted, a condition would be imposed requiring the applicant to submit a detailed construction management plan. This would look in more detail at the

routing of construction traffic, location and storage of materials along with further details of site hoardings and location of any wheel washing facilities which would be required. This is to ensure that the development does not result in having a detrimental impact on the amenities of nearby residents or commercial/industrial operators. A suitable and appropriate Dust Management Plan will be required as part of the Construction Management Plan.

7.10.10 In terms of air pollution, an air quality assessment has not been carried out. Whilst the site borders the A1(M) to the east of the site, the proposed landscaping measures are considered acceptable to prevent harm to future users by way of air pollution levels. The Council's Environment Health Officers have assessed the application and have not raised any concerns or requested any additional information/reports to be commissioned with regards to air quality, air pollution or noise.

Sustainable Construction and Climate Change

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

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

7.10.12 The submitted Design and Access statement details the measures intended to be included as follows:

- Building Management System to ensure air tightness, temperature control and ventilation within the amenity hub building;
- Energy efficient LED lighting;
- Recycled grey water for flushing toilets;
- Solar Photovoltaic panels;
- SuDS drainage solutions including an infiltration pond;
- Use of natural daylighting where possible;

If permission is granted then a suitably worded condition can be imposed to secure these details.

7.11 Development and Flood Risk

7.11.1 The application site is located within Flood Zone 1 within the Environment Agency's flood risk map. Flood Zone 1 is defined as land having less than a 1 in 100 annual probability of flooding; therefore, all developments are generally directed to Flood Zone 1. Notwithstanding this, the application which has been submitted to the Council is classified as a Major, therefore, in line with the Town and Country Planning (General Development Procedure) (England) Order 2015, the applicant has provided a Sustainable Urban Drainage Strategy.

7.11.2 The proposal indicates that surface water will be discharged via ground infiltration soakaway methods, and if these prove unsuitable then discharge to a existing nearby drainage systems would be considered. Rainwater harvesting is incorporated into the scheme to reuse roof water from the main building for toilet flushing which will reduce the amount of

water discharging via infiltration into the ground. The development will drain to an infiltration basin at the southern end of the site and an underground cellular attenuation soakaway tank in the north east corner. Surface water runoff from the external areas within the development will be collected by a mixture of trapped road gullies / linear drainage channels and discharge via a Class 1 Bypass Separator. Prior to discharge to the infiltration basin or underground cellular soakaway, surface water from external areas will also pass through a proprietary treatment system to further remove fine sediments, heavy metals and hydrocarbons. Roof water from the canopies and the overflow from the Rainwater Harvesting tank will also discharge via the proprietary treatment system.

7.11.3 Following consultation with Hertfordshire County Council as Lead Local Flood Authority (LLFA), they considered the proposed drainage scheme to be unacceptable. They sought clarification as to why below ground soakaways were proposed in addition to the above ground features as it is expected that all treatment for the development should be above ground. They requested evidence that infiltration is feasible by conducting infiltration testing to BRE Digest 365 standards and that pollution from the adjacent A1(M) is included in testing indices.

7.11.4 A Phase 2 Geo-environmental assessment and additional FRA was carried out and submitted to the LLFA in August to overcome their concerns. This addendum advised that the infiltration basin would be used as a detention basin to pump surface water at a rate of 2l/s to the eastern drawing system when then discharges to the cellular soakaway. However, the LLFA maintain their objection on the grounds that the tests were not conducted to BRE Digest 365 standards and only 2 instead of 3 tests were conducted. They also note that the issue of above and below ground drainage features has not been clarified. Additionally, they acknowledge the A1(M) pollution has now been included in the treatment indices calculations and raised no specific concerns in this regard but did note that the surface water runoff is reliant on below ground separators and no evidence has been provided in this regards for treatment methods and maintenance.

7.11.5 The applicant provided a further addendum to their FRA to try and address all the concerns raised by the LLFA. This addendum provided clarification that the existing ground conditions make the disposal of surface water via infiltration only viable in the north-east of the site. Further, the above ground infiltration basin which includes sloped banks and maintenance access cannot be provided in this same north-east corner of the site as it conflicts with the service area for the amenity hub building. The detention basin provides additional attenuation volume for extreme rainfall events. Therefore, the design of the drainage system has provided a compromise of both an above ground detention basin to attenuate 65% of the site which will then be pumped to the below ground cellular soakaway in the north east corner. The addendum also provided results of additional infiltration testing undertaken as requested by the LLFA. However they note that time constraints at their end meant they could not be done to BRE Digest 365 standards. Additional clarification and reasoning were provided relating to the A1(M) surface water run-off.

7.11.6 The LLFA have responded on 22 November 2021 to maintain their objection on the basis that the testing still does not comply with BRE Digest 365 standards. They have requested an alternative drainage strategy as no evidence has been supplied that shallow infiltration is feasible. The applicant has been advised of this latest objection but at the time of writing this report, they have not provided feedback or comments.

7.11.7 If the Council is minded to grant planning permission, combined with the fact that the Council has to determine applications within a reasonable timeframe as detailed in the NPPF and accompanying Planning Practice Guidance, it is recommended to impose a condition that no works should commence on site, including site clearance, until the required infiltration tests, compliant with BRE Digest 365, have been submitted to and approved by the LLFA to ensure an acceptable drainage strategy can be delivered as part of this development.

7.11.8 In addition to the above, should the Council be minded to grant permission, and if the applicant submits revised details as requested by the LLFA prior to the issuing of any decision, that it is recommended that delegated powers are given to the Assistant Director of Planning and Regulatory and the Chairman of the Planning Committee that in the event the LLFA provide comments on the revised strategy with a suggested list of conditions, then these conditions would be imposed accordingly before any planning permission is issued by the Council. However, if the LLFA raise a substantive objection to the amended drainage strategy which has been submitted and this cannot be resolved, then it is recommended that this application is referred back to the Planning and Development Committee for its decision.

Waste Disposal

7.11.9 Thames Water were consulted and raised no concerns. They requested an informative be added to any decision issued to advise the applicant of the need for a permit from Thames Water to discharge into a Thames Water owned sewer.

Surface and Foul Water

7.11.10 If the developer follows the sequential approach to the disposal of surface water then Thames Water has no objections and for foul water they have no objections to the submitted information.

7.12 Community Infrastructure Levy

7.12.1 The Council adopted CIL on 1 April 2020 and the CIL Charging Schedule specifies a payment for new floorspace in line with the following rates (plus appropriate indexation):

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

7.12.2 CIL is a non-negotiable charge. The exact charge will be determined by the Council's CIL officer after an application has been granted in accordance with the CIL Charging Schedule and the Community Infrastructure Levy Regulations 2010 (as amended). Opportunities for relief or exemption from the CIL charge exist and will be taken into account in the calculation of the final CIL charge.

7.12.3 CIL replaces the need for S106 agreements to specify financial and/or land contributions for non-site-specific infrastructure projects. This allows infrastructure to be planned on a borough-wide scale rather than on a site-by-site basis as mitigation against the impacts of individual proposals. A CIL Form 1: Additional Information has been submitted along with the application.

7.12.4 With regards to how the CIL monies are spent, the ultimate decision lies with Stevenage Borough Council and the allocation of funding amount of £75,000 or over will rest with the Planning and Development Committee. Service providers who would not receive contributions through the Section 106 agreement for this development, including but not limited to those at Hertfordshire County Council and Stevenage Borough Council, will be able to bid for funding in due course.

7.13 Equalities Impact Statement

7.13.1 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.

7.13.2 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.

7.13.3 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.

7.13.4 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.

7.13.5 Officers have taken this into account in the assessment of this application and the Committee must be mindful of this duty *inter alia* when determining all applications. The consultation process has served to notify all relevant adjoining parties likely to be impacted by the development. However, additional regard has been given to any potential impact upon the protected characteristics outlined in the Equalities Act 2010 Section 149 and the provisions contained therein. It is considered that due regard has been given to the impact of the scheme on all groups with the protected characteristics schedule.

7.13.6 The proposal seeks to provide 5 disabled parking spaces, of which 3 spaces will also provide charging capabilities, all of which are in close proximity to the amenity hub building and the outdoor picnic area. The site has been designed to be accessible to disabled users with no stepped access to any public areas and a lift inside the amenity hub to reach the first floor. Consequently, the development has been designed in order to be beneficial to all people who use the charging facilities and eliminates any discrimination towards them.

7.14 Other Matters

Crime Prevention

7.14.1 The Herts Police Crime Prevention Design Advisor (PCPDA) has assessed the application and raised some concerns. The first concern was that their advice provided in 2019 under pre-application has not been followed. However, the 2019 pre-application enquiry was submitted by a different applicant; as such the current applicant would not have seen, nor been made aware of, the contents of any discussions for that enquiry.

- 7.14.2 They raised concern about pedestrian and cycle access to the site over the roundabout for junction 7 of the A1(M) as this does not allow for such access. This has been assessed by Highways England and HCC Highways who have not raised substantive concerns and details can be found in point 7.7.7 above. Further, the concerns raised in relation to the access to the site and traffic have been assessed, and approved, by Highways England and HCC Highways with details found in point 7.7.12 above.
- 7.14.3 They also raise concerns relating to the cycle storage not being within secure compounds, but rather 'Sheffield Hoops'. A condition will be imposed on any decision issued to secure details of the final design to ensure they are adequate.
- 7.14.4 In terms of the amenity hub building being designed to meet 'Secured By Design National Build Approval', an informative can be placed on any decision issued to advise the applicant to make contact with PCPDA prior to construction to discuss this in more detail.
- 7.14.5 Lastly, they advise against the use of bollard lighting as it is prone to damage more easily. As an external source of lighting, this would be included in the requirement to seek approval of the final lighting scheme prior to occupation of the site and can be secured by way of a condition.

Waste and Recycling

- 7.14.6 The Design Guide (2009) states, provision should be made within new development for the storage and collection of waste from a site. The current requirements for waste and recycling per household are as follows:-
- Residual Waste - 240 litres;
 - Cans and Plastics - 55 litres;
 - Paper and cardboard - 55 litres;
 - Glass - 20 litres.

The submitted plans show that there is sufficient space adjacent to or behind the garage of each plot to store the required number of receptacles. As such, the development is considered acceptable in this regard.

Retail Impact Assessment

- 7.14.7 Policy TC13 of the Local Plan (2019) requires applications for main town centre uses to be primarily located within the town centre and only in edge-of-town locations if suitable sites are not available. An impact assessment would be required for proposals in excess of 300sqm for main town centre uses.
- 7.14.8 The main component of the proposed development is the charging facilities which are not considered a main town centre use. The amenity hub building is ancillary to the main use and of very limited scale. Whilst the total floorspace of the amenity hub exceeds 700sqm, only 287sqm of this space is allocated for uses which could be considered main town centre uses (office, retail, café and hot food). Accordingly, a retail impact assessment was not required for this application and, given the limited floorspace, would have a negligible impact on the vitality and viability of the town centre.

8. CONCLUSIONS

- 8.1 In principle, the proposed bus interchange has been established as being acceptable as it would create an enhanced public transport hub with improved connections to Stevenage Train Station. The development would also be of a high quality contemporary design and deemed to be a landmark development. It would not have, subject to appropriate conditions, a detrimental impact on the amenities of nearby residential properties. Furthermore, through the imposition of conditions, the development scheme would not have a detrimental impact on items of archaeological significance and would accord with the Council's Parking Standards. Moreover, the proposal would not, subject to conditions, detrimentally impact upon the safety and operation of the highway network.
- 8.2 In addition to the above, the development, whilst resulting in the loss of some established trees on-site, seeks to deliver a high quality landscaping strategy which would compensate for the loss of these trees as well as create an enhanced urban environment and public realm. The development would not have a detrimental impact on the environment, would have an acceptable drainage strategy and through enhancement measures which can be secured by condition, would have a limited impact on local wildlife and biodiversity.
- 8.3 Given the above, it is considered that the proposed development would accord with the policies contained in the adopted Local Plan (2019), the Council's Design Guide SPD (2009), the Council's Parking Standards SPD (2020), the NPPF (2021) and NPPG (2014).

9. RECOMMENDATIONS

- 9.1.1 That planning permission be GRANTED subject to the applicant having first entered into a S106 UU to secure Local employment and apprenticeships the detail of which would be delegated to the Assistant Director of Planning and Regulation in liaison with the Council's appointed solicitor. In addition, the imposition of suitable safeguarding conditions, with authority given to the Assistant Director of Planning and Regulation in consultation with the Chair of Planning Committee, to amend or add to the suggested draft conditions set out in this report, prior to the decision notice being issued, where such amendments or additions would be legally sound and most effectively deliver the development that the Planning Committee has resolved to approve. These suggested conditions are as follows:-
- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:
05-899-301-C; BOW-A0-ZZ-DR-A-0100; BOW-A0-ZZ-DR-A-0101; BOW-A0-ZZ-DR-A-0102; 8306-BOW-A0-ZZ-DR-A-0103; 8306-BOW-A0-ZZ-DR-A-0104; 8306-BOW-A0-ZZ-DR-A-0105; 8306-BOW-A0-ZZ-DR-A-0200; 8306-BOW-A0-ZZ-DR-A-0201; 8306-BOW-A0-ZZ-DR-A-0300; 8306-BOW-A0-ZZ-DR-A-0301; 8306-BOW-A0-ZZ-DR-A-0700; D02-01; 21/3746/E63/EX01; 21/3746/E63/EX02;
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 buildings, energy storage containers and storage areas hereby permitted shall be as per the approved plans and documents to the satisfaction of the Local Planning Authority. Development shall be carried out in accordance with the approved details.
REASON:- To ensure the development has an acceptable appearance.

4 No development shall take place (including site clearance) until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority in consultation with the highway authority. Thereafter, the construction of the development shall only be carried out in accordance with the approved Plan.

The Construction Management Plan shall include the following additional matters;

- a) map showing the location of construction traffic routes to and from the site, details of their signing, monitoring and enforcement measures;
- b) access arrangements to the site;
- c) the date of start and finish of works on site;
- d) siting, methodology and facilities for wheel cleaning;
- e) site set up and general arrangements for storing plant including cranes, materials, machinery and equipment, temporary offices and other facilities;
- f) cleaning of site entrances, site access roads and the adjacent public highway;
- g) details of provisions for temporary car parking, loading/unloading and vehicle turning areas;
- h) hours of construction operations including times of deliveries and removal of waste;
- i) Demolition and construction works between the hours of 0730 and 1800 on Mondays to Fridays and between the hours of 0800 and 1300 on Saturdays only (These times relate to works which are audible at the boundary)
- j) the estimated number and type of vehicles per day/week;
- k) details of any vehicle holding area;
- l) details of the vehicle call up procedure;
- m) details of any changes to on-street waiting and loading restrictions that will be required;
- n) access and protection arrangements around the site for pedestrians, cyclists and other customers;
- o) coordination with other development projects in the vicinity;
- p) details of measures and training to reduce the danger posed to cyclists by HGVs, including membership of the Freight Operators Recognition Scheme or an approved equivalent;
- q) details of a construction phasing programme;
- r) where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements;
- s) details of a Site Waste Management Plan (SWMP) detailing actual waste arising and how waste is managed (i.e. re-used, recycled or sent off site for treatment or disposal) and where it is sent to. Further updates should be provided throughout the life of the development at an interim of two months or sooner should the level of waste be considered significant by the developer; and
- t) mechanisms and control measures to deal with environmental impacts such as noise and vibration, air quality, dust, light and odour.

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

5 Prior to first use of the improved access from Broadhall Way, the new access from Knebworth Park Road and circulation areas hereby permitted, the road layout shall be provided and thereafter retained at the position as identified on Proposed Site Layout with Dimensions drawing number 20/154/002/SKH/004 revision A in accordance with the highway specification to be agreed with Hertfordshire County Council and to the Local Planning Authority's satisfaction. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

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.

- 6 Prior to first use of the new access hereby permitted, visibility splays shall be provided, as identified on Proposed Mini Roundabout Visibility drawing number 20/154/002/SKH/006 revision A. The splays shall thereafter be maintained at all times free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway.
REASON:- To ensure construction of a satisfactory development and in the interests of highway safety in accordance with Policy 5 of Hertfordshire's Local Transport Plan.
- 7 The gradient of the accesses shall not be steeper than 1 in 20 for the first 15 metres from the edge of the carriageway of the Knebworth Park access road.
REASON:- To ensure a vehicle is level when exiting the access and to safeguard the construction of a satisfactory access, in the interests of highway safety and amenity in accordance with Policy 5 of Hertfordshire's Local Transport Plan.
- 8 Prior to first occupation of the development hereby permitted the car parking spaces as detailed on drawing number 8306-BOW-A0-ZZ-DR-A-0105-P2 shall be surfaced and marked out or completed as applicable, in accordance with the approved plan and thereafter retained for the sole use of parking for the development hereby permitted and the cycle stores and bin stores as detailed on the same drawing shall be fully completed and ready for use in accordance with the approved plan and thereafter retained in that form.
REASON:- To ensure adequate off-street parking provision is available at all times so that the development does not prejudice the free flow of traffic or the conditions of general safety and to ensure the provision of cycle parking spaces and adequate waste and recycling storage.
- 9 No development shall take place (including site clearance) until a detailed surface water drainage scheme for the site 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) Detailed infiltration tests conducted to BRE Digest 365 standards and geotechnical investigations to confirm the feasibility of discharge via infiltration and groundwater levels on site.
 - 2) 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.
 - 3) Final post-development network calculations for all storm events up to and including the 1 in 100 year + 40% climate change event with half drain down times.
 - 4) Exceedance flow paths for surface water for events greater than the 1 in 100 year including climate change allowance.
 - 5) 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.
- 10 The development hereby permitted shall be carried out in accordance with the approved surface water drainage assessment in condition 9 and the following mitigation measures:
- 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 2 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 227.58m³ (or such storage volume agreed with the LLFA) of storage volume in underground attenuation tank and lined permeable paving cascade.

3) Discharge of surface water from the private network into the Thames Water surface water sewer, or to the ground if infiltration proven feasible.

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.

11 The development hereby approved shall be constructed in accordance with the measures to address adaptation to climate change as laid out in the Design and Access Statement to include the following:

- a) Building Management System to ensure air tightness, temperature control and ventilation within the amenity hub building;
- b) Energy efficient LED lighting;
- c) Recycled grey water for flushing toilets;
- d) Solar Photovoltaic panels;
- e) SuDS drainage solutions including an infiltration pond;
- f) Use of natural daylighting where possible;

These measures shall then be 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.

12 The development hereby permitted shall be carried out in accordance with the ecological mitigation and enhancement measures as detailed in the 'Ecological Impact Assessment: July 2021'. This document shall be adhered to at all times during construction, including site clearance works, and during occupation of the development.

REASON:- To ensure protection of the natural environment

13 No development shall take place above slab level until there has been submitted to and approved by the Local Planning Authority a scheme of soft and hard landscaping, details of the treatment of all hard surfaces and the treatment of all boundaries including details of any walls, fences, gates or other means of enclosure. The scheme shall include details of all existing trees and hedgerows on the land and details showing all trees to be removed, or retained, together with details of all new planting to take place including species, size and method of planting. The approved boundary treatments shall be completed before the use hereby permitted is commenced or before the building(s) is occupied.

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

14 All planting, seeding and turfing comprised in the approved landscaping details as specified in condition 13 of this approval shall be carried out in the first planting and seeding seasons following the first use of the site or the completion of the development whichever is the sooner.

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

15 All hard surfacing comprised in the approved landscaping details as specified in condition 13 of this approval shall be carried out prior to the first use of the site or the completion of the development, whichever is the sooner.

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

- 16 Any trees or plants comprised within the approved plans or subsequently approved landscaping scheme, 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.
- 17 No tree shown retained on the approved plans, or subsequently approved landscaping scheme, shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped within five years of the completion of development without the written approval of the Local Planning Authority.
REASON:- To ensure the protection of those trees which should be retained in the interests of visual amenity.
- 18 No development, including site clearance, shall commence until the trees shown to be retained on the site, as identified on the approved plans, or subsequently approved landscaping scheme, have been protected by fencing or other means of enclosure in accordance with BS:5837:2012. Such protection shall be maintained until the conclusion of all site and building operations.
REASON:- To ensure that the retained trees are not damaged or otherwise adversely affected during site operations.
- 19 Within the areas to be fenced off in accordance with condition 18, there shall be no stockpiling of any materials or soil, no machinery or other equipment parked or operated, no traffic over the root system, no changes to the soil level, no excavation of trenches, no site huts, no fires lit and no dumping of toxic chemicals will be permitted and no retained trees shall be used for winching purposes.
REASON:- To ensure that the retained trees are not damaged or otherwise adversely affected during site operations.
- 20 All areas of hedges, scrub or similar vegetation where birds may nest which are to be removed as part of the development, are to be cleared outside the bird-nesting season (March - August inclusive) or if clearance during the bird nesting season cannot be reasonably be avoided, a suitably qualified ecologist will check the areas to be removed immediately prior to clearance and advise whether nesting birds are present. If active nests are recorded, no vegetation clearance or other works that may disturb active nests shall proceed until all young have fledged the nest.
REASON:- Nesting birds are protected from disturbance under the Wildlife and Countryside Act 1981 (As amended).
- 21 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 22 which is subject to the approval of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 23.
REASON:- To ensure that the site does not pose any risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is completed.

- 22 In the event that contamination is found at any time when carrying out the approved development that was not previously identified, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historic environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.
REASON:- To prevent harm to human health and pollution of the water environment in accordance with Government policy set out in the National Planning Policy Framework.
- 23 In the event that contamination is found at any time when carrying out the approved development that was not previously identified, as required under condition 21, the approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval in writing of the Local Planning Authority.
REASON:- To prevent harm to human health and pollution of the water environment in accordance with Government policy set out in the National Planning Policy Framework.
- 24 Prior to first occupation of the development hereby permitted the external lighting to the site shall be installed, maintained and operated in accordance with the details on drawing numbers 21/3746/E63/EX01 and 21/3746/E63/EX02. There shall be no other sources of external illumination.
REASON:- To minimise pollution of the environment and to safeguard the amenities of the locality and the appearance of the development.
- 25 No development shall take place until an Archaeological Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of archaeological significance and research questions and:
1) The programme and methodology of site investigation and recording
2) The programme and methodology of site investigation and recording as suggested by the evaluation
3) The programme for post investigation assessment
4) Provision to be made for analysis of the site investigation and recording
5) Provision to be made for publication and dissemination of the analysis and records of the site investigation
6) Provision to be made for archive deposition of the analysis and records of the site investigation www.hertfordshire.gov.uk
7) Nomination of a competent person or persons/organisation to undertake the works set out within the Archaeological Written Scheme of Investigation.
REASON:- To ensure the preservation of potential remains of the site following archaeological investigation.
- 26 The development shall take place/commence in accordance with the programme of archaeological works set out in the Written Scheme of Investigation approved under condition 25.
REASON:- To ensure the preservation of potential remains of the site following archaeological investigation.

- 27 The development shall not be occupied/used until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition 25 and the provision made for analysis and publication where appropriate.
REASON:- To ensure the preservation of potential remains of the site following archaeological investigation.

The Council has acted Pro-Actively for the following reason:-

- 1 Planning permission has been granted for this proposal. The Council acted pro-actively through early engagement with the applicant at the pre-application stage which led to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the National Planning Policy Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

INFORMATIVES

- 1 **Thames Water**
A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.
- 2 **Cadent Gas Ltd**
Cadent have identified operational gas apparatus within the application site boundary. This may include a legal interest (easements or wayleaves) in the land which restricts activity in proximity to Cadent assets in private land. The Applicant must ensure that proposed works do not infringe on Cadent's legal rights and any details of such restrictions should be obtained from the landowner in the first instance. If buildings or structures are proposed directly above the gas apparatus then development should only take place following a diversion of this apparatus. The Applicant should contact Cadent's Plant Protection Team at the earliest opportunity to discuss proposed diversions of apparatus to avoid any unnecessary delays. If any construction traffic is likely to cross a Cadent pipeline then the Applicant must contact Cadent's Plant Protection Team to see if any protection measures are required. All developers are required to contact Cadent's Plant Protection Team for approval before carrying out any works on site and ensuring requirements are adhered to. Email: plantprotection@cadentgas.com Tel: 0800 688 588.
- 3 **Herts Highways**
Construction standards for new vehicle access: Where works are required within the public highway to facilitate the new or amended vehicular access, the Highway Authority require the construction of such works to be undertaken to their satisfaction and specification, and by a contractor who is authorised to work in the public highway. If any of the works associated with the construction of the access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) the applicant will be required to bear the cost of such removal or alteration.

Before works commence the applicant will need to apply to the Highway Authority to obtain their permission, requirements and for the work to be carried out on the applicant's behalf. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/dropped-kerbs/dropped-kerbs.aspx> or by telephoning 0300 1234047.

- 4 The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/businessanddeveloper-information/development-management/highways-developmentmanagement.aspx> or by telephoning 0300 1234047.
- 5 **Parking and Storage of materials:** The applicant is advised that all areas for parking, storage, and delivery of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx> or by telephoning 0300 1234047.

6 **Community Infrastructure Levy**

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

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

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

7 **Building Regulations**

To obtain advice regarding current Building Regulations please contact Hertfordshire Building Control Ltd. by emailing us at building.control@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).

8 Herts Police Crime Prevention Design Advisor

Prior to construction the applicant will contact the Hertfordshire Constabulary CPDS with a view to seeking to achieve accreditation to the Police preferred minimum security standard that is Secured by Design. The reason for this is to ensure that the development is compliant with both National and Local Planning Policies, in addition, this will also demonstrate the discharge of obligations under Approved Document 'Q' - Security of Building Regulations".

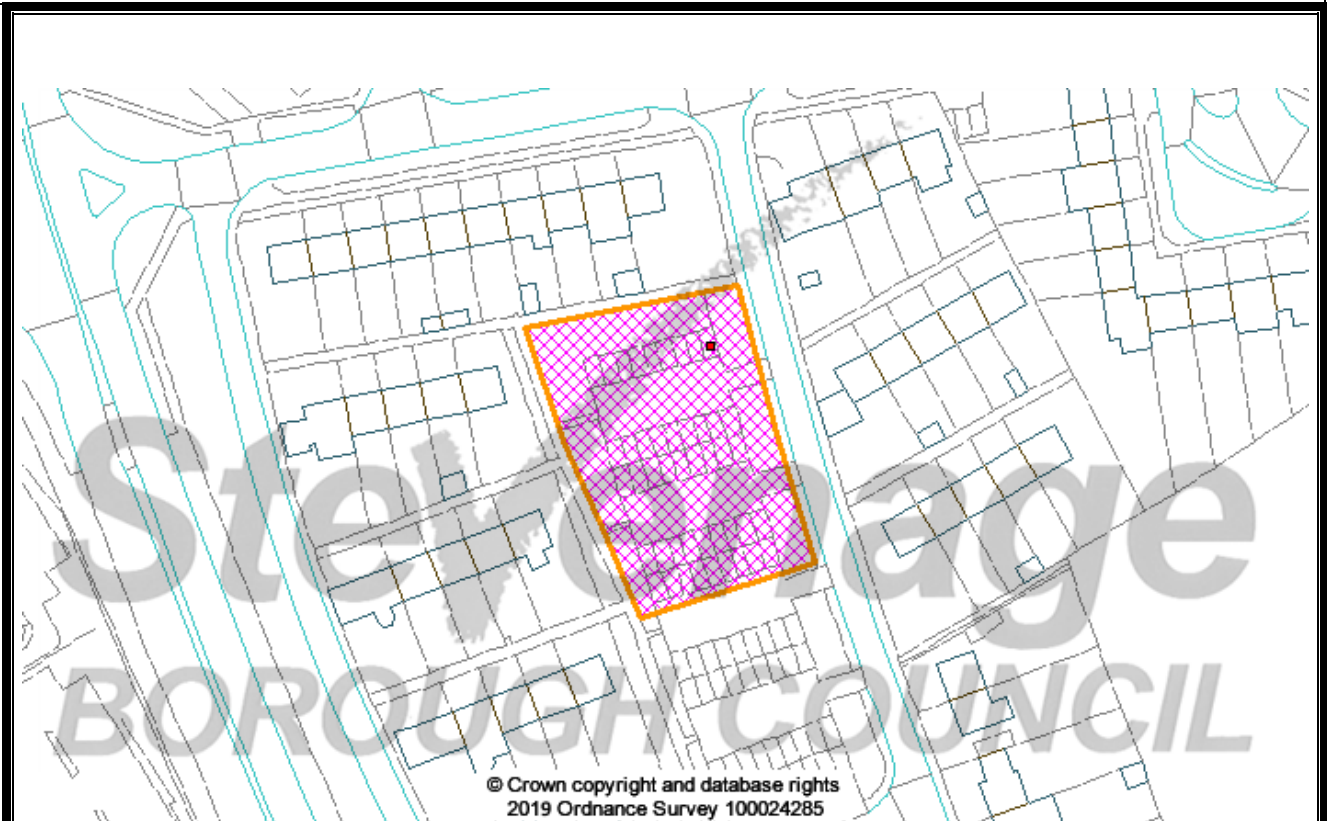
10. BACKGROUND DOCUMENTS

1. The application file, forms, plans and supporting documents having the reference number relating to this item.
2. Stevenage Borough Council Supplementary Planning Documents – Parking Provision adopted January 2020, Stevenage Design Guide adopted October 2009, Developer Contributions adopted March 2021, The Impact of Development on Biodiversity adopted 2021.
3. Stevenage Borough Local Plan 2011 – 2031 adopted 2019.
4. Hertfordshire County Council's Local Transport Plan 4 adopted May 2019.
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.

This page is intentionally left blank

Meeting:	Planning and Development Committee	Agenda Item:
Date:	9 December 2021	
Author:	James Chettleburgh	01438 242266
Lead Officer:	Zayd Al-Jawad	01438 242257
Contact Officer:	Ailsa Davis	01438 242747

Application No:	21/00944/FPM
Location:	Garages at Dunn Close, Stevenage.
Proposal:	Demolition of existing garage blocks and their replacement with a development comprising a two storey supported housing building containing a mix of 21no 1, 2 and 3 person units and associated facilities and a separate two storey terrace comprising 6 x one bedroom class C3 dwellings together with associated amenity areas, car and cycle parking bin store.
Drawing Nos.:	14020-P010-N; 14020-SK005-A; 14020-P011-D; 21128-MA-XX-DR-D-0500 – P01.
Applicant:	Stevenage Borough Council
Date Valid:	26 August 2021
Recommendation:	GRANT PLANNING PERMISSION.



Plan for information purposes only

1. SITE DESCRIPTION

- 1.1 The application site is located on the western side of Dunn Close which is a spur road off Elder Way. Prior to demolition earlier this year, the site comprised 45 no. single-storey pre-fabricated garages with pitched roofs set across 3 blocks. The garage blocks were constructed of a stock brick with the roofs finished in perforated sheet metal cladding with the garages themselves consisting of metal up and over doors.
- 1.2 Immediately adjoining the southern boundary of the application site are two further garage blocks comprising 36 no. single-storey garages. These blocks architecturally reflect the garage blocks which are the subject of this planning application. The surrounding area comprises predominantly two-storey terraced dwellinghouses set within regimented building lines. These properties are constructed from stock red brick with their respective dual pitched roofs finished in bold roll concrete inter-locking tiles.

2. RELEVANT PLANNING HISTORY

- 2.1 Prior approval application 21/00644/PADEMO sought approval for the demolition of the garage compound. Prior approval was required and refused in July 2021. The application was refused on the following ground:

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).

- 2.2 Prior approval application 21/00781/PADEMO sought prior approval for the demolition of the garage compound. It was determined prior approval was not required with the decision issued in August 2021. The garages have now been demolished and the site levelled.

3. THE APPLICATION

- 3.1 This application seeks planning permission for the erection of sheltered living accommodation (Use Class Sui Generis) comprising 21 no. 1, 2 and 3 person units and associated facilities. The residential block would measure approximately 17.40m in length, span 31.59m in width with an eaves height of approximately 5.04m with an overall height of approximately 9.00m.
- 3.2 The block would comprise 2 no. gable-end projecting wings with the roof set down approximately 2.03m from the main ridgeline. There would also be two main entrances on the principal elevation with mono-pitched canopies over the main entrance. The fenestration detailing would be symmetrical and uniform with brick mould detailing above the ground floor windows and doors.
- 3.3 The residential units would be split across two floors with the 1, 2 and 3 person units pepper potted across each floor. The units would generally be open plan with respect to the bedrooms, living rooms, dining rooms and kitchens with separate bathroom. The building would also comprise a communal laundry room, communal kitchen/diner across both floors along with the provision of a meeting room and offices.
- 3.4 The proposal also comprises the erection of a separate two-storey 6no. one bedroom, 1 person terrace of flats (Use Class C3). The proposed terrace would measure approximately 8.77m in length, span 17.47m in width with an eaves height of approximately 4.74m with an overall height of approximately 7.94m. The principal elevation of the dwellings would comprise light weight pitched roof canopies over the main entrance to each dwelling. The

fenestration detailing would be similar to the main residential block. The residential units within the terrace would be split across two floors with each property comprising a bedroom, bathroom and open plan kitchen, diner and living rooms.

3.5 The development would comprise 13 no. parking spaces, including 2 no. disabled bays which would be located at the front of the development. There would also be the provision of a bin store, cycle parking and shared private amenity space for future residents of the development.

3.6 This application comes before the Council's Planning and Development Committee as the application is a Major residential development. In addition, the applicant is Stevenage Borough Council and there have been a significant number of representations received against the proposed development.

4. PUBLIC REPRESENTATIONS

4.1 Following notification of the application via letter, the erection of site notice and being publicised in the local press, three representations against the application have been received. In addition to this, a 51 signature petition in objection to the proposed development was also lodged. A summary of the representations received are as follows:-

- Existing issues with anti-social behaviour and crime;
- Insufficient parking for local residents since the removal of the garages;
- Insufficient replacement parking for local residents;
- The Council is not listening to local residents and has already a decision on the application;
- The development will create additional issues around crime and with anti-social behaviour issues being generated by this development;
- Local residents do not support the proposed development;
- Residents who have commented on the Council's initial consultation do not live in the area;
- The proposed development is causing fear and anxiety with local residents;
- The Council has failed to maintain the garages despite residents paying monthly rates to the Council;
- Residents having to sell due to the concerns around the proposed development;
- The Council should have gone forward with the original housing development which most residents would have supported;
- The existing garages are of a sufficient size to park a car;
- Persons who used the garages for storage were offered smaller garages;
- There has been conflicting information from the Council in terms of staffing of the site and CCTV;
- The petition has been signed by one person in each household;
- Residents do not feel the Council is listening to their concerns;
- The Council should not go ahead with this development;
- The development is out of character with the area;
- Do not consider the Council has thoroughly assessed the appropriateness of the site and how the development would meet the needs of future residents and that the town centre is a more appropriate location;
- The site should be provided for five 3 bedroom terrace houses and additional parking as originally included in the Stevenage Borough Local Plan;
- The scheme will damage the close knit community;
- Insufficient parking being proposed;
- The site would be better suited as a green space for children's play along with a nature reserve to encourage wildlife.

4.2 The aforementioned is not a verbatim of the objections which have been raised. Full copies of the petition and representations received can be viewed on the Council's website.

5. CONSULTATIONS

5.1 Hertfordshire County Council as Highways Authority

5.1.1 Subject to the imposition of conditions, it is not considered that the proposed development would have an unreasonable impact on the safety and operation of the adjoining highways and consequently do not have any objections on highway grounds.

5.2 Hertfordshire County Council as Lead Local Flood Authority

5.2.1 The County Council as the Lead Local Flood Authority (LLFA) have reviewed the Flood Risk Assessment & Sustainable Drainage Strategy prepared by Markides Associates dated 24 June 2021 reference 21182-MA-XX-XX-RP-D-DS01 Revision P02.

5.2.2 The LLFA understand it is proposed to drain the site via rain gardens and two attenuation tanks before discharge to the Thames Water surface water sewer under Dunn Close at 2 l/s. 83 m³ of attenuation storage is proposed in the attenuation tanks. However, 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. 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.

5.2.3 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. Clarification of discharge rate and Thames Water agreement.
2. Clarification of car park drainage.
3. Confirmation of half drain down times.

Overcoming the LLFA objection

5.2.4 The LLFA are pleased the indicative drainage strategy indicates it is proposed to discharge at 2 l/s. However, the text within the main FRADS body indicates a discharge rate of 2.3 l/s. We note that the Thames Water pre-planning enquiry considers a rate of 2.0 l/s, therefore the applicant should confirm the final discharge rate from the site. If it is proposed to discharge at 2.3 l/s, updated agreement from Thames Water will be required. Please note that as LLFA, we would prefer a rate of 2.0 l/s.

5.2.5 At present no drainage details are proposed for the car parking areas. The applicant should demonstrate how runoff generated on the car park and bin store will be managed including provision of robust SuDS management and treatment before discharging to the sewer at greenfield runoff rates. The LLFA would expect the use of SuDS such as permeable paving to provide SuDS management and treatment.

5.2.6 The applicant has provided network calculations up to and including the 1 in 100 year + 40% climate change storm, however we note that half drain down times are not provided. Please could the applicant clarify the half drain down times for the attenuation tanks.

5.2.7 For further advice on what we expect to be contained within the FRA to support a planning application, please refer to our Developers Guide and Checklist on our surface water drainage webpage:

<https://www.hertfordshire.gov.uk/services/recycling-waste-and-environment/water/surface-water-drainage/surface-water-drainage.aspx>

5.2.8 This link also includes HCC's policies on SuDS in Hertfordshire.

Informative to the LPA

5.2.9 Please note that the applicant may require build over permissions from Thames Water for the construction of the car parking spaces and bin store in the east of the site.

5.3 Hertfordshire County Council Growth and Infrastructure Unit

5.3.1 Hertfordshire County Council Growth (HCC) and Infrastructure Unit (GIU) do not have any comments to make in relation to financial contributions required by the toolkit, as this development is situated within the Borough Council's CIL Zone and does not fall within any of the CIL REG 123 exclusions. Notwithstanding this, HCC GIU reserve the right to seek Community Infrastructure Levy Contributions as outlined in the Councils Reg 123 list through the appropriate channels.

5.4 Council's Environmental Health Section

5.4.1 If planning permission is to be granted, then it is recommended conditions are imposed covering the following:

- Contaminated Land;
- Noise; and
- Dust emissions.

5.5 Police Crime Prevention Design Advisor

5.5.1 Following a meeting with the project team, the Police Crime Prevention Design Advisor is pleased to see the concerns raised have been addressed and the development will seek to achieve the Police preferred minimum security standard that is Secured by Design (SBD). In accordance with recommendations, changes are being made to the construction of the fence at the rear and the sides of the property to ensure that a blind rat run is not made of the existing footpath at the rear of the property.

5.5.2 In addition, a gate will not be fitted to the front aspect of the dwellings, thereby securing the rear amenity garden. As a result of this, in addition to several issues which were discussed, the Police Crime Prevention Design Advisor is now in a position to fully support the application.

5.6 Thames Water

5.6.1 With regard to surface water drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Management of surface water from new developments should follow Policy SI 13 Sustainable drainage of the London Plan 2021. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required.

- 5.6.2 There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way.
- 5.6.3 Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses. We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation.
- 5.6.4 Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would recommend the imposition of an informative attached to the planning permission:
- 5.6.5 Thames Water would advise that with regard to the waste water network and sewage treatment works infrastructure capacity, Thames Water would not have any objection to the above planning application, based on the information provided.

5.7 Affinity Water

- 5.7.1 Following a review of the development, there are no comments to make.

5.8 Herts and Middlesex Wildlife Trust

- 5.8.1 The ecological report is acceptable and no further comments to add.

5.9 Cadent Gas

- 5.9.1 There is no objection to the proposal from a planning perspective. However, there is gas infrastructure within the area of the development which needs to be considered. Therefore, if the Council is minded to grant planning permission, an appropriate informative should be imposed.

5.10 Council's Planning Policy Section

- 5.10.1 No comments to make.

5.11 Council's Waste Section

- 5.11.1 Looking at the bin store design it is hard to tell exactly what they have allowed for. It looks like x 4 1100ltr bins which in theory should be okay but the West Section suggest the provision 5. 6x smaller bins will not be sufficient. The Waste Section assumes based on dwelling numbers (not persons) they will need at least 5x 360ltr bins for each material type i.e. plastic/cans and Fibre (total 10) plus at least a couple for glass. Please note with pending legislation Waste Services will need to collect food weekly from 2023/24. At a guess, this would require at least 2 x 240ltr bins. Access to collect needs to be suitable for a refuse truck to be able to get to the bin store and of course is able to manoeuvre (spec attached).

5.12 NHS England

5.12.1 No comments.

5.13 Council's Arboricultural Manager

5.13.1 Following a review of the application, it can be confirmed there are no objections from an arboriculture view point.

5.14 Hertfordshire County Council's Minerals and Waste

5.14.1 Hertfordshire County Council as Minerals and Waste Authority are writing in response to a recent consultation on the planning application for Dunn Close as it raises issues in connection with waste matters. Should the Borough Council be minded to permit this application, a number of detailed matters should be given careful consideration.

5.14.2 Government policy seeks to ensure that all planning authorities take responsibility for waste management. This is reflected in the County Council's adopted waste planning documents. In particular, the waste planning documents seek to promote the sustainable management of waste in the county and encourage Districts and Boroughs to have regard to the potential for minimising waste generated by development.

5.14.3 The NPPF recognises waste as a strategic issue and specific national policy is set out in the *National Planning Policy for Waste (October 2014)* which states the following:

'When determining planning applications for non-waste development, local planning authorities should, to the extent appropriate to their responsibilities, ensure that:

- *the likely impact of proposed, non-waste related development on existing waste management facilities, and on sites and areas allocated for waste hierarchy and/or the efficient operation of such facilities;*
- *new, non-waste development makes sufficient provision for waste management and promotes good design to secure the integration of waste management facilities with the rest of the development and, in less developed areas, with the local landscape. This includes providing adequate storage facilities at residential premises, for example by ensuring that there is sufficient and discrete provision for bins, to facilitate a high quality, comprehensive and frequent household collection service;*
- *the handling of waste arising from the construction and operation of development maximises reuse/recovery opportunities, and minimises off-site disposal.'*

5.14.4 This includes encouraging re-use of unavoidable waste where possible and the use of recycled materials where appropriate to the construction. In particular, you are referred to the following policies of the adopted Hertfordshire County Council Waste Core Strategy and Development Management Policies Development Plan Document 2012:

- Policy 1: Strategy for the Provision for Waste Management Facilities. This is in regards to the penultimate paragraph of the policy;
- Policy 2: Waste Prevention and Reduction: &
- Policy 12: Sustainable Design, Construction and Demolition.

In determining the planning application, the Borough Council is urged to pay due regard to these policies and ensure their objectives are met. Many of the policy requirements can be met through the imposition of planning conditions.

5.14.5 Waste Policy 12: Sustainable Design, Construction and Demolition requires all relevant construction projects to be supported by a Site Waste Management Plan (SWMP). This aims to reduce the amount of waste produced on site and should contain information including types of waste removed from the site and where that waste is being taken to. Good practice templates for producing SWMPs can be found at: <http://www.smartwaste.co.uk/> or <http://www.wrap.org.uk/category/sector/waste-management>.

5.14.6 SWMPs should be passed onto the Waste Planning Authority to collate the data. The county council as Waste Planning Authority would be happy to assess any SWMP that is submitted as part of this development either at this stage or as a requirement by condition, and provide comment to the Borough Council.

5.15 UK Power Networks

5.15.1 No comments.

5.16 Hertfordshire County Council's Fire and Rescue Service (Water Officer)

5.16.1 There is a hydrant at the entrance to where the proposed southern site entrance would be, which covers the development. Therefore, Hertfordshire County Council (HCC) Fire and Rescue would not seek any further hydrants in this area.

5.17 Council's Garages Section

5.17.1 The Garages at Dunn Close have been demolished due to low demand and high instances of antisocial behaviour as well as instances of fly tipping. All garage users that required an alternative garage were able to be relocated in to other vacant stock in the local vicinity or closer to their home address elsewhere in the town. The garage team have no objection to these proposals.

5.18 Pre-application Consultation by SBC Housing Development (the Applicant)

5.18.1 Prior to the submission of the planning application, the Housing Development team conducted substantial consultation with residents in the Dunn Close area, community groups and ward members. This included:

- Delivering letters to residents inviting them to view and comment on our proposals (approx. 75 letters delivered)
- Launching an online survey
- Inviting residents to one of two of our in-person consultation events where they'd have the opportunity to speak to officers
- Inviting residents to our in-person feedback session which focused on the survey results
- Inviting residents to one of our two virtual feedback session via Zoom
- Responding to queries sent to the housing development inbox
- Responding to telephone enquiries

5.18.2 In-person consultation events were held at the Stevenage Arts Centre, located on the Roaring Meg Retail Park. The turn-out was as follows:

- Session 1 – 3 attendees
- Session 2 – 6 attendees
- Session 3 (feedback session) – 10 attendees

5.18.3 A summary of the consultation responses received can be found in **Appendix 1** at the end of this report.

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.

6.2.2 Since November 2018, housing delivery has been measured against the Housing Delivery Test (HDT) as set out by the Government planning policy and guidance. The results of the HDT dictate whether a local planning authority should be subject to consequences to help increase their housing delivery. Where an authority's HDT score is less than 85% of its housing requirement, the Council must incorporate a 20% buffer into its housing supply calculations in line with paragraph 73 of the NPPF. Where an authority's score is below 75%, the Council will be subject to the HDT's most severe penalty and must apply the presumption in favour of sustainable development. The latest HDT results, published by the Ministry of Housing Communities and Local Government (MHCLG) (**now the Department for Levelling Up, Housing and Communities**) in January 2021, identifies that Stevenage only delivered 64% of its housing requirement. This is significantly below the 75% target and renders the adopted Local Plan housing policies as out of date. Consequently, Stevenage Borough Council must apply the presumption in favour of sustainable development in its decision making and give great weight towards the need to deliver housing.

6.2.3 The Council therefore, has to prepare an Action Plan to show how the Council is responding to the challenge of ensuring more homes are delivered in the Borough. It will have to be prepared in accordance with Planning Practice Guidance and analyse the reasons for under-delivery of new homes against the Government's requirements. It also has to set out clear actions on how to improve housing delivery. Consequently, Stevenage Borough Council is considering its position in relation to preparing an action plan to enhance housing supply on deliverable sites.

6.2.4 In terms of 5 year land supply, the Council has recently published the Five Year Land Supply Update (August 2021) which reveals that Stevenage has a 5.85 year supply of housing. A copy of the statement is found on:
<https://www.stevenage.gov.uk/documents/planning-policy/monitoring/five-year-housing-land-supply-position-statement-august-2021.pdf>

6.2.5 The Council will also be commencing preliminary work into a potential review of its Local Plan, last adopted in May 2019. This is to ensure the policies within the Local Plan are up to date in accordance with the NPPF as well as ensuring the Council is delivering a sufficient supply of housing and employment.

6.3 Planning Practice Guidance

The PPG contains guidance supplementing the NPPF and with which Members are fully familiar. The PPG is a material consideration to be taken into account together with the National Design Guide (2019) which has the same status as the PPG.

