



**PLANNING AND DEVELOPMENT COMMITTEE**

**Date: Thursday, 14 July 2022**  
**Time: 6.30pm,**  
**Location: Council Chamber**  
**Contact: Ian Gourlay (01438) 242703**  
**committees@stevenage.gov.uk**

Members: Councillors: M Downing (Chair), A Brown (Vice-Chair), J Ashley-Wren, S Barr, T Callaghan, M Creasey, C Howells, G Lawrence CC, Mrs J Lloyd, M McKay, A Mitchell CC, C Parris, G Snell and A Wells.

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**AGENDA**

**PART I**

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

**2. MINUTES - 22 JUNE 2022**

To approve as a correct record the Minutes of the previous meeting of the Planning & Development Committee held on 22 June 2022.  
Pages 3 – 14

**3. 21/00719/FP - CLARE'S LITTLE BEARS PLAYGROUP, STANMORE HALL, STANMORE ROAD, STEVENAGE**

To consider an application for the erection of single storey extensions to front, side and rear, dormer roof extensions, construction of mezzanine floor and partial replacement of boundary fence.  
Pages 15 – 28

**4. 21/01302/FPH - 22 GROVE ROAD, STEVENAGE**

To consider an application for a Part single-storey, part two-storey rear extension and front porch.  
Pages 29 – 40

**5. 22/00098/FPM - LAND TO THE EAST OF THE A602 AND SOUTH OF GRAVELEY ROAD, STEVENAGE**

To consider an application for the erection of a 54 bed building for C2A planning use with access, car parking, landscaping and associated works.  
Pages 41 – 74

**6. INFORMATION REPORT - DELEGATED DECISIONS**

To note a report on decisions taken by the Assistant Director (Planning and Regulation) in accordance with his delegated authority.  
Pages 75 – 92

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

To note a report on appeals made, appeal decisions received, and call-in applications.  
Pages 93 – 98

**8. URGENT PART I BUSINESS**

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

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

To consider the following motions that:

1. Under Section 100A 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 involves 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.

**10. URGENT PART II BUSINESS**

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

## STEVENAGE BOROUGH COUNCIL

### PLANNING AND DEVELOPMENT COMMITTEE MINUTES

Date: Wednesday, 22 June 2022

Time: 6.30pm

Place: Council Chamber

**Present:** Councillors: Michael Downing (Chair), Adrian Brown (Vice-Chair) ,  
Maureen McKay, Sandra Barr, Teresa Callaghan, Matt Creasey, Chris  
Howells, Graham Lawrence CC, Mrs Joan Lloyd, Adam Mitchell CC,  
Claire Parris, Graham Snell, Anne Wells and Julie Ashley-Wren.

**Start / End** Start Time: 6:30 pm  
**Time:** End Time: 8:35 pm

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

There were no apologies for absence.

There were no declarations of interest.

#### 2 **MINUTES - 26 MAY 2022**

It was **RESOLVED** that the minutes of the Planning and Development Committee held on Thursday 26 May 2022 be approved as a correct record and signed by the Chair.

#### 3 **TERMS OF REFERENCE**

It was **RESOLVED** that the Terms of Reference be noted.

#### 4 **PLANNING POLICY UPDATE (DESIGN SPD, ARTICLE 4 DIRECTIONS AND STATION GATEWAY AAP)**

The Committee received a presentation regarding Stevenage Connection Area Action Plan, Article 4 Directions and Stevenage Design Guidance Supplementary Document. The presentation outlined background and core issues for each item.

The Planning Policy Manager updated Members on the following key issues regarding the Stevenage Connection Area Action Plan (AAP).

- Stevenage Local Plan adopted was in May 2019. AAP outlined the core issues within the Station Area, policy and wider context affecting development.
- AAP was not a scheme but was a longer-term policy that could enable change.
- AAP would enhance station arrival experience, wayfinding, signposting, and

would improve step-free, disabled, and pedestrian links to the Town Centre, while prioritising sustainable and active travel.

- Consultation took place between 21 July and 5 September 2021, as result received 301 comments and 9 key stakeholder meetings and 1 site visit.
- All preferred options as set out in the report would be reviewed by the Executive in September 2022 followed by the public consultation.

#### **Article 4 Directions:**

- The Planning reforms of Permitted Development Rights (PDR) came into force in May 2013, which meant various changes of use could be made without the need for formal planning consent, including the change of use from B1 office to C3 residential.
- The PDR had impact on the Town Centre, increased demands on infrastructure and had impact on the housing standards.
- Three Article 4 Directions in Stevenage
  - Change of use Light Industrial to Residential – since 15 June 2018
  - Change of use Office to Residential – Since May 2019
  - HMOs
- Local authorities had maximum of 12 months to ensure correct Article 4 Directions were in place up to 31 July 2022.
- Blanket Article 4 Directions were in place currently across Gunnels Wood and Pin Green Employment areas and would expire on 1 August 2022. However, blanket Direction covering both Employment Areas were no longer feasible.
- Officers surveyed both Employment Areas to determine the Use Classes of the businesses and those premises identified as being appropriate for the Article 4 Directions.
- The report would be reviewed by the Executives on 12 July 2022 followed by the consultation between 20 July 2022 and 17 August 2022.
- The Executive would decide following the consultation period whether to confirm the Article 4 Direction in September 2022.

#### **Stevenage Design Guidance Supplementary Planning Document:**

- Stevenage Design Guidance SPD was adopted in October 2009 and would be replaced going forward.
- Consultation took place between 20 September and 29 November 2021, received 157 comments.
- Main topics raised were embed “active design” throughout the SPD, review guidance of Town Centre signage, update lighting standards and a series of general comments.
- The report was reviewed by Planning and Development Committee on 31 January 2022 and by Executive on 9 February 2022. Consultation would take place between September and October 2022 for 8 weeks. Executive to confirm whether to adopt SPD in December 2022.

Members debated and discussed issues around access to Tesco and access for disabled people. In response to a question from a Member, the Assistant Director for Planning and Regulatory clarified that the Council had discussions with Tesco over

public transport access and a new mini roundabout.

The Assistant Director for Planning advised Members that the Council would work with HCC on finding an alternative for displacement of vehicles when Lytton Way would be closed for traffic. Members were informed that this was the first round of consultation and there would be further opportunities for Members to discuss the policy.

It was **RESOLVED** that the Planning Policy update be noted.

5 **22/00307/ENF CAR PARK TO THE SIDE OF AINTREE WAY**

Application No:	22/00307/ENF
Location	Car park to the side of No.8 Aintree Way, Stevenage
Proposal	Unauthorised building work in allocated car parking space belonging to No.4 Aintree Way
Recommendation:	Serve an enforcement notice

The Planning Officer presented the application seeking permission to serve an enforcement notice in respect of an unauthorised erection of a structure in the communal parking area of Aintree Way. During the presentation, he displayed a map, plans and photographs to demonstrate the location and character of the site. The communal car park was located on the eastern side of No.8 Aintree Way. The Car Park served the residents of the street with each property allocated two spaces. The two car parking spaces belonged to the owner of the No.4 Aintree Way, a mid-terrace property just to the west of the communal car park.

The Planning Officer explained that the owner of No. 4 Aintree Way had erected a permanent structure with a concrete foundation on one of his allocated car park spaces as well as in part some of the land / parking spaces which are outside of number 4's ownership. Vehicles parked adjacent to parking spaces did not have enough spaces to open their doors due to the solid wall in the way.

The report addressed in detail all the key issues and Officer opinion was that:

- The structure erected on one of parking spaces in the communal car park breaches planning regulations and required planning permission from the Council as the Local Planning Authority.
- The erected structure was unacceptable as it was an incongruous form of development within the immediate surrounding area and was deemed to have a detrimental impact on the visual amenities of the area.
- The structure was developed on a parking space which was contrary to the planning policies GD1 and SP8 of the adopted Stevenage Borough Local Plan 2019.

The Planning Officer was seeking permission to serve an enforcement notice on the alleged breach of planning control which had occurred because of the newly built structure around the car parking space No.4 be removed and returned to their original state.

Officer recommendation was therefore that the enforcement notice be served for the reasons detailed within the Officer report.

The registered speaker Larry Urbanowski spoke in defence of his development and for the Council not to serve an enforcement notice. He provided Members with the recent photographs and support letters from neighbouring residents prior the meeting. He stated that the Planning Officer claim was unsubstantiated, and the erected structure was not incongruous. He explained that the neighbours were supportive and did not see it as an issue. He also believed he did not breach any planning regulations including the GD1 and SP8 of the adopted Stevenage Borough Local Plan 2019.

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

Members debated the application taking in to account the Planning Officer presentation, Officer report and the statement from registered speaker. Members supported the Officer's recommendation, agreed that there was clear breach of planning regulation. Members questioned the loss of trees and deemed the structure as unacceptable.

A motion was proposed and seconded that the area should be returned to its previous state, including re-providing similar trees in a location to be agreed, at the cost of the defendant who erected the unauthorised structure. After being put to the meeting and a vote taken, the motion was declared and carried.

Member then voted on the amended motion, a vote was taken, and the amended motion was declared carried.

It was **RESOLVED** that an enforcement notice be issued and served subject to conditions as per the recommendations set out below, and a new condition relating to trees:

- The area should be returned to its previous state, including re-providing similar tree in locations to be agreed, at the cost of the applicant.
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 structure built around the car parking space of No.4 Aintree Way and for the spaces of the communal car park affected by the unauthorised works to be returned to their original state. 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.

**REMEDY REQUIRED**

1. Within six months of the date of any Enforcement Notice served, the structure built around the car parking space of No.4 should be removed and any other spaces of the communal car park affected by the unauthorised works should be returned to their original state.

**6 22/00423/FP STEVENAGE BUS STATION AND TOWN SQUARE**

Application No:	22/00423/FP
Location	Stevenage Bus Station And Town Square, Danestrete, Stevenage
Proposal	Removal of the existing bus station and demolition of existing structures, temporary works to consist of a new public square comprising public realm, landscaping and its use as a temporary flexible multi-use space and a temporary performance kiosk in the Town Square
Applicant	Stevenage Borough Council
Recommendation	Serve an enforcement notice

The Principal Planning Officer presented the application seeking permission for removal of the existing bus station and demolition of existing structure, temporary works to consist of a new public square comprising public realm, landscaping and its use as temporary flexible multi-use space and a temporary performance kiosk in the Town Square. During the presentation, she displayed a map, plans and photographs to demonstrate the location and character of the site. The application site comprised the existing bus station and the western part of the Town Square within Stevenage Town Centre.

The Principal Planning Officer described the application site as a large area of hard standing used to accommodate bus vehicle movements and parking. The site was surrounded by pedestrian footways, separated from the hard standing by metal railings and bus shelters. The application site was currently the bus station, which would be redeveloped under the SG1 regeneration programme. However, this would fall into phase 2 of the programme and would not be utilised for approximately 2

years, thus creating an opportunity to transform the site into a Town Centre attraction until it was required for development.

The Council had received 1 representation from a resident, which had been summarised in the Officer report on pages 22-23.

Hertfordshire County Council Highways and SBC Environmental Health did not have any objection on the application.

The Principal Planning Officer explained that the land use, its design, layout and landscaping, impact on the character and appearance of the Town Square were considered acceptable. The proposal with high quality design and landscaping features, would comply with the relevant land use policies for this area of the Town Centre, and would not prejudice the future development of SG1 regeneration programme. It would also preserve the significance of the nearby designated heritage assets and would not have impact on the amenities of neighbouring properties.

Officer recommendation was therefore that planning permission be granted for the reasons detailed within the Officer report.

The registered speaker, Dave Wells, the Regeneration Manager for SBC spoke in support of the application. He explained that during the Covid19 pandemic the shopping centres and high streets including Stevenage Town Centre had suffered, and as a result many popular retailers had left the Town Centre. It was clear to diversify and transform the Town Centre, and with the government funding, this could be done through the SG1 regeneration programme. The Bus Station moving to the new interchange, the space available would be used temporary for leisure before the work on original SG1 regeneration programme begin. Some of the elements of the temporary leisure arrangements would likely to be used in the permanent SG1 plans.

Also the registered speaker, David Martin, spoke on behalf of the Bus Users Group for Stevenage. He stated that he would be happy to see more people coming back to the Town Centre and use bus as their means of transport to the Town Centre. He objected on the use of thermoplastic and advised Members that the use of thermoplastic was not compliant with the Council's ambitions on the emergency climate change legislations. In terms of the site's heritage, he requested if there could a sign or symbol to demonstrate that the site was an old Bus Station.

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

Members debated the application taking in to account the Senior Planning Officer presentation, the Officer report, and the statements from the registered speakers. Members welcomed the temporary leisure arrangements for the site, however, they raised concerns over the safety of pedestrians using the yellow brick road as a cycle lane.

In response to a question, the Regeneration Manager clarified that the yellow brick



lane would be retained and would have clear cycle markings and signage. However, Members concerns remained over safety issues, in particular, pedestrians.

A motion was then proposed and seconded that the yellow brick lane should not be used by cyclist in order to secure safety of the pedestrians. Officers advised the Committee that a condition could be imposed if minded to grant restricting the use of the yellow brick lane for cyclists. After being put to the meeting and a vote taken, the motion was declared and carried.

Member then voted on the amended motion, a vote was taken, and the amended motion was declared carried.

**Vote:**

13 Vote For

0 Against

1 Abstention

Councillor Adrian Brown abstained on voting for this item.

It was **RESOLVED** that planning permission be granted, subject to the conditions as per the recommendations set out below, and a new condition relating to cyclist route.

- To safeguard pedestrians and other road users, the yellow brick lane should not be used by cyclists.

That Planning permission be GRANTED subject to the following conditions/reasons:

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

P2007555 (90) LP100; P2007555 (90) LP102; P2007555 (90) LP103; P2007555 (90) LP104 rev 2; P2007555 (90) LP105; P2007555 (91) LP001

**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 This permission shall be for a limited period only expiring on 22 June 2032 and on or before that date the use hereby permitted shall be discontinued and the building(s) and works carried out under this permission shall be removed and the land restored to its former condition, or to a condition otherwise agreed in writing by the Local Planning Authority.

**REASON:-** To enable the Local Planning Authority to reconsider the continued need for and appropriateness of the building and use at the expiration of the limited period.

- 4 No development shall take place until a Construction 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 shall include details 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.
- k. Management of pedestrian movements around the site.

**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 (adopted 2018).

- 5 No redevelopment activities that relate 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. These times apply to work which is audible at the site boundary.

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

- 6 The external surfaces of the development hereby permitted shall be completed in accordance with the approved materials specified under general arrangement plan reference P2007555 (90) LP100.

**REASON:-** To ensure the development has an acceptable appearance and to protect the visual amenities of the area.

- 7 Prior to first use, a noise management plan shall be prepared for the operation of the area as an event space, in which a pre-determined specification is developed that will not negatively impact the neighbouring properties through noise. The plan should be undertaken by a competent, experienced noise consultant (a member of the Institute of Acoustics and/or the Association of Noise Consultants). A background noise survey should be undertaken by a competent, experienced noise consultant (a member of the Institute of Acoustics and/or the Association of Noise Consultants) to inform the noise management plan. The noise management plan shall be submitted to and agreed by the Planning Authority in consultation with the Council's Environmental Health Officer.

**REASON:-** To safeguard the amenities of the occupiers of neighbouring

properties.

- 8 Prior to first use, an artificial light management plan shall be prepared for the area as an event space, in which a pre-determined specification is developed that will not negatively impact the neighbouring properties from artificial light sources. The Institution of Lighting Professionals can provide guidance in this matter. The artificial light management plan shall be submitted to and agreed by the Planning Authority in consultation with the Council's Environmental Health Officer.  
**REASON:-** To safeguard the amenities of the occupiers of neighbouring properties.
- 9 If during the course of development any contamination is found or suspected, works shall cease and the local planning authority shall be informed immediately. The local planning authority may request the nature and extent of any contamination to be investigated in order that a suitable remediation strategy can be proposed. The development shall not continue until any required remediation as agreed in writing by the local planning authority has been undertaken, and the local planning authority has confirmed it has been undertaken to its satisfaction.  
**REASON:-** To prevent harm to human health and pollution of the water environment.
- 10 Unless otherwise agreed in writing by the Local Planning Authority, the use of the land for the purposes hereby permitted shall operate only between the hours of 07.00 and midnight Monday to Saturday and 09.00 to 22.00 on Sunday, including Public or Bank Holidays.  
**REASON:-** To protect the amenity of the occupiers of adjoining properties.
- 11 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the first occupation of the building(s) or the completion of the development whichever is the sooner.  
**REASON:-** To ensure a satisfactory appearance for the development.
- 12 Any trees or plants comprised within the scheme of landscaping, which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless otherwise agreed in writing by the Local Planning Authority.  
**REASON:-** To ensure a satisfactory appearance for the development.
- 13 No tree shown retained on the approved plans, or subsequently approved landscaping scheme, shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped within five years of the completion of development without the written approval of the Local Planning Authority.  
**REASON:-** To ensure the protection of those trees which should be retained in the interests of visual amenity.
- 14 The Yellow Brick Road shall not be used as a cycle route unless otherwise

agreed in writing by the Local Planning Authority.  
REASON:- In order to protect the safety and operation of the Yellow Brick Road.

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

### 2 **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.

### 3 Hertfordshire County Council as Highway Authority notes the submission of drawing number P2007555-90-LP103 Rev R1 TRO Signage Plan. It is advised since the public have access to the area, an application for a Traffic Regulation Order is necessary and should be applied for via the relevant process.

## 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**

None.

10 **EXCLUSION OF THE PRESS AND PUBLIC**

Not required.

11 **URGENT PART II BUSINESS**

None.

**CHAIR**

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

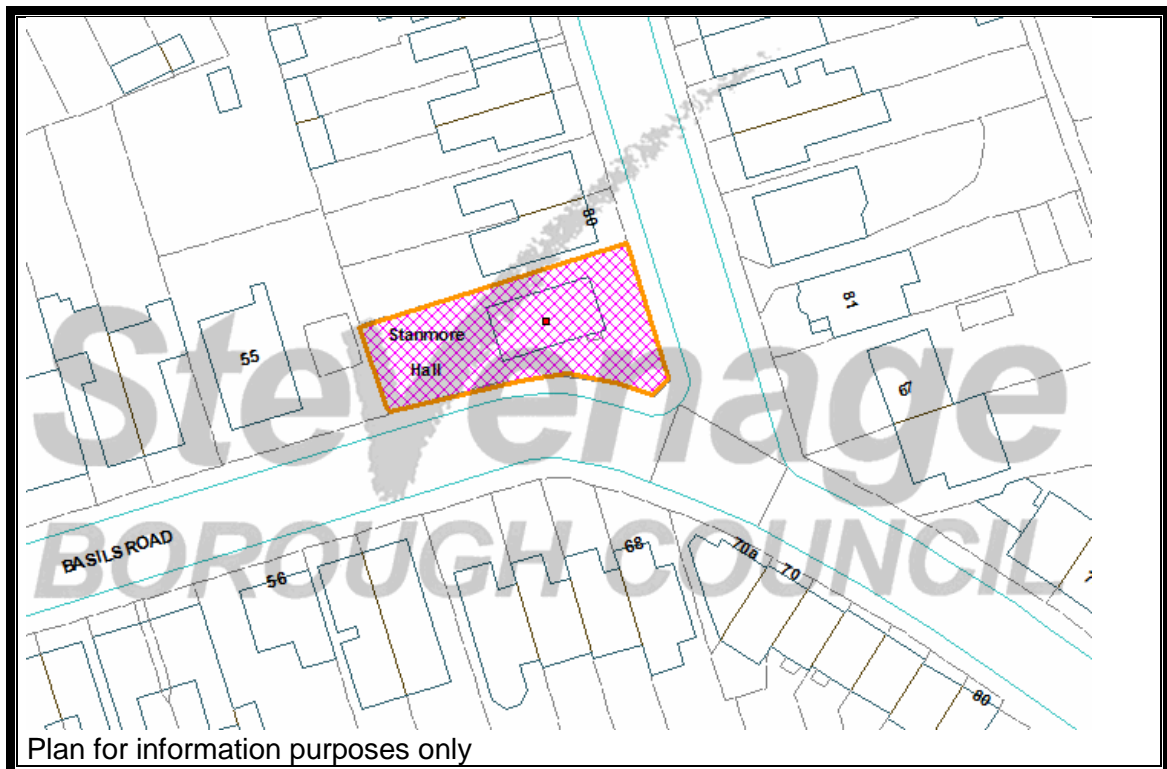
**Date:** 14 July 2022

**Author:** Rebecca Elliott

**Lead Officer:** Zayd Al-Jawad

**Contact Officer:** Rebecca Elliott

Application No:	21/00719/FP
Location:	Clare's Little Bears Playgroup/Pre-School Club, Stanmore Hall, Stanmore Road, Stevenage
Proposal:	Erection of single storey extensions to front, side and rear, dormer roof extensions, construction of mezzanine floor and partial replacement of boundary fence (Amended description).
Drawing Nos.:	6779(P)010, 6779(P)011, 6779(P)100, 6779(P)-101 Rev. A, 6779(P)102, 6779(P)103, 6779(P)104 Rev. A, 6779(P)105 Rev. A, 6779(P)106 Rev. A, 6779(P)200 Rev. A, 6779(P)201 Rev. A, 6779(P)202 Rev. A, 6779(P)203 Rev. A, 6779(P)300 Rev. A, (P)301
Applicant:	Clare Cole
Date Valid:	20 July 2021
Recommendation:	GRANT PLANNING PERMISSION



## **1.0 SITE DESCRIPTION**

- 1.1 The application site comprises a single-storey, detached building located at the junction of Stanmore Road and Basils Road. The building is used as a nursery/pre-school in an area that is predominantly residential in character.
- 1.2 The boundary treatment adjacent to the pavements along Basils Road and Stanmore Road comprise a combination of hedging and fencing that are approximately 2m in height. On-street parking is available in the immediate vicinity of the site and the majority of properties in the area do not have the benefit of off-street parking. The property has the benefit of separate pedestrian and vehicular access.
- 1.3 The property is not listed nor is it within a conservation area and there are no other historic assets in the immediate vicinity. The site is located within flood zone 1, as defined by the Environment Agency, and is therefore at a low risk of flooding.

