

# Public Document Pack



## PLANNING AND DEVELOPMENT COMMITTEE

**Date: Thursday, 9 February 2023**

**Time: 6.30pm,**

**Location: Council Chamber**

**Contact: Lisa Jerome 01438 242203**

**committees@stevenage.gov.uk**

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

---

## AGENDA

### **PART 1**

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

#### **2. MINUTES - 8 DECEMBER 2022 & 10 JANUARY 2023**

To approve as a correct record the Minutes of the previous meetings held on 8<sup>th</sup> December 2022 and 10<sup>th</sup> January 2023.

Pages 3 – 26

#### **3. 22/00808/RMM - LAND TO THE NORTH OF STEVENAGE, OFF NORTH ROAD AND WESTON ROAD, STEVENAGE**

To consider a Reserved Matters application for Site Wide Infrastructure including Highways Infrastructure, Drainage and Surface Water, and Green Infrastructure pursuant to Outline permission 17/00862/OPM.

Pages 27 – 90

#### **4. 22/00810/RMM - LAND TO THE NORTH OF STEVENAGE, OFF NORTH ROAD AND WESTON ROAD, STEVENAGE**

To consider an application for approval of Reserved Matters (layout, landscaping, scale, and appearance) for residential development of 243 units comprising Phase 1 Parcels A-C and commercial unit (Use Class E) pursuant to Outline permission 17/00862/OPM.

Pages 91 – 154

**5. URGENT PART I BUSINESS**

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

**6. 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 involved the likely disclosure of exempt information as described in Paragraphs 1-7 of Part 1 of Schedule 12A of the Act as amended by Local Government (Access to information) (Variation) Order 2006.
2. That Members consider the reasons for the following reports (if any) being in Part II and determine whether or not maintaining the exemption from disclosure of the information contained therein outweighs the public interest in disclosure.

**7. URGENT PART II BUSINESS**

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

Agenda Published 1 February 2023

STEVENAGE BOROUGH COUNCIL

## PLANNING AND DEVELOPMENT COMMITTEE MINUTES

Date: Thursday, 8 December 2022

Time: 6.30pm

Place: Council Chamber

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

**Start / End Time:** Start Time: 6.30pm  
End Time: 8.00pm

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

Apologies for absence were submitted on behalf of Councillor Anne Wells.

There were no declarations of interest.

### 2 **MINUTES - 1 NOVEMBER 2022**

It was **RESOLVED** that the Minutes of the meeting of the Executive held on 1 November 2022 are approved for signature by the Chair.

### 3 **21/01283/FPM NORTH CAR PARK, SIX HILLS HOUSE, SIX HILLS WAY, STEVENAGE**

The Committee considered an application for the erection of a 10 storey building comprising of 94 no. flats consisting of 11 no. studios, 36 no. 1 bedroom and 47 no. 2 bedroom units, associated parking, access and ancillary works.

The application was before the Committee for determination as it was a major residential development. The application provided an uplift of 30 units above the previously approved 2016 application which sought to provide 64 units. The 2016 application which was previously approved, had been legally implemented and was therefore a material consideration in the determination of this application. The uplift of 30 units over the previously approved scheme would strengthen the Council's position with regards to 5 year land supply.

An addendum report was circulated with information relating to updated guidance from the Building Research Establishment (BRE) and comments made by the Council's drainage consultant who had advised that subject to revised conditions they would be satisfied with the scheme.

The Senior Planning Officer gave an introduction to the Committee. She advised that the main issues for consideration in the determination of the application were the acceptability of the proposal in land use policy terms, affordable housing and developer contributions, impact on the appearance of the area, impact upon residential amenities, means of access and traffic issues, parking, development and flood risk, trees, and landscaping, ecological impacts, impact on the environment and the impact on the Scheduled Ancient Monument.

The Committee was advised that the site was not allocated in the Local Plan and would therefore be classed as windfall. The proposed development would support the Council's aim of delivering homes within the Town.

In terms of location, the application site was considered to have excellent access to local facilities and alternative forms of travel to the private car and, therefore, deemed to be within a highly sustainable location.

In relation to affordable housing, the applicant had provided a detailed financial viability assessment demonstrating that the development proposal was unable to provide 25% affordable housing. The appraisal had been independently assessed by the Council's viability consultants who had confirmed that if the applicant was to provide the full quota of affordable housing, they would be left with a deficit of £5.4m. Further, the assessment also concluded that the scheme would be left with a £4.1m deficit if contributions were provided instead and would therefore result in the scheme generating no developers profit in real terms. However, the Council's Developer Contributions SPD (2021) allowed for the incorporation of a clawback mechanism in the S106 which allowed the future viability of the scheme to be reassessed and any increase or uplift in market conditions results in additional monies being provided. The Committee was advised that the applicant had agreed to this.

The Committee was also advised that the proposed development would comprise a high quality design and would help to improve the visual amenities of the area. Also, the siting of the current application was the same as the previously approved scheme which was deemed to be acceptable in terms of separation distances and outlook.

In terms of car parking, the proposal would result in the loss of 42 car parking spaces. However, there would still be, following the implementation of the development, 114 car parking spaces to serve the Six Hills House which would exceed the requirement of a maximum of 90 spaces to serve the existing development in line with the Council's Car Parking Standards. With regards to the basement car parks, these would be accessed via car lifts on the northern side of the building.

In relation to tall buildings and fire safety, following initial concerns raised by the HSE, the internal layout, staircases and fire escape routes had been amended in line with the HSE's recommendations.

In response to a number of questions from members, the following answers were given:

- Although Members were unhappy with the lack of affordable/social housing, officers advised that in this regard there was no material change to the permission granted previously;
- The previous permission included a number of 3no bed properties and the current evidence from market testing showed a need for 1 and 2 bedroom flats;
- In relation to clawback of funding, it was noted that if the scheme became more valuable and the market improved, there was a mechanism to ensure this;
- Access to the site was via a keycode. It was noted that unless the resident was in you could not access the site which could be an issue for delivery drivers as there was no parking immediately outside of the site. Officers advised that it was the Management Company's responsibility to manage the site in this regard;
- Solar panels were not part of the application due to the 'blue roof' installed to ensure rainwater harvesting;
- Members were disappointed to note that no comments had been received from the NHS despite them being a statutory consultee;
- There were an additional 48 parking spaces including 30 in the basement of the building which was accessible via a car lift.

It was **RESOLVED:**

That planning permission be granted subject to the following conditions, including the new conditions 15 – 17 provided by the Council's drainage consultant:

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

- A clawback mechanism to secure financial contributions in lieu towards affordable housing;
- Apprenticeships and construction jobs;
- Monitoring of Travel Plans
- Parking Restrictions Monitoring
- Proportionate financial contributions towards the delivery of a 2FE Primary School (including nursery) at Stevenage Town Centre;
- Associated Section 278 Highway Works;
- SBC Section 106 Monitoring Fee – 2.5% of total financial obligations (capped at £25,000); and
- HCC Monitoring Fee of £340 per trigger relating to HCC obligations.

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

resolved to approve. These suggested conditions are as follows:-

- 1 The development hereby permitted shall be carried out in accordance with the approved plans:  
119-3EX-00; 119-3GA-00C; 119-3GA-01D; 119-3GA-02D; 119-3GA-03D;  
119-3GA-04D; 119-3GA-05D; 119-3GA-06A; 119-3GA-09D; 119-3GA-10B;  
119-3GA-11D; 119-3GA-12E; 119-3GA-07C; 119-3GA-08B.
- 2 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 3 No development shall take place until samples of the materials to be used in the construction of the external surfaces development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.
- 4 In line with the Desk Study and Ground Investigation by Hydrock dated 22 September 2022 (reference SHW-HYD-XX-XX-RP-GE-S2), a watching brief should be adopted during the initial preparation works to identify any potentially contaminated materials e.g. hydrocarbon staining due to the previous use of the site of the car park. Where identified, materials should be segregated, sampled, analysed, categorised and disposed of off-site in accordance with current legislative requirements.
- 5 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 4 which is subject to the approval of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 5.
- 6 In the event that contamination is found at any time when carrying out the approved development that was not previously identified, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historic environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.
- 7 In the event that contamination is found at any time when carrying out the approved development that was not previously identified, as required under

condition 3, the approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval in writing of the Local Planning Authority.

- 8 At least 50% of the residential units are to meet Category 2: Accessible and Adaptable dwellings.
- 9 All areas of hedges, scrub or similar vegetation where birds may nest which are to be removed as part of the development, are to be cleared outside the bird-nesting season (March - August inclusive) or if clearance during the bird nesting season cannot be reasonably be avoided, a suitably qualified ecologist will check the areas to be removed immediately prior to clearance and advise whether nesting birds are present. If active nests are recorded, no vegetation clearance or other works that may disturb active nests shall proceed until all young have fledged the nest.
- 10 The noise mitigation measures as detailed in the Noise Impact Assessment prepared by KP Acoustics Ltd, dated 26/01/2022 shall be implemented in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.
- 11 No development shall take place above slab level until the proposed ventilation scheme for the development has been submitted to and approved in writing by the local planning authority. The detailed measures that will be implemented shall ensure that the specifications at Table 6.1 of the Noise Impact Assessment Report (Report reference 13395.NIA.02, prepared by KP Acoustics Ltd, dated 26/01/2022) can be achieved. The ventilation scheme shall be installed in accordance with the approved scheme and shall be retained for the lifetime of the approved development
- 12 No development shall take place (including demolition and site clearance) until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority in consultation with the highway authority. Thereafter, the construction of the development shall only be carried out in accordance with the approved Plan. The Construction Management Plan shall include the following additional matters;
  - 1) Construction vehicle numbers, type, routing;
  - 2) Access arrangements to the site;
  - 3) Traffic management requirements;
  - 4) Construction and storage compounds (including areas designated for car parking, loading/unloading and turning areas);
  - 5) Siting and details of wheel washing facilities;
  - 6) Cleaning of site entrances, site tracks and the adjacent public highway;
  - 7) Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times;
  - 8) Provision of sufficient on-site parking prior to commencement of

- construction activities;
  - 9) Post construction restoration/reinstatement of the working areas and temporary access to the public highway;
  - 10) where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements;
  - 11) Demolition and construction works between the hours of 0730 and 1800 on Mondays to Fridays and between the hours of 0800 and 1300 on Saturdays only (These times relate to works which are audible at the boundary);
  - 12) hours of construction operations including times of deliveries and removal of waste;
  - 13) The proposed methods of construction (including details of any excavation/buildings/piling/scaffolding which are located within 10m of the railway line and/or in close proximity to Thames Water assets);
  - 14) Risk assessment in relation to the railway;
  - 15) Details on the screening or enclosure of plant and machinery;
  - 16) Details of dust control measures;
  - 17) Details of any vibro-compaction machinery which is to be used in development;
  - 18) Details of mitigation measures to protect the Common Land, Wildlife Site and Six Hills Barrows to the east of the site during the construction phase of the development.
  - 19) Details of how the safety of existing public highway users and existing public right of way users will be maintained;
  - 20) The provision for addressing any abnormal wear and tear to the highway;
  - 21) The details of consultation with local businesses or neighbours;
  - 22) The details of any other Construction Sites in the local area;
  - 23) Signage.
- 13 Prior to the commencement of development (including demolition and site clearance works) a detailed Ecological Management Plan and Heritage Impact Assessment shall be submitted to and approved in writing by the Local Planning Authority which will detail mitigation measures to protect the adjacent Wildlife Site and Scheduled Ancient Monument known as Six Hills Barrows and any remediation and improvement works required following completion of construction works.
- 14 Prior to commencement of development, (including any demolition and site clearance) the developer shall comply fully with the requirements of the Department for Transport's DMRB Standard CG 300: Technical Approval of Highway Structures. The Approval in Principle and Design and Check Certification, accompanied by full structural details, shall be submitted and approved in writing by the Local Planning Authority in conjunction with the Highway Authority. All works shall proceed in accordance with the details submitted and Construction Compliance certification and documentation submitted to the Highway Authority.
- 15 No development shall take place until a final design of the drainage scheme for the site has been submitted to and approved in writing by the Local

Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is occupied.

The scheme shall include:

- Updated surface water drainage calculations and modelling for all rainfall events up to and including the 1 in 100 year plus climate change event, including infiltration options.
- Updated full detailed surface water drainage plan showing the proposed discharge point, the location of the proposed SuDS features, any pipe runs and size.
- 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.
- Exceedance flow paths for surface water for events greater than the 1 in 100 year plus climate change.

- 16 Upon completion of the drainage works, a management and maintenance plan for the SuDS features and drainage network must be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- Provision of complete set of as built drawings including the final drainage layout for site drainage network.
- Maintenance and operational activities for the lifetime of the development.
- Arrangements for adoption and any other measures to secure the operation of the scheme throughout its lifetime.

- 17 No development shall take place before a scheme of landscaping which shall include details of both hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority. 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. In regards to hard surfacing, this shall be carried out in accordance with any approved details within three months of the first occupation of the building or the completion of the development, whichever is the sooner. Soft landscaping details will need to take into consideration Network Rail's acceptable and unacceptable planting (see Informative No.8).

- 18 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.

- 19 The development hereby approved shall be constructed in accordance with the measures to address adaptation to climate change as laid out in the Sustainability and Energy Statement by Icen Projects Ltd dated January 2022 unless otherwise agreed in writing by the Local Planning Authority.

- 20 Prior to first occupation of the development hereby permitted details of

external lighting to the site shall be submitted to the Local Planning Authority and approved in writing in conjunction with Network Rail. The external lighting system shall be installed in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority. There shall be no other sources of external illumination.

- 21 Prior to the first occupation of the dwellings hereby permitted the approved secure cycle parking area shall be constructed in accordance with the details identified on drawing 1233-P-13 A and shall be permanently retained in that form.
- 22 The dwellings hereby permitted shall not be occupied until the general waste and recycle stores and plant areas associated with the development hereby permitted have been implemented in accordance with the details shown on approved plan 119-3GA-01D and retained and maintained accordingly for the lifetime of the development.
- 23 Prior to the first occupation of the development hereby permitted, the parking spaces shown on approved plans 119-3GA-01D and 119-3GA-00C shall be constructed, hardsurfaced and made ready for use taking into account the following:
  - a) The underlying infrastructure for connection to the electricity network to enable them to be served by electric vehicle charging points shall be provided;
  - b) They shall be constructed in a porous material or provision made for a sustainable urban drainage system (SuDS) to be built into the hardsurfaced areas;
  - c) A minimum of six (6) disabled parking spaces shall be provided.

Once provided, the parking facilities shall be retained in that form and thereafter be used for the parking of motor vehicles only.

- 24 No development shall take place above slab level until there has been submitted to and approved in writing by the Local Planning Authority in conjunction with Network Rail, details of the treatment of all boundaries including details of any walls, fences, gates or other means of enclosure. The approved boundary treatments shall be completed before the dwellings are occupied.
- 25 An Armco or similar barrier should be located in positions where vehicles may be in a position to drive into or roll onto the railway or damage the lineside fencing. Network Rail's existing fencing/wall must not be removed or damaged. The barrier would need to be installed at each turning area, roadway and car parking area which is located adjacent to the railway.
- 26 No waste materials generated as a result of the proposed demolition and /or construction operations shall be burned on site. All such refuse shall be disposed of by alternative methods.
- 27 No development shall take place until a detailed Site Waste Management

Plan (SWMP) to detail how waste materials generated as a result of the proposed demolition and/or construction methods shall be disposed of, and detail the level and type of soil to be imported to site as part of the development has been submitted to and approved in writing by the Local Planning Authority.

- 28 No development shall commence above slab level until details of 10 integrated swift boxes (including model and location) marked on a plan, have been submitted to and approved in writing by the Local Planning Authority. These devices shall be fully installed prior to occupation and retained as such thereafter.
- 29 Development shall not commence until a construction methodology statement has been submitted to and approved in writing by the Local Authority. The construction methodology shall demonstrate consultation with the Asset Protection Project Manager at Network Rail. The development shall thereafter be carried out in accordance with the approved construction methodology unless otherwise agreed in writing by the Local Planning Authority.
- 30 Prior to beneficial occupation of the development, details of an interpretation panel in a suitable, publicly accessible location to improve public perception and understanding of the adjacent scheduled monument of 'The Six Hills Roman barrows' shall be submitted to and approved in writing by the Local Planning Authority. The interpretation panel shall be installed prior to first occupation of the development hereby permitted.
- 31 No development shall take place until an Archaeological Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of archaeological significance and research questions and:
1. The programme and methodology of site investigation and recording
  2. The programme and methodology of site investigation and recording as suggested by the evaluation
  3. The programme for post investigation assessment
  4. Provision to be made for analysis of the site investigation and recording
  5. Provision to be made for publication and dissemination of the analysis and records of the site investigation
  6. Provision to be made for archive deposition of the analysis and records of the site investigation [www.hertfordshire.gov.uk](http://www.hertfordshire.gov.uk)
  7. Nomination of a competent person or persons/organisation to undertake the works set out within the Archaeological Written Scheme of Investigation.
- 32 The development shall not be occupied/used until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the approved Written Scheme of Investigation and the provision made for analysis and publication where appropriate.
- 33 Prior to commencement of development above slab level, a scheme for the provision of fire hydrants shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented in full

prior to beneficial occupation of the development and permanently retained as such thereafter unless otherwise agreed in writing by the local planning authority.

## **INFORMATIVE**

### **1 Public Information on Planning Applications**

Warning: all information provided on your planning application is now publicly available. Individuals and organisations offering their services may contact you. The Council does not endorse or approve any builders, surveyors, trades persons or other supplier, and advises householders to obtain quotes/references, and check the legitimacy of any contractor who contacts them before making payment.

### **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 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 Party Wall etc. Act 1996**

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

**5 Police Crime Prevention**

The proposed development should achieve Secured By Design (SBD) accreditation in order for it to comply with current Building Regulations. The Police Crime Prevention Design Advisor by telephone on 01707 355227 or email [mark.montgomery@herts.pnn.police.uk](mailto:mark.montgomery@herts.pnn.police.uk)

**6 Thames Water**

Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing [wwriskmanagement@thameswater.co.uk](mailto:wwriskmanagement@thameswater.co.uk). Application forms should be completed on line via [www.thameswater.co.uk/wastewaterquality](http://www.thameswater.co.uk/wastewaterquality). Through the centre of the proposed development there are easements and wayleaves. These are Thames Water Assets. The company will seek assurances that it will not be affected by the proposed development.

**7 Network Rail**

Fail Safe Use of Crane and Plant

All operations, including the use of cranes or other mechanical plant working adjacent to Network Rail's property, must at all times be carried out in a "fail safe" manner such that in the event of mishandling, collapse or failure, no materials or plant are capable of falling within 3.0m of the nearest rail of the adjacent railway line, or where the railway is electrified, within 3.0m of overhead electrical equipment or supports.

With a development of a certain height that may/will require use of a crane, the developer must bear in mind the following. Crane usage adjacent to railway infrastructure is subject to stipulations on size, capacity etc. which needs to be agreed by the Asset Protection Project Manager prior to implementation.

#### Excavations/Earthworks

All excavations/ earthworks carried out in the vicinity of Network Rail property/ structures must be designed and executed such that no interference with the integrity of that property/ structure can occur. If temporary works compounds are to be located adjacent to the operational railway, these should be included in a method statement for approval by Network Rail. Prior to commencement of works, full details of excavations and earthworks to be carried out near the railway undertaker's boundary fence should be submitted for the approval of the Local Planning Authority acting in consultation with the railway undertaker and the works shall only be carried out in accordance with the approved details. Where development may affect the railway, consultation with the Asset Protection Project Manager should be undertaken. Network Rail will not accept any liability for any settlement, disturbance or damage caused to any development by failure of the railway infrastructure nor for any noise or vibration arising from the normal use and/or maintenance of the operational railway. No right of support is given or can be claimed from Network Rail's infrastructure or railway land.

#### Security of Mutual Boundary

Security of the railway boundary will need to be maintained at all times. If the works require temporary or permanent alterations to the mutual boundary the applicant must contact Network Rail's Asset Protection Project Manager.

#### Demolition

Any demolition or refurbishment works must not be carried out on the development site that may endanger the safe operation of the railway, or the stability of the adjoining Network Rail structures.

The demolition of buildings or other structures near to the operational railway infrastructure must be carried out in accordance with an agreed method statement. Approval of the method statement must be obtained from Network Rail's Asset Protection Project Manager before the development can commence.

#### Vibro-impact Machinery

Where vibro-compaction machinery is to be used in development, details of the use of such machinery and a method statement should be submitted for the approval of the Local Planning Authority acting in consultation with the

railway undertaker prior to the commencement of works and the works shall only be carried out in accordance with the approved method statement.

#### Scaffolding

Any scaffold which is to be constructed within 10 metres of the railway boundary fence must be erected in such a manner that at no time will any poles over-sail the railway and protective netting around such scaffold must be installed.

#### Bridge Strikes

Applications that are likely to generate an increase in trips under railway bridges may be of concern to Network Rail where there is potential for an increase in 'Bridge strikes'. Vehicles hitting railway bridges cause significant disruption and delay to rail users. Consultation with the Asset Protection Project Manager is necessary to understand if there is a problem. If required there may be a need to fit bridge protection barriers which may be at the developer's expense.

#### Abnormal Loads

From the information supplied, it is not clear if any abnormal loads will be using routes that include any Network Rail assets (e.g. bridges and level crossings). We would have serious reservations if during the construction or operation of the site, abnormal loads will use routes that include Network Rail assets. Network Rail would request that the applicant contact our Asset Protection Project Manager to confirm that any proposed route is viable and to agree a strategy to protect our asset(s) from any potential damage caused by abnormal loads. I would also like to advise that where any damage, injury or delay to the rail network is caused by an abnormal load (related to the application site), the applicant or developer will incur full liability.

#### Two Metre Boundary

Consideration should be given to ensure that the construction and subsequent maintenance can be carried out to any proposed buildings or structures without adversely affecting the safety of, or encroaching upon Network Rail's adjacent land, and therefore all/any building should be situated at least 2 metres from Network Rail's boundary. This will allow construction and future maintenance to be carried out from the applicant's land, thus reducing the probability of provision and costs of railway look-out protection, supervision and other facilities necessary when working from or on railway land.

#### Encroachment

The developer/applicant must ensure that their proposal, both during construction, and after completion of works on site, does not affect the safety, operation or integrity of the operational railway, Network Rail and its infrastructure or undermine or damage or adversely affect any railway land and structures. There must be no physical encroachment of the proposal onto Network Rail land, no over-sailing into Network Rail airspace and no encroachment of foundations onto Network Rail land and soil.