6.4 Adopted Local Plan (2019)

6.4.1 The policies set out below are relevant in the determination of this application:

Policy SP1: Presumption in favour of sustainable development;
Policy SP2: Sustainable development in Stevenage;
Policy SP5: Infrastructure;
Policy SP6: Sustainable transport;
Policy SP7: High quality homes;
Policy SP8: Good design;
Policy SP11: Climate change, flooding and pollution;
Policy SP12: Green infrastructure and the natural environment;
Policy IT4: Transport assessments and travel plans;
Policy IT5: Parking and access;
Policy IT6: Sustainable transport;
Policy IT7: New and improved links for pedestrians and cyclists;
Policy HO1: Housing allocations;
Policy HO5: Windfall sites;
Policy HO7: Affordable housing targets;
Policy HO8: Affordable housing tenure, mix and design;
Policy HO9: House types and sizes;
Policy HO10: Sheltered and supported housing;
Policy HO11: Accessible and adaptable housing;
Policy GD1: High quality design;
Policy FP1: Climate change;
Policy FP2: Flood risk in Flood Zone 1;
Policy FP5: Contaminated land;
Policy FP7: Pollution;
Policy FP8: Pollution sensitive uses;
Policy NH5: Trees and woodland.

6.5 Supplementary Planning Documents

Parking Provision Supplementary Planning Document October 2020
Stevenage Design Guide Supplementary Planning Document January 2009.
The Impact on Biodiversity SPD 2021
Developer Contributions SPD 2021

6.6 Community Infrastructure Levy

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

7. APPRAISAL

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

7.1.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that all planning applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

7.2 Land Use Policy Considerations

Compliance with the Council's Housing Policies

7.2.1 The NPPF states at paragraph 7 that the purpose of the planning system is to contribute to the achievement of sustainable development. The NPPF also stipulates that decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area. In addition, the Framework also sets out that sustainable development needs to be pursued in a positive way and at the heart of the framework is a "presumption on favour of sustainable development". Paragraph 62 of the NPPF (2021) requires that the planning system should deliver, inter alia, a mix of housing particularly in terms of tenure and price to support a wide variety of households in all areas. Paragraph 69 of the Framework sets out that small and medium sites can make an important contribution to meeting housing requirements in an area, and this includes supporting the development of windfall sites.

7.2.2 Paragraph 119 of the NPPF stipulates that planning policies and decisions should promote the effective use of land in meeting the need for homes such as through the use of brownfield sites (previously developed land) and the development of underutilised land.

7.2.3 It is noted that part of the site is allocated in the Stevenage Borough Local Plan 2011-2031 (2019) as a housing site under Policy HO1(4) for the provision of five dwellings. However, the remainder of the site falls outside of the allocation in the Local Plan and would therefore, be classed as windfall. Policy HO5 of the adopted Local Plan (2019) deals with windfall housing sites and states that permission will be granted where: the site is on previously developed land or is a small, underused urban site; there is good access to local facilities; there will be no detrimental impact on the environment and the surrounding properties; proposals will not prejudice the Council's ability to deliver residential development on allocated sites; and, the proposed development would not overburden existing infrastructure.

7.2.4 Taking the above issues in turn, the northern part of the development proposal which predominantly falls within the allocation comprises the proposed sheltered living residential block (Use Class Sui Generis). This would be contrary to the Local Plan (2019) designation for 5 dwelling units. However, the sheltered living accommodation is required for emergency and temporary accommodation, especially since the Covid-19 pandemic has exacerbated

the need for such development with a significant number of people currently housed in B&Bs and hotels at significant expense to the Council.

- 7.2.5 In addition to the above, it is of note that the Stevenage and North Hertfordshire Strategic Housing Market Assessment (SHMA) includes a projection that there will be increasing demand for supported housing needs during the Local Plan period. The SHMA uses the Homes and Communities Agency Vulnerable and Older People Needs Estimation Toolkit to estimate an increased need between 2011 and 2031 for people with: alcohol misuse, learning disabilities, mental health problems, offenders, moderate physical/sensory disabilities, serious physical/sensory disabilities, refugees, rough sleepers and single homeless with support needs totalling 190 dwellings over the plan period. The Local Plan evidence base has therefore identified that there will be an increasing demand for supported living accommodation.
- 7.2.6 Given the above, the proposed development does conflict with Policy HO1(4) because the proposal does not accord with this policy. Therefore, an assessment has to be undertaken as to whether the benefits of the proposed development outweigh the policy conflict and this is considered in further detail in the following section of the report.
- 7.2.7 Turning specifically to the development which falls on land outside of the Local Plan designation, the application site is identified as being predominantly previously developed land with a small area of structural open space on the western side of the site. The site is currently vacant, previously occupied by hardstanding and garages and thus accords with the definition of previously developed land set out in Annex 2 of the NPPF. The NPPF states that previously developed land is land which is or was occupied by a permanent structure, including the curtilage of the developed land and any associated fixed surface infrastructure. The NPPF also advises that a key objective is that local planning authorities should continue to make effective use of land by re-using land that has been previously developed. As such, the proposed development, where it is to be built on the PDL area of the site, is in accordance with adopted Local Plan (2019) Policy HO5 criterion a. The area which is defined as structural open space will be considered in more detail in the following sections of this report.
- 7.2.8 Criterion b. of Policy HO5 also requires that there is access to local facilities and that residential proposals include opportunities to access alternative forms of travel to private motorised transport. In terms of pedestrian access, this would be taken off the existing footpath which leads to Elder Way. In terms of accessibility, the site is highly accessible by foot and whilst there is no immediate cycle access to the site, it does lie within 90m from established cycle network which runs up to junction of Elder Way and Monkswood Way. The site is also approximately 188m from the nearest bus stop on Elder Way and 140m from the bus stop on Monkswood Way. The site is also 385m from the neighbourhood centre on Elder Way and 375m from the Asda Superstore. In addition, the site is also within 1.3km of the railway station. Consequently, the site is identified as being within a highly sustainable location.
- 7.2.9 Turning to the impact of the development on existing infrastructure, due to the nature of the proposed development, it would not place additional pressure on existing infrastructure such as education and healthcare facilities, as these properties will support people who already reside within Stevenage. Furthermore, the scheme seeks to deliver 6 no. 1 bedroom affordable units so would not be classed as family sized units. Consequently, the proposed development which forms part of the windfall site would be in accordance with Policy HO5 of the adopted Local Plan (2019).

- 7.2.10 Paragraph 74 of the NPPF stipulates that strategic policies should include a trajectory illustrating the expected rate of housing delivery over the plan period, and all plans should consider whether it is appropriate to set out the anticipated rate of development for specific sites. Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old. The supply of specific deliverable sites should in addition include a buffer (moved forward from later in the plan period) of:
- a) 5% to ensure choice and competition in the market for land; or
 - b) 10% where the local planning authority wishes to demonstrate a five year supply of deliverable sites through an annual position statement or recently adopted plan, to account for any fluctuations in the market during that year; or
 - c) 20% where there has been significant under delivery of housing over the previous three years, to improve the prospect of achieving the planned supply.
- 7.2.11 Turning to Five Year Housing Land Supply, the Council issued an Update Housing Land Supply Document in August 2021. This document was produced following the Appeal Decision for Land West of Lytton Way (APP/K1935/W/20/3255692). It sets out that the Council can demonstrate a Housing Land Supply of 5.85 years for the period 1 April 2021 to 31 March 2026, using the Liverpool methodology and guidance from the NPPF and Planning Practice Guidance (PPG). Given this position, whilst the Council has failed to meet its Housing Delivery Test, this document demonstrates that the proposal is not fundamental in the Council's ability to meet its 5 year land supply, even when incorporating the 20% buffer.
- 7.2.12 Notwithstanding the above, since November 2018, housing delivery has been measured against the Housing Delivery Test (HDT) as set out by Government planning policy and guidance. The results of the HDT dictate whether a local planning authority should be subject to consequences to help increase their housing delivery. Where an authority's HDT score is less than 85% of its housing requirement, the Council must incorporate a 20% buffer into its housing supply calculations in line with paragraph 74 of the NPPF. Where an authority's score is below 75%, the Council will be subject to the HDT's most severe penalty and must apply the presumption in favour of sustainable development.
- 7.2.13 The latest HDT results, published by MHCLG in January 2021, identify that Stevenage only delivered 64% of its housing requirement. This is significantly below the 75% target and as set out in paragraph 9.2.2 of this report, renders the adopted Local Plan housing policies as out of date. Consequently, Stevenage Borough Council must apply the presumption in favour of sustainable development in its decision making and, in substance, give great weight to the need to deliver housing. It is important to note that the presumption in favour of sustainable development as outlined in the NPPF kicks in if the Council fails either 5 year land supply, or the Housing Delivery Test (footnote 8 of Para. 11 of the NPPF). Therefore, whilst it can be demonstrated there is a 5 year land supply, the Council failed to meet its HDT requirement.
- 7.2.14 Given the aforementioned, as the Council has failed to meet the Government's Policy requirement in relation to supporting the delivery of housing in line with HDT, in accordance with the NPPF, as the presumption in favour of sustainable development kicks in, the Council must approve applications for housing development unless its impacts clearly outweigh the benefits.
- 7.2.15 In respect to Policy HO9 (House types and sizes) of the adopted Local Plan (2019), as the proposed development seeks to deliver smaller accommodation, it would be in accordance with this policy as it would help to balance the structural imbalances in the existing housing

stock, i.e. due to the lack of smaller properties in the Borough as identified in the Local Plans supporting evidence base.

- 7.2.16 In regards to affordable housing, the Council's evidence base has demonstrated that since the start of the Local Plan period, delivery of affordable housing has been limited to 282 units, an average of 31 units per annum. This evidence does demonstrate that there has been a significant under provision of affordable housing delivery within the Borough. Therefore, where such development seeks to increase the level of affordable housing within the Borough, this is considered to be a significant benefit. A detailed assessment of the proposed development's proposed affordable housing provision is detailed in Section 10.3 of this report.
- 7.2.17 In assessing the loss of open green space which forms part of the application site to the west and to the rear of the former garage blocks, Policy NH6 stipulates that for development of any existing, unallocated open spaces, development would be permitted where:
- A) the loss of the open space is justified having regard to:
 - i) the quality and accessibility of the open space;
 - ii) the existence, or otherwise, or any interventions to improve the quality or access;
 - iii) whether the open space is serving its function and purpose; and
 - iv) whether alternative space(s) remain available for community use, and
 - B) Reasonable compensatory provision is made.
- 7.2.18 The application site is, in part, formed of grassed amenity spaces which are located to the front, side and rear of where the garage blocks used to be sited prior to their demolition. The space forms part of a larger collection of open spaces surrounding the application site, acting as a buffer between the highway and residential properties to the west and north of the garages. The area of green space to be incorporated into the application site is small compared to the total area of green space in this location. The remaining space would continue to provide a break between the site and built form, with the area to the west of the site being utilised as amenity space for future residents. As such, it is considered the loss of this small area of open space would not harm the function or amenity of the remaining space of which it is part and is therefore acceptable.
- 7.2.19 Taking the aforementioned assessment into consideration, it can be concluded that the proposed development would not accord with Policy HO1 of the adopted Local Plan (2019). This is because the northern part of the development proposal which falls within the site allocation comprises the sheltered housing block (Use Class Sui Generis) and not the delivery of the five Use Class C3 residential dwellings as identified by this policy. However, the proposed development does seek to deliver 21 no. 1, 2 and 3 person supported emergency and temporary living accommodation. The evidence base which also supports the Local Plan (2019) includes a projection that there will be increasing demand for supported housing needs during the Local Plan period (see paragraph 7.2.5). As such, this development would help to meet this growing demand.
- 7.2.20 In addition, policy HO10 of the adopted Local Plan (2019) states that planning permission for sheltered and supported housing schemes will be granted where:
- a. The site is well served by public transport;
 - b. There is good access to local services and facilities such as neighbourhood centres;

c. Appropriate levels of amenity space and parking for residents, visitors and staff are provided; and

d. The proposal is appropriately located.

7.2.21 Taking the above into consideration, the scheme is identified as being in a sustainable location with access to local services and facilities (see paragraph 7.2.8). In addition, there would be appropriate levels of amenity space (see paragraph 7.6.2) and sufficient parking (see Section 7.11) and is deemed to be appropriately located within a residential area of the town. The development would also deliver much needed housing, especially affordable housing due to the shortfall in housing delivery (including affordable housing) in the Borough as identified in paragraphs 7.2.13 to 7.2.15 and paragraph 7.2.17 of this report.

7.2.22 Given the aforementioned assessment, it is acknowledged that there would be a conflict with Policy HO1 of the adopted Local Plan (2019). However, it can be concluded that the development would deliver significant public benefits which would outweigh the policy conflict in this instance. In addition, the site is identified to be in a sustainable location within Stevenage with development being delivered on previously developed land in accordance with Policy HO5. Moreover, whilst the proposal would result in the loss of a small area of structural open space, this space would form part of the private amenity space which would serve the development. Furthermore, it does not form any public function and there would still be sufficient public open space within the surrounding area. In addition, the overall benefits of this development would outweigh any harm caused by the loss of this small area of structural open space.

7.2.23 Consideration of the effects of the development on the character of the area and neighbouring amenities, and the ability of the site to provide good living conditions for future residents as well as impact on the environment, biodiversity and infrastructure will be considered in the following sections of this report.

7.3 Affordable housing and planning obligations

7.3.1 Policy HO7 of the adopted Local Plan (2019) stipulates that planning permission would be granted for residential development which would maximise affordable housing provision. Taking this into consideration, there is a requirement to provide 25% of new homes to be affordable on previously developed sites. In this regard, there would be a requirement to provide 6.75 (rounded up to 7) affordable units.

7.3.2 Turning to affordable housing tenure, mix and design, Policy HO7 states that planning permission will be granted where those dwellings:

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

7.3.3 In addition to the above, paragraph 65 of the NPPF (2021) stipulates that for major developments involving the provision for housing, planning decisions should expect at least 10% of the total number of homes to be made available for affordable home ownership (this includes affordable housing for rent, starter homes, discounted market sales housing and other routes including shared ownership, equity loans and other low cost homes (at a cost

to at least 20% below market value)). However, the 10% requirement is part of the overall affordable housing contribution for the site.

7.3.4 The proposed development is seeking to deliver 21 no. emergency and temporary sheltered living accommodation. As such, there would not be a policy requirement to deliver affordable housing in this instance in relation to these units. The use of these units would be secured as supported housing.

7.3.5 Separately, the proposed development seeks to deliver 6 no. 1 bedroom affordable units. Taking this requirement into consideration, the proposed Courtlands Development (21/00971/FPM) is potentially linked to the Dunn Close application in terms of delivering the 6 no. affordable units. This is because the Council has the Courtlands site under an options agreement. Therefore, the affordable housing requirement arising from Courtlands (6 affordable units) could potentially go towards the delivery of the proposed affordable housing units at Dunn Close. Given this, and in the event the Council does purchase the Courtlands development site, the commuted sum payment for this development would fall away with the site intrinsically linked to Dunn Close.

7.3.6 However, if the Council does not purchase the Courtlands development site, then the affordable housing obligation for the Courtlands development, i.e. a financial obligation in lieu, would remain. The triggers for dealing with how the affordable housing would be delivered, either through a financial contribution in-lieu or towards the delivery of the development at Dunn Close, would be secured as part of a S.106 legal agreement.

7.3.7 Turning to the recently adopted Developer Contributions SPD (2021), this SPD introduces a new requirement that developers of major development when signing an agreement with the Council, will need to:

- Attempt to fill 5% to 10% of construction jobs on-site associated with the development with Stevenage Residents;
- Attempt to fill 1 apprenticeship position per 10 construction jobs on-site with a Stevenage Resident or Student (cap requirement of 10 apprenticeships);
- Report whether or not these requirements are met; and
- Provide a financial contribution in lieu of not achieving either or both targets.

The applicant has agreed to the requirement to include a Construction Training Plan as part of the S.106 agreement.

7.3.8 In terms of monitoring, the Council Developer Contributions SPD set out that the Council will seek a monitoring fee of 2.5% of the value of the contributions being monitored. The fee would be capped at £25,000.00. The monitoring fee itself would be secured as part of any S.106 legal agreement.

7.3.9 Turning to the areas of open space on the site, including areas of highway which are not to be formally adopted by the Council or Hertfordshire County Council, it is recommended that the Legal Agreement secures the provision of a Management Company. This is to ensure that the areas of un-adopted open space and highways which form part of the development are properly managed and maintained during the lifetime of the development.

7.4 Visual impact of the development

7.4.1 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”.

- 7.4.2 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.
- 7.4.3 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”.
- 7.4.4 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”.
- 7.4.5 Policy SP8 of the adopted Local Plan (2019) requires new development to achieve the highest standards of design and sustainability which can deliver substantial improvements to the image and quality of the town’s built fabric. Policy GD1 of the Local Plan generally requires all forms of development to meet a high standard of design which includes form of built development, elevational treatment and materials along with how the development would integrate with the urban fabric, its relationship between buildings, landscape design and relevant aspects of sustainable design.
- 7.4.6 Policy HO5: windfall sites require residential development on unallocated sites to not have a detrimental impact on the environment and on surrounding properties. The Council’s Design Guide SPD 2009 generally reflects the aforementioned policies requiring development to respect surrounding buildings in terms of scale, massing, height and design. As such, it encourages good design as it can enhance the appearance of places.
- 7.4.7 The National Design Guide (2019) which was published by National Government is a material consideration in the determination of planning applications. It sets out that Buildings are an important component of places and proposals for built development are a focus of the development management system. However, good design involves careful attention to other important components of places. These include:
- the context for places and buildings;
 - hard and soft landscape;
 - technical infrastructure – transport, utilities, services such as drainage; and
 - social infrastructure – social, commercial, leisure uses and activities.
- 7.4.8 A well-designed place is unlikely to be achieved by focusing only on the appearance, materials and detailing of buildings. It comes about through making the right choices at all levels, including:
- the layout;
 - the form and scale of buildings;
 - their appearance;
 - landscape;
 - materials; and

- their detailing.

7.4.9 The Guide further iterates that all developments are made up of these components put together in a particular way. As such, the choices made in the design process contribute towards achieving the ten characteristics and shape the character of a place. For reference, these ten characteristics are as follows:-

- Context – enhances the surroundings;
- Identity – attractive and distinctive;
- Built form – a coherent pattern of built form;
- Movement – accessible and easy to move around;
- Nature – enhanced and optimised;
- Public spaces – safe, social and inclusive;
- Uses – mixed and integrated;
- Homes and buildings – functional, healthy and sustainable;
- Resources – efficient and resilient;
- Lifespan – made to last.

7.4.10 Paragraph 40 of the National Design Guide states that well-designed places are:

- Based on a sound understanding of the features of the site and the surrounding context, using baseline studies as a starting point for design;
- Integrated into their surroundings so they relate well to them;
- Influenced by and influence their context positively; and
- Responsive to local history, culture and heritage.

7.4.11 This part of the application has been assessed against the key policy criteria on good design, as well as how the scheme meets the four key objectives in the National Design Guide on what is considered as a well-designed place. The proposed development would comprise the construction of 21 no. 1, 2 and 3 person units and associated facilities across two buildings. Building one which is the residential block of apartments would measure approximately 17.40m in length, span 31.59m in width with an eaves height of approximately 5.04m with an overall height of approximately 9.00m.

7.4.12 The main residential block would comprise 2 no. gable-end projecting wings with the roof of these wings set down approximately 2.03m from the main ridgeline. These, along with the staggered footprint on the rear elevation of the building, would help to break up its overall built form and mass. There would also be two main entrances on the principal elevation with mono-pitched canopies over the main entrance.

7.4.13 Building two comprises the erection of a separate two-storey 6no. one bedroom, 1 person terrace of maisonettes. The proposed terrace would measure approximately 8.77m in length, span 17.47m in width with an eaves height of approximately 4.74m with an overall height of approximately 7.94m. The principal elevation of the dwellings would comprise light weight pitched roof canopies over the main entrance to each dwelling.

7.4.14 The materials used in the construction of the two buildings would comprise a stock buff stock multi in a stretcher bond with the respective roofs clad in concrete tiles finished in grey. The elevations would also comprise 50mm recess with sailing course to add a textured element to the facades. The main building would comprise the installation of roof mounted PV panels on the rear (western facing) roof slope. The fenestration detailing across both buildings which would be symmetrical and uniform and would comprise uPVC windows and doors (finished in grey) with the ground floor detailing comprising a brick header course. The two no. gable-end wings on the main block would be finished in fibre cement cladding.

- 7.4.15 In regards to the fascias, soffits, gutters and downpipes which would be installed on the new buildings, these would be uPVC finished in either black or grey. There would also be the installation of metal vents and louvres finished in grey. In terms of site layout, the proposed buildings would be set approximately 14m back from the main highway and positioned between 0.8m to 3.82m from the sites northern and southern boundaries. The buildings would also be set between 6.46m to 10.12m from the sites western boundary. There would also be a gap of 1m between the two buildings.
- 7.4.16 Turning to the proposed bin-store which would be located adjacent to the parking areas serving the development, this would measure approximately 3.50m in length and span 6.02m in width. The store itself would be enclosed by hit and miss boarding with an overall height of 1.8m. The proposed octagon shaped pergola / cycle shelter located to the rear of the site with an overall height of 3.15m would also be constructed from timber. The bin store and pergola/secure cycle store would be finished in dark green. However, it is noted the bin store would need to increase in size based on recent comments from the Council's Waste Section. It is considered that there is more than sufficient space at the front of the site to accommodate an enlarged bin store. Notwithstanding this, final details of the bin store would be secured by the imposition of a condition of any permission issued.
- 7.4.17 Taking the aforementioned into consideration, the proposed development in terms of its architectural appearance, has been designed to reflect the architectural style of properties within the estate but with the use of brick detailing and contrasting materials, fenestration finish and the finished appearance of the soffits and rainwater goods, would give the development a clean, modern appearance which would add character to the estate which is generally uniform in style, finish and appearance.
- 7.4.18 In terms of layout and spacing, the individual components of the development would allow for sufficient breathing space around the built form to ensure it does not appear overbearing when viewed from the public realm. In terms of building heights, the proposed terraced units have been designed to reflect the heights of the traditional terraced built form of the estate to allow for continuity. In terms of the main block, it is noted that this has a taller building height than the surrounding area. However, the area does comprise taller buildings such as Shaftesbury Court to the north-west as well as to the north-east on Elder Way in relation to the neighbourhood centre and the residential development at Twin Foxes. It also creates variety and interest into the built form when viewed with the wider streetscape.
- 7.4.19 Overall, the proposed development would have a high quality finish and has been designed to assimilate itself with the wider estate with the careful use of materials and finishes to give the building some architectural interest. The use of projecting and recessed feature would help to modulate the built form, especially the larger of the two buildings in order to break the overall mass and scale of the built-form. The proposed development is therefore, considered acceptable in accordance with the policies on design in the adopted Local Plan (2019), the Design Guide SPD (2009), the NPPF (2021) and PPG.

7.5 Impact upon Neighbouring Amenity

- 7.5.1 In assessing the impact on neighbouring amenity, the Council's Design Guide sets out standards which should be met to safeguard the privacy and outlook of adjoining properties from new development. In this regard, when assessing developments over 2 storeys in height, the recommended separation distances are as follows:

No of Storeys	Type of Separation	Min. distance (metres)
Between existing and new 2 storey or a mix of 1 and 2 storey dwellings.	Back to Back Back to Side	25m 15m
Between new 2 storeys or a mix of 1 and 2 storey	Back to Back Back to side	20m 12m
Over 2 storeys between existing and new dwellings	Back to Back Back to Side	35m 25m
Between new dwellings over 2 storeys in height.	Back to Back Back to Side	30m 20m

7.5.2 Following an assessment of the proposed development, it would accord with the separation distance standards which are set out in the Council's Design Guide SPD. The development does not comprise any windows on its northern elevation, so there is no overlooking of private gardens to numbers 14 to 20 Elder Way. In relation to the properties to the west, the proposed development would be located between 8m to 13m from the private amenity spaces of numbers 9 and 19 Jennings Close. However, in order to help screen these respective amenity spaces, the proposal would comprise tree planting along its western boundary in order to help militate any potential loss of privacy.

7.5.3 In regards to the properties located to the east i.e. number 22 Elder Way and numbers 1 and 11 Dunn Close, the scheme would be sited between 21.50m to 23.23m to the private rear garden areas of these properties. Between the residential development and the private garden areas of the aforementioned properties lies surface parking serving the development and the main trafficked highway of Dunn Close. Given the level of separation combined with the presence of parking and the trafficked highway would ensure that there would be no detrimental impact to the overall level of privacy to number 22 Elder Way along with numbers 1 and 11 Dunn Close.

7.5.4 In regards to sunlight, daylight and overshadowing, due to the siting, design and scale of the proposed development in context with neighbouring residential properties, it is not considered that the proposed development would cause any harm to the level of sunlight and daylight received by neighbouring properties. In addition, the level of overshadowing created by the development would not be of a sufficient level to warrant refusal of the planning application.

7.5.5 Given the aforementioned assessment, the proposal would not have a detrimental impact on the amenities of neighbouring residential properties. As such, the proposal would accord with the policies in the adopted Local Plan (2019), the Council's Design Guide SPD (2009), the NPPF (2021) and PPG. In regards to the impact of noise and light pollution on the amenities of neighbouring residents, these aspects have been considered in detail in section 7.10 of this report.

7.6 Impact upon future amenities of residents.

7.6.1 In considering a residential scheme of this nature it is also important to ensure that living conditions for any future occupiers are appropriate. In regards to private amenity space for the apartments, there is a requirement to provide 50 sq.m of amenity space for schemes of up to 5 units, plus an additional, 10sq.m for every additional unit above 5. However, the Design Guide SPD (2009) does go onto state that "*upper floor flats rarely have access to garden space*". As such, the guide goes onto state "*it is most desirable, where there is no communal space that effort is made to provide balconies or roof gardens for the occupants of these units*"

- 7.6.2 Based on the number of units proposed, there would be a requirement to provide 270 sq.m of private amenity space. The proposed development would seek to provide approximately 411 sq.m of private amenity space which would exceed the Council's requirements. The private space would be enclosed with access via gated entrances which can only be accessed by future residents of the development.
- 7.6.3 With regard to the requirements for new residential properties to meet Nationally Described Space Standards (NDSS) as defined by Policy GD1 of the adopted Local Plan (2019), for 1 bedroom, 1 person flats, there is a requirement to provide 37/39 sq.m of floorspace. For 1 bedroom 2 person flats, there is a requirement to provide 50 sq.m. However, there are no standards for 1 bedroom, 3 person flats, with the nearest standard being 2 bedroom, 3 person which is 70 sq.m.
- 7.6.4 The one bedroom, 1 person units would be approximately 20 sq.m, the one bedroom 2 person units would be between 23.8sq.m to 24.32 sq.m and the one bedroom 3 person units be 40 sq.m. Given the aforementioned, the proposed units would be well below NDSS requirements. However, it is important to note that this development is for the creation of sheltered living accommodation i.e. temporary and emergency accommodation for people who are homeless. Consequently, this development is not designed to be a place of permanent residence and therefore, it considered that the proposed development in this instance would not be required to meet NDSS requirements.
- 7.6.5 In regards to the proposed 6 no. affordable residential units, these would be 39 sq.m in floor area. This would accord with NDSS standards. Turning to Policy HO11, this requires that for Major Developments, there will be a requirement to provide at least 50% of all new units to be accessible and adaptable dwellings. Whilst the internal arrangements of the flats are not known at this time, it can be demonstrated that these flats will be of a sufficient size where a number of them can be accessible and adaptable. As such, and if the Council is minded to grant planning permission, it will require 50% of all new dwellings to be accessible and adaptable in accordance with Policy HO11.

7.7 Parking Provision

- 7.7.1 Policy IT5 of the adopted Local Plan (2019) states that planning permission will be granted where proposals comply with the parking standards set out in the plan. The Council's Parking Provision and Sustainable Transport SPD (2020) provide requirements for supported living accommodation based on 3 spaces per 4 units for small units (1-2 persons) and one space per unit for family units (3 persons +). The proposal includes the provision of 18 small units and 3 large units requiring a total of 17 car parking spaces. The six 1 bedroom units proposed would have a car parking requirement of 6 spaces (1no. per one bed flat). This equates to a site total of 23 spaces.
- 7.7.2 However, the application site is located within residential accessibility zone 2, where the Council would seek between 50% to 75% of the maximum number of car parking spaces to serve the development. This equates to a total requirement of 7 to 14 car parking spaces. The proposed development would seek to provide 13 parking spaces in accordance with the Council's Parking Standards SPD. In terms of visitor parking, the applicant has confirmed that the majority of the parking areas would not be allocated and, as such, there would not be a requirement to provide visitor parking.
- 7.7.3 Turning to disabled parking, in line with the Council's adopted Standards, 5% of the total number of spaces should be designated for disabled persons. In this regard, there would be a requirement to provide 1 disabled parking bay. The proposal seeks to provide 2 disabled parking bays in line with the Council's standards.
- 7.7.4 In regards to cycle parking, the Council's Parking Standards SPD stipulates for this development, there is the requirement to provide 1 long-term cycle space per 1-bedroom

unit. Taking this requirement into consideration, there would be the provision of informal cycle parking and a cycle store. This would ensure that there is more than sufficient cycle parking to serve the development.

7.7.5 Turning to electric vehicle parking, the Car Parking SPD (2020) now introduces a minimum requirement for electric vehicle parking. The requirements for new developments would need to abide by the following:-

- All new car parking should be designed to fulfil a Passive Electrical Vehicle Charging Point standard (providing the necessary underlying infrastructure);
- The blend of access to charging points provided within new developments;
- A minimum of 20% of new parking on a site to have access to an active EV charging point;
- A flexible approach to the requirement of charging facilities as technology changes.

7.7.6 The applicant has detailed the provision of 2 no. EV charging bays located to the front of the sheltered living accommodation block. This would generally accord with the Council's adopted standards. In regards to the loss of the existing garages, Policy IT8 of the same document stipulates that planning permission resulting in the loss of existing car or cycle parking provision will be granted where the existing spaces are replaced within or adjacent to the development. They must also be within 200 and 80 metres walk respectively of the key attractors, or it can be evidences that the parking is no longer required.

7.7.7 The proposed development would result in the loss of 45 no. garages with no replacement parking being provided. The applicant had undertaken an assessment, prior to the submission of the application, of the garages and their status and identified the following:-

- 4 no. garages were boarded up;
- 30 no. garages were let;
- 1 no. garage was out of management; and
- 10 no. garages were void.

7.7.8 To address the policy considerations with respect to parking, the 30 garage tenants have been decanted to and in proximity to their previous garage on Dunn Close. Details in terms of the decanting of the garages are as follows:-

- 9 no. moved closer to home;
- 5 no. garages were moving them anyway as rent free garages;
- 8 no. in same location; and
- 8 no. terminated tenancy.

7.7.9 Further to the above, the Garage Services Section advised that the garages on Dunn Close were not large enough to fit a standard sized vehicle. The recommended garage size for new garages is 3m, with the garages on Dunn Close at 2.5m. In addition a large number of the garages which were handed over contained a significant amount of rubbish. The evidence provided with the application demonstrates that most of the garages were being used for storage and not parking. However, it is appreciated that some of the garages were being used for the parking of a motor-vehicle.

7.7.10 Based on the evidence provided with the application and in consultation with the Council's Garages Section, it can be concluded that there is no requirement for the applicant to re-provide any replacement parking following the demolition of the garage blocks.

7.7.11 Given the aforementioned assessment, there would be sufficient parking (including cycle parking, disabled parking and EV parking) in accordance with the Council's adopted

Parking Standards. In addition, there is sufficient evidence to demonstrate that the applicant would not be required to deliver replacement parking following demolition of the garages. Therefore, the proposal would be in accordance with policies set out in the adopted Local Plan (2019), the Council's Parking Standards SPD (2020), the NPPF (2021) and PPG.

7.8 Highway implications

- 7.8.1 The proposed development seeks to utilise the existing access points of Dunn Close to serve the off-street parking areas. These access points, however, would be altered in order to serve these new off-street parking spaces. These vehicle cross-overs, as confirmed by Hertfordshire County Council (HCC) as Highways Authority would have suitable vehicle-to-vehicle inter-visibility and pedestrian visibility in accordance with the Department for Transport (DfT) Manual for Streets.
- 7.8.2 In terms of pedestrian access, this would be taken off the existing footpath which leads to Elder Way. In terms of accessibility, the site is highly accessible by foot and whilst there is no immediate cycle access to the site, it does lie within 90m from established cycle network which runs up to junction of Elder Way and Monkswood Way. The site is also approximately 188m from the nearest bus stop on Elder Way and 140m from the bus stop on Monkswood Way. The site is also 385m from the neighbourhood centre on Elder Way and 375m from the Asda Superstore. In addition, the site is also within 1.3km of the railway station. Consequently, the site is identified as being within a highly sustainable location.
- 7.8.3 With regards to waste collection, the bin store has been located within close proximity to the public highway so would be easily accessible for refuse teams. The site can also be easily accessed by emergency vehicles such as fire tenders. In terms of the parking areas, these have been designed to ensure that vehicles can safely manoeuvre within the site and egress onto the highway in a forward gear. Further, the provision of disabled parking, EV parking and cycle parking, also accord with the County Council's Local Transport Plan 4.
- 7.8.4 In relation to traffic generation, due to the limited scale of the proposed development, it would not generate a significant increase in vehicle traffic which likely affects the overall operation of the highway network.
- 7.8.5 Given the aforementioned subject to the imposition of appropriately worded conditions to ensure the development is acceptable in highway terms, it is not considered by HCC Highways that the proposed development would prejudice the safety and operation of the highway network. Therefore, it can be concluded that the proposal would accord with the policies set out in the adopted Local Plan (2019), the County Council's Local Transport Plan 4 (2018), the NPPF (2021) and PPG. Turning to the suggested conditions themselves, if the Council was minded to grant permission these would cover the following:-
- Vehicle access to be an appropriate width and reinstatement of the footway;
 - Securing the provision of DfT Manual for Street visibility splays prior to the first use of the development; and
 - A Construction Management Plan.
- 7.8.6 HCC as Highways Authority have also suggested an informative is imposed relating to highway related works associated with the development being in accordance with HCC Highway requirements.

7.9 Development and Flood Risk

- 7.9.1 The application site is located within Flood Zone 1 within the Environment Agency's flood risk map. Flood Zone 1 is defined as land having less than 1 in 100 annual probability of flooding, consequently, all developments are generally directed to Flood Zone 1. Notwithstanding this, the application which has been submitted to the Council is classified as a Major, therefore, in line with the Town and Country Planning (General Development Procedure) (England) Order 2015, the applicant has provided a Sustainable Urban Drainage Strategy.
- 7.9.2 The application is accompanied by a Flood Risk Assessment and Drainage Strategy prepared by Markides Associates (Document reference:- 21182-MA-XX-RP-D-DS01 dated 24 June 2021). It is set out in this Strategy, due to the sites geology, that the drainage strategy would comprise 85m³ of attenuation storage through geo-cellular attenuation tanks in the parking area and soft landscaping. The proposed rain gardens would provide inception storage to reduce the risk of flash flooding and provide water quality benefits as surface water filters. The discharge rate of the attenuated water would be 2 litres a second (l/s). In addition, it recommends the finished floor levels on the ground floor by a minimum of 150mm above existing ground to protect from surface water flooding.
- 7.9.3 In regards to water quality management, the runoff areas of the roof represent a very low pollution hazard level. However, any potential pollution from the parking area would be mitigated by the provision of trapped gullies and catch pits in the parking area. The Strategy also provides a detailed management plan, which is detailed as follows:

Maintenance Task	Description	Frequency
<i>Regular Maintenance</i>		
Litter management	Pick up all litter in landscape areas and remove from site	Monthly
Grass maintenance	Mow all grass verges, paths and amenity at 35-50mm with 75mm max. Leaving grass in situ.	As required or monthly
Inlets and outlets	Inspect monthly, remove silt from slab aprons and debris. Strim 1m round for access	Monthly
Hard surfaces	Sweep all paving regularly.	As required
<i>Occasional tasks</i>		
Inspection and control chambers	Annual inspection, remove silt and check free flow	Annually
<i>Remedial work</i>		
Repairs	Inspect drainage system regularly to check for damage or failure. Undertake remedial work as required.	As required

- 7.9.4 Following consultation with Hertfordshire County Council (HCC) as Lead Local Flood Authority (LLFA), they advise that the information provided does not provide a suitable basis for an assessment to be made of the flood risks arising from the development. Consequently, the LLFA raised objection and recommend planning permission is refused. In order for the LLFA to advise that there is no risk from surface water flooding, the application is required to include the following:

- Clarification of discharge rate and Thames Water Agreement;
- Clarification of car park drainage;
- Confirmation of half drain down times.

- 7.9.5 Details of the overall concerns which have been raised are set out in paragraphs 5.2.4 to 5.2.6. In order to address the concerns raised, a Flood Risk Assessment and Drainage Strategy Addendum were submitted. The addendum sets out that the surface water runoff would be restricted to a maximum of 2l/s for all rainfall events up to the 1 in 100 years plus 40% climate change scenario in line with Thames Water enquiry. In terms of the parking areas, runoff would be conveyed to linear channel drains. In terms of the bin stores and cycle stores, these would be managed via trapped gullies.
- 7.9.6 The provision of permeable paving for the site would not be practicable as a result of the existing Thames Water sewers and respective easements. Space is also required for foul drainage and utilities to serve the new development. In the event Thames Water is required to access the sewer, they would not be obliged to reinstate permeable paving and this would risk the integrity of the system. Consequently, surface water runoff would be treated via linear channel drains with a filter prior to discharging to the Thames Water sewer. In terms of assessing the site's risk to surface water flooding, the drainage strategy sets out the Simple Index Method as detailed below:

Table 1 Simple Index Method

Land use	Total suspended solids (TSS)	Metals	Hydrocarbons
<u>Low Pollution Hazard</u> Residential car park	0.5	0.4	0.4
Indicative SuDS mitigation indices for discharges to surface water			
Polypipe Permachannel	0.8	0.4	0.9
Check	+0.3	+0.0	+0.5

- 7.9.7 Based on the above assessment, the use of a Polypipe Permachannel would provide the required level of surface water treatment to runoff entering the public sewer. In terms of half drain down times, these are set out in the table below:

Table 2 Attenuation Tank results

	Water Level (m)		Half-drain time – 480 min event (mins)		Maximum volume (m ³)	
	30 year	100 year + 40% CC	30 year	100 year + 40% CC	30 year	100 year + 40% CC
Tank 1	89.11	89.60	178	393	11.5	27.0
Tank 2	89.09	89.58	219	450	21.3	41.8

- 7.9.8 With the above measures in place, the scheme has been designed to ensure that it does not create any flood risk events on site or to the wider area. At the time of drafting this report, the LLFA were re-consulted on the amended drainage strategy and FRA which sought to address all of the concerns raised. To date, no comments have been provided by the LLFA. Therefore, if the Council was minded to grant planning permission combined with the fact that the Council has to determine applications within a reasonable timeframe as detailed in the NPPF and accompanying Planning Practice Guidance, it is recommended appropriately worded conditions are to be imposed to ensure an acceptable drainage strategy can be delivered as part of this development
- 7.9.9 In addition to the above, it is also recommended that delegated powers are given to the Assistant Director of Planning and Regulatory and the Chairman of the Planning Committee that in the event the LLFA do provide comments on the revised strategy with a suggested list of conditions, then these conditions would be imposed accordingly before any planning

permission is issued by the Council. However, if the LLFA raise a substantive objection to the amended drainage strategy which has been submitted and this cannot be resolved, then it is recommended that this application is referred back to the Planning and Development Committee for its decision.

7.10 Impact on the environment

7.10.1 The application site according to historic OS Maps of the site, sets out that prior to the site being developed out in the 1960s, the site was part of open fields with Monkswood immediately to the south. Prior to their demolition, the site comprised areas of hardstanding and garages and has not been used for any other purposes. Therefore, there would be very low risk of contamination with the potential for hydrocarbons arising from the parking of motor-vehicles on the site.

7.10.2 Following consultation with the Council's Environmental Health Section, they do not raise any concerns from a land contamination perspective subject to the imposition of conditions. The conditions imposed would require a remediation strategy is submitted for approval in the event contaminants are identified during the demolition and construction phase of development. In terms of the potential presence of asbestos, the applicant would require a licenced contractor to be appointed to carefully remove the asbestos and for it to be disposed of at a licenced site. The requirements for handling asbestos is controlled by the Health and Safety Executive (HSE).

Groundwater

7.10.3 The application site is not located within a Source Protection Zone for potable water. Therefore, no concerns have been raised from Affinity Water or Thames Water in this instance. In addition, there would be no requirement to consult the Environment Agency in this instance.

Air Quality

7.10.4 Policy FP7 of the adopted Local Plan (2019) states that all development proposals should minimise, and where possible, reduce air, water, light and noise pollution. Looking at air quality and air pollution specifically, The Air Quality Annual Status Report (ASR) 2019 by Stevenage Borough Council identifies that the development site is not located within or in close proximity to an Air Quality Management Area (AQMA). In terms of Air Quality in the nearby area surrounding the development site, the nearest diffusion tubes and their readings in the aforementioned Report are as follows:-

- Tube 1 (Stevenage Town Centre / Bus Station) – 18.5 NO₂ µg/m³;
- Tube 3 (Monksview) – 18.1 NO₂ µg/m³

The data above shows that the readings do not exceed the NO₂ annual mean objective of 40µg/m³. This generally shows that the Air Quality in the area is within national guidelines.

7.10.5 In order to mitigate the construction phase, it is recommended, as advised by the Council's Environmental Health Section a condition is imposed to any permission issued. This condition would require the applicant to submit a Construction Management Plan to detail measures on how to control levels of dust and air pollutions which are generated during the demolition and construction phases of development.

7.10.6 With regards to the operational aspect of the development, due to its limited scale, the proposed development would give rise to a very small rise in NO₂ emissions which in accordance with IAQM/EPUK guidance is identified as having a negligible impact at all receptors in the area. As such, the need for additional mitigation has not been identified as being required. As such, the Council's Environmental Health Section has not raised any concerns with respect to the operational impact the development would have on air quality.

Noise Pollution

- 7.10.7 With respect to noise, Policy FP8: Pollution Sensitive Uses stipulates that planning permission for pollution sensitive uses will be granted where they will not be subjected to unacceptably high levels of pollution exposure from either existing, or proposed pollution generating uses.
- 7.10.8 Dealing firstly with the impact of noise from the construction phase of the development, it is recommended a condition is imposed on any permission issued requiring the submission of a Construction Management Plan (CMP). Through the CMP the hours in which noisy activities take place can be controlled as measures as ensuring relevant mitigation measures are put in place to minimise the impact of noise from construction activities. Moreover, once a CMP has been agreed by the Council, if a breach were to take place, it can enforce the condition accordingly. Consequently, the imposition of such a condition is supported by the Council's Environmental Health Section.
- 7.10.9 With regards to noise which could arise during the operational phase of development, the site would be operated and managed by Stevenage Borough Council. As such, if any complaints arose regarding tenants who would be housed within the development, these would be dealt with by the Borough Council's Housing Teams accordingly.

Light Pollution

- 7.10.10 In terms of light pollution, Policy FP7: Pollution of the adopted Local Plan (2019) requires all development proposals should minimise, where possible, light pollution. Applications for development where pollution is suspected must contain sufficient information for the application to make a full assessment on impacts. Planning permission will be granted where it can be demonstrated that the development will not have unacceptable impacts on:
- a. the natural environment, general amenity and the tranquillity of the wider area which includes light pollution;
 - b. health and safety of the public; and
 - c. The compliance with statutory environmental quality standards.
- 7.10.11 Turning to the operational side of the development, the applicant has not submitted a detailed lighting strategy. However, to ensure that any external lighting does not prejudice highway safety or cause a substantive nuisance to neighbouring residential properties, a condition should be imposed to any permission issued. Details which would need to be provided as part of an overall lighting strategy should include:-
- Description of the proposed hours of operation, light spillage and column heights;
 - A layout plan of the proposed site showing beam orientation;
 - Details of the proposed equipment design;
 - Details of the expected impact on neighbouring properties and roads;
 - A statement of any proposed measures to mitigate for the possible impact of the development (i.e. planting of trees, hedges and shrubs).
- 7.10.12 In terms of lighting associated with the construction aspect of the proposed development, this can be dealt with as part of a Construction Management Plan. This can be secured by way of condition if the Council is minded to grant planning permission.

7.11 Trees and landscaping

- 7.11.1 Policy NH5 of the adopted Local Plan (2019) states that development proposals will be expected to protect and retain individual trees within the development site and should include new planting where appropriate.

- 7.11.2 The application site comprises 2 no. trees. Both trees have been identified in the application submission as being of low ecological value as one is self-seeded and one is ornamental. In order to facilitate the construction of the development, it would appear both trees would need to be removed. These trees are not protected by a Tree Preservation Order (TPO) and the site is not located within a Conservation Area. So these trees have limited amenity value.
- 7.11.3 Given the aforementioned, the Council's Arboricultural Manager does not raise any concerns about the removal of these trees. In order to compensate the removal of these trees and to enhance the overall visual appearance of the development, the site layout plan shows indicative planting of 25 trees. In terms of the types of trees to be planted, these are not specified in the application submission, but the Biodiversity Net Gain report recommends the planting of native species for example Oak, Ash and Field Maple. It also recommends the planting of native shrubs as part of an overall soft landscaping strategy for the site.
- 7.11.4 Given the details of soft landscaping on the submitted plans are indicative, it is recommended that a condition be imposed requiring the submission of a soft landscaping strategy. This is to ensure that suitable tree and shrub planting are provided in order to not only compensate for the trees removed, but to also enhance the site's overall biodiversity and the development's visual appearance in context with the street scene. It is also recommended a condition is imposed requiring details of a landscaping management plan be submitted. This would ensure that the landscaping strategy is maintained during the lifetime of development.
- 7.11.5 In terms of hard landscaping, the applicant has supplied a materials palette with the application submission. The materials detailed are as follows:-
- Footpaths – Concrete paving slabs in natural grey;
 - Parking bays – Permeable block paving in brindle or bracken; and
 - Roadway – Permeable block paving in charcoal.
- 7.11.6 Taking the above into consideration, it is noted that the drainage strategy advises that permeable paving (see paragraph 7.9.6) for the site would not be practicable as a result of the existing Thames Water sewers and respective easements. Therefore, to ensure the hardsurfaced areas have a high quality finish and do not cause issues around the existing Thames Water sewer, it is recommended the landscaping features are also captured, alongside the soft landscaping, as part of an overarching landscaping strategy for the development. This requirement, therefore, can be incorporated into the landscaping condition if the Council is minded to grant planning permission.