## **2.0 RELEVANT PLANNING HISTORY**

- 2.1 There is no planning history relevant to this application site.

## **3.0 THE CURRENT APPLICATION**

- 3.1 The proposal involves the erection of single storey front, side and rear extensions, dormer roof additions, the installation of a mezzanine floor with access to a first floor external terrace and alterations to some of the boundary treatments.
- 3.2 To the north and rear of the building, the extension will project 2.2m away from the building so that it forms the shared side boundary with no. 80 Stanmore Road. Along this boundary, the extension will have a length of 15m, with a projection of 3.6m beyond the rear of the building, to create an 'L' shaped footprint.
- 3.3 To the rear and partially to the side, the extension will have a monopitch roof with a ridge height of 3.3m, sloping to an eaves level of 2m. To the western side of the building, projecting in to the garden space, the extension will have a flat roof finish to incorporate a roof terrace with screening. Attached to this part of the extension would be a canopy to provide cover to an outdoor area. Dormer windows are proposed to be installed on the northern and southern roof slopes. The larger dormer shown on the northern roof slope would not have any windows, with two smaller dormer windows proposed on the front roof slope. Internally, a mezzanine floor will be created to provide additional floorspace and new boundary treatment is also proposed.
- 3.4 This application comes before the Planning and Development Committee at it was called-in by Councillor Loraine Rossati. The application was called-in due to concerns raised as to the impact of the development on neighbouring properties as well as impact on trees and landscaping. In addition, residents had raised concern with Councillor Rossati about the delays in receiving consultation letters and not having sufficient time to respond to the consultation.

## **4.0 PUBLIC REPRESENTATIONS**

- 4.1 The application has been publicised by way of neighbour letters and a site notice. Ten properties were originally consulted, with a further three properties included on the re-consultation of amended plans following receipt of comments. A total of five objections have been received, and one neutral representation.
- 4.2 The objections raised are as follows -
- Since the arrival of the pre-school there has been a significant increase in disturbance related to activities within the garden and building of the school.



- The noise impact has at least so far been mitigated by the opening hours and days that the school has run. However the introduction of a holiday club has already reduced on this respite.
- The building expansion will allow for increased business and it is understood there are plans to hire the hall to other users. The possibility of an increase in the numbers of children and the potential increased opening hours and days raise concerns about the associated increase in disturbance.
- Both Stanmore Road and Basils Road already suffer from issues with a lack of parking, as acknowledged by the Council in the introduction of parking permits. During pick up and drop off times for the pre-school, which often coincide with that of Letchmore School, available parking is overwhelmed by parents parking in the close proximity to the schools
- The balcony will result in overlooking of properties in Basils Road
- The addition of a screen to the balcony can be easily taken down and so would not mitigate problems associated with overlooking
- The property is being extended to increase the size of the business and will mean that there is more noise and more parking problems
- The roof to the north side appears to have been raised which has the potential to block out light
- If the hall is used for a private party it might not finish until very late and combined with people leaving the Old Town at the end of an evening, it may result in groups of vehicles confronting one another
- When there is noisy party going, having people loudly interacting from the balcony to other people in the garden below will increase noise disturbance
- Do balconies and groups of people consuming alcohol without supervision work together? If the planners agree to this they will be sanctioning a potentially very dangerous situation
- Stanmore Hall would become very commercial looking in appearance not at all in keeping with this area
- Surrounding trees and bushes will be removed or damaged which will impact the aesthetic of the area
- The height of the roof appears to have been raised and has the potential to block out light to neighbouring garden/patio areas
- The screening to the balcony may not be maintained and could be taken down at any point by the current and future owners
- Concern about the impact of building work and new foundations on the trees within neighbouring gardens.

4.3 Please note that this is not a verbatim as to the representations which have been received. A full copy of these representations can be viewed on the Council's website.

## **5.0 CONSULTATIONS**

### **5.1 Highways Authority**

#### Original Plans

5.1.1 The application comprises of a single storey extension, construction of a new mezzanine floor and partial replacement of boundary fence

5.1.2 The property benefits from an existing vehicle access that is located along Basils Road that is designated as a local access road subject to a speed limit restricted to 30 mph.

5.1.3 The applicant has implied that there is no new or altered vehicle access proposed to the existing vehicle access to or from the public highway to the property, vehicle to vehicle inter visibility and pedestrian visibility will not be affected.

- 5.1.4 The access width complies with guidance found in Roads in Herts Highway Design Guide a single lane access will normally be sufficient to serve up to 3 individual dwellings. (reference; Roads in Herts Highway Design Guide 8.5.4. Shared Private Drives / Access).(MfS 2.75 metres).
- 5.1.5 Vehicle to vehicle inter-visibility and pedestrian visibility is achievable and complies with levels of visibility found in Manual for Streets [Visibility splays at junctions 7.7 and visibility along the street edge 7.8.3 Page 94] and is considered acceptable for the speed and hierarchy of the road, in both directions.
- 5.1.6 There is no change in parking provision as a result of this development. Given the proposal only does not involves an increase to the parking provision this is considered not to have a significant impact on the local highway network.
- 5.1.7 In conclusion Hertfordshire County Council as Highway Authority has considered that the proposal is of a small scale development consequently the proposal would not significantly increase the traffic generation to the area and have an unreasonable impact on the safety and operation of the adjoining highway and has no objections on highway grounds to the application with the inclusion of the above planning condition.

Amended Plans

- 5.1.8 No objection. The application comprises of a single storey extension, construction of a new mezzanine floor and partial replacement of boundary fence as amplified by amended plans received 13 October 2021.
- 5.1.9 The property benefits from an existing vehicle access that is located along Basils Road that is designated as a local access road subject to a speed limit restricted to 30 mph. The applicant has implied that the existing vehicle access is no longer required and as such for reasons of highway safety is required to be reinstated back to footway.
- 5.1.10 There is no change in parking provision as a result of the development. Given the proposal does not involve an increase to the parking provision, this will not have a significant impact on the local highway network

**5.2 Environmental Health**

- 5.2.1 I refer to the above planning application in respect of contaminated land and nuisance. It is recommended the following conditions are attached if the Council is minded to grant planning permission:

**Contaminated Land:**

- 5.2.2 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 local planning authority may request the nature and extent of any contamination to be investigated in order that a suitable remediation strategy can be proposed. The development shall not continue until any required remediation as agreed in writing by the local planning authority has been undertaken, and the local planning authority has confirmed it has been undertaken to its satisfaction.

**Dust Emissions:**

- 5.2.3 Dust emissions shall be controlled throughout the construction and demolition phases so as to prevent nuisance to the occupiers of neighbouring premises.

**Noise:**

- 5.2.4 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. These times apply to work which is audible at the site boundary.

5.2.5 The reduction in outdoor space for the children to play will affect the neighbouring properties as noise from this activity will be more concentrated. It is recommended that the management of noise from external activities be in place to minimise the effect on noise sensitive premises. Effective noise management may consider ensuring fencing is completely solid so as to provide an acoustic fence to an appropriate height; the hedge on the northern end will not offer any acoustic control and appropriate acoustic fencing should be considered for this area of the playground. The premises should employ techniques to manage the volume of noise from the outside play areas, such as;

- Staggering break times
- Providing different activity zones that enable quiet play
- Designate a ball playing area away from noise sensitive premises

## **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 (adopted 2019)
- 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.

### **6.3 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 (2021) which has the same status as the PPG.

### **6.4 Stevenage Borough Local Plan**

SP1 – Presumption in Favour of Sustainable Development  
SP8 – Good Design  
GD1 – High Quality Design  
IT4 – Transport Assessments and Travel Plans  
IT5 – Parking and Access  
FP7 – Pollution  
NH5 – Trees and Woodland

## **6.5 Supplementary Planning Documents**

Parking Provision and Sustainable Transport SPD (2020)  
Design Guide SPD (2009)

## **7 APPRAISAL**

7.1.1 The main issues for consideration in the determination of this application are the impact that the proposed development would have upon the residential amenity of neighbouring properties, the effect that the proposal would have upon the character and appearance of the area, highway safety implications of the development and trees and landscaping.

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 Design and Other Visual Considerations**

7.2.1 Paragraph 127 of the NPPF 2021 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.

7.2.2 Paragraph 134 goes on to say 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. Conversely, significant weight should be given to:

- development which reflects 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; and/or
- outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

7.2.3 Policy SP8 of the Local Plan requires new development to achieve the highest standards of design and sustainability. Policy GD1 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.

7.2.4 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.

7.2.5 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.

7.2.6 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.

7.2.7 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.

7.2.8 The proposal includes the erection of single storey extensions to the side and rear of the building. The building is modest in size and does occupy a prominent location at the junction of Stanmore Road and Basils Road. The side extension will be confined to the north elevation of the building, where it would be largely screened by the existing building. Where it would be visible in the street scene, particularly from Stanmore Road, it would appear as a modest addition to the building and the roof slope would appear as a continuation of the existing building.

7.2.9 To the rear of the building, the extension will also appear as a modest addition and there will be the creation of a roof terrace above that structure. Whilst roof terraces are not a feature of this residential area, the building is non-residential in its use and appearance and it is not considered that the flat roof construction and addition of a dark grey balustrade and faux green screening above would on balance, be to the detriment of the character and appearance of the immediate vicinity such that a refusal would be warranted. In the instances of the extensions at ground level, a condition can be imposed requiring the use of appropriate materials, which will ensure that an acceptable appearance is maintained.

7.2.10 Proposed alterations to the roof include the creation of dormer windows. On the northern roof slope the dormer window would be without any openings, being utilised only for headspace internally and to prevent overlooking to the neighbouring residential property. The dormer would be centrally located in the upper portion of the existing roofscape, measuring approximately 4.8m in width, 1.15m in height and 2m in depth, significantly reduced in size from the originally proposed plans.

7.2.11 To the front of the building and on the southern elevation the proposals include two smaller dormer windows with a single window opening each. Each dormer would measure approximately 2.5m in width, 1.5m in height and 1.5m in depth. The width of the dormer has been designed to match the ground floor panelling between the original red brick vertical banding. The window sizes are also reflective of the three panel windows at ground floor.

Whilst the single windows are different in style to the original three pane feature windows, given the more modern look being achieved by the alterations this is not considered to be harmful to the character and appearance of the building or wider area such that a refusal is warranted.

- 7.2.12 The proposed dormer windows are considered to be proportionate in size to the scale of the hall and with the use of appropriate materials would not unduly stand out in the roof scape. Being a commercial building as opposed to residential the introduction of the dormer windows is not considered to harm the character and appearance of the building or wider area.
- 7.2.13 The proposal includes the erection of new 2m high boundary treatments along the western side boundary and along part of the southern boundary, replacing existing timber fencing. The boundary treatment would be finished with a 1m high brick wall and 1m high 'hit and miss' fencing above. Concerns have been expressed about loss of landscaping from hedges and trees. From undertaking a site visit the landscaping along the western boundary is outside the site. There is some hedging along the front/southern boundary that is shown as being removed. This is not protected in the Local Plan and its removal is not deemed development for planning purposes. The majority of the existing privet hedge on the front and eastern side boundary would be retained.
- 7.2.14 The proposed brick and timber treatment is considered acceptable from a visual perspective in this location given the prominence of these materials in providing boundary treatments within Basils Road and Stanmore Road, and would not be considered out of character in the residential area, nor an incongruous feature in the street scene. The use of and acceptability of hit and miss fencing and noise issues is addressed as part of Section 7.3.

### **7.3 Neighbouring Amenities**

#### *Noise*

- 7.3.1 Policy FP7 of the Local Plan requires all development proposals to minimise, and where possible, reduce air, water, light and noise pollution. Planning permission will be granted when it can be demonstrated that the development will not have unacceptable impacts on general amenity and the tranquillity of the wider area. Policy GD1 also requires that developments do not have an adverse impact on neighbouring uses or the surrounding area.
- 7.3.2 The existing building is a community hall and is currently used predominantly by Clare's Little Bears playgroup/pre-school. Neighbouring residents have raised concerns that the increased size of the building will subsequently lead to an increase in activities and noise disturbance. Part of the side extension to the building is located adjacent to the boundary with the garden of no. 80 Stanmore Road though internally the extended part of the building at this point comprises a utility area and W/C. Given the use of this part of the extension, it is considered that the neighbouring garden would not suffer from increased noise disturbance from the extended property. There are no ground floor windows within the side elevation of the extension at the boundary that would give rise to concerns of overlooking to the neighbouring garden.
- 7.3.3 In terms of noise levels in general, the site and building already operate as a playgroup/pre-school, with general community hall use also. Given the set-up of the premises as the playgroup/nursery business the use of the building for the purposes of being a community hall will be limited by virtue of the equipment and layout for its primary purpose. It is recognised that there is likely an existing level of noise generated that would be noticeable to neighbouring residents. However, whilst the building is increasing in size, which has resulted in concerns from residents about an increase in activities, the applicant has confirmed that staff numbers would not increase and that children numbers are not expected to increase, however if they did this would only be by a maximum of 5 children. To the side and rear of the building is a garden area which can be used for outdoor activities which would already lead to some level of noise disturbance..

7.3.4 The Council's Environmental Health (EH) team has assessed the application and have raised no objections to permission being granted. The EH officer has advised that the reduction in outdoor space for the children to play will affect the neighbouring properties as noise from this activity will be more concentrated. Albeit, there would be greater indoor space and a better indoor layout for play opportunities that could reduce concentrated external play. It is recommended that the management of noise from external activities be in place to minimise the effect on noise sensitive premises. Effective noise management may consider ensuring fencing is completely solid so as to provide an acoustic fence to an appropriate height; the hedge on the northern end will not offer any acoustic control and appropriate acoustic fencing should be considered for this area of the playground. The premises should employ techniques to manage the volume of noise from the outside play areas, such as;

- Staggering break times
- Providing different activity zones that enable quiet play
- Designate a ball playing area away from noise sensitive premises

7.3.4 It is understood that the building also allows for evening activities to take part that are unrelated to the pre-school use. It is considered important at this time to raise that these activities can already take place on site. Whilst the extensions to the building may increase the likelihood of evening activity taking place, the internal configuration and layout is such that much of the additional space is for floorspace that cannot be occupied for activities, including WCs, office and kitchen areas and does not therefore greatly increase the space for meetings/gatherings. As with the EH officer comments above, management of the noise can be provided to the extent noted.

7.3.5 In terms of noise levels generally, it is considered that as the size of the site is not increasing then the levels of activities and their subsequent noise levels would be no worse than what could occur under the current situation. However, it is considered reasonable and necessary to impose a condition seeking a Noise Management Plan be agreed as part of any approval. In addition to seeking further fencing inside the front boundary hedge to help mitigate against noise from the garden, it is also considered further details of the proposed fencing type be agreed as hit and miss fencing could allow for noise dispersion as it is not a solid treatment, with gaps between each panel to create the hit and miss appearance. The use of a solid fence instead is not considered to provide any harm as opposed to the hit and miss fencing in terms of its visual impact in the area. The principle of timber fencing is accepted.

*Outlook, Overbearing, Light and Privacy*

7.3.6 The proposal involves the erection of a side/rear extension to the building that will abut the boundary with no. 80 Stanmore Road, which is a residential property. The extension will project 4.3m beyond the rear elevation of the neighbouring property, which would conflict with the 3.5m as advised by the Design SPD, albeit, this standard generally relates to householder extensions and there is no real guidance relating to commercial extensions in the Design SPD. However, at this boundary the roof of the extension slopes to an eaves level of 2m, which would be a similar height to boundary treatment that could be erected under permitted development rights. The roof slope to this extension would be a continuation of the existing pitch and so it would not unduly dominate the garden area of the neighbouring property. It is considered then also, that the proposal would not adversely affect the outlook of this neighbour or be overbearing. The proposals also pass the BRE 45 degree tests in respect of impact on light to habitable rooms.

7.3.7 Facing no. 80 Stanmore Road, the proposal includes the installation of a dormer extension. This will face onto a blank gable of the neighbouring property and the dormer does not contain any windows, so it would not raise any privacy issues with this neighbour. On the opposite side, two dormers are proposed, one of which serves a toilet area, so obscure glazing can be installed. For the remaining dormer, this will face towards the properties on the opposite side

of Basils Road, though the Design SPD does not set out any parameters for assessing side to front separation distances. Nevertheless, as the application site is separated by the road and the properties are then set back from the highway, this would alleviate any concerns of direct overlooking. Furthermore, this dormer window would serve a meeting room/office area and so it would not raise the same overlooking issues compared to that between two residential properties.

- 7.3.8 At the rear of the property and at first floor level a roof terrace will be created above the newly extended building. The roof slope to the side will commence from a ridge height of 1.7m, which would prevent direct overlooking into the rear garden of no. 80 Stanmore Road. Along the western edge of the terrace, a 1.7m high trellis is proposed that would restrict overlooking towards the more rear aspects of the garden, and a condition can be attached to maintain the trellis at this height to again prevent unacceptable levels of overlooking to the garden. On the opposite side, the boundary treatment will be 1.5m high which would not prevent an outlook towards the properties on the opposite side of Basils Road. However, as mentioned above in paragraph 7.3.7, the separation distance to these properties is such that it would not result in unacceptable levels of overlooking.

## **7.8 Parking and Highway Safety**

- 7.8.1 Policy IT4 of the Local Plan 2019 states that planning permission will be granted where development would not have an adverse impact on highway safety. Furthermore, Policy IT5 sets out the need for development to accord with the Councils Parking Standards and Sustainable Transport Supplementary Planning Document (2020). The requirements of the SPD are not specific to a children's playgroup/nursery set-up. The closest use type would be for a community hall, of which the requirements are - 1 space per 9 square metres GFA and 1 space per full time member of staff. When comparing the maximum parking standards from existing to proposed, the additional floorspace created would warrant 4 additional parking spaces. Due to the constrained nature of the site there are no on-site parking facilities and no additional parking provision is proposed.
- 7.8.2 Concerns have been raised over the level of parking that is available in the immediate area of the site, and that this will be exacerbated as a result of the proposal. On-street parking is available in close proximity of the site along Basils Road and Stanmore Road though some of this is controlled by hours restricted residents-only permits. Given the number of staff and children are not anticipated to increase, the number of visitors is also unlikely to increase. The proposal would see the reinstatement of the dropped kerb, as requested by the local highway authority and agreed by the applicant, which would allow for on-street parking in this stretch of the road, whereas currently parking in front of the dropped kerb is prohibited.
- 7.8.3 Any visitors to the site would be expected to park in a manner that complies with the restrictions and general rules of highway safety. If these are not being obeyed, there are powers outside of planning to enforce the compliance with highway regulations, including the local highway authority, the Police and enforcement of the parking permits through SBC.
- 7.8.4 The Highways Authority has assessed the application and has not raised any objections in terms of highway safety. The site lies just outside a parking zone, which runs along the southern side of Basils Road. Given the parking standards are maximum standards and whilst the floor space of the building is increasing, its use is not, the lack of additional parking in this case is not considered detrimental such that a refusal is warranted.

## **7.9 Trees and landscaping**

- 7.9.1 The site is currently enclosed along all of the eastern boundary and approximately two thirds of the southern boundary by a mature privet hedge. There are two semi-mature trees in the 'front' garden area by the main front entrance path within the site. It is not proposed to remove



either of the trees and only a small section of the hedge is being removed close to the proposed side extension.