There must be no physical encroachment of any foundations onto Network

Rail land. Any future maintenance must be conducted solely within the applicant's land ownership. Should the applicant require access to Network Rail land then must seek approval from the Network Rail Asset Protection Team. Any unauthorised access to Network Rail land or airspace is an act of trespass and we would remind the council that this is a criminal offence (s55 British Transport Commission Act 1949). Should the applicant be granted access to Network Rail land then they will be liable for all costs incurred in facilitating the proposal.

#### Access to the Railway

All roads, paths or ways providing access to any part of the railway undertaker's land shall be kept open at all times during and after the development.

### 8 **Network Rail Trees/Shrubs/Landscaping**

Where trees/shrubs are to be planted adjacent to the railway boundary these shrubs should be positioned at a minimum distance greater than their predicted mature height from the boundary. Certain broad leaf deciduous species should not be planted adjacent to the railway boundary. We would wish to be involved in the approval of any landscaping scheme adjacent to the railway. Where landscaping is proposed as part of an application adjacent to the railway it will be necessary for details of the landscaping to be known and approved to ensure it does not impact upon the railway infrastructure.

Any hedge planted adjacent to Network Rail's boundary fencing for screening purposes should be so placed that when fully grown it does not damage the fencing or provide a means of scaling it. No hedge should prevent Network Rail from maintaining its boundary fencing. Lists of trees that are permitted and those that are not permitted are provided below and these should be added to any tree planting conditions:

#### **Acceptable:-**

Birch (Betula), Crab Apple (Malus Sylvestris), Field Maple (Acer Campestre), Bird Cherry (Prunus Padus), Wild Pear (Pyrus Communis), Fir Trees - Pines (Pinus), Hawthorne (Cretaeagus), Mountain Ash - Whitebeams (Sorbus), False Acacia (Robinia), Willow Shrubs (Shrubby Salix), Thuja Plicatata "Zebрина"

#### **Not Acceptable:-**

Acer (Acer pseudoplatanus), Aspen - Poplar (Populus), Small-leaved Lime (Tilia Cordata), Sycamore - Norway Maple (Acer), Horse Chestnut (Aesculus Hippocastanum), Sweet Chestnut (Castanea Sativa), Ash (Fraxinus excelsior), Black poplar (Populus nigra var, betulifolia), Lombardy Poplar (Populus nigra var, italica), Large-leaved lime (Tilia platyphyllos), Common lime (Tilia x europea)

A comprehensive list of permitted tree species is available upon request to Network Rail.

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

The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the

Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/businessanddeveloper-information/development-management/highways-developmentmanagement.aspx> or by telephoning 0300 1234047.

**10 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.

**11 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.

**12 Hertfordshire County Council as Highways Authority**

Debris and deposits on the highway: It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made up carriageway, or any or other debris on a highway to the interruption of any highway user. Section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.

The Committee considered a report in respect of application 22/00764/S106 seeking a deed of variation to S106 Agreement dated 11.08.2016 approved under planning permission reference 15/00253/OPM to delete clause 12.5 and insert new clause 19 which incorporated a mortgage exclusion clause.

The application had been previously considered by the Committee on 1 November 2022 where it was resolved to agree the variation subject to a period of 6 months rather than 3 months as proposed. The Development Manager advised that the applicant had responded that they were unable to accept the amendment to 6 months as this would not be accepted by the Lenders.

Officers advised that the proposed amendment was not considered to weaken the position of the Council and would enable the Housing Association to receive full value from the lender and can therefore be accepted.

It was **RESOLVED** that the deletion of clause 12.5 from schedule 2 and the insertion of clause 19, which incorporates a mortgage exclusion clause of the S106 agreement dated 11 August 2016 and delegate authority to the Assistant Director of Planning and Regulation in conjunction with an appointed Solicitor on behalf of the Council to agree the precise wording of the variations to the original S106 agreement be approved.

**5 INFORMATION REPORT - DELEGATED DECISIONS**

Noted.

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

Noted.

**7 URGENT PART I BUSINESS**

None.

**8 EXCLUSION OF THE PRESS AND PUBLIC**

Not required.

**9 URGENT PART II BUSINESS**

None.

**CHAIR**

STEVENAGE BOROUGH COUNCIL

**PLANNING AND DEVELOPMENT COMMITTEE  
MINUTES**

Date: Tuesday, 10 January 2023

Time: 6.30pm

Place: Council Chamber

**Present:** Councillors: Michael Downing (Chair) (Chair), Adrian Brown (Vice-Chair) (Vice Chair), Maureen McKay, Sandra Barr, Teresa Callaghan, 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:    6.30pm  
**Time:**            End Time:       7.26pm

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

There were no apologies for absence.

There were no declarations of interest.

**2      DRAFT DESIGN GUIDE SUPPLEMENTARY PLANNING DOCUMENT**

The Planning Policy Officer gave a verbal presentation to update the Committee on the Draft Design Guide Planning Document. This report was being reviewed and updated and had been out for consultation twice. This was in line with updates from the National Planning Policy Framework and the National Design Guide 2021.

The first consultation ran from the 19<sup>th</sup> September 2022 until the 31<sup>st</sup> October 2022 and received 43 comments from various organisations and members of the public. A comment was received from Sport England for more active design, and a member of public commented regarding the national space design standards. Additionally, Historic England commented on the up-to-date links in the document.

It was advised that this plan would go to the Executive committee and the document would be updated after any comments from Members. It was clarified after a query from a Member that that this would only go to Executive and wouldn't go to Council.

**RESOLVED:** That the Draft Design Guide Supplementary Planning Document be noted.

**3      22/00833/FP AND 22/00833/LB - 67 - 69 HIGH STREET, STEVENAGE  
(DEAMERS)**

The Committee considered a report in respect of application 22/00833/FP and 22/00835/LB seeking the change of use from Use Class E (shop) to Sui Generis (Betting Office) with repainting of brickwork, installation of new shop front, 2 satellite

dishes and air conditioning units.

The Senior Planning Officer advised that the application site was operating as Deamers on the High Street and stood on the gateway between the High Street and Middle Row. It was a Grade II listed building within the Old Town Conservation Area. Since it was a listed building it was highlighted that the impacts on the building were considered in relation to the signage. Members were informed that there would be changes to the shop front and it would be a clean façade, as well as air conditioning units and satellite dishes on the rear.

The Senior Planning Officer highlighted the email sent to Members from Litchfields (the applicants planning agent) who disagreed with some aspects of Paragraph 7.2 in the report related to a betting shop not being a leisure use.

In terms of land policy considerations, Members were advised that the property was located within the High Street Shopping Area (HSSA). Policy TC9 stated that within a HSSA permission could be granted for development which fell in Use Classes A1, A2, A, A4, C1, C3, D1 or D2. The Government had amended the Use Class Order and created a new Class E which created more flexibility. The applicant's agent believed that betting shops should be considered as leisure use, however the Senior Planning Officer disagreed with this statement as if betting shops were considered leisure use then it would have been considered under one of the leisure use classes E(d) or F2.

The Senior Planning Officer advised that the applicant had provided evidence that stated betting shops were a strong footfall generator. She agreed with this statement and believed the betting shop would provide equivalent footfall to the previous retail shop.

This application provided public benefits in the form of employment opportunities, construction jobs, and passing trade to neighbouring retail premises. The applicant had confirmed that there were employment opportunities for 3 full time employees, 3 part time employees, and 26 temporary construction jobs.

Members were informed that there were three betting shops already located on the High Street which equated to 2.1% of total High Street use. If this application was granted, then this would result in an increase to 2.8% of total premises. This was not considered to be an over concentration of betting shops on the High Street.

The Senior Planning Officer stated that residents were concerned about anti-social behaviour/increased crime. It was advised that the licensing team would assess the proposed use relating to gambling and it was not a material planning consideration.

The Senior Planning Officer commented that the proposal was contrary to Policy TC9, however on balance was acceptable by maintaining footfall and preserved the vitality and viability of the High Street area.

In terms of design and impact upon the listed building and Conservation Area, it was believed that this location was acceptable and would not impact the Conservation Area. It was determined by Historic England that there were no internal features of

historical value but as it was a listed building, they were required to be preserved. The existing shop front required a lot of repairs. The proposal was amended after concerns from BEAMS and the applicant had agreed to use more historical-looking features and fittings on the door.

The Senior Planning Officer did not consider the proposal as out of keeping with the surrounding area, as the High Street and Middle Row contained several modern shop fronts and external signage. The signage comprised of the installation of an externally illuminated projecting sign, an internally illuminated timber fascia and three light boxes within the main glazed area of the shop front.

It was advised that the development caused less than substantial harm, provided economic benefits to the High Street, employment benefits, and secured the future of the listed building in the public interest and in the interest of preserving the Old Town Conservation Area.

In terms of the impact on neighbouring amenities, it was advised that the premises were located in the commercial area of the High Street with no residential dwellings in the immediate surrounding area. The use of the premises would not result in noise levels over and above the existing use or that of neighbouring properties. Additionally, Environmental Health had raised no concerns.

In relation to car parking and highway safety, there were no guidelines for Sui Generis uses in the adopted Parking Provision SPD and each application was to be determined on an individual basis.

The Senior Planning Officer highlighted that there had been some comments made from residents. Some residents had asked for Article 4 development rights which removed the Permitted Development Rights for a particular use. However, an Article 4 Direction was not required as betting shops required a change of use which must be secured via planning permission. Additionally, other residents argued that the premises should be used for something else. However, the Planning Officer reminded Members that a planning application could not be refused on this basis.

A Member asked why the artwork on the first floor was going to be removed and believed it added character to the high street and should be retained. The Planning Officer advised that the Council's Heritage advisor had stated that the artwork was painted by the current owners and was of no historical value and could be removed if the applicant wanted.

A Member highlighted her concerns regarding the behaviour of people that used betting shops and concern over use of car parking spaces. It was advised that there would be communication with enforcement officers and there would be active parking monitoring of the area.

A Member was concerned regarding the air conditioning units and satellite dishes which could affect the historical aspect of the area. It was advised that the dishes were a dark colour and would be set back into the rear yard.

A Member asked where the nearest residential area was to the application site. It

was advised that the nearest houses were opposite, behind the premises.

Various Members commented that it was a shame that another historical building would be turned into a betting shop when there were already three on the high street. One Member believed it would not increase footfall, it would only spread from the other three betting shops to this one. They highlighted the unknown possibility of the building falling into disrepair if the application was not approved and asked if the current owners had confirmed they were leaving. The Senior Planning Officer advised that this property had been marketed since March 2022 and the only offer was from this applicant. Members were reminded that they could not refuse the application based on a potential future offer. She agreed with the Member that it was unknown if the building would fall into disrepair but was a risk that needed to be considered. The shop was a small family run business and the owners had stated that they wanted to retire. The Senior Planning Officer also agreed that there was a substantial cost to maintain a listed building, which could have prevented other companies or small businesses from applying.

A Member asked whether there was a restriction on A3 use and whether a restaurant or café would be allowed on the site. It was advised that this would have to be assessed if an application like that came forward. A1 (retail), A2 (finance), A3 (café and restaurants) and A4 (takeaways) were acceptable in the area but none of these types of businesses came forward for the property.

The Senior Planning Officer reminded the Committee that there were no other applications that were proposing to do something different.

A Member highlighted the time given to advertise the premises and suggested there should be more time allowed to advertise due to the difficulties companies could have faced in recent years. The Senior Planning Officer advised that the application would give the applicant Sui Generis use for a betting shop and they could not do anything other than the betting shop usage. She reminded Members that there was nothing within Council policy that stated there was a certain period of time to advertise.

A Member asked whether the building was in sound condition and what would happen to the first floor. The Senior Planning Officer advised that the building was structurally sound, but the applicant wanted to make some minor alterations inside. The current owners had focused on structural work that needed to be done whereas the applicant was focused on internal amendments. The current owners were retaining part of the first floor and the other part would be used for the betting shop offices.

Another Member asked whether Deamers owned the whole building. It was advised that they did, and they were selling the ground floor and part of the first floor, but they were retaining some of the first floor for their own use.

It was **RESOLVED** that:

(A) The application 22/00833/FP be **GRANTED** planning permission, subject to the

following conditions:

1. The development hereby permitted shall be carried out in accordance with the following approved plans:  
Site Location Plan; FINAL-NL-170722-500; FINAL-NL-170722-502; NL-170722-101-A; NL-170722-102-A; FINAL/NL/170722/501-D; FINAL-NL-170722-503-C.
2. The development hereby permitted shall be begun before the expiration of three years from the date of the permission
3. The replacement entrance door and door panel shall be installed as per the details on approved plan FINAL/NL/170722/501-D and retained in that form thereafter for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.
4. Prior to the installation of the air conditioning units hereby permitted, a noise assessment and scheme of acoustic mitigation shall be submitted to and approved in writing by the Local Planning Authority. The units shall then be installed in accordance with the approved scheme prior to first occupation and permanently maintained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.
5. No noise generating construction/refitting 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.

(B) The application 22/00835/LB be **GRANTED** Listed Building Consent, subject to the following conditions:

1. The development hereby permitted shall be carried out in accordance with the following approved plans:  
Site Location Plan; FINAL-NL-170722-500; FINAL-NL-170722-502; NL-170722-101-A; NL-170722-102-A; FINAL/NL/170722/501-D; FINAL-NL-170722-503-C
2. The works for which consent is hereby granted shall be begun before the expiration of three years from the date of this consent.

3. The replacement entrance door and door panel shall be installed as per the details on approved plan FINAL/NL/170722/501-D and retained in that form thereafter for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.

4      **22/00834/AD - 67 - 69 HIGH STREET, STEVENAGE (DEAMERS)**

The Committee considered a report in respect of application 22/00834/AD seeking the installation of 1 externally illuminated fascia signs and 1 externally illuminated projecting sign.

The Senior Planning Officer advised Members that they had accepted the erection of signage on the listed building, and that this application was for the Committee whether the type of signage would be appropriate.

The Senior Planning Officer highlighted the changes that had been made by the applicant subject to comments and concerns from BEAMS. These concerns included the vinyl signs which BEAMS believed to be visually intrusive. She reminded Members that the applicant had amended the application following these concerns.

A Member asked whether or not the sign above the window was a lightbox, and whether this could be changed at a later date. It was advised that the sign was externally illuminated and would have some small lights but was not a light box. The applicant would have to apply for listed building consent and advertisement consent again to change any signage.

**RESOLVED:** That the application 22/00834/AD be **GRANTED** advertisement consent, subject to the following conditions:

1. The development hereby permitted shall be carried out in accordance with the following approved plans:  
Site Location Plan; FINAL-NL-170722-500; FINAL-NL-170722-502; NL-170722-101-A; NL-170722-102-A; FINAL/NL/170722/501-D; FINAL-NL-170722-503-C
2. This consent shall be for a limited period only, expiring FIVE years after the date of this notice and on or before that date the advertisement shall be removed, and the building/land be restored to its former condition.
3. A. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.  
  
B. No advertisement shall be sited or displayed so as to:-
  - i) Endanger persons using highway, railway, waterway, dock, harbour or aerodrome (civil or military);

- ii) Obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
- iii) Hinder the operation of any device used for the purpose of security of surveillance or for measuring the speed of any vehicle

C. Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

D. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public

E. Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

## 5 **INFORMATION REPORT - DELEGATED DECISIONS**

**RESOLVED:** That the report be noted.

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

**RESOLVED:** That the report be noted.

## 7 **URGENT PART I BUSINESS**

### SG1 Development planning application

The Assistant Director (Planning & Regulation) updated Members on the SG1 application which was first debated two years ago. There had been an agreed resolution subject to a Section 106 agreement, which had been in negotiation for some time. He hoped that the Section 106 Agreement would be completed in the next few months, enabling the development to proceed. He informed Members that officers had reviewed the proposal against policies that had changed since the application last came to committee and the application still accorded with what Planning & Development had considered.

A Member asked what the time scale was for this development as it had not moved on much. It was advised that it was hoped that planning permission would be issued in the next month or two. Plots A and K had detailed planning permission and would be able to be progressed as soon as permission was granted. The other plots would require planning permission from the Committee.

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

Not required.

9        **URGENT PART II BUSINESS**

There was none.

**CHAIR**

**Meeting:** Planning and Development Committee

**Agenda Item:**
**Date:** 9 February 2023

**Author:** Rebecca Elliott

**Lead Officer:** Zayd Al-Jawad

**Contact Officer:** Rebecca Elliott

Application No:	22/00808/RMM
Location:	Land to the North of Stevenage, off North Road and Weston Road, Stevenage.
Proposal:	Reserved Matters application for Site Wide Infrastructure including Highways Infrastructure, Drainage and Surface Water, and Green Infrastructure pursuant to Outline permission 17/00862/OPM
Drawing Nos.:	BM1-NPA-I-OS-DR-L-3008-A-C07; BM1-NPA-I-OS-DR-L-3007-A-C07; BM1-NPA-I-OS-DR-L-3006-A-C07; BM1-NPA-I-OS-DR-L-3005-A-C07; BM1-NPA-I-OS-DR-L-3004-A-C07; BM1-NPA-I-OS-DR-L-3003-A-C07; BM1-NPA-I-OS-DR-L-3002-A-C07; BM1-NPA-I-OS-DR-L-3001-A-C07; BM1-NPA-I-OS-DR-L-3000-A-C07; BM1-NPA-I-OS-DR-L-2012-A-C04; BM1-NPA-I-OS-DR-L-4301-A-C03; BM1-NPA-I-OS-DR-L-4302-A-C03; BM1-NPA-I-OS-DR-L-4303-A-C03; BM1-NPA-I-OS-DR-L-4304-A-C03; BM1-NPA-I-OS-DR-L-4305-A-C03; BM1-NPA-I-OS-DR-L-4306-A-C03; BM1-NPA-I-OS-DR-L-4307-A-C03; BM1-NPA-I-OS-DR-L-5301-A-C03; BM1-NPA-I-OS-DR-L-5302-A-C03; BM1-NPA-I-OS-DR-L-5303-A-C03; BM1-NPA-I-OS-DR-L-5304-A-C03; BM1-NPA-I-OS-DR-L-5305-A-C03; BM1-NPA-I-OS-DR-L-5306-A-C03; BM1-NPA-I-OS-DR-L-5307-A-C03; BM1-NPA-I-OS-DR-L-5308; BM1-NPA-I-OS-DR-L-5309-A-C02; BM1-NPA-I-OS-DR-L-5310-A-C02; BM1-NPA-I-OS-DR-L-7405-A-C03; BM1-NPA-I-OS-DR-L-7500-A-C04; BM1-NPA-I-OS-DR-L-7501-A-C04; BM1-NPA-I-OS-DR-L-7502-A-C02; BM1-NPA-I-OS-DR-L-7503-A-C04; BM1-NPA-I-OS-DR-L-7504-A-C05; BM1-NPA-I-OS-DR-L-7505-A-C03; BM1-NPA-V1-OS-DR-L-7100-A-C03; BM1-NPA-V1-OS-DR-L-7400-A-C03; BM1-NPA-V1-OS-DR-L-7401-A-C03; BM1-NPA-V1-OS-DR-L-7301-A-C02; BM1-OC-V1-ZZ-DR-C-0042-P08; BM1-OC-RMA-XX-DR-C-2000-R11; BM1-OC-RMA-XX-DR-C-2001-R14; BM1-OC-RMA-XX-DR-C-2002-R14; BM1-OC-RMA-XX-DR-C-2004-R07; BM1-OC-RMA-XX-DR-C-2005-R08; BM1-OC-RMA-XX-DR-C-2006-R07; BM1-OC-RMA-XX-DR-C-2008-R09; BM1-OC-RMA-XX-DR-C-2009-R09; BM1-OC-RMA-XX-DR-C-2010-R08; BM1-OC-RMA-XX-DR-C-2012-R06; BM1-OC-RMA-XX-DR-C-2013-R04; BM1-OC-RMA-XX-DR-C-2014-R04; BM1-OC-RMA-XX-DR-C-2015-R04; BM1-OC-RMA-XX-DR-C-2016-R04; BM1-OC-RMA-XX-DR-C-2017-R04; BM1-OC-RMA-XX-DR-C-2018-R04; BM1-OC-RMA-XX-DR-C-2019-R05; BM1-OC-RMA-XX-DR-C-2020-R05; BM1-OC-RMA-XX-DR-C-2021-R05; BM1-OC-RMA-XX-DR-C-2022-R05; BM1-OC-RMA-XX-DR-C-2023-R05; BM1-OC-RMA-XX-DR-C-2024-R06; BM1-OC-RMA-XX-DR-C-2025-R06; BM1-OC-RMA-XX-DR-C-2026-R03; BM1-OC-RMA-XX-DR-C-2028-R02; BM1-OC-RMA-XX-DR-C-2029-R02; BM1-OC-RMA-XX-DR-C-2030-R02; BM1-OC-RMA-XX-DR-C-2031-R02; BM1-OC-RMA-XX-DR-C-2032-R02; BM1-OC-RMA-XX-DR-C-2033-R02; BM1-OC-RMA-XX-DR-C-2034-R02; BM1-OC-RMA-XX-DR-C-2036-R03; P1708.SRL.0004-F; BM1-OC-RMA-XX-DR-C-2035-R01; BM1-OC-RMA-XX-DR-C-2039; BM1-OC-RMA-XX-DR-C-2040; 302438 R01(01);
Applicant:	Bellway Homes (North London) and Miller Homes Ltd
Date Valid:	06 September 2022
Recommendation:	APPROVAL OF RESERVED MATTERS.

## 1. SITE DESCRIPTION

- 1.1 The application site which measures approximately 75 hectares in area is located to the north of Stevenage and is situated to the east of North Road, to the north east of Granby Road and

Chancellors Road and to the west of Weston Road and Great Ashby Way. To the north are agricultural fields. This site is agricultural land comprising a number of arable fields with semi mature hedgerows and trees. The site undulates with a ridgeline running along the northern boundary which adjoins trees. There are two sets of electricity pylons running through the site, with 132Kv pylons toward the north of the site and 440Kv pylons within the centre of the site.

- 1.2 The northern boundary of the site adjoins the borough boundary with North Hertfordshire District Council (NHDC). The land to the north of this is included in the adopted NHDC local plan for residential development. To the west the site faces onto North Road and the Wrenbridge employment site currently under construction, adjacent to which is the nearby Rugby Club and Lister Hospital. Along the south western boundary of the site is a public footpath/bridleway which runs along the boundary with properties in Chancellors Road, Granby Road and respective cul-de-sac spur roads. There are also footpaths running through the site to land to the north. To the east of the site is Weston Road which contains the Cemetery to the south west and the nearby St Nicholas Church and adjoining listed buildings on Rectory Lane. Finally, also to the east of the site is Rooks Nest Farm which comprises a number of listed buildings including the grade II listed farm itself and associated outbuildings and Rooks Nest House which is a grade I listed building. The south eastern part of the site is located within the St Nicholas and Rectory Lane Conservation Area and the Green Belt.