7.12 Biodiversity, Ecology and Protected species

- 7.12.1 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

7.12.2 The application site is identified as previously developed land and currently comprises amenity grassland with two trees. The wider environment is generally urban in nature comprising a mixture of residential buildings along with hardstanding, trees and amenity grassland. The application is accompanied by a Biodiversity Net Gain Assessment to assess the potential for the site and adjoining habitats to have species that receive legal protection at either UK and/or European level. The survey comprised a desk top study from Hertfordshire Biological Records Centre and from the multi-agency Geographical Information for the Countryside (MAGIC). A field survey was also undertaken along with a Bat Survey.

7.12.3 The assessment identified that the development would have no adverse impact on habitats of principal importance with the site identified as having negligible ecological value. In terms of species, the surveys identified that there were no foreseeable impacts on amphibians or reptiles with no significant impacts on nesting birds. In addition, the bat survey identified that roosts were absent from the buildings of Dunn Close with no evidence of them using these buildings. Furthermore, there are no foreseeable impacts on other protected species including rare plants or invertebrates.

7.12.4 With regards to biodiversity net gain, the proposed development would comprise the provision of new amenity grassland which would be landscaped with tree and shrub planting. This identified an increase in biodiversity of 41.34% (+0.07 biodiversity units). In terms of tree and shrub planting, it is recommended that native species are provided within the development. The proposal also recommends the installation of bat boxes to be integrated into the built fabric. In addition, it recommended external lighting is carefully designed so as not to cause harm to bat roosting or foraging in the area. It is also recommend that hedgehog highways are delivered along with the installation of bird boxes.

7.12.5 Following consultation with Herts and Middlesex Wildlife Trust, they advise that the details set out in the Ecological Report are acceptable. Consequently, to ensure the biological enhancements are delivered as specified in the accompanying assessment, it is recommended that appropriately worded conditions are imposed to any permission issued. This will ensure the development delivers the identified net gain in biodiversity.

7.13 Other Matters

Sustainable construction and climate change

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

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

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

7.13.2 The application is supported with the following information:-

- Draft Energy Performance Certificate;
- BRUKL Output – Compliance with Building Regulations Part L 2013;
- Energy Statement prepared by Energy Test.

7.13.3 The proposed development would utilise a fabric first approach with the provision of cavity wall insulation, roof insulation, part wall insulation as well as floor insulation. The buildings would be heated by a community heating system via Air Source Heat Pumps with heating emitted through underfloor heating. Domestic hot water will also be heated using this system with the provision of water storage systems. The development would also comprise Waste Water Heat Recovery System which will be installed for each shower/bathroom.

7.13.4 There would also be a mixture of ventilation systems which include mechanical ventilation heat recovery for all showers and bathrooms, intermittent fans for kitchen areas, office and WC as well as the use of non-mechanical natural ventilation. The scheme would also comprise Solar PV panels which would provide electricity throughout the development. With the overall measures in place, heating and cooling demand is reduced by 20.32%, primary energy is reduced by 18.86% and total CO₂ emissions are reduced by 33.67%. Turning to the reduction in water consumptions, measures would include Dual flush toilets, aerated taps, smaller baths and water butts to reduce water consumption to 110 litres per person, per day.

7.13.5 Turning to sustainable construction, Hertfordshire County Council as Minerals and Waste Authority recommended the applicant submit a SWMP (Strategic Waste Management Plan). This is to ensure that materials used in construction are properly recycled where possible. It is recommended that if planning permission were to be granted, a condition could be imposed requiring the applicant to submit a SWMP prior to the commencement of development.

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

Waste and Recycling

7.13.7 The Design Guide (2009) states, provision should be made within new development for the storage and collection of waste from a site. The submitted plans indicate that there would be sufficient refuse facilities for 4 no. 1100 litre bins. However, following correspondence with the Council's Waste Section, they recommend the store would need to provide sufficient space for at least 5 no. 1100 litre bins to ensure there is sufficient capacity to manage general waste and recycling requirements. Given this, it is recommended a condition is imposed to any permission issued. This condition would require the applicant to submit details of a bin store which is of sufficient size to accommodate the general waste and recycling requirements of this development.

Crime Prevention/anti-social behaviour/security

7.13.8 In regards to crime prevention, it is noted that despite the concerns raised by local residents, the Police Crime Prevention Design Advisor considers the development would be acceptable subject to the implementation of Secure by Design measures. The applicant has sought to engage with the Crime Prevention Design Advisor during the course of the application and improvements have been made to enable them to support the scheme. Such matters would also form part of any future Building Regulations approval under Part

Q. Notwithstanding this, an informative can be imposed to any decision issued to require the applicant to continue to engage with the Police Crime Prevention Advisor in regards to Designing out Crime.

Community Infrastructure Levy

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

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

7.13.10 CIL is a non-negotiable charge. The exact charge will be determined by the Council's CIL officer after an application has been granted in accordance with the CIL Charging Schedule and the Community Infrastructure Levy Regulations 2010 (as amended). Opportunities for relief or exemption from the CIL charge exist and will be taken into account in the calculation of the final CIL charge.

7.13.11 CIL replaces the need for S106 agreements to specify financial and/or land contributions for non-site-specific infrastructure projects. This allows infrastructure to be planned on a borough-wide scale rather than on a site-by-site basis as mitigation against the impacts of individual proposals. A CIL Form 1: Additional Information has been submitted along with the application.

Equality, Diversity and Human Rights

7.13.12 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.

7.13.13 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.

7.13.14 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.

7.13.15 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.

- 7.13.16 In terms of inclusive access, the scheme has been designed to be DDA (Disability Discrimination Act) compliant. In addition, in accordance with Policy HO11: Accessible and Adaptable Housing of the adopted Local Plan (2019), as this is a major scheme at least 50% of all new dwellings will need to be category 2: accessible and adaptable dwellings. Whilst this would be secured via condition, the applicant has provided details to demonstrate that 50% of the units will meet Accessible and Adaptable Housing Standards.
- 7.13.17 The scheme also seeks to deliver the necessary disabled parking provision in accordance with the Council's adopted Parking Standards SPD (2020). The bays will meet the relevant size standards and have been located in an appropriate location in close proximity to the entrance of the main residential building.

8. CONCLUSIONS

- 8.1 In summary, it is acknowledged that there would be a conflict with Policy HO1 of the adopted Local Plan (2019). However, it can be concluded that the development would deliver significant public benefits which would outweigh the policy conflict in this instance. This is because the sheltered living accommodation and affordable housing would meet an identified shortfall and need as supported by the evidence base in the Local Plan. Furthermore, as the Council has failed the HDT, great weight must be given to the delivery of housing, which is deemed to meet Paragraphs 8 and 11 of the NPPF in terms of sustainable development. In addition to this, the site is identified to be in a sustainable location within Stevenage with development being delivered on previously developed land in accordance with Policy HO5. Moreover, whilst the proposal would result in the loss of a small area of structural open space, this space would form part of the private amenity space serving the development. Furthermore, it does not form any public function and there would still be sufficient public open space within the surrounding area. In addition, the overall benefits of this development would outweigh any harm caused by the loss of this small area of structural open space.
- 8.2 The scheme would, subject to conditions, not have a detrimental impact on the character and appearance of the area and it would not harm the amenities of neighbouring residential properties. Furthermore, the scheme would have acceptable living standards, would have sufficient off-street parking and would not prejudice highway safety. In terms of drainage, whilst concerns have been raised by HCC as LLFA, it is considered that appropriately worded conditions can be imposed to ensure an acceptable drainage strategy can be delivered on-site. The development would not have a detrimental impact on the environment and a suitable landscaping strategy can be delivered to compensate for the loss of the existing trees. In addition, the scheme would deliver biodiversity net gain and would be adaptable to climate change. The scheme would also comprise sufficient general waste and recycle storage.
- 8.3 Given the aforementioned, whilst there is a policy conflict with Policy HO1, the development would on balance; accord with the majority of the policies in the adopted Local Plan (2019) as well as the Council's adopted Supplementary Planning Documents. It would accord with the policies set out in the NPPF (2021) and PPG. In addition, it has been identified in the overall planning balance, that the overall benefits of the scheme outweigh the policy conflict identified. Therefore, it is recommended that planning permission be granted.

9. RECOMMENDATIONS

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

- Affordable Housing linked to Courtlands;
- Securing the provision of the supported housing units in perpetuity
- Apprenticeships and construction jobs;
- Management Company to manage areas of un-adopted open space and highways;
- S.106 monitoring fee.

9.2 The detail of which would be delegated to the Assistant Director of Planning and Regulation in liaison with the Council's appointed solicitor, as well as the imposition of suitable safeguarding conditions, with authority given to the Assistant Director of Planning and Regulation in consultation with the Chair of Planning Committee, to amend or add to the suggested draft conditions set out in this report, prior to the decision notice being issued, where such amendments or additions would be legally sound and most effectively deliver the development that the Planning Committee has resolved to approve. These suggested conditions are as follows:-

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

14020-P010-N; 14020-SK005-A; 14020-P011-D; 21128-MA-XX-DR-D-0500 – P01

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 external elevations of the development hereby permitted shall be as follows:-

- Roof finish – Concrete roof tiles/Stonewold grey;
- Facing brickwork – Yellow multi/stretcher bond;
- PV panels – Black/dark blue roof mounted panels;
- Fascias, soffits, gutters and downpipes – Black or Anthracite uPVC;
- Recess brick work detailing – 50mm recess with sailing course / buff multi;
- Solider Course around window heads;
- Windows and doors – uPVC anthracite grey;
- Vent/louvre – Metal anthracite grey.

Unless otherwise agreed in writing by the Local Planning Authority.

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

4 Notwithstanding the details set out in the application submission, no development shall take place above slab level until details of a hard and soft landscaping strategy and boundary treatment shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the following:

1. Details of all new planting to take place including species, size, quantity, location and method of planting;
2. Details of all boundary treatments including type, size, positions, heights and materials;
3. Details of any street furniture;
4. Details of tree pit designs and root protection measures (if required);
5. Details of all hardsurfacing areas to include type, size and materials.

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

- 5 All hard surfacing comprised in the approved landscaping details as specified in condition 4 of this approval shall be carried out prior to the first use of the site or the completion of the development, whichever is the sooner.

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

- 6 All planting, seeding and turfing comprised in the approved landscaping details as specified in condition 4 of this approval shall be carried out in the first planting and seeding seasons following the first use of the site or the completion of the development whichever is the sooner. In addition, the boundary treatment as approved shall also be installed prior to first occupation of the development hereby permitted.

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

- 7 Any trees or plants comprised within the approved plans or subsequently approved landscaping scheme, 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.

- 8 No tree shown retained on the approved plans, or subsequently approved landscaping scheme, shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped within five years of the completion of development without the written approval of the Local Planning Authority.

REASON:- To ensure the protection of those trees which should be retained in the interests of visual amenity.

- 9 No development shall take place above slab level until, a landscape management plan, including long term objective goals, management responsibilities (other than private domestic gardens and/or amenity areas) shall be submitted to and approved in writing by the Local Planning Authority. The landscape management and maintenance plan should be fully coordinated with the ecological management requirements and should include clearly defined details for monitoring of all landscape areas by suitably trained and qualified personnel. The development shall thereafter be carried out in accordance with the approved management plan.

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

- 10 Prior to the first occupation of the development hereby permitted the main vehicular accesses shall be provided 4.8 metres wide and thereafter both accesses shall be retained at the positions shown on the approved drawing number 14020-P010-M and any disused existing accesses have been reinstated to footway construction to the current specification of Hertfordshire County Council and to the local Planning Authority's satisfaction. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

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 (adopted 2018).

- 11 Before the reconfigured accesses are first brought into use vehicle to vehicle visibility splays of 2.4 metres by 43 metres in a both directions shall be provided and permanently maintained. Within which there shall be no obstruction to visibility between 600 mm and 2.0 metres above the footway level. These measurements shall be taken from the intersection of the centre line of the permitted access with the edge of the carriageway of the highway respectively into the application site and from the intersection point along the edge of the carriageway.

REASON:- To ensure construction of a satisfactory development and in the interests of highway safety in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

- 12 Prior to the first use of the development hereby permitted 0.65 metre x 0.65 metre pedestrian visibility splays shall be provided and permanently maintained each side of the access. They shall be measured from the point where the edges of the access way cross the highway boundary, 0.65 metres into the site and 0.65 metres along the highway boundary therefore forming a triangular visibility splay. Within which, there shall be no obstruction to visibility between 0.6 metres and 2.0 metres above the carriageway.

REASON:- To ensure construction of a satisfactory development and in the interests of highway pedestrian safety in accordance with Policies 5 and 7 of Hertfordshire's Local Transport.

- 13 No development shall take place until a Construction Management Plan has been submitted to and approved in writing by the local planning authority in consultation with the highway authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The Construction Management Plan shall include details of:

- a. Construction vehicle numbers, type, routing;
- b. Traffic management requirements;
- c. Construction and storage compounds (including areas designated for car parking);
- d. Siting and details of wheel washing facilities;
- e. Cleaning of site entrances, site tracks and the adjacent public highway;
- f. Timing of construction activities to avoid school pick up/drop off times;
- g. Provision of sufficient on-site parking prior to commencement of construction activities;
- h. Post construction restoration/reinstatement of the working areas and temporary access to the public highway;
- i. Demolition and construction works relating to this permission shall not be carried out on any Sunday or Bank Holiday, nor before 07.30 hours or after 18.00 hours on any weekdays, nor on any Saturday before 08.00 hours or after 13.00 hours. These times apply to work which is audible at the site boundary;
- j. Details of a Dust Management Plan to ensure emissions are controlled throughout the construction and demolition phases so as to prevent nuisance to the occupiers of neighbouring premises.

REASON:- In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan.

- 14 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 15 which is subject to the approval of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 16.

REASON:- To ensure that the site does not pose any risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is completed.

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

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

- 16 In the event that contamination is found at any time when carrying out the approved development that was not previously identified, as required under condition 14, the approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval in writing of the Local Planning Authority.

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

- 17 Prior to first occupation of the development hereby permitted details of external lighting to the site shall be submitted to the Local Planning Authority and approved in writing. There shall be no other sources of external illumination.

REASON:- To minimise pollution of the environment and to safeguard the safety of the adjacent highway network.

- 18 The dwellings hereby permitted shall not be occupied until the cycle parking areas as detailed in the application submitted have been implemented accordingly. The cycle parking areas shall be retained and maintained accordingly during the lifetime of the development.

REASON:- To ensure that adequate cycle parking is provided in accordance with the Council's adopted supplementary planning documents.

- 19 Prior to the first occupation of the development hereby permitted the car parking spaces (including EV charging facilities) as detailed on Drawing number 14020-P010-N shall be surfaced and marked out or completed as applicable, in accordance with the approved plan and thereafter retained for the sole use of parking for the development hereby permitted.

REASON:- To ensure adequate off-street parking provision is available at all times so that the development does not prejudice the free flow of traffic or the conditions of general safety.

- 20 Prior to first occupation of the development hereby permitted, the energy efficiency measures as detailed in the Energy Statement prepared by Energy Test (dated: 26/07/2021) shall be implemented in accordance with the details as specified. In addition, water efficiency measures such as the use of dual flush toilets, aerated taps, smaller baths and water butts to reduce water consumption to 110 litres per person, per day shall also be implemented as part of this development. All measures to ensure the development is adaptable to climate change shall be 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.

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

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

- 22 The development hereby permitted shall be carried out in accordance with the approved Flood Risk Assessment and Drainage Strategy prepared by Markides Associates (Document reference:- 21182-MA-XX-RP-D-DS01 dated 24 June 2021) and Drainage Strategy Addendum dated 26th October 2021, with the following mitigation measures delivered:

- 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 2 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 85m³ (or such storage volume agreed with the LLFA) of storage volume in attenuation storage within a geo-cellular underground tank, permeable paving and rain gardens to provide inception storage with surface water runoff treated through a linear channel drain with a filter for water quality.
- 3) Discharge of surface water from the private network into the Thames Water surface water sewer, or to the ground if infiltration proven feasible.

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.

- 23 No development shall take place (excluding demolition and site clearance) 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) Detailed infiltration tests conducted to BRE Digest 365 standards and geotechnical investigations to confirm the feasibility of discharge via infiltration and groundwater levels on site.
- 2) 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.
- 3) Final post-development network calculations for all storm events up to and including the 1 in 100 year + 40% climate change event with half drain down times.
- 4) Exceedance flow paths for surface water for events greater than the 1 in 100 year including climate change allowance.
- 5) 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.

- 24 Upon completion of the drainage works for the site and in accordance with the timing/phasing arrangement, a management and maintenance plan for the SuDS features and drainage network must be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:
1. Provision of a complete set of as built drawings for site drainage.
 2. Maintenance and operational activities.
 3. Arrangements for adoption and any other measures to secure the operation of the scheme throughout its lifetime.
- REASON:-** To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.
- 25 No development shall take place above slab level until a scheme for the provision of integrated bird and bat boxes along with details of a hedgehog highway and features for invertebrates as set out in the Biodiversity Net Gain Assessment prepared by Windrush Ecology dated June 2021, shall be submitted to and approved in writing by the Local Planning Authority. The ecological enhancement measures as detailed in this condition shall be implemented in accordance with the approved details and thereafter, permanently retained accordingly.
- REASON:-** In order to provide biodiversity net-gain and ecological enhancements on the development site.
- 26 At least 50% of the residential units are Category 2: Accessible and Adaptable dwellings.
- REASON:-** To ensure the development will meet the increase in demand for accessible and adaptable units for elderly and disabled residents in accordance with Policy HO11 of the Stevenage Borough Local Plan 2011 – 2031 (adopted 2019).
- 27 All areas of hedges, scrub or similar vegetation where birds may nest which are to be removed as part of the development, are to be cleared outside the bird-nesting season (March – August inclusive) or if clearance during the bird nesting season cannot be reasonably be avoided, a suitably qualified ecologist will check the areas to be removed immediately prior to clearance and advise whether nesting birds are present. If active nests are recorded, no vegetation clearance or other works that may disturb active nests shall proceed until all young have fledged the nest.
- REASON: -** Nesting birds are protected from disturbance under the Wildlife & Countryside Act 1981 (as amended).
- 28 Notwithstanding the details specified in the application submission, prior to the construction of the general waste and recycle store associated with the development hereby permitted, details of this store shall be submitted to and approved in writing by the Local Planning Authority. The bin store shall thereafter, be constructed in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.
- REASON:-** To ensure the general waste and recycle store is of a sufficient size to accommodate the number of bins which are required for this development. In addition, to ensure the proposed bin store has an acceptable appearance.

Pro-active Statement

Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant at the pre-application stage and during the determination process which lead to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the National Planning Policy Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

INFORMATIVES

1 Cadent Gas

Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist. If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus.

The applicant should apply online to have apparatus diverted in advance of any works, by visiting cadentgas.com/diversions

Prior to carrying out works, including the construction of access points, please register on www.linesearchbeforeudig.co.uk to submit details of the planned works for review, ensuring requirements are adhered to.

Cadent may have a Deed of Easement on the pipeline, which provides us with a right of access for a number of functions and prevents change to existing ground levels, storage of materials. It also prevents the erection of permanent/temporary buildings, or structures. If necessary Cadent will take action to legally enforce the terms of the easement. This letter does not constitute any formal agreement or consent for any propose development work either generally or related to Cadent's easements or other rights, or any planning or building regulations applications.

Cadent Gas Ltd or their agents, servants or contractors do not accept any liability for any losses arising under or in connection with this information. This limit on liability applies to all and any claims in contract, tort (including negligence), misrepresentation (excluding fraudulent misrepresentation), breach of statutory duty or otherwise. This limit on liability does not exclude or restrict liability where prohibited by the law nor does it supersede the express terms of any related agreements.

If you need any further information or have any questions about the outcome, please contact us at plantprotection@cadentgas.com or on 0800 688 588 quoting your reference at the top of this letter (LinesearchbeforeUdig ref: 23184756).

2 Hertfordshire County Council Highways

HCC recommends inclusion of the following highway informatives to ensure that any works within the public highway are carried out in accordance with the provisions of the Highway Act 1980: New or amended vehicle crossover access (section 184): Where works are required within the public highway to facilitate a new or amended vehicular access, the Highway Authority require the construction of such works to be undertaken to their satisfaction and specification, and by a contractor who is authorised to work in the public highway. If any of the works associated with the construction of the access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) the applicant will be required to bear the cost of such removal or alteration. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission, requirements and for the work to be carried out on the applicant's behalf. Further information is available via the County Council website at:

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/dropped-kerbs/dropped-kerbs.aspx>

or by telephoning 0300 1234047.

3 Community Infrastructure Levy

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

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

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

4 Party Wall etc. Act 1996

Any work that affects a party wall, including foundations dug within 3.0m of a neighbouring building, may be controllable under the Act and may require approval from the adjoining owner(s). Party Wall Act matters are always civil matters and it is neither Stevenage Borough Council's nor Hertfordshire Building Control Ltd's remit to control or enforce Party Wall act matters. Please refer to the Government's explanatory booklet The Party Wall etc. Act 1996, a copy of which is available online at

<https://www.gov.uk/government/publications/the-party-wall-etc-act-1996-revised-explanatory-booklet>

5 Building Regulations

To obtain advice regarding current Building Regulations please contact Hertfordshire Building Control Ltd. by emailing us at building.control@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).

6 Police Crime Prevention Design Service

Prior to construction the applicant will contact the Hertfordshire Constabulary CPDS with a view to seeking to achieve accreditation to the Police preferred minimum security standard that is Secured by Design. The reason for this is to ensure that the development is compliant with both National and Local Planning Policies, in addition, this will also demonstrate the discharge of obligations under Approved Document 'Q' – Security of Building Regulations”.

7 Thames Water

“A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water’s Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk.

Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.

13. BACKGROUND DOCUMENTS

1. The application file, forms, plans and supporting documents having the reference number relating to this item.
2. Stevenage Borough Council Supplementary Planning Documents – Parking Provision adopted October 2020, Stevenage Design Guide adopted October 2009, The impact of Development on Biodiversity adopted March 2021, Stevenage Borough Council Developer Contributions adopted March 2021.
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.

Appendix 1 – Dunn Close

Consultation Work by SBC Housing Development

Prior to the submission of a planning application, the Housing Development team conducted substantial consultation with residents in the Dunn Close area, community groups and ward members. This included:

1. Delivering letters to residents inviting them to view and comment on our proposals (approx. 75 letters delivered)
2. Launching an online survey
3. Inviting residents to one of two of our in-person consultation events where they'd have the opportunity to speak to officers
4. Inviting residents to our in-person feedback session which focused on the survey results
5. Inviting residents to one of our two virtual feedback session via Zoom
6. Responding to queries sent to the housing development inbox
7. Responding to telephone enquiries

Our In-person consultation events were held at the Stevenage Arts Centre, located on the Roaring Meg Retail Park. The turn-out was as follows:

- Session 1 – 3 attendees
- Session 2 – 6 attendees
- Session 3 (feedback session) – 10 attendees

We worked with Built-ID to launch an online survey called 'Give my View'. Using sponsored ads, Built-ID advertised the survey via social media platforms such as Facebook and Instagram. The survey was available online for 30 days and the results were as follows:

- Over 6,600 users clicked on our survey link through Facebook/Instagram
- 1008 people voted in our survey
- 72% of which were Stevenage residents
- 61% of voters were supportive of the scheme
- 26% of voters weren't sure if they were supportive of the scheme
- 13% of voters weren't supportive of the scheme

Our survey included a feedback box for users to ask any further questions. The majority of questions were on how the scheme would be managed once tenanted. These questioned were answered by our colleagues in the Providing Homes team.

The Q&As below were more planning and design related:

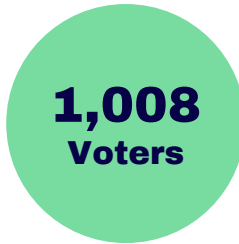
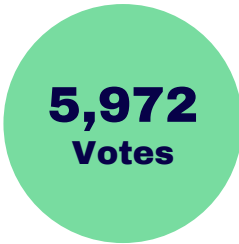
How will you make the nearby footpaths safe at night?	As the nearby footpaths are fairly light currently, we have proposed external lighting on the north elevation. To the west (rear elevation), we propose palisade fencing to allow light to come through and keep the area as open as possible.
Will there be any garden space?	The current designs show a substantial amount of

	amenity space to the rear of the building. The design shows a smoking shelter, a laundry drying area and various areas suitable for planting.
What design changes have been made already?	The project team have already made numerous changes to the size, height and layout of the proposed scheme. We are currently working from version 13 of the architect plans but welcome further design suggestions from residents as part of our consultation period.
What design features make the scheme environmentally sustainable?	The building design proposes maximising the performance of the components and materials that make up the building fabric itself whilst eliminating the use of gas as an energy source. Some of our proposed sustainable design features include: <ul style="list-style-type: none"> • Air source heat pumps • Photovoltaic panels • Solar thermal • Triple glazed windows
How many parking spaces will be provided?	There will be a total of 13 car parking spaces. Seven of these will be for the main block and six for the self-contained apartment block. As per planning requirements, some spaces will be suitable for disabled users and some for electric vehicle users.
What has the Council done about parking issues in the area previously?	Recognising that a provision for car parking is an important issue for residents, the Council's garage team has worked to market empty garages and look to undertake a programme of improvements to increase the appeal of garages where it is economically viable to do so. In some cases this has led to an uptake in the use of garages. Despite these efforts, Stevenage Borough Council has no powers to restrict the number of vehicles that residents own, nor where people park on the public highway where there are no restrictions in place. The Engineering Services team maintain a list of streets that suffer the most parking congestion and these streets are assessed, scored and ranked.
What will be the impact on parking from removing 45 garages?	Due to the size of the current garages, they are not large enough to fit a standard sized vehicle in so there should not be a significant impact on parking. The recommended garage size for new garages is 3m wide, with Dunn close garages being as little as 2.5m wide. All garage users have been decanted to nearby garages on Bulwer Link or garage rows further down on Dunn Close.

Is the scheme wheelchair user-friendly?	Our design proposals include two disabled access rooms with wet rooms, wider door openings and in close proximity to the main entrance and other communal areas.
Where will the workmen park during the project?	<p>A full parking management plan will be produced by our contractor before works commence.</p> <p>Workmen will be encouraged to use sustainable methods of transport where possible or share vehicles with colleagues.</p> <p>The impact on car parking spaces in the area however, will not be affected by workers as they will be asked to park within the site perimeter.</p>
How will delivery lorries fit down the road?	<p>A traffic management plan will be produced by our contractor before works commence.</p> <p>We will closely with our contractor to ensure deliveries are made at an appropriate point in the day, ensuring peak times are avoided.</p>

Stevenage Council: Give My View Executive Summary

Dunn Close Phase 1 09.07.21



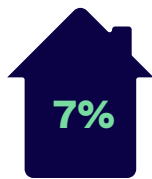
Voter Segmentation



Stevenage resident



Bedwell ward resident



Dunn Close resident



Visitor



Local worker



Community group

Key Insights

61% of the community support the housing scheme, especially regarding sustainable features which gained 97% positive reactions



Traffic and noise are the major concerns for local residents during construction

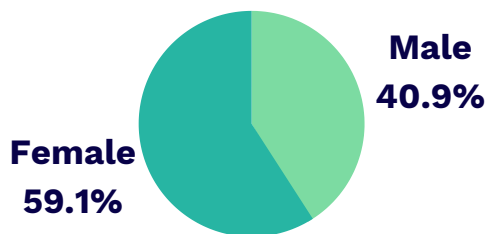
People are also worried about parking availability in the new development

In order to bring locals and new residents together, participants picked neighbourhood events as their ideal community initiative



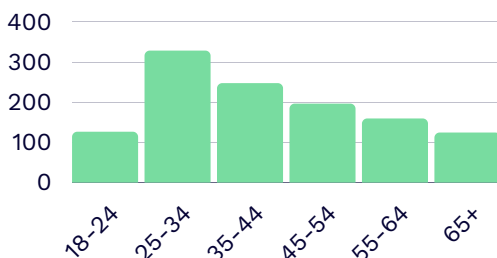
Gender breakdown

Data from Google Analytics

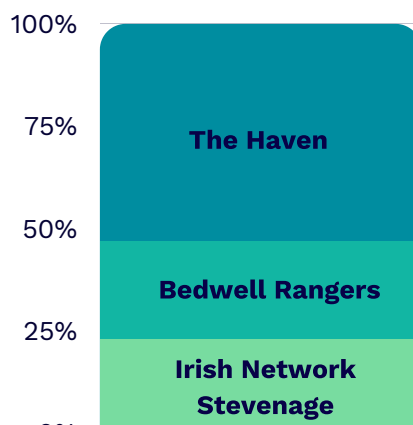


Age Breakdown

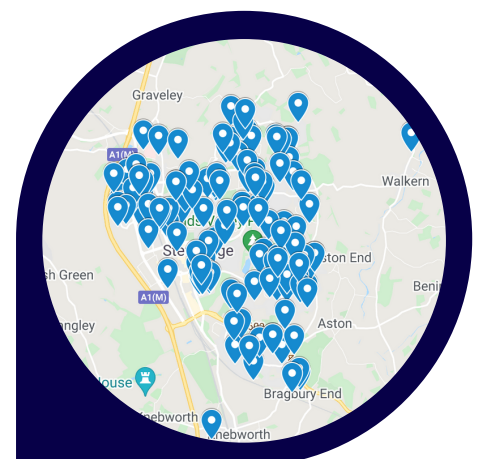
Data from Google Analytics



Charity Breakdown



Voter locations



Quantitative Data Snapshot



Traffic & Parking

57% of the community believe that resident parking availability is an important concern if building works happened near them. Particularly among the Dunn Close residents, parking is crucial during and after the construction phase.

38% said that traffic management during construction would also be an important issue to them.

Building Design

Out of the 812 people who voted, 88% voted positively on the proposed materials being in-keeping with the local area. The average emoji response was the 'happy' emoji, which equates to 66% on the sliding scale.

32% of participants prefer the silver grey colour for the weatherboards in the building design. 29% voted for grey, while 21% wanted the grey brown. The top choice for Dunn Close residents was silver grey.

97% reacted positively towards sustainable features within the scheme. The average result was the 'very happy' emoji (81% on the sliding scale).

Construction Phase

39% of Dunn Close residents felt concerned about security features during building works.

50% of voters overall said noise control is important to them during this phase.

Community Initiatives

Neighbourhood events was picked as the top initiative among the 764 people who voted. The overall result was agreed upon by all parts of the community, from Stevenage, Bedwell and Dunn Close residents, to workers, visitors, and community groups.

Qualitative Data Snapshot & Quotes

Mixed commentary about the housing scheme - 51 comments

Always supportive of housing that's going to help those who need it most. Having been in temporary accommodation myself, I know what it's like to feel like you have nowhere. I'm lucky now as I'm back on my feet and I will always support new housing for those most vulnerable providing it is affordable for them and truly has their best interests at heart.

I agree the garage site was underused and a problem. So a nice housing scheme is welcomed. Supported housing is also a good thing, but please do ensure it is well maintained and the residents are encouraged to look after the building.

I would like to know exactly who this scheme is aimed at as supported housing doesn't define it clearly who this scheme is aimed at.

Parking & transport - 35 comments

Including secure facility for bicycle storage would assist residents, as would installing vehicle charging points as standard for each property with associated vehicle parking. (Ideally, I'd like to see all new developments discouraging individual car ownership and instead promoting car-pooling schemes using electronic vehicles.)

I think that building housing for this purpose is excellent. However there is already parking issues for the existing residents. You need to incorporate parking for both existing and new residents in order to enhance the living conditions in the area.

Community support and integration - 33 comments

Make sure it is a home for those residents and not just units. Space and comfort above numbers. Ensure all neighbours are included and feel involved.

"Supported" housing can bring about its own problems which I have personal experience of. Due to my occupation and others in the street I would be concerned for my own families safety as well as others based on the type of residents that can be placed in this type of housing.



1

Construction Management

2

Community Events

3

Building Design & Aesthetics

4

Sustainability

The Data-Driven Decisions

1

Noise and traffic control during construction are top priorities for the community. Security features in addition to noise and traffic control were particularly important to Dunn Close residents. What are ways the Council could alleviate traffic and noise, also ensure local residents feel safe during building works?

2

Neighbourhood events are a big win for all parts of the community. Stevenage Council could further expand on this in the next phase of consultation or engagement. What types of events are feasible for this development? Potential activities could range from outdoor markets, open-air film screenings, festivals, live performances, book swaps, etc.

3

Will the scheme incorporate parking in the designs? If not, how will the Council address the parking query, which was also a top theme from the open feedback? Alternatively, will the Council focus on sustainable or active transport in the development designs and the broader council neighbourhood plan?

Silver grey weatherboards were the top choice and are a great community-influenced decision.

There was unanimous support among the community for the proposed materials to be in-keeping with the nearby properties, another strong community-led decision.

4

Big support for sustainable features being integrated into the scheme. The council could further survey residents on what types of sustainability initiatives the development could adopt. The council could explore 'green' building designs like solar panels, green walls, or biodiverse planting and bug hotels. There's social aspect of delivering sustainable features as well, e.g. through community activities that encourage sustainability like clean-up days or gardening for children.

Digital Marketing Results



6,637

Link Clicks

from the digital advertising

94,948

Reach

The amount of people who were shown the ads at least once

641,492

Impressions

The number of times that adverts were viewed in total

Voter devices

82%

Mobile

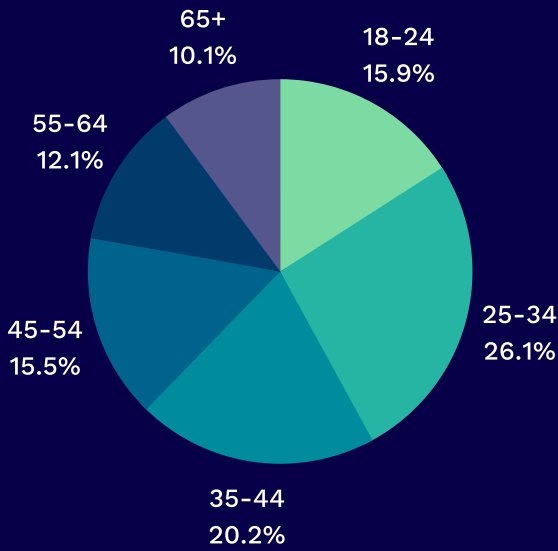
12%

Tablet

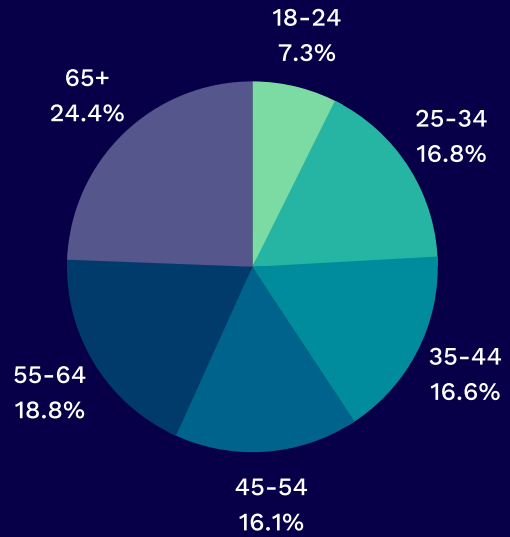
6%

Desktop

Ages Targeted

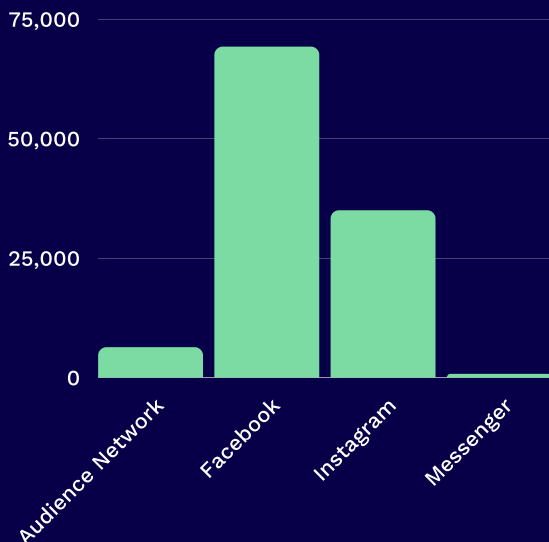


Reach

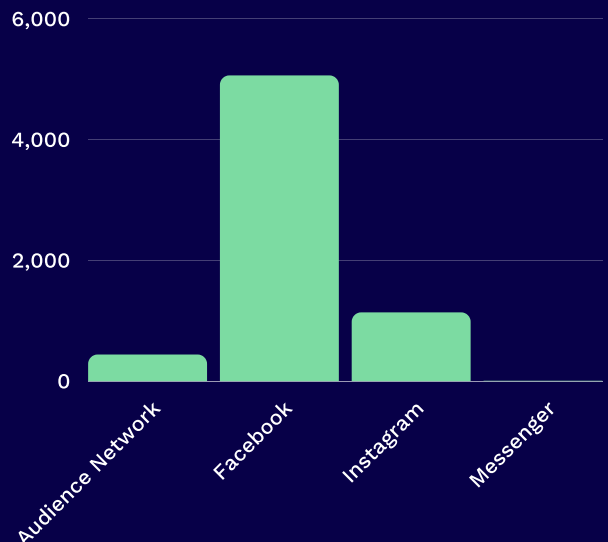


Link Clicks

Ad Placement



Reach



Link Clicks

This Petition is to object to the proposal of two storey supported housing buildings in Dunn Close on the existing garage block.

Reason are as follows

There are No Flats close in the area.

There are already drug Dealers in the road (the council are aware of this because they gave the registrations Numbers of the vehicles to the Construction Company to report if they see them)

There is not enough parking for Residence in the road as it is, it become an absolute nightmare since the garages have been removed, and not all residence that had the garages is in the first place got replacements and so they are parking on the roads.

Most of the residence are home owners, and feel that you are going to put the supported housing there even if we don't want it to happen, that the decision has already been made.

Most of the residence and been here for 30+ years and are now scared to leave there house, even more with the fence around the garage site, with no lighting.

We don't know were you got your figures from, most of the residence and families disagree in what is being proposed,

only one person said they were happy for it to go ahead, he is a social worker, so he couldn't comment.

Doing a questionnaire for 2 miles away, which you have done, residence would see a lovely picture and agree with these works, we do not feel it has anything to do with residence that are miles away, it won't be on their street or doorstep and affect them in the slightest

Residence are not sleeping at night because of all the stress that this has caused, a couple of residence have sold and moved because they do not want this, and was dreading what problems it will cause once complete.

We all agree that the garages were an eye sore, but as residence, we paid enough every month and so that garages should have been maintained by the council.

If you were building Dwellings that was suggested many years ago, then most or nearly all residence would agree to this.

We don't want our properties to de value in price, because of what is proposed here.

We were told that the garages were never wide enough for vehicles, this is untrue, when people who had storage in their garages originally, they were offered smaller garages away from this area, and the garages that are here have have cars inside.

There has been conflicting conversations at your meetings with yourselves and us as residence, we were told that there will be 24hr cameras inside and out and there will be manned staff 24hrs a day, then we were told there may be staff there.

This petition has only been signed by one person in each household; most of the properties in Dunn Close and surrounding streets have 3 bedrooms and are full. More Signatures can be maintained if you need them.

Surely if we do have a say then we really do not feel that we are being listened to.

Please do not go ahead with the supported housing accommodations

We have attached our signed petition.


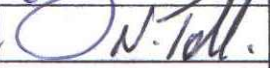
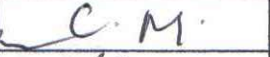



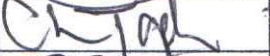

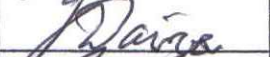
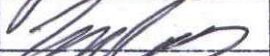
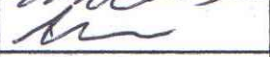


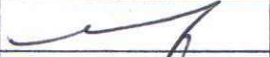
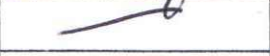
The Residence of Dunn Close, Jennings Close and Elder way

Thank you

This page is intentionally left blank

Printed Name	Signature	Address	Comment	Date
R STRANGE	R Strange	1 DUNN CLOSE.	SEE ATTACHED	22/9
S FRECKNEL	S Frecknel	3 DUNN CLOSE	" "	22/9
C. GRIFFITHS	C. Griffiths	5, DUNN CLOSE	" "	22/9
K CURRIE	K Currie	7 DUNN CLOSE	" "	22/9
E. Britson	E Britson	11 DUNN CLOSE	" "	22/9
A. COLLMAN	A Collman	13 DUNN CLOSE	" "	22/9
K. Edmonds	K Edmonds	15 DUNN CLOSE	" "	22/9
O. DAVIS	O Davis	17 DUNN CLOSE	" "	22/9
I HUSSEY	I Hussey	19 DUNN CLOSE	" "	22/9
P. LAGAILLE	P Lagaille	21 DUNN CLOSE	" "	22/9
L. HILMIN	L Hilmin	23 DUNN CLOSE	" "	22/9
P. HAINES	P Haines	25 DUNN CLOSE	" "	22/9
G. WILLMOTT	G Willmott	27 DUNN CLOSE	" "	22/9
L. BENNETT	L Bennett	29 DUNN CLOSE	" "	22/9
J EDROFF	J Edroff	31 DUNN CLOSE	" "	22/9
S BINKS	S Binks	33 DUNN CLOSE	" "	22/9

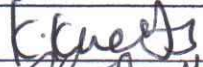

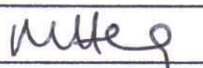





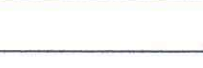
This page is intentionally left blank

Printed Name	Signature	Address	Comment	Date
JULIE LAURENCE		11 Jennings Close	SEE ATTACHED	22/9
NIGEL TOLL		1 Jennings	SEE ATTACHED	22/9
CEMALMURHAN		3 Jennings Lane	" "	22/9
J. HOLMES		5 JENNINGS CLOSE	" "	22/9
S.S. CLARK		9 Jennings	" "	22/9
J. GUERRERO		9 DUNN CLOSE	" "	22/9
CTAR		36 Elder Way	" "	22/9
D DRURY		30 Elder Way	" "	22/9
J. DAVIA		28 ELDER WAY	" "	22/9
J. ROOS		26 ELDER WAY	" "	22/9
RASHIK PATEL		22 ELDER WAY	" "	22/9
RJ. EVANS		24 ELDER WAY	" "	22/9
ALICE COLLINS		20 ELDER WAY	" "	22/9
MURPHY		37 JENNINGS	" "	22/9
		7 JENNINGS	MOVED DUE TO UNCERTAINTY ON PLANNING	

This page is intentionally left blank

Printed Name	Signature	Address	Comment	ATTACHED	Date
G. Prosser	<i>G Prosser</i>	10 DUNN CLOSE	SEE JENNINGS		22/9
L. Duffell	<i>L Duffell</i>	68 DUNN CLOSE	"	"	22/9
A. Poulton	<i>A Poulton</i>	8 DUNN CLOSE	"	"	22/9
J. ERNE	<i>J Erne</i>	4 DUNN CLOSE	"	"	22/9
V LANG	<i>V Lang</i>	2 DUNN CLOSE	"	"	22/9
L. REYNOLDS	<i>L Reynolds</i>	31 JENNINGS CLOSE	"	"	22/9
S. BERCHOTTEAU	<i>S Berchotteau</i>	33 JENNINGS CLOSE	"	"	22/9
G. MILLER	<i>G Miller</i>	35 JENNINGS CLOSE	"	"	22/9
R. HATT	<i>R Hatt</i>	27 JENNINGS	"	"	22/9
A. Barnes	<i>A Barnes</i>	23 JENNINGS CL	"	"	22/9
F. LITTLE	<i>F Little</i>	25 JENNINGS CL	"	"	22/9
NICOLA	<i>Nicola</i>	27 JENNINGS CL	"	"	22/9
L. WILSON	<i>L Wilson</i>	29 JENNINGS	"	"	22/9
M. St. PIER	<i>M St. Pier</i>	19 JENNINGS	"	"	22/9
—	No Reply	15 JENNINGS			22/9
—	ON HOLIDAY	13 JENNINGS	"	"	22/9

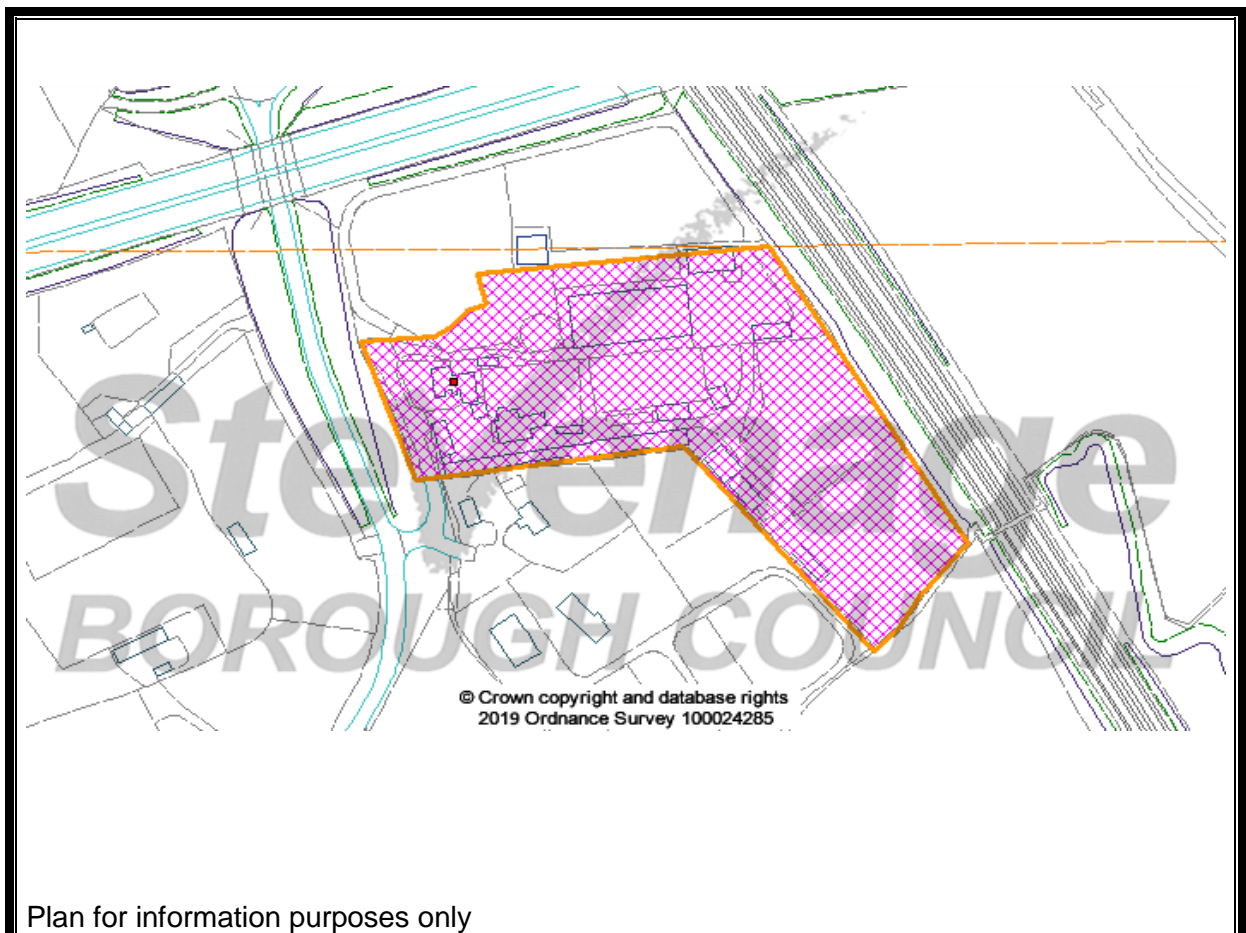
This page is intentionally left blank

Printed Name	Signature	Address	Comment	Date
K. KNEARSEY		2 ELDER WAY	SEE ATTACHED	22/9
SEABROOK		8 ELDER WAY	" "	22/9
M. HENNY		6 ELDER WAY	" "	22/9
		4 ELDER WAY	BUSY + REFUSED	22/9
C. SANGHO		10 ELDER WAY	SEE ATTACHED	22/9
R. SISON		14 ELDER WAY	" "	22/9
C. JORDAN		16 ELDER WAY	" "	22/9
T. PHOENIX		16A ELDER WAY	" "	22/9
		18 ELDER WAY	NO REPLY -	22/9

This page is intentionally left blank

Meeting:	Planning and Development Committee	Agenda Item:
Date:	Thursday 9 December 2021	
Author:	Linda Sparrow	01438 242837
Lead Officer:	Zayd Al-Jawad	01438 242257
Contact Officer:	Linda Sparrow	01438 242837

Application No :	21/00971/FPM
Location :	Courtlands, Todds Green, Stevenage, Herts, SG1 2JE
Proposal :	Redevelopment of existing riding stables to provide 11no. three bedroom and 6no. four bedroom dwellings with associated access road, parking, landscaping, footpath connections, infiltration basin and pump station
Drawing Nos.:	FIG D_3 PUMPING STATION LAYOUT; 14043_P027C LOCATION PLAN; 14043_P030R SITE PLAN; 14043_P031K HOUSE TYPES; 14043_P037B SITE AREAS; 14043_P038A SITE SECTIONS; ID-200-PLAN - EXISTING SITE PLAN; 14043_P035C House Type 2; 14043_P034D House Type 1;
Applicant :	EHP Land and Development
Date Valid:	2 September 2021
Recommendation :	GRANT PLANNING PERMISSION



1. SITE DESCRIPTION

- 1.1 The application site is currently in use as riding stables and a riding school. The site comprises a number of old buildings, some single storey, some two storey, all of varying sizes, materials, colours and degree of wear and tear. There are two small dwellings within the site which have been used by the owners of the riding school. Large areas of the site are covered with hardstanding or are bare un-landscaped areas.
- 1.2 To the north of the site is an extensive grassed paddock area with a large overhead power line, with the A602 highway beyond. There are a limited number of small trees within the site although the western site boundary with Old Chantry Lane is heavily landscaped with a dense mature tree belt and to the south of the site is the extensive area of St. Margaret's Wood. To the east of the site is the East Coast Mainline railway. To the south-west of the site is Chantry Farm which is a mixture of residential and commercial enterprises and the residential site of The Lodge. Further outside the site boundary to the south is the main hamlet of Todds Green which comprises a mixture of residential premises, along with farmsteads and stables; to the north of the A602 is the village of Little Wymondley. The remaining surrounding area is rolling agricultural fields.
- 1.3 The site is accessed from the main highway of Chantry Lane via the small access road of Old Chantry Lane which also serves The Lodge and Chantry Farm.
- 1.4 The Riding School and associated stabling and ancillary buildings, operates from many buildings within the site. Most of these buildings are confined towards the north of the site, with a linear run projecting to the south adjacent to the western boundary of the site. Most buildings are single storey in form, though many have a massing and height of a two-storey structure. The largest individual building is the indoor riding arena building which is located on the highest part of the site. The arena has a purely functional prefabricated form with a gabled ended grey sheeted exterior. There are two main runs of stable and associated buildings running east/west close to the mutual boundary with The Lodge and Chantry Farm.
- 1.5 Footpath "Stevenage 085" runs east/west within the site close to the southern boundary. For reasons unclear, that footpath is presently not accessible from outside of the site. An informal footpath runs east/west beyond the south boundary which is that route presently used by those traversing the area. The proposal will reintroduce the ability to access the alignment of footpath 085 with the off-site pathway and provide links to and through the site via two new links.