7.9.2 As considered in Section 7.2 of this report, the small loss of hedgerow is not development for planning purposes and the hedge is not protected by the Local Plan. Therefore the loss is considered acceptable in this case given a large majority of the hedge is being retained. Furthermore, the existing trees are not being removed as part of this proposal.

7.9.3 Landscaping in the form of shrubs, hedging and small trees can be seen by the western boundary, however, these fall outside the site and would not therefore be impacted by the development. The impact on trees and landscaping is therefore considered acceptable and the small loss of hedgerow would not harm the character and appearance of the area such that a refusal is warranted.

## **7.10 Equality and Human Rights Considerations**

7.10.1 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.

7.10.2 When considering proposals placed before the Council as Local Planning Authority, it is important that it is fully aware of and has themselves rigorously considered the equalities implications of the decision that they are taking. Therefore, rigorous consideration has been undertaken by the Council as the Local Planning Authority to ensure that proper appreciation of any potential impact of the proposed development on the Council's obligations under the Public Sector Equalities Duty.

7.10.3 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.

7.10.4 It is considered that the decision has had regard to this duty. The development would not conflict with either Stevenage Borough Council's Equality Policy or the commitments set out in our Equality Objectives, and would support the Council in meeting its statutory equality responsibilities.

## **7.11 Other Matters**

7.10.1 Following the consultation period, concern has been raised regarding the use of the building for evening events in which alcohol may be consumed. It is stated that the use of the balcony in conjunction with the consumption of alcohol may create a potentially dangerous situation. The applicant has advised that there is no intention to seek an alcohol licence for the premises. However, this is not a material consideration that can be taken into account in the determination of this application.

7.10.2 Concern has also been raised about the impact that building works and the digging of foundations will have on neighbouring properties. This would be a civil matter to be resolved by the parties concerned should such issues arise.

## 8 CONCLUSIONS

- 8.1 There are no concerns that the proposed additions would have an adverse impact upon the character and appearance of the area, as the proposed additions would be in scale and character with the original property, subject to a condition requiring the use of appropriate materials. An acceptable relationship with neighbouring properties would be maintained and additional measures relating to noise can be secured through condition. There are no concerns with regard to highway safety and the lack of any additional parking provision in this location is not considered to be detrimental such that a refusal is warranted. There would be no loss of trees and the small amount of hedging to be removed is not considered harmful. Therefore the proposal would accord with relevant Development Plans and provisions of the NPPF.

## 9 RECOMMENDATION

- 9.1 That planning permission be GRANTED subject to the following conditions:

1. The development hereby permitted shall be carried out in accordance with the following approved plans:  
6779(P)010, 6779(P)011, 6779(P)100, 6779(P)-101 Rev. A, 6779(P)102, 6779(P)103, 6779(P)104 Rev. A, 6779(P)105 Rev. A, 6779(P)106 Rev. A, 6779(P)200 Rev. A, 6779(P)201 Rev. A, 6779(P)202 Rev. A, 6779(P)203 Rev. A, 6779(P)300 Rev. A, (P)301

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

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

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

3. No demolition, construction or maintenance activities audible at the boundary and no deliveries of construction and demolition materials shall be undertaken outside the hours 07:30 hours to 18:00 hours Mondays to Fridays, 08:00 hours to 13.00 hours on Saturdays and shall not operate on a Sunday or Bank Holiday, unless otherwise agreed in writing with the Local Planning Authority.

**REASON:-** To ensure the demolition of the existing buildings and the construction and maintenance of the development does not prejudice the amenities of occupiers of nearby premises due to noise pollution.

4. No development above slab level shall take place until details/samples of the materials to be used in the construction of the external surfaces of the extensions, dormer windows, balcony and canopy hereby permitted have been submitted to and agreed in writing by the Local Planning Authority.

**REASON:-** To ensure the development has an acceptable appearance and is of a high quality.

5. The development hereby approved shall not be brought into use until the screening treatment to the western edge of the roof terrace, as indicated on drawing ref. 6779-(P)105 Rev. A, has been provided and shall be maintained at a height no less than 1.7m throughout the lifetime of the development, unless otherwise agreed in writing with the Local Planning Authority.

**REASON:-** To safeguard the privacy of the occupiers of adjoining properties.

6. The development hereby approved shall not be brought into use until a Noise Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan shall include measures the providers shall introduce and carry out in order to control noise levels at the property. The development shall thereafter be carried out in accordance with the approved details.

**REASON:-** To safeguard the amenities of the occupiers of adjoining properties against noise.

7. Notwithstanding the details submitted, the development shall not be brought into use until details of all boundary treatments have been submitted to and approved in writing by the Local Planning Authority. Details shall include the use of solid treatments, including acoustic treatments behind the retained hedging along the eastern and southern boundaries. The development shall thereafter be carried out in accordance with the approved details prior to first use and shall remain in-situ in this form for the length of time the use is operating.

**REASON:-** To safeguard the amenities of the occupiers of adjoining properties against noise.

8. Prior to first use of the development hereby permitted the existing vehicular access adjacent of the double gates shall be permanently closed, and the footway shall be reinstated to the satisfaction of the Local Planning Authority.

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

### **Informatives**

1. **Building Regulations**

To obtain advice regarding current Building Regulations please contact Hertfordshire Building Control Ltd. by emailing us at [building.control@hertfordshirebc.co.uk](mailto: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).

2. **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.

3 **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.

**Pro-active Statement**

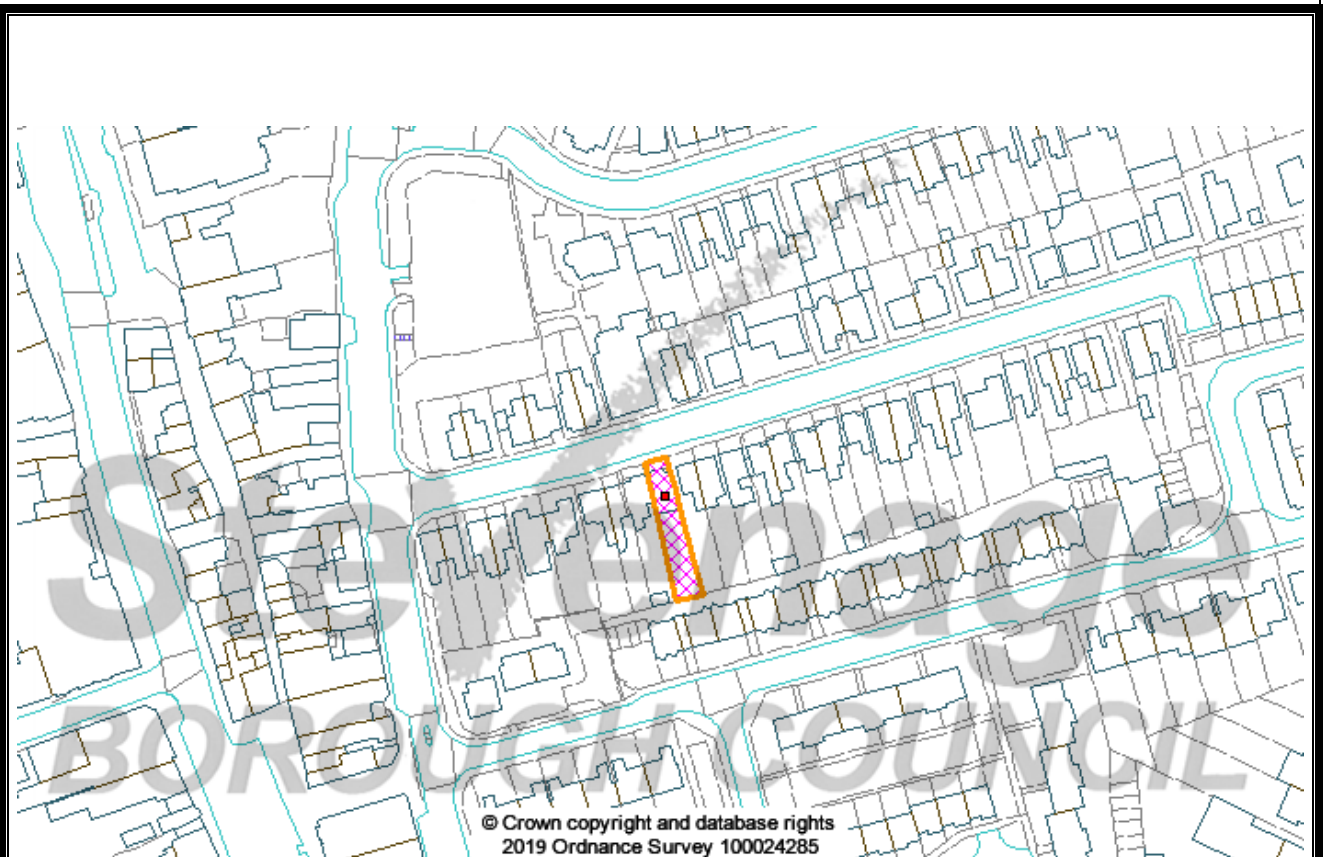
Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the National Planning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

**10. BACKGROUND DOCUMENTS**

1. The application file, forms, plans and supporting documents having the reference number relating to this item.
2. The Stevenage Local Plan 2011-2031.
3. Stevenage Borough Council Supplementary Planning Documents – Parking Provision and Sustainable Transport SPD (2020); Design Guide SPD (2009).
4. Central Government advice contained in the National Planning Policy Framework July 2021 and the National Planning Practice Guidance.
5. Responses to consultations with statutory undertakers and other interested parties referred to in this report.

<b>Meeting:</b>	<b>Planning and Development Committee</b>	<b>Agenda Item:</b>
<b>Date:</b>	<b>14 July 2022</b>	
<b>Author:</b>	<b>James Chettleburgh</b>	01438 242266
<b>Lead Officer:</b>	<b>Zayd Al-Jawad</b>	01438 242257
<b>Contact Officer:</b>	<b>James Chettleburgh</b>	01438 242266

Application No:	21/01302/FPH
Location:	22 Grove Road, Stevenage.
Proposal:	Part single-storey, part two-storey rear extension and front porch.
Drawing Nos.:	2110-11(P)001; 2110-11(P)002; 2110-11(P)101; 2110-11(P)102A; 2110-11(P)201B; 2110-11(P)202B; Design Proposal: Comparative Orientation Study.
Applicant:	Alison Fraser
Date Valid:	9 December 2021
Recommendation:	GRANT PLANNING PERMISSION.



Plan for information purposes only

## **1. SITE DESCRIPTION**

- 1.1 The application site comprises a two-storey, end of terrace dwellinghouse within the Old Town Ward of Stevenage. The property comprises a cat-slide roof clad in concrete interlocking bold roll tiles and two-storey gable-end projection with a ground floor bay window. This part of the property is finished in brick painted white at ground floor level with the first floor finished in a Tudor style. Positioned between the application property and number 20 Grove Road is a shared alleyway which runs towards the rear garden areas of each respective property. The front garden area of the application property is enclosed by a low level brick wall.
- 1.2 To the rear of the property is an existing single-storey extension, finished in red brick with a mono-pitched concrete tiled roof. The rear elevation of the property is also finished in red brick. The fenestration detailing of the application property comprises of uPVC windows and doors.
- 1.3 The surrounding area is characterised by a mixture of detached, semi-detached and terraced housing of varying architectural styles and finishes. Properties are predominantly constructed from red brick with concrete tiled roofs. Grove Road also contains the Catholic Church of the Transfiguration of our Lord. To the west lies the junction of Church Lane which forms the eastern edge of the Old Town High Street.

## **2. RELEVANT PLANNING HISTORY**

- 2.1 No relevant planning history (Rear extension was likely constructed under permitted development).

## **3. THE APPLICATION**

- 3.1 This application seeks planning permission for the erection of a part single-storey, part two-storey rear extension and front porch. Dealing firstly with the rear extension, the proposed works at ground floor level would measure approximately 2.24m in length, span 4.51m in width with a maximum height of 2.84m. At first floor level, the proposed works would measure approximately 3.10m in length, span 3.30m in width with an eaves height 4.52m with an overall height 6.48m. The ground floor part of the extension would comprise of a shallow mono-pitched style roof. At first floor level, the extension would have a gable-end roof.
- 3.2 Turning to the proposed front porch, this would measure approximately 1.74m in length, span 1.86m in width with an overall height of 2.23m. The porch would comprise of a flat roof.
- 3.3 This application comes before the Council's Planning and Development Committee as the application was called-in by Councillor Lorraine Rossati due to concerns from local residents around loss of privacy, sunlight and daylight as well as concerns over design and materials.

## **4. PUBLIC REPRESENTATIONS**

- 4.1 Following notification of the application via letter and the erection of a site notice, two representations against the application have been received from the immediate neighbouring properties. A summary of the objections raised are as follows:-
- The proposal will have a detrimental impact on the level of sunlight and daylight received by neighbouring properties;

- The proposal will create an unacceptable level of overshadowing to neighbouring properties;
- The proposal will cause a loss of trees located within the curtilage of neighbouring properties;
- The proposal will have a detrimental impact on privacy;
- The external appearance of the proposal is out of character;
- Will have an unacceptable impact on the quality of life of residents (existing and future);
- The proposal will cause an unacceptable loss of views;
- There are errors on the submitted drawings;
- The proposed development is considered to be too bulky;
- The proposed location of the kitchen and associated ventilation would lead to the creation of unacceptable smells which would cause a significant nuisance to residents;
- The street has a clearly defined character of 2 to 3 bedroom dwellings with every house having small back gardens.

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

4.3 Separately, a further consultation was undertaken with neighbouring residents following the receipt of amended plans. At the time of publishing this report, no additional representations were received. Therefore, any additional representations received will be reported at the Planning and Development Committee accordingly.

## **5. CONSULTATIONS**

### **5.1 Council's Arboriculture and Conservation Manager**

5.1.1 There is no objection from an arboricultural view. It is expected the impact on this 2 metre tall Yew tree/shrub, which has already been considerably cut back by the owner, to be minimal but urge care with the roots during the excavation for the foundations.

## **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.

### **6.3 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 SP8: Good design;

Policy IT5: Parking and access;

Policy GD1: High quality design;

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.

## **7. APPRAISAL**

7.1.1 The main issues for consideration in the determination of this application are the visual impact of the development, impact upon neighbouring amenities, parking provision and impact on trees.

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 Visual impact of the development**

7.2.1 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”.

7.2.2 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.



- 7.2.3 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”.
- 7.2.4 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”.
- 7.2.5 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.
- 7.2.6 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.
- 7.2.7 Turning to Chapter 6 of the Council’s Design Guide SPD (2009), it stipulated that all extensions respect the size, height, materials, features and layout of the building concerned, as well as the surrounding buildings. Extensions should also be built so that, as far as possible, they look like a part of the main building rather than an obvious addition to it. The Guide also requires 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.
- 7.2.8 Further to the above, the Design Guide stipulates that extensions should appear subservient to the original to the original by respecting its overall scale and proportions. Extensions should also reflect the overall design of an application property and materials uses should draw on the colour, type and texture of those used on the original house.
- 7.2.9 With regards to the proposed rear extension, it is noted that the ground floor aspect of the proposal would be an addition to the existing extension. As such, the proposal would have a combined depth of approximately 5.70m. This would exceed the 3,5m depth standard which is set out in the Council’s adopted Design Guide SPD. However, this is not out of character because a number of properties in Grove Road have extensions which are greater than 3.5m in depth. A select sample of these extensions are set out below:
- 20 Grove Road has a single-storey extension built in the 1990’s (planning reference 2/0401/97) which has a depth of approximately 5.4m;
  - 36 Grove Road had a single storey extension which would have a combined length of 7.16m, approved under planning permission 17/00296/FPH;
  - 38 Grove Road has a single-storey rear extension with a depth of 5.8m approved under planning permission 18/00498/FPH;
  - 43 Grove Road had a single-storey extension with a depth of 4.3m approved under planning permission 06/00406/FP;
  - 64 Grove Road had a 4.4m deep part two storey, part single storey rear extension approved under application 16/00603/FPH.
- 7.2.10 Given the aforementioned, the proposed extension, despite its overall depth, would not appear out of character. Turning to the proposed works at first floor level, the works would exceed the 2.5m depth standard set out in the Design Guide. However, its depth is not dissimilar to the two-storey outrigger (original wing) located at number 24 Grove Road

which has a depth of approximately 4m. Moreover, there are a number of properties which have outriggers or two-storey extensions / first floor extensions which are not too dissimilar in depth. Consequently, the proposed rear extension works in this instance, would not be out of character with the overall established grain of development along Grove Road.

- 7.2.11 Further to the above, the extension is located to the rear of the property and being a house which has a back-to-back relation with properties along Albert Street, the rear extension works would not be readily visible from the public realm. Given this, it would not have a detrimental impact on the visual amenities of the wider street scene of Grove Road or Albert Street. Moreover, the extension has been designed to appear subservient to the main dwelling, especially given the first floor element of the extension in terms of its roof has been set down from the main ridgeline of the application property. In addition to this, the side walls of the extension at first floor level have been set in to ensure it does not appear bulky or dominate the rear elevation. This ensures the proposal appears proportionate and secondary to the main dwellinghouse.
- 7.2.12 Turning to finished appearance, it is noted that the extension would be finished in render and this detracts from the brick finish of the rear elevation of the application property. However, the property itself does have a white painted finish on the principal elevation. Moreover, there are properties along Grove Road which comprise of white render finishes combined with the fact that there is no uniformity to the overall appearance of dwellings along Grove Road or in the wider area. Therefore, it is considered that the overall finish of the rear extension would not be out of character in this instance. In addition, as mentioned above, it is located to the rear of the property, so it would not be readily visible from the public realm, so there would not be sufficient grounds to warrant refusal in this instance.
- 7.2.13 Turning now to the proposed front porch, it is considered to be of a limited size and scale of which it would appear proportionate and secondary against the main dwellinghouse. In addition, the porch would be finished in a white render, so as to not appear out of character with the overall external finish of the application property. Therefore, this part of the proposal would not harm the character and appearance of the application property or the visual amenities of the wider street scene.
- 7.2.14 Given the aforementioned assessment, 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.

### 7.3 Impact upon Neighbouring Amenity

- 7.3.1 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 which are two-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

- 7.3.2 With regards to the properties located to the rear of the application site on Albert Street, the proposed extension would have a separation distance of approximately 28m. This would exceed the 25m requirement as set out in the table above. As such, there are no issues with respect to outlook and privacy in relation to the properties which front onto Albert Street.
- 7.3.3 Turning to the immediate impact on adjoining neighbouring properties, the proposed extension at ground floor level comprises a window serving the enlarged kitchen on the western elevation. However, this window would look onto the existing garden boundary fence which forms a physical screen between the application site and number 20 Grove Road. In addition, the window would look onto a blank wall of the aforementioned property. Therefore, it would not cause any issues in relation to privacy in this instance. In terms of impact on number 24 Grove, there are no side windows proposed which would cause a privacy issue.
- 7.3.4 In regards to the impact on outlook, specifically whether or not the development would appear overbearing, the ground floor level windows on the flank elevation of number 20 Grove Road appear to serve a kitchen according to planning records. As this is not classed as a habitable window, an assessment does not have to be undertaken in this instance.
- 7.3.5 Notwithstanding the above, the proposed extension would be set in 0.7m at ground floor level (due to a shared alleyway access to the rear gardens) and 1.9m at first floor level from the shared boundary common of number 20. Taking this into consideration, the proposed extension works would not appear overbearing to the owner / occupiers of this property. In addition, as the extension does not breach the 45 degree line in plan and elevation form from any habitable room window, the proposed works would not have any significant impact on the level of sunlight and daylight received by the owners of number 20 Grove Road.
- 7.3.6 Turning now to the impact on number 24 Grove Road, it is noted that at ground floor level there is a window serving a dining room which is classed as a habitable room. Based on the information the Council has on this property, this appears to be the only window which serves this room. Taking this into consideration, it is noted that this window is already affected by the original two-storey outrigger which projects approximately 4.7m beyond the rear of this window. The proposed development at ground floor level, in combination with the existing extension, would have a combined depth of approximately 5.7m.
- 7.3.7 Given the aforementioned, as the combined depth of extension would exceed the 3.5m depth standard set out in the Design Guide, the proposed development could potentially have a detrimental impact on the outlook of number 24 Grove Road. However, in order to overcome this issue, the applicant has amended the plans whereby the proposed extension at ground floor level is now stepped in by 0.7m from the shared common boundary with the aforementioned property. This provides an element of relief to the overall expanse of brickwork and would mitigate any perception of overbearance as viewed from the dining room window of number 24.
- 7.3.8 At first floor level, the amended design means the extension has now been stepped in by approximately 1m whereby its width has been reduce from 3.52m to 3.30m. The depth of the extension has also been reduced from 3.29m to 3.10m. This combination of changes to the proposed works allows further relief to the built form whereby reducing the overall level of impact to the neighbouring property to an acceptable level.
- 7.3.9 In regards to the impact on sunlight and daylight, is note the proposed development would breach the 45 degree line in plan and elevation form of the dining room window of number 24 Grove Road. Therefore, the proposed could potentially have an impact on the level of sunlight and daylight received in this room. However, the existing extension at the application property already has an impact on this room whereby it already breaches this 45 degree line and by stepping in the development as shown in the amended plans, it reduces the level impact this development could have had on number 24. Moreover, the applicant

has submitted a daylight and sunlight plan to demonstrate the development would not have a significant impact on this property over and above the current situation and it would accord with the recommended BRE guidelines in relation to daylight, sunlight and overshadowing (BRE: Site Layout Planning for Daylight and Sunlight – A guide to good practice). For reference, this assessment also demonstrates the scheme would not result in a significant level of overshadowing to number 20 over and above the current situation to be able to substantiate a reason for refusal.