## **2. RELEVANT PLANNING HISTORY**

- 2.1 Planning application 17/00862/OPM granted Outline consent for the erection of 800 residential dwellings, creation of a new local centre, provision of a primary school, provision of landscaped communal amenity space including children's play space; creation of new public open space together with associated highways, landscaping, drainage, and utilities works. The application was accompanied by an Environmental Statement. The decision was issued on 1<sup>st</sup> September 2022 following completion of a Section 106 Agreement.
- 2.2 Application 21/01354/FP granted permission for access works (comprising a new access to land to the west of North Road) on North Road, Stevenage in association with the Employment development on land to the west of North Road. The decision was issued on 1 April 2022.
- 2.3 Application reference 22/00781/RMM is currently being considered for the reserved matters application for the construction of a Country Park including access, layout and landscaping pursuant to Outline permission 17/00862/OPM.
- 2.4 Application reference 22/00806/RMM is currently being considered for the approval of reserved matters (layout, landscaping, scale, and appearance) for residential development of 115 units comprising Phase 1 Parcels D pursuant to Outline permission 17/00862/OPM.
- 2.5 Application reference 22/00810/RMM is currently being considered for the approval of reserved matters (layout, landscaping, scale, and appearance) for residential development of 243 units comprising Phase 1 Parcels A-C and commercial unit (Use Class E) pursuant to Outline permission 17/00862/OPM.
- 2.6 Application reference 22/00850/NMA was granted for a non-material amendment to outline planning permission 17/00862/OPM to amend wording of conditions 4, (Approval of Details), 18 (Service and Delivery Plan) and 37 (Power Lines). The decision was issued on 17 October 2022.
- 2.7 Application reference 22/00840/COND is currently being considered for the discharge of condition 36 (Flood Risk) attached to planning permission reference number 17/00862/OPM.

- 2.8 Application reference 22/00841/COND is currently being considered for the discharge of condition 14 (Construction Management Plan - Temporary Access) attached to planning permission 17/00862/OPM.
- 2.9 Application reference 22/01099/COND is currently being considered for the discharge of conditions 7 (Method Statement Ecology) and 8 (Construction Environmental Management) attached to planning permission 17/00862/OPM.
- 2.10 Application reference 23/00013/NOI is currently being considered as a notice of intent to ground the overhead power lines and install two terminal towers under Section 37 of the Electricity Act 1989 and in accordance with the Overhead Lines (Exemption) (England and Wales) Regulations 2009, as permitted development.
- 2.11 Application reference 23/00011/CLPD is currently being considered for a Certificate of Lawfulness (Proposed) for the erection of a 3m high brick wall enclosure around proposed terminal tower 314A (subject to Section 37 of the Electricity Act) adjacent to North Road.
- 2.12 Application reference 23/00014/TPTPO is currently being considered for works to trees covered by tree preservation orders or sited within the Conservation Area that include the cutting back of mixed broadleaf trees (T47-T60) under TPO 71 along Bridleway 022 adjacent to No. 22 North Road and No.11 Granby Road and works to various mixed broadleaf hedgerows, mixed saplings and Elm saplings within the Conservation Area to provide minimum height clearance of 3.4m to 5.2m and minimum width of 3m to Bridleways 022 and 023.
- 2.13 Application reference 23/00070/COND is currently being considered for the discharge of condition 9 (Biodiversity Monitoring Strategy) attached to planning permission 17/00862/OPM.
- 2.14 Application reference 23/00086/TPCA is currently being considered for works to trees sited within the Conservation Area to include works to various mixed broadleaf hedgerows, mixed saplings, and Elm saplings within the Conservation Area to provide minimum height clearance of 3.4m to 5.2m and minimum width of 3m to Bridleways 022 and 023.

### **3. THE OUTLINE APPLICATION AS APPROVED**

- 3.1 The outline application (reference 17/00862/OPM) was submitted to establish the principle of development at the site, with all matters reserved except for the means of access. The outline proposal sought permission for a residential development of up to 800 dwellings as well as the creation of a new local centre, provision of a primary school, provision of landscaped communal amenity space together with associated highways, landscaping, drainage, and utilities works. The outline application was approved with a masterplan and a series of parameter plans identifying design coding, building heights and showing the illustrative layout of the development, including how the development will impact on the St Nicholas and Rectory Lane Conservation Area.
- 3.2 The primary access to the site is to be taken from North Road via two vehicular access points from which the remainder of the road network for the site will be formed. The primary access road, or spine road, forms a loop within the residentially developed land between the two main access points. Beyond this, the highway network will extend into the residential parcels to provide permeable access to all parts of the site, including the proposed Country Park. A bus route is provided along the primary access route through the site, with a connection proposed to the neighbouring North Hertfordshire District Council (NHDC) NS1 designated residential site in their adopted Local Plan. The primary access route would also have dedicated cycle and footways, with access off an improved cycleway provision along North Road in conjunction with Hertfordshire County Council.

- 3.3 The residential development on site will be limited to the western side, with the eastern half of the site providing a fully accessible Country Park. The residential provision is separated into northern and southern parcels, with the primary school and local centre located centrally between. The layout of the developed part of the site accommodates the 440kv electricity pylons within a landscaped corridor running east-west across the site and to the south of the primary school and local centre. The northern 32kv cables within the site will be grounded with terminal towers being provided on the western and eastern parameters of the developed area of the site.
- 3.4 The outline application was approved in September 2022 with the S106 Agreement being signed at the same time. This agreement makes provision for financial and developer contributions towards (but not limited to) primary education, affordable housing, the Country Park, outdoor open space and children's play space, highways works, improved pedestrian and cycle connections along North Road and the NHS.

## **4. RESERVED MATTERS APPLICATIONS**

- 4.1 Following the approval of the outline application, the permission was conditioned such that further details were to be submitted by reserved matters applications for the siting, layout, landscaping, and appearance of the development. Four reserved matters applications have been submitted for 1. Infrastructure; 2. Country Park; 3. Residential Phases 1A-C (Including Local Centre parcel); and 4. Residential Phase 1D (Conservation Area Parcel).
- 4.2 Application reference 22/00808/RMM relates to the infrastructure reserved matters (RM) which is the application being considered by this report. The details of this RM are discussed below in section 5.
- 4.3 The Country Park is being considered under application reference 22/00781/RMM and would provide a 38-hectare accessible open space within Stevenage. The Country Park would be served by a car park and toilet block (for the avoidance of doubt, this application relating to infrastructure does not include details of the car park or toilet block, these are dealt with specifically in the Reserved matters application for the Country Park) accessed from the proposed residential development to the north of the site. This area of development known as and referred to as Phase 2 is due to come forward as an RM within the second quarter of 2023. Access to the Country Park is shown on the respective infrastructure plan accompanying this application. The Country Park also includes provision of two drainage attenuation basins, perimeter and other footpaths/cycleways, and street furniture.
- 4.4 The developed area of the site is distinguished largely in two parts, the western and northern areas, known as Phases 1A-C, parcel C being the local centre, and then the eastern Phase 1D which is the area contained within the St Nicholas and Rectory Lane Conservation Area. All parcels in Phase 1 would equate to a total of 358 dwellings, which includes a provision of flats in the local centre, and larger aspirational homes in the Conservation Area. These applications are being considered under application references 22/00810/RMM and 22/00806/RMM respectively.
- 4.5 The residential RM applications include all areas of open space and landscaping not contained in the infrastructure application; secondary roads and cul-de-sacs; parking areas; communal areas; cycle stores and bin stores (where appropriate).

## **5. THE CURRENT APPLICATION**

- 5.1 The current application seeks reserved matters approval for the infrastructure required within in the site, consisting of but not limited to –
- the main spine road extending from both North Road vehicular accesses and forming a crescent path within the developed part of the site, with a north/south connection through the proposed local centre (Phase 1C of application reference 22/00810/RMM);
  - cycle/footway provision and connections;
  - three primary road connections off the spine road, including a car/bus connection to the boundary of the NS1 site within NHDC, with further connection to the proposed Country Park entrance (application 22/00781/RMM);
  - all drainage proposals (excluding the basins to the south of the Country Park, contained within application reference 22/00781/RMM) including ponds, swales, attenuation basins and a pumping station;
  - all strategic green open spaces (excluding the Country Park) throughout the site, including landscaping proposals for all these areas;
  - provision of play areas (LEAP'S (Local Equipped Area of Play) and LAP'S (Local Area of Play));
  - footpath and cycleway connections on the northern and southern boundaries;
  - street furniture, including benches, cycle stands, and bins.
- 5.2 The spine road would extend from each of the northern and southern accesses off North Road, both heading east and creating a crescent shape. A 5m wide shared surface cycle/footway would be provided on the inside of the road for sustainable travel through the site. Three primary roads are proposed, one off the northern edge of the spine road heading north east and stopping at the boundary with NS1 (the NHDC site) where a pedestrian and cycle connection will be provided into the neighbouring site. To the east of this connection is a longer primary road which also heads north east towards the corresponding boundary with NS1. This road will provide the bus connection to the neighbouring site, as well as a shared surface 3.5m wide foot/cycleway on the south eastern side of the road. This would connect with the main spine road shared surface foot/cycleway by way of a raised platform crossing across the spine road. A second arm is proposed off the eastern primary road, providing access to the Country Park entrance and car park.
- 5.3 To the south of the spine road the third primary road enters parcel 1B of the residential phase, with a further spur road heading south east into parcel D within the conservation area. Aside from the 3.5m shared surface provision these primary roads would have 2m wide footways on each side of the road.
- 5.4 The local centre (proposed under application reference 22/00810/RMM) would be provided to the west of the site and would be accessed by a north/south connection road from the main spine road. To the north east of this road connection is the local centre play area including a Multi-Use Games Area (MUGA) and Local Equipped Area of Play (LEAP), along with benches, cycle stands, bins and landscaping.
- 5.5 Running centrally through the developed part of the site is a west to east green corridor, that sits beneath the southern row of overhead powerlines and pylons. This corridor provides

green open space, with winding paths, seating and play areas, as well as SuDS drainage areas. The area will be landscaped providing a biodiverse and wildlife area through the site. There will also be pedestrian and cycle connections along this corridor, leading to the Country Park to the east.

- 5.6 The proposed drainage provisions being considered as part of the infrastructure RM include four basins, one at the western boundary with North Road, two within the central green corridor and a fourth on the western boundary of the Country Park. Whilst in the Country Park it is being shown in the red line of the infrastructure RM. Basin 1 is a deep-water pond basin, which would permanently have water within it, and is controlled via a pumping station located to the south west corner of the site.
- 5.7 Basins 2 and 3 located within the central green corridor are also permanent water pond basins, linked to and flowing into basin 1 during high rain periods. Basin 4 is located in the Country Park, along the western boundary and is served by up to 34 deep bore soakaways. This basin is linked with and has a gravitational flow south to an existing sewer connection and proposals for two dry attenuation basins within the Country Park application.
- 5.8 The proposals include the provision of two LEAPS, one at the local centre, as well as a MUGA and skate park, and the second at the entrance of the Country Park but within the residential parcel. There are seven other LAPS proposed throughout the developed part of the site, with one each at the main LEAP sites. These sites have been spread throughout the development, sited within areas of green open space and maintaining at least a 400m radial separation between each. The play areas will consist of a mixture of more traditional equipped play and more natural imaginative play roles depending on its location within the site.

## **6. PUBLIC REPRESENTATIONS**

- 6.1 As a major planning application the proposal has been publicised by way of letters to adjoining and nearby premises, as well as all third-party contributors from application 17/00862/OPM, the erection of site notices and a press notice. Following this publicity, objections have been received from the occupiers of the following properties – 71 Burymead, 7 Mathews Close, 1 and 3 Underwood Road, 4 Rooks Nest Farm Barns, and 7 The Brambles.
- 6.2 A summary of the objections received are as follows –
- Destroying beautiful landscape areas which need to be preserved for wildlife;
  - Emergency services being stretched;
  - Should be preserving historic parts of the town;
  - Increase in traffic and gases affecting air/environment;
  - Drainage – what assurances are there that the overflow basins in the Country Park won't overflow? Who would be liable if this were the case?;
  - Agricultural land needed for growing food in light of food shortages brought about from the war in Ukraine;
  - Loss of last area of arable farmland in Stevenage, either being built on or used as Country Park;
  - SBC should re-evaluate plans for the site to take account of current economic climate and climate emergency;
  - Brownfield sites should be developed first, these sites could be better utilised to provide housing;
  - Applications are inconsiderate to local residents, business, habitat and wildlife;
  - Profit coming before people and the planet;
  - Land is Green Belt and proposals contravene the NPPF;
  - Land not acknowledged as last parcel of land which is arable and alive with grounded and flighted wildlife;

- Recognition of local history – Forster Country;
- Rate of expansion will have impact on current struggling infrastructure;
- Unsustainable with the town centre being a ghost town;
- Increased need for further policing and Council services not considered;
- Impact of 440kv power lines in close proximity of school and housing in terms of electromagnetic force and noise;
- Traffic in nearby roads not adequately assessed following COVID;
- Increased impact on road network from employment site opposite;
- Further barrier along southern ROW with Granby/Chouler/Underwood needed to prevent rat runs and cut through's;
- Exposure to houses and apartments up to 12.5m high in respect of sight and sound to existing properties;
- There should be parking and access restrictions on Weston Road to prevent people causing obstruction by parking here to access the Country Park;
- Location of gravel footpath bordering Rooks Nest Barns should have additional screening or fencing to prevent trespassing, risk of theft and vandalism, and increased disturbance;
- Increase in number of vehicles will impact on existing developments and the hospital;
- Active Travel Plan is not reflective of the number of users of the road;
- Volume of traffic on North Road and surrounding roads likely to block access to ambulances, this hasn't been considered;
- The process for this development has failed to address issues raised at all opportunities and the plethora of applications has diluted a large number of high-quality objections;
- The Council's desire to chase arbitrary and badly thought out housing targets is being mistakenly prioritised over the environment, wildlife, important open spaces, sustainable infrastructure and historical/cultural concerns;
- Constant use of land by walkers, joggers, dog walkers and horses;
- Manufactured Country Park nowhere close to the scale and beauty of the land being destroyed;
- Toilet block and car park in the Country Park conflict with intention previously stated;
- Connectivity into Underwood Road no welcome. Will cause disturbance, and this was not proposed at outline stage.

### 6.3 Friends of Forster Country (FoFC) -

#### Introduction

6.3.1 Outline planning permission for the development of the land to the north of Stevenage was granted in 2020, following the adoption of the Stevenage Local Plan 2011-31 in 2019. This established the principle of development, and the provision of key amenities.

6.3.2 While the means of access (highways etc) were established in the outline consent, all other details were reserved. It is reserved matters that are now under consideration. Comment here is preliminary and covers Planning Application 22/00808/RMM Site Wide Infrastructure.

#### Comment

6.3.3 Highways Technical Note. See inset map below (easterly road through housing in conservation area). This states that maintenance (and emergency) access to the Country Park is via the Conservation Area housing parcel. In respect of Conservation Areas, local planning authorities are obliged to preserve or enhance the character and appearance of these areas. FoFC are of the opinion that although the proposed housing already damages the conservation area the placement of a maintenance road does further unnecessary damage. Such a road is entirely out of keeping with a conservation area, the character and appearance of which it is desirable to preserve or enhance.

6.3.4 The Stevenage Borough Council (SBC) Local Plan published in May 2019 says at Policy SP13 "We will preserve and enhance the most important areas and characteristics of

Stevenage - we have carried out Heritage Impact Assessments for development sites within, or adjacent to, conservation areas. Site specific mitigation measures have been incorporated to minimise the impacts of development."

- 6.3.5 It is our view that such mitigation measures have not been incorporated in the case of this maintenance road. We believe that due process has not been followed in properly assessing both the need for this road within the Conservation Area or the impact of its harm. On this basis we believe that the Planning and Development Committee should refuse consent and be directed by planning officers to do so too.

6.4 Ramblers Association –

- 6.4.1 Assurance is requested that all existing PROW 22, 105, 18, 17 and 23 will remain and that they will not be blocked during construction. Although it is noted that temporary closures are likely to allow for upgrading of the PROW surfaces.

## **7. CONSULTATIONS ON THE ORIGINAL APPLICATION**

Unless noted, all comments stated relate to the original submission consultation and not the amended plans submitted on 13<sup>th</sup> January 2023.

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

#### **Proposal**

- 7.1.1 Reserved Matters application for Site Wide Infrastructure including Highways Infrastructure, Drainage and Surface Water, and Green Infrastructure pursuant to Outline permission 17/00862/OPM

#### **Recommendation**

- 7.1.1 Notice is given under article 22 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission subject to provision of pedestrian crossing arrangements (x2) across the development 'Loop' road in the vicinity of the Local Centre access road; to support the pedestrian desire lines from the residential areas both north and south of the local centre/ school.

#### **Comments**

- 7.1.2 This response concerns the Residual Matters Application (RMA), 22/00808/RMM for the Site wide Highways Infrastructure for the approved residential development site to the east of North Road, Stevenage (17/00862/OPM). The site being identified as HO3 within the Stevenage Borough Council (SBC) Local Plan. HCC Highways Development Management originally had concerns about the position of the bus link to the North Hertfordshire District Council (NHDC) allocated residential site (NS1). After previous discussions with the applicant's transport consultant, it was agreed to relocate the bus link further east into the HO3 so as to serve both the HO3 and NS1 sites efficiently. A further meeting was held 26 October 2022 to discuss the exact nature of the bus link and other items raised in HCC Highways DM's 20 September 2022 response to the RMA.
- 7.1.3 NS1 Link Road - It was agreed during the 26 October 2022 meeting that the overall width of the NS1 link road corridor as presented in the previous RMA (13.5m) was appropriate given the site constraints presented. However, it was also considered by HCC Highways DM that the link needed to be made greener with the addition of verges and planting. This desire for a greener corridor was also supported by Stevenage Borough Council (SBC). The transport consultant (Odyssey) agreed to this request and this latest application details the agreed arrangements and HCC Highways DM find them acceptable.
- 7.1.4 NS1 Link Road/ HO3 Spine Road junction - HCC also previously had concerns regarding the safe and clear movement of pedestrians and cyclists through the NS1 Link Road/ HO3 Spine

Road junction to the central segregated and LTN1/20 compliant foot and cycle ways. This latest application has revisited this junction and HCC Highways DM now find them acceptable. Linked to this HCC also previously had concerns about excessive motor vehicle speeds on the HO3 spine road in the vicinity of the crossing due to the excessive and non-standard spacing of traffic calming features. The latest application design has raised the whole junction on a speed table and added additional traffic calming features on the HO3 Spine Road loop. Therefore, HCC Highways are satisfied that excessive speeding will be discouraged appropriately.

- 7.1.5 Central Foot/Cycle Path Crossover - HCC similarly previously had concerns as to the safety of pedestrians and cyclists where the central foot/cycle path crosses the HO3 Spine Road loop. This crossing has been raised onto a speed table, which also forms a part of the additional traffic calming requested. Therefore, HCC Highways are now satisfied with the arrangements for this crossing as proposed in the latest application.
- 7.1.6 Local Centre Access road / Spine Road Pedestrian crossings - Whilst it is considered by HCC Highways that there are currently a lack of pedestrian crossing facilities across the spine road in the vicinity of the Local Centre Access road (both at its northern and southern ends) and the key pedestrian desire lines between the residential phases and the Local Centre/School are not facilitated. It has been agreed with the applicant's transport consultant that these pedestrian crossing facilities (x2) will be added in the final S38 adoption plans and on the basis of their provision HCC Highways are willing to recommend approval at this stage in the planning process.

#### **Informatives**

- 7.1.7 HCC as Highway Authority recommends inclusion of the following Advisory Note (AN) / highway informative to ensure that any works within the highway are carried out in accordance with the provisions of the Highway Act 1980:
  - 7.1.7.1 AN1) Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.
  - 7.1.7.2 AN2) Obstruction of highway: 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 County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.
  - 7.1.7.3 AN3) Debris and deposits on the highway: It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made-up carriageway, or any or other debris on a highway to the interruption of any highway user. Section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.

- 7.1.7.4 AN4) Avoidance of surface water discharge onto the highway: The applicant is advised that the Highway Authority has powers under section 163 of the Highways Act 1980, to take appropriate steps where deemed necessary (serving notice to the occupier of premises adjoining a highway) to prevent water from the roof or other part of the premises falling upon persons using the highway, or to prevent so far as is reasonably practicable, surface water from the premises flowing on to, or over the footway of the highway.
- 7.1.7.5 AN5) Works within the highway (section 278): The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the County Council website at: <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.
- 7.1.7.6 AN6) Roads to remain private: The applicant is advised that the new roads marked on the submitted plans (BM1-OC-RMA-XX-DR-C-2025 Rev 06) associated with this development will remain unadopted (and shall not be maintained at public expense by the highway authority). At the entrance of the new estate the road name plate should indicate that it is a private road, and the developer should put in place permanent arrangements for long-term maintenance.
- 7.1.7.7 AN7) The Public Right of Way(s) should remain unobstructed by vehicles, machinery, materials, tools and any other aspects of the construction during works. Safe passage past the site should be maintained at all times for the public using this route. The condition of the route should not deteriorate as a result of these works. Any adverse effects to the surface from traffic, machinery or materials (especially overspills of cement & concrete) should be made good by the applicant to the satisfaction of the Highway Authority. No materials shall be stored or left on the Highway including Highway verges. If the above conditions cannot reasonably be achieved, then a Temporary Traffic Regulation Order (TTRO) would be required to close the affected route and divert users for any periods necessary to allow works to proceed, for which a fee would be payable to Hertfordshire County Council. Further information is available via the County Council website at <https://www.hertfordshire.gov.uk/services/recycling-waste-and-environment/countryside-access/rightsof-way/rights-of-way.aspx> or by contacting Rights of Way, Hertfordshire County Council on 0300 123 4047.
- 7.1.7.8 AN8) Abnormal loads and importation of construction equipment (i.e. large loads with: a width greater than 2.9m; rigid length of more than 18.65m or weight of 44,000kg - commonly applicable to cranes, piling machines etc.): The applicant is directed to ensure that operators conform to the provisions of The Road Vehicles (Authorisation of Special Types) (General) Order 2003 in ensuring that the Highway Authority is provided with notice of such movements, and that appropriate indemnity is offered to the Highway Authority. Further information is available via the Government website [www.gov.uk/government/publications/abnormal-load-movements-application-and-notification-forms](http://www.gov.uk/government/publications/abnormal-load-movements-application-and-notification-forms) or by telephoning 0300 1234047.