2. RELEVANT PLANNING HISTORY

- 2.1 08/00308/FP Demolition of 1no dwelling and erection of 1no. five bedroom and 2no. four bedroom detached dwellings. Withdrawn 06.06.2008.
- 2.2 14/00307/CLEU Certificate of lawfulness for permanent use of land for the stationing of two residential caravans. Lawful Development Certificate Granted 11.09.2014.
- 2.3 15/00476/FP Retention of 2no. storage barns for equipment and feed. Permission granted 13.11.2015.
- 2.4 18/00072/FP Demolition of existing dwellinghouse and erection of 1 no. four bedroom detached dwellinghouse. Permission granted 11.04.2018.
- 2.5 18/00444/FP Proposed replacement of 1 no. four bedroom detached dwelling house. Permission granted 17.09.2018.

- 2.6 18/00637/COND Discharge of conditions 3 (materials): 8 (Boundary treatments); 11 (landscaping); and 13 (climate change) attached to planning permission reference number 18/00444/FP. Conditions discharged 03.12.2018.
- 2.7 18/00756/FP Variation of condition 1 (Plans) attached to planning permission reference number 18/00444/FP for the relocation and replacement with a larger mobile home. Permission granted 07.02.2019.
- 2.8 19/00698/FP Erection of 1no. 3 bedroom bungalow. Permission refused 23.01.2020. The reasons for refusal were as follows:
1. The erection of the bungalow represents inappropriate development which is harmful to the openness of the Green Belt. The applicant has failed to adequately demonstrate a case of very special circumstances to outweigh the harm caused to the Green Belt contrary to paragraphs 143, 144 and 145 of the National Planning Policy Framework (2019) and Policies GB1, GB2 and SP10 of the Stevenage Local Plan 2011-2031 (adopted 2019).
 2. The proposed development would have a harmful impact on the visual amenities of the wider rural countryside including the Green Belt. Consequently, the proposed development is contrary to Policies GB2, SP8 and GD1 of the Stevenage Borough Local Plan 2011-2031 (2019), the Council's supplementary planning document Stevenage Design Guide SPD (2009), the National Planning Policy Framework (2019) and the National Planning Practice Guidance (2014).
- 2.9 20/00142/FP Proposed detached dwelling to replace existing mobile home. Permission granted 30.04.2020.
- 2.10 20/00247/COND Discharge of condition 11 (landscaping) and 13 (climate change) attached to planning permission reference number 20/00142/FP. Conditions discharged 29.06.2020.
- 2.11 20/00307/NMA Non Material Amendment to alter window and doors including colour change of frames and external cladding attached to planning permission 20/00142/FP. Non-Material Amendment agreed 29.06.2020.
- 2.12 20/00308/NMA Non Material Amendment to change colour of external cladding and change of window and door frame colour attached to planning permission 18/00072/FP. Non-Material Amendment agreed 29.06.2020.

3. THE CURRENT APPLICATION

- 3.1. The application before the Council seeks planning permission for demolition of all buildings on site and the erection of 11no. three bedroom and 6no. four bedroom dwellings with associated access road, parking, landscaping, footpath connections, infiltration basin and pump station.
- 3.2. The application site is located within Green Belt and as the application is classified as a major housing scheme on a site not allocated for housing in the Local Plan, it is considered a departure from the development plan.
- 3.3. The application comes before the planning and development committee as it is a major residential scheme.

4. PUBLIC REPRESENTATIONS

- 4.1. The application was publicised by way of neighbour notification letters, a press notice and site notices. As the proposed development would be a departure from the adopted Local Plan, a further site notice and press notice has been issued. Any additional representations which are made and are materially different to the representations which have been received to date, will be reported to the planning committee.
- 4.2. Summaries of the comments received are outlined below:

The Coach House, Todds Green

Firstly I believe the development will be an improvement to the existing site even in its present form. However 4 or 5 bedroom housing would be more in keeping to how Todds Green is being developed as an upmarket area. In addition, I would make a stipulation with the developer to include upgrading the existing public footpath that runs down adjacent to the site to the railway bridge.

North East Herts Swift Group Hillside, Patmore Heath Albury, Herts

We would support the comments by Mr Matt Dodds on behalf of Herts & Middx Wildlife Trust and ask that in the interests of enhancing biodiversity swift and bat bricks are secured by a suitably worded condition if this development proceeds.

Courtlands, Old Chantry Lane

Customer made comments in support of the application – please note no comments were attached

Todds End, Todds Green

Welcome the proposal for new housing. Would like to see terraced houses of 2 bedrooms so we can buy and let them to friends and staff; or it would be beneficial to have 4bed executive housing for Stevenage. Trees on boundary with A602 should be protected.

Briars, Todds Green

Another application for greedy people; Green belt should remain to protect Todds Green

Thornboro, Todds Green

We live in North Herts yet SBC get to decide what happens here and destroy the identity of Todds Green; developing Green Belt should be illegal as its morally abhorrent; SBC are too keen to destroy all the Green Belt; 133 houses being built nearby along with traffic from two industrial sites is bad enough.

Chantry Farm, Todds Green

No objection, it would improve the area considerably especially if the old buildings are removed.

5. CONSULTATIONS

5.1 Hertfordshire County Council Highways

- 5.1.1 Hertfordshire County Council (HCC) as Highway Authority's has considered that the proposal would not have an unreasonable impact on the safety and operation of the adjoining highways subject to the inclusion of highway informatives and conditions. The applicant will need to enter into a section 278 of the Highways Act 1980 agreement to address the footway provision and carriageway works joining to the adjacent local access road.
- 5.1.2 There is one point for vehicle access from Chantry Lane, via a simple priority junction 5.0 metres wide complete with a minimum 8.0 metres kerbs radius to the south side of the

carriageway, which would support two-way traffic, taking into account the passing of parked cars by waste collection vehicles and indiscriminate parking on the access road. In view of the geometry of the horizontal alignment of the road layout and estimated approaching speed of traffic, visibility splays of 2.4m by 43m are considered acceptable from the existing junction of Chantry Lane with vehicle to vehicle inter-visibility visibility splays along the adjacent footway/verge. No planning condition is required for this as the level of visibility conforms to the stopping sight distance (SSD) criteria of Manual for Streets (MfS). The applicant is advised that except for the footway improvement works, all new highways associated with this development will remain un-adopted unless a justification can be put forward to show a wider public benefit. The developer should therefore put in place a permanent arrangement for long term maintenance.

- 5.1.3 A swept path analysis has been submitted demonstrating that a large vehicle can manoeuvre and turn around within the site access road. This ensures compliance with the guidelines contained in 'MfS', 'Roads in Hertfordshire; A Design Guide' and 'Building Regulations 2010: Fire Safety Approved Document B Vol 1 – Dwellinghouses'. The Personal Injury Collision data for the latest five-year period within the Transport Assessment do not reveal any reoccurring problems or patterns at the nearby local road network.
- 5.1.4 Cycle rack provision should be in accordance with the adopted Stevenage's standards and should be in the form of lit, lockable and weather resistant cycle lockers or stores and be sited away from bin stores. In addition, some lockable cycle parking in the form of 'Sheffield' style parking loops conveniently located with natural surveillance of the dwellings should also be provided for visitors. Policy 1 of the Local Transport Plan (LTP)4 and Para 14.3 of the Roads in Hertfordshire Guidance requires that provision for the adequate and secure parking of powered two wheelers as described in Traffic Advisory Leaflet 02/02 'Motorcycle Parking' and the Institute of Highway Engineers (IHIE) 'Guidelines for Motorcycling'. Parking for powered two wheelers should be protected from the elements and provide a means for securing the vehicle such as rails, hoops or posts. While individual bays are not generally marked out a footprint of 2.0m x 0.8m should be allowed for each vehicle.
- 5.1.5 The public right of way is located within the vicinity of the site, that includes footpath 'Stevenage 086' that connects Old Chantry Lane to the footpath on the northern side of Stevenage Road and connects to footpath 'Stevenage 085', which borders the site to the south and connects to the Corey's Mill Interchange (c.500m walk). Footways are provided along Stevenage Road and are continuous between footpath 'Stevenage 086' and Fishers Green/Symonds Green and Corton Close bus stop (c.1.1km), to the south. As part of these proposals and in order to connect the site to the existing footway network, it is proposed to provide a footway link from the site access south, to Stevenage Road. A planning condition addressing this improvement work has been recommended.
- 5.1.6 The Transport Assessment includes a TRICS (7.7.4) database of the development. It is based on the 17 dwellings as '03- Residential, A – Houses Privately Owned' within 'edge of town centre' and 'free-standing' locations. The proposal will generate approximately 8 two-way movements during the morning peak travelling period (0800 – 0900) and 9 two-way movements during the evening peak travelling period (1700 –1800) the total proposal will generate a daily total of 83 two-way movements through the day. The Highways Authority raises no concerns with this level of trip generation.
- 5.1.7 Concerns by HCC over the impact of the construction traffic travelling to the site have resulted in a planning condition being recommended to prepare a Construction Traffic Management Plan. Also, to maintain highway safety along the adjacent highway for site access for construction purposes serving the new development must be complete to base course level for the first 10 metres prior to any building construction to the new development commencing on site.

5.2 Herts Fire and Rescue Service Water Officer

5.2.1 The application will require a condition for the provision of fire hydrants, to be provided and installed by the developer at no cost to the county or Fire and Rescue Services. This is to ensure the site has adequate supplies of water in the event of an emergency.

5.3 Sport England

5.3.1 The proposed development does not fall within either our statutory remit (Statutory Instrument 2015/595), or non-statutory remit (National Planning Policy Guidance (PPG) Par. 003 Ref. ID: 37-003-20140306), therefore Sport England has not provided a detailed response in this case, but would wish to give the following advice to aid the assessment of this application. If the proposal involves the loss of any sports facility then full consideration should be given to whether the proposal meets Par. 97 of NPPF, is in accordance with local policies to protect social infrastructure and any approved Playing Pitch Strategy or Built Sports Facility Strategy that the local authority has in place.

5.3.2 If the proposal involves the provision of additional housing (then it will generate additional demand for sport. If existing sports facilities do not have the capacity to absorb the additional demand, then new and/or improved sports facilities should be secured and delivered in accordance with any approved local policy for social infrastructure, and priorities set out in any Playing Pitch Strategy or Built Sports Facility Strategy that the local authority has in place. In line with the Government's NPPF (including Section 8) and PPG (Health and wellbeing section), consideration should also be given to how any new development, especially for new housing, will provide opportunities for people to lead healthy lifestyles and create healthy communities. Sport England's Active Design guidance can be used to help with this when developing or assessing a proposal. Active Design provides ten principles to help ensure the design and layout of development encourages and promotes participation in sport and physical activity.

5.4 HCC Growth and Infrastructure Unit

5.4.1 Hertfordshire County Council's Growth & Infrastructure Unit do not have any comments to make in relation to financial contributions required by the Toolkit, as this development is situated within your CIL zone and does not fall within any of the CIL Reg123 exclusions.

Amended comments received 27.09.2021

5.4.2 I note my colleague has already sent our CIL consultation response to you. I am the officer dealing with the North Hertfordshire District Council application, reference 21/02576/FP. I have had a discussion with the NHDC case officer and as the access is the only part of the site that is within their boundary we are currently of the opinion that we will not be seeking planning obligations and reserve the right to seek Community Infrastructure Levy contributions towards the provision of infrastructure.

5.5 Thames Water

Waste Comments

5.5.1 We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991.

Surface Water Drainage:

5.5.2 Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection.

Water Comments:

5.5.3 With regard to water supply, this comes within the area covered by the Affinity Water Company.

5.6 Herts & Middlesex Wildlife Trust

5.6.1 In accordance with the recommendations in the ecological report and to secure an enhancement to biodiversity in accordance with NPPF, integrated bat and bird boxes and hedgehog highways should be conditioned as part of the decision.

5.7 Natural England

5.7.1 No comments to make on this application. The lack of comment from Natural England does not imply that there are no impacts on the natural environment, but only that the application is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes. It is for the local planning authority to determine whether or not this application is consistent with national and local policies on the natural environment.

5.8 SBC Traffic and Parking Enforcement Manager

5.8.1 If the new street is to be adopted the Council would need to take this into account whereas if it remains private then parking management would remain a matter for the owners.

5.9 SBC Arboricultural and Conservation Manager

5.9.1 No comments Received.

5.10 SBC Environmental Health

5.10.1 Construction activities by their nature can be noisy and intrusive for neighbouring occupiers, particularly in terms of noise, vibration and air quality (dust). Noise and vibration can arise from piling operations, groundworks and excavation and plant and machinery and their associated activities. Early morning deliveries can also give rise to disturbance if not properly controlled and managed. Dust from site operations can also be an issue, particularly during periods of sustained dry weather. Public Protection expect developers to control the impact from the construction phase of their development by implementing suitable mitigation measures and following best practices in accordance with BS5228:2009 Part 1 (Noise) and Part 2 (Vibration), where appropriate, Environmental Health also seeks to ensure that the environmental impacts of construction works are suitably controlled through their powers under Part III of the Environmental Protection Act 1990 (Statutory Nuisances) and Section 60 of the Control of Pollution Act 1974. Due to the proximity of existing occupied premises I recommend a Construction Management Plan and hours of work condition.

5.10.2 The proposed residential development will potentially be adversely affected by railway noise and road traffic noise from the A1(M) and A602. There is also a dog training ground to the West of the site (North Hertfordshire District Council, which currently has a temporary permission until May 2022; no complaints have been received regarding this site to date).

5.10.3 Environmental Health have reviewed the submitted "Noise and Vibration Impact Assessment, Land at Courtlands Riding Stables", Report reference J 04467R1 dated 7/9/2021 by Sound Planning Ltd. Appropriate Design Criteria have been selected for both noise and vibration

and monitoring undertaken. Noise modelling has been used to determine noise levels across site. Noise mitigation measures were found to be required, specifically enhanced glazing, mechanical ventilation and a 2 metre high close boarded fence, (minimum mass 10 kg/sq m). Additional information has been provided via email - Drawings reference 14043-P034- D and P035-C (These emails state that triple glazed glazing will be implemented, in conjunction with openable windows, which satisfy my concerns). A condition requiring the scheme is completed in accordance with this report is recommended.

5.11 Affinity Water

5.11.1 You should be aware that the proposed development site is located within an Environment Agency defined groundwater Source Protection Zone (SPZ) corresponding to our Pumping Station (WYMO). This is a public water supply, comprising a number of Chalk abstraction boreholes, operated by Affinity Water Ltd. We require the submission of an intrusive ground investigation to aid our assessment of the application due to the points raised below:

- Former use as a stables and the potential for slurry run-off to have infused and drained to the ground.
- With regards the infiltration basin, historic borehole records indicate groundwater at 4.2m below ground level which leaves very little room for filtration of any pollutants.

5.11.2 We would also like to identify that the use of the downstream defender within the drainage strategy to manage any potential pollution will depend on maintenance, if any further information can be provided on this. I have discussed with our teams hydrogeologists who have decided this would be ok to be conditioned, but I would like to reiterate the importance of a ground investigation being carried out and Affinity being notified prior to any excavations, should this application be granted permission.

Amended comments received 21.10.2021

5.11.3 The applicant subsequently provided a Phase I and Phase II site investigation report and details of the downstream defender which concluded there was no risk to groundwater. Affinity were re-consulted and responded that they are now satisfied with the information provided.

5.12 Network Rail

5.12.1 Following assessment of the details provided to support the above application, Network Rail has no objection in principle to the development, but below are some requirements which must be met, especially with the proximity of the development to high voltage overhead line equipment.

5.12.2 Due to the proximity of the proposed development to the operational railway boundary, it will be imperative that the developer liaise with our Asset Protection Team prior to any work taking place on site to ensure that the development can be undertaken safely and without impact to operational railway safety. It is imperative that drainage associated with the site does not impact on or cause damage to adjacent railway assets. Surface water must flow away from the railway, there must be no ponding of water adjacent to the boundary and any attenuation scheme within 30m of the railway boundary must be approved by Network Rail in advance. There must be no connection to existing railway drainage assets without prior agreement with Network Rail. It is imperative that planting and landscaping schemes near the railway boundary do not impact on operational railway safety. Where trees and shrubs are to be planted adjacent to boundary, they should be positioned at a minimum distance greater than their height at maturity from the boundary. Certain broad leaf deciduous species should not be planted adjacent to the railway boundary.

5.12.3 Any hedge planted adjacent to the railway boundary fencing for screening purposes should be placed so that when fully grown it does not damage the fencing, provide a means of

scaling it, or prevent Network Rail from maintaining its boundary fencing. Where lighting is to be erected adjacent to the operational railway, the potential for train drivers to be dazzled must be eliminated. In addition, the location and colour of lights must not give rise to the potential for confusion with the signalling arrangements on the railway. The Developer should be aware that any development for residential or noise sensitive use adjacent to an operational railway may result in neighbour issues arising. Consequently, every endeavour should be made by the developer to provide adequate soundproofing for each dwelling. Please note that in a worst-case scenario there could be trains running 24 hours a day and the soundproofing should take this into account.

5.13 Wymondley Parish Council

5.13.1 The Parish Council considered this application and object on the grounds the applications together amount to inappropriate development in the Green Belt and are therefore contrary to:

- paragraphs 143 to 145 of the National Planning Policy Framework; and
- Policy GB1 of the adopted Wymondley Parish Neighbourhood Plan 2015 to 2031 which states " Development proposals impacting on Wymondley Parish must comply with Government Green Belt policy; primary consideration will be given to effective use of brown-field sites, which are not of high environmental value. Development proposals should not impact negatively on Wymondley Parish - particularly in terms of visual impact on the openness of the Green Belt landscape and its important contribution to the character of our villages/hamlets."

5.14 Hertfordshire County Council as Lead Local Flood Authority

5.14.1 We have reviewed the Flood Risk Assessment & Sustainable Drainage Strategy prepared by Fernbrook Consulting Engineers dated September 2021 reference 21100-FCE-XX-XX-DR-D-0001 Revision P02. We would also advise the LPA that we engaged with the applicant as part of our Surface Water Advisory Service, and provided an advice note on 12 April 2021. 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:

5.14.2 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. Confirmation of feasible discharge mechanism.
2. Justification of SuDS selection.
3. Clarification of drainage strategy.

5.14.3 As per our pre-application advice dated 12 April 2021, we are pleased infiltration is proposed on site via the infiltration basin. We note that the applicant has provided some recommended wording for requiring infiltration testing as part of a condition. For a full planning application where infiltration is proposed as the primary method of drainage, this is unacceptable in principle. Evidence of on-site BRE Digest 365 infiltration tests should be provided, including indication of groundwater levels, from the outset. This was recommended in our advice letter dated 12 April 2021. As such, at this stage we unfortunately do not consider discharge via infiltration as per Option 1 feasible. Consequently, the calculations submitted in support of Option 1 are not valid and should be updated following infiltration testing on site.

5.14.4 We note that an alternative discharge to the Anglian Water foul sewer has been proposed in the event that infiltration is not feasible. We would consider a discharge to a foul sewer a substantially less sustainable strategy and would not be comfortable conditioning infiltration tests on the basis of a discharge to a foul water sewer at this stage. In addition, we note that

the Anglian Water correspondence in Appendix C states “a surface water connection to an Anglian Water owned foul sewer is not permitted”. While we acknowledge it is proposed to connect to the AW sewer via a combined sewer, at this stage the applicant has not provided evidence of agreement in principle from Anglian Water. As such, a feasible discharge mechanism has not been provided.

- 5.14.5 We are pleased that a swale is proposed to serve part of the access road with permeable paving draining driveways. However, we note that part of the access road is still proposed to drain directly via road gullies to the infiltration basin. As per our pre-application advice, the site is in Source Protection Zone 2 therefore we require robust SuDS management and treatment. We acknowledge a downstream defender and sediment forebay are proposed, however at this stage we would note that, as the road is indicated to remain private (as per email from Progress Planning dated 13 September 2021), that it may be feasible to implement permeable paving for the access road itself to provide source control and SuDS management and treatment throughout the site. Moreover, an additional section of swale may be feasible between the highway and the infiltration basin.
- 5.14.6 Please note that we would prefer for SuDS management and treatment to be provided through the use of above-ground SuDS, such as permeable paving, swales and filter drains. If features such as the above are not feasible, we would require robust technical justification before we would consider below ground features such as downstream defenders or similar.
- 5.14.7 Please could the applicant clarify how the access road/path in the southeast of the site is to be drained (the road/path near manhole S11) including the area around the foul pump station and the footpath to the east.
- 5.14.8 We understand this is a cross-boundary application and note that we have also been consulted on this site by North Hertfordshire District Council under planning reference 21/02576/FP. The same information has been submitted in support of both applications therefore our response to NHDC will contain the same comments.

5.15 North Hertfordshire District Council

- 5.15.1 No comments received.

5.16 UK Power Networks

- 5.16.1 No comments received.

5.17 National Grid

- 5.17.1 No comments received.

5.18 Herts Police Crime Prevention Design Advisor

- 5.18.1 I am disappointed that this application makes no reference to any form of addressing issues that may arise due to crime, disorder and the fear of crime. This is contrary to both Local & national planning policies. In fact, the applicant’s Design and Access Statement (DAS) completely ignores Section 8 of the National Planning Policy Framework (NPPF) about promoting healthy and safe communities. In particular paragraph 92.b. I also have material concerns that this application does not address paragraph 92.c of the NPPF in that it appears essential to be a car owner or driver to live at this location as the nearest bus stop is quoted, in the DAS, as being over 900m from the site. That would be a lot asking any family to do their weekly shop and use public transport to get to and from this site.

- 5.18.2 I also have substantive concerns regarding the proposed cycle storage as being “Each dwelling will have cycle storage within the integral garages”. Given the current size of most

vehicles these days there would be little room to store the cycle and retrieve it without moving the vehicle first – in order to minimise the chance of damaging the vehicle. This is then not a feasible means of cycle storage. I also have substantive concerns regarding the waste bins storage. The DAS just states that “All bins are located within a short pull from the Pathways edge.” My concern is that these do not appear to be in any form of secure store and could lead to them being used to commit crime and also be used as climbing aids.

- 5.18.3 In order to mitigate my concerns and to address the lack of crime prevention detail I would strongly recommend that the application should contact the Hertfordshire Constabulary’s Crime Prevention Design Service (CPDS) with a view to seeking to achieve accreditation to the Police preferred minimum security standard that is Secured by Design (SBD). – note that the DAS states that as part of this application a financial contribution is being made towards the proposed housing scheme in Dunn Close (this particular scheme is being fully supported by the CPDS as the council are seeking to achieve full SBD accreditation for the development, as such they are working with the local Crime Prevention Design Advisor (CPDA) in order to achieve this.
- 5.18.4 In light of the points raised above the CPDS are not in a position to support this application in its current form. Should the applicant choose to engage with the local CPDA with a view to achieving SBD accreditation then this position could change

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.
- 6.2.2 Since November 2018, housing delivery has been measured against the Housing Delivery Test (HDT) as set out by the Government planning policy and guidance. The results of the HDT dictate whether a local planning authority should be subject to consequences to help increase their housing delivery. Where an authority’s HDT score is less than 85% of its housing requirement, the Council must incorporate a 20% buffer into its housing supply calculations in line with paragraph 73 of the NPPF. Where an authority’s score is below 75%, the Council will be subject to the HDT’s most severe penalty and must apply the

presumption in favour of sustainable development. The latest HDT results, published by the Ministry of Housing Communities and Local Government (MHCLG) (now the Department for Levelling Up, Housing and Communities) in January 2021, identifies that Stevenage only delivered 64% of its housing requirement. This is significantly below the 75% target and renders the adopted Local Plan housing policies as out of date. Consequently, Stevenage Borough Council must apply the presumption in favour of sustainable development in its decision making and give great weight towards the need to deliver housing.

6.2.3 The Council therefore, has to prepare an Action Plan to show how the Council is responding to the challenge of ensuring more homes are delivered in the Borough. It will have to be prepared in accordance with Planning Practice Guidance and analyse the reasons for under-delivery of new homes against the Government's requirements. It also has to set out clear actions on how to improve housing delivery. Consequently, Stevenage Borough Council is considering its position in relation to preparing an action plan to enhance housing supply on deliverable sites.

6.2.4 In terms of 5 year land supply, the Council has recently published the Five Year Land Supply Update (August 2021) which reveals that Stevenage has a 5.85 year supply of housing. A copy of the statement is found on:
<https://www.stevenage.gov.uk/documents/planning-policy/monitoring/five-year-housing-land-supply-position-statement-august-2021.pdf>

6.2.5 The Council will also be commencing preliminary work into a potential review of its Local Plan, last adopted in May 2019. This is to ensure the policies within the Local Plan are up to date in accordance with the NPPF as well as ensuring the Council is delivering a sufficient supply of housing and employment.

6.3 Planning Practice Guidance

6.3.1 The PPG contains guidance supplementing the NPPF and with which Members are fully familiar. The PPG is a material consideration to be taken into account together with the National Design Guide (2019) which has the same status as the PPG.

6.4 Stevenage Borough Local Plan 2011-2031 (Adopted 2019)

Policy SP1: Presumption in Favour of Sustainable Development

Policy SP2: Sustainable Development in Stevenage

Policy SP5: Infrastructure

Policy SP6: Sustainable Transport

Policy SP7: High Quality Homes

Policy SP8: Good Design

Policy SP10: Green Belt

Policy SP11: Climate Change, Flooding and Pollution

Policy SP12: Green Infrastructure and natural environment

Policy IT4: Transport Assessments and Travel Plans

Policy IT5: Parking and Access

Policy HO1: Housing Allocations

Policy HO5: Windfall Sites

Policy HO6: Redevelopment of Existing Homes

Policy HO7: Affordable Housing Targets

Policy HO8: Affordable Housing Tenure, Mix and Density

Policy HO9: House Types and Sizes

Policy HO11: Accessible and Adaptable Housing

Policy GD1: High Quality Design

Policy GB1: Green Belt

Policy GB2: Green Belt Settlements

Policy FP1: Climate Change
Policy FP2: Flood Risk in Flood Zone 1
Policy FP5: Contaminated Land
Policy FP7: Pollution
Policy FP8: Pollution Sensitive Uses
Policy NH2: Wildlife sites
Policy NH5: Trees and Woodland
Policy NH7: Open Space Standards

6.5 Supplementary Planning Documents

Parking Provision Supplementary Planning Document October 2020
Stevenage Design Guide Supplementary Planning Document January 2009
Developer Contributions Supplementary Planning Document (March 2021)
Impact of Biodiversity on Developments Supplementary Planning Document (March 2021)

6.6 Community Infrastructure Levy Charging Schedule

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

7. APPRAISAL

- 7.1.1 The main issues for consideration in the determination of the application are its acceptability in land use policy terms including the principle of development in the Green Belt, loss of the riding school, the intensification of the use of the site, Impact on visual amenity of the Green Belt, Impact on amenities, parking provision, means of access and highway safety, trees and landscaping, impact on the environment, development and flood risk and ecology and protected species.
- 7.1.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that all planning applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

7.2 Policy Considerations

- 7.2.1 The NPPF (2021) states at paragraph 7 that the purpose of the planning system is to contribute to the achievement of sustainable development. The NPPF also stipulates that decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area. In addition, the Framework also sets out that sustainable development needs to be pursued in a positive way and at the heart of the framework is a "presumption in favour of sustainable development".
- 7.2.2 Paragraph 62 of the NPPF requires that the planning system should deliver, inter alia, a mix of housing particularly in terms of tenure and price to support a wide variety of households in all areas. Paragraph 68 of the NPPF sets out that small and medium sites can make an important contribution to meeting housing requirements in an area, and this includes supporting the development of windfall sites.
- 7.2.3 Paragraph 68 of the NPPF states that planning policies should identify a supply of specific deliverable sites for years one to five of the plan period, and specific deliverable sites or broad locations for growth, for years 6 to 10 and where possible, for years 11 to 15. Paragraph 73 of the same document states that "Local Planning Authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of

five years' worth of housing against their housing requirement set out in adopted strategic policies".

- 7.2.4 Paragraph 119 of the NPPF stipulates that planning policies and decisions should promote the effective use of land in meeting the need for homes such as through the use of brownfield sites (previously developed land) and the development of underutilised land.
- 7.2.5 Paragraph 74 of the NPPF stipulates policies should include a trajectory illustrating the expected rate of housing delivery over the plan period, and all plans should consider whether it is appropriate to set out the anticipated rate of development for specific sites. Local Planning Authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their local housing need where the strategic policies are more than five years old. The supply of specific deliverable sites should, in addition, include a buffer (moved forward from later in the plan period) of:
- a) 5% to ensure choice and competition in the market for land; or
 - b) 10% where the Local Planning Authority wishes to demonstrate a five year supply of deliverable sites through an annual position statement or recently adopted plan, to account for any fluctuations in the market during that year; or
 - c) 20% where there has been significant under delivery of housing over the previous three years, to improve the prospect of achieving the planned supply.
- 7.2.6 Dealing firstly with Five Year Housing Land Supply, the Council issued an Update Housing Land Supply Document in August 2021. This document was produced following the Appeal Decision for Land West of Lytton Way (APP/K1935/W/20/3255692). It sets out that the Council can demonstrate a Housing Land Supply of 5.85 years for the period 1 April 2021 to 31 March 2026, using the Liverpool methodology and guidance from the NPPF and Planning Practice Guidance (PPG). Given this position, whilst the Council has failed to meet its Housing Delivery Test, this document demonstrates that the proposal is not fundamental in the Council's ability to meet its 5 year land supply, even when incorporating the 20% buffer.
- 7.2.7 With respect to housing delivery since November 2018, housing delivery has been measured against the Housing Delivery Test (HDT) as set out by Government planning policy and guidance. The results of the HDT dictate whether a Local Planning Authority should be subject to consequences to help increase their housing delivery. Where an authority's HDT score is less than 85% of its housing requirement, the Council must incorporate a 20% buffer in to its housing supply calculations in accordance with paragraph 73 of the NPPF. Where an authority's score is below 75%, the Council will be subject to the HDT's most severe penalty and must apply the presumption in favour of sustainable development.
- 7.2.8 The latest HDT results, published by the MHCLG in January 2021, identifies that Stevenage only delivered 64% of its housing requirement. This is significantly below the 75% target and renders the adopted Local Plan housing policies as out of date. Consequently, Stevenage Borough Council must apply the presumption in favour of sustainable development in its decision making and give great weight towards the need to deliver housing. Notwithstanding this, paragraph 11 of the NPPF states that policies in the NPPF which protect areas of importance (such as Green Belt) are material considerations and permission should not therefore be granted if the proposal would harm protected areas.
- 7.2.9 Accordingly, as the Council has failed to meet its HDT, this application for new housing will assist the Council in meeting its housing delivery targets, and in meeting its affordable housing delivery targets. The following sections of this report will balance this presumption in favour of sustainable developments against the impacts of development.

Principal of Development in the Green Belt

- 7.2.10 The NPPF sets out the government's approach to protecting the Green Belt. Chapter 13 recognises the great importance of the Green Belt noting the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The essential characteristics of Green Belts are their openness and their permanence. For proposals affecting the Green Belt, inappropriate development is identified as being harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 148 states that "very special circumstances" will not exist unless the potential harm to the Green Belt by way of inappropriateness and any other harm resulting from the proposal are clearly outweighed by other considerations. Paragraph 149 goes on to advise that local planning authorities should regard the construction of new buildings as inappropriate unless the proposal meets one of a limited number of specific exceptions. The most pertinent of these in relation to the proposal is subsection (g):
- g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
 - not have a greater impact on the openness of the Green Belt than the existing development; or
 - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.
- 7.2.11 The second element of 149(g) therefore applies; the development would re-use previously developed land and deliver 6no. affordable housing units (35% of total units). The assessment therefore turns to whether or not the development would cause substantial harm to the openness of the Green Belt, noting that a lower level of harm would be deemed acceptable per the limitations of paragraph 149(g). This assessment can be made on both a spatial and visual basis, taking account of the quantifiable development as well as its visual impact on Green Belt openness.
- 7.2.12 Whilst there is a presumption in favour of sustainable development, this is balanced against the consideration of the proposal being inappropriate development in the Green Belt and whether it would comply with any of the defined exceptions to inappropriate development within the NPPF. As this report will go on to show, the development is considered to be compliant with Paragraph 149(g) and therefore there would be no requirement to demonstrate very special circumstances.
- 7.2.13 The application site is located within the Metropolitan Green Belt with no statutory designations for landscape character or quality covering the site. Proposals within the Green Belt are assessed against the guidance set out in Section 13 of the NPPF in addition to the Council's own Green Belt policies. Policy GB1 of the Local Plan (2019) sets out the areas of designated Green Belt on the proposals map which the application site forms part of. Policy GB2 of the same document stipulates that planning permission for small scale infillings, conversions within or adjacent to areas such as Norton Green and Todd's Green, will be permitted subject to the following criteria:-
- a) The development is previously developed land or it does not create more than 5 additional dwellings;
 - b) The development will be sympathetic to its surrounding environment (including the adjacent countryside) and will not negatively impact upon the character and appearance of the area;
 - c) The development reflects surrounding properties in terms of size, scale and design; and
 - d) No features essential to the character of the area will be adversely affected.
- 7.2.14 Further to the above, Policy GB2 goes on to state that the partial or complete redevelopment of previously developed land, even if it goes beyond the strict definition of infilling, will also be permitted in Norton Green and Todds Green subject to conditions b) to

d) being met.. The development is classified as major development within the Green Belt, therefore regard must be had to points b) and d). The proposal seeks to deliver 17 dwellings which exceeds the 5 dwellings stated in a) but it is previously developed land as also required by criterion a) of Policy GB2.

7.2.15 The surrounding character of Todds Green is an area heavily defined by large, detached aspirational dwellings and it is considered that the proposed development of 17 detached aspirational dwellings is in keeping with, and sympathetic to, the surrounding character.

7.2.16 For the purpose of clarity, the definition of previously-developed land, as stated within the NPPF (2021) is “land which is or was occupied by a permanent structure including the curtilage of the developed land and any associated fixed surface infrastructure”.

7.2.17 As identified under Policy GB2 (Green Belt Settlements) it can be argued that the site falls within the "defined village of Todds Green" which is washed over by Green Belt. The supporting text to this policy states that there are exceptions to building in the Green Belt, which includes limited infilling in villages and the partial or complete redevelopment of brownfield sites. Furthermore, this supporting text identifies Todds Green as one of the broad locations where aspirational homes would be appropriate. Policy HO9 of the Local Plan (2019) states that aspirational houses are low density detached dwellings with four bedrooms and two bathrooms, sited on larger plots with a built footprint in excess of 100sqm and has a rear garden area of at least 200sqm. Whilst 11 of the dwellings only contain 3 bedrooms, they meet the remaining requirements of size and garden size to be considered larger than standard housing and therefore would be more aspirational.

Amount

7.2.18 In terms of the quantifiable amount of development proposed, figures have been provided on the existing and proposed building footprints, hardstanding and soft landscaping areas including gardens and wild meadow, which are detailed below:

	Existing sq.m	Proposed sq.m	Difference sq.m	Change as %
Footprint	2,542.25	1,400	-1,142.25	-45%
Floor Space	2,542.25	2,802.045	+260	+10%
Hardstanding/Road	4,578.00	3,016	-1,562	-34%
Soft Landscaping	No information	12,041	n/a	n/a
Other*	No information	1,461	n/a	n/a

* pump compound, access track to pumps, linking path to railway bridge

7.2.19 As can be seen from these figures, the proposed footprint of the development would be substantially smaller than the existing buildings occupy. Whilst the proposed dwellings would be 2.5 storey in height compared to the predominantly single storey existing buildings, the increase in floor space generated is only 10%. Overall, the development would see a substantial decrease in the number of buildings across the site, resulting in a more open site, and the resultant 2.5 storey dwellings would not substantially increase the overall volume of built form on the site.

7.2.20 Whilst the scheme would see an increase in volume of built form, the site layout has been designed to consolidate this built form as much as possible by clustering the dwellings where the existing built form is sited. This goes some way in keeping the sprawl of built form to a minimum and reducing visual impact on Green Belt openness. An increase of approximately 11% volume is not significant and from a purely quantitative perspective could not be considered to result in substantial harm. However, the impact of volume increase is also relevant to the visual assessment of Green Belt openness, which shall be assessed shortly.

7.2.21 The scheme would also see a significant reduction in the total amount of hard standing and the existing footprint of built form within the site. Some of this hard standing would be given over to residential gardens, and a large wild flower meadow would be created at the northern end of the site. This overall reduction is considered to be a positive intervention that would not therefore result in substantial harm.

Intensification of Use

7.2.22 In terms of intensification of use, the existing use as a commercial equestrian stables is considered to result in a moderate amount of movements to and from the site with limited intensity of activities.

7.2.23 The proposed scheme would see an intensification of use, with 17 dwellings resulting in an estimated 83 two-way movements per day as stated in the submitted Transport Statement. The Transport Assessment calculates that the existing use generates 51 two-way movements per day. The proposal is therefore likely to result in a daily increase of 32 two-way vehicle trips with a perceived intensity of use as a result. This would give rise to a moderate amount of harm to the Green Belt.

Visual Impact on the Green Belt

7.2.24 The assessment now turns to the visual impact on Green Belt openness, with particular regard to the increased volume and impact on views through the site. Assessments of impact on Green Belt openness are a matter of planning judgement.

7.2.25 As previously noted, there would be approximately 11% increase in built form. The proposed dwellings would be arranged around the new residential road. This new road would curve through the site roughly north of the siting of the majority of the existing buildings, whilst 10 of the proposed dwellings would occupy the site of the majority of the existing buildings. The largest building at the north of the site would be replaced with an extensive open area of wild flower meadow.

7.2.26 Plots 1-10 would therefore be sited where there is existing volume of built form, though it is acknowledged that the smaller outbuildings are of single storey height and the replacement 2.5 storey dwellings would be taller. It is also noted that plots 11-17 would be sited on areas where there is no existing volume of built form.

7.2.27 In terms of impact on views, views through the site from Chantry Lane are very limited due to the dense tree belt that runs along the road to the west of the site and that the site is located behind the dwelling known as The Lodge and the mixed use residential and commercial site of Chantry Farm. This tree belt falls outside of the red line plan so is not within the ownership of the applicant and would not therefore be removed as part of the development. Views of the dwellings would likely be possible from The Lodge and Chantry Farm although their boundaries appear to be bounded with dense, tall hedging.

7.2.28 The site would also be visible from the public right of way to the south of the site, leading to Halfpenny Bridge over the mainline railway which runs along the eastern boundary of the site. In this regard, the layout of the site has been designed to allow views through the site towards the wild meadow at the north of the site along the new road. The dwellings have been placed either side of the road so that views from this public vantage point are mostly unobstructed.

7.2.29 As previously noted, the site layout goes some way in arranging the built form around the existing buildings, and dwellings would largely be sited on the existing footprint of hard standing. There would be some sprawl of built form on the eastern side of the site due to the siting of plots 11-17, where there are no existing structures. The greatest impact on views through the site would therefore be in this location, whereby the proposed dwellings

would obstruct some views looking north from the public footpath and result in moderate harm to Green Belt openness on part of the site.

- 7.2.30 Having duly considered the quantum of development, intensification of use and visual impact on openness, moderate harm has been identified. The increase in volume is considered to be minor, and there would be a considerable reduction in hard standing and footprint across the site with a substantial amount of landscaping proposed, including the re-landscaping of a large area to the north with a wildflower meadow. The visual impact on Green Belt openness from the public footpath is therefore the main point of concern.
- 7.2.31 As required by Paragraph 149(g) and Policy GB2 of the Local Plan, development would not be inappropriate in the Green Belt when it would not cause substantial harm to the openness of the Green Belt, where development would re-use previously developed land and contribute to meeting an identified affordable housing need. A lower level of harm is therefore acceptable.
- 7.2.32 Taking all the aforementioned into account, it is not considered that the proposed intensification of use and impact on visual openness would result in substantial harm when weighed against the benefits of reduced hard standing, reduced footprint and the positive landscaping interventions proposed. Having regard for the aforementioned assessment of the proposal, the creation of 17 dwellings, which whilst exceeding the 5 dwelling quota under Policy GB2(a), it would accord with that policy in that the development would be on previously developed land. In addition, it has been found to be an acceptable level of infill development which will have a less than substantial impact on the Green Belt. Further it would assist the Council in meeting its HDT and affordable housing targets. Therefore, the development is considered to comply with exception 149(g) and Policy GB2 of the Local Plan and would be acceptable development within the Green Belt.

Assessment in accordance with the Council's Housing Policies

- 7.2.33 Turning to the adopted Local Plan (2019), the site is unallocated and is therefore, regarded as a 'windfall site'. Policy HO5 (windfall sites) stipulates that proposals should not prejudice the Council's ability to deliver residential development on allocated sites, do not overburden existing infrastructure and are on previously developed land or small underused urban sites.
- 7.2.34 As previously stated above, the siting of the proposed dwellings will be on the footprints of the existing buildings and consequently it is considered that the development constitutes development of previously developed, brownfield land. It is important to note that the Council is unable to meet its Housing Delivery Test requirement under the NPPF as set out above and as such there is a presumption in favour of sustainable development towards the requirement to deliver additional housing where great weight must be given.
- 7.2.35 Residential developments on windfall sites must have a good level of access to local facilities. The site is approximately 1.5km to the Sainsbury's supermarket on Hitchin Road. Three secondary schools and two primary schools are within 2km of the site. The historic Old Town is within a 10 minute vehicle journey/30 minute walk and provides a host of facilities for future residents. At present there are no bus routes linking the village of Todds Green with Stevenage town centre, and the closest bus stop is over 1km away at the Lister Hospital. As such, the application site is considered to have a poor level of access to alternative forms of transport to the motor car and only a reasonable level of access to local facilities and education sites. Therefore, the site is not considered to be in a highly sustainable location.
- 7.2.36 Criterion (c) of Policy HO5 states that there should be no detrimental effect on the environment and the surrounding or adjoining properties. This issue will be assessed in

detail in the following sections considering the impact on the character and appearance of the Green Belt and wider area and the impact on neighbouring amenity.