- 7.3.10 Turning to the area of retained garden, despite the concerns raised by local residents, if planning permission were to be granted and the development implemented, over 125.58m<sup>2</sup> of garden area would be retained. This would exceed the 50m<sup>2</sup> standard as set out in the Council's Design Guide. Consequently, sufficient amenity space would be retained in this instance.
- 7.3.11 Given the aforementioned assessment, the proposed development would on balance, not have a detrimental impact on the amenities of neighbouring properties. The proposed development would therefore, accord with policies SP8 and GD1 of the adopted Local Plan (2019), the Council's Design Guide SPD (2009), the NPPF (2021) and PPG (2014).

## **7.4 Parking Provision**

- 7.4.1 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 enlarging existing dwellinghouses. The proposal would seek to increase the number of bedrooms from 2 to 3. As such, there would be a requirement to provide 2 off-street parking spaces. However, the existing property does not comprise of any off-street parking and the proposal does not seek to provide for parking within the curtilage of the application property.
- 7.4.2 Notwithstanding the above, 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 1 to 1.5 car parking spaces which is the same parking requirement for a 2 bedroomed property. For reference, the parking requirement for a 2 bedroomed property is 1.5 spaces. However, in accordance with paragraph 2.8 of the Parking Standards SPD, where there is a fraction of a space, it has to be rounded up. Consequently, the parking requirements for a 2 bedroom and 3 bedroom property are practically the same.
- 7.4.3 Given the above, it would not be reasonable to seek the provision of a parking space to serve the enlarged property. Moreover, as 2 and 3 bedroomed properties have similar parking requirements, there would not be sufficient grounds to warrant refusal in this instance.
- 7.4.4 Given the aforementioned assessment, 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.

## **7.5 Trees**

- 7.5.1 With regards to trees, 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.
- 7.5.2 The proposed development would appear to be located within close proximity to an existing English Yew Tree (*Taxa Baccata*). Consequently, the proposed development could potentially harm the health and vigour of this tree. Following consultation with the Council's

Arboricultural and Conservation Manager, he raises no concerns from an arboricultural perspective. This is because the expected impact to the Yew tree / shrub would be minimal but, does recommend due care is given during the excavations for the foundations. It is considered that this aspect could be covered by way of an informative to any decision issued.

## **7.6 Other Matters**

### Loss of a view

- 7.6.1 As established by planning case law, there is an accepted dictum that a property owner does not have a legal right to an outlook over land which is in another ownership. However, matters such as privacy or whether a development appears overbearing is a material planning consideration. An assessment as to the developments impact on privacy and whether it is overbearing has been assessed as set out in earlier sections of this report.

### Impact on quality of life

- 7.6.2 It has been established in case law the impact a development has on a person's quality of life is not a material planning consideration. However, the Local Planning Authority does have to consider the impact a development can on the amenity of neighbouring properties. This has been assessed in detail as set out earlier in this report.

### Statutory nuisance from smells generated from proposed kitchen

- 7.6.3 Due to the scale and nature of the proposal, the Council as Local Planning Authority has no control over the location and position of any extraction or ducting relating to a kitchen which could result in odours causing a nuisance to a neighbouring property.

### Equality, Diversity and Human Rights

- 7.6.4 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.
- 7.6.5 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.
- 7.6.6 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.
- 7.6.7 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.
- 7.6.8 The proposed development would not have any impacts on persons who are defined as falling within one of the protected characteristics under the Equalities Act.

## 8. CONCLUSIONS

- 8.1 In summary, the proposed development would not have a detrimental impact on the character and appearance of the host application property or the visual amenities of the wider street scene. In addition, the extension would not constitute an unneighbourly or overdominant form of development resulting in an unacceptable level of visual intrusion. Furthermore, the proposed development would not generate an additional level of overshadowing along with impacting upon the level of sunlight and daylight of neighbouring properties to a level at which would be sufficient to warrant refusal. Moreover, the proposal does not require additional off-street parking and it would not have a detrimental impact on the Yew Tree subject to an informative being imposed to any decision.
- 8.2 The proposed development would therefore, accord with the relevant polices of the adopted Local Plan (2019), the Council's Design Guide SPD (2009), the Council's Parking Standards SPD (2020), the NPPF (2021) and PPG.

## 9. RECOMMENDATIONS

- 9.1 That Planning Permission be GRANTED subject to the conditions outlined below:
- 1 The development hereby permitted shall be carried out in general accordance with the following approved plans:  
2110-11(P)001; 2110-11(P)002; 2110-11(P)101; 2110-11(P)102A; 2110-11(P)201B; 2110-11(P)202B; Design Proposal: Comparative Orientation Study.  
**REASON:** - For the avoidance of doubt and in the interests of proper planning.
  - 2 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  
  
**REASON:** - To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).
  - 3 The materials to be used in the construction of the external surfaces of the development hereby permitted shall be as specified in the application submission unless otherwise agreed in writing by the Local Planning Authority.  
  
**REASON:-** To ensure the development 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 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](http://www.stevenage.gov.uk/CIL) or by contacting the Council's CIL Team at [CIL@Stevenage.gov.uk](mailto:CIL@Stevenage.gov.uk).

### **2 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>

### **3 Building Regulations**

To obtain advice regarding current Building Regulations please contact Hertfordshire Building Control Ltd. by emailing us at [building.control@hertfordshirebc.co.uk](mailto: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).

#### **4 Impact on the Yew Tree**

Care shall be given during the excavation and construction phase of this development hereby permitted to ensure that these works do not cause harm to any roots within the root protection area of the Yew Tree.

### **10. BACKGROUND DOCUMENTS**

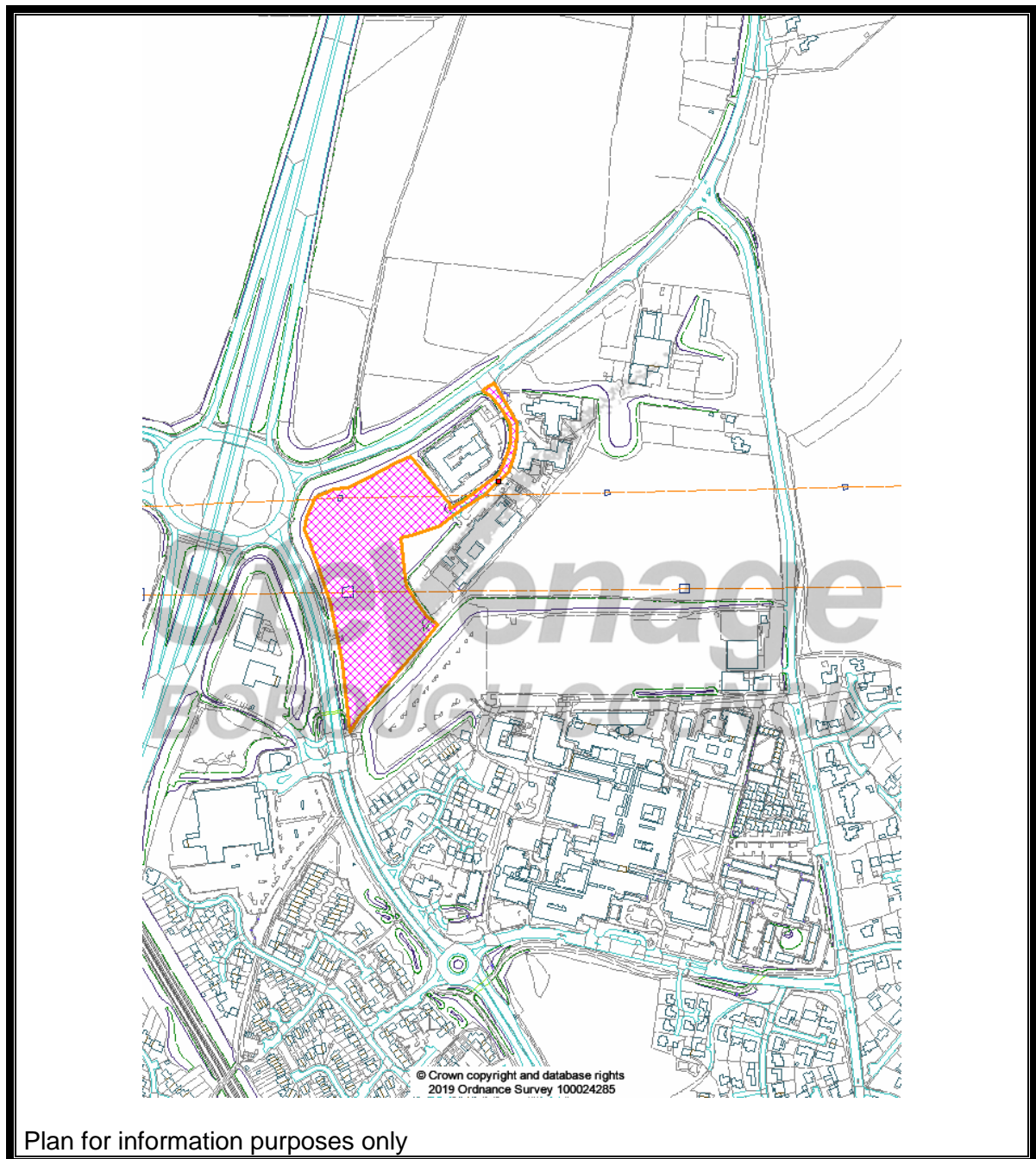
1. The application file, forms, plans and supporting documents having the reference number relating to this item.
2. Stevenage Borough Council Supplementary Planning Documents – Parking Provision adopted October 2020, Stevenage Design Guide adopted October 2009.
3. Stevenage Borough Local Plan 2011-2031 adopted 2019.
4. Hertfordshire County Council's Local Transport Plan 4 adopted May 2018.
5. Responses to consultations with statutory undertakers and other interested parties referred to in this report.
6. Central Government advice contained in the National Planning Policy Framework July 2021 and Planning Policy Guidance.



<b>Meeting:</b>	<b>Planning and Development Committee</b>	<b>Agenda Item:</b>
<b>Date:</b>	<b>14 July 2022</b>	
<b>Author:</b>	<b>Ailsa Davis</b>	07702 874529
<b>Lead Officer:</b>	<b>Zayd Al-Jawad</b>	01438 242257
<b>Contact Officer:</b>	<b>Ailsa Davis</b>	07702 874529

Application No:	22/00098/FPM
Location:	Land at East of A602 and South of Graveley Road, Stevenage
Proposal:	Erection of a 54 bed building for C2A planning use with access, car parking, landscaping and associated works
Drawing Nos.:	EN54-RYD-00-ZZ-DR-A-0100-S2-P4; EN54-RYD-00-ZZ-DR-A-0101; EN54-RYD-00-ZZ-DR-A-1001; EN54-RYD-00-ZZ-DR-A-1120; EN54-RYD-00-ZZ-DR-A-3601; EN54-RYD-00-ZZ-DR-A-3602; EN54-RYD-00-ZZ-DR-A-3603; EN54-RYD-00-ZZ-DR-A-3604; EN54-RYD-00-ZZ-DR-A-3605; EN54-RYD-MB-01-DR-A-3002-S2-P10; EN54-RYD-MB-LG-DR-A-3000-S2-P10; EN54-RYD-MB-RF-DR-A-3040; EN54-RYD-MB-UG-DR-A-3001-S2-P12; EN54-RYD-SW-01-DR-L-2110-S2-P12; EN54-RYD-00-01-DR-L-2113; EN54-RYD-00-LG-DR-L-2111; EN54-RYD-00-UG-DR-L-2112; EN54-CAP-XX-XX-DR-E-6301 P05
Applicant:	Kier Construction Ltd - Eastern
Date Valid:	7 February 2022
Recommendation:	GRANT PLANNING PERMISSION





## 1. SITE DESCRIPTION

- 1.1 The application site comprises approximately 3.3ha of land situated on the northern edge of Stevenage. Bounding the site immediately to the west is the A602 and Junction 8 of the A1(M). To the east of the site is Cygnet Health Care facility and Pinelodge Care Home. Beyond this is Victoria Court and Elizabeth Court; an older person's mental health service and a car storage facility. South of the site is the Lister Hospital staff car park, and beyond this the Lister Hospital.
- 1.2 There is an existing non-adopted access road to the site from Graveley Road which already provides access to the Cygnet Health Care facility, Victoria Court, Elizabeth Court and the Pinelodge Care Home. There is a second access off Hitchin Road, which provides farm access, and access for maintenance of the electricity pylons on site.
- 1.3 The site slopes upwards from south to north, with the lower gradient in the south. There are two separate power lines running across the site in an east west direction, and development

has therefore been designed to allow for a 10m buffer zone from each. The site is mainly within Flood Zone 1 meaning that there is a very low probability of fluvial flooding, although a small part of the southern section of the site falls within Flood Zones 2 and 3. The site is not within an Area of Outstanding Natural Beauty nor is it within a Conservation Area, Site of Special Scientific Interest, Air Quality Management Area, Special Landscape Area, Local Green Space or any other national/local environmental or ecological designations.

## **2. RELEVANT PLANNING HISTORY**

- 2.1 The application site was included as part of a wider area for the application for a nursing home which has since been superseded by a later application on a reduced site area to the east of the site – ref. 04/00606/FP 90 bed nursing home/independent hospital with associated access road, car parking and landscaping on land adjacent to Elizabeth Court granted planning permission 24 August 2005. There is no other planning history connected with the application site.

## **3. THE CURRENT APPLICATION**

- 3.1 This application seeks planning permission for a proposed development comprising the erection of a 54-bed building for C2A planning use class, with access, car parking, landscaping and associated works on land off Graveley Road, Stevenage.
- 3.2 The application proposal has been developed by Hertfordshire Partnership University NHS Foundation Trust (HPFT), whose aspiration is to build a high quality and award winning medium secure mental health unit to serve east Hertfordshire. Since 2007, HPFT have been providing health and social care for over 400,000 people with mental ill health, physical ill health and learning disabilities across Hertfordshire, Buckinghamshire, Norfolk and North Essex. The Trust's vision is 'Delivering Great Care, Achieving Great Outcomes – Together', as described in HPFT's Good to Great Strategy (2016-2021). It's aimed at delivering the right services of the right quality, to the right service users, in the right location.
- 3.3 HPFT deliver a range of nationally commissioned specialist services including Tier 4 services<sup>1</sup> for children and young people, perinatal services and medium and low secure learning disabilities services. The Trust provides services which make a positive difference to the lives of service users and their carers, underpinned by choice, independence and equality. To promote greater integration between mental and physical health and social care, HPFT's key partners include local authorities and commissioners, regulators, the University of Hertfordshire and Hertfordshire Community NHS Trust (HCT).
- 3.4 HPFT are one of just five mental health trusts to achieve an overall rating of 'Outstanding' from the Care Quality Commission (CQC), and recently received the 'Mental Health Trust of the Year' award from the Health Service Journal (HSJ). The existing mental health provision at the Lister and St Albans sites does not meet the 'Outstanding' standards the Trust want for all services users and as standalone units with poor environments, are not conducive to providing a high-quality experience. Service users share bathrooms/showers, have limited access to outside space, and a limited choice and access to activities. The choices to meet with family on and off ward are also restricted. Staff sickness rates are twice the Trust average. The poor environment impacts upon service user recovery and on staff wellbeing and performance.

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<sup>1</sup> Specialist services that provide assessment and treatment for children and young people with emotional, behavioural or mental health difficulties.

- 3.5 The proposed facility would incorporate developments on technology, service integration, energy efficiency and staff and patient wellbeing, providing first class care addressing the long-recognised deficiency in care provision across east Hertfordshire and align with the NHS Long Term Plan ambitions for community based mental health. The project is endorsed by service users, carers, health and care partners, commissioners and the Hertfordshire Health Overview & Scrutiny Committee.
- 3.6 This application comes before the Planning and Development Committee because it is a Major.

## **4. PUBLIC REPRESENTATIONS**

- 4.1 This planning application has been publicised by way of two site notices and neighbouring properties have been notified about the application via a letter. The application was also published in the local press as it is a major application. No representations were received.

## **5. CONSULTATIONS**

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

#### Comments received 24 February 2022

- 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 relating to construction management and a sustainable travel planning obligation for £102,384 to be spent on improvements to footways and cycleways leading to the development.
- 5.1.2 Following this, further justification was requested from the Highway Authority in relation to the proposed sustainable travel financial contribution. The planning consultant representing the applicant prepared a written rebuttal dated 15 March 2022 setting out that the sustainable transport contribution sought by HCC for the proposed development is not in compliance with the statutory tests in regulation 122 and the policy test in the NPPF, namely:
- 5.1.3 The planning obligation being sought is not:
- necessary to make the development acceptable in planning terms;
  - directly related to the development; and
  - fairly and reasonably related in scale and kind to the development.
- 5.1.4 In summary, the applicant's position is as follows. The Hertfordshire County Council Guide to Developer Infrastructure Contributions (2021) states that the Guide 'is not a statutory planning document unless adopted as such. It is a Guide with reference documents.' It continues that 'Hertfordshire local planning authorities have the responsibility of weighing up the importance of this Guide and the identified planning obligations against competing requirements/issues when considering planning applications'. The HCC response to the application indicates that the s106 contribution would be used towards required works that should include improvements to footways and cycleways leading to the development. There are no specific works identified in the locality in HCC's response. The Infrastructure Delivery Plan (part of the Stevenage Local Plan) has already taken into account the allocation of the application site for health associated uses as part of the Local Plan process, assessed the

infrastructure requirements needed and identified the way in which CIL would contribute to these.

- 5.1.5 The development proposes significant improvements on-site to enable linkages to existing public footpaths and cycleways. This includes two new pedestrian / cycle links to Hitchin Road (A602); one to the most southern point of the site, and one linking to the existing (agricultural) access point off Hitchin Road. In addition to this, as part of the development there would be a continuation of the footway on the privately owned access road off Graveley Road adjacent to the Cygnet Hospital. The footpath and cycleway provision would therefore bring about significant improvements to users of the site, as well as users in the locality. For example, the footpaths leading to Hitchin Road would provide a direct route to the bus stops on Hitchin Road for staff from the proposed development, as well as potentially providing a route for staff from the adjacent Cygnet Hospital, Pinelodge Care Home, Victoria Court and Elizabeth Court. HCC have not taken into account the significant sustainable transport (cycling and walking) improvements for users of the site and the wider area that would be delivered as a result of the proposed development.
- 5.1.6 The Transport Assessment and Travel Plan submitted with the planning application show that the development would fully comply with NPPF paragraph 108 in that safe and suitable access to the site would be achieved for all users and NPPF paragraph 110 since the development would give priority first to pedestrian and cycle movements and also facilitate access to high quality public transport.
- 5.1.7 Following discussions with the Highway Authority, they have accepted the applicant's position on this matter and are no longer pursuing the sustainable travel contribution.

#### Comments received 17 March 2022

- 5.1.8 The Area Manager for the Highway Authority provided the following additional comments:
- The existing access onto the A602 is proposed to be changed to a pedestrian/cycle access only. Need to include a condition which closes off this access to vehicles and raises the footway kerb;
  - The Travel Plan should be conditioned;
  - Queries pedestrian route design on approach to the new development along the main internal road;
  - Approach routes for pedestrians need some thought. There's no pedestrian dropped kerbs and tactile paving for example over the Victoria Court access on approach to the site;
  - Queries over internal traffic light system;
  - Cycle parking provision should be increased;
  - Car parking provision excessive;
  - Pedestrian/Cycle link to informal crossing on Graveley Road.
- 5.1.9 The planning consultant representing the applicant provided a response dated 22 June 2022 with the following comments:
- The applicant is willing to accept a planning condition that closes off the access onto the A602 with a gate and appropriate signage;
  - It is accepted that the Travel Plan will be conditioned;
  - Updated landscape masterplan submitted (Drawing EN54-RYD-SW-01-DR-L-2110-S2-P11) showing the realignment of the zebra crossing which is now perpendicular to the road. The Drawing shows that a segregated footpath has been designed as part of the scheme;
  - Confirmation that all crossing points would have drop kerbs / tactile paving;

- Most pedestrians would approach from the newly created south/west access point, and it is considered unlikely that many pedestrians would approach using the access road off Graveley Road;
- The traffic route between the northern and southern car parking areas is constrained. The design response to this has been to provide a traffic signal system along part of the eastern side of the building. This solution is considered the best practical means of ensuring safe vehicle movement within this constrained location, while ensuring that safe and proper pedestrian access is also accommodated;
- The number of cycle spaces increased to 32 spaces, which the applicant accepts may need to be conditioned;
- Justification provided for exceeding car parking standards;
- The steep gradient and change in levels prohibit a pedestrian/cycle access onto Graveley Road.