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

- 7.2.1 No comment due to continued lack of resource

## **7.3 Council's Drainage Consultant WSP**

- 7.3.1 A formal Technical Note has not yet been prepared in respect of the proposals. The applicant's drainage consultant and WSP have been working closely to negotiate the drainage design and flood mitigation measures. Ongoing dialogue is taking place through a working logbook where comments from either party can be completed and where the details deemed acceptable the section turned green. The below comments are the outstanding red matters. The information required to address these points have been submitted and are being assessed by WSP. It is anticipated that final comments can be provided as an update at the committee meeting.
- 7.3.2 The inclusion of a site-wide catchment plan in the updated submission is welcomed. The plan goes some way to demonstrating that appropriate allowances for future phases of the development have been included when designing the infrastructure proposals, however, it falls short of meeting the expectations of a Design Code requested elsewhere.
- 7.3.3 A Design Code would set the design parameters which the residential phases would need to adhere to (such as maximum impermeable footprint areas that could be delivered for each phase before the proposed Infrastructure design would be inadequate), to demonstrate that as a whole, the proposals can achieve the requirements of Condition 34. This would then be used to support subsequent RMMs to demonstrate that the proposals are falling within the Design Code parameters. As it stands, and in isolation, the site-wide catchment plan does not yet achieve this intended purpose. In terms of the plan itself, it is requested that the pipe systems, phasing boundaries, and catchment boundaries (the boundary between Basins 1 - 3 and Basin 4 at least) are added to the site-wide catchment plan, to illustrate how each phase (and sub-catchment) is drained.
- 7.3.4 Informed by these additions to the plan, it has been requested that the report includes a table which summarises the percentage of impermeable area summary for each phase-sub-catchment. The benefit of this is to provide the limiting parameters against which the residential RMMs can be measured. It is envisaged that such an approach will be sufficient to allow rapid review and approval of the subsequent RMM applications, without need for detailed review of the modelling each time. This applies to all phases, so those for which RMMs are also currently being applied for, as well as future phases.
- 7.3.5 Finally, it has been requested that the report includes a section explaining the Design Code, including the principals and parameters, making reference to the plan to support the explanation. This section could include a commentary as to how and why the PIMP assumptions taken for each plot are sufficiently conservative compared to anticipated PIMPs for the final RMM layouts. Until the details have been provided, this element has not been complied with. Resolution of this is required before we can approve the RMMs.
- 7.3.6 In addition to the above, it is also noted that a number of exceedance flow pathways simply end, without any indication as to where the water would go beyond this, or how the water would be managed to avoid flooding. This is particularly of concern along the southern boundary of the site, where a flood risk to existing adjacent properties to the south could result (but also at all of the Low Points (LP) indicated throughout the Overland Flow Route Plan). There are a number of options to mitigate this, but it has been advised that mitigation would be provided within the residential parcels (within Phase 1A-C application footprint), through double or triple gulleys. Reassurance needs to be given that suitable mitigation can be delivered as part of those applications without the need for amendment to the infrastructure layout proposals.

## **7.4 North Hertfordshire District Council**

- 7.4.1 Thank-you for consulting North Hertfordshire on the Reserved Matters application for site-wide infrastructure as a neighbouring authority. We have identified a number of reconciliation issues between the land covered by this application and adjoining land in North Hertfordshire allocated for development (site NS1) which we consider require further resolution. These include, but are not limited to:
- The nature and design of the principal connection between the two sites;

- Potential secondary and tertiary connection points between the two sites; and
- How the above might be affected or influenced by other connections and routes within the Stevenage site including but not necessarily limited to:
  - The main spine / circular route within the Stevenage site;
  - Routes and connections to / from the proposed Country Park; and
  - Potential pedestrian and cycle connectivity along and across the southern boundary of the Stevenage site into the wider network within the town.

7.4.2 These issues have potential consequential implications for 22/00810/RMM. Beyond the general comments below, we have no specific comments on 22/00806/RMM. We have not provided comments on the detail of 22/00781/RMM at this stage. We may wish to comment further following further resolution of the potential approach to green infrastructure on site NS1. However, our general comments set out in this letter should be taken into account in your consideration of this application.

#### 7.4.3 Policy context (applicable to all applications)

Since the issuing of the outline permission for this scheme and the submission of these reserved matters applications to Stevenage Borough Council, North Hertfordshire has adopted its new Local Plan for the period 2011-2031. This is now part of the statutory Development Plan for the District. The North Hertfordshire Local Plan allocates land adjoining this scheme on site NS1. Following adoption of our own Plan there is greater certainty around the likelihood of this site being brought forward for development. The relevant policy requirements in the adopted North Hertfordshire Local Plan are a now significant material consideration for these applications that should be appropriately reflected in your determination of these applications alongside the Development Plan for Stevenage and other relevant material considerations.

7.4.4 Policy HO3 of the Stevenage Local Plan sets out the site-specific requirements for the site, with the introductory paragraph and first three criteria of particular relevance:

Land to the North of Stevenage, as defined by the policies map, is allocated for the development of approximately 800 dwellings. A Masterplan for the whole site will need to be submitted as part of an outline planning application. The Masterplan must be approved prior to the submission of detailed development proposals for the site. Development proposals will be permitted where the following criteria are met:

- a. The applicant can demonstrate that development can be expanded beyond the Borough boundary, and fully integrated with a wider, cross-boundary scheme;
- b. Satisfactory vehicular access is provided. At least two access points to and from the site will be required, which link effectively into the existing road, cycleway, and pedestrian networks;
- c. The scheme is designed to encourage the use of sustainable modes of transport...

7.4.5 The supporting text adds:

*9.23 This site forms part of a wider potential development opportunity which stretches beyond the Borough boundary. North Hertfordshire have consulted on delivering a further 1,000 homes to the north of Stevenage. Any prospective developer should liaise with North Hertfordshire and adjacent landowners / developers to ensure that proposals on this site can be fully integrated with a wider scheme in the future. The approval of a Masterplan will be required prior to the submission of detailed development proposals for the site*

7.4.6 The supporting text to Policy IT1 of the Stevenage Local Plan states

*8.4 The Borough Council and developers should continue to work closely with North Hertfordshire District Council to ensure the access arrangements for this site allow for integration with any subsequent schemes beyond the administrative boundary. The preferred long-term solution is a continuous link from the identified access point on North Road to a new*

*or improved junction within North Hertfordshire at, or close to, the existing North Road / Graveley Road intersection approximately 150 metres north of the administrative boundary.*

- 7.4.7 The most relevant parts of the equivalent site allocation policy for adjoining site NS1 in North Hertfordshire read:

**Policy SP16: Site NS1 – North of Stevenage**

Land to the north of Stevenage within Graveley parish, as shown on the Policies Map, is allocated as a Strategic Housing Site for a new neighbourhood of approximately 900 homes.

A comprehensive and deliverable Strategic Masterplan for the entire allocation is to be prepared and agreed between the landowner/developer and the Council.

Where applications have already been submitted to the Council a Strategic Masterplan should be agreed prior to the or as part of the grant of planning permission.

Any application on part of the site will be assessed against its contribution to the Strategic Masterplan and must not prejudice the implementation of the site as a whole.

Development proposals should provide the following planning and masterplanning requirements:

- a) Integration with adjoining development in Stevenage Borough including site-wide solutions for access, sustainable travel, education, retail, and other necessary medical and social infrastructure to include:

...

- ii. travel provision designed having regard to the Stevenage Mobility Strategy and including:

- Effective links into the existing pedestrian and cycle, public transport and road networks; and
- an upgraded junction at the intersection of Graveley Road / North Road...

- 7.4.8 The supporting text adds:

*4.218 The area north of Stevenage is currently undeveloped farmland in the parish of Graveley. Adjoining land within Stevenage Borough to the south has been identified for development and this provides an opportunity for a coherent extension of the town to the north. A master planning exercise for this site will need to consider the collective implications of these allocations and demonstrate appropriate solutions. This may lead to some facilities which will serve the whole development being located wholly within either North Hertfordshire's or Stevenage's administrative areas.*

*4.219 It is envisaged that principal access to the site will be in the form of a looped estate road, one end of which will be in Stevenage Borough. The northern end of this road will emerge at, or close to, the existing junction of the B197 at Graveley Road / North Road. A new arrangement, possibly a roundabout, will need to be provided. Any transport proposals should consider the effects on adjacent networks and communities such as Graveley and propose suitable mitigation; the analysis should also consider cumulative impacts.*

*4.220 The site will need to integrate provision for walkers, cyclists, and public transport in line with the aims of the Stevenage Mobility Strategy. This will include connections to the wider*

*sustainable travel network. These measures, along with wider transport and mobility proposals arising from development of the site, will be developed in consultation with Hertfordshire County Council and Stevenage Borough Council.*

- 7.4.9 It is clear that both plans envisage the ‘end point’ for the combined northern extension of town being comprehensively integrated and experienced as a single whole. In particular they envisage a shared primary route serving both sites. This is in keeping with good design and placemaking principles and reflects the fact that – notwithstanding the administrative boundary between the two sites – future residents’ day-to-day experience of the sites would and should be as part of the town of Stevenage.
- 7.4.10 Hertfordshire Local Transport Plan 4 is a relevant material consideration with the following policies of particular importance:
- Policy 1: *Transport User Hierarchy*
  - Policy 5: *Development Management*
  - Policy 6: *Accessibility*
  - Policy 7: *Active Travel – Walking*
  - Policy 8: *Active Travel – Cycling*
  - Policy 9: *Buses*
  - Policy 12: *Network Management*, in particular: • Policy 14: *Climate Change Network Resilience*
  - Policy 19: *Emissions Reduction*, in particular:
  - Policy 21: *Environment*, in particular:
- 7.4.11 Other relevant material considerations – which were not published at the time the outline application was last considered by the Council’s Planning Committee (December 2020) should also be appropriately taken into account. These include (but are not necessarily limited to):
- 7.4.12 **Revised NPPF:** The revised NPPF was published in July 2021 and includes a series of new and reinforced measures to improve design quality such as (but not limited to):
- The use of appropriate tools such as masterplans to secure a variety of well-designed and beautiful homes to meet the needs of different groups in the community (para 73);
  - Ensuring streets and transport elements reflect national policy on design (para 110); and
  - Use of the new National Model Design Code and the National Design Guide to inform decisions on applications in the absence of locally produced design guides or codes (para 129)
- 7.4.13 The **National Design Guide**, first published in 2019, is structured around ten key characteristics within which 29 principles are identified. Collectively they set out the Government’s approach to good design. The NDC should be read as a whole, and all characteristics taken into account. However, for the purposes of these comments, the following are particularly highlighted:
- Principle B3 encourages the use of destinations to inform the framework of development;
  - Principle M1 seeks ‘a connected network of routes for all modes of transport’ and promotes a clear layout and hierarchy of streets and other routes.
  - Principle M2 supports a coherent, priority network for active travel;
  - Principle N1 asks for a network of high quality, green open spaces embedded in a strategic GI system taking into account how spaces are connected
- 7.4.14 **LTN1/20 revised standards for cycling provision:** Published in July 2020 as part of the *Gear Change* strategy these (in broad terms, and subject to various considerations) seek the separation of cycling and pedestrian uses, the provision of segregated cycling facilities where

possible and dissuades the use of shared footways. As part of the one-year review of *Gear Change* the Government have announced the creation of *Active Travel* England who, among other duties will act as a statutory consultee on larger planning applications to ensure they provide properly for cycling and walking. Of particular relevance are, for primary streets, Sections 4 *Design principles and processes* and 5 *Geometric requirements* and, for secondary streets, Section 7 *Quiet mixed traffic streets and lanes*.

- 7.4.15 The Borough Council should satisfy itself that the reserved matters applications under consideration (i) comply with relevant policy requirements and considerations at the point of determination to ensure an appropriately designed scheme within Stevenage Borough and (ii) facilitate the future delivery of a fully policy-compliant scheme on the adjoining NS1 site within North Hertfordshire.

7.4.16 **General approach to liaison and integration**

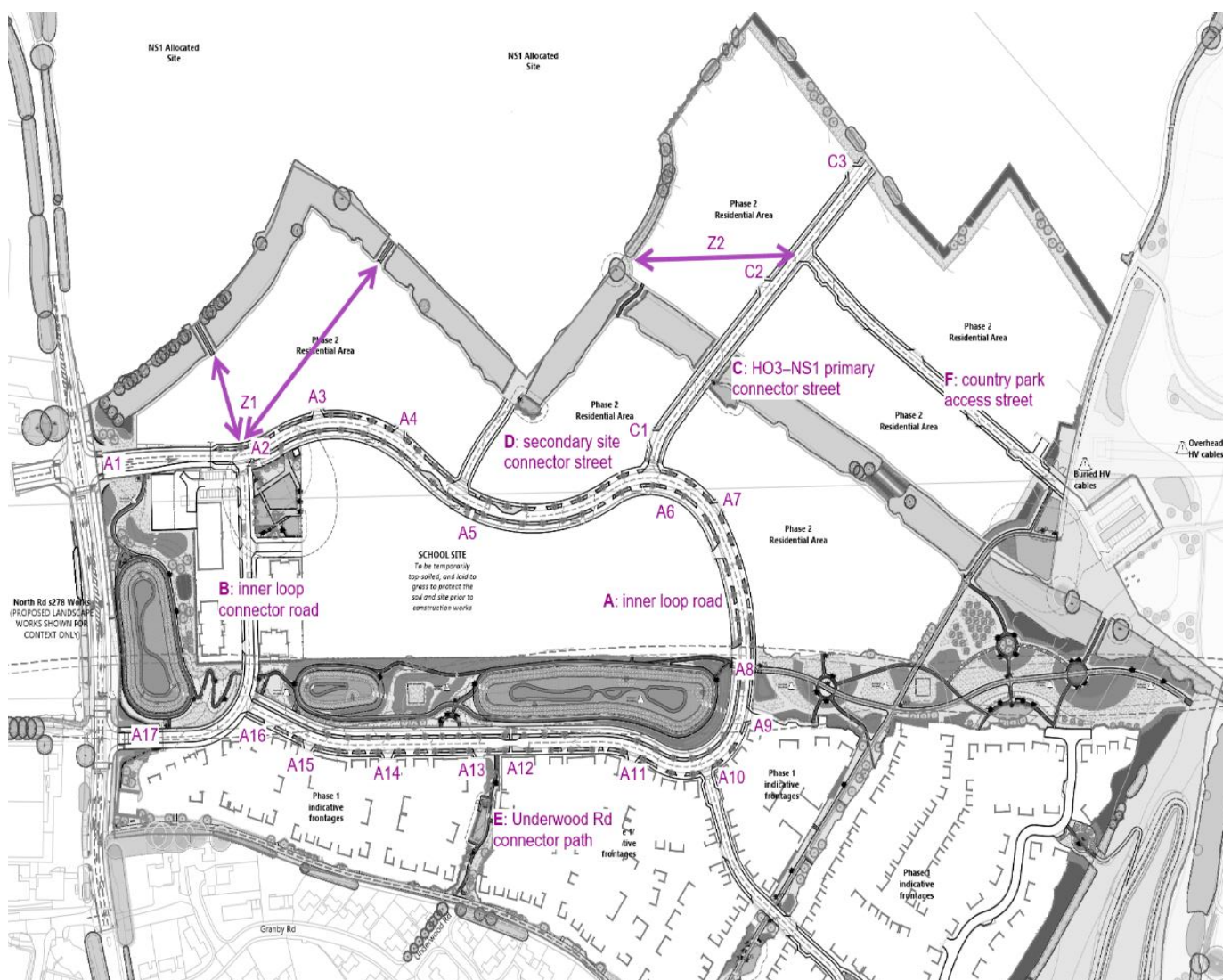
As above, Stevenage's Local Plan is clear that "*any prospective developer should liaise with North Hertfordshire and adjacent landowners / developers to ensure that proposals on this site can be fully integrated with a wider scheme in the future*".

There has been no proactive engagement with the District Council on these applications initiated by the applicant. North Hertfordshire convened a meeting to discuss integration issues with the Borough Council, County Council, the applicant, and representatives of the adjacent landowners. A number of issues were discussed, and it was agreed that a further workshop would be required with transport and landscape representatives. The District Council sought to arrange this, but the proposed date was declined by the applicant and no alternate has been proposed.

- 7.4.17 The applicant has identified to the Borough Council that it considers this engagement to be 'very informal', 'very late in the day' with proposals for NS1 'at a very early stage' with a 'need to treat comments accordingly'. They have further stated that substantive alterations would 'not be reasonable at this late stage and would unduly delay SBC's consideration' of the applications.

Inconvenience to the applicant is not a material planning consideration. It is not a valid reason to avoid pursuing alterations to the scheme which have a clear planning rationale and would assist in ensuring the scheme properly addresses policy requirements.

- 7.4.18 **22/00808/RM – site wide infrastructure** - These comments should be read with reference to the marked up Plan (Figure 1) on the following page.



#### 7.4.19 Primary cross-boundary street

*Map reference: C*

*Plan reference: BM1-OC-RMA-XX-DR-C-2001*

As the primary connector street (C) crosses the boundary between the two sites, it is essential that a consistent cross-section for both sites is agreed as part of this Reserved Matters application.

It is intended that:

- Buses will use the primary connector street (C) to serve the new developments efficiently, by diverting off North Road whilst minimising the additional journey time to/from Graveley and further north.
- It will be one of the main walking and cycling routes for residents of the eastern part of NS1 to reach amenities in HO3 and other destinations in Stevenage; and for residents of Stevenage to access the country park and amenities in NS1.

7.4.20 To create an environment that is safe for 8 to 80-year-olds to cycle, it will be necessary to segregate people cycling from buses, in accordance with principles set out in LTN1/20, in particular sections 4 and 5.

Ideal street design features should ensure consistency with the Healthy Streets Approach and include:

- Protected cycleway (physically separate from the carriageway and footway), either bidirectional on one side, or unidirectional on both sides. We would like both HO3 and NS1 to follow best practice, as set out in LTN1/20. Any deviation from this, owing to

demonstrably unavoidable constraints, would need to be justified to the satisfaction of NHDC, HCC and, if applicable, Active Travel England, as a future statutory consultee on active travel infrastructure in major developments;

- 2m wide footways on both sides of the carriageway;
- No parking or loading on the street (to avoid obstructing and delaying bus services);
- Adequate off-street provision for parking (for residents and visitors) so that people do not use the street (or cycleway or pavement) as an overflow car park;
- Good provision for delivery and service vehicles close to the homes facing onto the street. This may be in the form of staggered half-depth loading bays that ensure that a bus can always pass easily; enforcement of parking and/or loading restrictions alone should not be relied upon, as there is no affordable way to enforce these 24/7; and
- Plenty of tree cover, to provide natural habitat and shade, reducing the heat island effect of the street.

#### 7.4.21 Secondary cross-boundary street

*Map reference:* D

*Plan reference:* BM1-OC-RMA-XX-DR-C-2000, BM1-OC-RMA-XX-DR-C-2001

The design of this street requires further resolution. It is currently detailed as a 6m width carriageway with 2m footways on either side stopping bluntly at the edge of the plantation woodland. No connection is shown to the administrative boundary. No access points are shown to development blocks on either side.

It is most likely that this link to NS1 will be for active travel modes only and / or have a modal filter in NS1 to prevent private vehicle movements. In this scenario (and subject to the points below), there needs to be provision for a turning head in HO3 for motor vehicles, potentially including refuse collection lorries.

#### 7.4.22 There are a number of outstanding issues that need to be resolved to ensure an appropriate infrastructure solution is shown:

- What is the intended function of this street?
- Are any spur streets envisaged (none are shown), or just driveway access points?
- Will houses either side, front or back onto this street? An active travel link would need to be appropriately framed and overlooked.
- Will waste collection vehicles require access, or could bins be collected on foot from the street (with the vehicle stopped on the inner loop road)?
- Is there potential for this to be a living street with no motor vehicles? There is potential to mirror the (proposed) approach to the Underwood Road access (see below) and the general disposition of housing detailed in the Phase 1 reserved matters. In which case the highway width could be greatly reduced to accommodate only a cycle track and footways.

As this street will not be used by buses, it is appropriate for this to be designed in accordance with section 7 of LTN1/20 (*Quiet mixed traffic streets and lanes*) and consistent with the Healthy Streets Approach.

#### 7.4.23 Inner loop road

*Map reference:* A, B

*Plan reference:* BM1-OC-RMA-XX-DR-C-2000 BM1-OC-RMA-XX-DR-C-2001 BM1-OC-RMA-XX-DR-C-2002

The arrangement of the whole of the inner loop road (A) and inner loop connector road (B) should include full segregation of provision for people walking and people cycling. There should be formal crossings to access the cycle track at every junction.

#### 7.4.24 The applicant may consider that switching the cycle track to the outside of the inner loop road would greatly reduce the number of formal crossings required and provide significantly

greater usability for people cycling. The RM plan shows a bidirectional cycle track on the inside of the inner loop road (A), and only east of the inner loop connector road (B). There is a 3.5m shared-use path on the east side of B, on the south side of A between A1 and A2, and on the south side of A between A17 and A16. These will be the busiest sections of the inner loop road, and where the greatest likelihood of conflicts will arise. This is not considered an appropriate solution and full segregation of vehicles, pedestrians and cyclists should be provided to deliver a consistent route compliant with LTN1/20 requirements.

- 7.4.25 Formal crossings are shown only at A1, A5, A8, A12 and A17. The inner loop connector road (B) will form part of a key active travel through-route between NS1 and the school, MUGA, North Road and Underwood Road, and should be legible and, as far as possible, unconflicted. The purpose of providing segregated provision for cycling is to avoid people having to cycle with motor traffic on the inner loop road. Therefore, there needs to be direct access to the cycle track from all streets radiating off the inner loop road. This would entail provision of 17 formal crossings, or 12 more than currently shown.

- 7.4.26 School access / northern link from inner loop connector road to NS1

*Map reference: Z1*

*Plan reference: BM1-OC-RMA-XX-DR-C-2000*

There need to be legible and safe active travel routes between NS1 and the inner loop connector road (B), for the reasons set out above.

This requires appropriate crossing facilities and a connection point to allow a direct northerly link from the inner loop connector road to the anticipated link to NS1. The detail of this link can be brought forward through later phase Reserved Matters but the current infrastructure application needs to ensure this link is facilitated.