- 7.2.37 Finally, criterion (d) of Policy HO5 of the Local Plan requires proposals not to prejudice the Council's ability to deliver residential development on allocated sites. The site is not located near any allocated housing sites. In this regard, the development is not considered to be contrary to the aforementioned policy.
- 7.2.38 Policy SP2 (Sustainable Developments) states permission will only be granted where proposals can meet a number of criteria. Included in these criteria are the following:
- Deliver homes or jobs that make a positive contribution towards the targets in the Local Plan;
 - Make good use of land and maximise opportunities for brownfield redevelopment within the town;
 - Regenerate areas of the town that are under performing;
 - Provide a mix of homes for all sectors of the community;
 - Improve quality of life and make sure that residents share in the benefits of regeneration;
 - Promote journeys by bus, train, bike and foot and reduce the need to travel;
 - Make high quality buildings and spaces that respect and improve their surroundings;
 - Produce places and spaces that enable people to live a healthy lifestyle; and
 - Protect and improve important open spaces, wildlife sites and habitats
- 7.2.39 Looking at the site itself in terms of its allocation in the Local Plan, it is a brownfield site in use as a riding stables and riding school within the Green Belt and not allocated for development. The proposed development is seeking to erect 11no. three bedroom and 6no. four bedroom detached dwellings with associated access road, car parking, landscaping, footpath connections, infiltration basin and pump station.
- 7.2.40 The proposal fails to meet some of these aforementioned criterion of Policies HO5 and SP2 as the site is not located near to a bus route or the Stevenage train station; the main facilities and services of Stevenage are some distance away; and there are no primary facilities within the village of Todds Green so that future occupiers would likely travel into Stevenage via car.
- 7.2.41 However, under planning permission reference number 19/00123/FPM (Land West of the A1(M) at Todds Green) which was approved in September 2020, the developer of that site agreed to a financial contribution in their legal agreement to provide a new bus stop at their development which would allow Arriva services 8 and 9 to extend into the outer Todds Green area. Whilst the exact location of the new bus stop is not presently known, it will be approximately 600m-800m from the application site which is considerably closer than the present closest stop at around 1km.
- 7.2.42 There are two public Rights of Way close to the site – “Stevenage 086” connects Old Chantry Lane to the footpath on the northern side of Stevenage Road and also connects to “Stevenage 085” which borders the site to the south and connects to the large roundabout at Corey’s Mill/Junction 8 of the A1(M). The applicant has included a new footpath link within the site which will connect to these Rights of Way and thus improve cycle and pedestrian access to the site to encourage a modal shift away from the motor vehicle. Each dwelling will have cycle storage facilities in the garages.
- 7.2.43 Accordingly, whilst the existing site could not generally be categorised as being in a sustainable location for non-car modes of transport at present, the improvements to be made together with the new bus stop to be provided by another nearby development, it is considered, on balance, that the site will become more sustainable after completion than at present and would therefore be acceptable in this regard.

- 7.2.44 Further, the owner of the riding stables has confirmed that they will soon cease trading. In this regard, the site is considered a brownfield site and previously developed land, which, through the redevelopment under consideration would regenerate an underperforming area and make good use of, and maximise the use of, a brownfield site. The provision of 17 homes would assist in the meeting of the Local Plan housing targets. Further, the site would provide an off-site contribution of 6 affordable housing units at Dunn Close.
- 7.2.45 Policy SP7 identifies that there is a need to provide 7,600 new homes within Stevenage and this policy allocates 1,950 new homes to be provided elsewhere in the Borough. Taking this into consideration, the proposed development would support the Council's ambition in delivering a number of homes which fall outside the designated sites. Setting aside the impact upon the character an appearance of the area and the amenities of the adjoining properties, which are considered elsewhere in this report, the application is considered to be acceptable in land use policy terms.
- 7.2.46 In respect to Policy HO9 (House types and sizes) of the adopted Local Plan (2019), this seeks to provide a more even mix of housing supply with both smaller dwellings and larger aspirational dwellings. As the proposed development seeks to deliver larger aspirational 3 bed and 4 bed detached dwellings it would accord with this policy.

Loss of the Riding School

- 7.2.47 Paragraph 98 of the NPPF outlines that access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities. Paragraph 98 of the NPPF states that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:
- a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
 - b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
 - c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use
- 7.2.48 The proposed development will result in the loss of an existing riding school. Policy HC6 (Existing Leisure and Cultural Facilities) seeks to protect leisure and cultural facilities in the Town. However, riding schools are not included in the Council commissioned Sports Facility Assessment (2014) and therefore not protected by this policy. Further, information provided by the owner of the riding school demonstrates there are other riding schools nearby.
- 7.2.49 Given that the existing use is not protected by any Local Plan policies, and that the current owners have provided a statement on their closure due to newer, larger equestrian businesses in the area which they struggle to compete with, the applicant has advised there is no policy basis for undertaking an Equestrian Needs Assessment. It is the officer's belief that this stance is acceptable as it is reasonable to assume that the existing business will cease trading whether this current proposed is granted planning permission or not. Accordingly it is not considered that the failure of the development to proceed will ultimately impact on the existing use.
- 7.2.50 In conclusion, whilst the proposal has been found to currently fail to accord with Policies HO5 and SP2 as it is not considered to be in a sustainable location for non-car modes of transport with adequate access to local facilities, the improvements to be made to pedestrian and cycle links and the proposed new bus stop at a nearby development would significantly improve this situation.
- 7.2.51 Further to the above, and having account of everything discussed in the preceding paragraphs of this report, the proposal is not considered to amount to substantial harm to

the Green Belt and is acceptable under Policy GB2 and would accord with Policies SP7 to deliver new housing, HO8 to deliver affordable housing and HO9 to deliver larger aspirational housing. The proposed development of 17 larger aspirational dwellings would make good use of an existing brownfield site and would help deliver 6 affordable housing units on a Council deliverable site at Dunn Close. As the development is wholly on previously developed brownfield land and has been considered an acceptable level of infilling of the village of Todds Green, very special circumstances do not need to be justified and the benefits of the development through construction jobs and future housing would outweigh the moderate harm to the Green Belt.

7.2.52 In addition to the aforementioned, the failure of the Council to meet its HDT and the subsequent presumption in favour of sustainable development is a key material consideration in the assessment of this application. This policy position tilts the planning balance in favour of the application. The provision of 17 aspirational dwellings would have a great economic benefit during the construction phase, and future occupiers would be likely to contribute to local services and facilities, which, as the scheme is for 17 dwellings, and provision of 6 affordable housing units off-site, these benefits would be fairly reasonable and further weigh in favour of the development. Finally, the benefits of the development from a reduction in the amount of hardstanding and footprint across the site together with the substantial amount of landscaping proposed, including an extensive wild flower meadow result in a conclusion that the proposed development is acceptable in land use policy terms and would have a less than substantial impact on the Green Belt.

7.3 Affordable Housing Provision and S106 Contributions

7.3.1 Chapter 5 of the NPPF outlines the need for affordable housing (AH) and paragraph 65 suggests a minimum of 10% AH on any major development site. Policy HO7 of the Local Plan stipulates a target level of 25% on previously developed sites. Based on 17 dwellings at this site, this would equate to 4.25 units, rounded up to 5. However, the applicant is providing a 35% provision of 6 units.

7.3.2 Policy HO8 of the Local Plan stipulates that of the 25% AH provision, at least 70% should be for rent and the remaining a tenure agreed with the Council's Housing team. The application informs that no Affordable Housing is proposed on site. However, the Council has the application site under an options agreement. Therefore, the affordable housing requirement arising from this site (6 affordable units) could potentially provide off-site affordable housing units at Dunn Close (21/00944/FPM). Given this, and in the event the Council does purchase the application site, the commuted sum payment for this development would fall away and with the site intrinsically linked to Dunn Close. However, if the Council does not purchase the application site, then the affordable housing obligation, i.e. a financial obligation in lieu, would remain.

7.3.3 The triggers for dealing with how the affordable housing would be delivered, either through a financial contribution in-lieu or towards the delivery of the development at Dunn Close, would be secured as part of a S.106 legal agreement. At the time of writing this report, the trigger points are suggested to be as follows:

- Not to occupy more than 6 dwellings at the Courtlands site until a minimum of 3 dwellings at the Dunn Close site are fit and ready for occupation; and
- Not to occupy more than 12 dwellings at the Courtlands site until a minimum of 6 dwellings on the Dunn Close site are fit and ready for occupation.

7.3.4 As the site is located within the Green Belt, in order to meet the requirements of Policy GB2, it has been necessary to design the site with fewer but larger aspirational dwellings to reflect the character of Todds Green village. To this end, it would not be appropriate to include smaller affordable housing units. This is considered an acceptable argument and the provision of 6 units exceeds the full 25% AH housing requirement off-site.

- 7.3.5 As mentioned in point 7.3.2 above, it is understood that the Council are seeking to purchase this site with a view to the sale of the dwellings paying for the build out of the Dunn Close scheme. It is therefore proposed that the AH will be secured through a S106 legal agreement which will be tied in with the legal agreement for Dunn Close. Where the Council acquires this site and opts for off-site delivery, the section 106 agreement restricts occupation of the units on the application site, until affordable housing units have been provided at Dunn Close. The section 106 agreement for Dunn Close would secure the use of those units as affordable housing in perpetuity.
- 7.3.6 In the scenario that the Council do not procure this site, the legal agreement will have a fall-back position of securing the equivalent value of 6 units (£350,000.00) as a financial contribution.
- 7.3.7 Financial contributions are also required in line with the Developer Contributions Supplementary Planning Documents (2021). In this regard, only a contribution to be made towards the Local Training Fund if target employment of Stevenage residents is not met as follows:
- £4,000 per number of targeted jobs not filled by Stevenage residents;
 - £2,000 per number of targeted apprenticeships not filled by Stevenage residents or students; and
 - £250 per apprenticeship position as an administrative fee towards the brokerage system to fill apprenticeship positions;
 - If a major development could not provide suitable apprenticeship opportunities due to the quick construction of the development project, and the resultant lack of suitable opportunity to provide apprenticeships, they should pay a lesser fee of £1,000 per number of targeted apprenticeships not created rather than the £2,000 fee.
- 7.3.8 These targets do not add a requirement for additional jobs that would add a financial burden to the developer or contractor. The targets merely add a requirement that a portion of the jobs will be targeted to local residents. The in-lieu payments do not add a significant financial burden to the developer or contractor and will only be required if the developer or contractor does not meet the employment targets.
- 7.3.9 The Developer Contributions SPD (2021) also has a requirement for fees to be paid to cover the monitoring of legal agreements. This covers requesting payments, ensuring transfer and/or expenditure of money and keeping/publishing records of contributions in line with regulations. The Council will seek 2.5% of the value of contributions being monitored with a minimum fee of £750.00 and a cap of £25,000.00. This is considered a fair cost that will reflect the value of the legal agreement and will not affect the viability of a scheme being delivered.
- 7.3.10 The applicant has agreed to pay all monies sought through the signing of a S106 legal agreement.

7.4 Design, Layout and Impact on Visual Amenity

- 7.4.1 In terms of design, Paragraph 130 of the NPPF (2019) stipulates that planning decisions should ensure development functions well and adds to the overall quality of the area, not just in the short term but over the lifetime of the development. It also sets out that development should be visually attractive as a result of good architecture, layout and appropriate and effective landscaping is sympathetic to local character and history, including the surrounding built environment and landscape setting. Paragraph 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..”.
- 7.4.2 Policy SP8 of the adopted Local Plan (2019) requires new development to achieve the highest standards of design and sustainability which can deliver substantial improvements

to the image and quality of the town's built fabric. Policy GD1 of the Local Plan generally requires all forms of development to meet a high standard of design which includes form of built development, elevational treatment and materials along with how the development would integrate with the urban fabric, its relationship between buildings, landscape design and relevant aspects of sustainable design.

- 7.4.3 Policy HO5: windfall sites require residential development on unallocated site to not have a detrimental impact on the environment and on surrounding properties. The Council's Design Guide SPD (2009) generally reflects the aforementioned policies whereby it seeks development to respect surrounding buildings in terms of scale, massing, height and design. As such, it encourages good design as it can enhance the appearance of places.
- 7.4.4 The National Design Guide (2019) which was published by National Government is a material consideration in the determination of planning applications. It sets out that Buildings are an important component of places and proposals for built development are a focus of the development management system. However, good design involves careful attention to other important components of places. These include:
- the context for places and buildings;
 - hard and soft landscape;
 - technical infrastructure – transport, utilities, services such as drainage; and
 - social infrastructure – social, commercial, leisure uses and activities.
- 7.4.5 A well-designed place is unlikely to be achieved by focusing only on the appearance, materials and detailing of buildings. It comes about through making the right choices at all levels, including:
- the layout;
 - the form and scale of buildings;
 - their appearance;
 - landscape;
 - materials; and
 - their detailing.
- 7.4.6 The Guide further iterates that all developments are made up of these components put together in a particular way. As such, the choices made in the design process contribute towards achieving the ten characteristics and shape the character of a place. For reference, these ten characteristics are as follows:-
- Context – enhances the surroundings;
 - Identity – attractive and distinctive;
 - Built form – a coherent pattern of built form;
 - Movement – accessible and easy to move around;
 - Nature – enhanced and optimised;
 - Public spaces – safe, social and inclusive;
 - Uses – mixed and integrated;
 - Homes and buildings – functional, healthy and sustainable;
 - Resources – efficient and resilient;
 - Lifespan – made to last.
- 7.4.7 As detailed under Section 1 of this report, the application site is currently in use as riding stables and a riding school. The site comprises a number of old buildings, some single storey, some two storey, all of varying sizes, materials, colours and degree of wear and tear. Large areas of the site are covered with hardstanding or are bare un-landscaped areas. To the north of the site is an extensive grassed paddock area with a large overhead power pylon with the A602 highway beyond. There are a limited number of small trees within the site although the western site boundary with Old Chantry Lane is heavily landscaped with a dense mature tree belt and to the south of the site is the extensive area of St. Margaret's Wood. To the east of the site is the East Coast Mainline railway. To the

south-west of the site is Chantry Farm which is a mixture of residential and commercial enterprises and the residential site of The Lodge. Further outside the site boundary to the south is the main hamlet of Todds Green which comprises a mixture of residential premises, along with farmsteads and stables; to the north of the A602 is the village of Little Wymondley. The remaining surrounding area is rolling agricultural fields.

- 7.4.8 The application proposes 11no. three bedroom and 6no. four bedroom detached aspirational dwellings with an extensive area of wild flower meadow to the north of the site. The submitted site layout plan (14043-P030-R) indicates a good level of trees and soft landscaping to be retained around the site, and a pump station at the south of the site to be enclosed with fencing.
- 7.4.9 The site would comprise a central road through the centre of site from west to east and then north to south with the dwellings arranged along this road on the southern and eastern side.
- 7.4.10 There are four different housing plans proposed although all the 3 bed dwellings would have an internal floorspace of 153sqm and the 4 bed dwellings would be 185sqm. Concerns were raised at pre-application stage with regard to the number of dwellings (25 units) and the mix of 2, 3 and 4 bed dwellings with a mix of terraced, semi-detached and detached. It was felt that this would represent an over development of the site and the smaller terraced houses would not respect the larger detached style of the adjacent village of Todds Green. Subsequently, following advice from officers, the scheme has been put forward for 17no. larger detached aspirational houses. The dwellings are all 2.5 storey in height which is considered an acceptable height in relation to the surrounding areas.
- 7.4.11 In terms of materials, the following table sets out the details as submitted. The dwellings will be constructed with either Multi-Red facing brick or Multi-Brown facing brick with a combination of clay terracotta roof tiles to the main dwelling and Natural Blue Slate to other roof areas.

	House Types 1a and 1c	House Type 1b	House Type 2a	House Type 2b
Main Roof	Clay terracotta tiles	Blue slate	Clay terracotta tiles	Blue slate
Additional Roofs	Blue slate	Render to dormers	Blue slate	Render to dormers
Walls	Multi-brown facing brick with black horizontal cladding with areas of painted render	Multi-red facing brick with Oyster White horizontal cladding	Multi-brown facing brick with black horizontal cladding	Multi-red facing brick with Oyster White horizontal cladding and areas of white painted render
Windows	White uPVC	White uPVC	White uPVC	White uPVC
Doors	Light wood	Black	Light wood	Black
Rainwater Goods	Black	Black	Black	Black

- 7.4.12 House types 1a, 1b and 1c are the three bedroom units and all have similar internal layouts with a large separate living room at the front of the property and a family room/kitchen at the rear with patio doors into the garden. All have an attached single garage with an office space over which is accessed from the first floor of the house. At first floor there are two double bedrooms each with en-suites and a small landing area to access the main master bedroom on the second floor which also has its own en-suite.
- 7.4.13 House types 2a and 2b are the four bedroom units and have the same internal layout of a large living room at the front of the property with a staggered open plan kitchen and family room at the rear with patio doors opening to the rear garden. All have an attached single

garage with an office space over which is accessed from the first floor of the house. At first floor there are two double bedrooms, one with en-suite bathroom, and a single bedroom. There is also a separate bathroom and a small landing area to the second floor which contains the master bedroom with en-suite bathroom.

- 7.4.14 All house types have the same ridge height of 9m and both house types 2a and 2b have the same ridge height of 8.2m high on the two storey side element. House types 1a, 1b, 1c and 2b all have a dual pitched roof with a gable fronted element to the rear elevation whilst house type 2a has a cross-gable roof design to the main element and dual pitched roof to the two storey side element. All garage roofs are 6.9m high to the ridge with a dual pitched roof and contain one dormer to each of the front and rear elevations.
- 7.4.15 House type 1a has two flat roof dormers to the front roof slope and one flat roof dormer to the front and rear of the garage; house type 1b has two dual pitched dormers to the front elevation and one each to the front and rear of the garage; house types 1c and 2b have one central dual pitched dormer to the front roof slope and one each to the front and rear of the garage and house type 2a only has dual pitched dormers to the garage. Whilst some of the dormer windows are not set down from the main ridge, they have been kept relatively small and, where there are two, they have been vertically aligned with the fenestrations and where there is only one, this has been centrally positioned in the roof slope. Consequently, these windows have been designed to appear proportionate in scale and form within the roof slope and as such, not appear overly dominant in the street scene. At the rear, a single centrally positioned window at second floor would serve either the bathrooms or bedroom depending on internal layout between plots.
- 7.4.16 It is noted that there is diversity in the style and architectural form of the dwellings in the vicinity of the proposal site within Todds Green. The proposed dwellings would be of dark and light facing brick, terracotta clay and blue slate roof tiles and horizontal cladding with rendered elements, incorporating materials that are sympathetic to the history of the site as an agricultural/equestrian usage. Furthermore, the area retains no uniform character in terms of design or materiality and therefore the design of the proposed dwellings would respond well to the rural and agrarian character of the site. Therefore, it is considered that the proposed materiality and design of the dwellings would not appear out of keeping with the immediate surroundings.
- 7.4.17 Given the aforementioned, the overall building heights and variation of architectural detailing on the residential properties combined with the pepper potting of the various properties across the development site would help to add variety and interest in the street scene. In terms of site layout, the residential properties are set out in a linear form following the internal access road with a front-to-front orientation, thereby keeping all rear gardens relatively secluded and private. The properties are well-spaced in large plots as required to be classified as aspirational housing. The property frontages are relatively small, to maximise the rear garden size within in plot. The frontages are shown to be a combination of hardstanding for car parking and soft landscaping which is an acceptable residential public realm.
- 7.4.18 The development has been designed with a clear and legible street network which is highly permeable for pedestrians and cyclists. As the dwellings have their primary frontages orientated towards the road, this helps to clearly define the main streetscape of the development. The buildings have also been orientated to have active frontages and no dead spaces, in order to create a safe pedestrian scaled environment. The public spaces would also be overlooked by residential properties in order to increase natural surveillance.
- 7.4.19 The submitted site layout plan indicates that the existing vegetation on the site will be retained, whilst the main hedgerow landscaping to the front of the site is outside of the applicants ownership so will not be altered, maintaining the screening of the site from Old Chantry Lane. The retained landscaping would be maintained as part of the development

in order to enhance its overall structure. This is crucial in order to minimise the impact of the development on the Green Belt. Full landscaping details will be secured by way of conditions to ensure the development creates an attractive street frontage by softening the appearance of the development as a whole.

- 7.4.20 In terms of the impact on the longer views from Todds Green, the site is well screened by surrounding landscaping and being set back behind Chantry Farm. It is fully appreciated that the development would urbanise an area of established equestrian usage. The extensive wild flower meadow at the north of the site will help off-set the urbanisation and as discussed previously, the built footprint is lower than as existing.
- 7.4.21 Turning to the proposed bin stores, garages, and pump station, these structures are of a limited size and scale against the backdrop of the built form of the development. In addition, these parts of the development have been designed to reflect the overall visual appearance of the dwellings so as to not appear out of character. As such, these elements would have an acceptable appearance as viewed from the public realm.
- 7.4.22 Given the aforementioned assessment, it is considered that the proposed development, combined with its overall benefits, would not substantially harm the longer views from Todds Green or the Green Belt. The development has been designed to a high standard, a clearly defined street layout and high quality areas of green infrastructure. The dwellings themselves, due to the variation of architectural design and being pepper potted across the development with varying widths, helps to add variety and interest into the architectural form.

7.5 Impact on Amenities of Neighbouring Properties

- 7.5.1 In regards to the impact of the proposed development on the nearest residential properties within Todds Green, the nearest property to the development site are the newly constructed Todds Manor and The Little Burrow which are sited off the main access road of Old Chantry Lane and will be opposite plot 1. They will have a front to front orientation and Todds Manor, the closest of the two, will be approximately 22m from the dwelling in Plot 1. The Little Burrow is positioned further back and would be approximately 37m away with the same front to front separation distance. The adopted Design Guide (2009) does not have a minimum separation distance for front to front orientations, however, 22m and 37m are considered an acceptable distance such that it is unlikely there would be an adverse impact from overlooking.
- 7.5.2 The only other two residential dwellings in the vicinity are The Lodge and Chantry Farm, which again are sited off the same access road of Old Chantry Lane. The Lodge is sited to the south of plots 1-4 and these plots would have their rear elevation facing the side of The Lodge and its rear garden. The separation distances range from 30m with Plot 1 to 40m with Plot 4. Further, plots 5-8 would face over the rear garden of this neighbouring property, although their views would be over the extended curtilage of Chantry Farm which wraps around the rear of The Lodge. Plots 5-8 range between 53m and 78m from the property. The Design Guide (2009) requires a minimum back to side separation distance of 15m and a minimum back to back separation distance of 25m. In this regard, it is considered that the proposed dwellings are sited a sufficient distance from this property such that there would be no loss of privacy or detriment incurred from overlooking.
- 7.5.3 Chantry Farm is sited to the rear of plots 8-10 and would have a back to back orientation. These plots range from 81m to 85m from the rear of the property which again is considered a suitable distance such that no detrimental impact would occur to privacy or from overlooking.
- 7.5.4 With regards to impacts from construction noise, vibration and air quality, in order to reduce the level of impact on the amenities of the nearest residential properties, a condition would

be imposed to restrict the hours of construction on-site. In addition, a condition would be imposed requiring the applicant to provide a detailed Construction Management Plan. This will need to set out what mitigation measures will be put in place to control noise levels from various construction activities, mechanisms to deal with vibrations, air quality and dust, light and odour. Therefore, with this condition in place, the Council's Environmental Health Section does not raise any concerns with the proposed development in terms of impact on existing residents.

7.6 Impact upon the future amenity of residents

Private Amenity Spaces

- 7.6.1 In considering a residential scheme of this nature it is also important to ensure that living conditions for any future occupiers are appropriate. Looking at private amenity space, there is a requirement to provide a private garden area of a minimum of 50sqm with a minimum depth of 10m. Under Policy HO9, to qualify as aspirational, the private amenity spaces should be at least 200sq.m.
- 7.6.2 Following an assessment of the proposed development, all of the dwellinghouses across the site would have sufficient private garden areas in accordance with the Council's Guidance as all plots exceed the Council's requirements in terms of both area and length. The depths range between 11m and 23m and the overall sizes range between 250sqm and 370sqm.

Privacy and Outlook

- 7.6.3 Looking at privacy and outlook, Chapter 5 of the Council's Design Guide SPD (2009) sets out that privacy and outlook are important aspects of residential environments. Therefore, the position of dwellings, and the arrangement of rooms and windows, should not create significant overlooking of other dwellings windows or private garden areas, nor should they lead to any overbearing impacts. In this regard, all dwellings have been orientated to face the new road and there would only be angled overlooking between properties which are side by side and no direct overlooking of private amenity spaces.
- 7.6.4 Plots 7-17 would front each other either side of the new road, between 15m and 25m apart. There is no minimum front to front separation distance in the Design Guide. The first and second floors have a mixture of bedrooms and bathrooms at the front of each dwelling whilst the ground floors are living rooms. Whilst the bathrooms would have obscure glazing for privacy, the bedrooms and living rooms would not. However, given the separation distances, it is not considered that there would be a degree of overlooking between properties to such a level that would result in unacceptable harm to privacy.
- 7.6.5 In relation to the provision of public open space, it is noted that the development would provide an extensive wild flower meadow at the north of the site and there would be general open space at the south of the site where the new footpath links are to be created. The Planning statement submitted with the application advises that the meadow will be accessible to the public / residents but is fenced off with only a maintenance access and pedestrian gate provided. This enhancement will assist integrate the proposal into its locale and act as a natural buffer between the dwellings and the paddocks/fields to the north of the site. Smaller communal areas are provided towards the southern end of the site.

Living Standards

- 7.6.6 With regard to the requirements for new residential properties to meet Nationally Described Space Standards as defined by Policy GD1 of the adopted Local Plan (2019), all of the proposed dwellings meet the overall gross internal floor area for three and four bedroom dwellings. The bedrooms in the three bed dwellings all meet the requirements of bedroom

sizes; however in the four bedroom dwellings, the 4th bedroom measures 3.17m long by 2.285m wide with an area of 7.25sqm. The standards state that “in order to provide one bed space, a single bedroom has a floor area of at least 7.5m² and is at least 2.15m wide”, so whilst these bedrooms are 0.25sqm short on floor area, they do exceed the minimum width requirement. As such, on balance, these 4th bedrooms are considered to be acceptable. The internal floorspace measurements are as follows:

	Bedrooms	Persons	Minimum Floorspace	Proposed Floorspace
House Types 1a, 1b and 1c	3	5	99sqm	153.346sqm
House Types 2a and 2b	4	5	103sqm	185.874sqm

Noise Impacts

- 7.6.7 With respect to noise, Policy FP8: Pollution Sensitive Uses stipulates that planning permission for pollution sensitive uses will be granted where they will not be subjected to unacceptably high levels of pollution exposure from either existing, or proposed pollution generating uses. Taking this policy into consideration, it is appreciated the application site does lie in close proximity to existing commercial and industrial premises which currently operate in the immediate area, including Chantry Farm, Shangri-La Farm, The Dog Pack Day Camp and Poly Textiles Ltd. In addition, the site is also bordered by the East Coast Mainline railway to the east of the site. As such, the noise generated from these noise emitting sources could have a detrimental impact on the amenities of future occupiers of the development.
- 7.6.8 The submitted Noise and Vibration Impact Assessment confirms there are 186 train movements between 07:00 and 23:00 and 44 train movements between 23:00 and 07:00. The existing noise climate within the proposed amenity areas for plots 11-17 is 63 dB LAeq; this exceeds the upper guideline value by 8 dB LAeq. The erection of a 2m high acoustic fence along the rear boundaries of plots 11-17 would have a noise reduction of 10dB and will equate to a garden noise level of 53dB which is within the acceptable parameters. The report also makes recommendations for appropriate glazing and ventilation in order to create an appropriate level of protection to future noise sensitive receptors.
- 7.6.9 The report concluded that the calculated levels of vibration are below the acceptable range allowances and therefore no mitigation measures are required in this regard.
- 7.6.10 Given the aforementioned, and following consultation with the Council’s Environmental Health Section and Noise Consultant, they have advised that the Noise and Vibration Impact Assessment which has been submitted is considered to be acceptable. They have recommended a number of conditions be imposed on any grant of permission. This is to ensure that the amenities of future residents are protected from nearby noise sources.

7.7 Parking Provision

- 7.7.1 Policy IT5 of the adopted Local Plan (2019) states that planning permission will be granted where proposals comply with the parking standards set out in the plan. The Council’s Car Parking Standards SPD (2021) sets out the maximum amount of off-street parking for residential development based on the number of bedrooms. The proposed development would comprise the following accommodation schedule:

- 11no. three bedroom dwellings (2 parking spaces) (11 x 2 = 22);
- 7no. four bedroom dwellings (2.5 parking spaces) (7x 2.5 =17.5)

This gives a total requirement for 39.5 spaces, rounded up to 40.

- 7.7.2 Taking into consideration of the above, there would be a requirement to provide 40 off-street parking spaces. Given the application site is not located within a residential accessibility zone the Council would seek the maximum number of car parking spaces to serve the development in this instance. In terms of parking provision specifically, in order to count as a parking space, they would need to measure 2.4m by 4.8m. In relation to garages, these would need to measure internally 3m by 6m in order to be counted as a parking space.
- 7.7.3 Following an assessment of the proposed development, all dwellings have a single garage and 2 marked spaces, so 3 spaces in total which gives a total provision of 51 spaces. Whilst this is technically an over-provision across the site as a whole, each individual house complies with the standards as a standalone assessment. In this regard, the proposed development broadly aligns with the requirements of the SPD and Policy IT5 of the Local Plan.
- 7.7.4 In regards to the parking bays and garages themselves,, these would all comply with the standards set out in the Council's adopted Parking Standards SPD (2021) as set out in paragraph 7.6.2. As such, all of the designated parking bays for the residential properties would be of a sufficient size to park a motor-vehicle in this instance.
- 7.7.5 The Parking Standards SPD (2021) states that all new car parking should be designed to fulfil a Passive Electrical Vehicle Charging Point standard. This will mean that the underlying infrastructure is provided for connection to the electricity network but it will need to be activated through the installation of a charge point to be used in the future as technologies evolve and uptake increases. The submitted plans do not provide details of this requirement so it is considered acceptable to impose a condition requiring this standard to be met. Further, this SPD requires that at least 20% of all spaces are fitted with an active charging point at point of completion of the development. As no details have been provided at this stage, a condition would be imposed on any decision issued to ensure this is implemented.
- 7.7.6 Turning to visitor parking provision, the Council's Parking Standards SPD (2021) sets out that there is a requirement to provide 0.25 parking spaces per dwelling. This would equate to a requirement of 4 (rounded down from 4.25) parking spaces. The proposed development is seeking to provide visitor parking spaces in two bays on the northern side of the new road, adjacent to the wild flower meadow. Having measured these bays on the submitted site plan, it is our calculation that they can accommodate 3 spaces in one and 4 spaces in the other, so a total of 7 spaces. Whilst this is an over provision, given the edge of town location of the site, this is considered acceptable in this instance.
- 7.7.7 In regards to cycle parking, the Council's Parking Standards SPD stipulates that 3 long-term cycle parking spaces should be provided per three or four bed unit. Given the garage sizes and the plot sizes, it is considered that there is an acceptable level of space at each dwelling to provide secure, lockable cycle storage.
- 7.7.8 Given the aforementioned assessment, there would be sufficient off-street parking to serve the development. In addition, there would be sufficient secure cycle parking provision across the development site in accordance with the Council's Standards.

7.8 Highway Safety

- 7.8.1 The site is accessed from a single entrance point on the western side of the site from Chantry Lane which is designated as a local access road with a 30mph speed limit. The access is a simple priority junction approximately 5m wide with 8m kerb radius which supports two-way traffic and allows for the passing of waste collection vehicles.

- 7.8.2 Hertfordshire County Council (HCC) as Highways Authority have confirmed that the existing vehicle visibility of the junction, at 2.4m by 43m, is acceptable and conforms with the stopping sight distance criteria in Manual for Streets (MfS) and no alterations or planning conditions are necessary in this regard.
- 7.8.3 The applicant has confirmed that the new road within the site would not be adopted by HCC Highways and would be under private management. Stevenage Borough Council (SBC) Highways Engineers have confirmed this is acceptable and raise no objections. They advise that as the road would remain private there would be no requirements to 'police' this road in terms of highway or parking infringements post completion.
- 7.8.4 In relation to vehicle manoeuvrability, the applicant has provided a swept path analysis as part of their Transport Assessment. The plans depicting the swept path analysis display that tracking is accommodated within the site for refuse vehicles, emergency vehicles (ambulance and fire tender) and the average motor car. In terms of accessibility for emergency vehicles, the proposal is within the statutory building regulation distance of 45 metres to all parts of the building from the new road. HCC Highways have studied this swept path analysis and have raised no concerns.
- 7.8.5 With respect to Public Rights of Way (PROW), there are a number of footpath routes within the vicinity of the site; "Stevenage 086" connects Old Chantry Lane to the footpath on the northern side of Stevenage Road and also connects to "Stevenage 085" which borders the site to the south and itself connects to the Corey's Mill interchange at Junction 8 of the A1(M).
- 7.8.6 The proposed development does not seek to alter or impede these existing PROW but does make provision for a new connection at the south of the site to improve pedestrian and cycle access to the site. As such, HCC Highways has recommended an informative be attached if permission were to be granted. This informative will require the applicant to liaise with the County Council's Rights of Way Section to ensure that the routes remain unobstructed, are safe to use (including during the construction phase) and are not deteriorated as a result of development. Any adverse effects to the routes will need to be made good by the applicant and agreed by the County Council.
- 7.8.7 Looking at traffic generation, the applicant's transport consultant has produced a transport assessment which monitored existing site traffic generation using the TRICS (Trip Rate Information Computer System) (7.7.4) database. The site has been classified within TRICS as "07-Leisure-J-Equstrian Centres" within edge of town and freestanding locations in terms of residential development. The outcome of the modelling through TRICS is as follows:

	Existing Two-way trips	Proposed two-way trips	Net Traffic Gain
Morning Peak 0800 - 0900	3	8	5
Evening Peak 1700 - 1800	3	9	6
Daily Total	51	83	32

- 7.8.8 HCC Highways have assessed this data and advise that this increase in trip generation would not have an unreasonable impact on the safety and operation of the adjoining highways and therefore raise no concerns or objections in this regard.
- 7.8.9 At present it is acknowledged that the site is not considered to be in a highly sustainable location. However, the new footpath link will improve pedestrian and cycle routes and under planning permission reference number 19/00123/FPM that developer entered into a section 106 legal agreement to provide a new bus stop outside their site which is

approximately 800m from the site under consideration. Additionally the developer of this nearby site has also agreed to enter a section 278 agreement of the Highways Act 1980 to provide a toucan crossing and footpath widening across the bridge in Fishers Green. These improvements will encourage a modal shift away from the private motor vehicle and increase the sustainability of the development.

- 7.8.10 Turning to construction traffic and associated activities, to ensure these do not prejudice the safety and operation of the highway network, conditions would be imposed if permission were to be granted. These conditions would require the applicant to provide a suitable access road for construction traffic as well as submit a Construction Management Plan. The details of this Management Plan will need to be agreed by the Highways Authority prior to the commencement of development works on site.
- 7.8.11 In summary, subject to the imposition of conditions, the proposed development as advised by Hertfordshire County Council would not have a detrimental impact on the safety and operation of the highway network.

7.9 Trees and Landscaping

- 7.9.1 Policy NH5 of the adopted Local Plan (2019) states that development proposals will be expected to protect and retain individual trees within the development site and should include new planting where appropriate.
- 7.9.2 The development contains 26 small to medium individual and groups of trees and some perimeter hedging. The submitted Arboricultural Impact Assessment (AIA) advises that the overall quality of the trees on site is modest and most are self-seeded or have a poor overall form. Many of the trees are also in close proximity to buildings and have therefore failed to thrive. Using the industry standard BS 5837:2012, ("Trees in Relation to Design, Demolition and Construction - Recommendations" which details the steps that should be taken to ensure that trees are appropriately and successfully retained when development takes place) three trees have been classified Category B and the remaining trees as Category C.
- Category B - trees of moderate quality with an estimated remaining life expectancy of at least 20 years.
 - Category C - trees of low quality with an estimated remaining life expectancy of at least 10 to 20 years, or young trees with a stem diameter below 150mm
- 7.9.3 It is proposed to remove 21 trees, all of which are Category C trees. These trees are all located within the built footprint of the development or located within close proximity to the proposed development such that their long term survival would not be sustainable. Following consultation with the Council's Arboricultural Manager, he has not raised any concerns at the time of writing this report.
- 7.9.4 As the site is adjacent to the East Coast Mainline railway, Network Rail were consulted and advised that it is imperative that planting and landscaping schemes near the railway boundary do not impact on operational railway safety. Certain broad leaf deciduous species should not be planted adjacent to the railway boundary. Any hedge planted adjacent to the railway boundary fencing for screening purposes should be placed so that when fully grown it does not damage the fencing, provide a means of scaling it, or prevent Network Rail from maintaining its boundary fencing. The list of species that are acceptable and unacceptable for planting in proximity to the railway boundary as directed by Network Rail will be added as an informative if planning permission is granted.
- 7.9.5 To the north of the site, and in order to compensate for the trees to be removed, it is proposed to plant an extensive wild flower meadow as shown on the submitted site layout plan 14043-P030-R, which will greatly enhance the visual amenities of the site and the

Green belt and will act as buffer between the site and the retained paddock area and A602 beyond.

- 7.9.6 Whilst the application has not been accompanied by a detailed landscaping strategy, this would be conditioned should permission be granted. In this regard, the Arboricultural Manager, and Network Rail, would be fully consulted to ensure a satisfactory appearance is achieved to enhance the visual amenities of the Green Belt with no detriment to the adjacent Network Rail owned mainline railway.
- 7.9.7 Subject to the submission of a detailed landscaping strategy, the proposed tree works and landscaping scheme are considered acceptable at this time given the trees to be removed are not of significant value. The replacement planting will need to include tree planting along the new road and soft landscaping to dwelling frontages to contribute to creating a verdant setting that would be appropriate in its Green Belt setting. To ensure a satisfactory outcome, suitably worded conditions for the landscaping strategy and future management plans will be imposed on any decision issued if planning permission is granted.

7.10 Ecology, Biodiversity and Protected Species

- 7.10.1 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
- 7.10.2 The application site is identified as brownfield land and currently comprises of equestrian buildings with associated hardstanding, bare ground and some grazed fields, some trees and shrubs, conifer hedges, hedgerows and scrub. The applicant has undertaken a Preliminary Ecological Study to assess the habitats present within the site and to assess the potential for the site to support protected and notable species.
- 7.10.3 The survey comprised a desk top study from Hertfordshire Biological Records Centre and from the multi-agency Geographical Information for the Countryside (MAGIC) along with Ordnance Survey and Aerial imagery. A field survey was also undertaken along with a Bat Survey and Great Crested Newt Survey.
- 7.10.4 The survey concluded that all areas identified were of low ecological value and the buildings provide unsuitable roosting places for bats. No rare or uncommon wild plant species were identified; the grazed grassland habitats support only common and widespread ruderal species that are typical of disturbed, bare ground. Overall, the site is considered to be poor for invertebrates, as due to the dominance of buildings, hard-standing and disturbed bare ground habitats. There are no specific habitat features, such as wetland, woodland or dead wood, that could offer habitats to invertebrates. There are no ponds or standing waterbodies within the site or close to the site boundaries to provide

habitats for amphibians. The site is not considered to offer suitable habitat to reptiles. Swallows and house sparrows are present and are nesting within the site. Active swallow nests were noted within the stables and house sparrows are suspected to have nested within Building 10 and/or Building 12. A family of young house sparrows were seen on and around these buildings. The grassland habitats are unsuitable for ground-nesting species such as the skylark. No bats or evidence of bats were found during the survey. All of the buildings have been assessed as having negligible bat roost potential as the majority of the buildings have no loft space, and are of simple construction, with no obvious features that bats may use for shelter. No evidence of badgers was noted during the survey. The site is considered to offer poor habitat to hedgehogs, although the garden, hedgerow and areas of scrub may offer some shelter to this species.

- 7.10.5 The proposed development will not result in any impacts on habitats of 'principal importance' and the majority of the habitats (buildings, hard-standing, bare ground and improved grassland) are considered to be of negligible or low ecological value. Loss of the existing garden, some semi-mature trees and scrub is unlikely to result in any ecological impacts beyond the site level.
- 7.10.6 Herts and Middlesex Wildlife Trust have assessed the application and the submitted ecological report and raised no concerns. They requested that, in accordance with the recommendations in the ecological report and to secure an enhancement to biodiversity in accordance with NPPF (2021), integrated bat and bird boxes and hedgehog highways should be conditioned as part of the decision.
- 7.10.7 The Government's release of the Environment Bill foretold of a future legal requirement which will be placed on developers to provide a 10% net gain in biodiversity as part of any development; this has been adopted into the Council's Biodiversity SPD (2021).
- 7.10.8 A Biodiversity Impact Assessment was conducted, using the Biodiversity Metric 3.0. The Biodiversity Metric 3.0 updates and replaces the beta Biodiversity Metric 2.0 (JP029) published in 2019. Biodiversity Metric 3.0 is a biodiversity accounting tool that can be used for the purposes of calculating biodiversity net gain. The calculation ascertains whether the proposals achieve a net gain in biodiversity, calculated as biodiversity units and percentage biodiversity units.
- 7.10.9 The result of the calculation is a net gain in biodiversity, both for habitats and hedgerows. The total net unit change in habitats is +2.13 habitat units and +0.51 hedgerow units whilst the total net % change is +97.61% habitat units and +233.83% hedgerow units. Given these figures, the proposals deliver significant biodiversity net gain and are therefore acceptable in this regard as the requirements of chapter 15 of the NPPF (2021) and the Council's Biodiversity SPD (2021) are considered to be met.

7.11 Impact on the Environment

Contaminated Land

- 7.11.1 The application site currently comprises an equestrian centre with stables, storage units, menagerie and other associated buildings. Therefore, the potential risk for contaminants being identified on the site is very low. However, there is always the potential that contaminants could have found a pathway into the application site.
- 7.11.2 Given the above, if permission was to be granted, a condition should be imposed requiring a watching brief be kept during initial site preparation works to identify any potentially contaminated materials likely to be present. If any contaminants are identified, then further conditions would require the applicant at that point to submit a remediation strategy which has to be approved by the Council. With these conditions in place, they would ensure that

the future health of residents is not detrimentally affected by potential contaminants on the site. It would also help to protect the wider environment.

Groundwater

7.11.3 The site is an area of groundwater sensitivity, being partly within Source Protection Zone 2 (SPZ 2). Therefore, it is recommended that the requirements of the NPPF and Planning Practice Guidance are followed. This means that all risks to ground water and surface waters from contamination need to be identified so that appropriate remedial action can be taken. Therefore, the applicant would be expected to prepare reports and risk assessments in line with the Environment Agency Guidance. In addition, as advised by the Environment Agency, in order to protect groundwater quality from further deterioration:

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

7.11.4 With regards to drainage, the applicant has confirmed in their Flood Risk and Drainage Assessments that the proposed development will seek to infiltrate surface water run-off to the chalk bedrock and a new infiltration basin at the southern end of the site. The base of this infiltration basin will be a minimum of 1m above existing groundwater levels. However, in order to protect ground water from any future infiltration drainage systems, a condition would be imposed to any permission issued.

7.11.5 In the event that infiltration is unfeasible, the alternative drainage strategy is to discharge to the Anglian Water sewer on Chantry Lane. This would involve attenuating surface water into the infiltration basin prior to pumping to the existing outfall. Anglian Water were consulted and required additional information on the proposed downstream defender and to request a condition be imposed to seek an intrusive ground investigation. The applicants subsequently provided the downstream defender information and Phase I and Phase II Environmental Reports. Anglian Water assessed this information and confirmed they were satisfied with the reports and raised no concerns.

Air Quality and Pollution

7.11.6 Policy FP7 of the adopted Local Plan (2019) states that all development proposals should minimise, and where possible, reduce air, water, light and noise pollution. Policy FP8 of the same document stipulates that planning permission for pollution sensitive uses will be granted where they will not be subjected to unacceptably high levels of pollution exposure from either existing, or proposed, pollution generating uses.

7.11.7 Looking at air quality and air pollution specifically, the development is not located within, or in close proximity to, an Air Quality Management Area (AQMA) with the nearest AQMA being located in the district of North Hertfordshire. However, this AQMA is over 3.5km from the application site. In terms of the impact of the development on air quality, dealing firstly with the construction phase of development, it is noted there would be a number of activities which will affect local air quality. These include dust emissions and exhaust emissions from plant, machinery and construction traffic.

7.11.8 In order to mitigate the construction phase, the applicant would need to implement a Dust Management Plan which will include the recording of any complaints and to identify causes

in order to take action. They will also need to plan the site layout to ensure machinery and dust causing activities are located away from receptors as far as possible. During construction, solid barriers or screens should be erected around dusty activities. If permission were to be granted, a condition would be imposed requiring the applicant to submit a detailed construction management plan. This would look in more detail at the routing of construction traffic, location and storage of materials along with further details of site hoardings and location of any wheel washing facilities which would be required. This is to ensure that the development does not result in having a detrimental impact on the amenities of nearby residents or commercial/industrial operators. A condition will be imposed on any decision issued should permission be granted to ensure a suitable and appropriate Dust Management Plan is submitted and approved.

7.11.9 In terms of air pollution, an air quality assessment has not been carried out, however the site is rural in nature with no extensive commercial activities in close proximity. Whilst the site borders the railway line and the A602 highway runs to the north of the site, the proposed landscaping measures are considered acceptable to prevent harm to future occupiers by way of air pollution levels. The Council's Environment Health Officers have assessed the application and have not raised any concerns or requested any additional information/reports to be commissioned.

Sustainable Construction and Climate Change

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

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

7.11.11 Whilst no details have been included with the submission of the application, a condition can be used to seek full details of both climate change adaptation measures and energy efficiency details.

7.12 Flood Risk and Drainage Strategy

7.12.1 The application site is located within Flood Zone 1 within the Environment Agency's flood risk map. Flood Zone 1 is defined as land having less than a 1 in 100 annual probability of flooding; therefore, all developments are generally directed to Flood Zone 1. Notwithstanding this, the application which has been submitted to the Council is classified as a Major, therefore, in line with the Town and Country Planning (General Development Procedure) (England) Order 2015, the applicant has provided a Sustainable Urban Drainage Strategy.

7.12.2 The proposal includes two options for drainage. Option 1 proposes to drain the access road through road gullies to a conveyance swale for part of the access road while the remainder will drain direct to the surface water network. Permeable paving is proposed on driveways/parking areas. A downstream defender is proposed before the infiltration basin with sediment fore bays. The basin will comprise 440m³ of storage. Option 2 proposes the same principles up to the basin where it will instead be an attenuation basin, and a surface water pump after the basin will discharge at 2l/s back up the access road to an existing

combined sewer near the access to the site. This combined sewer will discharge to the Anglian Water foul water sewer between manholes AWMH 9700 and AWMH 9801.