## **5.2 National Highways**

5.2.1 National Highways has no objection to the planning application.

## **5.3 Herts Fire and Rescue Water Officer**

5.3.1 This will require a condition for the provision and installation of fire hydrants, at no cost to the County, or Fire and Rescue service. This is to ensure there is an adequate water supply available for use in the event of emergency.

## **5.4 Crime Prevention Design Service**

5.4.1 Thank you for inviting me to comment on the proposal for a 54-bed building for C2A use. I am aware of this project and have been involved in discussions with the project team since the pre-application stage. I am pleased that they are seeking accreditation to the Police preferred minimum security standard that is Secured by Design (SBD). I will be continually involved as this development progresses.

5.4.2 I am pleased to see the inclusion of Section 136 facilities as there is currently a lack of units available and this can cause a drain on Police resources. The only slight error I noted was with the Site characteristics on page 9 of the design & Access Statement. The error is the bottom right-hand photo is labelled Area 5b City Centre in fact it should be Area 2 Lister Hospital as this is the Urgent Care Centre at the Lister Hospital site. Given the involvement of the local Crime Prevention Design Advisor in this project the Police Crime Prevention Design Service fully support this application.

## **5.5 Herts and Middlesex Wildlife Trust**

5.5.1 The ecological report is acceptable. Two conditions are required to secure the measures set out in the ecological report to achieve a biodiversity net gain.

## **5.6 SBC Planning Policy**

5.6.1 The proposed development would be welcomed as it would provide high-quality mental health facilities to serve the community. The application demonstrates a commitment to energy efficiency and sustainable transport as well as high-quality design and landscaping, but the applicant could pursue more ambitious transport targets and improve the sustainability of the building materials.

## **5.7 Anglian Water**

- 5.7.1 The foul drainage from this development is in the catchment of Graveley Water Recycling Centre which currently does not have capacity to treat the flows the development site. Anglian Water are obligated to accept the foul flows from the development with the benefit of planning consent and would therefore take the necessary steps to ensure that there is sufficient treatment capacity should the Planning Authority grant planning permission.
- 5.7.2 The sewerage system at present has available capacity for used water.
- 5.7.3 From the details submitted to support the planning application the proposed method of surface water management does not relate to Anglian Water operated assets. As such, we are unable to provide comments on the suitability of the surface water management. The Local Planning Authority should seek the advice of the Lead Local Flood Authority or the Internal Drainage Board.

## **5.8 Historic Environment Advisor (Archaeology), Hertfordshire LEADS**

- 5.8.1 The proposed development has been accompanied with an archaeological Desk Based Assessment (RPS, 2021), which identified a moderate potential for heritage assets of archaeological interest to be present on site. The site itself lies adjacent to the line of Roman road (HER 4635), which extended from Baldock to Rush Green. On the south edge of the site Roman Samian ware (HER 12567) was discovered as a spot find.
- 5.8.2 I therefore consider that the proposed development should be regarded as likely to have a potential impact on heritage assets of archaeological interest and I recommend that an appropriately worded condition on any planning consent would be sufficient to provide for the level of investigation that this proposal warrants:

*No development shall take place within the proposed development site until the applicant, or their agents, or their successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation, which has been submitted to the planning authority and approved in writing. This condition will only be considered to be discharged when the planning authority has received and approved an archaeological report of all the required archaeological works, and if appropriate, a commitment to publication has been made.*

## **5.9 SBC Arboriculture and Conservation Manager**

- 5.9.1 I have looked into this application, inspected the site and can confirm that, in principle, I have no objection, from an arboriculture view point. I do have a few concerns though. Firstly, I haven't been able to see any document which shows how far the South Western corner of the building is likely to intrude within the RPA of the nearby mature Oak tree. Secondly, I have not been able to see any details of the proposed landscape and how the applicant is going to achieve the 30% canopy coverage at maturity.
- 5.9.2 The applicant's agent has advised it is assumed that an arboriculture impact assessment, tree protection plan and method statement would be conditioned as part of any planning permission granted. This would provide information on the RPA of all trees, including the mature Oak tree. The landscape masterplan ref. EN54-RYD-SW-01-DR-L-2110-S2-P11 shows the eventual canopy spread for the trees as proposed. The species currently proposed are *Betula utilis* var. *Jacquemontii* – Multistem, *Prunus accolade* and *Pinus sylvestris* 'Waterii' – Multistem to the main entrance. *Amelanchier lamarckii* – Multistem to the S.136 entrance and *Acer campestre* – *Elsrijk* to the car park. The above information shows the way in which 30% canopy coverage will be achieved at maturity.

## 5.10 SBC Environmental Health

5.10.1 I have no objections to the proposed development. My concerns relate to noise, specifically traffic noise from A1M, A602 and dual carriageway and adverse effects on future residents. No noise assessment has been submitted. I therefore recommend the Condition below:

*Prior to the commencement of the development the developer shall carry out a noise assessment in accordance with relevant guidance and standards and a scheme for sound insulation and noise control measures shall be submitted for the Council's written approval. Once implemented, the scheme of measures shall be maintained in accordance with the approved details.*

**Reason:** to protect the amenities of future residents and in accordance with Policy FP7.

## 5.11 Lead Local Flood Authority

5.11.1 Due to resourcing issues at Hertfordshire County Council as Lead Local Flood Authority (LLFA), the LLFA is temporarily unable to comment on planning applications. The Council has appointed an independent drainage consultant to assess the Surface Water Drainage Strategy in line with Guidance issued by the LLFA. The consultant reviewed the information provided with respect to flood risk and drainage and prepared two technical notes advising the Planning Authority on how the proposed drainage strategy for the site could be improved. The advice can be summarised as follows:

- The existing culverted Ash Brook should be day lighted through the site;
- New outfalls and headwalls would be required up and downstream
  - Upstream outfall for the remaining culvert (in the east)
  - Downstream headwall for the remaining culvert under Hitchin Road (in the west);
- New downstream embankment required (the new headwall would be placed through this). This would turn the proposed floodplain compensation area into a flood storage area, thus realising the betterment. A 'flood storage area' would be created by adding a bund in the western corner of the site, maximising the benefit of the excavated area. Water would then drain into the day lighted Ash Brook through a new culvert headwall located close to the Hitchin Road (in the new embankment) and onto the Corey's Water Meadow flood storage area adjacent to Sainsburys.

5.11.2 Detailed design for the above would be secured via planning conditions.

## 5.12 Cadent Gas

5.12.1 No objection, subject to an informative regarding access and building over Cadent Gas assets.

# 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.

## **6.3 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 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 HC3: The Health Campus  
Policy IT4: Transport assessments and travel plans;  
Policy IT5: Parking and access;  
Policy IT7: New and improved links for pedestrians and cyclists;  
Policy GD1: High quality design;  
Policy FP1: Climate change;  
Policy FP2: Flood risk in Flood Zone 1;  
Policy FP3: Flood Risk in Zones 2 and 3;  
Policy FP5: Contaminated land;  
Policy FP7: Pollution;  
Policy FP8: Pollution sensitive uses  
Policy NH5: Trees and woodland

## **6.5 Supplementary Planning Documents**

Parking Provision and Sustainable Travel SPD (2020)  
Stevenage Design Guide SPD (2009)  
The Impact of Development on Biodiversity SPD (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. This proposal would be CIL liable at £0/m<sup>2</sup>.

## **7. APPRAISAL**

- 7.1.1 The main issues for consideration in the determination of this application are its acceptability in land use policy terms, its design and impact on the appearance of the area, ecology and trees, flood risk and drainage, climate change mitigation, residential/neighbouring amenities, archaeology and means of access/parking.
- 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**

- 7.2.1 The application site is part of the Lister Hospital Health Campus, which is designated within the adopted 2019 Local Plan under Policy HC3 which states planning permission will be granted for appropriate Class D1 (now Use Class E under the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020) or C2 healthcare uses. The policy also states other use classes will be permitted where they provide ancillary facilities which support the site's principal function.
- 7.2.2 The proposed acute care mental health unit falls within planning use class C2 residential institution (healthcare) and is therefore an acceptable use in accordance with Policy HC3. On that basis, the principle of the proposed development is considered acceptable in land use policy terms, subject to satisfying design, transport and environmental policies.

### **7.3 Impact on the 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 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 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.

- 7.3.5 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.
- 7.3.6 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 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.
- 7.3.10 The application proposal 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 overall design ethos is to create a building that respects the topography of the site, maximises the benefits of natural light and adopts a light colour palette of external finish to reduce the perception of bulk. The building would be designed with differing levels and varying mono pitch roof heights to create architectural

interest and to break up the bulk and fit into the slope of the site, reducing its visual impact on the wider area.

7.3.11 In terms of appearance, the proposed external finish is of high architectural quality. A material palette has been submitted with the application, which comprises masonry elements which are fair in complexion. These are contrasted by a definitive grey zinc roof and the reflective quality of tinted elevational aluminium panels. The cladding of the courtyard and the window frames would be of timber effect to strive for a warmer, more calming atmosphere. The eastern facade presents a clearly identifiable main entrance to the lobby. The canopy that extends down to the ground separates the public from the staff entrance. It also wraps around the corner to visually connect with the cafe terrace as well as to provide shelter. The vertical aluminium slats on the first floor stand out from the rest of the material palette, further emphasising the entrance. The transparency of the curtain walling allows for more natural light into the office area while creating a perfect balance with the opaque brickwork. This combined with the varying mono-pitch and flat roof profiles would create a high quality and visually impressive entrance to the site.

7.3.12 With regards to layout, the size of the proposed building has been dictated by the accommodation requirements of the Department of Health Guidance HBN 03:01 Adult Acute Mental Health Units. The building would be sited between the two pylons, allowing for the required 10m buffer to avoid the power lines. The building footprint would be roughly square shape comprising four quadrants sited around internal courtyard gardens. Two car parks are proposed, one in the NE corner of the site adjacent to the vehicular entrance off Graveley Road and the other at the southern, lower end of the site. The main building entrance would be on the eastern elevation facing away from the A1(M) and A602. The height and massing of the building would reflect the topography of the site, with the highest part of the building in the northern part of the site.

7.3.13 With regards to landscaping design, the approach has been to meet the needs of the various users of the healthcare facility and provide a relaxing and welcoming experience for all service users, visitors and staff. Courtyard gardens would provide access to fresh air and natural sunlight and attractive views out from communal areas, bedrooms, treatment rooms, and staff rooms. Safety of users is paramount and as such trees or objects that could create ligature risk must be avoided. Consideration has been given to the plant species to avoid poisonous plants, or those that could grow to provide potential weapons (eg barbed roses or bamboo canes).

7.3.14 An increasing body of research indicates that some of the UK's current health challenges can be influenced by our physical environments. Visual and physical connection with the natural environment is shown to improve mood, sleep patterns, concentration, memory, and lower stress levels, mental fatigue and blood pressure. Building on these findings, the following design principles have been adopted:

- Providing rooms that have views of nature
- Gardens to have a domestic scale and feel
- Create places for private conversation and social interaction
- Provide a choice of seating options: type, height and location
- Use focal elements to create a distraction or talking point
- Use warm to touch natural materials to help relax users
- Scented plants located near seating areas or doorways
- Seasonal change and variation through plant choice
- Gardens to encourage activity through creation of wandering routes of discovery, growing beds, and flexible open space for fitness and sport

7.3.15 Taking the aforementioned into consideration, it is considered that the proposed building would be of high architectural quality, successfully using the topography of the site to reduce the appearance of bulk and visual impact on the wider area. The landscaping design

approach has been carefully considered to benefit the users of the building and to create an attractive setting. The proposed development is therefore considered acceptable in terms of its design and appearance in accordance with the policies on design in the adopted Local Plan (2019), the Design Guide SPD (2009), the NPPF (2021) and PPG.

## **7.4 Parking and Access**

- 7.4.1 Section 9 of the NPPF seeks to promote sustainable travel. Policy IT4 and IT5 of the Local Plan encourage development proposals to accord with the Council's Parking Standards and for applications, where relevant, to be accompanied by Transport Assessments and Travel Plans promoting sustainable travel and reducing the need to travel by car. A Transport Assessment and Travel Plan accompany the application, which consider the highway impact of the proposal, including the impact of other committed developments in the area, parking need and examining the proposed designs and any mitigation measures needed to reduce the traffic impact. Hertfordshire County Council as Highway Authority has also been consulted as a statutory consultee.

### *Access*

- 7.4.2 The proposed development would be accessed from the existing road leading from the B197 Graveley Road entering the site from the eastern side. The site access road which forms a cul-de-sac serving the Pinelodge Care Home, Victoria Court Older People's Mental Health Unit, the Cygnet Hospital and the application site is a private road. It has been confirmed that the NHS Trust will be acquiring ownership of the private road as part of the land purchase for this development.
- 7.4.3 Opportunities available to enhance pedestrian and cycle access to the site have been maximised. A pedestrian / cycle route from the south-west has been included which links the site to the A602 Hitchin Road, which would improve access from bus routes and from the Lister Hospital to the south. In addition, footpaths are provided at several different levels in the north-eastern part of the site due to the topography, to ensure that access between parking areas and the buildings remains as level as possible in the interests of pedestrian safety.
- 7.4.4 The Highway Authority has asked for a condition to be imposed should planning permission be granted to close off the existing gated access from the layby on the A602 to vehicles and raise the footway kerb to ensure it could only be used for pedestrians and cyclists to access the site. The applicant has no objections to keeping the access closed off with a gate and sign advising it is for emergency vehicles only, however has requested the kerb is left as existing to retain the access as a secondary emergency vehicular access and maintenance access for the pylons. This would be for occasional use where direct and quick access to the unit is required for ambulances or police or for use by the National Grid. It is considered the proposed arrangements would prevent motorists from accidentally driving up the access, not least because this is the same arrangement as existing.
- 7.4.5 The Highway Authority also queried the pedestrian route design on approach to the application site along the main internal road. A shared surface arrangement is not appropriate for this scale of development, so there needs to be segregated footways alongside the internal carriageway. Footways are not marked on the proposed plans and the zebra crossing is at an awkward angle. The crossing should be perpendicular to the carriageway, not at an angle. An updated landscape masterplan has been submitted (ref. EN54-RYD-SW-01-DR-L-2110-S2-P12) showing the realignment of the zebra crossing which is now perpendicular to the road.

The drawing shows that a segregated footpath has been designed as part of the scheme and the applicant has confirmed that all crossing points would have drop kerbs / tactile paving.

- 7.4.6 Given that the NHS Trust will be acquiring ownership of the private road as part of the land purchase for this development, it would be possible to improve the approach route for pedestrians more generally in line with Highway Authority comments. Whilst the comments of the applicant are noted that this route is unlikely to be used by pedestrians accessing the site, it is considered improvements could be made and therefore a planning condition is recommended requiring the applicant to provide dropped kerbs and tactile paving over the Victoria Court access on approach to the site.

#### *Trip Generation*

- 7.4.7 In terms of trip generation, the NHS Trust has confirmed that the development requires 158 staff (doctors, nurses, therapists, psychologists, pharmacists, support workers, management, secretarial, estates and ancillary staff). It has been clarified that these do not all represent new jobs, as some staff would be moved from existing facilities to work at the new site. Furthermore, the Visiting Professionals would all be existing staff who (as the name implies) visit and work at a number of facilities operated by the Trust.
- 7.4.8 It is important to note that due to the 24-hour and year-round nature of healthcare provision, not all staff are likely to be on-site at the same time. Whilst administrative staff are likely to follow a conventional 09:00-17:30 work pattern, doctors and nurses may divide their working times into three 8-hour shifts or two 12-hour shifts depending on clinical need and staff availability. Taking into account staff attending the site for training (5 training rooms are also proposed within the building), visitors and servicing it has been calculated that on an average day, a baseline estimate of up to 110 staff are likely to arrive at and depart from the site by car, 15 visitors and 35 visitors receiving training if the training facilities are used to capacity. Staff trips could increase to up to 140 at shift changeover times.
- 7.4.9 The Transport Assessment uses Trip Rate Information Computer System (TRICS) data to demonstrate the proportion of those car movements which would occur during the AM (08.00-09.00) and PM (17.00-18.00) highway network peak periods, in order to understand the highest levels of potential impact resulting from development. The Transport Assessment also takes into consideration the calculated impact of other committed development within the wider area namely, sites HO3 (North Stevenage), HO1/11(Rugby Club) and EC1/4 (employment site on the western side of North Road) within the Stevenage Local Plan. The Transport Assessment concludes that the peak vehicular traffic arising from the proposed development would be within daily fluctuation on the major roads and would not have any significant impact on the local road network. Furthermore, in the context of other planned development in the area, the traffic impact has been shown to be less than has previously been allowed for in junction models, which have contributed to planning for infrastructure provision in this area of northern Stevenage.
- 7.4.10 Hertfordshire County Council as Highway Authority has considered that the proposal would not significantly increase the traffic generation or vehicle movement to the development and would not have a severe impact on the safety and operation of the adjoining highways. They advise the modelling which has already been carried out has factored into the cumulative impact on the total development in the area and plans have been put in place to improve the local highway network as may be necessary to mitigate the impact of all the committed development schemes. As such, they raise no objection to the proposal. National Highways also have no concerns with respect to Junction 8 / impact on the trunk road i.e. A1(M).

## *Car parking*

- 7.4.11 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) requires that healthcare facilities provide a maximum of 1 car space per 0.5 beds, although it also states that special hospitals such as this must be considered individually. The indicative maximum provision therefore would be 108 car spaces, but additional provision may be considered in line with clinical need. A total of 135 car spaces are proposed, including 9 disabled bays. The overall provision is split into a northern car park and a southern car park. On the basis that up to 200 staff may be on-site at peak times (shift changeovers) and that up to 140 may drive, the Transport Statement concludes the proposed car parking provision represents a modest level of parking restraint.
- 7.4.12 The Planning Authority needs to consider whether there are any exceptional circumstances to justify this over provision of car parking, when the overall aim of national and local policy is to reduce the use of the car and encourage sustainable travel. In this regard, it is important to consider the proposed use and purpose of the building and how this impacts on the demand for parking spaces. The Transport Assessment advises that due to the shift working pattern of the clinical staff, there would be a peak in staff numbers on-site at shift changeover times, culminating in a parking demand at these times necessitating additional provision in excess of that required by the Council's Parking Provision SPD.
- 7.4.13 At changeover times an additional 42 staff members would be on-site, giving a total of 200 staff. The numbers travelling by car are likely to be higher for night-time shifts than daytime ones, as public transport is not often available at unsocial hours, while walking and cycling in hours of darkness may be considered less desirable by many staff. In addition to the above shift pattern working arrangements, the NHS Trust has also indicated that the five training rooms which would be provided within the building can accommodate a total of up to 50 people, albeit it is unlikely that these would all be in use every day. If you also include the daily Visiting Professionals (assessors, legal and visiting medical staff) and visitors to the service users, evidence emerges that the specialist healthcare use of the building and the working pattern of the staff are factors, which taken together, represent an exceptional justification for providing car parking in excess of the Council's parking requirements for this healthcare facility.
- 7.4.14 Notwithstanding the above, the application is accompanied by a Travel Plan which seeks to implement measures to reduce travel to and from the site by car. These would include:
- Measures to increase the proportion of active travel
  - Measures to decrease the proportion of car travel
  - Measures to make cycling a more attractive option than car travel
  - Measures to improve bus accessibility (via pedestrian links)
  - Measures to reduce car parking supply
  - Measures to develop and promote car-sharing/car-pooling
- 7.4.15 The Highway Authority has requested that the Travel Plan is conditioned as part of any planning permission to ensure the NHS Trust actively promotes the measures contained within it, to reduce the parking demand on site. A planning condition would therefore be added to this effect should planning permission be granted.
- 7.4.16 It is considered that the exceptional circumstances set out within the Transport Assessment around the use of the building and the shift working pattern do justify an over provision of car parking for this site due to the specialist healthcare use of the building. A planning condition requiring the NHS Trust to adopt the measures contained within the Travel Plan would also help to reduce the demand for car parking over the longer term. For these reasons, it is considered the proposed level of car parking is acceptable.

### *Disabled Parking*

- 7.4.17 The provision of 9 disabled bays complies with the Council's standards, whereby at least 5% of total spaces would be available for disabled motorists, and a further 5% of the total car spaces would be capable of being converted to enlarged spaces for disabled motorists. This means an overall provision within the site of up to 14 disabled bays.