- 7.4.27 Underwood Road access

*Map reference: E*

*Plan reference: BM1-OC-RMA-1A-1B-DR-C-5104*

The link from the inner loop road (A) to Underwood Road should be a formal, adopted pedestrian & cycle route with an all-weather cycle track, with a sealed surface and lighting. This will provide an attractive 'quiet route' and, for some trips, a more direct alternative to cycling alongside North Rd.

The RM application currently shows the link as a recreational footpath, with an offset pedestrian crossing of the inner loop road, and 1.3m fencing along most of the eastern side, and the southern section of the western side. This is detailed in the Green Infrastructure plans but should be included in the General Arrangement [highway] plans as a key active travel link.

- 7.4.28 For this to serve as a route for cycling, it needs to show the detailed design of a cycle track or wider shared-use path, leading to a parallel crossing of the inner loop road. It may be appropriate to move the crossing west to align with the cycle track. This would reduce the consequential impact of these changes on 22/00810/RMM, which shows an apartment block on the corner (drawing number BM1-OC-RMA-1A-1B-DR-C-5104).

Consideration will need to be given as to whether there is adequate natural surveillance and lighting for this to be a safe and attractive active travel route after dark.

- 7.4.29 Country park access

*Map reference: Z2*

*Plan reference: BM1-OC-RMA-XX-DR-C-2001*

There need to be legible and safe active travel routes between NS1 north-west of the primary connector street (C) and the new country park via the access street (F). For people cycling, there need to be safe crossing points at C1, C2 and C3 to move between residential access streets northwest of C and the shared-use path on the east side of C.

## **7.5 Council's Conservation Advisor BEAMS**

- 7.5.1 It should be noted BEAMS were not used as SBC's heritage consultants for the Land north of Stevenage application in 2017 so are not overly familiar with the original application, nor did BEAMS have any input into the Reserved Matters scheme during the pre-application stage. This Reserved Matters application is for highways, green infrastructure and drainage; as part of the wider 'North of Stevenage' development that was granted outline consent.
- 7.5.2 Part of the site lies within the St Nicholas / Rectory Lane Conservation Area or within its setting. The site is also within the setting of various listed buildings including the Church of St Nicholas (grade II\*), Rook's Nest House (grade I) and The Bury (grade II\*).
- 7.5.3 The amount of highways infrastructure proposed will inevitably have a suburban character and appearance, this is in part due to the scale and density of the development already approved at the outline stage - a less suburban layout would be welcomed. BEAMS do not consider the details put forward within the Reserved Matters application sufficiently sympathetic or compatible with the Conservation Area designation and the proposal will be harmful to those parts within the Conservation Area and its immediate setting.
- 7.5.4 Some of this harm identified could be mitigated by soft landscaping, trees, hedges etc and it is noted that these will feature within the residential part of the site. The proposal, as a whole, will result in 'less than substantial harm' to the significance of the St Nicholas / Rectory Lane Conservation Area and the setting of listed buildings such as the Church of St Nicholas, Rooks Nest House / Farm and The Bury. The level of harm will vary but will be in the lower to mid-range of 'less than substantial harm' overall.
- 7.5.5 NPPF Paragraph 199 requires the planning authorities to place 'great weight' on the conservation of designated heritage assets, and states that the more important the asset the greater the weight should be, 'this is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance'.
- 7.5.6 NPPF paragraph 200 States that 'any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification'.
- 7.5.7 NPPF paragraph 202 states where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.'
- 7.5.8 As decision maker Stevenage Borough Council should weigh the 'less than substantial harm' against any public benefits the proposal may possess (as directed by NPPF para. 202).

## **7.6 Hertfordshire County Council Rights of Way**

- 7.6.1 No comments received.

## **7.7 Council's Arboricultural Manager**

- 7.7.1 Comments contained within Parks and Amenities / Green Spaces section below.

## **7.8 Council's Parks and Amenities / Green Spaces**

- 7.9.1 Comments

- We note proposals to provide a concrete horse mounting block. We would welcome some rudimentary signage/interpretation to help explain its purpose.
- We highly recommend that all proposed wooden post and rail fencing batons be affixed with either screws or annular nails to help prevent separation as the wood ages.
- We note that the planting schedule includes a much more significant proportion of Hornbeam (*Carpinus betulus*) than other tree species. Whilst we welcome Hornbeam as an attractive and native tree species, it currently accounts for approximately 83% of the proposed species. This raises some biosecurity concerns as a greater diversity of species would provide improved resilience to future pests and diseases.
- We recommend that *Tilia cordata* (Small Leaved Lime) is not planted close to paved areas, street furniture, car parking etc., due to aphid secretions. An alternative should be considered at these locations to avoid cleansing issues.
- *Populus tremula* (Aspen) shall need very careful siting and maintenance. These trees are prone to growing large and fast, which can cause damage to nearby surfacing and branch-drop if not managed appropriately. Aspen should not be planted close to powerlines, paved areas, building structures or play facilities.
- As picked up in the DAS, we recommend that *Malus sylvestris* and other fruiting species should not be planted over paved areas due to possible slip and trip hazards.
- *Sambucus nigra* (Elder) should be removed from the native hedgerow mix as this can outcompete other species. This should be suitably substituted for alternatives such as Buckthorn or Spindle.
- *Prunus spinosa* (Blackthorn) can also engulf an area and may need a careful management regime in future years.
- Whilst attractive, *Vinca major* (Greater Periwinkle) will also need careful siting and maintenance as it can take over.
- *Liriope muscari* could be considered an additional evergreen ground cover species and splash of autumn colour.
- *Stachys byzantine* (Lambs ear) could be considered a perennial plant in play areas as it provides a touch-interest evergreen.
- For those street trees proposed to be planted next to a road, enough space must be provided so as not to cause interference for large vehicles (e.g., refuse lorries) and/or street lighting.
- We would like to see consideration for the appropriate inclusion of public art/sculpture within the development landscape.
- We note the proposed use of asphalt pathways within the central green corridor, east-west recreational link, and Country Park gateway. We recommend that a softer material finish be provided here, such as using resin-bonded gravel pathways.
- A clear distinction of responsibility changes between the Country Park and the gateway is required using signage, waymarking etc.
- Whilst the whole development site is well covered by LEAP play provision, there is some considerable overlap between LAP sites D & E and LAPs G & F. A strategy to

provide a more even play distribution should be considered to cover the site. For example, this could involve moving LAP D further north and LAP F, further south, where possible.

- Although detail is to be provided at a later stage, all play equipment must be robust and resistant to vandalism, i.e., of metal construction. The use of loose-fill safer surfacing should also be avoided due to the maintenance issues it can cause (e.g., regular replacement/topping up/levelling out, clearing broken glass and animal faeces etc.). Suitable fencing must also be provided at play areas to reduce risk near roads and dog access.
- Page 12, section 3.4.5 of the Drainage Report states a medium pollution risk from the Country Park car park. Therefore, the drainage must include any appropriate interception and pollution treatment required to reduce this risk. Please refer to the Engineers for comments on the design and maintenance of this element.
- Bulb planting should be considered at critical locations to provide additional swathes of colour and interest. Bulb areas shall consist of naturalising bulb mixes designed to give colourful interest from late winter-spring

## **7.9 Historic England**

- 7.9.1 This is for the reserved matters pursuant to the outline planning permission 17/00862/OPM to include layout, scale, landscaping detailed design. The application site lies partially within the Lane and St Nicholas Conservation area and also within the setting of various listed buildings including the Church of St Nicholas (grade II\*), Rook's Nest House (grade I) and The Bury (grade II\*).
- 7.9.2 We provided a response to the outline planning application in 2018, where we raised various concerns to do with the density and layout of the development. We concluded that the proposed development would erode the essential open character of the landscape and diminish the sense of rural place that contributes to the experience and understanding of those heritage assets identified. We judged that the development would result in a level of less than substantial harm in NPPF terms and suggested that the harm might be mitigated by a more sensitive and contextual design approach and a reduction in density.
- 7.9.3 We appreciate that the application was subsequently approved and that the principle of development of this site has therefore been established, however we remain concerned that the density and general design and appearance of the development would have a negative impact upon the character and appearance of the conservation area and its setting as well as the setting of the listed buildings referenced above.
- 7.9.4 We previously advised that consideration should be given to incorporating a more vernacular form and design to the development using good quality local materials to better reflect the rural character of this historic area of Stevenage. We also advised that a reduced density on the southern portion of the site could help to mitigate the negative visual effects of the development and would help to avoid the creation of a suburban estate with standard house types. We are therefore disappointed to note that the submitted drawings show standard housing types that are laid out and arranged in unimaginative street patterns, and which seem to have much in common with the residential development that lies to the south-west of the site.
- 7.9.5 As per our previous advice we do not believe that this design approach is at all appropriate to the prevailing rural character, or that it best reflects the character and appearance of the conservation area. We are conscious that the density has been set by way of the approved parameter plans as part of the outline permission and this is somewhat regrettable. However, we believe that the visual effect and impact could be improved if the generic estate design

and layout was eschewed in favour of a more considered approach that created a greater sense of identity and place.

- 7.9.6 We therefore suggest that a scheme where buildings were arranged more informally around high-quality, functioning, landscaped spaces, and where the landscaping and planting was the defining characteristic rather than the houses, would be a more appropriate solution. Greater thought should also be given to the way that the scheme layout can help traffic management and car parking throughout the development so as to avoid any sense of busy suburban streets where the car takes priority over the pedestrian and dominates the neighbourhood(s). The design and appearance of the road surfaces and walkways will also be an important factor in ensuring that this can be achieved, as we previously advised.

7.9.7 *Policy context*

The National Planning Policy Framework (NPPF) establishes a presumption in favour of sustainable development in the planning system (paragraphs 7, 8, 10 and 11) which also identifies protection of the historic environment as an important element of achieving sustainable development. Further policy principles relating to the historic environment are set out in Chapter 16 of the NPPF.

- 7.9.8 In particular, it emphasises the importance of conserving heritage assets, which are an irreplaceable resource, in a manner appropriate to their significance so that they can be enjoyed for their contribution to the quality of life of existing and future generations (NPPF paragraph 189). Paragraph 194 states that ‘in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance’.

- 7.9.9 Paragraph 195 requires the LPA to identify and assess the particular ‘significance’ of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset). This policy also says that the significance of the heritage assets ‘should be taken into account ‘when considering the impact of a proposal on a heritage asset. Paragraph 197 requires local planning authorities to take account of the desirability of new developments making a positive contribution to local character and distinctiveness.

- 7.9.10 Paragraph 199 requires the planning authorities to place ‘great weight’ on the conservation of designated heritage assets, and states that the more important the asset the greater the weight should be, ‘this is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance’.

Paragraph 200 States that ‘any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification’.

- 7.9.11 Paragraph 202 states where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

7.9.12 *Historic England’s Position*

We are unconvinced that the detailed design and layout of the proposed development has taken full account of the sensitivities of the historic environment and the nearby heritage assets. We believe that a more sympathetic solution is possible that better preserves the setting of the heritage assets and the conservation area as discussed above. We therefore urge you to seek specialist design guidance from your in-house conservation specialists and negotiate a revised scheme of development that achieves these aims.

**Recommendation**

- 7.9.13 Historic England has concerns regarding the application on heritage grounds. We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraphs 189, 197, 199 200, 202 of the NPPF.
- 7.9.14 In determining this application you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess.... (CAs) section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.
- 7.9.15 Your authority should take these representations into account and seek amendments, safeguards, or further information as set out in our advice. If there are any material changes to the proposals, or you would like further advice, please contact us.

## **7.10 Environment Agency**

- 7.10.1 We are currently operating with a significantly reduced resource in our Groundwater and Contaminated Land Team in our Hertfordshire and North London Area. This has regrettably affected our ability to respond to Local Planning Authorities for some planning consultations. We are not providing specific advice on the risks to controlled waters for this site as we need to concentrate our local resources on the highest risk proposals. We do note that the proposed drainage scheme includes the use of deep borehole soakaways. Please see the below advice for further information.
- 7.10.2 Advice to applicant Deep borehole soakaways as the site lies within a Source Protection Zone 3, infiltration via deep borehole soakaways are not acceptable, other than when a drainage and hydrogeological risk assessment shows this to be the only viable option and that any risks to groundwater will be adequately mitigated.
- 7.10.3 In line with position statement G9 in The Environment Agency's approach to groundwater protection (formerly GP3) we would usually only agree to the use of deep infiltration systems for surface water if you can demonstrate the following:
- There are no other feasible options such as shallow infiltration systems or drainage fields/mounds that can be operated in accordance with the with the appropriate British standard (e.g. discharge to a shallow infiltration system, surface water or sewer);
  - The system is no deeper than is required to obtain sufficient soakage;
  - Acceptable pollution control measures are in place;
  - Risk assessment demonstrates that no unacceptable discharge to groundwater will take place;
  - There are sufficient mitigating factors or measures to compensate for the increase risk arising from the use of deep structures.

The above should be read in conjunction with the position statement G1. Please note that we cannot issue an Environmental Permit for the direct discharge of hazardous substances into groundwater.

- 7.10.4 G1 - Direct inputs into groundwater - The Environment Agency must take all necessary measures to:
- Prevent the input of any hazardous substance to groundwater;
  - Limit the input of non-hazardous pollutants to groundwater so as to ensure that such inputs do not cause pollution of groundwater.

The Environment Agency will only agree to the direct input of non-hazardous pollutants into groundwater if all of the following apply:

- It will not result in pollution of groundwater;
- There are clear and overriding reasons why the discharge cannot reasonably be made indirectly;
- There is adequate evidence to show that the increased pollution risk from direct inputs will be mitigated.

Please refer to our Groundwater Protection webpages for further information.

**7.10.5 Water Resources - Increased water efficiency for all new developments** potentially enables more growth with the same water resources. Developers can highlight positive corporate social responsibility messages and the use of technology to help sell their homes. For the homeowner lower water usage also reduces water and energy bills. We endorse the use of water efficiency measures especially in new developments. Use of technology that ensures efficient use of natural resources could support the environmental benefits of future proposals and could help attract investment to the area. Therefore, water efficient technology, fixtures and fittings should be considered as part of new developments.

**7.10.6 Residential developments** All new residential development are required to achieve a water consumption limit of a maximum of 125 litres per person per day as set out within the Building Regulations &c. (Amendment) Regulations 2015. However, we recommend that in areas of serious water stress (as identified in our report Water stressed areas - final classification) a higher standard of a maximum of 110 litres per person per day is applied. This standard or higher may already be a requirement of the local planning authority.

**7.10.7 Commercial/Industrial developments** We recommend that all new non-residential development of 1000sqm gross floor area or more should meet the BREEAM 'excellent' standards for water consumption. We also recommend you contact your local planning authority for more information.

## **7.11 Thames Water**

### **7.11.1 Waste Comments**

With regard to sewerage this comes within the area covered by Anglian Water PLC. For your information the address to write to is Anglian Water PLC, Anglian House, Ambury Road, Huntingdon, Cambs PE18 6NZ [Tel:- \(01480\) 433400](tel:01480433400)

### **7.11.2 Water Comments**

With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Affinity Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.

### **7.11.3 Supplementary Comments**

It is our understanding that foul water is to be discharged to Anglian Water network and SuDS are to be used to drain surface water network. If there is intention to connect to Thames Water network, the developer should contact Thames Water with more information regarding proposed connection point(s), if the discharge is pumped or via gravity, potential pump rates if pumped and phasing of the development. A very high-level assessment with the existing information available has shown that we would have significant capacity concerns if this development was to discharge to our network.

## **7.12 Affinity Water**

7.12.1 No comments received.

### **7.13 Anglian Water**

7.13.1 No comments received.

### **7.14 Herts and Middlesex Wildlife Trust**

7.14.1 No comments received.

### **7.15 UK Power Networks**

7.15.1 We refer to the Planning Application for the above site. The proposed development is in close proximity to our substation and have the following observations to make:

7.15.2 If the proposed works are located within 6m of the substation, then they are notifiable under the Party Wall etc. Act 1996. The Applicant should provide details of the proposed works and liaise with the Company to ensure that appropriate protective measures and mitigation solutions are agreed in accordance with the Act. The Applicant would need to be responsible for any costs associated with any appropriate measures required. Any Party Wall Notice should be served on UK Power Networks at its registered office: UK Power Networks, Newington House, 237 Southwark Bridge Road, London SE1 6NP.

7.15.3 Our engineering guidelines state that the distance between a dwelling of two or more stories with living or bedroom windows overlooking a distribution substation should be a minimum of ten metres if the transformer is outdoor, seven metres if the transformer has a GRP surround or one metre if the transformer is enclosed in a brick building. It is a recognised fact that transformers emit a low-level hum which can cause annoyance to nearby properties. This noise is mainly airborne in origin and is more noticeable during the summer months when people tend to spend more time in their gardens and sleep with open windows.

7.15.4 A problem can also occur when footings of buildings are too close to substation structures. Vibration from the transformer can be transmitted through the ground and into the walls of adjacent buildings. This, you can imagine, is very annoying.

In practice there is little that can be done to alleviate these problems after the event. We therefore offer advice as follows:

1. The distance between buildings and substations should be greater than seven metres or as far as is practically possible.

2. Care should be taken to ensure that footings of new buildings are kept separated from substation structures.

3. Buildings should be designed so that rooms of high occupancy, i.e. bedrooms and living rooms, do not overlook or have windows opening out over the substation.

4. If noise attenuation methods are found to be necessary, we would expect to recover our costs from the developer.

7.15.6 Other points to note:

5. UK Power Networks require 24-hour vehicular access to their substations. Consideration for this should be taken during the design stage of the development.

6. The development may have a detrimental impact on our rights of access to and from the substation. If in doubt please seek advice from our Operational Property and Consents team at Barton Road, Bury St Edmunds, Suffolk, IP32 7BG.

7. No building materials should be left in a position where they might compromise the security of the substation or could be used as climbing aids to get over the substation surround.

8. There are underground cables on the site associated with the substation and these run in close proximity to the proposed development. Prior to commencement of work accurate records should be obtained from our Plan Provision Department at UK Power Networks, Fore Hamlet, Ipswich, IP3 8AA.

9. All works should be undertaken with due regard to Health & Safety Guidance notes HS(G)47 Avoiding Danger from Underground services. This document is available from local HSE offices.

7.15.7 Should any diversion works be necessary as a result of the development then enquiries should be made to our Customer Connections department. The address is UK Power Networks, Metropolitan house, Darkes Lane, Potters Bar, Herts, EN6 1AG.

## **7.16 Campaign for the Protection of Rural England (CPRE)**

7.16.1 I write with reference to the above reserved matters applications for residential development, including the Country Park, following the recent granting of outline planning permission. CPRE Hertfordshire has a long history of objection to the release of the Green Belt land known as 'Forster Country' for residential development and continues to be concerned that the detailed proposals by developers are of insufficient quality and scope, given the significance of the area in landscape and heritage terms.

7.16.2 We believe there is a specific responsibility to achieve the highest possible quality of development when the land was previously designated as protected to preserve its rural character permanently. This responsibility is compounded by the environmental requirements of recent legislation, including Climate Change Acts, and given the length of time that has elapsed since the original application, it is appropriate to review key objectives and components of the proposed development at this Reserved Matters. Specific CPRE Hertfordshire concerns are as follows.

7.16.3 The provision of the proposed carpark (App no 22/00781) within the Green Belt identified for the County Park is hugely regrettable and an entirely inappropriate feature within land which should form an open countryside setting to Rooks Nest House and the St Nicholas Church and Rectory Lane Conservation Area. The provision of municipal type facilities in this area introduces alien features into this highly valued rural landscape, and runs counter to the intention of the Applicant which is stated as: "(restoration) as hay meadows to the approximate field patterns that would have existed historically" (Planning Statement, Savills, para 3.2)

7.16.4 The constant references in the Planning Statement to future management of the Country Park by Stevenage Borough Council and the proposed installation of infrastructure such as the toilet block, hard-standing, bins and tarmac are incompatible with the assertion by the Applicants that the proposals "provide for the creation of 38 ha of informal open space for use by the general public" (op cit para. 3.2). The proposed carpark and toilet building will degrade the open character of the countryside and if such facilities are to be provided, they should be incorporated into areas identified for development outside the Green Belt.

7.16.5 With regard to the reserved matters applications for the residential and other development, the primary concern is of a major opportunity lost with regard to the establishment of high

quality and appropriate development on land that was originally designated to be protected from inappropriate development permanently. The Applicant's Planning Statement relating to planning application number 22/00806 (RMA: Phase 1 Parcel D) notes the promotion of three 'Character Areas' for new housing.

- 7.16.6 The over-whelming impression of the plans submitted, both in terms of street layout and housing types, is of standard housing estates with scant attention paid to principles of good urban design, sustainable transport, or the development of a coherent neighbourhood and sense of place. The recently published 'A Housing Audit for England (2020)' undertaken by the Place Alliance and supported by CPRE, identified the lack of design quality in developments on 142 greenfield sites throughout the country, and the criteria utilised in that study would be likely to provide a similar assessment when applied to this application.
- 7.16.7 The lack of ambition with regard to the standard house types proposed together with inadequate landscaping and drainage treatments is most disappointing, when there is the opportunity to provide an exemplar development as part of an extension to Stevenage Old Town, demonstrating innovative design and provision which addresses the challenges of climate change in a sensitive and valued location. The increasing requirements to take account of environmental issues, as evidenced by the enactment of the Climate Change Acts and related legislation, should encourage innovation and higher standards

## **8. RELEVANT PLANNING POLICIES**

### **8.1 Background to the Development Plan**

- 8.1.1 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).

### **8.2 Central Government Advice**

- 8.2.1 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.
- 8.2.2 Since November 2018, housing delivery has been measured against the Housing Delivery Test (HDT) as set out by the Government planning policy and guidance. The results of the HDT dictate whether a local planning authority should be subject to consequences to help increase their housing delivery. Where an authority's HDT score is less than 85% of its housing requirement, the Council must incorporate a 20% buffer into its housing supply calculations in line with paragraph 73 of the NPPF. Where an authority's score is below 75%, the Council will be subject to the HDT's most severe penalty and must apply the presumption in favour of sustainable development. The latest HDT results, published by the Ministry of Housing Communities and Local Government (MHCLG) (**now the Department for Levelling**

**Up, Housing and Communities (DLUHC))** in January 2022 (DLUHC have not yet published the latest HDT scores for 2022), identifies that Stevenage delivered 79% of its housing requirement which is above the 75% requirement. However, this is still less than 85%. Consequently, Stevenage Borough Council must include the 20% buffer in its 5-year housing land supply calculations, which it already does.