- 7.12.3 Following consultation with Hertfordshire County Council as Lead Local Flood Authority (LLFA), they consider the proposed drainage scheme to be unacceptable. They have advised that infiltration as a primary method of drainage is unacceptable in principle and evidence of on-site BRE Digest 365 Infiltration tests are required, including indication of groundwater levels. They require additional infiltration tests to be carried out.
- 7.12.4 They further advise that the alternative strategy of discharging to Anglian Water sewers is less sustainable and note that Anglian Water noted "a surface water connection to an Anglian Water owned foul sewer is not permitted". However, it should be noted that Anglian Water have assessed the application and the additional Phase I and Phase II Environment Reports and downstream defender information and raised no concerns about this proposed option.
- 7.12.5 At this time, the LLFA advise that a feasible discharge mechanism has not been provided and they would prefer an above ground SuDS management and treatment strategy in place through permeable paving, swale and filter drains. It should be noted that swales and permeable paving have been included in the proposed development.
- 7.12.6 The LLFA comments were received around the same time as the Phase I and Phase II reports were submitted so they were contacted to determine if these additional reports had been taken into account. The officer confirmed that Phase I had but not Phase II although they advised that the Phase II report did not appear to include information regarding infiltration tests.
- 7.12.7 The applicant has advised that additional on-site tests are to be carried out on site w/c 22 November 2021. Once the new information has been received this will be sent back to the LLFA for further consideration.
- 7.12.8 As members are aware, the LLFA are currently under extreme pressures and response times are currently delayed. At the time of drafting this report, the LLFA were re-consulted on the amended drainage strategy and Flood Risk Assessment which sought to address all of the concerns raised. To date, no comments have been provided by the LLFA. Therefore, if the Council was minded to grant planning permission combined with the fact that the Council has to determine applications within a reasonable timeframe as detailed in the NPPF and accompanying Planning Practice Guidance, it is recommended appropriate worded conditions are to be imposed to ensure an acceptable drainage strategy can be delivered as part of this development
- 7.12.9 In addition to the above, it is also recommended that delegated powers are given to the Assistant Director of Planning and Regulatory in conjunction with the Chairman of the Planning Committee that in the event the LLFA do provide comments on the revised strategy with a suggested list of conditions, then these conditions would be imposed accordingly before any planning permission is issued by the Council. However, if the LLFA raise a substantive objection to the amended drainage strategy which has been submitted and this cannot be resolved, then it is recommended that this application is referred back to the Planning and Development Committee for its decision.
- Waste Disposal
- 7.12.10 Thames Water were consulted and raised no concerns. They requested an informative be added to any decision issued to advise the applicant of the need for a permit from Thames Water to discharge into a Thames Water owned sewer.

Surface and Foul Water

7.12.11 If the developer follows the sequential approach to the disposal of surface water then Thames Water have no objections and for foul water they have no objections to the submitted information.

7.13 CIL

7.13.1 The Council adopted CIL on 1 April 2020 and the CIL Charging Schedule specifies a payment for new floorspace in line with the following rates (plus appropriate indexation):

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

7.13.2 CIL is a non-negotiable charge. The exact charge will be determined by the Council's CIL officer after an application has been granted in accordance with the CIL Charging Schedule and the Community Infrastructure Levy Regulations 2010 (as amended). Opportunities for relief or exemption from the CIL charge exist and will be taken into account in the calculation of the final CIL charge.

CIL replaces the need for S106 agreements to specify financial and/or land contributions for non-site-specific infrastructure projects. This allows infrastructure to be planned on a borough-wide scale rather than on a site-by-site basis as mitigation against the impacts of individual proposals. A CIL Form 1: Additional Information has been submitted along with the application.

7.13.3 With regards to how the CIL monies are spent, the ultimate decision lies with Stevenage Borough Council and the allocation of funding amount of £75,000 or over will rest with the Planning and Development Committee. Service providers who would not receive contributions through the Section 106 agreement for this development, including but not limited to those at Hertfordshire County Council and Stevenage Borough Council, will be able to bid for funding in due course.

7.14 Equalities Impact Statement

7.14.1 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.

7.14.2 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.

7.14.3 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.

- 7.14.4 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.
- 7.14.5 It is not considered that the loss of the riding stables and riding school would have an adverse impact on any of the aforementioned protected characteristics or persons as there are other equestrian services available in the area to meet their needs.
- 7.14.6 In terms of inclusive access, in accordance with Policy HO11 (Accessible and Adaptable Housing) of the Local Plan (2019), as this is a major scheme at least 50% of all new dwellings will need to be category 2: accessible and adaptable dwellings. A condition will be imposed on any decision granting planning permission to ensure this is delivered.

7.15 Other Matters

Crime Prevention

- 7.15.1 The Herts Police Crime Prevention Design Advisor (PCPDA) has assessed the application and has raised concerns that the applicant has not made any reference to the NPPF in relation to promoting healthy and safe communities as the development appears to be car reliant. As has been discussed previously in this report, it is the Council's belief that the applicant has made efforts to address the sustainability of the site by way of improving access to the public rights of way. Further, the new bus route and bus stop being provided by another developer in the vicinity will improve the sustainability. Additionally, HCC Highways raised no substantive concerns about the pedestrian and bicycle access at the site.
- 7.15.2 The PCPDA also raised concerns about the bicycle storage being within the garage and not a freestanding secure unit within the garden. In this regard, it is the Council's response that new garages are requested to be 6m long in order to accommodate the parking of a vehicle and additional storage in line with the Council's Parking Provision SPD (2020) and HCC's Manual for Streets. However, a condition will be imposed on the decision if permission is granted to request full details of the cycle storage.
- 7.15.3 Concerns were also raised regarding the location of waste and recycle bins and that no details have been provided to show these receptacles will be stored within secure units. As above, this can be secured by way of a condition.

Waste and Recycling

- 7.15.4 The Design Guide (2009) states, provision should be made within new development for the storage and collection of waste from a site. The current requirements for waste and recycling per household are as follows:-
- Residual Waste - 240 litres;
 - Cans and Plastics - 55 litres;
 - Paper and cardboard - 55 litres;
 - Glass - 20 litres.

The submitted plans show that there is sufficient space adjacent to or behind the garage of each plot to store the required number of receptacles. As such, the development is considered acceptable in this regard.

8. CONCLUSIONS

- 8.1 In summary, the principle of development is considered to be acceptable as it would help the Council to meet its housing requirement over the local plan period. It is not considered that the proposed intensification of use and impact on visual openness would result in substantial harm when weighed against the benefits of reduced hard standing, reduced footprint and the positive landscaping interventions proposed. Having regard for the aforementioned assessment of the proposal, the creation of 17 dwellings, which whilst exceeding the 5 dwelling quota under Policy GB2(a), it would accord with that policy in that the development would be on previously developed land. In addition, it has been found to be an acceptable level of infill development which will have a less than substantial impact on the Green Belt. Further it would assist the Council in meeting its HDT and affordable housing targets. Therefore, the development is considered to comply with exception 149(g) and Policy GB2 of the Local Plan and would be acceptable development within the Green Belt.
- 8.2 In addition to the aforementioned, the failure of the Council to meet its HDT and the subsequent presumption in favour of sustainable development is a key material consideration in the assessment of this application. This policy position tilts the planning balance in favour of the application. The provision of 17 aspirational dwellings would have a great economic benefit during the construction phase, and future occupiers would be likely to contribute to local services and facilities, which, as the scheme is for 17 dwellings, and provision of 6 affordable housing units off-site (or a financial contribution in lieu for 6 units within Stevenage if the Council do not purchase the site), these benefits would be fairly reasonable and further weigh in favour of the development. Finally, the benefits of the development from a reduction in the amount of hardstanding and footprint across the site together with the substantial amount of landscaping proposed, including an extensive wild flower meadow result in a conclusion that the proposed development is acceptable in land use policy terms and would have a less than substantial impact on the Green Belt.
- 8.3 With regards to sustainability, whilst the existing site could not generally be categorised as being in a sustainable location for non-car modes of transport at present, the improvements to be made together with the new bus stop to be provided by another nearby development, it is considered, on balance, that the site will become more sustainable after completion than at present and would therefore be acceptable in this regard. Further, the owner of the riding stables has confirmed that they will soon cease trading. In this regard, the site is considered a brownfield site and previously developed land, which, through the redevelopment under consideration would regenerate an underperforming area and make good use of, and maximise the use of, a brownfield site as encouraged under the NPPF.
- 8.4 In terms of design, the overall building heights and variation of architectural detailing on the residential properties combined with the pepper potting of the various properties across the development site would help to add variety and interest in the street scene. It is considered that the proposed development, combined with its overall benefits, would not substantially harm the longer views from Todds Green or the Green Belt. The development has been designed to a high standard, a clearly defined street layout and high quality areas of green infrastructure. The dwellings themselves, due to the variation of architectural design and being pepper potted across the development with varying widths, helps to add variety and interest into the architectural form.
- 8.5 With regards to impact on residential amenity, due to levels of separation between the application and the residential properties in Todds Green, it is not considered the proposal residential development would harm the amenities of residents in the hamlet of Todds

Green. In relation to the amenities of future residents, all of the residential properties across the development would have acceptable living standards in terms of outlook, privacy, sunlight and daylight, private amenity space, internal floorspace standards and impact from noise. Moreover, whilst the development would result in the loss of the riding school and equestrian usage, it is not deemed to land which is of high quality and it is considered that the overall benefits of the development outweigh this loss.

- 8.6 Looking at the impact on the highway network, the development would not prejudice the safety and operation of the highway network and in relation to parking, the level of parking provided is broadly in accordance with the Council's Standards. Finally, issues relating to contamination, impact on the environment, trees, wildlife, surface water drainage, affordable housing, and development contributions can be satisfactorily addressed through conditions or a S106 legal agreement. Accordingly, it is recommended that planning permission be granted.

9. RECOMMENDATIONS

- 9.1 That planning permission be GRANTED subject to the applicant having first entered into a S.106 agreement to secure/provide contributions towards:-

- A financial contribution in lieu towards the provision of affordable with the Borough of Stevenage, or, in the event the Council purchases the application site, the development would deliver six affordable housing units at Dunn Close;
- Local Training Fund (if no local residents employed in the construction phase);
- Highway works
- Section 106 Monitoring fees.

- 9.2 The final detail of which would be delegated to the Assistant Director of Planning and Regulation in liaison with the Council's appointed solicitor. In addition, the imposition of suitable safeguarding conditions, with authority given to the Assistant Director of Planning and Regulation in consultation with the Chair of Planning Committee, to amend or add to the suggested draft conditions set out in this report, prior to the decision notice being issued, where such amendments or additions would be legally sound and most effectively deliver the development that the Planning Committee has resolved to approve.

- 9.3 That the proposal be subject to the following conditions:-

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: FIG D_3 PUMPING STATION LAYOUT; 14043_P027C LOCATION PLAN; 14043_P030R SITE PLAN; 14043_P031K HOUSE TYPES; 14043_P037B SITE AREAS; 14043_P038A SITE SECTIONS; ID-200-PLAN - EXISTING SITE PLAN; 14043_P035C House Type 2; 14043_P034D House Type 1;
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 dwellings hereby permitted shall be as per the approved plans and documents to the satisfaction of the Local Planning Authority unless otherwise agreed in writing by the Local Planning Authority.

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

- 4 No development shall take place (including demolition and site clearance) until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority in consultation with the highway authority. Thereafter, the construction of the development shall only be carried out in accordance with the approved Plan.

The Construction Management Plan shall include the following additional matters;

- 1) Construction vehicle numbers, type, routing;
- 2) Access arrangements to the site;
- 3) Traffic management requirements;
- 4) Construction and storage compounds (including areas designated for car parking, loading/unloading and turning areas);
- 5) Siting and details of wheel washing facilities;
- 6) Cleaning of site entrances, site tracks and the adjacent public highway;
- 7) Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times;
- 8) Provision of sufficient on-site parking prior to commencement of construction activities;
- 9) Post construction restoration/reinstatement of the working areas and temporary access to the public highway;
- 10) where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements.
- 11) Demolition and construction works between the hours of 0730 and 1800 on Mondays to Fridays and between the hours of 0800 and 1300 on Saturdays only (These times relate to works which are audible at the boundary)
- 12) hours of construction operations including times of deliveries and removal of waste;

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

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

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

- 6 Prior to the first occupation of the development hereby permitted the vehicular access shall be provided 5.0 m wide complete with a minimum 8.0 m radius kerb to the southern side of the carriageway and thereafter retained at the position shown on the approved drawing number 14043-P030-R and include a pedestrian link from the development to the existing footway network as shown on drawing 5565 / 002 revision A to the current specification of Hertfordshire County Council and to the local Planning Authority's satisfaction. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

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.

- 7 Prior to the first occupation of the development hereby permitted, details of secure cycle parking provision and bin storage shall be submitted to and approved in writing by the Local Planning Authority. The secure cycle parking facility shall thereafter be implemented in accordance with the approved details.

REASON:- To ensure there is sufficient secure cycle parking provision in order to encourage a mode shift from the private car.

- 8 Prior to the first occupation of the development hereby permitted the car parking spaces as detailed on Drawing number 14043-P030-R shall be surfaced and marked out or completed as applicable, in accordance with the approved plan and thereafter retained for the sole use of parking for the development hereby permitted.
REASON:- To ensure adequate off-street parking provision is available at all times so that the development does not prejudice the free flow of traffic or the conditions of general safety.
- 9 No development above slab level shall take place until details of the [siting, type and specification of Electric Vehicle Charging Points (EVCPs), the energy sources and the strategy/management plan for supply and maintenance of the EVCPs] shall be submitted to and approved in writing by the Local Planning Authority. All EVCPs shall be installed in accordance with the approved details prior to occupation of each of the units and permanently maintained, and retained, unless otherwise agreed in writing by the Local Planning Authority.
REASON:- In order to provide facilities to charge electric vehicles and to help reduce the impact of vehicle emissions on the local environment.
- 10 No development shall take place (including demolition and site clearance) until a detailed surface water drainage scheme for the site has been submitted to and approved in writing by the Local Planning Authority. The drainage strategy should demonstrate the surface water run-off generated up to and including 1 in 100 year + climate change critical storm will not exceed the run-off from the existing site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.
- 1) Detailed infiltration tests conducted to BRE Digest 365 standards and geotechnical investigations to confirm the feasibility of discharge via infiltration and groundwater levels on site.
 - 2) 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.
 - 3) Final post-development network calculations for all storm events up to and including the 1 in 100 year + 40% climate change event with half drain down times.
 - 4) Exceedance flow paths for surface water for events greater than the 1 in 100 year including climate change allowance.
 - 5) 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.
- 11 The development hereby permitted shall be carried out in accordance with the approved surface water drainage assessment in condition 10 and the following mitigation measures:
- 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 2 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 440m³ (or such storage volume agreed with the LLFA) of storage volume in attenuation storage within a basin, swales and permeable paving to provide inception storage and water quality benefits.
 - 3) Discharge of surface water from the private network into the Anglian Water surface water sewer, or to the ground if infiltration proven feasible.

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.

12 Upon completion of the drainage works for the site and in accordance with the timing/phasing arrangement, a management and maintenance plan for the SuDS features and drainage network must be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

1. Provision of a complete set of as built drawings for site drainage.
2. Maintenance and operational activities.
3. Arrangements for adoption and any other measures to secure the operation of the scheme throughout its lifetime.

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

13 No development above slab level shall take place until details of measures to address adaptation to climate change and energy efficiency in line with Policy FP1 of the Stevenage Local Plan (2019) and which should exceed the relevant Building Control Regulations have been submitted to and approved in writing by the Local Planning Authority. These measures shall then be implemented and permanently maintained in accordance with the approved details.

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

14 The development hereby permitted shall be carried out in accordance with the ecological mitigation and enhancement measures as detailed in the 'Preliminary Ecological Appraisal August 2021'. This document shall be adhered to at all times during construction, including site clearance works, and during occupation of the development.

REASON:- To ensure protection of the natural environment

15 No development shall take place above slab level until details of the 9 integrated swift boxes, 8 integrated bat boxes and hedgehog highways are submitted to and approved in writing by the local planning authority. These features must be integrated into the brickwork of the development and located in the most appropriate locations to ensure occupation. They shall be fully installed prior to occupation and retained as such thereafter.

Reason:- To conserve and enhance biodiversity in accordance with NPPF

16 No development shall take place above slab level until there has been submitted to and approved by the Local Planning Authority a scheme of soft and hard landscaping and details of the treatment of all hard surfaces and boundaries. The scheme shall include details of the following:

1. All existing trees and hedgerows on the land and details showing all trees to be removed, or retained;
2. Details of all new planting to take place including species, size, quantity, location and method of planting;
3. Details of all boundary treatments including type, size, positions, heights and materials;
4. Details of any street furniture
5. Details of tree pit designs and root protection measures;
6. Details of all hardsurfacing areas to include type, size and materials;
7. Details of the wild flower meadow

Soft landscaping details will need to take into consideration Network Rail's acceptable and unacceptable planting (see Informative No.8).

REASON:- To ensure a satisfactory appearance for the development

- 17 All planting, seeding and turfing comprised in the approved landscaping details as specified in condition 16 of this approval shall be carried out in the first planting and seeding seasons following the first use of the site or the completion of the development whichever is the sooner.
REASON:- To ensure a satisfactory appearance for the development.
- 18 All hard surfacing and boundary treatments comprised in the approved landscaping details as specified in condition 16 of this approval shall be carried out prior to the first use of the site or the completion of the development, whichever is the sooner.
REASON:- To ensure a satisfactory appearance for the development.
- 19 Any trees or plants comprised within the approved plans or subsequently approved landscaping scheme, 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.
- 20 No tree shown retained on the approved plans, or subsequently approved landscaping scheme, shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped within five years of the completion of development without the written approval of the Local Planning Authority.
REASON:- To ensure the protection of those trees which should be retained in the interests of visual amenity.
- 21 No development (excluding site clearance) shall take place until a landscape management plan, including long term objective goals, management responsibilities (other than private domestic gardens and/or amenity areas) shall be submitted to and approved in writing by the Local Planning Authority. The landscape management and maintenance plan should be fully coordinated with the ecological management requirements and should include clearly defined details for monitoring of all landscape areas by suitably trained and qualified personnel. The development shall thereafter be carried out in accordance with the approved management plan.
REASON:- To ensure a satisfactory appearance for the development.
- 22 No development, including site clearance, shall commence until the trees shown to be retained on the site, as identified on the approved plans, or subsequently approved landscaping scheme, have been protected by fencing or other means of enclosure in accordance with BS:5837:2012. Such protection shall be maintained until the conclusion of all site and building operations.
REASON:- To ensure that the retained trees are not damaged or otherwise adversely affected during site operations.
- 23 Within the areas to be fenced off in accordance with condition 20, there shall be no stockpiling of any materials or soil, no machinery or other equipment parked or operated, no traffic over the root system, no changes to the soil level, no excavation of trenches, no site huts, no fires lit and no dumping of toxic chemicals will be permitted and no retained trees shall be used for winching purposes.
REASON:- To ensure that the retained trees are not damaged or otherwise adversely affected during site operations.

- 24 All areas of hedges, scrub or similar vegetation where birds may nest which are to be removed as part of the development, are to be cleared outside the bird-nesting season (March - August inclusive) or if clearance during the bird nesting season cannot be reasonably be avoided, a suitably qualified ecologist will check the areas to be removed immediately prior to clearance and advise whether nesting birds are present. If active nests are recorded, no vegetation clearance or other works that may disturb active nests shall proceed until all young have fledged the nest.
REASON:- Nesting birds are protected from disturbance under the Wildlife and Countryside Act 1981 (As amended).
- 25 No development shall take place above slab level until there has been submitted to and approved in writing by the Local Planning Authority in conjunction with Network Rail, details of the treatment of all boundaries including details of any walls, fences, gates or other means of enclosure. The approved boundary treatments shall be completed before the dwellings are occupied.
REASON:- To ensure a satisfactory standard of development in the interests of amenity and that it has an acceptable appearance.
- 26 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 25 which is subject to the approval of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 26.
REASON:- To ensure that the site does not pose any risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is completed.
- 27 In the event that contamination is found at any time when carrying out the approved development that was not previously identified, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historic environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.
REASON:- To prevent harm to human health and pollution of the water environment in accordance with Government policy set out in the National Planning Policy Framework.
- 28 In the event that contamination is found at any time when carrying out the approved development that was not previously identified, as required under condition 24, the approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval in writing of the Local Planning Authority.
REASON:- To prevent harm to human health and pollution of the water environment in accordance with Government policy set out in the National Planning Policy Framework.

- 29 Prior to first occupation of the development hereby permitted details of external lighting to the site shall be submitted to the Local Planning Authority and approved in writing in conjunction with Network Rail. There shall be no other sources of external illumination.
REASON:- To minimise pollution of the environment and to safeguard the safety of the adjacent Network Rail mainline railway.
- 30 On completion, the dwellings shall meet the following criteria, either:
- i. with windows open for ventilation or
 - ii. with windows closed and with mechanical purge and background ventilation, sufficient to comply with the current Building Regulations.

		Noise Level (dB)
Daytime Noise (07:00 - 23:00)	Inside living areas	< 35 LAeq, (16 hours)
Night-time Noise (23:00 - 07:00)	Inside bedrooms	< 30 LAeq, (8 hours) < 45 LAmax, Fast

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

REASON:- To protect the amenity of future occupiers of the development

- 31 Prior to the approved development hereby permitted first being brought into use, details of the acoustic fencing including the sound insulation values shall be submitted to and approved in writing by the Local Planning Authority. The details shall be in accordance with the "Noise and Vibration Impact Assessment, Land at Courtlands Riding Stables", Report reference J04467R1, dated 7th September 2021 by Sound Planning Ltd. The development shall thereafter be implemented in accordance with the approved details, and shown to be effective, and shall be retained in accordance with those details thereafter.
REASON:- To safeguard the amenities of nearby noise sensitive properties.
- 32 All windows within the dwellings hereby approved shall be glazed with triple glazing as shown on drawings 14043-P034-D and 14043-P035-C and shall be retained in that form thereafter.
REASON:- To safeguard the amenities of the occupiers of the approved dwellings.
- 33 No development shall take place above slab level until a scheme for the provision of adequate water supplies and fire hydrants, necessary for firefighting purposes at the site, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the scheme has been implemented in accordance with the approved details.
REASON:- To ensure adequate water infrastructure provision is made on site for the local fire service to discharge its statutory firefighting duties.
- 34 No works involving excavations shall be carried until the following has been submitted to and approved in writing by the Local Planning Authority in consultation with Affinity Water:
1. An Intrusive Ground Investigation to identify the current state of the site and appropriate techniques to avoid displacing any shallow contamination to a greater depth.

2. A Risk Assessment identifying both the aquifer and the abstraction point(s) as potential receptor(s) of contamination.
3. A Method Statement detailing the depth and type of excavations to be undertaken including mitigation measures to prevent and/or minimise any potential migration of pollutants to public water supply. Any excavations must be undertaken in accordance with the terms of the approved method statement.

REASON:- To avoid displacing any shallow contamination to a greater depth and to prevent and/or minimise any potential migration of pollutants to a public water supply abstraction which can cause critical abstractions to switch off resulting in the immediate need for water to be sourced from another location, which incurs significant costs and risks of loss of supply during periods of high demand.

- 35 Development shall not commence until a construction methodology has been submitted to and approved in writing by the Local Authority. The construction methodology shall demonstrate consultation with the Asset Protection Project Manager at Network Rail. The development shall thereafter be carried out in accordance with the approved construction methodology unless otherwise agreed in writing by the Local Planning Authority.

REASON:-

- 36 The dwellings hereby permitted shall not be occupied until the proposed accesses for vehicles, pedestrians and cyclists have been constructed as detailed on the approved drawings, the existing footway/verge has been reinstated and the new footway link from the site access south, to Stevenage Road has been completed to the current specification of Hertfordshire County Council and to the Local Planning Authority's satisfaction.

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

- 37 At least 50% of the residential units are Category 2: Accessible and Adaptable dwellings.

REASON:- To ensure the development will meet the increase in demand for accessible and adaptable units for elderly and disabled residents in accordance with Policy HO11 of the Stevenage Borough Local Plan 2011 – 2031 (adopted 2019).

PRO-ACTIVE STATEMENT

- 1 Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the National Planning Policy Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

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 or by contacting the Council's CIL Team at CIL@Stevenage.gov.uk.

2 **Building Regulations**

To obtain advice regarding current Building Regulations please contact Hertfordshire Building Control Ltd. by emailing us at building.control@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).

3 **Hertfordshire County Council as Highways Authority**

Parking and Storage of materials: The applicant is advised that all areas for parking, storage, and delivery of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx> or by telephoning 0300 1234047.

- 4 **Hertfordshire County Council as Highways Authority**
Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website:
<http://www.hertfordshire.gov.uk/services/transtreets/highways/> or by telephoning 0300 1234047.
- 5 **Hertfordshire County Council as Highways Authority**
Debris and deposits on the highway: It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made up carriageway, or any or other debris on a highway to the interruption of any highway user. 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 and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.
- 6 **Hertfordshire County Council as Highways Authority**
The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/businessanddeveloper-information/development-management/highways-developmentmanagement.aspx> or by telephoning 0300 1234047.
- 7 **Thames Water**
A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.
- 8 **Network Rail**
It is imperative that planting and landscaping schemes near the railway boundary do not impact on operational railway safety. Where trees and shrubs are to be planted adjacent to boundary, they should be position at a minimum distance greater than their height at maturity from the boundary. Certain broad leaf deciduous species should not be planted adjacent to the railway boundary. Any hedge planted adjacent to the railway boundary fencing for screening purposes should be placed so that when fully grown it does not damage the fencing, provide a means of scaling it, or prevent Network Rail from maintaining its boundary fencing. Below is a list of species that are acceptable and unacceptable for planting in proximity to the railway boundary;
Acceptable:

Birch (Betula), Crab Apple (Malus Sylvestris), Field Maple (Acer Campestre), Bird Cherry (Prunus Padus), Wild Pear (Pyrus Communis), Fir Trees - Pines (Pinus), Hawthorn (Cretaeagus), Mountain Ash -Whitebeams (Sorbus), False Acacia (Robinia), Willow Shrubs (Shrubby Salix), Thuja Plicatat "Zebrina".

Not Acceptable:

Acer (Acer pseudoplatanus), Aspen - Poplar (Populus), Small-leaved Lime (Tilia Cordata), Sycamore -Norway Maple (Acer), Horse Chestnut (Aesculus Hippocastanum), Sweet Chestnut (Castanea Sativa), Ash (Fraxinus excelsior), Black poplar (Populus nigra var, betulifolia), Lombardy Poplar (Populus nigra var, italica), Large-leaved lime (Tilia platyphyllos), Common lime (Tilia x europea).

9 **Herts Police Crime Prevention Design Advisor**

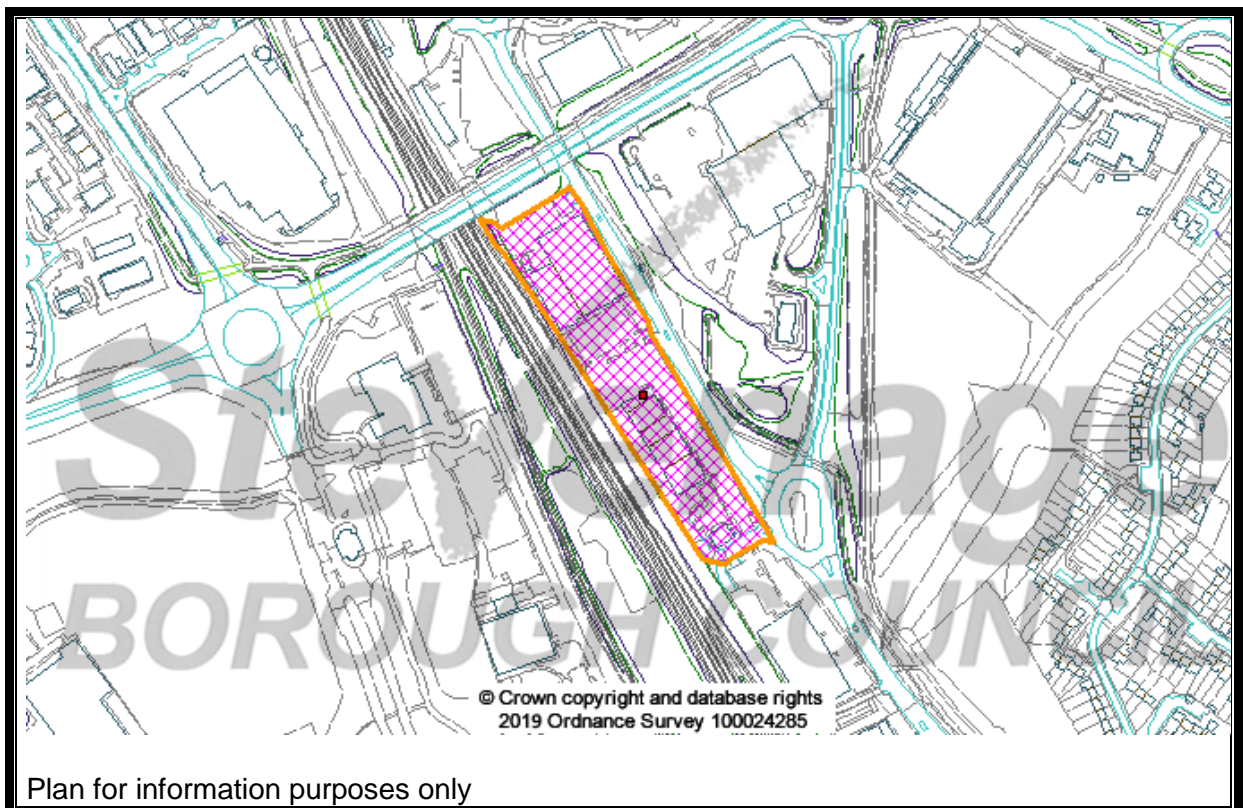
Prior to construction the applicant will contact the Hertfordshire Constabulary CPDS with a view to seeking to achieve accreditation to the Police preferred minimum security standard that is Secured by Design. The reason for this is to ensure that the development is compliant with both National and Local Planning Policies, in addition, this will also demonstrate the discharge of obligations under Approved Document 'Q' - Security of Building Regulations".

10. **BACKGROUND DOCUMENTS**

1. The application file, forms, plans and supporting documents having the reference number relating to this item.
2. Stevenage Borough Council Supplementary Planning Documents – Parking Provision adopted January 2020, Stevenage Design Guide adopted October 2009, Developer Contributions adopted March 2021, The Impact of Development on Biodiversity adopted 2021.
3. Stevenage Borough Local Plan 2011 – 2031 adopted 2019.
4. Hertfordshire County Council's Local Transport Plan 4 adopted May 2019.
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:	9 December 2021	
Author:	Ailsa Davis	01438 242747
Lead Officer:	Zayd Al-Jawad	01438 242257
Contact Officer:	Ailsa Davis	01438 242747

Application No:	21/00754/FPM
Location:	Roebuck Retail Park, London Road, Stevenage
Proposal:	Conversion of existing units at Roebuck Park to provide a self-storage facility (within Use Class B8) at Unit 3 and employment units for a flexible range of employment uses (within Use Classes E(g)(iii), B2 and/or B8) at Units B1, C2 and C3, together with the provision of three new build employment units either side of the existing terrace (Units A1, D1 and D2) for a flexible range of employment uses (within Use Classes E(g)(iii), B2 and/or B8), and associated works
Drawing Nos.:	PL1001 – 04; PL1102 – 05; PL1104 – 02; PL1110 - 03; PL1111 – 04; PL1125 – 04; PL1205 – 03; PL1206 – 03; PL 1210 – 07; PL 1211 – 06; PL1225 – 05; PL1226 – 04; PL1103 – 04; PL1201 – 05; 20141-C4P-V1-00-DR-A-2000_P6; 20141-C4P-V1-ZZ-DR-A-2101_P3; 21086-1
Applicant:	Legal & General Property Partners (Industrial Fund) Ltd
Date Valid:	07 July 2021
Recommendation:	GRANT PLANNING PERMISSION



1. SITE DESCRIPTION

- 1.1 The application site comprises an existing retail park (Roebuck Retail Park) located to the west of London Road approximately 1.6km to the south of Stevenage Town Centre. It is bounded to the east by London Road and the north by the A602, beyond which is Roaring Meg Retail Park. The site is bounded to the west by the East Coast mainline railway, beyond which is the Stevenage Bioscience Catalyst Campus. The site is adjoined to the south by a retail warehouse unit occupied by Dunelm, beyond which lies a Tesco Petrol Station and Tesco Superstore both of which are sited to the south of London Road.
- 1.2 The retail park is served by three vehicular accesses, one of which is used for servicing of Unit 3 only. The site comprises seven retail warehouses which are arranged into two terraces: Units B1 (549 sq.m), B2 (525 sq.m), C1 (299 sq.m), C2 (299 sq.m), C3 (307 sq.m), 3a (964 sq.m), 3 (2,334 sq.m) and the IN 'n' OUT Unit (162 sq.m). To the south of these is a freestanding drive-through MOT Centre (Unit A). In addition to the above, the site includes extensive areas of car parking associated with the retail warehouses. Unit 3 is presently vacant, having been previously occupied by Curry's PC World. Additionally, Units B1, C2, and C3 are presently unoccupied, equating to approximately 3,489 sqm of vacant floor space. Units 3a, C1 and B2 are occupied by Halfords, American Golf and Leaner Life, respectively.
- 1.3 The site is not designated within the Local Plan and falls within Flood Zone 1, which has a low probability of flooding

2. PLANNING HISTORY SUMMARY

- 2.1 The planning history confirms that the lawful use of Units B1, B2, C1, C2, C3, 3 and 3a is retail. Retail uses were formerly recognised as falling within Class A1, however, in line with the recent Use Class Order changes that came into effect on 1 September 2020, these uses have been reclassified as falling within new Class E 'Commercial, Business and Service' use. For Units B2 and C3, changes of use have been approved to secure a gym (Class D2) and a MOT Centre (Class B2), respectively. Former Use Class D2 has also been re-categorised as falling within new Class E. Units B1, C1, C2, 3 and 3a are all subject to conditions which restrict the use of the premises to retail warehousing purposes only. Unit B2 includes a condition restricting its use to that of a gymnasium only. In view of this, none of these units will benefit from the additional flexibility brought about by Class E.

3. THE CURRENT APPLICATION

- 3.1 This application is seeking planning permission for the conversion of existing units to provide a self-storage facility (within Use Class B8) at Unit 3 and employment trade counter units for a flexible range of employment uses (within (Use Classes E(g)(iii), B2 and / or B8) at Units B1, C2 and C3, together with the provision of three new build employment units either side of the existing terrace (Units A1, D1 and D2) for a flexible range of employment uses (within Use Classes E(g)(iii), B2 and / or B8) and associated works. Uses within classes E, B2 and B8 are typically business, service or commercial (E), industrial (B2) and storage and distribution (B8). For an existing site plan showing the units numbered, please refer to **Appendix 1** at the end of the report.
- 3.2 In terms of Unit 3 (formerly occupied by Currys PC World), this is proposed to be converted into a new self-storage facility (within Use Class B8) to be occupied by SureStore. In order to meet SureStore's operational requirements, two mezzanine floorplates are proposed to be installed at Unit 3 (each measuring approximately 2,245sqm). This would bring Unit 3's total floor space to 6,765sqm, resulting in an uplift of 4,490sqm of floor space across the site.

- 3.3 The proposal also includes the change of use of Units B1, C2 and C3 from retail to a flexible range of employment uses (within Use Classes E(g)(iii), B2 and/or B8). Three new build employment units are proposed either side of the existing terrace (Units A1, D1 and D2). The units, which extend to 332 sq.m, 329 sqm and 216 sq.m, respectively, are to be used for a flexible range of employment uses (within Use Classes E (g)(iii), B2 and/or and B8). The additional units (which comprise a total of 878 sq.m of new build floor space) are proposed to be delivered in the existing car park and will be arranged predominantly over ground level.
- 3.4 The existing retail park has extensive external parking spaces associated with the retail warehouses. In total there are 227 car parking spaces. The proposal would result in the loss of 55 car parking spaces to make way for the new build floor space at Units D1, D2 and A1.
- 3.5 The self-storage facility (Unit 3) will utilise the existing access, service and delivery areas to the front and rear of the site adjacent to London Road. The proposed units (Units D1, D2 and A1) will be accessed via the existing service road which connects Roebuck Retail Park to London Road. Halfords, American Golf and Leaner Life will continue to operate from Units 3a, C1 and B2, respectively.
- 3.6 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. In addition, the application has also been advertised in the Local Press. One letter of support has been received from In N Out Autocentres, Unit B, Caswell Road, Brackmills.

5. CONSULTATIONS

5.1 Hertfordshire County Council as Highway Authority

- 5.1.1 Notice is given under article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission subject to a condition requiring the submission of a construction traffic management plan.

5.2 Thames Water

- 5.2.1 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. Thames Water has also asked for the applicant to apply for a Groundwater Risk Management Permit for discharging groundwater into a public sewer.

5.3 Hertfordshire County Council as Lead Local Flood Authority (dated 12 Nov 2021)

- 5.3.1 We understand through correspondence with the LPA that the red line boundary has been adjusted. We also acknowledge that an updated FRA is currently being prepared by Weetwood, therefore we would withhold full comments until we have been able to review the updated strategy. We have reviewed the response letter prepared by the JLL dated October 2021, and the email dated 29 September 2021 included in the letter and updated our comments.

- 5.3.2 We have previously reviewed the Surface Water Drainage Assessment Revision 1.0 and Flood Risk Assessment Revision 1.1 dated June 2021 prepared by Weetwood submitted in support of this consultation. We understand it is proposed to discharge to the existing surface water sewer serving the site via two connections, with the site split into two catchments. Units D1 and D2 are proposed to discharge freely to the existing surface water sewer in the east of the site. Unit A1 will drain to a new surface water manhole online with the existing 150mm private sewer located in the carpark, at a controlled rate of 11.2 l/s. This private network discharges to Stevenage Brook southeast of the site via an existing culvert under London Road. This provides 70% betterment over the brownfield rates. Infiltration testing is recommended to verify the potential to discharge via infiltration.
- 5.3.3 However, 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.
- 5.3.4 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:
- 5.3.5 We understand the applicant is preparing additional information relating to a ground investigation, condition survey of existing private network, the addition of permeable paving and the potential upgrading of the network to reduce flooding during the 1 in 100 year + 40% climate change storm. Therefore, as above, we would withhold detailed comments on these aspects at this time and will review the updated strategy when re-consulted.
1. Restriction of discharge to greenfield runoff rates and volumes.
 2. Clarification of post-development calculations.

Overcoming our objection

1. We understand it is proposed to drain Unit A1 and the surrounding area to the existing surface water sewer at 11.2 l/s. We are pleased the applicant proposes an attenuation tank with the possibility to use permeable paving to provide surface water attenuation; however the applicant should seek to discharge at greenfield runoff rates and volumes, including Units D1 and D2. We would be very concerned where unrestricted discharges are proposed. Our policy for all sites, including brownfield locations, is for runoff to be restricted to greenfield rates. This should be either the QBAR rate or restriction to the respective greenfield rates for each storm event via complex control. Therefore, additional attenuation capacity may be required in order to reduce the discharge to greenfield runoff rates.
2. We are pleased the applicant has provided detailed post-development network calculations for all events up to and including the 1 in 100 year + 40% climate change event. However, we would request the following clarifications. We understand the design is not an infiltration-based system. We require provision of half drain down times no greater than 24 hours up to and including the 1 in 100 year + 40% climate change event for all attenuation features whether they are discharging via infiltration or not, such as for attenuation ponds and tanks, etc. Furthermore, we note that a flooded volume of 8.599 m³ is indicated to occur during the 1 in 100 year + 40% climate change storm at pipe number 1.000. We understand the diameter of this pipe could be upgraded to reduce the potential for flooding. Please note that we would not object to this flooded volume in principle, but would require the applicant to provide the location, depth, volume and area of this flooding on a drainage plan.

5.4 Hertfordshire Fire and Rescue Service (Water Officer)

- 5.4.1 No objection, subject to a condition requesting the provision of fire hydrants. Due to the nature of the application, the hydrants may be private hydrants owned by the management company who take on the area.

5.5 SBC Environmental Health

- 5.5.1 Do not wish to comment.

5.6 Network Rail

- 5.6.1 No objection to the principle of the development, subject to a condition requiring the submission of a construction methodology which demonstrates consultation with the Asset Protection Project Manager at Network Rail.

5.7 SBC Planning Policy

- 5.7.1 Do not have any comments other than the area is identified for potential expanded employment use and the Use Class prevents it from being converted to residential.

5.8 Crime Prevention (Secured by Design)

- 5.8.1 No comment.

5.9 SBC Arboriculture and Conservation Manager

- 5.9.1 No comment. Any comments received before the meeting will be updated verbally.

5.10 Environment Agency

- 5.10.1 We have reviewed the information submitted and have no objections to the proposals.

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 SP3:

Policy SP6:

Policy SP8: Good Design;

Policy SP11: Climate change, flooding and pollution

Policy IT4: Transport Assessment and Travel Plans

Policy IT5: Parking and access;

Policy EC7: Employment development on unallocated sites;

Policy GD1: High quality design;

Policy FP1: Climate change;

Policy FP2: Flood risk in Flood Zone 1;

Policy FP5: Contaminated land;

Policy FP7: Pollution;

Policy NH5: Trees and Woodland.

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)

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 floor space of a development. The proposal includes the change of use of Units B1, C2 and C3 from retail to a flexible range of employment uses (within Use Classes E(g)(iii), B2 and/or B8). As planning use class E – commercial, business and service use is the same use class as retail, this proposal would be CIL liable at £60/m². However, it is recognised that the units would not be in a retail use and therefore would be liable for CIL at £0m² as ‘other development’ under the CIL charging schedule.

6.5.2 In order to exempt the applicant from paying the higher rate of CIL, the use of the units would need to be restricted to use class E (g)(iii), B2 and/or B8 of the Town and County Planning (Use Classes) (Amendment) (England) Regulations 2020 relating to industrial processes that can be carried out in a residential area without detriment to its amenity, general industrial and storage or distribution. 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/appearance/layout, flood risk and drainage, climate change mitigation, landscaping and biodiversity, neighbouring amenities and means of access/parking.

7.2 Land Use Policy Considerations

7.2.1 The site is not allocated within the Stevenage Local Plan (2019) and therefore Local Plan Policy EC7 is the key land use policy for the assessment of this proposal. Policy EC7 (Employment development on unallocated sites) states that new major employment development will not be permitted outside of allocated areas and centres. Planning permission for B-class use on sites not allocated for any specific purpose will be granted where proposals:

- a) Are on previously developed land;
- b) For offices are accompanied by a sequential test;
- c) Are of an appropriate size and scale; and
- d) Do, and will, not have an unacceptable adverse impact on the local environment and residential amenity.

7.2.2 Paragraph 6.32 of the Local Plan also states employment uses outside of these areas (allocated employment sites) also play an important role in the local economy. They can help to create mixed-use localities that provide jobs for and services to, residents in line with sustainability objectives.

7.2.3 Although it is acknowledged Units B1, C1, C2, 3 and 3a are all subject to conditions which restrict the use of the premises to retail warehousing purposes only, the lawful use of the existing units as Class E 'Commercial, Business and Service' provides a degree of flexibility over how the retail park is used. Turning to Policy EC7, although not specifically allocated as such, it is considered the existing retail park is an employment generating site as the businesses that occupy the units also provide jobs. On this basis, it is not considered the development proposal can be defined as a 'new major employment development' as the site comprises existing employment generating uses.

7.2.4 Furthermore, the majority of the proposal involves the conversion and / or change of use of existing warehouse units supporting the conclusion that the proposal would not constitute new major employment development. It is concluded the proposal would not therefore be in conflict with this part of Policy EC7, which seeks to resist new major employment development outside of allocated areas.

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 With regards to the proposed B2 / B8 uses, Policy EC7 allows for such uses on unallocated sites provided the relevant tests are met. In terms of criterion (a) the site can be defined as previously developed land and therefore this requirement is met. While there is likely to be some form of office space delivered as part of the scheme, this will be small-scale and ancillary to the predominant employment uses. Criterion (b) of Policy EC7 is therefore considered irrelevant to the proposal. In terms of criterion (c), it is considered that this is satisfied as the proposed conversion of the units relate to established buildings whose size and scale have already been accepted by virtue of previous planning permissions.
- 7.2.8 Furthermore, the three additional employment units (Units A1, D1 and D2) are extensions which have been designed in a way that respects the existing built form and nature of the existing terrace. With the surrounding area being primarily commercial in nature, it is considered that the proposed scheme to secure a range of employment related activities within a flexible range of E(g)(iii) and B-Class uses, would not have an unacceptable adverse impact on the local environment or on residential amenity. As such, it is considered that criteria (d) would also be satisfied.
- 7.2.9 The additional planning benefits of the proposal which are listed in the application submission are also noted; namely (i) the proposal would contribute to meeting the identified shortfall of approximately 14ha of employment land in Stevenage, as detailed in the FEMA; (ii) the provision of E(g)(iii) and B-Class floor space at the site will result in significant levels of job creation, prosperity and investment in compliance with Local Plan Policy SP3 objective to provide a strong, competitive economy; (iv) recognition that Stevenage is an important place for doing business and the scheme seeks to consolidate and strengthen the role that Stevenage will continue to play in this respect into the future and (v) the proposal will bring vacant commercial units back into use and breathe new life into the Retail Park.
- 7.2.10 With regards to the loss of retail floor space, Roebuck Retail Park is considered an out-of-centre location in retail planning terms and as a result, there is no policy protection in the Local Plan for the existing retail uses. In 2020 changes of use were approved to secure a gym (Class D2) (Ref: 20/00008/FP) and a MOT Centre (Class B2) (Ref: 20/00074/FP) at Units B2 and C3, respectively. In each case the loss of retail floor space was justified. It is also noted that the proposed self-storage occupier for Unit 3 and the trade counter type businesses for Units B1, B2, C2, C3 would all generate customer footfall to the site. The site would continue therefore to provide a service to the public as well as trade.
- 7.2.11 For the above reasons, it is concluded the proposed development would be considered acceptable in land use policy terms, subject to satisfying design, transport and environmental policies.

7.3 Design and Appearance

- 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 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.
- 7.3.5 In terms of the proposed units A1, D1 and D2, these have been designed to replicate the external appearance, height and bulk of the existing terrace. This would ensure the units on the site have a uniform appearance and would avoid the potential issue of some units appearing more recent than others. The proposed form of the units has been designed with flexibility in mind, with the layouts allowing for a number of different activities to take place. The flexibility of the units should allow them to adapt to future changes and tenant / market requirements. Overall, the building form is simple and well-proportioned for a building of this nature, where clear internal heights and volumes are required for the efficient operation of the building.
- 7.3.6 Whilst the individual units are on the smaller side, the pitched roof provides some height and presence to them. The chosen roof form has allowed for greater internal storage whilst minimising the impact, both visual and physically. The proposed units would replicate the materials used on the main terrace, mainly composite panel wall and roof cladding with aluminium framed windows. These have been used to create a strong and clear aesthetic with a high quality appearance. In terms of Unit 3, the external elevations would be refreshed and updated for the new self-storage occupier and would include new signage to be agreed under a separate advertisement consent application.
- 7.3.7 It is considered the proposed design and form of units A1, D1 and D2 is of high quality and would appear in keeping with the existing retail park. Overall, with the introduction of the new units and refresh of Unit 3, it is considered the overall appearance of the site would be significantly improved on what is currently a retail park suffering from high vacancy rates and buildings in need of refurbishment.

7.3.8 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 Access, Highways and Parking

Vehicle Access and Highway Safety

7.4.1 The proposed development is served from the existing accesses via the western arm of the London Road roundabout that is designated as the B197 and the two existing accesses to the north of the roundabout, including the entry only from London Road and the priority junction serving the Halford's service yard. The service road has sufficient capacity to accommodate large vehicles likely to use the development and has been tested by a swept path analysis as shown in appendix B of the Transport Assessment. There is also sufficient room within the service yard for the manoeuvring of articulated and other large vehicles to enable to them to turn around and egress the access in forward gear.