### *EV Parking*

- 7.4.18 The adopted Parking Standards SPD (2020) stipulates that for all new development, car parking should be designed to fulfil a Passive Electrical Vehicle (EV) Charging Point standard. This means the underlying infrastructure is provided for connection to the electricity network but will need to be activated through the installation of a charge point to be used in the future as technologies evolve and uptake increases. In addition, a minimum of 20% of new parking on the site should have access to an active EV charging point.
- 7.4.19 All car parking has been designed to fulfil passive EV charging standards, meaning that ducting and cabling would be installed adjacent to all spaces to allow for future provision of charging points, as well as feeder pillars which are shown within the plans. At least 27 out of the 135 spaces (20%) would be provided with EV charging pillars, including two of the disabled bays. Ten parking spaces would be provided in the southern car park for powered 2-wheeler (motorcycle or moped) use in compliance with the SPD requirement of 5% provision.

### *Cycle parking*

- 7.4.20 The Parking Provision and Sustainable Transport SPD (2020) requires that healthcare facilities provide 1 "long term" cycle parking space per 5 staff, which in this case would mean a provision of 32 cycle parking spaces. The Transport Assessment advises this seems high given the TRICS modal split estimate that only 1 staff member is likely to cycle to and from the site. The standards also require that 1 "short term" cycle parking space should be provided per 20 beds. The facility would provide 54 beds, and so three cycle spaces would meet the policy requirement for visitor use. This equates to 35 cycle spaces in total (32 long-term and 3 short-term).
- 7.4.21 Further to discussions with the applicant, the number of cycle spaces has been increased to 32 spaces. A secure long-term cycle parking store to the north of the building would accommodate up to 20 bicycles and 12 spaces (6 cycle stands) would be located to the east of the main entrance providing short term parking. Given an over provision of car parking has been accepted on this site, it is considered a policy compliant level of cycle parking should be provided as a minimum compared to what has been shown on the plans to encourage staff and visitors to cycle to the site and reduce the need to travel by car. As such, the current provision is still considered unacceptable as it fails to meet the policy requirement of 35 spaces set out within the Parking Provision SPD (2020). A planning condition would be added to any planning permission seeking details of the cycle parking to be provided and agreed with the Planning Authority prior to occupation.

### *Servicing and Deliveries*

- 7.4.22 The NHS Trust has indicated that projected deliveries traffic would comprise two food deliveries per day, one linen delivery, one post van and an average of two maintenance vehicle per day, plus one daily refuse vehicle. The site has been designed to allow these service vehicles access. A dedicated deliveries zone is provided on the northern side of the buildings, which comprises its own secure compound with gated entry and exit.

## **7.5 Flood Risk and Drainage**



7.5.1 A Flood Risk and Drainage Strategy has been submitted with the application. The report confirms the majority of the proposed development would be sited in the higher, northern part of the site which is located within Flood Zone 1 where flood risk from all 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 southern boundary of the site falls within Flood Zones 2 and 3, where the proposed southern car park would encroach into these zones.

#### *Fluvial Flooding*

7.5.2 The area of Flood Zone 2 and 3 is associated with Ash Brook, which is culverted and flows in a south-westerly direction tracking the low lying southern section of the site. Models of the existing and proposed surfaces have been generated to assess the impact of the proposed car park on the existing floodplain storage volumes. The initial assessment confirmed that installation of the car park would result in a net loss of floodplain storage and as a result floodplain compensation works would be required to balance the post development floodplain storage volumes.

#### *Surface Water Flooding*

7.5.3 With regards to surface water flooding, the northern part of the site (where the majority of development would be sited) is considered by the Environment Agency flood warning information service to be at a Very Low Risk of flooding. This is to be expected as a result of the elevated nature of this section of the site. However, the southern part of the site is considered to be at a High Risk. The southern area highlighted as being at risk mirrors the fluvial flood scenario.

7.5.4 The application site is Greenfield in nature and does not benefit from any formal connections to the public surface or foul water sewer networks. Reviews of the Anglian Water Limited (AWL) asset records confirm that a 225mm foul sewer tracks the southern site boundary. The Drainage Strategy for the site has been determined by an assessment under the drainage discharge hierarchy. A Ground Investigation Report (Ref No 5018-GI/V2 FINAL, Dated 28 June 2021) has been prepared by Geosphere Environmental Limited, which concludes that the underlying geology is suitable for disposal of site generated runoff. The discharge hierarchy assessment found that utilising infiltration (geocellular soakaways and permeable paving) would be the most effective method of disposing of site generated surface water runoff.

#### *Foul Drainage*

7.5.5 It is proposed to discharge foul flows via a new connection to the existing public foul sewer network tracking the southern boundary. This approach is subject to Anglian Water Limited approval under Section 106 of the Water Industries Act.

#### *Flood Risk Management Measures*

7.5.6 As far as practically possible; floor levels would be raised in relation to adjacent hardstanding. In areas where this would not be achievable, levels would be manipulated to form flood flow lines away from access locations. The proposed drainage system would be designed to

intercept and convey the high intensity rainfall experienced during the 100 year return period and include a 40% increase in peak rainfall intensities to combat the potential effects of future climate change.

7.5.7 The proposed development would also be registered to receive flood warnings from the Environment Agency Flood Warning Direct Service and the access to the southern car park would be gated with life rings and warning signage. This approach would enable the hospital management team to prevent the use of the southern car park if a flood warning had been received. The management team would also prepare a flood emergency response plan which would be communicated and made available to employees of the site (and occupants if appropriate).

7.5.8 Due to resourcing issues at Hertfordshire County Council as Lead Local Flood Authority (LLFA), the LLFA is temporarily unable to comment on planning applications. The Council has procured the services of an independent drainage consultant. The consultant reviewed the information provided with respect to flood risk and drainage and prepared two technical notes advising the Planning Authority on how the proposed drainage strategy for the site could be improved. The advice can be summarised as follows:

- The existing culverted Ash Brook should be daylighted through the site;
- New outfalls and headwalls would be required up and downstream
  - Upstream outfall for the remaining culvert (in the east)
  - Downstream headwall for the remaining culvert under Hitchin Road (in the west);
- New downstream embankment required (the new headwall would be placed through this). This would turn the proposed floodplain compensation area into a flood storage area, thus realising the betterment. A 'flood storage area' would be created by adding a bund in the western corner of the site, maximising the benefit of the excavated area. Water would then drain into the daylighted Ash Brook through a new culvert headwall located close to the Hitchin Road (in the new embankment) and onto the Corey's Water Meadow flood storage area adjacent to Sainsburys.

7.5.9 Detailed design for the above would be secured via planning conditions.

*Strategic Policy benefits to daylighting the culvert*

7.5.10 Local Flood Risk Management Policy 7 (Works to ensure betterment to ordinary watercourses) includes that "when there is an existing culverted ordinary watercourse section, betterment of the situation should be sought, such as re-opening or diverting the channel. If not achievable, the applicant must provide evidence as to why betterment is not viable."

7.5.11 Policy 7 above is repeated in Hertfordshire Council Council's Ordinary Watercourses Policy Statement (2017), which includes a similarly worded Policy. The objective of the policy goes beyond flood risk purposes and acknowledges the opportunity for conservation and enhancement to meet the Water Framework Directive targets for water quality and ecological purposes, with the aim being to restore ordinary watercourses to their natural state and characteristics.

7.5.12 Hertfordshire County Council's position of daylighting culverts is supported by Stevenage Borough Council Local Plan policy too, namely; Part F of Local Plan Policy FP3 (covering sites which fall within Flood Zones 2 and 3) states that planning permission will be granted where any culverted watercourse present on site can be re-naturalised. The Level 2 Strategic Flood Risk Assessment includes a 4 page site assessment which relates specifically to the application site - Health Campus site HC3. The site assessment advises that:

*“According to the Local Plan, development proposals which do not involve deculverting will have an adverse impact on the town’s river corridors and water meadows. Opening up river corridors can help to improve the chemical and biological quality of a watercourse. This, in turn, improves habitats for biodiversity and also contributes to open space and health and wellbeing in the town. Where the developer cannot deculvert the water course or improve the health of the water course, they should provide mitigation elsewhere in the Borough as an offset to their development. This may involve the deculverting of an alternative length of watercourse. Should the developers wish to keep the watercourse culverted beneath the site, then special attention should be given to the maintenance of this culvert. Nevertheless, it is recommended to re-naturalise the culverted watercourse and set back development at least 8m either side as it can improve water quality and health and wellbeing in the town.”*

7.5.13 The objectives of de-culverting the watercourse are not just limited to flood risk, but with significant weight given to ecological and well-being benefits too. An alternative section of culverted watercourse would need to be identified for daylighting and delivered as part of this application should the section running through the application site not be daylighted and the applicant is unlikely to find a more-suitable stretch of culverted watercourse to daylight than exists on-site.

#### *Site-specific benefits to daylighting the culvert*

7.5.14 There are also a number of site-specific benefits to daylighting the culvert:

- Reduction in flood risk to the pedestrian underpass under the A602. As observed in 2014, the Hitchin Road pedestrian underpass is liable to flooding at present. Floodwater currently bypasses the Ash Brook culvert at the headwall to the east and then passes through the southern part of the site and into the underpass, due to there being no other route to re-enter the watercourse (due to it being culverted);
- Drainage of the compensatory flood storage area. The significant time estimated to drain the compensatory storage area following a flood event as stated in the submitted Flood Risk Assessment is due to there being no discharge point and infiltration rates in the lower southern part of the site are very low;
- Alternative discharge location for on-site drainage in the event that infiltration is not possible as is anticipated for the southern car park, thus avoiding the need for a pumped solution;
- Discharge point for exceedance rainfall.

7.5.15 For the above reasons, the applicant has agreed to the daylighting of the culvert in principle, subject to detailed design which would turn the proposed floodplain compensation area into a flood storage area, thus realising the betterment in accordance with both strategic and local flood policies. The applicant has submitted an updated Flood Risk Assessment and drainage plans to reflect the daylighting of the culvert. Subject to conditions to agree detailed design for daylighting the culvert, it is considered the proposed flood risk and drainage strategy for the site is acceptable.

## **7.6 Biodiversity, Ecology and Protected Species**

7.6.1 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

- 7.6.2 The site is approximately 3.3ha in size and comprises mainly improved grassland with small areas of tall ruderals. The application is accompanied by a Biodiversity Net Gain Assessment and Preliminary Ecological Appraisal 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.
- 7.6.3 The Ecological Appraisal identifies that there would be no impact on any designated sites as a result of construction or use of the development. In terms of plants, all of the plant species recorded at the site are widespread native or naturalised species. With regards to invertebrates, the largest areas of onsite habitats of highest theoretical value to invertebrates (woodland) would not be impacted by the proposed development. With regards to great crested newts, there are 3 ponds within 500m of the site. However, the site does not contain any potential breeding habitat, and is separated from any breeding habitat; therefore the site is not considered to have potential to support Great Crested Newts. In terms of bats, the preliminary roost assessment of the established trees onsite identified one tree (TN5) of low suitability to support roosting bats. The woodland and trees around the site boundary/adjacent to the site provide connectivity and foraging habitat for bats.
- 7.6.4 In terms of reptiles, the site margins provide suitable habitat for basking and hibernating reptiles. The improved grassland which comprises the majority of the site is sub-optimal, but may be used occasionally by species in the local area. With regards to birds, the trees and scrub around the site margin provide habitat for nesting birds, during the breeding season. The improved grassland appears to be cultivated regularly and as such is not an established habitat, however; ground nesting birds may still make use of the grassland for breeding. No evidence of badger was noted onsite however; the site may be used by foraging badger. The site provides suitable foraging habitat for hedgehog in the grassland and suitable nesting and hibernating habitat in the woodland, scrub, and tall ruderals. No records of Hazel Dormouse were returned in the desk study. Finally, no watercourses were present near the site; as such the site was considered not suitable for Water Vole or Otter.
- 7.6.5 In terms of recommendations, the report suggests that mature trees should be retained where possible. Any trees or hedgerows that are removed during development should be replaced using similar species. A sensitive lighting scheme should be adhered to during the construction and operational phases of the proposed development to mitigate any impact on foraging bats. With regards to badgers, the report recommends prior to any construction works the site should be checked by an ecologist to ensure that badgers have not inhabited the site since the original survey visit. All open excavations should be covered overnight to prevent entrapment of badgers or other mammals during development. With regards to breeding birds, it is recommended that any vegetation clearance work is undertaken outside of the bird

nesting season. If it is not possible to undertake clearance works outside of the breeding bird season, a suitably qualified ecologist should be employed to determine if nesting birds are using the site prior to works commencing.

7.6.6 In terms of reptiles, avoidance measures are not possible as it is likely a large area of the grassland would be impacted by development. As such, a presence/absence survey is proposed to be undertaken commencing mid-March 2022 targeting areas of suitable habitat. Following this, an appropriate mitigation strategy for reptiles would need to be produced should reptiles be confirmed as being present on site. This can be subject to a planning condition. Finally, with regards to Hedgehogs, if hibernation habitat (tall, tussocky grassland) is cleared over winter (November to February) an Ecological clerk of works should be present to supervise works, to ensure Hedgehogs are not harmed during construction.

7.6.7 The following general enhancements have been recommended to be included within the final development:

- Planting of native plant species beneficial to wildlife should be incorporated into the final design. This would provide additional habitat for invertebrates, which would in turn provide a food source for reptiles, birds, bats, and Hedgehog.
- The final development plan should incorporate bat and bird boxes into the scheme. This would provide additional roosting and nesting habitats for bats and birds post-development.
- Log piles should be placed in connectivity to the boundary vegetation onsite, enhancing the habitats onsite for both reptiles and invertebrates post-development;
- A green or brown roof could be designed into the scheme to provide additional habitat for invertebrates;
- To help achieve Biodiversity Net Gain on the site, areas of natural habitat would need to be included within the scheme. Metric calculations would likely be a requirement of planning, in order to show that net gain can be achieved.

7.6.8 With regards to biodiversity net gain, the applicant has undertaken a Biodiversity Net Gain calculation utilising the Defra Metric. The calculation identified that the baseline value of the site is 5.51 habitat units. Post development, including all biodiversity enhancements, the site would provide 6.79 units, achieving a net gain of 1.28 units or 23.18%. This exceeds the requirements of the Council's Biodiversity SPD (2021), which requires a minimum of 10% net gain.

7.6.9 Herts and Middlesex Wildlife Trust (HMWT) have confirmed they have no objection, provided that all management regimes to achieve the stated condition scores in the metric are secured by a Landscape and Ecology Management Plan (LEMP), which can be attached as a condition should planning permission be granted. HMWT have also asked for the details of biodiversity enhancement measures in the ecological report, consisting of 10 integrated bat cavity boxes and 15 integrated swift boxes to be submitted to and approved in writing by the local planning authority prior to development commencing. This would also be attached as a condition should planning permission be granted.

## **7.7 Trees and Landscaping**

7.7.1 With regards to trees, 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. The application is accompanied by a preliminary Arboricultural Impact Assessment, which identifies 8 trees one of which is located

inside of the fence line of the site boundary (a category B Oak) and 7 trees located around the site boundaries or off site, 5 of which are low value category C, one category B and one high quality category A comprising a mixture of Hawthorn, Field Maple, Elm, Pedunculate Oak, Cherry, Elder, Common Lime and Norway Maple. The report recommends all trees should be retained within the development if possible and adequate tree protection measures should be put in place during construction. Construction should be avoided within the root protection area. Should planning permission be granted, planning conditions requiring tree protection measures to be put in place during construction would be added. Likewise, replacement planting would be required should any trees die.

7.7.2 The proposed development would be supported by a comprehensive hard and soft landscaping scheme designed around the needs of the various users of the healthcare facility and to provide a relaxing and welcoming experience for all service users, visitors and staff. The landscaping scheme comprises the following:

- Providing rooms that have views of nature
- Gardens to have a domestic scale and feel
- Create places for private conversation and social interaction
- Provide a choice of seating options: type, height and location
- Use focal elements to create a distraction or talking point
- Use warm to touch natural materials to help relax users
- Scented plants located near seating areas or doorways: scent is the slowest sense taking longer for the information to reach the brain
- Seasonal change and variation through plant choice
- Gardens to encourage activity through creation of wandering routes of discovery, growing beds, and flexible open space for fitness and sport.

7.7.3 The planting style has been designed in both public and private areas to appear inviting and calming, through gentle grasses and ornamental shrubs. At the main entrance, seasonal interest would create a sense of arrival and provide attractive views out from the café space. Multi stem trees that are spreading and beautiful to look at have been chosen to be less imposing and formal, with groups of both evergreen and flowering varieties that provide areas of dappled shade to sit beneath. Car park tree planting would be more formal with standard trees that have an upright compact canopy due to the space required for the movement of large service vehicles. Tree species would offer seasonal change and interest. Resin bound gravel in a warm tone would complement the building materials and provide a smooth, even surface for all users. Similar to the proposed planting, resin bound gravel appears less imposing than hard paving blocks and has a more relaxed feel. Internal and external boundary fencing has been chosen to complement the external finish of the building and landscaping.

7.7.4 The landscaping strategy for each courtyard space has been carefully considered depending on whether it would be public or secure space, the end users and its purpose. Features would include kick about space and Astroturf lawn, raised planters with seating edges, safety surfacing with fitness equipment, non-poisonous low maintenance plants, group and individual seating options to allow for passive and social situations and art sculptures.

7.7.5 The Council's arboriculture and conservation manager has confirmed they have no in principle objection to the proposed scheme or landscaping strategy. However, they have raised a query about how far the south western corner of the proposed building is likely to intrude within the root protection area of the nearby mature Oak tree. The applicant's agent has advised they would accept a condition requiring an arboriculture impact assessment, tree protection plan

and method statement to be submitted as part of any planning permission granted. This would provide information on the RPA of all trees, including the mature Oak tree.

## **7.8 Climate Change Mitigation**

7.8.1 A BREEAM Pre-Assessment prepared by Method Consulting has been submitted with the application. The Pre-Assessment demonstrates that the development would achieve a BREEAM rating of 'excellent', exceeding the 'very good' requirement in the Stevenage Design Guide (2009). Consequently, the proposed development accords with the overarching principles of the NPPF and the sustainability requirements of Local Plan policies SP2 and FP1.

7.8.2 An Energy Statement has also been submitted with the planning application. It is considered that the energy strategy for the proposed development meets Policy FP1 "Climate change" as follows:

- The development has implemented the industry best practice principles by following the energy hierarchy (Be Lean, Be Clean, Be Green & Be Seen) to ensure energy consumption through efficiency measures are incorporated first. A 5% reduction in energy consumption has been achieved against the baseline through Be Lean measures alone;
- The industry best practice cooling hierarchy has been adopted, reducing active cooling demand by following a passive first approach, with high efficiency cooling systems provided at the final step;
- District heating networks have been considered as part of the Be Clean step in the hierarchy, however this is discounted primarily due to its reliance on fossil fuel technology (CHP) with no plans currently in place to decarbonise this;
- Renewable / low carbon energy technologies have been considered for this project. PV and a hybrid ground and air source heat pump system have been incorporated into the design, achieving a total reduction from the baseline of 48%;
- The industry best practice cooling hierarchy has been adopted, reducing active cooling demand by following a passive first approach, with high efficiency cooling systems provided at the final step;
- A thermal comfort analysis has been carried out in accordance with CIBSE TM52 using current 2020 and future 2050 and 2080 weather files. This modelling has been carried out to test and ensure the building is resilient to likely future variations in temperature without resulting in unacceptable internal comfort conditions. The building performs well in all three tests, though by 2080 additional cooling may be necessary in some rooms.

7.8.3 The proposed development is therefore in accordance with the overarching principles of the NPPF and the sustainability requirements of Policies SP2 and FP1 of the SBC Local Plan.

## **7.9 Impact on Residential Amenity**

7.9.1 The application site is bounded by the A602 Hitchin Road to the south and west, the Graveley Road to the north and other hospital and care home buildings to the east. There are no residential dwellings in close proximity to the site. Pinelodge care home (assisted living accommodation) is sited to the north east of the site and is considered to be a sufficient distance away for the proposed mental health unit not to raise any amenity issues for the residents of this building. The application proposal would not raise any issues connected with impact on residential amenity.

## **7.10 Local Employment and Apprenticeships**

7.10.1 The 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 A legal agreement would be prepared to secure this obligation, subject to planning permission.

## **7.11 Archaeology**

7.11.1 The Site has been assessed for its below ground archaeological potential in advance of the proposed development. The results of this assessment are contained in the Archaeological Desk Based Assessment, prepared by RPS, and submitted with the planning application. In summary the Assessment concludes that the proposed development would not impact on any designated archaeological assets and that the site is not located within a locally defined Area of Archaeological Significance.