- 8.2.3 The Council also has to prepare an Action Plan to show how it is responding to the challenge of ensuring more homes are delivered in the Borough. It will have to be prepared in accordance with Planning Practice Guidance and analyse the reasons for under-delivery of new homes against the Government's requirements. It also has to set out clear actions on how to improve housing delivery. Consequently, Stevenage Borough Council has recently published its Action Plan (July 2022) to demonstrate how it seeks to maintain the supply of housing:

<https://www.stevenage.gov.uk/documents/planning-policy/monitoring/housing-delivery-test-action-plan-2022.pdf>

- 8.2.4 Turning to 5-year housing land supply, the Council recently published an Addendum Report in May 2022. The report set out that the Borough Council could demonstrate a housing supply of 5.91 years (including 20% buffer) for the period 1 April 2022 to 31 March 2027. However, since the Land West of Lytton Way appeal was allowed by the Planning Inspectorate for a development of 576 residential units (Appeal Reference: APP/K1935/W/20/3255692), the Council's Policy Department has confirmed the Council can now demonstrate a housing supply of 6.68 years (including 20% buffer).

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

### **8.3 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.

### **8.4 Adopted Local Plan (2019)**

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

Policy SP1: Presumption in favour of sustainable development;  
Policy SP2: Sustainable development in Stevenage;  
Policy SP5: Infrastructure;  
Policy SP6: Sustainable transport;  
Policy SP7: High quality homes;  
Policy SP8: Good design;  
Policy SP9: Healthy communities;  
Policy SP11: Climate change, flooding and pollution;  
Policy SP12: Green infrastructure and the natural environment;  
Policy SP13: The historic environment;  
Policy IT3: Infrastructure;  
Policy IT4: Transport assessments and travel plans;  
Policy IT5: Parking and access;  
Policy IT6: Sustainable transport;  
Policy IT7: New and improved links for pedestrians and cyclists;  
Policy HO3: North of Stevenage;  
Policy HO7: Affordable housing targets;

Policy HO8: Affordable housing tenure, mix and design;  
Policy HO9: House types and sizes;  
Policy HO11: Accessible and adaptable housing;  
Policy GD1: High quality design;  
Policy HC8: Sports facilities in new developments;  
Policy FP1: Climate change;  
Policy FP2: Flood risk in Flood Zone 1;  
Policy FP5: Contaminated land;  
Policy FP7: Pollution;  
Policy FP8: Pollution sensitive uses;  
Policy NH5: Trees and woodland;  
Policy NH6: General protection for open space;  
Policy NH7: Open space standards;  
Policy NH8: North Stevenage Country Park;  
Policy TC11: New convenience retail provision.

## **8.5 Supplementary Planning Documents**

Parking Provision Supplementary Planning Document October 2020  
Stevenage Design Guide Supplementary Planning Document January 2023.  
The Impact on Biodiversity SPD 2021  
Developer Contributions SPD 2021

## **8.6 Community Infrastructure Levy**

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

# **9. APPRAISAL**

9.1 The principle of the development of this site to provide up to 800 dwellings, a primary school, local centre, landscaped communal amenity spaces, highways, drainage, and utilities have been established with the grant of outline planning permission which has also considered and agreed the means of access to the site from North Road.

9.2 The main issues for consideration now are the visual impact of the development on the character and appearance of the area, impact of the development on the conservation area, impact upon neighbouring amenities, impact upon future amenities of residents, parking provision, highway implications, development and flood risk, impact on the environment, trees and landscaping, and ecology.

9.3 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.

## **9.4 North of Stevenage Policy**

9.4.1 The site has two site specific policies that should be identified as key elements will come throughout the consideration of each RM application, and it must be ensured that all the RM's can be read in conjunction and don't contradict each other.

9.4.2 Policy HO3: North of Stevenage defines the boundary of the site and identifies its allocation for the development of approximately 800 dwellings. The policy states that development proposals will be permitted where the following criteria are met:

- a) The applicant can demonstrate that development can be expanded beyond the Borough boundary, and fully integrated with a wider, cross-boundary scheme;
- b) Satisfactory vehicular access is provided. At least two access points to and from the site will be required, which link effectively into the existing road, cycleway, and pedestrian networks;
- c) The scheme is designed to encourage the use of sustainable modes of transport;
- d) At least 5% aspirational homes are provided in line with Policy HO9;
- e) Plots to accommodate at least 1% new homes are made available for self-build purposes;
- f) At least 30% affordable housing is provided in line with Policy HO7;
- g) Provision for supported or sheltered housing is provided in line with Policy HO10;
- h) Local facilities to serve the community are incorporated, including a GP surgery;
- i) A primary school is provided in line with the most up-to-date evidence of need;
- j) A skate park or MUGA for children is provided on-site;
- k) A full archaeological assessment is undertaken;
- l) A full flood risk assessment is undertaken;
- m) The proposal seeks to preserve the conservation area, including the setting of adjacent listed buildings. The following mitigation measures should be incorporated –
  - i. As much of the requirement for aspirational homes (criteria d) as possible should be met on the part of the site that lies within the conservation area. Development within this area should also be heavily landscaped to reduce visual impact of development;
  - ii. Existing hedgerows should be maintained, and additional screening implemented to reduce visual impact of the development;
  - iii. Tall buildings will not be permitted. Building heights will be a maximum of two storeys within the eastern part of the site;
  - iv. No vehicular access to the site will be permitted from the east of the site, across the open fields;
  - v. Existing Public Rights of Way are retained and designed into the development, where possible; and,
  - vi. Building styles and layout to the east of the site should reflect the key features of the conservation area.
- n) The scheme incorporates a network of green infrastructure, with an emphasis on high quality landscaping within and around the development to reduce the impact of the development on the surrounding greenfield / Green Belt land; and
- o) An appropriate buffer around existing power lines is incorporated.

9.4.3 Policy NH8: North Stevenage Country Park states that within that part of the Rectory Lane and St Nicholas Conservation Area which lies within the Green Belt, proposals that facilitate improved public access and / or the creation of a country park will be supported in principle where they also support the aims and purposes of the existing policy designations.

9.4.4 Given the nature of this RM proposing the main infrastructure for the development of the site, Policy NH8 is not relevant in this case as matters pertaining to the Country Park are being considered under application reference 22/00781/RMM.

9.4.5 It must be made clear that further objections raised as part of this application on the development of this land for housing and a Country Park are not being taken into account as the site already has outline permission following allocation in the Local Plan (2019) and thus the principle of development as laid out in the outline application has been agreed. This includes and assessed the removal of the land to be developed for housing from the Green Belt, loss of arable land, assessment of infrastructure which led to S106 financial contributions and provisions, recognition of local history, increase in traffic numbers and provision of two vehicular accesses into site, active travel plan (pre-COVID).

9.4.6 The Local Plan adoption and Inquiry process would have required full assessment of many of the issues raised in third party objections, including housing numbers and delivery. Furthermore, comments relating to proposals outside of the remit of infrastructure, for

example the Country Park, scale and siting of dwellings/apartment blocks will not be considered here as they are covered by separate reserved matters applications.

## **9.5 Visual impact of the development on the character and appearance of the area.**

- 9.5.1 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”.
- 9.5.2 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.
- 9.5.3 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”.
- 9.5.4 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”.
- 9.5.5 Policy SP8 of the adopted Local Plan (2019) requires new development to achieve the highest standards of design and sustainability which can deliver substantial improvements to the image and quality of the town’s built fabric. Policy GD1 of the Local Plan generally requires all forms of development to meet a high standard of design which includes form of built development, elevational treatment, and materials along with how the development would integrate with the urban fabric, its relationship between buildings, landscape design and relevant aspects of sustainable design.
- 9.5.6 Policy HO3: North of Stevenage requires high quality not just in the provision of homes on site, but in the green spaces and landscaping and through sustainability of pedestrian and cycleway movements throughout the site.
- 9.5.7 The National Design Guide (2019) which was published by National Government is a material consideration in the determination of planning applications. It sets out that Buildings are an important component of places and proposals for built development are a focus of the development management system. However, good design involves careful attention to other important components of places. These include:
- the context for places and buildings;
  - hard and soft landscape;
  - technical infrastructure – transport, utilities, services such as drainage; and
  - social infrastructure – social, commercial, leisure uses and activities.

- 9.5.8 A well-designed place is unlikely to be achieved by focusing only on the appearance, materials and detailing of buildings. It comes about through making the right choices at all levels, including:
- the layout;
  - the form and scale of buildings;
  - their appearance;
  - landscape;
  - materials; and
  - their detailing.
- 9.5.9 The Guide further iterates that all developments are made up of these components put together in a particular way. As such, the choices made in the design process contribute towards achieving the ten characteristics and shape the character of a place. For reference, these ten characteristics are as follows:-
- Context – enhances the surroundings;
  - Identity – attractive and distinctive;
  - Built form – a coherent pattern of built form;
  - Movement – accessible and easy to move around;
  - Nature – enhanced and optimised;
  - Public spaces – safe, social, and inclusive;
  - Uses – mixed and integrated;
  - Homes and buildings – functional, healthy, and sustainable;
  - Resources – efficient and resilient;
  - Lifespan – made to last.
- 9.5.10 Paragraph 40 of the National Design Guide states that well-designed places are:
- Based on a sound understanding of the features of the site and the surrounding context, using baseline studies as a starting point for design;
  - Integrated into their surroundings so they relate well to them;
  - Influenced by and influence their context positively; and
  - Responsive to local history, culture, and heritage.
- 9.5.11 Policy GD1 of the adopted local plan 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. Furthermore, the newly adopted revision of the Stevenage Design Guide (2023) has been updated to reflect the ten characteristics above and re-emphasises the need for high quality design and development.
- 9.5.12 As a proposal for the infrastructure of the site only, the ideals of design and quality in respect of the built form aren't applicable in this case. However, the infrastructure proposals include for all the landscaping and green spaces (excluding the residential areas), car, cycle and pedestrian connectivity and movement, and technical infrastructure such as drainage. These are all things noted in the National Design Guide and form the foundation for the rest of the development to stem from. The proposals as identified in paragraph 5.1 also cover a lot of the requirements of Policy HO3. Many of these were identified on the Masterplan assessed and agreed under the outline permission.
- 9.5.13 The proposed layout of the highway network included in the infrastructure proposals broadly follow the approved Masterplan of the outline permission. As such the principle of this element has been agreed and the impact largely assessed as being acceptable. The main spine road which forms a crescent around the central area of the developed part of the site,

will be tree-lined on both sides of the road, creating a boulevard appearance. Along the northern side of the southern stretch of the spine road the southern row of pylons and overhead lines cut across the site east to west. Within this area the plans propose a wide green corridor providing an open space across the site as well as good connectivity for pedestrians and cyclists. This space also contributes towards the site's drainage infrastructure, providing water features within this green area. The corridor extends to the west of the site, with basin 1 and green space fronting on to North Road. It also extends further east into the site, providing a link to the proposed Country Park

- 9.5.14 Furthermore, the proposals include for cross-boundary connections through the provision of pedestrian and cycleways at three points along the northern boundary of the site. These connections extend from the proposed foot and cycleway network which proposes connections to existing infrastructure off North Road and Underwood Road. The connections would also extend into the Country Park and eastwards to Weston Road and beyond, encouraging the use of sustainable modes of transport. This is also promoted through the provision of a bus connection through the site and into the adjoining NHDC NS1 site, as well as the provision of electric vehicle charging points.
- 9.5.15 The requirement for a skate park or MUGA for children is met and exceeded with the provision of a LEAP, skate area, MUGA and LEP at the local centre, as well as a LEAP by the Country Park entrance and five other LEP's across the developed part of the site. The finer details of the equipment to be provided in these areas has not been provided, but it is anticipated this will be agreed by imposition of a condition to allow further discussions.
- 9.5.16 In addition to the expansive green corridor proposed, the landscaping plans show significant additional screening through landscaping along the eastern boundary of the developed area. As required to mitigate the impact on the conservation area, the existing tree and hedge belt running north south between parcel D and the Country Park area would receive extensive planting of trees and hedges/shrubbery to create a dense green barrier such that the built development is screened from views within the proposed Country Park and land that is within the Green Belt and Conservation Area and the area known as Forster Country.
- 9.5.17 The proposals are considered to meet the requirements of paragraphs 130 and 131 of the NPPF, along with meeting numerous criteria of the National Design Guide and Local Policy, when considering only the infrastructure proposals within this application. In particular the level of detail and provision of green infrastructure and planting will create a destination within the development, and safe, accessible, and inclusive environments for future resident's and existing residents living nearby.
- 9.5.18 When viewed from North Road, the proposal will have a significant impact on the existing site frontage, largely because of the level of works to provide the two access points. The impact of these assessed as part of the outline application. In looking more closely at the works proposed as part of this infrastructure reserved matters application, the large green space immediately adjacent the highway will provide a good green space between North Road and the proposed built form as proposed under reference 22/00810/RMM which will be the local centre. Notwithstanding, the proposals include sufficient landscaping and tree planting to create an attractive entrance into the site. Views of the site from various public realm vantage points will be seen with high levels of landscaping and planting, with public bridleways creating gaps between built forms, in particular along the southern boundary with the existing Granby Road estates.
- 9.5.19 From the north, the site is well screened by the existing field boundary of a large dense tree belt, which then extends south east through the site. The landscaping proposed throughout the site, increases that of existing site boundaries and field buffers to the benefit of the development and the surrounding area.

9.5.20 Each play area proposed has a level of landscaping around its perimeter and is enclosed with railings. Furthermore, main thoroughfares and property frontages have a mixture of hedgerows and black three-bar railings which are visually attractive. The various green links running north-south within the residential areas are considered as part of this application. These are delineated from the residential areas by either timber post and rail fencing or three bar black metal railings, having a more rural appearance and being sympathetic to the character of the area.

9.5.21 Whilst the plans submitted make reflections on the built form of the development site, they do not form part of this application. The proposed highway works, drainage, landscaping, and other matters being considered as part of the proposed infrastructure are deemed to be high quality and would not detrimentally impact the character and appearance of the area.

## **9.6 Impact on the Conservation Area and other Heritage Assets**

9.6.1 The *Planning (Listed Buildings and Conservation Areas) Act 1990* imposes several 'statutory duties' for decision-makers, all of which are applicable to the proposed development:

- "Section 16(2): In considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses".
- "Section 66(1): In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses".
- "Section 72: In the exercise, with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area".

9.6.2 Case law (South Lakeland, 1992) has determined that 'preserve' means 'to do no harm'. However, if harm is identified, the NPPF provides a means of weighing either 'substantial harm' or 'less than substantial harm' to the significance of a designated heritage asset against the public benefits of the proposal. In doing so, case law has emphasised the need to give "considerable importance and weight" to preserving listed buildings or the character and appearance of conservation areas (Barnwell Manor, Case No: C1/2013/0843). However, the presumption 'to preserve' is not irrebuttable and "can be outweighed by material considerations powerful enough to do so" (Forge Field (Case Nos: CO/735/2013; CO/16932/2013) and a decision maker that has followed the process set out in the NPPF, in respect to weighing harm and benefits, can reasonably be expected to have complied with the 'statutory duties' of the 1990 Act (Mordue, Case No. C1/2015/1067).

9.6.3 Paragraph 197 of the NPPF (2021) states that 'in determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness.'

9.6.4 Furthermore, paragraphs 199 to 202 of the NPPF (2021) have to be considered in the determination of this planning application. As established through case law, if there is *any* harm to designated heritage assets, great weight must be given to it. Dealing with Paragraph

199, it stipulates that when considering the impact of a proposed development on the significance of a designated heritage asset, such as the St Nicholas and Rectory Lane Conservation Area, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss, or less than substantial harm to its significance. Paragraph 200 sets out that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

- 9.6.5 Paragraph 201 sets out that where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss.
- 9.6.6 Paragraph 202 sets out that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. In undertaking this balance, considerable importance and weight must be attached to the less than substantial harm
- 9.6.7 Paragraph 204 sets out that Local Planning Authorities should not permit the loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred. With respect to paragraph 205, this sets out that Local Planning Authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible. However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted.
- 9.6.8 In considering public benefits, the Planning Practice Guidance (PPG) (2019) (Reference ID: 18a-020-20190723) sets out that the National Planning Policy Framework requires any harm to designated heritage assets to be weighed against the public benefits of the proposal. Public benefits may follow from many developments and could be anything that delivers economic, social, or environmental objectives as described in paragraph 8 of the NPPF. For reference, paragraph 8 of the NPPF states that “Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):
- a) an economic objective – to help build a strong, responsive, and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation, and improved productivity; and by identifying and coordinating the provision of infrastructure;
  - b) a social objective – to support strong, vibrant, and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful, and safe places, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and
  - c) an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy”
- 9.6.9 The planning practice guidance goes on to state that public benefits should flow from the development. They should be of a nature or scale to be of benefit to the public at large and

not just private benefit. However, benefits do not always have to be accessible to the public in order to be genuine public benefits, for example, works to a listed building which secure its future as a designated heritage asset could be a public benefit. Consequently, while a range of benefits that help deliver sustainable communities could be relevant, the PPG provides examples of heritage based public benefits, as follows:

- Sustaining or enhancing the significance of a heritage asset and the contribution of its setting;
- Reducing or removing risks to a heritage asset;
- Securing the optimum viable use of a heritage asset in support of its long-term conservation.

9.6.10 Turning to the adopted Local Plan, Policy SP13 relates to the historic environment. This states that the council will preserve and enhance the most important area and characteristics of Stevenage. The policy goes on to state that the Council will:-

- a. Have carried out Heritage Impact Assessments for development sites within, or adjacent to, conservation areas. Site specific mitigation measures have been incorporated to minimise the impacts of development.
- b. Will use national guidance and legislation to review, designate and determine planning applications affecting heritage assets.
- c. Will protect areas of archaeological importance and other relevant heritage assets by applying the detailed policies set in this plan.

9.6.11 Policy NH8 of the local plan relates to the North Stevenage Country Park and states:-

“Within that part of the Rectory Lane and St Nicholas Conservation Area which lies within the Green Belt, proposals that facilitate improved public access and/or the creation of a country park will be supported in principle where they also support the aims of and purposes of the existing policy designations”

9.6.12 Finally, Policy NH10 Conservation Areas states that development proposals within, or affecting a conservation area should have regard to the guidance provided by the relevant Conservation Area Management Plan Supplementary Planning Document

9.6.13 The application site falls within the St Nicholas and Rectory Lane Conservation Area, therefore, due regard is given to the St Nicholas and Rectory Lane Conservation Area Management Plan SPD (2012). The SPD sets out that this part of the town was occupied since the Saxon period where it is thought the settlement stood in the area around the parish church of St Nicholas. In the 12th Century, a flint and stone church was constructed, and the tower is now the earliest remaining part of the church, dating around 1125AD.

9.6.14 The settlement around the church grew and the oldest remaining building is the Old Bury (grade II\*). In addition, there are a number of listed buildings in the surrounding area including Rooks Nest House (grade I) and Rooks Nest Farmhouse and outbuildings (separate grade II list entries). Rooks Nest House was the home to EM Forster for a period of time and the surrounding area has become known locally as Forster Country.

9.6.15 In assessing the proposed allocation of the site in the Adopted Local Plan, the Inspector referred to the Council's assessment of the contribution that the heritage assets made to the area as part of the evidence base for the plan. She also went on to state:-

“There is no doubt that the landscape contributes to the setting of the listed buildings to some degree. However, taking the listed buildings in turn, St Nicholas Church has a sizeable churchyard that is heavily wooded and contains numerous monuments. When walking

around the churchyard, one gets a sense of enclosure within the well planted churchyard. There are glimpsed views of the fields to the north of the Church through the trees, but in terms of views of the wider landscape these are only achieved by leaving the churchyard.”

“The Church building and in particular its tall spire are visible from a wide area, and the appreciation of its contained, heavily wooded churchyard reflect its central role within the Parish. However, the setting of the building that is experienced from the allocated site is that of a confined, wooded churchyard, with glimpsed views to land outside the churchyard. The wider landscape is within the setting of the Church, but due to the nature of the churchyard, site HO3 contributes little to its significance, compared to the land immediately north of the churchyard. Additionally, built development on the site would be located some distance from the Church and churchyard and would certainly not hinder the ability to appreciate it or its setting. Indeed, there is modern built development much closer to the Church than this proposed development would be.”

“Rooks Nest House Howards is located on Weston Road, a narrow lane. It is set back from the road within maturely landscaped gardens which enclose it and significantly limit views of it. To the west of Rooks Nest House Howards and the adjacent Rooks Nest Farm (listed grade II) are agricultural fields. Nevertheless, this is an agricultural landscape of open fields as a result of modern farming practices. Consequently, much of the historic character of these fields has been lost, with the removal of field boundaries and hedges and so it appears different to how it would have done when EM Forster resided here. Also visible in this landscape is the housing development to the south of the allocated site, the extensive Lister Hospital complex to the west and numerous tall electricity pylons that straddle the fields.”

- 9.6.16 Finally, the Inspector went on to conclude:- “Overall, whilst built development here would increase significantly, I am confident that the site could be developed in a manner that protects the significance of the designated heritage assets. Also, for the reasons set out above, exceptional circumstances have been demonstrated to justify the release of this site from the Green Belt.”
- 9.6.17 The red line area of the site which relates specifically to the infrastructure RM is partially sited within the St Nicholas and Rectory Lane Conservation Area on the eastern side. In respect of the current application, the assessment of harm relates specifically to the provision of the primary road network (including foot and cycle ways), landscaping planting and drainage proposals, including SuDS features.
- 9.6.18 Paragraph 200 of the NPPF (2021) sets out that any harm to a designated heritage asset should require clear and convincing justification. In addition, where proposals that may cause less than substantial harm to the significance of a designated heritage asset, should be weighed up against the public benefits of the proposal, including where appropriate, securing the optimum viable use. In undertaking that weighting exercise ‘considerable importance and weight’ must be given to the preservation of the significance of the listed building, including its setting. In determining the application, it must be noted that ‘less than substantial harm’ is not a ‘less than substantial planning consideration’.
- 9.6.19 Turning to public benefits, there is no definition of ‘public benefits’ on the National Planning Policy Framework or associated Planning Practice Guidance. All the guidance states (as set out in paragraph 10.5.7) that it “*should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large*”. There is also Case Law that deals with what is a material consideration, and this pretty much whether it serves a “*proper planning purpose*” (see *latest commentary on this in Wright v Resilient Energy Severndale Ltd and Forest of Dean District Council*). Further, public benefit could be anything that delivers economic, social, or environmental objectives as described in paragraph 8 of the NPPF. The test therefore is whether the benefits clearly and convincingly outweigh the considerable importance and weight given to the heritage harm.