7.4.2 Hertfordshire County Council (HCC) research indicates that in the last 5 years there have been no vehicle collisions along Six Hills Way in the vicinity of the access to Norton Road. HCC as Highway Authority have raised no objection to the application proposal, which is considered acceptable in terms of vehicle access and highway safety.

Parking

7.4.3 In terms of proposed parking, the development site includes a total of 172no. car parking spaces, of which, 19no. would be disabled bays and 10no. electric vehicle charging bays, 22no. cycle parking loops (providing parking for 44no. cycles) and 1no. covered bike store (providing storage for c.8 cycles). The existing retail park has a total of 227 car parking spaces. The proposal would result in the loss of 55 car parking spaces to make way for the new build floor space at Units D1, D2 and A1.

7.4.4 In terms of the parking requirements for the proposed units in class E(g)(iii), B2 and/or B8 use, this site would be categorised as a mixed use site under the Council's Parking Provision SPD (2020), which advises parking provision for such developments should be calculated on a site by site basis, and assessed via the TA process. In some areas of the town, the ease of access by passenger transport and access to daytime public parking allows for lower levels of parking to be provided for private non-residential uses. However, the application site does not fall within a Non-residential Accessibility Zone.

7.4.5 Although the development includes an increase in overall GFA, the Transport Assessment concludes the proposed land uses would result in a net reduction of traffic generated. The proposed development is expected to produce fewer trips compared to the existing / established land uses. The proposed development is expected to generate 1 additional trip during the AM peak period. However, the proposed development is forecast to generate 76 fewer two-way trips during the PM peak hour, and 754 fewer two-way trips in total daily. The traffic generation exercise therefore demonstrates that the proposed development is expected to have a negligible impact during the AM peak and a reduced impact in the PM peak and in total across the day. This is likely to create a reduced demand for parking spaces, lending weight to the Highway Authority's conclusion that the proposed car park would provide sufficient parking to accommodate the parking demand of the development.

7.4.6 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. The proposals include provision of 10no. electric vehicle (EV) charging through the conversion of existing spaces into EV charging spaces. Furthermore, underlying infrastructure will be provided for connection to the electricity network which will need to be

activated through the installation of EV charging points to be used in the future as technologies evolve and EV uptake increases. As the policy for EV charging spaces relates to new parking only and the proposal involves the reconfiguration of the existing car park, the provision of 10 EV spaces is considered acceptable.

- 7.4.7 With regards to parking for disabled motorists, the Parking Provision SPD requires 5% of total provision to be provided as disabled parking for visiting disabled motorists for B2/B8 and sui generis uses and 6% for E class uses. The applicant is providing 19 disabled parking spaces, which equates to 11% of total provision in excess of the policy requirement. It is considered this approach is acceptable.
- 7.4.8 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 for class B2/B8 uses and 1 long term (staff) space per 250sqm and 1 short term (visitor) space per 350sqm for class E uses. The development proposals include 22no. cycle loops (parking for 44no. cycles) and one covered bike store (storage for c.8 cycles) providing parking for up to 54no. cycles. The proposed cycle parking provision exceeds the Council's minimum cycle parking standards and is considered acceptable.
- 7.4.9 It is considered the proposed parking arrangements would comply with Local Plan Policy IT5 'Parking and Access' and the proposal is considered acceptable in this regard.

Trip generation, Distribution, Impact

- 7.4.10 Based on the Trip Rate Information Computer System (TRICS) trip rates, the proposed development is expected to generate 39 two-way trips during the AM peak (8-9am) travelling period and 76 two-way trips during the PM peak (4-5pm) travelling period. The proposed development is expected to generate 774 fewer two-way trips in total daily and is therefore anticipated to have a reduced impact on the local highway network. In terms of the traffic impact that the development has on the local highway network the traffic generation would not increase. Consequently, the trip rates to the development are considered acceptable. The traffic generated by the new development is unlikely to affect the overall performance of the existing junction onto London Road in comparison to the original traffic generation to the development. The development would not have altered the overall impact on the adjacent highways.
- 7.4.11 HCC 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.

Deliveries, Loading and Servicing, Waste Collection

- 7.4.12 All deliveries, loading, servicing and waste collections would take place within the existing service areas to the rear of retail units, using the existing entrances. Existing refuse collection arrangements for the retail park would remain in place.

Travel Plan

- 7.4.13 An application for this level of development i.e. > 5000m² requires a Travel Plan, which has been prepared in accordance with the HCC Travel Plan Guidance for Business and Residential Development (2020). HCC as Highway Authority require the measures, targets and monitoring contained within the Travel Plan to be secured via a s.106 Agreement. An in principle Travel Plan has been submitted and contains a range of short, medium and long-term actions to increase the use of sustainable modes of travel and decrease the use of single occupant vehicles.

- 7.4.14 The Travel Plan outlines that funding of £6,000 will be provided to HCC to cover the costs required for annual trip monitoring and measures required to meet the targets. The amount of funding will be agreed with the Council prior to the signing of the s.106 Agreement. A Travel Plan co-ordinator should also be nominated within the Travel Plan and the Travel Plan will be the responsibility of the developer.
- 7.4.15 The Travel Plan outlines a system for monitoring including travel surveys. Follow-up surveys will be agreed with SBC / HCC prior to the signing of the s.106 Agreement. Overall, HCC as Highway Authority considers the draft Travel Plan to be adequate for the proposed development and a Full Travel Plan should be secured via a s106 Agreement.

7.5 Biodiversity and Trees

- 7.5.1 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
- 7.5.2 As the application site comprises buildings and a large area of car park, it is considered it would meet exception criteria iv and v above as 100% of the site is previously 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.
- 7.5.3 The design proposal aims to retain a landscaping strip to the frontage, with existing trees and additional foliage as part of the proposals. Due to the built up, hard surfaced nature of the site there would not be any implications for existing ecology to consider as part of the application.
- 7.5.4 The application is accompanied by an Arboricultural Assessment by Barrell Tree Consultancy and tree protection plan ref. 21086-1, which advises the proposal would result in the loss of 10 trees located in the existing car park that are all low category because of their poor condition or small size. All the significant boundary tree cover would remain intact and no high category trees would need to be removed. Eight new trees, selected from field maple (*Acer campestre*), London plane (*Platanus x hispanica*), hornbeam (*Carpinus betulus*), and cherry (*Prunus avium*), are proposed to be planted to mitigate their loss at the locations illustrated on the tree protection plan. All new trees would be specified and planted in accordance with the recommendations in BS 8545 (2014) *Trees: from nursery to independence in the landscape – Recommendations*. These new trees would have the potential to reach a significant height without excessive inconvenience and be sustainable

into the long term, significantly improving the potential of the site to contribute to local character.

- 7.5.5 The construction activity and proposed changes may affect further trees if appropriate protective measures are not taken. However, if adequate precautions to protect the retained trees are specified and implemented through the arboricultural method statement, the Arboricultural Assessment report concludes the development proposal would have no long term detrimental impact on tree health or the contribution of trees to character in the wider setting. Subject to planning conditions requiring replacement tree planting and suitable protection for existing trees during construction which have been identified to be retained, the proposal is considered to be in accordance with Section 15 of the NPPF and policies SP12 and NH5 of the Local Plan (2019).

7.6 Flood Risk and Drainage

- 7.6.1 Following the objection from the Lead Local Flood Authority, an updated Flood Risk Assessment and Surface Water Drainage Strategy (versions 1.2 and 1.1 by Weetwood) have been submitted. The reports review the drainage and flood risk issues associated with the proposed development and set out the drainage strategy. The reports state that the proposed development is located within Flood Zone 1 and that flood risk from all other sources is low. The development of the site as proposed 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.

- 7.6.2 It is proposed to discharge to the existing surface water sewer serving the site via two connections, with the site split into two catchments. Units D1 and D2 are proposed to discharge freely to the existing surface water sewer in the east of the site. Unit A1 will drain to a new surface water manhole online with the existing 150mm private sewer located in the carpark, at a controlled rate of 11.2 l/s. This private network discharges to Stevenage Brook southeast of the site via an existing culvert under London Road. This provides 70% betterment over the brownfield rates. Infiltration testing is recommended to verify the potential to discharge via infiltration.

- 7.6.3 The latest comments from Hertfordshire County Council (HCC) as Lead Local Flood Authority (LLFA) dated 12 November 2021 advise that the information provided does not provide a suitable basis for an assessment to be made of the flood risks arising from the development. Consequently, the LLFA raised objection and recommends planning permission is refused. In order for the LLFA to advise that there is no risk from surface water flooding, the application is required to include the following:

1. We understand it is proposed to drain Unit A1 and the surrounding area to the existing surface water sewer at 11.2 l/s. We are pleased the applicant proposes an attenuation tank with the possibility to use permeable paving to provide surface water attenuation; however the applicant should seek to discharge at greenfield runoff rates and volumes, including Units D1 and D2. We would be very concerned where unrestricted discharges are proposed. Our policy for all sites, including brownfield locations, is for runoff to be restricted to greenfield rates. This should be either the QBAR rate or restriction to the respective greenfield rates for each storm event via complex control. Therefore, additional attenuation capacity may be required in order to reduce the discharge to greenfield runoff rates.

2. We are pleased the applicant has provided detailed post-development network calculations for all events up to and including the 1 in 100 year + 40% climate change event. However, we would request the following clarifications. We understand the design is not an infiltration-based system. We require provision of half drain down times no greater than 24 hours up to and including the 1 in 100 year + 40% climate change event for all attenuation features whether they are discharging via infiltration or not, such as for

attenuation ponds and tanks. Furthermore, we note that a flooded volume of 8.599m³ is indicated to occur during the 1 in 100 year + 40% climate change storm at pipe number 1.000. We understand the diameter of this pipe could be upgraded to reduce the potential for flooding.

- 7.6.4 In order to address the concerns raised, an updated Flood Risk Assessment and Surface Water Drainage Strategy were submitted in November 2021 (versions 1.2 and 1.1 by Weetwood). Surface water runoff generated within the proposed areas of development will be restricted to greenfield runoff so far as is reasonably practical. Each catchment area at Unit A1 and Units D1/D2 will be restricted to 3.0 l/s. This will provide a significant reduction to the overall peak discharge from the wider site. Each development area will incorporate the use of SuDS and water quality measures through permeable paving and geocellular attenuation tanks beneath the parking bays. These measures address the LLFA requirements in point 1 above.
- 7.6.5 With regards to point 2 above (half drain down times), the updated Surface Water Drainage Strategy provides further details on this which would be subject to planning condition. During the 1 in 100 AEP +40% climate change event, Microdrainage shows half drain down time to be 56 minutes for the attenuation structure / pipe number 1.003. During the 1 in 100 AEP +40% climate change event, at pipe number 1.000, Microdrainage shows a flooded volume of 8.599m³. Flood depths are less than 100mm and the drainage consultant has advised they would expect them to be intercepted by adjacent gullies, however, it may be possible to either increase the diameter of the existing drain 1.000 to account for this. This would be subject to detailed design. With the above measures in place, the scheme has been designed to ensure that it does not create any flood risk events on site or to the wider area.
- 7.6.6 At the time of drafting this report, the LLFA were re-consulted on the amended drainage strategy and FRA which sought to address all of the concerns raised. To date, no comments have been provided by the LLFA. Therefore, if the Council was minded to grant planning permission combined with the fact that the Council has to determine applications within a reasonable timeframe as detailed in the NPPF and accompanying Planning Practice Guidance, it is recommended appropriately worded conditions are to be imposed to ensure an acceptable drainage strategy can be delivered as part of this development.
- 7.6.7 In addition to the above, it is also recommended that delegated powers are given to the Assistant Director of Planning and Regulatory and the Chairman of the Planning Committee that in the event the LLFA do provide comments on the revised strategy with a suggested list of conditions, then these conditions would be imposed accordingly before any planning permission is issued by the Council. However, if the LLFA raise a substantive objection to the amended drainage strategy which has been submitted and this cannot be resolved, then it is recommended that this application is referred back to the Planning and Development Committee for its decision.

7.7 Climate Change Mitigation

- 7.7.1 The application is accompanied by an Energy and Sustainability Statement by Cundall, which confirms the proposals would achieve a BREEAM 'Very Good' rating in accordance with the requirements of the Council's Design Guide (2009). In summary, the following key features affecting sustainability would be applied to the development:
- High thermal performance building fabric: low U-values and air permeability to ensure heating and cooling demand and resulting energy costs are controlled for end users;
 - The use of air source heat pumps to generate thermal energy efficiently;
 - Use of both mechanical ventilation with heat recovery to provide fresh air while minimising heat losses; and

- An array of photovoltaic panels on the roof, approximately 44m² in size to generate clean electricity for the development and help to reduce its carbon footprint.

7.7.2 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.

7.8 Pollution

7.8.1 It is considered the proposal would meet the tests of Policy FP7 'Pollution', as it would not have unacceptable impacts on (i) the natural environment, general amenity and the tranquillity of the wider area, including noise and light pollution; (ii) health and safety of the public and (iii) the compliance with statutory environmental quality standards. Looking at air quality and air pollution specifically, The Air Quality Annual Status Report (ASR) 2019 by Stevenage Borough Council identifies that the development site is not located within or in close proximity to an Air Quality Management Area (AQMA).

7.9 Impact on Residential Amenity

7.9.1 The application site is an existing retail park and is surrounded by similar retail / employment uses and the East coast mainline railway to the west. The proposal would not raise any issues in terms of impact on neighbouring residential amenity, as there are no residential buildings in close proximity to the site.

7.10 Local Employment and Apprenticeships

7.10.1 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.

7.10.2 The above SPD was adopted after pre-application advice had been given. As such, the applicant has not submitted a Local Employment Strategy to demonstrate how the above targets would be met. It is considered the submission of a Local Employment Strategy could be secured via a planning condition, where the local employment targets could be agreed with the applicant prior to commencement of development and the delivery of local jobs managed through a Legal Agreement.

7.11 Construction Impacts

7.11.1 Construction would take place within the confines of the application site, accessed from London Road. There are no residential properties in close proximity that would be affected by the construction impacts of the development. The Highway Authority has requested that no development shall commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority and this would be subject to a planning condition should planning permission be granted.

7.12 Other Matters

Human Rights and Equalities

- 7.12.1 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.
- 7.12.2 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.
- 7.12.3 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.
- 7.12.4 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.
- 7.12.5 In terms of inclusive access, the Building Regulations Approved Documents and the Equality Act have been referred to during the scheme design. The site is generally level, which would provide easy access for wheelchair users. There would be 19 disabled parking spaces provided, which equates to 11% of total provision in excess of the policy requirement. The car park links directly onto London Road, giving pedestrians and vehicles good access to the site. Adequate emergency access has been designed as part building in accordance with Part B of the building regulations.

8. CONCLUSIONS

- 8.1 The planning application proposes the conversion of existing units at Roebuck Park to provide a self-storage facility (within Use Class B8) at Unit 3 and employment units for a flexible range of employment uses (within Use Classes E(g)(iii), B2 and/or B8) at Units B1, C2 and C3, together with the provision of three new build employment units either side of the existing terrace (Units A1, D1 and D2) for a flexible range of employment uses (within Use Classes E(g)(iii), B2 and/or B8), and associated works. An assessment of the proposal has also been carried out against national and local design, transport and environmental policies and found to be acceptable.
- 8.2 The proposal is 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.
- 8.3 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:-

- Travel Plan monitoring fee
- Local Employment and Apprenticeships

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, the final details of which shall be delegated to the Assistant Director:-

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

PL1001 – 04; PL1102 – 05; PL1104 – 02; PL1110 - 03; PL1111 – 04; PL1125 – 04; PL1205 – 03; PL1206 – 03; PL1210 – 07; PL1211 – 06; PL1225 – 05; PL1226 – 04; PL1103 – 04; PL1201- 05; 20141-C4P-V1-00-DR-A-2000_P6; 20141-C4P-V1-ZZ-DR-A-2101_P3; 21086-1

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 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 operation of adjoining businesses.

4 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.

5 The development hereby permitted shall be completed in accordance with the external materials specified within drawing number PL1211 – 06 submitted to and approved by the Local Planning Authority.

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

- 6 Before any development commences, including any site clearance or demolition works, any trees on the site shall be protected by fencing or other means of enclosure in accordance with the recommendations within the Arboricultural Assessment and Method Statement by Barrell Tree Consultancy dated June 2021. Such protection shall be maintained until the conclusion of all site and building operations.
REASON:- To ensure that the retained tree(s) are not damaged or otherwise adversely affected during site operations.
- 7 Within the areas to be fenced off in accordance with condition 6, there shall be no alteration to the ground level and they shall be kept clear of vehicles, materials, surplus soil, temporary buildings, plant and machinery.
REASON:- To ensure that the retained tree(s) is not damaged or otherwise adversely affected during site operations.
- 8 No tree shown retained on the tree protection plan number 21086-1 shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped within five years of the completion of development without the written approval of the Local Planning Authority.
REASON:- To ensure the protection of those trees which should be retained in the interests of visual amenity.
- 9 If any retained tree referred to in condition 8 is removed, uprooted or destroyed or dies within 5 years of the completion of development, a replacement tree should be planted in the same place and that tree shall be of such a size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.
REASON:- To ensure the replacement of those trees which should be retained in the interests of visual amenity.
- 10 Replacement tree planting shall be carried out in accordance with the approved details as set out in the Arboricultural Assessment and Method Statement by Barrell Tree Consultancy dated June 2021 in accordance with the recommendations in BS 8545 (2014) *Trees: from nursery to independence in the landscape – Recommendations*.
REASON:- To ensure a satisfactory appearance for the development.
- 11 Any replacement trees, 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 All car parking spaces shown on drawing number PL1201 – 05 shall be provided, marked out and hard surfaced ready for use prior to the first occupation of the units 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.
- 13 The measures to address adaptation to climate change as set out within the Energy and Sustainability Statement by Cundall dated June 2021 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.
- 14 The development hereby permitted shall be carried out in accordance with the approved Flood Risk Assessment (version 1.2) and Surface Water Drainage Strategy (version 1.1) prepared by Weetwood dated November 2021.
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.

- 15 No development shall take place until a detailed surface water drainage scheme for the site based on the approved drainage strategy and sustainable drainage principles, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including 1 in 100 year + climate change critical storm will not exceed the run-off from the 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) Detailed infiltration tests conducted to BRE Digest 365 standards and geotechnical investigations to confirm the feasibility of discharge via infiltration and groundwater levels on site.
 - 2) 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.
 - 3) Final post-development network calculations for all storm events up to and including the 1 in 100 year + 40% climate change event with half drain down times.
 - 4) Exceedance flow paths for surface water for events greater than the 1 in 100 year including climate change allowance.
 - 5) 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 and in accordance with the timing/phasing arrangement, a management and maintenance plan for the SuDS features and drainage network must be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:
1. Provision of a complete set of as built drawings for site drainage.
 2. Maintenance and operational activities.
 3. Arrangements for adoption and any other measures to secure the operation of the scheme throughout its lifetime.

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

- 17 No above ground works shall take place until a Local Employment Strategy prepared with reference to section 10 of the Council's Developer Contributions SPD (2021) is submitted to and approved by the Local Planning Authority. The development shall be completed in accordance with the agreed local employment targets.

REASON:- To ensure that the benefits of the development contribute to the economic growth of the town and subsequently benefit the town's residents and workforce.

- 18 The use of the units hereby approved shall be limited to Schedule 2, Part A, Class E (g)(iii), B2 and/or B8 of the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 relating to industrial processes and storage and distribution 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.

- 19 No above ground works shall take place until a scheme for the provision of adequate water supplies and fire hydrants, necessary for firefighting purposes at the site, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the scheme has been implemented in accordance with the approved details.

REASON:- To ensure adequate water infrastructure provision is made on site for the local fire service to discharge its statutory firefighting duties.

- 20 Development shall not commence until a construction methodology has been submitted to and approved in writing by the Local Authority. The construction methodology shall

demonstrate consultation with the Asset Protection Project Manager at Network Rail. The development shall thereafter be carried out in accordance with the approved construction methodology unless otherwise agreed in writing by the Local Planning Authority.

REASON:- The safety, operational needs and integrity of the railway.

21 Development shall not commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The Construction Management Plan of:

- a. Construction vehicle numbers, type, routing;
- b. Access arrangements to the site;
- c. Traffic management requirements
- d. Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas);
- e. Siting and details of wheel washing facilities;
- f. Cleaning of site entrances, site tracks and the adjacent public highway;
- g. Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times;
- h. Provision of sufficient on-site parking prior to commencement of construction activities;
- i. Post construction restoration/reinstatement of the working areas and temporary access to the public highway;
- j. where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements.

REASON:- In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan.

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 or by contacting the Council's CIL Team at 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 A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk . Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.
- 6 For enquiries, advice and agreements relating to construction methodology, works in proximity to the railway boundary, drainage works, or schemes in proximity to railway tunnels (including tunnel shafts) please email assetprotectioneastern@networkrail.co.uk.
- 7 To obtain advice regarding current Building Regulations please contact Hertfordshire Building Control Ltd. by emailing us at 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).

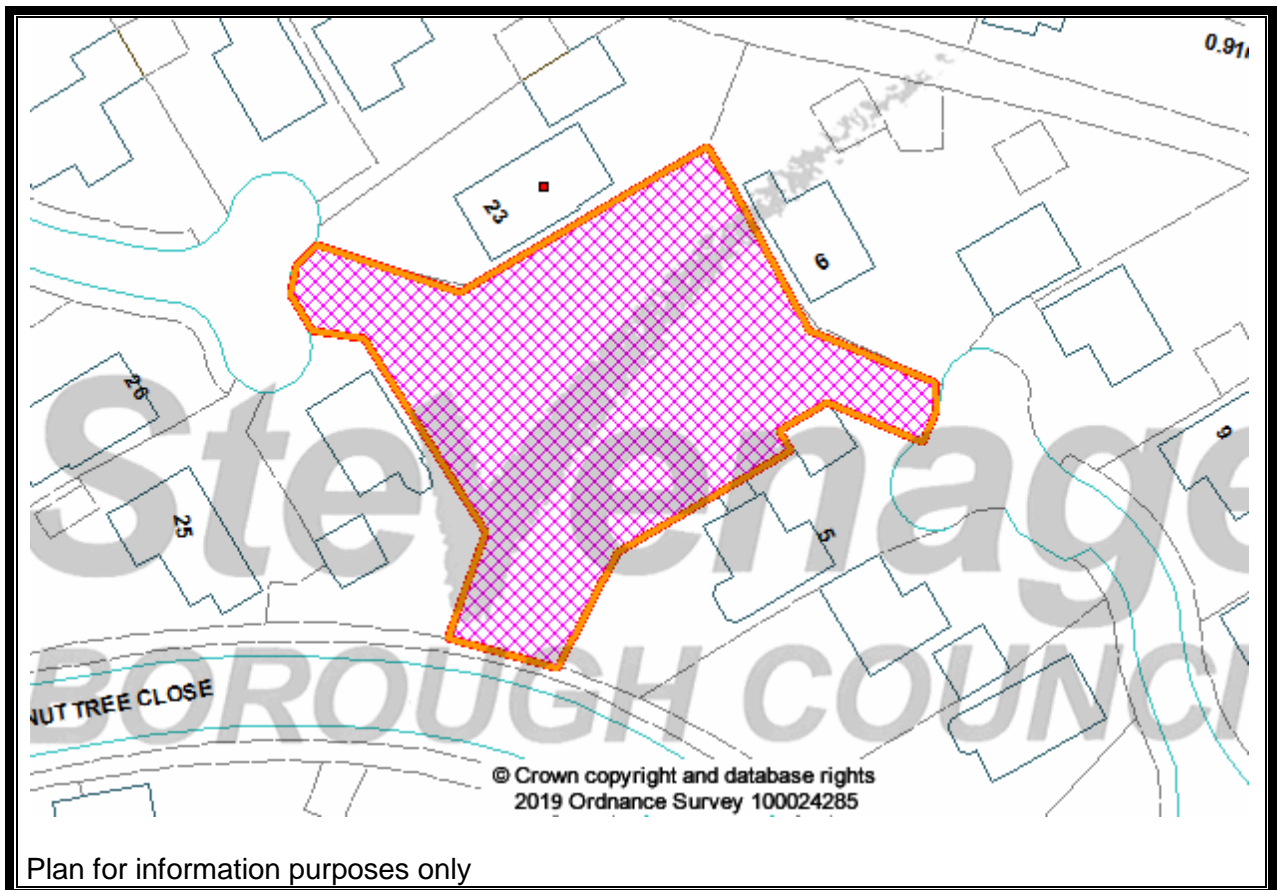
- 8 Construction Management Plan (CMP): The purpose of the CMP is to help developers minimise construction impacts and relates to all construction activity both on and off site that impacts on the wider environment. It is intended to be a live document whereby different stages will be completed and submitted for application as the development progresses. A completed and signed CMP must address the way in which any impacts associated with the proposed works, and any cumulative impacts of other nearby construction sites will be mitigated and managed. The level of detail required in a CMP will depend on the scale and nature of development. The CMP would need to include elements of the Construction Logistics and Community Safety (CLOCS) standards as set out in our Construction Management template, a copy of which is available on the County Council's website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>

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) and The Impact of Development on Biodiversity SPD (2021)
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:	9 December 2021	
Author:	Rebecca Elliott	01438 242836
Lead Officer:	Zayd Al-Jawad	01438 242257
Contact Officer:	Rebecca Elliott	01438 242836

Application No:	21/00057/FP
Location:	Land at Watercress Close, Coopers Close and Walnut Tree Close, Stevenage.
Proposal:	Erection of two detached dwelling houses including new site access from Watercress Close and 560sqm of publicly accessible open space to the south of the site.
Drawing Nos.:	1802-P-01-0000-ZXX; 1802-P-01-0003-ZXX-06; 1802-P-01-0100-Z00-04; 1802-P-01-0101-Z00-04; 1802-P-01-0102-Z00-04; 1802-P-01-0103-Z00-04; 1802-P-01-0110-Z00-04; 1802-P-01-0111-Z00-05; 1802-P-01-0112-Z00-04; 1802-P-01-0113-Z00-05; 1802-P-01-0120-Z00-04; 1802-P-01-0121-Z00-04; 1802-P-01-0002-ZXX-07; 1802-P-01-0001-ZXX-08; AVAL/91326/VS/001-C.
Applicant:	SER Homes Ltd
Date Valid:	1 February 2021
Recommendation:	GRANT PLANNING PERMISSION.



1. SITE DESCRIPTION

- 1.1 The application site is a diamond shaped area of open space in private ownership which is located between and at the end of the cul-de-sacs of residential roads Coopers Close and Watercress Close. To the south, the site is bounded by Walnut Tree Close. The open space has small spurs at the western, eastern and southern corners providing pedestrian access from each road and is predominantly laid to grass with landscaping banks located along the boundaries with those residential properties that abut the site.

2. RELEVANT PLANNING HISTORY

- 2.1 19/00002/FP sought planning permission for the erection of 3 detached dwellings with associated access and car parking. The application was withdrawn following an officer recommendation to refuse.
- 2.2 An Enforcement Notice was served on the owner of the site for the unauthorised erection of 2m high hoarding enclosing the open space between all three connecting roads (ref: 20/00102/ENFAPL). The notice was appealed and the appeal dismissed as the Inspector found the hoarding to be permitted development, and the land private and thus able to be closed off.

3. THE CURRENT APPLICATION

- 3.1 The application seeks planning permission for the erection of two detached four bedroom dwellings with associated detached single garages, landscaping, driveway and access. The proposal also includes the provision of an area of publically accessible open space to the north east of the site and dwellings.

3.2 The dwellings would be accessed off of the existing turning circle of the cul-de-sac at the south eastern end of Watercress Close. Pedestrian access to the open space would be provided along the boundary with No.24 Watercress Close, with the existing accesses from Coopers Close and Walnut Tree Close retained.

3.3 The application has been referred to the Planning and Development Committee for its decision because of its contentious nature and level of objection. The referral has been agreed with the Assistant Director of Planning and Regulation and the Chair of the committee.

4. PUBLIC REPRESENTATIONS

4.1 The application has been publicised by neighbour letter, including additional amended plan consultations, and the erection of three site notices at each of the site entrances off Walnut Tree Close, Watercress Close and Coopers Close. There have been a total of 54 observations received, 49 objections and 5 letters of support. It is noted some letters of support appear to be from made up names and addresses.

4.2 Notwithstanding, the points in support of the application are –

- The site is privately owned;
- Concerned that if left enclosed it could lead to anti-social behaviour and fly-tipping;
- Level of objection is NIMBYism;
- Proposals are in-keeping with the area;
- Locals should have purchased the land when it came up at auction;

4.3 Objections letters have been received from the following addresses –

1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 13, 14, 15, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31 Watercress Close;
2, 3, 4, 5, 6, 7, 9, 10, 11, 17 Coopers Close;
69 Barham Road;
48 Grove Road;
119 Fairview Road;
5 Milestone Close;
61 Conifer Walk;
37 Parishes Mead;
23 Longfield Road;
72 Carters Close;
41 Knights Templars Green;
78 Priestly Road;
Stephen McPartland MP

4.4 The objections raised include the following points –

- Loss of the open space;
- The area was marked as a 'play area' as part of the original estate layout and is shown on the location plan from the original permission;
- Impact on parking and the highway network of the small cul-de-sac in Watercress Close;
- Need for affordable housing;
- Two houses here won't help housing need with 650 being built nearby;
- Development does not blend with the current houses;
- May devalue house prices;
- New access will cause congestion;
- The open space is important to local residents especially following the COVID pandemic where the need for open space has become more prevalent;
- What's to stop developers doing something similar to other small pockets of land in the area;

- Takes away a green space supporting wildlife in the area;
- The open space is a valuable space for children to play safely;
- Both closes have hedgehogs present which roam over this land. The development will prevent them from doing so;
- Flat roof garages are architecturally out of keeping with the area;
- Access to and from properties is constrained at the hammerhead of Watercress Close and the lamp post relocation is not fully addressed;
- The net gain of two houses is not warranted given the new housing proposed on Forster Country and in East Herts;
- No other open spaces in safe walking distance;
- Suffer months of disruption during construction;
- The proposal fails to meet any requirements in Policy NH6 - The open space is anything less than high quality, it is neither a highway verge nor incidental open space;
- The Council should have installed play equipment on this open space in the 1980's but this never happened;
- It was a legal requirement of the Council and provided Council specification to provide a good quality open space;
- Nearby developments (Parishes Mead) did not provide any open space because of this parcel of land being available nearby at the time;
- Adequacy of parking/loading/turning/road access/traffic generation;
- Construction vehicles would cause an obstruction in the area, in particular around the turning head of Watercress Close;
- Loss of light/overshadowing;
- Loss of privacy to gardens;
- Loss of trees;

4.5 The above comments of support and objection are not verbatim of the representations received and copies of the full representations can be viewed on the Council's website.

5. CONSULTATIONS

5.1 Hertfordshire County Council as Highways Authority

5.1.1 Hertfordshire County Council as local highway authority has considered that the proposal would not have an unreasonable impact on the safety and operation of the adjoining highways and consequently have no objections on highway grounds.

5.2 Hertfordshire and Middlesex Wildlife Trust

5.2.1 The ecological information and biodiversity metric supplied are acceptable. The ecological consultant states that in order to demonstrate a net gain to biodiversity, a biodiversity offset of 0.896 habitat units is required. I agree with this. In accordance with the Stevenage Biodiversity Accounting SPD, this can be provided offsite by the developer in a bespoke scheme, or through a broker, or via a biodiversity financial agreement with SBC. If the applicant decides to pursue the financial agreement with SBC this should be secured via a S106 agreement, template wording is available in the SPD. The low quality of the habitats to be offset enables flexibility in the habitats that can be created to offset the impact. HMWT can provide a calculation based on habitat creation and management costs required to deliver this on SBC land for different habitats if required. SBC must be able to host this offset on their land if they enter into this agreement. It must be supported by a biodiversity offsetting management plan as set out in the SPD. In addition to this, a condition should be placed on the decision to secure integrated features for wildlife in the new development.

5.3 Green Spaces Officer

- 5.3.1 We note the revised development proposals which look to retain circa 56% of the land for open space of 'informal green space'. We also welcome the proposals to retain 'walk through' public access to the remaining open space from Watercress, Coopers and Walnut Tree Close. As per my previous comments for planning submission 19/00002/FP, we do have concerns regarding the precedent that may be set by allowing development of this land. There are a number of open spaces within Stevenage that do not fall under the Council's ownership, but function to provide open / green space within an urban environment. Development of the land may trigger landowners to consider development of other open spaces not under SBC ownership which could impact the availability of open space.
- 5.3.2 If this development is considered for approval, consideration must be given for the future protection of the remaining amenity open space, currently under private ownership, from further development or encroachment (e.g. garden extensions). At this stage there is not enough detail to be able to comment fully on the landscaping proposals for the development. We require full plans, drawings and specifications to be submitted to us for comment and approval. We recommend this be controlled via a condition if the development is considered for approval.
- 5.3.3 Currently there is no clear indication from the developer as to who will be responsible for the maintenance of the retained open space. We require details on the proposals to maintain this space. i.e. transfer to the Council to maintain or a management company. Any areas of landscaping proposed to be adopted by the Council shall be subject to payment of the appropriate maintenance sum for the future maintenance & repairs for a minimum 20 year period. Stevenage Direct Services (SDS) can only calculate these sums with full details. All landscaped / planted areas must be designed to be easily accessible for maintenance.

5.4 Hertfordshire Constabulary as the Crime Prevention Design Service

- 5.4.1 Following my original comments that were submitted on the 11th of February 2021 I have been supplied with a revised site plan. I am pleased to say that the new plan addresses most of the concerns I had with the original application. I would like to request that an 'Informative' is added to any grant of Planning Permission in order to address issues regarding the lack of detail in the Design & Access Statement and the Planning Statement regarding issues around crime etc.
- 5.4.2 Prior to construction the applicant will contact the Hertfordshire Constabulary CPDS with a view to seeking to achieve accreditation to the Police preferred minimum security standard that is Secured by Design.
Reason: To ensure that the development is compliant with both National and Local Planning Policies, in addition, this will also demonstrate the discharge of obligations under Approved Document 'Q' - Security of Building Regulations.
- 5.4.3 Should the applicant contact us with a view to seeking accreditation then we would be able to fully support this development - at present we are not in a position to do so.

5.5 Council's Environmental Health Section

Noise Impacts

- 5.5.1 Noise is a material planning consideration that can have a significant impact not only on the amenity of residential occupiers, but can also have commercial implications for businesses if not suitably considered and controlled at the planning and development stage. It is therefore essential to ensure that any significant noise sources that could have an adverse noise impact on the amenity of residential occupiers or potentially restrict commercial operations are robustly considered and assessed as appropriate. In considering the potential impacts of

noise on the proposed development, Environmental Health Officers will have due regard to relevant policy, standards and guidance, which include:

- The National Planning Policy Framework (NPPF);
- The Noise Policy Statement for England (NPSE);
- Planning Policy Guidance - Noise.
- Pro-PPG Guidance 2017
- BS4142:2014
- BS8233:2014

Please note that this is not an exclusive list and other standards and guidance may be appropriate in given situations.

Contaminated land

- 5.5.2 A watching brief must be kept during initial site preparation works to identify any potentially contaminated materials likely to be present. In the event contamination is found during site clearance and/or construction phase of the development, undertake an appropriate investigation and provide a remediation strategy for Stevenage Borough Council to agree in writing accordingly.

Construction Impacts

- 5.5.3 Construction activities, both on and off site, by their nature can be noisy and intrusive for neighbouring occupiers, particularly in terms of noise, vibration, air quality (dust), smoke, odour and light. Noise and vibration can arise in particular from piling operations, groundworks and excavations and plant & machinery and their associated activities. Early morning deliveries can also give rise to disturbance if not properly controlled and managed. Dust from site operations can also be an issue, particularly during periods of sustained dry weather.
- 5.5.4 Environmental Health expect developers to control the impact from the construction phase of their development by implementing suitable mitigation measures and following best practices in accordance with BS5228:2009 Part 1 (noise) and Part 2 (vibration), where appropriate.
- 5.5.5 Environmental Health also seek to ensure that the environmental impacts of construction works are suitably controlled through their powers under Part III of the Environmental Protection Act 1990 (statutory nuisances) and section 60 of the Control of Pollution Act 1974. In the latter case, hours of work for noisy construction works are limited to the following times only:
- 7:30am to 6:00pm on Weekdays
 - 8:00am to 1:00pm on Saturdays
 - At no times on Sundays or Public Holidays

Where considered appropriate due to the scale of the development and construction project, the Developer may be required to formulate and implement a Construction Management Plan.

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.
- 6.2.2 Since November 2018, housing delivery has been measured against the Housing Delivery Test (HDT) as set out by the Government planning policy and guidance. The results of the HDT dictate whether a local planning authority should be subject to consequences to help increase their housing delivery. Where an authority's HDT score is less than 85% of its housing requirement, the Council must incorporate a 20% buffer into its housing supply calculations in line with paragraph 73 of the NPPF. Where an authority's score is below 75%, the Council will be subject to the HDT's most severe penalty and must apply the presumption in favour of sustainable development. The latest HDT results, published by the Ministry of Housing Communities and Local Government (MHCLG) (now the Department for Levelling Up, Housing and Communities) in January 2021, identifies that Stevenage only delivered 64% of its housing requirement. This is significantly below the 75% target and renders the adopted Local Plan housing policies as out of date. Consequently, Stevenage Borough Council must apply the presumption in favour of sustainable development in its decision making and give great weight towards the need to deliver housing.
- 6.2.3 The Council therefore, has to prepare an Action Plan to show how the Council is responding to the challenge of ensuring more homes are delivered in the Borough. It will have to be prepared in accordance with Planning Practice Guidance and analyse the reasons for under-delivery of new homes against the Government's requirements. It also has to set out clear actions on how to improve housing delivery. Consequently, Stevenage Borough Council is considering its position in relation to preparing an action plan to enhance housing supply on deliverable sites.
- 6.2.4 In terms of 5 year land supply, the Council has recently published the Five Year Land Supply Update (August 2021) which reveals that Stevenage has a 5.85 year supply of housing. A copy of the statement is found on:
<https://www.stevenage.gov.uk/documents/planning-policy/monitoring/five-year-housing-land-supply-position-statement-august-2021.pdf>
- 6.2.5 The Council will also be commencing preliminary work into a potential review of its Local Plan, last adopted in May 2019. This is to ensure the policies within the Local Plan are up to date in accordance with the NPPF as well as ensuring the Council is delivering a sufficient supply of housing and employment.

6.3 Planning Practice Guidance

The PPG contains guidance supplementing the NPPF and with which Members are fully familiar. The PPG is a material consideration to be taken into account together with the National Design Guide (2019) which has the same status as the PPG.

6.4 Stevenage Borough Local Plan 2011-2031 (Adopted 2019)

Policy SP1: Presumption in favour of sustainable development;
Policy SP2: Sustainable Development in Stevenage;
Policy SP7: High Quality Homes;
Policy SP8: Good Design;
Policy SP11: Climate Change, Flooding and Pollution;
Policy HO5: Windfall Sites;
Policy HO9: House Types and Sizes
Policy IT5: Parking and Access;
Policy GD1: High Quality Design;
Policy FP1: Climate Change;
Policy NH6: General Protection for Open Space.

6.5 Supplementary Planning Documents

Council's Design Guide SPD (2009);
Parking Provision and Sustainable Transport SPD (2020)
Developer Contributions SPD (2021)
The Impact of Development on Biodiversity SPD (2021).

6.6 Community infrastructure levy

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. The proposal would be liable for CIL at a rate of £100 per square metre based on the site being a Zone 2 site.

7. APPRAISAL

7.1.1 The main issues for consideration are the acceptability of the proposal in land use policy terms both as a windfall housing site and loss of amenity space, design and impact on the character and visual amenity of the area, amenity of future occupiers, amenity of neighbouring properties, highways, access and parking, and other matters.

7.1.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that all planning applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

7.2 Land Use Policy Considerations

Windfall Housing Site

7.2.1 The principle of residential development within urban areas is set out in both national and local policy. Paragraph 60 of the National Planning Policy Framework (NPPF) 2021 requires that a sufficient amount and variety of land come forward for housing without unnecessary delay. Furthermore, Paragraph 62 states that the planning system should deliver a mix of housing particularly in terms of size, tenure, type and price to support a wide variety of households in all areas.

- 7.2.2 Policy HO5 of the Local Plan for 'windfall' housing sites states that permission for unallocated sites will be granted where:
- The site is on previously developed land or is a small, underused urban site;
 - There is good access to local facilities;
 - There will be no detrimental impact on the environment and the surrounding properties;
 - Proposals will not prejudice our ability to deliver residential development on allocated sites; and
 - The proposed development would not overburden existing infrastructure.
- 7.2.3 For the purpose of clarity, the definition of previously-developed land, as stated within the NPPF, is 'that which is or was occupied by a permanent structure including the curtilage of the developed land and any associated fixed surface infrastructure'. The definition then continues on to state which types of land are excluded from this definition which includes land in built-up areas such as private residential gardens.
- 7.2.4 The area of open space, an original design feature of the estate, is not classified as previously developed land or a small underused urban site for the purposes of Policy HO5, thus the proposal fails to meet the initial criterion for a windfall site.
- 7.2.5 The Poplars neighbourhood centre is located to the south west of the site off Gresley Way within approximately 1km. The site is in good proximity of the footpath and cycleway networks along Gresley Way, along with regular buses within 410m of the site. Furthermore, the proposal would not prejudice the Council from delivering its strategic sites.
- 7.2.6 In respect of the impact on the environment and surrounding properties, these issues are addressed later in this response. As identified above the proposal does fail to adhere to adopted policy as the site is not previously developed, but the policy wording does allow for an exception where the environmental impact is acceptable.
- 7.2.7 Policy HO9 requires an appropriate range of market and affordable house types and sizes. The application is not required to provide any affordable housing in line with national and local policy, and thus the dwellings would be private ownership market housing. The four bedroom dwellings are of a size considered in-keeping and appropriate when considering the character of the area. The Local Plan highlights that Stevenage has a high proportion of terraced and three bedroom dwellings, and thus two detached dwellings providing four bedrooms is acceptable in this location.
- 7.2.8 Paragraph 74 of the NPPF stipulates that strategic policies should include a trajectory illustrating the expected rate of housing delivery over the plan period, and all plans should consider whether it is appropriate to set out the anticipated rate of development for specific sites. Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old. The supply of specific deliverable sites should in addition include a buffer (moved forward from later in the plan period) of:
- a) 5% to ensure choice and competition in the market for land; or
 - b) 10% where the local planning authority wishes to demonstrate a five year supply of deliverable sites through an annual position statement or recently adopted plan, to account for any fluctuations in the market during that year; or
 - c) 20% where there has been significant under delivery of housing over the previous three years, to improve the prospect of achieving the planned supply.
- 7.2.9 Turning to Five Year Housing Land Supply, the Council issued an Update Housing Land Supply Document in August 2021. This document was produced following the Appeal Decision for Land West of Lytton Way (APP/K1935/W/20/3255692). It sets out that the

Council can demonstrate a Housing Land Supply of 5.85 years for the period 1 April 2021 to 31 March 2026, using the Liverpool methodology and guidance from the NPPF and Planning Practice Guidance (PPG). Given this position, this document demonstrates that the proposal is not fundamental in the Council's ability to meet its 5 year land supply, even when incorporating the 20% buffer.

- 7.2.10 Notwithstanding the above, since November 2018, housing delivery has been measured against the Housing Delivery Test (HDT) as set out by the Government planning policy and guidance. The results of the HDT dictate whether a local planning authority should be subject to consequences to help increase their housing delivery. Where an authority's HDT score is less than 85% of its housing requirement, the Council must incorporate a 20% buffer into its housing supply calculations in line with paragraph 74 of the NPPF. Where an authority's score is below 75%, the Council will be subject to the HDT's most severe penalty and must apply the presumption in favour of sustainable development.
- 7.2.11 The latest HDT results, published by MHCLG in January 2021, identify that Stevenage only delivered 64% of its housing requirement. This is significantly below the 75% target and as set out in paragraph 6.2.2 of this report, renders the adopted Local Plan housing policies as out of date. Consequently, Stevenage Borough Council must apply the presumption in favour of sustainable development in its decision making and, in substance, give great weight to the need to deliver housing. It is important to note that the presumption in favour of sustainable development as outlined in the NPPF kicks in if the Council fails either 5 year land supply, or the Housing Delivery Test (footnote 8 of Para. 11 of the NPPF). Therefore, whilst it can be demonstrated there is a 5 year land supply, the Council failed to meet its HDT requirement.
- 7.2.12 Given the aforementioned, as the Council has failed to meet Governments Policy requirement in relation to supporting the delivery of housing in line with HDT, in accordance with the NPPF, as the presumption in favour of sustainable development kicks in, the Council must approve applications for housing development unless its impacts clearly outweigh the benefits. The following sections of this report will, therefore, review the overall impacts this development will have in line with the policies set out in the NPPF and the Local Plan and whether the overall level of harm created by the development outweighs the benefits.

Loss of Open Space

- 7.2.13 The open space is an original design principle of the estate and was annotated on the approved plans of the estate as a play area. However, the space was never transferred to the Council and the original records held by the Council do not include a Section 52 Agreement (now a S106). Until the land was sold at auction the area had been maintained by the Council. However, following the auction several years ago the site is in private ownership and under the Town and Country planning (General Permitted Development) Order 2015 (as amended) Part 2, Class A the three access points to the site were closed off with 2m high hoarding. This was enforced against by the LPA but an appeal to the Planning Inspectorate quashed the notice deeming the development permitted development.
- 7.2.14 Paragraph 119 of the NPPF states that 'planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.' The Council must consider whether the provision of two housing units outweighs the harm of the loss of and impact on the open space.
- 7.2.15 Policy NH6 of the Local Plan for the general protection of open space would allow planning permission of any existing, unallocated open space (or part of any open space) where the loss is justified having regard to
- The quality and accessibility of the open space;
 - The existence, or otherwise, of any interventions to improve quality or access;
 - Whether the open space is serving its function or purpose; and

- Whether alternate space(s) would remain available for community use.
- Furthermore, reasonable compensatory provision should be made in the form of:
- Replacement provision of a similar type, size and quality;
 - The upgrade of other, existing open space; or
 - Exceptionally, a commuted sum to secure open space provision elsewhere.

7.2.16 The Local Plan expands on the policy by suggesting that there is an inevitability that some spaces will come under pressure from development proposals across the life of the plan. Therefore, it is important to ensure that the most valuable open spaces continue to be protected and open spaces only succumb to development where a positive outcome can be demonstrated.

7.2.17 The area of open space is an attractive and well used area of green open space within the estate, and the wider Edmonds Drive area on this eastern side of Stevenage. The Council's Green Spaces officer has previously commented that per 1000 population there should be at least 1.10ha of open space. In the identified Shephall area of the report which covers the Bandle Hill ward, in which the site is located there is only 0.89ha per 1000 population (based on the 2011 census). The shortfall of open space is therefore a material consideration.