7.11.2 The Assessment has concluded a moderate archaeological potential at the site for the Bronze Age, Iron Age and Roman periods, as well as for Medieval agricultural activity. A low potential has been considered for all other past periods of human activity. If present at the site, any remains would most likely be of local significance, although it is possible that well-preserved evidence for Bronze Age funerary activity, Iron Age/Roman settlement activity, or a Roman roadway, could be considered of regional significance.

7.11.3 HCC Historic Environment Advisor (Archaeology) considers that the proposed development should be regarded as likely to have a potential impact on heritage assets of archaeological interest and recommends that an appropriately worded condition on any planning permission would be sufficient to provide for the level of investigation that this proposal warrants.

## **7.12 External Lighting**

7.12.1 The application is accompanied by an External Lighting Report and associated External Lighting Layout Drawing EN54-CAP-XX-XX-DR-E-6301 Rev 02, prepared by Capita. The Report confirms that the lighting scheme would provide illumination to the pedestrian walkways and the surrounding external areas of the proposed development in accordance with BS EN 12464-2 and ILP Institution of Lighting Professionals Guidance Note 01/20. The lighting scheme would ensure lighting levels beyond the site boundary do not exceed the required levels, the luminaire upward light ratio (ULR) does not exceed 5% and would not cause excessive glare to neighbouring areas and properties. The external lighting scheme would therefore provide appropriate and safe levels of lighting whilst having minimal impact to the site surroundings and environment.

## **7.13 Construction Impacts**

7.13.1 The Highway Authority have requested a condition be imposed requiring the submission of a construction management plan. This would ensure all construction traffic is carefully managed and routed appropriately. A condition restricting hours of construction to 07.30 – 18.00 weekdays and 08.00 – 13.00 Saturdays only to safeguard the amenity of nearby occupiers.



Whilst there is likely to be some disruption to the area during construction, the use of the above conditions would keep this to a minimum.

## **7.14 Other Matters**

### Equality and Human Rights Considerations

- 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. 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 the Council as Local Planning Authority, it is important that it is fully aware of and has themselves rigorously considered the equalities implications of the decision that they are taking. Therefore, rigorous consideration has been undertaken by the Council as the Local Planning Authority to ensure that proper appreciation of any potential impact of the proposed development on the Council's obligations under the Public Sector Equalities Duty. The approach adopted in response to inclusive design includes level access internally, and flush thresholds. Externally a maximum of 1:20 gradients is required where level changes occur linking the proposed pathway to the existing pathways. The building would be designed to comply with current approved document M under the Building Regulations.
- 7.14.3 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.
- 7.14.4 It is considered that the decision has had regard to this duty. The development would not conflict with either Stevenage Borough Council's Equality Policy or the commitments set out in our Equality Objectives, and would support the Council in meeting its statutory equality responsibilities.

## **8. CONCLUSIONS**

- 8.1 In summary, the erection of a 54 bed building for C2A planning use with access, car parking, landscaping and associated works is considered acceptable, subject to conditions. The proposal, with high quality design and landscaping features, would comply with the relevant land use policies for this area. Furthermore, it would not impact on the amenities of neighbouring properties and would not be in conflict with any environmental or highways policies.
- 8.2 Given the aforementioned, the proposed development under this application is considered to be acceptable in line with the Council's adopted Local Plan (2019), Parking Provision and Sustainable Travel SPD (2020), Stevenage Design Guide SPD (2009), The Impact of Development on Biodiversity SPD (2021), the NPPF (2021) and NPPG (2014).

## **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:-

- 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:-

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

EN54-RYD-00-ZZ-DR-A-0100-S2-P4; EN54-RYD-00-ZZ-DR-A-0101; EN54-RYD-00-ZZ-DR-A-1001; EN54-RYD-00-ZZ-DR-A-1120; EN54-RYD-00-ZZ-DR-A-3601; EN54-RYD-00-ZZ-DR-A-3602; EN54-RYD-00-ZZ-DR-A-3603; EN54-RYD-00-ZZ-DR-A-3604; EN54-RYD-00-ZZ-DR-A-3605; EN54-RYD-MB-01-DR-A-3002-S2-P10; EN54-RYD-MB-LG-DR-A-3000-S2-P10; EN54-RYD-MB-RF-DR-A-3040; EN54-RYD-MB-UG-DR-A-3001-S2-P12; EN54-RYD-SW-01-DR-L-2110-S2-P12; EN54-RYD-00-01-DR-L-2113; EN54-RYD-00-LG-DR-L-2111; EN54-RYD-00-UG-DR-L-2112; EN54-CAP-XX-XX-DR-E-6301 P05

**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  
0830 to 1300 Saturdays  
And not at all on Sundays and Bank Holidays.

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

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

4 No development shall 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 Traffic Management Plan shall include details of:

- Construction vehicle numbers, type, routing;
- Access arrangements to the site;
- Traffic management requirements
- Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas);
- Siting and details of wheel washing facilities;
- Cleaning of site entrances, site tracks and the adjacent public highway;
- Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times;
- Provision of sufficient on-site parking prior to commencement of construction activities;
- Post construction restoration/reinstatement of the working areas and temporary access to the public highway;
- 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.

- 5 Prior to first occupation of the development hereby permitted, the existing access onto the A602 shall be gated and a sign erected stating the access is for emergency access only.  
**REASON:-** To ensure the development does not prejudice the safety and operation of the highway.
- 6 Prior to first occupation of the development hereby permitted, pedestrian dropped kerbs and tactile paving shall be provided over the Victoria Court access on approach to the site.  
**REASON:-** In order to deliver sustainable transport objectives including improving pedestrian access to the site.
- 7 Prior to the first occupation of the development hereby permitted full details of the secure and covered cycle parking stores shall be submitted to and approved in writing by the Local Planning Authority. Details shall also include how the stores are to be managed and maintained. The cycle stores shall thereafter be completed and ready for use in accordance with the approved details and thereafter retained for the sole use of cycle parking.  
**REASON:-** To ensure adequate secure and covered cycle parking provision is available at all times to promote sustainable modes of transport.
- 8 The Travel Plan as submitted with this planning application shall be implemented, monitored and reviewed in accordance with the agreed travel plan targets to the satisfaction of the Local Planning Authority.  
**REASON:-** In order to deliver sustainable transport objectives including a reduction in car journeys and increased use of public transport, walking and cycling.
- 9 The parking, turning and servicing areas shown on drawing number EN54-RYD-SW-01-DR-L-2110-S2-P12 shall be provided, marked out and hard surfaced ready for use prior to the first occupation of the development 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.
- 10 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.
- 11 Prior to the commencement of the development the developer shall carry out a noise assessment in accordance with relevant guidance and standards and a scheme for sound insulation and noise control measures shall be submitted for the Council's written approval. Once implemented, the scheme of measures shall be maintained in accordance with the approved details.  
**REASON:-** To protect the amenities of future residents and in accordance with Local Plan Policy FP7.
- 12 No development shall take place (including site clearance) until a comprehensive study into the options for daylighting Ash Brook and the creation of an accompanying flood storage area has been submitted to and approved in writing by the Local Planning Authority. The study shall be prepared in accordance with relevant good practice guidance and based on (but not limited to) the following principles:

- a) An approach which seeks to maximise the range of benefits, betterment and opportunities associated with daylighting of Ash Brook and the creation of an associated flood storage area. Daylighting opportunities should include benefits to biodiversity and water quality.
- b) Inclusion of a formal flood storage area in the location currently identified for floodplain compensation, including indicative design of embankments, flow control structures and spillways.
- c) A comprehensive baseline understanding of the existing Hitchin Culvert to allow informed decisions to be taken, identifying relevant constraints and opportunities, including watercourse survey cross sections, numerous photographs of the culvert and surrounds as it passes through the site, and key elevations of sections of the culvert which would remain.
- d) Indicative design drawings and layout plans for a range of feasibility design options (including indicative elevations, cross sections and outfall and headwall structures) for selection to take forward to detailed design (the next stage is to confirm the details of the agreed design only).
- e) Hydraulic modelling to support the assessment of feasibility design options identified. Both the baseline and with-development modelling will need to be subject to independent external technical review to ensure suitable assurance of the options is undertaken.
- f) An approach developed in consultation with relevant stakeholders, including but not limited to Stevenage Borough Council, the Lead Local Flood Authority, the Environment Agency and, if necessary/appropriate, the statutory undertaker for sewerage (foul and surface water).

**REASON:-** To realise betterment with respect to biodiversity, water quality and flood risk associated with naturalised watercourses.

- 13 Prior to occupation, a final detailed design for the selected option agreed under condition 12 for daylighting of Ash Brook and the creation of an accompanying flood storage area should be submitted to and approved in writing by the Local Planning Authority. The Ash Brook daylighting and floodplain storage scheme should be constructed within 6 months of occupation of the development.

**REASON:-** To ensure sustainable and suitable design of naturalised watercourses and flood storage features.

- 14 No development shall take place (including site clearance) until a final detailed design for the drainage scheme for the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be based on the following principles:

- a) Discharging surface water run-off generated by the 1 in 100 year + 40% climate change critical storm by gravity and by infiltration, or if infiltration is proven not possible in specific parts of the site, by limiting the surface water run off to the QBAR greenfield run-off rate or less, in accordance with an agreement from the relevant body to whom discharges would occur.
- b) Providing attenuation on-site for all rainfall events up to and including the 1 in 100 year + 40% climate change event.
- c) Permeable paving in car parking areas;
- d) Demonstration that any 'allowable' flooding at the ground surface would be: contained within areas suitable for such a use (i.e. outside of buildings and away from key access points) for all events (including exceedance events); and also within the site boundaries to a maximum flood depth of up to 100mm during the 100 year plus 40% climate change storm events.

The scheme shall also provide the following:

- a) Evidence that flexibility in delivery of infiltration (depth and extent) is possible in case any variation in soakage rates is later identified;

- b) Evidence of further infiltration testing, carried out in accordance with BRE Digest 365, at the location and proposed depth of any infiltration measure(s);
- c) Green roofs (wherever possible);
- d) Appropriate treatment before discharge;
- e) Evidence of agreement (of principle and rates) from the relevant body or bodies to whom discharges would occur (where applicable);
- f) Updated surface water drainage calculations and modelling where appropriate for all rainfall events up to and including the 1 in 100 year plus climate change event;
- g) An updated detailed surface water drainage plan where appropriate, showing all proposed discharge points, SuDS features and pipe runs (with sizes);
- h) Detailed engineered drawings of the proposed SuDS features including their size, volume, depth and any inlet and outlet features, including any connecting pipe runs along, with all corresponding detailed calculations/modelling;
- i) Updated proposals to address flood risks associated with exceedance events, for events greater than the 1 in 100 year plus climate change event.

The approved drainage scheme shall be implemented in full prior to the beneficial occupation of the development to which this permission relates and shall be permanently retained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.

**REASON:-** To adhere to the hierarchy of drainage options, as set out in paragraph 080 of the Planning Practice Guidance; to maximise the use of SuDS in the interests of mitigating the risk of flooding to the site itself and downstream; to prevent pollutants entering the public water supply and nearby watercourses; and to maximise the sustainability of the development.

- 15 Prior to occupation, a management and maintenance plan for the approved SuDS features and drainage network must be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- a) Provision of a complete set of as built drawings, including the final drainage layout for the site drainage network;
- b) Maintenance and operational activities;
- c) Arrangements for adoption; and,
- d) Any other measures necessary to secure the operation of the scheme throughout its lifetime.

The approved plan shall be fully implemented from the date of approval and thereafter for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.

**REASON:-** To maximise the use of SuDS in the interests of mitigating the risk of flooding to the site itself and downstream; to prevent pollutants entering the public water supply and nearby watercourses; and to maximise the sustainability of the development.

- 16 Development shall not commence until a landscape and ecological management plan (LEMP) has been submitted to, and approved in writing by, the local planning authority. The content of the LEMP shall ensure the delivery of the agreed number of habitat units identified in the NE biodiversity Metric as a minimum (6.79 habitat units) to achieve a biodiversity net gain. The LEMP must include the following:

- a) Description and evaluation of features to be managed.
- b) Aims and objectives of management.
- c) Appropriate management options for achieving target condition for habitats as described in the approved metric.
- d) Prescriptions for management actions, only definitive measures are acceptable.
- e) Preparation of an annual work schedule (including a 30 year work plan capable of being rolled forward in perpetuity), clearly marked on plans.
- f) Details of the body or organisation responsible for implementation of the plan.
- g) Ongoing monitoring plan and remedial measures to ensure habitat condition targets in the approved metric are met.

h) Details of species selected to achieve target habitat conditions as identified in approved metric, definitively stated and marked on plans.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management bod(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.'

**REASON:-** To achieve a measurable biodiversity net gain in accordance with NPPF.

17 Prior to the commencement of the development, details of biodiversity enhancement measures in the ecological report, consisting of 10 integrated bat cavity boxes, 15 integrated swift boxes, shall be submitted to and approved in writing by the local planning authority. The approved measures shall be incorporated into the scheme, be fully constructed prior to occupation of the approved development and retained as such thereafter.

**REASON:-** To conserve and enhance biodiversity in accordance with NPPF.

18 If reptiles are found to be present on site following the results of the presence/absence survey, an appropriate mitigation strategy for reptiles shall be submitted to and approved in writing by the Local Planning Authority in consultation with Herts and Middlesex Wildlife Trust. The mitigation measures shall thereafter be put in place in accordance with the approved detail.

**REASON:-** To conserve and enhance biodiversity in accordance with NPPF.

19 Prior to the commencement of development an Arboricultural Impact Assessment, Tree Protection Plan and Method Statement shall be submitted to and approved in writing by the Local Planning Authority. The identified tree protection measures shall be implemented in accordance with the approved details prior to the commencement of development and shall remain in place until the development has been completed.

**REASON:-** To ensure that the retained tree(s) are not damaged or otherwise adversely affected during site operations.

20 No tree shown retained on the approved plans, or subsequently approved Tree Protection Plan and Method Statement, 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 If any retained tree referred to in condition 21 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.

22 The measures to address adaptation to climate change as set out within the BREEAM Pre-Assessment prepared by Method Consulting 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.

23 The external lighting shall be implemented in accordance with the recommendations within the External Lighting Report and associated External Lighting Layout Drawing EN54-CAP-XX-XX-DR-E-6301 Rev 02, prepared by Capita and permanently maintained in accordance with the approved details.

**REASON:-** To ensure a satisfactory appearance for the development and to prevent light pollution.

24 The development hereby permitted shall be completed in accordance with the external materials specified within the Design and Access Statement by Ryder as approved.

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

25 All hard and soft landscaping shall be carried out in accordance with the approved details as set out in drawing number EN54-RYD-SW-01-DR-L-2110-S2-P12 to a reasonable standard in accordance with the relevant British Standards or other recognised Codes of Good Practice.

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

26 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the completion of the development.

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

27 No development shall take place within the proposed development site until the applicant, or their agents, or their successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation, which has been submitted to the planning authority and approved in writing. This condition will only be considered to be discharged when the planning authority has received and approved an archaeological report of all the required archaeological works, and if appropriate, a commitment to publication has been made.

**REASON:-** To provide for the likely archaeological implications of this development proposal.

## INFORMATIVES

1 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](http://cadentgas.com/diversions). Prior to carrying out works, including the construction of access points, please register on [www.linsearchbeforeudig.co.uk](http://www.linsearchbeforeudig.co.uk) to submit details of the planned works for review, ensuring requirements are adhered to.

2 Community Infrastructure Levy

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

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

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

- 3 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-roadsand-pavements.aspx> or by telephoning 0300 1234047.
- 4 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.
- 5 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/highwaysroadsandpavements/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047.
- 6 To obtain advice regarding current Building Regulations please contact Hertfordshire Building Control Ltd. by emailing us at [buildingcontrol@hertfordshirebc.co.uk](mailto:buildingcontrol@hertfordshirebc.co.uk) or phoning us on 01438 879990.

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

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

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

- Excavation for foundations
- Damp proof course
- Concrete oversite
- Insulation
- Drains (when laid or tested)
- Floor and Roof construction
- Work relating to fire safety
- Work affecting access and facilities for disabled people
- Completion



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

## **10. BACKGROUND DOCUMENTS**

1. The application file, forms, plans and supporting documents having the reference number relating to this item.
2. Stevenage Borough Council Supplementary Planning Documents – Parking Provision and Sustainable Travel SPD (2020), Stevenage Design Guide SPD (2009) and The Impact of Development on Biodiversity SPD (2021) and Developer Contributions SPD (2021).
3. Stevenage Borough Local Plan (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 (2021) and National Planning Policy Guidance (2014).

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**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 : 21/01276/COND  
Date Received : 29.11.21  
Location : Car Park Bounded By Lytton Way, Danesgate And London Road Stevenage Herts SG1 1LZ  
Proposal : Discharge of conditions 3 (Materials), 11 (Boreholes), 25 (Car Parking Management Plan) and 28 (Stopping up Order) attached to planning permission reference number 20/00486/FPM  
Date of Decision : 23.06.22  
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**
  
2. Application No : 22/00060/FPH  
Date Received : 22.01.22  
Location : 25 Four Acres Stevenage Herts SG1 3PL  
Proposal : Part two storey and single storey rear extension  
Date of Decision : 17.06.22  
Decision : **Planning Permission is GRANTED**

3. Application No : 22/00108/FPH  
Date Received : 09.02.22  
Location : 68 Pankhurst Crescent Stevenage Herts SG2 0QH  
Proposal : Part first floor part two-storey rear extension.  
Date of Decision : 10.06.22  
Decision : **Planning Permission is REFUSED**

For the following reason(s); The proposed extension, by virtue of its proximity to the rear elevation of No.64 Pankhurst Crescent fails to meet the required minimum back to back separation distance as laid out in Chapter 6 of the Council's adopted Design Guide (2009) and would therefore likely result in an unacceptable outlook, loss of privacy and overlooking for the occupiers of this neighbouring property, having a harmful and overbearing impact on the habitable room windows. 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).

4. Application No : 22/00182/FPH  
Date Received : 03.03.22  
Location : 35 Julians Road Stevenage Herts SG1 3ES  
Proposal : Replacement two storey rear extension  
Date of Decision : 14.06.22  
Decision : **Planning Permission is GRANTED**

5. Application No : 22/00221/FPH  
Date Received : 16.03.22  
Location : 21 Verity Way Stevenage Herts SG1 5PN  
Proposal : Proposed single storey rear extension  
Date of Decision : 15.06.22  
Decision : **Planning Permission is GRANTED**

6. Application No : 22/00265/FPH  
Date Received : 26.03.22  
Location : 165 Shephall View Stevenage Herts SG1 1RR  
Proposal : Erection of outbuilding in side garden  
Date of Decision : 27.06.22  
Decision : **Planning Permission is GRANTED**
7. Application No : 22/00287/FP  
Date Received : 31.03.22  
Location : 14 Penn Road Stevenage Herts SG1 1HY  
Proposal : Part single-storey, part two-storey rear extension, installation of front and rear dormer windows, conversion of dwellinghouse into 4 no. flats comprising of 3 no. 1 bed and 1 no. 2 bed flats and associated works  
Date of Decision : 17.06.22  
Decision : **Planning Permission is GRANTED**
8. Application No : 22/00293/FPH  
Date Received : 02.04.22  
Location : 128 Wisden Road Stevenage Herts SG1 5JB  
Proposal : Single storey front extension  
Date of Decision : 15.06.22  
Decision : **Planning Permission is GRANTED**
9. Application No : 22/00332/FPH  
Date Received : 11.04.22  
Location : 31 Peartree Way Stevenage Herts SG2 9DZ  
Proposal : Single storey front extension, garden outhouse  
Date of Decision : 01.07.22  
Decision : **Planning Permission is GRANTED**

10. Application No : 22/00340/FP  
Date Received : 12.04.22  
Location : 110 Wisden Road Stevenage Herts SG1 5JA  
Proposal : Change of use of land from public amenity to private residential garden.  
Date of Decision : 14.06.22  
Decision : **Planning Permission is GRANTED**
11. Application No : 22/00365/CLPD  
Date Received : 18.04.22  
Location : 11 Raban Close Stevenage Herts SG2 8JT  
Proposal : Certificate of Lawfulness for proposed single storey rear extension  
Date of Decision : 10.06.22  
Decision : **Certificate of Lawfulness is APPROVED**
12. Application No : 22/00371/FPH  
Date Received : 20.04.22  
Location : 2 Ranworth Avenue Stevenage Herts SG2 8SL  
Proposal : Single storey rear infill extension and alterations to roof of existing rear extension  
Date of Decision : 13.06.22  
Decision : **Planning Permission is GRANTED**

Application No : 22/00373/CPA  
Date Received : 20.04.22  
Location : Stewart House Primett Road Stevenage Herts  
Proposal : Prior approval for the change of use of office building to no 16 residential dwellings  
Date of Decision : 21.06.22  
Decision : **Prior Approval is REQUIRED and REFUSED**

Reason for Refusal: The developer has provided insufficient information to enable the authority to establish whether the proposed development complies with the nationally described space standard issued by the Department for Communities and Local Government on 27th March 2015.