- 9.6.20 In respect of the proposed primary road network, this was shown on the outline masterplan and reasonably complies in layout with that of the masterplan. The main spine and other primary roads would provide the required access to the outline approved 800 dwelling development of this allocated site. Given the proximity of the roads hereby proposed from the listed buildings identified and taking account of the Inspector's comments during the Local Plan inquiry, it is considered there would be less than substantial harm created. Views of the proposed road network would be well screened by existing and proposed landscaping such that the setting of these buildings would be preserved.
- 9.6.21 Amended plans submitted following officer and consultee dialogue have seen the removal of the previously proposed north eastern transcending spur road within phase 1D and the conservation area. Due to change to the layout of this phase this spur road has been removed from the infrastructure application. Consequently, the proposals retain only the spur road which runs through phase 1B from the spine road into the conservation area. Where this road finishes and the secondary and tertiary spur roads will extend from this area, a green link is proposed between the house layouts to provide access into the Country Park.
- 9.6.22 This access would include a 3.5m wide shared foot/cycle way for connections for walking and cycling within and through the Country Park towards Weston Road and also northwards towards the NS1 site in the neighbouring authority boundary. It is envisaged this access will also be used for maintenance vehicles required in the Country Park. In respect of the current application, it is only considering the extent of this path and green link up to the boundary of the proposed Country Park.
- 9.6.23 The provision of this maintenance track, and largely its provision in the proposed Country Park has been raised in objections by Friends of Forster Country. The likely impact is noted; however, this will largely be considered as part of the Country Park application. The impact of providing a 3.5m wide shared surface in this small stretch of green link, close to proposed 6m wide road infrastructure is not considered to worsen the harm identified.
- 9.6.24 In respect of the impact of the proposed road infrastructure on the conservation area and its setting, it is considered it would sustain the significance of the conservation area and listed buildings, and in line with the adopted Local Plan would optimise a small portion of the conservation area to provide housing, whilst preserving the larger area of the site within the conservation area long term in the form of the Country Park (app ref 22/00781/RMM).
- 9.6.25 The preservation of the conservation area, and the setting of the listed buildings would also be sustained by the proposed landscaping in this application. In particular there are large quantities of proposed planting along the existing field boundary between parcel D and the proposed Country Park. These proposals would enhance the existing screening these field boundaries create. This will be particularly visible from views east to west, from the Church and Churchyard entrance to the proposed Country Park and also from the cemetery and views across from Weston Road.
- 9.6.26 Historic England have provided comments on each RM application. In respect of the proposals covered by the infrastructure RM being considered in this report they raise no objections. They note that the principle of development was agreed when the outline application was approved and whilst some concerns are raised these relate to matters contained within the RM applications for Phases 1A-C (22/00810/RMM) and 1D (22/00806/RMM) and will be discussed in detail in the respective reports for those applications.
- 9.6.27 In terms of the matters being considered by this infrastructure RM, the proposed drainage strategy includes the provision of various basins/ponds as well as smaller swale areas. Basin's 1-4 are considered as part of this application, with the western and eastern flood alleviation basins proposed to the south of the Country Park to be considered as part of the Country Park RM. The complete and total assessment and consideration of the drainage

scheme is covered by the discharge of conditions 35 and 36 on the original outline permission 17/00862/OPM, to ensure the pieces fit together and work collectively.

- 9.6.28 Basin's 1-3 are contained within the central, west to east green corridor within the site and given their siting are considered to have minimal impact on the heritage assets. Basin 4 and a swale are proposed sited along the western boundary of the Country Park, to the east and rear of the dwellings forming the eastern edge of Parcel D and landscaping screen which demarcates Parcel D from the Country Park. As such, these drainage elements, given their location will have an impact on the landscape of this area of the proposed Country Park, the heritage assets identified, as well as the Green Belt. The basin and swale would both sit on the westerly rising slope to the west of the proposed Country Park.
- 9.6.29 Consequently, the basin and swale proposals will be visible from vantage points across the fields, and from Weston Road. Views from the Church will be more limited given the assessment of the churchyard layout of the church and its grounds, and with views mainly north up the more eastern aspect of the fields. Nonetheless, existing, and proposed landscape screening will reduce the impact and views of the basin. Furthermore, and whilst the landscape is being altered, the basin and swale would see the removal of soil to create a suitable drainage basin. The basin is also relatively long and narrow, directed north to south and thus views from Weston Road towards the west across this landscape would therefore be limited in terms of the break in the landform created by the basin hole.
- 9.6.30 The predominant field areas to the east of the field barrier running centrally through the Country Park would retain the openness associated with the conservation area, and in respect of views from the listed buildings. It is considered therefore that the drainage elements of this proposal would have less than substantial harm on the heritage assets, preserving their significance as required by national and local policy.
- 9.6.31 Other, smaller elements that form the details of this RM including the play areas and northern foot and cycleway connections to the NHDC NS1 site, are not considered to cause harm to the heritage assets identified by virtue of their scale and nature. These elements were considered as parts of the Masterplan at outline stage and would be of significant public benefit to the future occupiers of this development and neighbouring developments (existing and proposed).
- 9.6.32 In conclusion, the proposed works identified and included within this infrastructure RM would in places cause harm to the identified heritage assets. However, the level of harm has been considered as less than substantial, on the lower end, and the public benefits resultant of the required infrastructure works to bring this allocated and approved site forward would in officer's opinions far outweigh the less than substantial harm created in this case.

## **9.7 Impact on the Green Belt**

- 9.7.1 The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. Paragraph 138 of the NPPF (2021) states that the Green Belt serves five purposes -
- a) to check the unrestricted sprawl of large built-up areas;
  - b) to prevent neighbouring towns merging into one another;
  - c) to assist in safeguarding the countryside from encroachment;
  - d) to preserve the setting and special character of historic towns; and
  - e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 9.7.2 The NPPF continues to state that "once established, Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and justified, through the

preparation or updating of plans. Strategic policies should establish the need for any changes to Green Belt boundaries, having regard to their intended permanence in the long term, so they can endure beyond the plan period”.

- 9.7.3 The Local Plan (2019) saw the release of the land identified for development purposes from the Green Belt under exceptional circumstances, which the Inspector agreed had been justified, the following is taken from the Inspector’s report and concludes -
- 9.7.4 *“The Objectively Assessed Need (OAN) for housing in Stevenage is 7,300 dwellings over the period 2011-2031, with the Plan setting a target of 7,600 homes to be developed within this period. Some representors suggest that the need should be met by a Garden City, beyond the Stevenage Borough boundary, but no specific area has been identified. Therefore, it is very unlikely such a scheme could deliver housing in the short term and debatable whether it would provide any during the plan period at all and this might also involve Green Belt land.”*
- 9.7.5 *“The only way that Stevenage can meet its current identified housing need is to release any suitable land from the Green Belt. Through their extensive and thorough Green Belt review the Council have identified site HO3 (north of Stevenage), in the Plan as being suitable for housing development. In the assessment of defined areas of land against Green Belt purposes this site is considered (as part of a larger parcel of land – N4) to make a limited contribution to Green Belt purposes in all regards, with the exception of preventing merger where it is identified as making a significant contribution.”*
- 9.7.6 *“That said this site is only part of the area of land that was categorised in this way and importantly open land would remain beyond HO3 that would maintain separation from the nearest large settlement. I realise that some of this land is identified in North Hertfordshire’s emerging Plan as housing land, but that will be examined separately. While that site would join with site HO3, along the border between Stevenage and North Hertfordshire, there is a gap 15 Stevenage Borough Council Local Plan 2011-2031, Inspector’s Report October 2017 between the allocated site in North Hertfordshire’s emerging Plan and the nearest village of Graveley such that it would prevent the coalescence of this village with Stevenage or indeed any other settlement.”*
- 9.7.7 *“Part 2 of the Council’s Green Belt review identifies site HO3 as parcel N4(iii) and says that “notwithstanding its open aspect, this parcel could be released within the local plan period given its current containment by strong boundaries and opportunities to substantiate these through further landscaping” and I agree.”*
- 9.7.8 *“In summary, there is a pressing need for housing within the Borough that cannot be met outside of the Green Belt. The value of the Green Belt has been thoroughly assessed by the Council and although it found that here a significant contribution comes from preventing the merging of settlements, there would still be a gap between settlements, even if the site in North Hertfordshire is allocated in their Plan and subsequently developed. Taking into account all of these factors I find that this site would be the most suitable, along with others, to meet the housing need in Stevenage. As such, exceptional circumstances exist to justify the release of this site from the Green Belt.”*
- 9.7.9 The Local Plan adoption therefore saw the retention of the eastern parcel of the site as Green Belt, identified as the land proposed for the Country Park. In assessing the current application, the impact of development on the Green Belt in this case relates to works within the Green Belt and Country Park boundary. The NPPF dictates that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 148 of the NPPF states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

- 9.7.10 In respect of the infrastructure proposed, the development being considered in terms of impact on the Green Belt are the drainage proposals that fall within the Country Park element of the site. This is specifically basin 4 and its associated swale (SuDS). These works would be engineering operations to create part of the proposed drainage strategy for the site. Paragraph 150 of the NPPF makes allowances for 'other' forms of development (excluding buildings) in the Green Belt, advising they may not be inappropriate provided they preserve its openness and do not conflict with the purposes of including land within it. These are:
- a) mineral extraction;
  - b) engineering operations;
  - c) local transport infrastructure which can demonstrate a requirement for a Green Belt location;
  - d) the re-use of buildings provided that the buildings are of permanent and substantial construction;
  - e) material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and
  - f) development, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order.
- 9.7.11 As an engineering development the drainage works would see the creation of a basin and swale. This will require the removal of soil, which will have an impact on the landscape form. However, it would not impact on the openness of this area of land, nor on its proposed use as a Country Park. The siting of drainage basins and similar in such green areas is typical sight in many new developments and would add to the biodiversity of the area. For this reason, it is not considered the proposals in this infrastructure RM would harm the Green Belt and its openness.

## **9.8 Impact upon Neighbouring Amenity**

- 9.8.1 As referred to above, this application only relates to the infrastructure for the development and is not considering the proposed residential dwellings which are to be considered separately under references 22/00806/RMM and 22/00810/RMM. The proposed landscaping and green corridors proposed, in particular the one running parallel to the PROW (Public Rights of Way) to the south of the site provides a good green break between the existing properties off Granby Road and the small spur roads of Daltry Road, The Brambles, Chouler Gardens and Thurlow Close. The exact positioning of the dwellings proposed to face onto or sit up to this green area will be fully assessed in their respective applications. However, given the landscaping details proposed and separation distances from these properties across this green area the proposals would not adversely affect the amenities of neighbouring properties.
- 9.8.2 Given the proximity of the drainage proposals and other minor matters such as proposed boundary treatments and play areas, and their function, nature, and appearance it is not considered these elements would have a detrimental impact on neighbouring properties amenities.
- 9.8.3 Objections have been raised by neighbouring residents of Underwood Road about the proposal to formally open the access point from Underwood Road across a small strip of private land to the PROW route 105 which runs along part of the southern boundary of the site. The objections are concerned with the additional likely footfall and use of the route for cycles, which doesn't currently exist, and the impact of this on nearby residents.
- 9.8.4 The proposals show a small green link running north to south between some of the housing parcels in Phase 1A-B, to provide a shared surface foot and cycle way connecting with the

PROW and beyond this onto Underwood Road. This proposal has been brought forward and shaped at the request of the local highway authority to improve walking and cycling connectivity from the site.

- 9.8.5 Whilst it is acknowledged that the route will bring a heavier 'footfall' by virtue of its formal opening onto Underwood Road, and with this there may be some disturbance by passers-by to the properties of Underwood Close, the public benefit brought about by this connection for existing and future residents is considered to outweigh the likely disturbance caused.

## **9.9 Impact upon the Amenity of Future Residents**

- 9.9.1 The impact of any new development on the proposed occupants and users is just as important as its impact on existing neighbours and/or users. The Local Plan (2019) sets out several standards required of new development, along with the Stevenage Design Guide to ensure existing and future residents have an acceptable level of privacy, light, and outlook.
- 9.9.2 As above, the finer details of how the residential units would meet these requirements is not a consideration for this infrastructure application. Furthermore, the proposed highway network and drainage proposals are key infrastructure features that would not impact on the amenities of future residents by virtue of their function and placement within the site.
- 9.9.3 Similarly, the proposed play areas would be positioned within green link areas throughout the development and would thus sit away from the proposed dwellings sufficiently that they would not cause an adverse impact on future occupiers.
- 9.9.4 The proposed landscaping includes the provision of trees, hedging and shrubs within the main green link areas, as well as boundary treatments. The residential parcel applications propose landscaping within the estate roads and communal parking areas, which would be sited in closer proximity to the proposed dwellings. The proposed green link areas which form part of this infrastructure application, and sited closest to the residential parcels, are typically laid to grass with low level ground covering shrub and tree planting. The larger area of planting, which consists more heavily of trees and hedging is located along the eastern boundary of parcel D and forms the additional screening between the proposed built form and the proposed Country Park.
- 9.9.5 It is not considered the proposed landscaping across this application would cause an adverse impact to the amenities of any future occupiers, given the proposed layout.

## **9.10 Highway Implications**

- 9.10.1 Policy HO3 of the Local Plan specifies the below in respect of highway objectives for the site –
- a) The applicant can demonstrate that development can be expanded beyond the Borough boundary, and fully integrated with a wider, cross-boundary scheme;
  - b) Satisfactory vehicular access is provided. At least two access points to and from the site will be required, which link effectively into the existing road, cycleway, and pedestrian networks;
  - c) The scheme is designed to encourage the use of sustainable modes of transport;
- 9.10.2 The two vehicular access points off North Road were approved as part of the outline permission reference 17/00862/OPM. These works show that two new signalised junctions off the B197 North Road would be provided in accordance with point b) above. Beyond these accesses the primary access road would form a loop within the proposed development. The proposed spine road and primary spur roads proposed as part of this application are in sync with the Master Plan approved as part of the outline permission.
- 9.10.3 The proposed highway works include the provision of –

- Primary access spine road forming a crescent shape road around the central element of the site;
- North/south arm past the local centre providing a western link between the spine road;
- Two spur roads directed north east off of the northern circuit of the spine road, with the eastern spur road providing vehicular (including bus) connections to the NS1 site in North Herts;
- A secondary road directed south east off the eastern spur road, providing access to the proposed Country Park;
- One spur road directed south east off the southern circuit of the spine road;
- Provision of a network of pedestrian and cycleways through green link areas connecting the proposed main thoroughfares to the existing road and footpath networks nearby;
- Provision of adequate road crossings throughout the development, including raised platforms.

- 9.10.4 The proposed spine road, beyond its connection to the local centre spur, would be tree lined with a segregated 5m wide foot and cycleway on the inside of the road, separated by a 2m wide grass verge within which the trees will be planted. On the outer edge of the spine road there would be a 2m wide footway, also separated by a 2m wide grass verge planted with trees. It is proposed to have raised platform crossings at the western and north eastern points of the spine road where it connects with the local centre spur and NS1 connection spur. These would provide necessary foot and cycle connections across the main spine road for connections from North Road, the central green corridor, and the eastern side of the proposed development, towards NS1 and the Country Park.
- 9.10.5 The eastern primary connection road to the north east of the spine road would have similar tree planting along a grass verge on the northern side of the road, separating a 3.5m shared foot and cycle way, with a 2m wide footway only on the southern side. All other primary roads proposed have standard 2m wide footpaths with landscaping in pockets rather than being tree lined. This is because of their length and siting within the residential parcels which accommodate landscaping in their respective reserved matters applications.
- 9.10.6 The local centre spur road provides a link between the north and south junctions entering the site from North Road and provides access to the local centre which will include commercial units. The road is proposed to be served by amended crossing points to provide a central desire line along this spur between the local centre building and the LEAP play area and primary school to the north of this central area.
- 9.10.7 The central green corridor offers pedestrian and cycle access around the SuDS features and within the landscaped green area for the stretch of the main central area of the site, up to and across the main spine road and continuing into the Country Park. Smaller green links are proposed to the south of the spine road (the northern connections to be considered as Phase 2 comes forward) to provide landscaped breaks between the built form and to provide footway connections to the southern boundary of the site. The western most green link includes a 3m wide shared surface for pedestrians and cycles to allow access through to Underwood Road. This is considered a key foot and cycle connection to existing infrastructure.
- 9.10.8 This connection, along with others proposed through the Country Park, and other walking and cycling improvements proposed to come forward with this site would support the Stevenage Mobility Strategy set out in SBC's Infrastructure Delivery Plan (IDP) (March 2017). This seeks improvements to the walking and cycling network in Stevenage by providing new links where there are missing gaps in the network, better access to the railway station, improved lighting, and visibility at underpasses, more policing and more cycle parking at key locations, such as the town centre and railway station. The IDP advises that new developments will need to be appropriately connected to existing walking and cycling networks. Through the already approved cycleway and Toucan Crossing along North Road,

the additional connections throughout the site and on its boundaries ensures that this development will be connected to the Stevenage cycle network, and so meets this objective. These connections will encourage travel by these modes for many day-to-day journeys instead of using the car. These connections include the future Active Travel Fund (ATF) programme being delivered by Hertfordshire County Council as the local highway authority. These works extend the along this northern stretch of North Road from the Coreys Mill Lane double mini roundabouts northwards past the site in question.

- 9.10.9 The existing east-west routes of bridleway 22, bridleway 105 and bridleway 18 are accommodated along the southern site boundary, and it is from these that the main green links mentioned above are formed. Further hedgerow planting and low-level lighting is proposed to retain this existing bat commuting corridor. The north-south existing route of bridleway 23 is retained and incorporated in the country park proposals, with the proposed residential development broadly located to the west of this footpath, such that open views will remain to the east. Footpath 17, which originates on the southern boundary of the Site at the Brambles and routes north across the central area to the Site's northern boundary, is incorporated in the green link which demarks parcel 1B from parcel 1D and the start of the conservation area. The PROW and bridleways would be supported by the provision of new horse mounting blocks and wayfinding signposts.
- 9.10.10 The application has been supported by a Highway Technical Note setting out the design principles of the highway infrastructure. As advised in the outline permission, it is envisaged that the development (and later the NS1 development to the north) will be served by a bus service. The primary roads which have been designed for bus routing and it is these roads which are to be offered up for adoption to the local highway authority. This includes the main spine road, local centre spur and north eastern NS1 connection spur.
- 9.10.11 The internal junctions proposed have been designed with acknowledgement of the new Highway Code which affords priority at side roads to pedestrians and, where applicable, cyclists, and with regards to LTN 1/20. As such these junctions have been designed to suitably enable level crossing of the road by pedestrian and cyclists, and therefore, drivers of motor vehicles would have to 'cross' the foot and cycleways rather than having pedestrians and cyclists 'cross' the road carriageway.
- 9.10.12 Following initial objections raised by the local highway authority, amended plans have been submitted to include greater transition across the spine road at the points by the NS1 north eastern spur connection and further south on the spine road where the green corridor continues towards the country park. These proposals include the introduction of raised platforms, providing a level crossing point for pedestrians and cyclists, and a traffic calming feature also.
- 9.10.13 Revisions to the local centre spur road have been briefly discussed above. Following initial officer comments, the provision of two crossing points along this section of road have been introduced. The first towards the north of the road providing a more direct link between the local centre and playground facilities and primary school site on the eastern side of the road, and secondly to the south where the green corridor runs from North Road on the western side across the road to the central green corridor.
- 9.10.14 Details of swept paths for buses, and waste and recycling vehicles have been submitted in support of the application. These all adequately show that such vehicles can be accommodated on the proposed main roads in the development.
- 9.10.15 In respect of the consultation response received from NHDC (received prior to re-consultation on amended plans) as the neighbouring authority and in light of the adoption of their local plan and thus the allocation of the adjoining NS1 site, several matters are addressed below.

- 9.10.16 Amendments received to the highways proposals are considered to address the points raised by NHDC for several matters. In respect of the primary cross-boundary street (map reference C) (as named by NHDC in their response) this is the eastern bus connection road into NS1. Level crossings are proposed at the junction of the eastern connection road and the spine road to allow adequate same level movements for pedestrians and cyclists across the site west to east and south to north using the main spine road and central green corridor. Furthermore, the proposal continues to provide foot and cycle ways agreed to the satisfaction of HCC as the local highway authority. Whilst officers recognise the importance of engaging with NHDC, as the authorising planning authority it does feel that matters covered by the local highway authority and LPA do not need to have the full agreement and satisfaction of the neighbouring authority to proceed if deemed acceptable.
- 9.10.17 It has been clear from the outline application and subsequent permission that some form of connection would be made to the (then future) NS1 site to the north of the site. Following further negotiations with HCC the main connection route was amended from the western spur road heading north east to the boundary with NS1 to the eastern and longer connection so that it can provide a better provision of service around the neighbouring site. This is because of the shape and siting of the NS1 site. However, the provision of this connection along the eastern road has meant the need for a greater road width and a foot/cycle way as a minimum. This has had knock on effects to the layout of Phase 2 coming forward and the indicative housing parcels, needing to provide the remaining dwelling numbers to a total of 800 as approved and impacting on the drainage proposals for the site.
- 9.10.18 The proposal as amended includes a 6m wide highway with grass verge and a 2m wide footway along the north western side of the road. Along the south eastern side of the highway a 3.5m wide shared foot and cycle way is proposed providing connections to the spur road towards the Country Park entrance also. This fits within the allocated 13.5m wide channel for this connection. This has been justified to the local highway authority and no objections have been raised. This provision would adequately allow for the NS1 site to extend this into their site and then accommodate their own network beyond this. At this time the proposed layout of NS1 is not known, and no planning application is forthcoming to propose the development of this site following allocation. Consequently, a more detailed connection being agreed would significantly hold up the LPA determining these applications and officers do not believe this is necessary.
- 9.10.19 In respect of connection point D (as labelled in the NHDC response), the finer details of this road connection to the administrative boundary and the modes of transport allowed to use the connection will come forward as part of the Phase 2 reserved matters. Additionally, it is envisaged the reserved matters application for the residential parcels in this area will also consider turning for vehicles and further access points off the road. The points made about 'living streets' is noted but until further discussions are had in respect of Phase 2's layout it is not possible to understand the ramifications of this. The LPA are satisfied that should amendments be required to accommodate the layout of Phase 2, these could easily be proposed and consulted on.
- 9.10.20 The spine road, named inner loop road within the response from NHDC, has been designed in accordance with pre-application advice provided by the local highway authority. This includes the provision of a 5m wide cycle and footway on the inside of the loop. The LPA does not agree with the suggestion that the foot/cycleway should be on the outer edge of the spine road given the spur road access into the residential parcels and the location of driveways to houses off the spine road (demonstrated in application reference 22/00810/RMM). In officer's opinion, this only increases the number of obstacles to cyclists using this connection. It is noted that users of this foot/cycleway heading north or south either from the housing parcels of wider connections will have to cross the spine road to use the foot/cycleway this is an acceptable proposal and level crossing points are proposed.