7.2.18 Notwithstanding the above, one of the greatest factors in this case is the ownership of the land and its existing enclosure. In private ownership the land has been enclosed with 2m high hoarding under permitted development. Thus, it is not currently being used as open space with the site closed off to members of the public and the maintenance of the land has also ceased with the condition of the land appearing in an overgrown state. The LPA's decision to serve an enforcement notice was largely due to the enclosure of formerly open space. Given the Inspector removed any reference of the loss of access to the open space from the enforcement notice and the notice was subsequently quashed because the hoarding was deemed to be permitted development, the LPA have to give reasonable weight to this decision. Therefore, a planning judgement must be made as to whether the development of the land with two houses and an area of open space made available to the public outweighs leaving the space enclosed without maintenance or access for the foreseeable future.

7.2.19 The loss of the open space in respect of Policy NH6 is noted, along with the proposal to retain an area of open space within the site, albeit smaller in size. Given the open space has been enclosed and is not useable, significant weight is given to the proposal to ensure some level of space is retained and useable. It is noted there may be some covenants on the land but these are not planning matters and cannot prevent a favourable recommendation being made.

7.2.20 In conclusion of the loss of the open space, it is considered the proposed site layout, providing approximately 560 square metres of open space is an acceptable compromise when weighted against the site being enclosed and inaccessible by the public.

7.3 Design, Layout and Impact upon the Character and Appearance of the Area

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 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”.

7.3.4 The National Design Guide (2019) which was published by National Government is a material consideration in the determination of planning applications. It sets out that Buildings are an important component of places and proposals for built development are a focus of the development management system. However, good design involves careful attention to other important components of places. These include:

- the context for places and buildings;
- hard and soft landscape;
- technical infrastructure – transport, utilities, services such as drainage; and
- social infrastructure – social, commercial, leisure uses and activities.

7.3.5 A well-designed place is unlikely to be achieved by focusing only on the appearance, materials and detailing of buildings. It comes about through making the right choices at all levels, including:

- the layout;
- the form and scale of buildings;
- their appearance;
- landscape;
- materials; and
- their detailing.

7.3.6 The Guide further iterates that all developments are made up of these components put together in a particular way. As such, the choices made in the design process contribute towards achieving the ten characteristics and shape the character of a place. For reference, these ten characteristics are as follows:-

- Context – enhances the surroundings;
- Identity – attractive and distinctive;
- Built form – a coherent pattern of built form;
- Movement – accessible and easy to move around;
- Nature – enhanced and optimised;
- Public spaces – safe, social and inclusive;
- Uses – mixed and integrated;
- Homes and buildings – functional, healthy and sustainable;
- Resources – efficient and resilient;
- Lifespan – made to last.

7.3.7 This section of the report will deal with the relevant characteristics excluding nature and movement. These aspects will be dealt with in the relevant sections of the committee report. In terms of design policies in the adopted Local Plan (2019), Policy SP8 requires new development to achieve the highest standards of design and sustainability. Policy GD1: High quality design generally requires all forms of development to meet a high standard of design which includes form of built development, elevational treatment and materials along with how

the development would integrate with the urban fabric, its relationship between buildings, landscape design and relevant aspects of sustainable design.

- 7.3.8 The Council's Design Guide SPD (2009) sets out that a high quality environment is essential for providing a good quality of life for residents. A well-designed and managed space not only provides a visually attractive environment, but can also help to ensure that a place is easy to move around and within, is safe and secure, and is useful for all members of the community.
- 7.3.9 The existing locality is characterised by detached family homes, two storey of a red/orange brick and red/brown tile construction. Roof forms typically include bonnet hips, but there are some examples of a gable and cat slide roof feature, with predominantly dark brown fenestration. Properties typically have detached single or double garages to the side of the dwellings.
- 7.3.10 The proposal would see the introduction of two detached dwellings located off the existing informal access of Watercress Close. A new dropped kerb and driveway would be created, along with an informal footpath access to a retained area of open space. Both dwellings would face north-west, similar to No.24 Watercress Close, towards the side elevation of No.23 Watercress Close. The two storey dwellings would be red brick with red tiled roofs, and a small cat slide element on the front elevation. Fenestration detailing would be finished in dark brown.
- 7.3.11 The dwellings are a similar size to those in the adjoining streets, with a maximum ridge height of 8.3m. The neighbouring properties have ridge heights of between 8.1m and 8.3m so this is not out of character. The proposed dwellings have been positioned to face north-west following other options being rejected when considering separation distances and the impact on neighbouring properties amenity levels. This will be discussed in more detail later in this report.
- 7.3.12 The two dwellings are considered to be in-keeping with the local area, with examples of similar style properties in Watercress Close and Coopers Close. The proposals do not seek therefore, to introduce architectural features that are out of keeping with the wider area. The dwellings will visually be new additions to the street scene, but are not considered to have an adverse impact because of their design and layout.
- 7.3.13 The layout of the dwellings takes in to account their orientation on the site, including providing surveillance over the proposed open space to the rear and south-east. Each dwelling would have a detached single garage designed to meet the Council's minimum internal size measurements for new garages. In terms of plot B the positioning of the garage to the south west creates a greater break in built form at this point with No.24. To the east of the site, the dwelling of plot A is lined up to sit directly next to No.6 Coopers Close.
- 7.3.14 The proposed block plan shows the landscaping along the south eastern boundary with the newly proposed footpath access to the open space, as well as to the frontages of the houses. Sufficient car parking and turning spaces have been provided. The use of high quality materials will ensure the dwellings are made to last, with internal layouts making them accessible.
- 7.3.15 The original layout of the estate saw this small area of open space as an area of green between two cul-de-sacs and providing an area of approximately 1500 square metres, mainly laid to grass but with areas of landscaping along boundaries with residential gardens. The provision of two dwellings will undoubtedly impact the character and appearance of the area, in particular views through from Watercress Close to Coopers Close and vice versa. However, with the use of a material palette similar to the existing dwellings in this area, the impact is not considered to be of sufficient harm to warrant a refusal. Officers must also be mindful of the planning balance over the current enclosure and non-use of the land.

- 7.3.16 Consequently, it is considered the proposal would be in accordance with paragraphs 126, 130, 131, 132 and 134 of the NPPF in respect of design and visual impact, Policies SP8 and GD1 – High Quality Design of the Local Plan (2019) and Stevenage Design Guide (2009).

7.5 Impact upon Neighbouring Amenity

- 7.5.1 The Local Plan and Stevenage Design Guide set out the Council's stance on protecting the amenity of existing and future residents. Measures to protect amenity levels include separation distances, development scale sizes and layouts, and undertaking the BRE light tests as necessary.
- 7.5.2 The proposal has been amended to take account of these matters following initial submission of the plans earlier this year. In particular the positioning and orientation of the dwellings have been amended to take account of separation distances between existing and proposed dwellings, for the benefit of both existing and the proposed occupants. Furthermore, the internal layout has been changed to reflect the positioning of non-habitable rooms on those elevations that would have some interaction with neighbouring properties, this particularly relates to the front elevation and No.23.
- 7.5.3 The proposed dwellings would be sited south east of No.23, which faces south west onto the cul-de-sac of Watercress Close, but with the front door located on the side elevation facing the driveway of the property. The property is long and linear in layout with windows predominantly on the front, rear and south western side elevation, with the side elevation facing on to the open space having minimal openings, albeit two secondary windows at ground floor level and two non-habitable windows at first floor.
- 7.5.4 The block plan submitted shows a distance of between 7.6m and 9.6m from the proposed dwellings to the side elevation of No.23. The shorter distance is as measured from the cat slide projection, and the greater distance from the main two storey element of the proposed dwellings. The layout of the dwellings at first floor level is such that the two windows looking on to No.23 serve bathrooms and thus would not cause a loss of privacy from the gardens of No.23. Furthermore, it is not considered there would be a loss of outlook for No.23 in this respect given the orientation of the dwellings.
- 7.5.5 No.24 Watercress Close sits to the south west of the site, in a similar parallel orientation as No.23. The front of the property faces north east on to the cul-de-sac, with windows predominantly on the front, side and rear of the dwelling. The side elevation facing the open space, like No.23, has minimal openings. Plot B, which is closest to No.24 would be sited approximately 10.4m from the side elevation of the existing house, with the garage approximately 4.5m away. The area between No.24 and the proposed garage of plot B being retained for access to the open space proposed to the east of the site.
- 7.5.6 The proposed single garage would have a dual-pitch roof that slopes away from the boundary with No.24, with an eaves height of 2.7m and ridge height of 4.5m. The garage would project beyond the existing rear elevation of No.24 (excluding the conservatory) by approximately 2.7m. Given the proximity of the garage and dwelling from the boundary, as well as the distance beyond the rear elevation, the dwelling and garage at plot B would pass the BRE light tests, and is not considered to cause an adverse impact on the outlook of No.24.
- 7.5.7 The proposed first floor plan of plot B does show Bedroom 4 having a window in the side elevation. This would be at a position such that it overlooks the side elevation of No.24, after its views across the proposed single garage. It is considered the views of the garage and boundary treatments would be of such prominence that wider views to the garden of No.24 would be minimal and thus no loss of privacy is considered adverse in this case.

- 7.5.8 To the east of the site is No.5 Coopers Close, a similarly designed house to the proposals with a cat slide feature with pitched dormer above. The property faces on to the cul-de-sac of Coopers Close with the detached double garage close to the boundary with the open space. There are no windows on the side elevation facing on to the site. The proposed dwellings would be sited approximately 17.5m from the side elevation of No.5. The proposed rear gardens would be 7m deep, with the open space area proposed approximately 7.5m in width from boundary fence to boundary fence. This is an acceptable back to side separation distance, such that the proposal would not result in a loss of privacy to the garden of No.5.
- 7.5.9 The final boundary of the site, to the north east, is with No.6 Coopers Close. This property sits parallel with the site the same as No's 23 and 24 Watercress Close. Plot A is the closest dwelling and it is sited such that it would be approximately 3.4m from the side elevation of No.6, and would sit at its front elevation, in line with the main two storey element of the rear elevation of No.6. The cat slide projection of the proposed dwelling would project beyond this point, but not beyond the single storey element of No.6, and it is also set approximately 7.3m off the boundary so would not impact on the amenity of No.6.
- 7.5.10 In conclusion therefore, the proposals would not cause an unacceptable or adverse impact on the existing amenities of the four adjoining properties, in accordance with the Council's adopted Policy GD1 of the Local Plan and Chapter 5 of the Stevenage Design Guide.

7.6 Amenity of Future Occupiers

- 7.6.1 It is important to ensure existing residents are not adversely affected by new development, but the amenities of any future occupants of the development must also be protected in terms of privacy, outlook and standards of living.
- 7.6.2 As discussed above in section 7.5 of the report, the proposed dwelling are sited and or a layout and orientation such that they would have an acceptable level of privacy and outlook.
- 7.6.3 The Local Plan sets out that the Council has adopted the National Living Standards in terms of ensuring properties have a good internal living space and bedroom sizes. Each four bedroom dwelling would have a total internal floorspace of approximately 142 square metres. The bedroom sizes are measured as –
Bedroom 1 – 12.8m
Bedroom 2 – 11.6m
Bedroom 3 – 11.6m
Bedroom 4 – 7.5m (taking account of the eaves height of the cat slide)
- 7.6.4 All four bedrooms meet the required sizes as a double or single room, and the total internal space exceeds the requirements for a four bedroom 7 person two storey house. The property also proposes adequate storage areas as required by the technical standards.
- 7.6.5 Turning then to the external space at the property, the Council's design guide seeks gardens to be 10m in length and 50 square metres in area. These size parameters take account of privacy levels and adequate external amenity space. Both proposed dwellings have gardens of approximately 125 square metres, albeit only 7m in depth. The garden depths have been dictated by the provision of an area of open space within the site. Given this area of open space assists in maintaining a good separation distance from the proposed dwellings and No.5 Coopers Close to the rear, the overall size of each garden at 150% the size of the Council requirement is considered acceptable in this case. The size and shape of the garden is considered sufficient to allow for full use of the area without feeling hemmed in.

7.7 Impact on the highway network

- 7.7.1 The proposed development seeks to create a new access off the cul-de-sac head of Watercress Close, between No's 23 and 24. This would require the relocation of a single

lamppost, which would be decided by Hertfordshire County Council as part of any Section 278 Highways Act (1980) agreement. The proposed vehicle access would include a 4.5m wide dropped kerb and driveway up to the frontage of the houses.

- 7.7.2 The plans have been amended to take account of initial comments from the local highway authority. The latest plans have been assessed and the local highway authority has no objections, and subject to the imposition of a condition and informatives does not wish to restrict the grant of permission.
- 7.7.3 The location and vehicular to vehicular visibility from the existing access is considered to be acceptable and in accordance with Manual for Streets and Roads in Hertfordshire – A Design Guide. The nature of the site puts the proposals/access within 45 metres from the public highway as required for emergency vehicles. Furthermore, the proposals are in line with Manual for Streets in terms of kerbside collection of refuse and bin storage.
- 7.7.4 Hertfordshire County Council as local highway authority has considered that the proposal would not have an unreasonable impact on the safety and operation of the adjoining highways and consequently have no objections on highway grounds.

7.8 Parking Provision

- 7.8.1 Policy IT5 of the adopted Local Plan (2020) states that planning permission will be granted where proposals comply with the parking standards set out in the plan.
- 7.8.2 The Council's Car Parking Standards SPD (2020) sets out the maximum number of parking spaces which would be required to support the proposed development. Each four bedroom dwelling would require three parking spaces, with a single visitor space required. The proposal includes three spaces per dwelling, with one space provided in a single garage. The garage is of an internal size that accords with the SPD requirement of 3m by 6m to allow for storage and adequate cycle parking in line with the design SPD. A designated visitor bay is not shown on the plans, but both properties have sufficient space to allow for a visitor to park.

Electric Vehicle Charging

- 7.8.3 The Council's Parking SPD sets out the Council's ambition to improve local air quality, reduce carbon dioxide emissions and noise pollutants and cheaper travel. As such, the Council is looking to support the transition of Electric Vehicle use of 25% by 2031. The SPD requires at least a 20% provision of active EVCP on any new development, with the remaining 80% being passive infrastructure.
- 7.8.4 The proposed block plan identifies the placement of EVCP at the front of the garages of both properties, providing a 100% provision in excess of the SPD requirements. A suitably worded condition can be imposed to ensure these are provided before the development is occupied.

7.9 Landscaping and Biodiversity

- 7.9.1 In line with the newly adopted Biodiversity SPD (2021) the application has been supported by a Biodiversity report. The ecological information and biodiversity metric supplied have been assessed by Hertfordshire and Middlesex Wildlife Trust on behalf of the Council and are acceptable. The report states that in order to demonstrate a net gain to biodiversity, a biodiversity offset of 0.896 habitat units is required, which is accepted. In accordance with the SPD, this can be provided offsite by the developer in a bespoke scheme, or through a broker, or via a biodiversity financial agreement with SBC. The applicant has advised that they are willing to pursue the financial agreement with SBC and this can be secured via a S106 agreement.

- 7.9.2 In addition to this, HMWT advise that a condition should be placed on the decision to secure integrated features for wildlife in the new development which is considered reasonable.
- 7.9.3 In respect of landscaping, the proposals will see the removal of some existing landscaping along the north-west and south west boundaries. Details of proposed landscaping will be secured by condition to ensure species are native where applicable, with a good plant size and planting mix. It is considered an acceptable landscaping scheme can be implemented on site to enhance the development and appearance of the local area.

7.10 Other Matters

Sustainable construction and climate change

- 7.10.1 Policy FP1 of the adopted Local Plan (2019) stipulates that planning permission will be granted for development that can incorporate measures to address adaptation to climate change. New developments will be encouraged to include measures such as:
- Ways to ensure development is resilient to likely variations in temperature;
 - Reducing water consumption to no more than 110 litres per person per day, including external water use;
 - Improving energy performance of buildings;
 - Reducing energy consumption through efficiency measures;
 - Using or producing renewable or low carbon energy from a local source; and
 - Contributing towards reducing flood risk through the use of SuDS or other appropriate measures.
- 7.01.2 The application has not proposed any specific measures to address climate change, but it is considered reasonable in this case to seek further details to be agreed by the imposition of a condition on any approval granted.

Refuse and Waste Provision

- 7.10.3 The proposal shows adequate bin storage areas for both properties and these are within sufficient drag distance from the public highway for acceptable refuse collection from Council operatives.

Access

- 7.10.4 The owner of No.23 Watercress Close has raised a query regarding the proposed vehicular access claiming it would cross land in their ownership. The title deed for both No.23 and the application site have been provided and viewed. It is officer opinion that the two red lines would not cross, but because of the red line of the title deed for the application site, there would be a small triangle of land that would appear to be outside the ownership of both parties. This appears to be where the query has arisen from as the two red lines do not follow the same line. However, given the two red lines compared it does not appear the access would impinge on private land not in the ownership of the applicant.

Impact on property values

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

Community Infrastructure Levy

- 7.10.6 The proposed development would be CIL liable in accordance with the Regulations. However, as set out in the Council's adopted CIL Charging Schedule (2020), as the development is seeking to deliver new private dwellings, it would have a £100 per square metre rate, as shown on the below table.

Development Type	CIL rate (per square metre)	
	Zone 1: Stevenage Central, Stevenage West urban extension and North of Stevenage Extension	Zone 2: Everywhere else
Residential		
Market Housing	£40/m ²	£100/m ²
Sheltered housing ⁽¹⁾	£100/m ²	
Extracare housing ⁽²⁾	£40/m ²	
Retail development	£60/m ²	
All other development ⁽³⁾	£0/m ²	

- 7.10.7 CIL is a non-negotiable charge. The exact charge will be determined by the Council's CIL officer after an application has been granted in accordance with the CIL Charging Schedule and the Community Infrastructure Levy Regulations 2010 (as amended). Opportunities for relief or exemption from the CIL charge exist and will be taken into account in the calculation of the final CIL charge.
- 7.10.8 CIL replaces the need for S106 agreements to specify financial and/or land contributions for non-site-specific infrastructure projects. This allows infrastructure to be planned on a borough-wide scale rather than on a site-by-site basis as mitigation against the impacts of individual proposals. A CIL Form 1: Additional Information has been submitted along with the application. A CIL liability notice would be issued once planning permission is granted (subject to the Planning and Development Committee approving this application).

Human Right and Equalities

- 7.10.9 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.
- 7.10.10 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.
- 7.10.11 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.
- 7.10.12 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.

- 7.10.13 The proposed development would include step free access across the site, with sufficient space in all parking spaces for access to those in wheel chairs. Access to the proposed retained open space would be of sufficient width to allow wheelchairs and mobility scooters. No formal paths have been proposed to retain the green feel of the area, and to retain the informal use of the existing open space.

Crime Prevention

- 7.10.14 The proposals have been viewed by the Police Crime Prevention Service who initially raised substantive concerns. However, the amended plans have taken account of these comments, and subject to the applicant agreeing to engage with the officer to meet Secured by Design standards, the Crime Prevention Officer has no objections.

8. CONCLUSIONS

- 8.1 In summary, the principle of developing this area of privately owned open space is acceptable. This is taking account of the Council's current position with the HDT and a presumption in favour of sustainable development. The loss of the open space has been carefully weighed against, a provision of a smaller area of open space against the complete enclosure of the land through permitted development. The provision of housing on site, which is considered to preserve the character and appearance of the area, whilst maintaining an area of open space is acceptable on balance. The design, layout and parking provisions are acceptable, and the amenity levels of both existing and proposed residents is considered acceptable in line with the Council's adopted policies and SPD.
- 8.3 Given the above, the proposed development accords with the Policies contained within the adopted Local Plan (2019), the Council's Supplementary Planning Documents, the NPPF (2021) and NPPG (2014).

9. RECOMMENDATIONS

- 9.1 That planning permission be GRANTED subject to the signing of a S106 Agreement in respect of the following –
- Biodiversity net gain;
 - Highways works (S278);

With delegated powers be given to the Assistant Director of Planning and Regulation in consultation with the Chair of Planning Committee to negotiate and secure the financial and non-financial obligations detailed above (including triggers where appropriate) as part of the Section 106 Agreement in order to mitigate the developments on biodiversity and to secure the necessary highway related works. In addition, the imposition of suitable safeguarding conditions, with authority given to the Assistant Director of Planning and Regulation in consultation with the Chair of Planning Committee, to amend or add to the suggested draft conditions set out in this report, prior to the decision notice being issued, where such amendments or additions would be legally sound and most effectively deliver the development that the Planning Committee has resolved to approve.

1 The development hereby permitted shall be carried out in accordance with the following approved plans:
1802-P-01-0000-ZXX; 1802-P-01-0003-ZXX-06; 1802-P-01-0100-Z00-04; 1802-P-01-0101-Z00-04; 1802-P-01-0102-Z00-04; 1802-P-01-0103-Z00-04; 1802-P-01-0110-Z00-04; 1802-P-01-0111-Z00-05; 1802-P-01-0112-Z00-04; 1802-P-01-0113-Z00-05; 1802-P-01-0120-Z00-04; 1802-P-01-0121-Z00-04; 1802-P-01-0002-ZXX-07; 1802-P-01-0001-ZXX-08; AVAL/91326/VS/001-C.

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

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

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

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

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

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

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

5 Any trees or plants comprised within the scheme of landscaping, which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless otherwise agreed in writing by the Local Planning Authority.

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

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

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

7 No development shall take place until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan shall include details of –

- a) Map showing the location of construction traffic routes to and from the site, details of their signing, monitoring and enforcement measures;
- b) Access arrangements to the site;
- c) Traffic management requirements;
- d) Site set up and general arrangements for storing plant, materials, machinery and equipment, temporary offices and other facilities as applicable;
- e) Details of provisions for temporary car parking, loading/unloading and vehicle turning areas;
- f) Details of any hoarding;
- g) Control of dust and dirt on the public highway;
- h) Siting and details of wheel washing facilities;

- i) Cleaning of site entrances, site tracks and the adjacent public highway;
- j) Timing of construction activities (including delivery times and removal of waste);
- k) The estimated number and type of vehicles per day/week;
- l) Details of any vehicle holding area;
- m) Details of the vehicle call up procedure;
- n) Access and protection arrangements around the site for pedestrians, cyclists and other customers;
- p) Post construction restoration/reinstatement of the working areas and temporary access to the public highway;
- q) Details of consultation and complaint management with neighbours;
- r) A Site Waste Management Plan (SWMP) including mechanisms to deal with environmental impacts such as air quality and dust control measures, noise and vibration restriction measures, light and odour and predicted and latterly actual waste arisings and how this is to be managed and where it is sent to;
- s) Details of any proposed piling operations, including justification for the proposed piling strategy, a vibration impact assessment and proposed control and mitigation measures.

8 No development (excluding any demolition or site clearance works) shall take place until a scheme for the provision of adequate water supplies and fire hydrants, necessary for firefighting purposes at the site, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the scheme has been implemented in accordance with the approved details.

REASON:- To ensure adequate water infrastructure provision is made on site for the local fire service to discharge its statutory firefighting duties.

9 Notwithstanding the details shown in this application the treatment of all boundaries including details of any walls, fences, gates or other means of enclosure, to include suitable access for hedgehogs, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The approved boundary treatments shall be completed before the use hereby permitted is commenced or before the dwellings are occupied.

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

10 No development shall commence until details of the model, and location of 2 integrated bat boxes and 2 integrated swift boxes has been supplied to and approved by the LPA. They shall be fully installed prior to occupation and retained as such thereafter.

REASON:- To conserve and enhance biodiversity.

11 No development above slab level shall take place until a detailed scheme of the open space provision, management and maintenance of, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the location, dimensions/size and layout of the open space (be reference to a plan), its regular maintenance of and how the space will be managed to ensure its continued availability to the public. The open space shall thereafter be provided and maintained in full accordance with the approved details.

REASON:- To ensure the open space provision in accordance with the approved plans and to ensure its future usability by members of the public.

12 The area of open space as identified on the approved block plan and in accordance with condition 11 shall be used only for the provision of publically available open space and for no other means, at any time.

REASON:- To protect the provision of public open space at the site which has been given significant weight in approving the permission.

- 13 No development shall take place above slab level until details of measures to address adaptation to climate change have been submitted to and approved in writing by the Local Planning Authority. These measures shall then be implemented and permanently maintained in accordance with the approved details.
REASON:- To ensure the development is adaptable to climate change through provision of energy and water efficiency measures.
- 14 No external lighting shall be installed on site unless details of such lighting, including the intensity of illumination and predicted light contours, have first been submitted to, and approved in writing the Local Planning Authority prior to first occupation of the development. Any external lighting shall accord with the details so approved.
REASON:- In order to protect the amenities and operations of neighbouring properties and to ensure any external lighting does not prejudice highway safety.
- 15 No demolition or construction work relating to this permission shall be carried out on any Sunday, Public or Bank Holiday nor at any other time, except between the hours of 0730 and 1800 on Mondays to Fridays and between the hours of 0800 and 1300 on Saturdays, unless otherwise agreed in writing by the Local Planning Authority. These times apply to work which is audible at the site boundary.
REASON: - To safeguard the amenities of the occupiers of neighbouring properties.
- 16 Prior to first occupation of the development hereby permitted the vehicular access shall be completed and thereafter retained as shown on drawing number AVAL/91326/VS/001 Rev C in accordance with details/specification to be submitted to and approved in writing by the Local Planning Authority. Prior to use appropriate arrangements shall be made for surface water to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway. The discharge of this condition requires a Section 278 (highway works agreement) to be entered in to.
REASON:- To ensure satisfactory access in to the site and avoid carriage of extraneous material or surface water from or onto the highway.
- 17 Prior to first occupation of the development the proposed parking arrangements, in the form of driveways and garages shall be provided and made available for use in accordance with the approved block plan, and shall thereafter be used for no other purpose than the parking of vehicles in perpetuity.
REASON:- To ensure the development has an acceptable level of parking provision and to prevent vehicles from parking on the local highway network.
- 18 Prior to first occupation of the development the Electric Vehicle Charging Points as shown on the proposed block plan shall be provided as active charging points at both dwellings.
REASON:- To ensure adequate provision of charging points to promote sustainable modes of transport.

Pro-active Statement

Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the National Planning Policy Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

INFORMATIVE

Hertfordshire County Council as Highways Authority.

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

Further information is available via the website

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047.

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

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> telephoning 0300 1234047.#

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

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047.

Community Infrastructure Levy

Stevenage Borough Council adopted a Community Infrastructure Levy (CIL) Charging Schedule at Full Council on 27 January 2020 and started implementing CIL on 01 April 2020. This application may be liable for CIL payments and you are advised to contact the CIL Team for clarification with regard to this. If your development is CIL liable, even if you are granted an exemption from the levy, please be advised that it is a requirement under Regulation 67 of The Community Infrastructure Levy Regulations 2010 (as amended) that CIL Form 6 (Commencement Notice) must be completed, returned and acknowledged by Stevenage Borough Council before building works start. Failure to do so will mean you risk losing the right to payment by instalments and a surcharge will be imposed. NB, please note that a Commencement Notice is not required for residential extensions if relief has been granted. Stevenage's adopted CIL Charging Schedule and further details of CIL can be found on the Council's webpages at www.stevenage.gov.uk/CIL or by contacting the Council's CIL Team at CIL@Stevenage.gov.uk.

Building Regulations

To obtain advice regarding current Building Regulations please contact Hertfordshire Building Control Ltd. by emailing us at 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).

Police Crime Prevention Design Advisor

Prior to construction the applicant will contact the Hertfordshire Constabulary CPDS with a view to seeking to achieve accreditation to the Police preferred minimum security standard that is Secured by Design.

The reason for this is to ensure that the development is compliant with both National and Local Planning Policies, in addition, this will also demonstrate the discharge of obligations under Approved Document 'Q' – Security of Building Regulations.

10. BACKGROUND DOCUMENTS

1. The application file, forms, plans and supporting documents having the reference number relating to this item.
2. Stevenage Borough Local Plan 2011 to 2031 adopted 2019.
3. Stevenage Borough Council Supplementary Planning Documents – Parking Provision adopted October 2020, Developer Contributions adopted March 2021.
4. Responses to consultations with statutory undertakers and other interested parties referred to in this report.
5. Hertfordshire County Council's Local Transport Plan 4 adopted May 2018
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

Author – Technical Support 01438 242838

Lead Officer – Zayd Al-Jawad 01438 242257

Contact Officer – James Chettleburgh 01438 242266

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

1. Application No : 20/00512/CPA
Date Received : 10.09.20
Location : Forum Chambers The Forum Town Centre Stevenage
Proposal : Change of use from B1(a) Offices to C3 Residential to include 12 flats
Date of Decision : 17.11.21
Decision : **Prior Approval is REQUIRED and GIVEN**

2. Application No : 21/00548/CPA
Date Received : 12.05.21
Location : Stamford House Primett Road Stevenage Herts
Proposal : Conversion of existing office building into 8no residential flats
Date of Decision : 12.11.21
Decision : **Prior Approval is REQUIRED and GIVEN**

3. Application No : 21/00871/FP
Date Received : 06.08.21
Location : 18 Julians Road Stevenage Herts SG1 3ET
Proposal : Two storey side extension and change of use from a healthcare provider (Use Class E) on ground floor to residential (Use Class C3) and conversion of three bedroom flat over first and second floors to 4no. one bedroom flats
Date of Decision : 19.11.21
Decision : **Planning Permission is GRANTED**
4. Application No : 21/00923/AD
Date Received : 20.08.21
Location : Roundabout At Great Ashby Way And Bray Drive Stevenage Herts SG1 6AB
Proposal : Erection of 4no. non-illuminated sponsorship signs on roundabout.
Date of Decision : 29.11.21
Decision : **Advertisement Consent is GRANTED**
5. Application No : 21/00940/FPH
Date Received : 26.08.21
Location : 7 The Brambles Stevenage Herts SG1 4AU
Proposal : Proposed two storey front and rear extensions with alterations to garage, dormer window, fenestrations and weatherboarding
Date of Decision : 05.11.21
Decision : **Planning Permission is GRANTED**

6. Application No : 21/00947/FPH
Date Received : 28.08.21
Location : 40 Sefton Road Stevenage Herts SG1 5RJ
Proposal : Single storey front extension
Date of Decision : 27.10.21
Decision : **Planning Permission is GRANTED**
7. Application No : 21/00949/CLPD
Date Received : 28.08.21
Location : 15 Ferrier Road Stevenage Herts SG2 0NU
Proposal : Certificate of Lawfulness for proposed Single storey rear extension
Date of Decision : 26.10.21
Decision : **Certificate of Lawfulness is APPROVED**
8. Application No : 21/00950/NMA
Date Received : 31.08.21
Location : Car Park Bounded By Lytton Way, Danesgate And London Road Stevenage Herts SG1 1LZ
Proposal : Non material amendment for proposed changes including additional planting adjacent to the bus stand to Lytton Way, relocation of the trees to the East side of the exiting Leisure Centre and squaring off of the bus exit to the South Pursuant to Planning Permission references 20/00486/FPM and 20/00135/FPM
Date of Decision : 27.10.21
Decision : **Non Material Amendment AGREED**

9. Application No : 21/00956/FPH
Date Received : 01.09.21
Location : 2 Plash Drive Stevenage Herts SG1 1LW
Proposal : Erection of part two storey, part single storey side extension and single storey front extension, including the creation of 1no. one bed annexe
Date of Decision : 27.10.21
Decision : **Planning Permission is GRANTED**
10. Application No : 21/00957/FP
Date Received : 01.09.21
Location : 12 Hollyshaws Stevenage Herts SG2 8NZ
Proposal : Demolition of existing side extension, single garage, car port and sheds erection of a single, two-storey two-bedroom detached dwelling new single garage at rear and front entrance porch and w/c extension to existing dwelling
Date of Decision : 22.10.21
Decision : **Planning Permission is GRANTED**
11. Application No : 21/00959/FPH
Date Received : 01.09.21
Location : 445 Broadwater Crescent Stevenage Herts SG2 8HD
Proposal : Erection of single storey front extension and single storey, part two storey rear extension
Date of Decision : 28.10.21
Decision : **Planning Permission is GRANTED**

12. Application No : 21/00960/FPH
Date Received : 01.09.21
Location : 1 Caister Close Stevenage Herts SG1 2JP
Proposal : Single storey front extension
Date of Decision : 22.10.21
Decision : **Planning Permission is GRANTED**
13. Application No : 21/00965/TPTPO
Date Received : 01.09.21
Location : 67 Sparrow Drive Stevenage Herts SG2 9FB
Proposal : Reduce by 30% due to excessive shading 2No Ash trees (T17 and T18) - protected by TPO 38
Date of Decision : 25.10.21
Decision : **CONSENT TO CARRY OUT WORKS TO A TREE, THE SUBJECT OF A TREE PRESERVATION ORDER**
14. Application No : 21/00970/FPH
Date Received : 02.09.21
Location : 96 Durham Road Stevenage Herts SG1 4HY
Proposal : Proposed single-storey side and rear extension
Date of Decision : 25.10.21
Decision : **Planning Permission is GRANTED**
15. Application No : 21/00975/FPH
Date Received : 04.09.21
Location : 16 Hampton Close Stevenage Herts SG2 8SP
Proposal : Single storey side and front extensions
Date of Decision : 28.10.21
Decision : **Planning Permission is GRANTED**

16. Application No : 21/00979/FPH
Date Received : 06.09.21
Location : 11 Vallansgate Stevenage Herts SG2 8PY
Proposal : Single storey rear extension
Date of Decision : 15.11.21
Decision : **Planning Permission is GRANTED**
17. Application No : 21/00983/FPH
Date Received : 07.09.21
Location : 14 Barclay Crescent Stevenage Herts SG1 3NA
Proposal : Two storey side extension and new front porch
Date of Decision : 25.10.21
Decision : **Planning Permission is GRANTED**
18. Application No : 21/00987/FP
Date Received : 07.09.21
Location : 26 Rockingham Way Stevenage Herts SG1 1SQ
Proposal : Single storey rear extension
Date of Decision : 01.11.21
Decision : **Planning Permission is GRANTED**
19. Application No : 21/00991/FPH
Date Received : 07.09.21
Location : 133 Fairview Road Stevenage Herts SG1 2NP
Proposal : Single storey side and rear extension
Date of Decision : 02.11.21
Decision : **Planning Permission is GRANTED**

20. Application No : 21/00992/FPH
Date Received : 07.09.21
Location : 32 Chepstow Close Stevenage Herts SG1 5TT
Proposal : Single storey rear extension
Date of Decision : 22.10.21
Decision : **Planning Permission is GRANTED**
21. Application No : 21/00993/FPH
Date Received : 07.09.21
Location : 11 Valley Way Stevenage Herts SG2 9AB
Proposal : Proposed replacement roof and canopy over entrance door
Date of Decision : 03.11.21
Decision : **Planning Permission is GRANTED**
22. Application No : 21/00994/FP
Date Received : 08.09.21
Location : 9 - 14 Ansell Court Ingleside Drive Stevenage Herts
Proposal : New roof perimeter guarding to flat roofs above communal areas.
Date of Decision : 03.11.21
Decision : **Planning Permission is GRANTED**
23. Application No : 21/01005/HPA
Date Received : 10.09.21
Location : 98 Sefton Road Stevenage Herts SG1 5RN
Proposal : Single storey rear extension which will extend beyond the rear wall of the original house by 4.50 metres, for which the maximum height will be 4.00 metres and the height of the eaves will be 3.00 metres
Date of Decision : 09.11.21
Decision : **Prior Approval is REQUIRED and GIVEN**

24. Application No : 21/01007/CLEU
Date Received : 10.09.21
Location : Unit 13 Stevenage Enterprise Centre Orchard Road Stevenage
Proposal : Certificate of Lawfulness for an existing hot food takeaway (Sui Generis)
Date of Decision : 28.10.21
Decision : **Certificate of Lawfulness is APPROVED**
25. Application No : 21/01010/FP
Date Received : 13.09.21
Location : Verge Next To Gresley Way And Fairlands Way Roundabout Fairlands Way Stevenage Herts
Proposal : Erection of 1no. 20m Hutchinson Orion Monopole with new root foundation and associated ancillary works following removal of existing 15m Hutchinson Elara Monopole
Date of Decision : 27.10.21
Decision : **Planning Permission is GRANTED**
26. Application No : 21/01013/FPH
Date Received : 14.09.21
Location : 421 Broadwater Crescent Stevenage Herts SG2 8HD
Proposal : Single storey front extension
Date of Decision : 09.11.21
Decision : **Planning Permission is GRANTED**
27. Application No : 21/01014/CLPD
Date Received : 14.09.21
Location : 15 Shackledell Stevenage Herts SG2 9AE
Proposal : Certificate of lawfulness for single storey rear extension
Date of Decision : 01.11.21
Decision : **Certificate of Lawfulness is APPROVED**

28. Application No : 21/01023/FP
Date Received : 15.09.21
Location : Land To South Of Norton Road Stevenage Herts
Proposal : Temporary location (12 month duration) of storage containers with marquee style covered storage and workshop area, erection of 2no. office units and 2no site cabins for storage and welfare
Date of Decision : 03.11.21
Decision : **Planning Permission is GRANTED**
29. Application No : 21/01024/FPH
Date Received : 15.09.21
Location : 10 Pound Avenue Stevenage Herts SG1 3JA
Proposal : Part single-storey, part two-storey side and rear extension, front porch and rendering of the existing dwelling
Date of Decision : 05.11.21
Decision : **Planning Permission is REFUSED**
- For the following reason(s); The side and rear extension by virtue of its scale, massing, design and excessive width, would appear bulky and result in an incongruous and over dominant form of development which would be detrimental to the architectural composition of the original pair of semi detached dwellings to the detriment of the visual amenities of the area, contrary to Policies GD1 and SP8 of the Stevenage Borough Local Plan 2011 - 2031 (2019), the Council's Design Guide SPD (2009), National Planning Policy Framework (2021), Planning Practice Guidance (2014) and National Design Guidance (2019).
- The rear extension by virtue of its scale, massing and depth would result in an unacceptable outlook for the occupiers of No. 8 Pound Avenue, having a harmful and overbearing impact on the rear habitable room windows and the immediate garden area of this attached neighbour. The development is, therefore, contrary to Policies GD1 and SP8 of the Stevenage Borough Local Plan 2011 - 2031 (2019), the Council's Design Guide SPD (2009), National Planning Policy Framework (2021) and the Planning Practice Guidance (2014).

30. Application No : 21/01032/TPCA
Date Received : 17.09.21
Location : Ashenhurst Rectory Lane Stevenage Herts
Proposal : Lift Crown to 3 metres to 1 no: Ash Tree (T1) and Fell 1 No: Tree of Heaven (T2)
Date of Decision : 26.10.21
Decision : **CONSENT TO CARRY OUT WORKS TO A TREE IN A CONSERVATION AREA**
31. Application No : 21/01033/FPH
Date Received : 18.09.21
Location : 125 Torquay Crescent Stevenage Herts SG1 2RJ
Proposal : Single storey rear extension
Date of Decision : 12.11.21
Decision : **Planning Permission is GRANTED**
32. Application No : 21/01034/FPH
Date Received : 19.09.21
Location : 30 Alleyns Road Stevenage Herts SG1 3PP
Proposal : Demolition of existing single storey side extension, single storey rear extension and outbuilding and the erection of a new single storey side and rear extension
Date of Decision : 28.10.21
Decision : **Planning Permission is GRANTED**
33. Application No : 21/01035/FPH
Date Received : 20.09.21
Location : 51 Angotts Mead Stevenage Herts SG1 2NJ
Proposal : Single storey rear extension
Date of Decision : 15.11.21
Decision : **Planning Permission is GRANTED**

34. Application No : 21/01041/CLPD
Date Received : 21.09.21
Location : 67 Ferrier Road Stevenage Herts SG2 0NZ
Proposal : Certificate of lawfulness for a garden outbuilding
Date of Decision : 02.11.21
Decision : **Certificate of Lawfulness is APPROVED**
35. Application No : 21/01045/COND
Date Received : 23.09.21
Location : Dental Surgery 62 Bedwell Crescent Stevenage Herts
Proposal : Discharge of conditions 4 (Landscaping), 8 (Pathway), 9 (Climate Change) and 12 (External lighting) attached to planning permission reference 18/00528/FP
Date of Decision : 16.11.21
Decision : **Response to Discharge of Conditons**

“The details pertaining to the conditions were to be agreed in writing with the LPA prior to any development taking place above slab level. Construction continued above slab level prior to these details being submitted. As such it is not possible for the LPA to formally discharge these conditions due to the wording requiring details to be approved prior to commencement of development. Consequently, the LPA has not formally discharged conditions 4, 8, 9 and 12 of planning permission 18/00528/FP, but the Local Planning Authority is satisfied with the details submitted and would not take any formal enforcement action” . .
36. Application No : 21/01046/COND
Date Received : 23.09.21
Location : Marshgate Car Park St. Georges Way Stevenage Herts
Proposal : Discharge of condition 18 (Piling Method Statement) attached to planning permission reference 21/00627/FPM
Date of Decision : 29.11.21
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**

37. Application No : 21/01051/CLPD
Date Received : 27.09.21
Location : 62 Grenville Way Stevenage Herts SG2 8XZ
Proposal : Certificate of lawfulness for a single storey rear extension
Date of Decision : 14.11.21
Decision : **Certificate of Lawfulness is APPROVED**
38. Application No : 21/01054/FPH
Date Received : 27.09.21
Location : 235 Ripon Road Stevenage Herts SG1 4LR
Proposal : Variation of conditions 1 (Approved Plans) and 3 (Matching Materials) attached to planning permission 21/00097/FPH
Date of Decision : 02.11.21
Decision : **Planning Permission is GRANTED**
39. Application No : 21/01058/FP
Date Received : 28.09.21
Location : 60 - 68 Grace Way Stevenage Herts SG1 5AD
Proposal : Removal of existing cladding to parts of first floor external walls and replacement with new fire rated fibre cement weatherboarding
Date of Decision : 14.11.21
Decision : **Planning Permission is GRANTED**
40. Application No : 21/01059/FP
Date Received : 28.09.21
Location : 146 - 156 Grace Way Stevenage Herts SG1 5AF
Proposal : Removal of existing vertical timber cladding and concrete hung tile cladding to parts of first floor external walls and replacement with new fire rated fibre cement weatherboarding
Date of Decision : 23.11.21
Decision : **Planning Permission is GRANTED**

41. Application No : 21/01063/COND
Date Received : 28.09.21
Location : Part Of Highways Embankment Six Hills Corner Of Six Hills Way & London Road Stevenage Herts
Proposal : Discharge of condition 3 (root protection) attached to planning permission reference number 20/00625/FP
Date of Decision : 12.11.21
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**
42. Application No : 21/01064/FP
Date Received : 28.09.21
Location : Lister Hospital Coreys Mill Lane Stevenage Herts
Proposal : Retention of part single-storey, part two-storey extensions to Strathmore, Acute and Assessment ward and Ambulatory Day Services and Social Services buildings / wings of Lister Hospital comprising new SDEC (Same Day Emergency Care), discharge lounge and support spaces, associated landscaping and ancillary works
Date of Decision : 16.11.21
Decision : **Planning Permission is GRANTED**
43. Application No : 21/01065/FP
Date Received : 28.09.21
Location : Lister Hospital Coreys Mill Lane Stevenage Herts
Proposal : Retention of triage and streaming hub extension to Emergency Department and Paediatric Emergency Department extension to Hospital Building, associated hard surfacing and ancillary works
Date of Decision : 16.11.21
Decision : **Planning Permission is GRANTED**

44. Application No : 21/01066/FPH
Date Received : 29.09.21
Location : 3 Christie Road Stevenage Herts SG2 0NT
Proposal : Proposed single storey rear and two storey side extension
Date of Decision : 24.11.21
Decision : **Planning Permission is GRANTED**
45. Application No : 21/01068/FPH
Date Received : 29.09.21
Location : 20 Peartree Way Stevenage Herts SG2 9DZ
Proposal : Single storey front porch extension
Date of Decision : 14.11.21
Decision : **Planning Permission is GRANTED**
46. Application No : 21/01090/FPH
Date Received : 06.10.21
Location : 148 Mildmay Road Stevenage Herts SG1 5SP
Proposal : Erection of rear conservatory
Date of Decision : 17.11.21
Decision : **Planning Permission is GRANTED**
47. Application No : 21/01094/CLPD
Date Received : 07.10.21
Location : 51 Blenheim Way Stevenage Herts SG2 8TD
Proposal : Certificate of Lawfulness for proposed single storey side extension with sloped roof and roof light
Date of Decision : 10.11.21
Decision : **Certificate of Lawfulness is APPROVED**

48. Application No : 21/01095/FPH
Date Received : 07.10.21
Location : 7 Newbury Close Stevenage Hertfordshire SG1 4TE
Proposal : Installation of new fibre cement horizontal cladding to first floor of external walls to cover existing painted roughcast render.
Date of Decision : 17.11.21
Decision : **Planning Permission is GRANTED**
49. Application No : 21/01096/HPA
Date Received : 07.10.21
Location : 36 Symonds Green Road Stevenage Herts SG1 2HA
Proposal : Single storey rear extension which will extend beyond the rear wall of the original house by 3.30 metres, for which the maximum height will be 3.71 metres and the height of the eaves will be 2.40 metres
Date of Decision : 02.11.21
Decision : **Prior Approval is NOT REQUIRED**
50. Application No : 21/01102/LB
Date Received : 11.10.21
Location : J Deamer & Son 67-69 High Street Stevenage Herts
Proposal : Strip off defective roof tiles and tiling battens, replace breathable roofing membrane, supply and fix treated timber battens and re-tile using handmade clay plain tiles
Date of Decision : 26.11.21
Decision : **Listed Building Consent is GRANTED**

51. Application No : 21/01113/NMA
Date Received : 12.10.21
Location : Matalan Unit B-C Danestrete Stevenage
Proposal : Non material amendment to approved plans attached to planning permission 20/00643/RMM
Date of Decision : 03.11.21
Decision : **Non Material Amendment AGREED**
52. Application No : 21/01123/NMA
Date Received : 15.10.21
Location : Airbus Defence And Space Gunnels Wood Road Stevenage Herts
Proposal : Non material amendment to conditions 18 (Surface Water Strategy) and 22 (Cycle Parking) attached to planning permission 19/00167/FPM
Date of Decision : 29.10.21
Decision : **Non Material Amendment AGREED**
53. Application No : 21/01177/NMA
Date Received : 01.11.21
Location : 63 Whitney Drive Stevenage Herts SG1 4BH
Proposal : Non material amendment to planning permission reference number 21/00734/FPH to change roof materials
Date of Decision : 17.11.21
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.

This page is intentionally left blank

Meeting: Planning and Development
Committee

Agenda Item:

Date: Thursday 9 November 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 21/00308/FPH, 21 Augustus Gate. Appeal against refusal of planning permission for a part two storey, part single storey side and single storey front extensions.
- 1.2 21/00333/HPA, 2 Grace Way. Appeal against refusal of prior approval for the enlargement of the dwellinghouse by construction of an additional storey for which the maximum height will be 9.504m

2. DECISIONS AWAITED

- 2.1 20/00198/FPH, 55A Whitney Drive. Appeal against refusal of planning permission for a single storey front garage.

3. DECISIONS RECEIVED

- 3.1 None.

This page is intentionally left blank