13. Application No : 22/00381/PATELE  
Date Received : 21.04.22  
Location : Land Between Primett Road And Lytton Way Stevenage Herts  
Proposal : Erection of 1no. 15m Phase 9 slimline Monopole, 3no. equipment cabinets and associated ancillary works.  
Date of Decision : 13.06.22  
Decision : **Prior Approval is REQUIRED and GIVEN**

14. Application No : 22/00383/TPCA  
Date Received : 22.04.22  
Location : Turnpike Close Rectory Lane Stevenage Herts  
Proposal : Fell 1no. Silver Birch  
Date of Decision : 10.06.22  
Decision : **CONSENT TO CARRY OUT WORKS TO A TREE IN A CONSERVATION AREA**
15. Application No : 22/00384/FP  
Date Received : 22.04.22  
Location : McDonalds Monkswood Retail Park Elder Way Stevenage  
Proposal : Replacement of mechanical plant and ventilation (HVAC) equipment on roof.  
Date of Decision : 15.06.22  
Decision : **Planning Permission is GRANTED**



16. Application No : 22/00387/FP  
Date Received : 24.04.22  
Location : Spice Rouge 99 High Street Stevenage Herts  
Proposal : Part two storey, part single storey rear extension, first floor conversion to create 2no. two bed flats, replacement of existing windows and installation of external staircase in rear yard  
Date of Decision : 27.06.22  
Decision : **Planning Permission is REFUSED**

For the following reason(s); The proposed development, by reason of its scale and design, would be detrimental to the historic character of the locally listed application building and would fail to preserve the character and appearance of the Old Town Conservation Area. This would amount to less than substantial harm to the significance of this asset, which would not be outweighed by the public benefits of the development. The proposal is therefore contrary to policies SP8, HO5, GD1 and TC9 of the Stevenage Borough Local Plan 2011 to 2031 (adopted 2019), the Old Town Conservation Area Management Plan SPD (2012), and the aims and objectives of Paragraphs 189 and 200 of the National Planning Policy Framework (2021).

Planning Permission has been refused for this proposal for the clear reasons set out in this decision notice. The Council acted pro-actively through positive engagement with the applicant in an attempt to narrow down the reasons for refusal but fundamental objections could not be overcome. The Council has therefore acted pro-actively in line with the requirements of the National Planning Policy Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

The internal amenity space of both the proposed flats in the converted building would be below the nationally described space standards set out in Appendix C of the Stevenage Borough Local Plan 2011-2031 (2019) and would thus be contrary to policy GD1 of the Stevenage Borough Local Plan 2011-2031 which requires proposals to at least meet the nationally described space standards. Together with the detrimental impact from noise and odours from neighbouring restaurants and lack of private amenity space, this would lead to unsatisfactory living conditions for future occupiers of the proposed residential accommodation.

17. Application No : 22/00391/FPH  
Date Received : 25.04.22  
Location : 23 Foster Close Stevenage Herts SG1 4SA  
Proposal : Erection of detached, oak-framed garage with home office/storage space above.  
Date of Decision : 20.06.22  
Decision : **Planning Permission is GRANTED**
18. Application No : 22/00396/CLPD  
Date Received : 26.04.22  
Location : 78 Holly Leys Stevenage Herts SG2 8HZ  
Proposal : Certificate of lawfulness for a single storey rear extension  
Date of Decision : 20.06.22  
Decision : **Certificate of Lawfulness is APPROVED**
19. Application No : 22/00404/COND  
Date Received : 27.04.22  
Location : The Wine Society Gunnels Wood Road Stevenage Herts  
Proposal : Discharge of conditions 10 (contamination), 11 (Verification of contamination strategy and remediation) attached to planning permission reference number 14/00053/FPM and 19/00729/NMA  
Date of Decision : 16.06.22  
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**

20. Application No : 22/00405/AD  
Date Received : 27.04.22  
Location : The Wine Society Gunnels Wood Road Stevenage Herts  
Proposal : Internally illuminated fascia sign to north east elevation of new warehouse  
Date of Decision : 16.06.22  
Decision : **Advertisement Consent is GRANTED**
21. Application No : 22/00407/FPH  
Date Received : 28.04.22  
Location : 57 Chepstow Close Stevenage Herts SG1 5TT  
Proposal : Single storey rear extension  
Date of Decision : 21.06.22  
Decision : **Planning Permission is GRANTED**
22. Application No : 22/00409/TPCA  
Date Received : 28.04.22  
Location : 13 Orchard Road Stevenage Herts SG1 3HD  
Proposal : Fell 1no. - Maple Tree  
Date of Decision : 08.06.22  
Decision : **CONSENT TO CARRY OUT WORKS TO A TREE IN A CONSERVATION AREA**
23. Application No : 22/00411/FPH  
Date Received : 28.04.22  
Location : 45 Sparrow Drive Stevenage Herts SG2 9FB  
Proposal : Single storey rear extension  
Date of Decision : 21.06.22  
Decision : **Planning Permission is GRANTED**

24. Application No : 22/00412/FP  
Date Received : 28.04.22  
Location : 3 North Road Stevenage Herts SG1 4AT  
Proposal : Construction of single storey studio in the rear garden  
Date of Decision : 21.06.22  
Decision : **Planning Permission is GRANTED**
25. Application No : 22/00415/FP  
Date Received : 29.04.22  
Location : 12 Bowman Trading Estate Bessemer Drive Stevenage Herts  
Proposal : Proposed subdivision of existing unit in order to create 3 no. separate units, external alterations and ancillary works.  
Date of Decision : 22.06.22  
Decision : **Planning Permission is GRANTED**
26. Application No : 22/00416/PATELE  
Date Received : 30.04.22  
Location : Junction Of Oaks Cross And Melne Road Oaks Cross Stevenage Herts  
Proposal : Proposed telecommunications installation: Proposed 'slim line' 15m high phase 8 monopole with associated wraparound cabinet at base, 3no. additional ancillary equipment cabinets and associated ancillary works.  
Date of Decision : 27.06.22  
Decision : **Prior Approval is REQUIRED and REFUSED**
- Reason For Refusal: The proposed development, by virtue of its siting in the public highway, will result in an obstruction to the free flow of pedestrian movements on this important pedestrian link which provides access to two local primary schools, therefore resulting in harm to highway safety and convenience. The development is therefore contrary to Hertfordshire County Council's Roads in Hertfordshire: Highways Design Guide (2011), the Department for Transport (DfT) Manual for Streets (2007), the National Planning Policy Framework (2021) and Planning Practice Guidance (2014).

27. Application No : 22/00395/FPH  
Date Received : 04.05.22  
Location : 18 Carters Close Stevenage Herts SG2 9QA  
Proposal : Single storey side extension  
Date of Decision : 22.06.22  
Decision : **Planning Permission is GRANTED**
28. Application No : 22/00427/FPH  
Date Received : 05.05.22  
Location : 59 Pankhurst Crescent Stevenage Herts SG2 0QF  
Proposal : Single storey front extension  
Date of Decision : 13.06.22  
Decision : **Planning Permission is GRANTED**
29. Application No : 22/00428/FPH  
Date Received : 05.05.22  
Location : 9 The Dell Stevenage Herts SG1 1PH  
Proposal : Single storey side extension  
Date of Decision : 29.06.22  
Decision : **Planning Permission is GRANTED**
30. Application No : 22/00432/FP  
Date Received : 06.05.22  
Location : Tesco Stores Extra 1 - 5 The Forum Town Centre Stevenage  
Proposal : Erection of canopy above the existing Click & Collect Parking  
Date of Decision : 30.06.22  
Decision : **Planning Permission is GRANTED**

31. Application No : 22/00435/FP  
Date Received : 09.05.22  
Location : Airbus Defence And Space Gunnels Wood Road Stevenage Herts  
Proposal : Single storey infill extension.  
Date of Decision : 30.06.22  
Decision : **Planning Permission is GRANTED**
32. Application No : 22/00439/COND  
Date Received : 10.05.22  
Location : The Wine Society Gunnels Wood Road Stevenage Herts  
Proposal : Discharge of conditions 4 (traffic management) and 6 (construction method) attached to planning permission reference number 14/00053/FPM  
Date of Decision : 16.06.22  
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**
33. Application No : 22/00450/AD  
Date Received : 13.05.22  
Location : 92 - 94 Queensway Town Centre Stevenage Herts  
Proposal : 1no.internally illuminated powder painted aluminium box fascia sign  
Date of Decision : 16.06.22  
Decision : **Advertisement Consent is GRANTED**
34. Application No : 22/00458/COND  
Date Received : 16.05.22  
Location : Garages At Dunn Close Stevenage Herts SG1 1SB  
Proposal : Discharge of conditions 13 (Construction Management) and 21 (Site Waste Management) of planning permission 21/00944/FPM  
Date of Decision : 04.07.22  
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**

35. Application No : 22/00470/CLPD  
Date Received : 19.05.22  
Location : 24 Southsea Road Stevenage Herts SG1 2PJ  
Proposal : Certificate of lawfulness for proposed for single storey rear extension.  
Date of Decision : 04.07.22  
Decision : **Certificate of Lawfulness is APPROVED**

36. Application No : 22/00471/FP  
Date Received : 20.05.22  
Location : 48 Made Feld Stevenage Herts SG1 1PQ  
Proposal : Two-storey side extension, single-storey front extension, part single-storey, part two-storey rear extension, rear dormer window, 2 no. front dormer windows, 2 no. roof lights to facilitate enlargement of existing property and to create 2 no. 1 bedroom flats, associated parking and ancillary works.  
Date of Decision : 04.07.22  
Decision : **Planning Permission is REFUSED**

For the following reason(s); The proposed flat roof rear dormer window, by virtue of its design, scale and massing, would be over dominant and detrimental to the form of the original dwelling to the detriment of the visual amenities of the area. Additionally, the proposal does not follow the guidance for roof extensions as set out in the Stevenage Design Guide 2009 and is therefore contrary to Policies GD1 and SP8 of the Stevenage Local Plan 2011 - 2031 (2019), the Council's Design Guide SPD (2009), the National Planning Policy Framework (2021) and the National Planning Practice Guidance (2014).

The proposed dormers in the front roof slope would, by virtue of their siting, be out of keeping with the visual characteristics of the street scene, resulting in a detrimental impact on the character and appearance of the area. Additionally, the proposal does not follow the guidance for roof extensions as set out in the Stevenage Design Guide 2009 and is therefore contrary to Policies GD1 and SP8 of the Stevenage Local Plan 2011 - 2031 (2019), the Council's Design Guide SPD (2009), the National Planning Policy Framework (2021) and the National Planning Practice Guidance (2014).

The culmination of the rear dormer windows together with the extension works would, by virtue of their scale and massing result in a development almost three storeys in height which would result in an unacceptable outlook for the occupiers of No. 46 Made Feld, having a harmful and overbearing impact on the rear habitable room windows and the immediate garden area of this 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).



37. Application No : 22/00477/FPH  
Date Received : 24.05.22  
Location : 20 East Close Stevenage Herts SG1 1PP  
Proposal : Erection of part single part two storey side extension  
Date of Decision : 21.06.22  
Decision : **Planning Permission is REFUSED**
- For the following reason(s); The proposed extension with the first floor splayed at an angle compared to the single storey part would look awkward and clumsy, creating an incongruous form of development harmful to the character and appearance of the dwellinghouse and wider street scene. The proposal is therefore contrary to Policy SP8 and GD1 of the Stevenage Borough Local Plan 2011 - 2031 (2019), the Council's Design Guide (2009), the National Planning Policy Framework (2021) and the National Planning Practice Guidance (2014).
- The proposed development, if approved, would result in inadequate car parking provision to serve the property in line with the Council's adopted parking standards. This is likely to result in additional on-street parking which would give rise to conditions prejudicial to the free flow of traffic and conditions of highway safety in the vicinity of the application site. The proposal is therefore contrary to Policy IT5 of the Stevenage Borough Local Plan 2011 - 2031 (2019), the Council's Parking Provision SPD (2020), the National Planning Policy Framework (2021) and the National Planning Practice Guidance (2014).
38. Application No : 22/00478/TPCA  
Date Received : 25.05.22  
Location : 12 Orchard Road Stevenage Herts SG1 3HE  
Proposal : Re-pollard back to previous knuckles - 1No lime tree T1  
Date of Decision : 04.07.22  
Decision : **CONSENT TO CARRY OUT WORKS TO A TREE IN A CONSERVATION AREA**

39. Application No : 22/00489/HPA  
Date Received : 26.05.22  
Location : 30 Orchard Crescent Stevenage Herts SG1 3EN  
Proposal : Single storey rear extension which will extend beyond the rear wall of the original house by 6m, for which the maximum height will be 4.00m and the height of the eaves will be 3.00m.  
Date of Decision : 04.07.22  
Decision : **Prior Approval is REQUIRED and REFUSED**  
Reason for Refusal: Prior Approval is refused as the eaves height exceeds 3m as required by Schedule 2, Part 1, Class A (i) of the Town and Country Planning (General Permitted Development) (England) Order 2015.

## **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.

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**Meeting:** Planning and Development  
Committee

**Agenda Item:**

**Date:** Thursday 14 June 2022

## **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 21/01101/FP, 303 Ripon Road. Appeal against refusal of planning permission for the conversion of 1 no. 4 bedroom dwelling to 3 no. studios, single storey front and rear extensions and conversion of garage including the change of use from public amenity land to residential use and associated parking

### **2. DECISIONS AWAITED**

- 2.1 19/000474/FPM, Land West of Lytton Way. Appeal against refusal of planning permission for the demolition of existing office building (Use Class B1) and structures, and the construction of seven apartment buildings comprising 576 dwellings (Use Class C3) together with internal roads, parking, public open space, landscaping, drainage and associated infrastructure works.
- 2.2 21/00681/AD, McDonalds, Monkswood Retail Park, Elder Way. Appeal against refusal of advertisement consent for 1no. internally illuminated totem sign.
- 2.3 21/00809/FP. 168 Fairview Road. Appeal against refusal of planning permission for the erection on 1no. two bedroom detached dwellings with parking and access.
- 2.4 21/01152/ENF. 68 Basils Road. Appeal against the serving of an enforcement notice to remove the first floor of the two-storey rear extension which was refused under planning permission reference number 21/01256/FPH.
- 2.5 21/01256/FPH. 68 Basils Road. Appeal against the refusal of planning permission for the retention of a part two storey, part single storey rear extension.
- 2.6 21/01126/FP. 56 Austen Paths. Appeal against the refusal of planning permission for the change of use from a 6-bedroom House of Multiple Occupation (HMO) Class C4, to a 7-bedroom HMO (Sui Generis), 3 x car parking spaces; 8-bicycle parking spaces, and location of 7-bin storage facilities to the rear driveway

### **3. DECISIONS RECEIVED**

- 3.1 21/01154/FPH, 40 Knights Templars Green. Appeal against refusal of planning permission for the construction of a rear dormer window and raising the ridge height.
- 3.2 The appeal was allowed.

- 3.3 The officer's report sets out that as a result of the previously approved increase in the ridge height of the property, the proposed dormer would exceed the height of the "original" dwelling. However, the Inspector states that the permitted development rights allowed for dormers on the "existing" dwelling and does not stipulate "original".
- 3.4 The appellant made the case that under permitted development rights, a similar sized dormer could be created had the previously approved permission to raise the height of the roof by 510mm. The Inspector accepted this fall-back position and went on to say that from the submissions, he considered the design of the box dormer to be permitted development and the fall-back position would be marginally more harmful to the character and appearance of the area.
- 3.5 The Inspector concluded that the dormer does not comply with policy GD1 of the Local Plan or the Design Guide SPD but as the appellant could implement a similar proposal under permitted development which would be marginally more harmful than the appeal scheme, on balance the appeal scheme should be allowed.



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## Appeal Decision

Site visit made on 26 May 2022

**by Sian Griffiths BSc(Hons) DipTP MScRealEst MRTPI MRICS**

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

**Decision date: 27<sup>TH</sup> June 2022**

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**Appeal Ref: APP/K1935/D/22/3292617**

**40 Knights Templars Green, Stevenage, Herts SG2 0JY**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr Daniel French against the decision of Stevenage Borough Council.
  - The application Ref 21/01154/FPH, was refused by notice dated 21 January 2022.
  - The development proposed is construction of a rear dormer window and raising the ridge height.
- 

### Decision

1. The appeal is allowed, and planning permission is granted for the construction of a rear dormer window and raising the ridge height at 40 Knights Templars Green, Stevenage, Herts SG2 0JY subject to the following conditions:
  - 1) The development hereby permitted shall begin not later than three years from the date of this permission.
  - 2) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
  - 3) The development hereby permitted shall be carried out in accordance with the following plans: 19044/OS, 190440/01-1, 190440/01-2, 190440/01-3A, 190440/01-4, 19044/01-5, 190440/02- 1, 190440/02-2, 190440/02-3C, 190440/02-4, 190440/02-5, 190440/02-6A.

### Procedural Matters

2. The appellant's agent has drawn my attention to a previous planning permission at the appeal site to raise the height of the main house roof ridge and chimney by 510mm under local planning authority reference number 19/00388/FPH.
3. The appellant has supplied a corrected version of Drawing No.19044/02-03 (Revision C) which removes the remnants of a single storey side extension was being considered by the appellant. This version was not submitted as part of the original application; however, I do not consider any of the parties would be prejudiced by this approach and have proceeded to determine this appeal accordingly.

4. The description of development on the decision notice varies from that which was on the application form. For the purposes of precision, I have used the description on the decision notice.

### **Reasons**

5. The main issue is the effect of the proposed development on the character and appearance of the area.
6. Knights Templars Green is a modern residential cul de sac, set within a larger modern housing estate with a pleasant suburban feel. The area is dominated by detached two storey, brick-built houses with front and rear gardens, driveways, and garages. The appeal site (No 40) is situated on the bend in the road, set back behind a front garden and driveway which also serves a detached garage.
7. At the site visit, I took time to drive around the neighbouring streets and noticed that rear box dormers had been added to at least two properties in the area. However, these appeared to be smaller than that of the appeal proposals.
8. The appeal proposals would result in the addition of a substantial box dormer to the rear of the dwelling, which would run across the entire width of the house, incorporating the (already permitted) increased ridge height. The dimensions given for the proposals would be approximately 8.5m wide, 3m in depth and 2.5m in height. This would result in a volume of around 32.3sqm.
9. The officer's report sets out that as a result in the increase in the ridge height of the property, the dormer would exceed the height of the 'original' dwelling.
10. The Town and Country Planning (General Permitted Development) (England) Order 2015 (the Order) as amended, and specifically Part 1 of Schedule 2 to the Order sets out what enlargements, improvements, alterations, and other additions a householder may make to their house and the area around it without the need for an application for planning permission (permitted development).
11. The appellant makes the case that a box dormer of similar dimensions as those proposed could be implemented under permitted development, had the permission for the increase in ridge height (under ref 19/00388/FPH) been implemented. The Order allows for such dormers to be added to 'existing' dwellings and does not stipulate that it must be to the 'original' dwelling (both of which are defined in the Permitted development rights for householders: Technical Guidance, MHCLG, September 2019).
12. The appellant therefore claims this as a 'fallback' position, which would be pursued if this appeal was dismissed. From their submissions, I consider there is a reasonable chance that as an alternative, the appellants would implement the fallback position in the event this appeal were to be dismissed. In light of this, I have considered the design of the box dormer 'permitted development' scheme, I agree with the appellant that the 'fallback' position in this case would be marginally more harmful to the character and appearance of the area than that of the appeal proposal.
13. I have assessed the application against the relevant parts of the Stevenage Design Guide SPD (2009), which informs policy GD1 (High Quality Design) of



the Stevenage Local Plan (2019) (LP). Policy GD1 of the LP seeks to promote good design in all forms of development and within the SPD it states that a dormer should not extend over more than half of the roof slope; and a minimum 500mm wide area of original roof should be retained at the bottom and both sides of the dormer.

14. Whilst I agree that the dormer proposals are not in accordance with these criteria, it is clear to me that the appellant would likely implement a permitted development scheme which would not meet these criteria either. Indeed, permitted development would not be assessed against these policies in any case. Moreover, the design of the permitted development scheme, as I have already discussed, would be marginally more harmful to character and appearance.
15. To that end, having regard to the fallback position, I do not consider there would be harm to the character and appearance of the area resulting from the proposals, despite there being some conflict with the relevant parts of the SPD.

### **Conditions**

16. I have applied condition 1 and 3 in the interests of precision and certainty and condition 2 to protect the character and appearance of the area.

### **Conclusions**

17. For the reasons given and having regard to all other matters raised, the appeal is allowed, subject to the conditions listed.

*Sian Griffiths*

INSPECTOR

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