- 9.10.21 The layout and further connections details into NS1 on the western side of Phase 2 are envisaged to come through in detail as part of the reserved matters for the residential parcels at a future date. Lastly, in respect of the connection south from the site centre to Underwood Road, this has been amended following officer comments and has been addressed fully above.
- 9.10.22 In conclusion of highway matters, the proposed details (excluding the access junctions approved under the outline permission 17/00862/OPM) of the primary spine road and spur roads that form this infrastructure application, as well as the foot and cycle ways throughout the development all adhere to the current requirements of Hertfordshire County Council as the local highway authority. The walking and cycling network proposed will greatly enhance the existing provision in this northern sector of the borough. The proposals make provision for a bus service and future connection to the North Herts District Council NS1 site which also helps in the promotion of sustainable travel.
- 9.10.23 The LPA are satisfied that the infrastructure reserved matters application complies with relevant policy requirements and considerations such that an appropriately designed scheme can come forward at HO3, and that the proposals will facilitate the future delivery of a policy compliant scheme on the adjoining NS1 site within North Hertfordshire.

## **9.11 Development and Flood Risk**

- 9.11.1 The application site is located in Flood Zone 1 within the Environment Agency's flood risk map. Flood Zone 1 is defined as land having less than 1 in 100 annual probability of flooding. Therefore, all developments are generally directed to Flood Zone 1. Notwithstanding this, the application which has been submitted to the Council is classified as a Major, therefore, in line with the Town and Country Planning (General Development) (Procedure) (England) Order 2015, the applicant has provided a Sustainable Urban Drainage Strategy.
- 9.11.2 The drainage solution as proposed at outline application stage was for the site to discharge directly to the existing sewer infrastructure by using a pumped connection. The outline application also proposed a series of drainage basins within the developed area of the site and a basin and a series of boreholes within part of the proposed Country Park. This was agreed with Anglian Water and was also been agreed by the Lead Local Flood Authority (LLFA) subject to the imposition of several conditions to deal with the delivery of the drainage and future maintenance.
- 9.11.3 The details as proposed are in accordance with those in the outline application. Procedurally, the details of the sustainable drainage for the site are being fully considered through the discharge of conditions, imposed as advised by the LLFA and noted above. Therefore, it is of note that whilst the drainage details are shown and considered as part of the infrastructure application, the modelling and finer details of those SuDS form part of the discharge of condition application (reference 22/00840/COND). Consequently, as long as the proposals shown in this application correspond with the above discharge of condition application, the application can be determined.
- 9.11.4 The proposals include the provision of 4 basins, deep borehole soakaways, swales, and a pumping system. Basins 1-3 correspond by number from east to west within the residential developed part of the site, with basin 1 and 2 located in the central green corridor, Basin 3 located on the large green space immediately adjacent North Road and sitting between the two access junctions and, basin 4 is located on the western edge of the Country Park. There are swales located nearby in this location also. Basin 4 and two attenuation basins' (which form part of the Country Park RMM) would be served by deep borehole soakaways. Basin's 1, 2 and 3 are connected to the proposed pumping station which is in the south western corner of the site.

- 9.11.4 The proposed drainage strategy includes a Combined Drainage Plan which demonstrates two catchments (eastern and western) and a Site Wide Catchment Plan which demonstrates the assumptions made to ensure the Infrastructure drainage network caters for the future Phase 2 proposals to the north of the site. The proposal has also been supported by a Drainage Maintenance and Management Report, a requirement of the outline permission, which establishes the future maintenance liabilities for the Council and the management company.

*Eastern Catchment*

- 9.11.5 The catchment areas have been set based on the topography of the site, with the eastern catchment being to the east of the existing ridge line running north to south across the development parcels. When looking at the whole site, it includes the eastern parcels of Phase 2 (not currently submitted as an application), the proposed Country Park car park and Parcel 1D of the residential development which is located in the Conservation Area. The residential development drains via a piped gravity network to a landscaped swale within Phase 1 of the Country Park. This swale leads the water route to Basin 4 but first provides an additional treatment stage to the surface water runoff prior to reaching the basin.
- 9.11.6 As part of the Country Park application it is proposed to provide a car park and toilet block for future users. These elements do not form part of this application and their impact will be appropriately assessed as part of the Country Park application. However, the drainage proposals being considered do take account of perspective drainage from the Country Park car park. This proposed area of hardstand if constructed would drain via a piped gravity network to Basin 4. This piped network would only drain the proposed car park, which will eventually be in SBC's ownership, and therefore it would be SBC's responsibility to maintain the piped network. This piped network would include a small swale to the south east of the car park, increasing the level of treatment of the car park surface water run-off.
- 9.11.7 Each basin proposed, including Basin 4 includes low flow channels to link each inlet to a proposed 600mm deep permanent pond. These channels would help retain a level of water in the permanent pond at the south of the basin, being replenished with surface water as often as possible during the summer months in particular. There is proposed to be an outfall headwall (concrete structure in the bank of the basin with round pipe outlet and railings around the top) at the southern most point of the basin which the permanent pond is linked to via another low flow channel. Basin 4 also outfalls into a piped network linking 3 no. deep bore soakaways to infiltrate the runoff at depth.
- 9.11.8 The pipes linking each borehole would ensure an even spread of infiltration and mitigate any risks of blockage or silting up of the deep bores. The boreholes are spaced at 20m intervals to maximise the clearance between each infiltration point. Basin 4 and the associated infiltration infrastructure would be maintained by the development management company.

*Western Catchment*

- 9.11.9 The western catchment incorporates the area of the site to the west of the existing ridge line, and covers most of the residential development area, the local centre, school parcel, access junctions with North Road and the central green corridor. The catchment drains to a series of three landscaped attenuation basins, placed within the central green corridor underneath the existing National Grid overhead power lines which are proposed to remain in place. National Grid have reviewed the proposals and are satisfied that the required clearances to their equipment have been maintained.
- 9.11.10 The gravity piped network drains to the basins in order with Basin 1 positioned as the eastern most which drains to Basin 2, located centrally within the green corridor. Basin 2 outfalls and drains towards Basin 3 which is located to the west of the proposed Local Centre, adjacent to North Road.

- 9.11.11 All three attenuation basins would include a 600mm deep permanent pond. Each basin would include similar low flow channels to route incoming water to the permanent ponds and then to similar outfall headwalls at the respective western or southern end of the basins. This routing would ensure that during drier summer periods, any runoff reaching the attenuation basins is used to replenish the permanent ponds before leaving the site. Each basin outfall would include a flow control device to control discharge rates and a sluice valve to allow operatives to stop a basin from emptying. A vortex flow control device would control the discharge from Basin 3 at an agreed rate of 22.5 l/s to the proposed pumping station.

#### *Water Quality*

- 9.11.12 As a residential development, most of the site would be classed as Very Low or Low pollution hazard level. This includes the residential and commercial roofs, driveways, residential car parks, low traffic roads (e.g. cul-de-sacs and general access roads).
- 9.11.13 The majority of the western catchment would pass through the three attenuation basins, but all the catchments would pass through at least one basin which includes a permanent pond, which provides a natural treatment of the water. The Drainage Report assumes the most polluted runoff occurs after a period of dry weather, then these initial flows will always flow through the permanent ponds, which would provide the further treatment. Based upon a single attenuation basin feature, mitigation against suspended solids, metals and hydrocarbons would result in a betterment over the current requirements.
- 9.11.14 The local centre includes a public parking and delivery area for the commercial premises, this would be classed as a Medium pollution hazard level. This catchment would generate pollution indices for suspended solids, metals, and hydrocarbons. It is intended for this parking and delivery area to be constructed as lined permeable paving (subject to approval of the Phase 1A-C RMA reference 22/00810/RMM). The runoff from this area would then drain to Basin 3 before discharging to the pumping station. This would provide mitigation that would result in a betterment of the indices noted.
- 9.11.15 The proposed Country Park car park would be classed as a Medium pollution hazard level for the same indices. As discussed above, flows from the car park would pass through a landscaped swale before reaching Basin 4. The combined mitigation indices for this level of treatment of the water also provides a betterment over the requirements. In addition to these features, the parking spaces of the car park are proposed as granular material with filter drains to collect runoff and Basin 4 includes a permanent pond. These additional features increase the treatment further.
- 9.11.16 The Environment Agency have been consulted on the application and raise concerns about the use of deep bore soakaways in respect of ground protection. They recommended that deep bore soakaways should only be proposed where a drainage and hydrogeological risk assessment shows this to be the only viable option and that any risks to groundwater will be adequately mitigated.

#### *Exceedance Events*

- 9.11.17 The surface water drainage proposals have been developed with exceedance events in mind. A site wide Overland Flow Plan has been submitted, which indicates the direction of surface water runoff in the event of a network exceedance event or blockage. The drainage modelling shows storms up to the 1 in 100 year plus 40% climate change storm event to establish mitigation of the risks of an exceedance event. This indicates no onsite flooding is expected. In the event of the pumping station failing, several mitigation measures are being proposed, including freeboard storage volumes, sluice valves to each attenuation basin and safeguards in the pumping station.
- 9.11.18 Each attenuation basin includes a minimum of 300mm freeboard above the proposed maximum storage volume. This provides a volume of emergency storage in the event the network is unable to drain down. The total emergency storage volume for the western

catchment equates to 19% of the total attenuation volume for the western catchment and for the eastern catchment it would be 33% for the total attenuation volume for the eastern catchment.

- 9.11.19 Independent Water Networks (IWNL), an independent water company who own and operate wastewater networks across the UK, are the proposed adopting authority of the pumping station. They have stated that if the pumping station fails, their typical response times are within 10 hours but not more than 24 hours. If the pumping station has failed, IWNL will have the ability to close the sluice gates positioned within the outfall chamber of each of the three attenuation basins which will close the outfalls and hold back the surface water. This would then make use of the emergency storage within each basin. IWNL would have control over the water level within each basin and can use this during the repair work of the pumping station.

#### *Foul Water Drainage Proposals*

- 9.11.20 The development's foul water drainage is to be a gravity piped network draining to the proposed pumping station in the southwest corner of the site. The eastern catchment which falls away from the central high point is proposed to drain back along the southern boundary. This has been questioned by the Council's Drainage consultants, not because it is unacceptable, but simply because the plans do not show where the water will go once it reaches this area. There are a couple of ways in which this run-off can be dealt with, it is simply a case of this information being provided. The foul water will be pumped via a rising main, to an existing Anglian Water sewer in North Road to the south of the development.

#### *Combined Pumping Station Proposals*

- 9.11.21 The proposed pumping station will provide a facility to house both the required surface water and foul water pumping stations. Foul and surface water will be kept separate within the facility with separate incoming gravity networks, wet wells, pumping chambers and rising mains leading to the existing Anglian Water networks within North Road to the south. The foul system requires an offline below ground storage tank to provide the required dry weather flow storage volume set out in Anglian Water guidance. The surface water pumps would discharge at a rate of up to 22.5 l/s as agreed with Anglian Water.
- 9.11.22 The foul water pumps would discharge at a rate agreed through the planning Section 106 agreement and also a Section 104 agreement which is made under the Water Industry Act 1991. The Drainage report confirms that telemetry would be installed on both pumping station elements which gives the future caretakers of the facility details on the equipment status via an internet link. This system would alert the proposed adopting authority IWNL immediately of any issues or pump failure to enable them to assess the situation and attend site as required.

#### *Drainage Consultant Comments*

- 9.11.23 The Council have employed an independent Drainage Consultant to assess and provide advice to the LPA due to the Lead Local Flood Authority (LLFA) still not providing responses in respect of flooding and drainage. The Council's consultants have assessed the proposals which have evolved following detailed negotiations with the applicant's consultants and taking account of the principles of the drainage proposals secured through the outline permission.
- 9.11.24 The Council's consultants have confirmed that nearly all elements proposed, and the detailed information submitted for this application and the discharge the conditions imposed on the outline permission relating to drainage is acceptable, subject to the below.
- 9.11.25 The inclusion of a site-wide catchment plan in the updated submission is welcomed. The plan goes some way to demonstrating that appropriate allowances for future phases of the development have been included when designing the infrastructure proposals, however, it falls short of meeting the expectations of a Design Code requested elsewhere.

- 9.11.26 A Design Code would set the design parameters which the residential phases would need to adhere to (such as maximum impermeable footprint areas that could be delivered for each phase before the proposed Infrastructure design would be inadequate), to demonstrate that as a whole, the proposals can achieve the requirements of Condition 34. This would then be used to support subsequent RMMs to demonstrate that the proposals are falling within the Design Code parameters. As it stands, and in isolation, the site-wide catchment plan does not yet achieve this intended purpose. In terms of the plan itself, it is requested that the pipe systems, phasing boundaries, and catchment boundaries (the boundary between Basins 1 - 3 and Basin 4 at least) are added to the site-wide catchment plan, to illustrate how each phase (and sub-catchment) is drained.
- 9.11.27 Informed by these additions to the plan, it has been requested that the report includes a table which summarises the percentage of impermeable area summary for each phase-sub-catchment. The benefit of this is to provide the limiting parameters against which the residential RMMs can be measured. It is envisaged that such an approach will be sufficient to allow rapid review and approval of the subsequent RMM applications, without need for detailed review of the modelling each time. This applies to all phases, so those for which RMMs are also currently being applied for, as well as future phases.
- 9.11.28 Finally, it has been requested that the report includes a section explaining the Design Code, including the principals and parameters, making reference to the plan to support the explanation. This section could include a commentary as to how and why the PIMP assumptions taken for each plot are sufficiently conservative compared to anticipated PIMPs for the final RMM layouts. Until the details have been provided, this element has not been complied with. Resolution of this is required before we can approve the RMMs.
- 9.11.29 In addition to the above, it is also noted that a number of exceedance flow pathways simply end, without any indication as to where the water would go beyond this, or how the water would be managed to avoid flooding. This is particularly of concern along the southern boundary of the site, where a flood risk to existing adjacent properties to the south could result (but also at all of the Low Points (LP) indicated throughout the Overland Flow Route Plan). There are a number of options to mitigate this, but it has been advised that mitigation would be provided within the residential parcels (within Phase 1A-C application footprint), through double or triple gulleys. Reassurance needs to be given that suitable mitigation can be delivered as part of those applications without the need for amendment to the infrastructure layout proposals.
- 9.11.30 This information has been provided by the applicant's consultants and is being assessed by the Council's consultants. Confirmation of its acceptability will be updated at the committee meeting.

## **9.12 Trees, Landscaping and Biodiversity**

- 9.12.1 Paragraph 174 of the NPPF (2021) states that planning policies and decisions should contribute to and enhance the natural and local environment by:
- a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
  - b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;
  - c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;

d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;

- 9.12.2 Policy SP12: Green Infrastructure and the Natural Environment seeks to protect and enhance green infrastructure and the natural environment in Stevenage. The policy requires new development to include multi-functional green space as an integral part of its design and would permit the creation of other new open spaces.
- 9.12.3 Paragraph 131 of the NPPF states that 'Trees make an important contribution to the character and quality of urban environments and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible.'
- 9.12.4 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. Furthermore, criteria n) of Policy HO3 states that the scheme for the development of the North of Stevenage allocated site shall incorporate a network of green infrastructure, with an emphasis on high quality landscaping within and around the development to reduce the impact of the development on the surrounding greenfield / Green Belt land.
- 9.12.5 The proposed development includes a significant level of new green spaces which will be available to the public and within which biodiversity and ecology will be enhanced. It also proposes a much-enhanced landscape included a large planting schedule of trees and shrubs throughout the site, but more intensively along the eastern boundary of parcel 1D and the Country Park.
- 9.12.6 The site as a whole will provide the 38-hectare Country Park, of landscaped open space, planted to create smaller, hedged hay meadows with improved public access. However, this key element is being considered under its own reserved matters application 22/00781/RMM, and therefore the infrastructure RMM being considered here does not make assessment of the Country Park.
- 9.12.7 In terms of existing trees and hedges, the vast majority of trees and hedging are proposed to be retained within the development. The exception to this would be the loss of hedging fronting North Road which will accommodate the proposed new access points and the necessary visibility splays as agreed through the outline application. However, this vegetation will be replaced with a native tree and shrub mix in order to provide an appropriate framing of the entrance points whilst respecting the visibility splays associated with the new junction arrangements. This new boundary of planting also provides a sympathetic screen to the drainage basin and built development of the Local Centre area beyond.
- 9.12.8 There is a large tree belt running through and along the northern boundary of the site. The proposals do show some access points being created, and it is anticipated more will come forward as part of the Phase 2 residential parcels, in particular to the east of Phase 2. These access points would allow pedestrian and bicycle connections to NS1 the adjoining allocated site in North Hertfordshire. Whilst this would require the loss of some areas of this tree belt, the additional planting being proposed is considered acceptable to mitigate this loss. Furthermore, the public benefit of the two sites being connected far outweighs the loss of the trees proposed at these points.
- 9.12.9 The substantive additional planting proposed along the eastern boundary of parcel 1D would see the planting of a native tree and shrub belt. This would be supplemented by an enhancement of the existing hedgerow that sits to the east of the proposed belt, immediately

adjacent the Country Park. The combination of these planting proposals will effectively visually integrate this edge of the proposed housing into the receiving landscape over time.

- 9.12.10 Continuing along the eastern boundary of the developed land area, the dense native tree and shrub planting would extend northwards of Parcel D's boundary, providing a screen of the central green corridor from views across the proposed Country Park. Furthermore, the eastern and north eastern boundary of Phase 2 with the NS1 site incorporates similar planting schedules to provide a substantial green screen between the two allocated sites. Initial informal meetings with NHDC and their consultants has proposed the scaling back of this screening in anticipation that the houses of both sites could face onto each other, rather than creating a divide between the two sites.
- 9.12.11 This was received openly by SBC and Bellway and Miller, the developers of HO3. At this time the proposed layout of Phase 2, but in particular the eastern area of this Phase is not 100% confirmed and subject to on-going negotiations. Furthermore, whilst NS1 is an allocated site in the recently adopted Local Plan of NHDC, the neighbouring site is not subject to a planning application detailing its layout to this extent and therefore designs proposed for HO3 are not reflective of this type of layout. It is not considered this should prevent the LPA from determining the application. Also, it is considered possible for the future Phase 2 RMM's to cover this element, with a potential amendment being made to this RMM if required.
- 9.12.12 The central green corridor runs the full length of the western developed portion of the site. The area is contained under the existing southern overhead power lines, which are being retained. As such, use of the land beneath the lines is restricted to ensure the safe operation of the lines going forward. The proposals have had full regard for UK Power Networks height and swing parameters.
- 9.12.13 The area starts at the western most point of the site, adjacent to North Road. The green space here provides Basin 3 of the SuDS proposals, with planting along the site boundary with North Road and then pockets of native shrub mixes proposed at the north western edge and north eastern immediately south of the grounding tower compound. There are several trees to the north west and north east of the basin, with the rest of the area laid to grass around the basin. A circular footpath is proposed around the perimeter of the basin which heads east at the south eastern corner of this green space. The footpath as it heads towards the spine road would be planted with a perennial mix.
- 9.12.14 A raised platform provides level access across the local centre spur road and towards the main west to east green corridor. The provision of basins 1 and 2 are spaced out towards the western and eastern ends of the corridor with an existing pylon sitting between the two basins just east of basin 2. Perimeter footpaths are proposed around this section of the corridor link, following the length of the SuDS basins. A north/south connection is provided between the two basins just east of the pylon. The space would have large areas of native shrub mix, as well as borders of evergreen groundcover closer to the basins. Mown grass areas are interspersed along the corridor. The perennial mix is proposed along the frontage of the corridor with the spine road to the south, and at the western footpath entrance into the corridor. The provision of the basins in this green corridor will enhance the biodiversity and ecology in this area, along with the varied planting schedule.
- 9.12.15 The green corridor continues to the east of the spine road, with another raised crossing allowing level access from the central section to the eastern area, which also flows into the Country Park. This area provides a much larger green open space as it extends slightly to the north also. The whole green corridor from west to east makes provision for a 3.5m wide shared surface for pedestrians and cyclists. This path meanders slightly through the eastern section of the corridor, from which there are narrower pedestrian routes which create a more curvature path through the landscaping.

- 9.12.16 The landscaping itself has larger areas of mown grass, with areas of native shrub, evergreen ground cover and perennial mix cover. The denser evergreen cover is proposed closer to the boundary of Phase D which is directly south of this area. The perennial mix surrounds the proposed LAP area which sits just north of Phase D and incorporates seating areas also. The planting beyond this and towards the north of the space is more predominantly the native mix, with an orchard area proposed to the north west corner of the area.
- 9.12.17 There are two circular footpath features proposed which would provide areas for seating along the route, as well as a couple of benches proposed along the main shared surface route towards the entrance to the Country Park at the far east of the corridor. The length of the corridor sited underneath the existing powerlines is considered to create a high-quality green space given the constraints of the lines on the site.
- 9.12.18 Extending off the main green corridor are two north to south branches of green link offering access to pedestrians and cyclists from the main spine road to the southern PROW, and in the case of the western link access on to Underwood Road. These areas propose a variety of shrub and tree planting, creating pleasant green spaces which break up the built form of the dwellings in parcels 1A, B and D. The western link proposes another LAP for the site, and there is pedestrian access off these links into the respective residential roads abutting the links. Furthermore, there are smaller green links to the east of parcel D which allow access from the residential road into the Country Park. These include similar landscaping and punch through small areas within the dense tree and shrub belt proposed.
- 9.12.19 Lastly in terms of the proposed landscaping for the non-residential areas of the site, additional tree planting is proposed along the south of the site and adjacent the PROW. This would provide additional green screening between the proposed dwellings and the existing tree and hedge screen to the south of the PROW and the existing dwellings off Granby Road, Underwood Road, Chouler Gardens, The Brambles, Thurlow Close and Arnold Close.
- 9.12.20 The Council's Green Spaces Officer has provided comments (in association with the Tree Manager) on the proposed landscaping plans, which are considered good. Suggestions have been made for a change to some of the mix of shrubs and trees proposed to prevent dropping of fruit on footways, and where some species are known to be invasive and can engulf an area. These comments have been taken on board and appropriate changes have been proposed to the planting schedule.
- 9.12.21 The acceptability of developing this allocated site has already been established through the outline permission. At the time of assessment, the outline application took account of the impact of the development on Biodiversity and in particular the net gain. Therefore, this element has not been reassessed as part of this infrastructure RM. Herts and Middlesex Wildlife Trust have been consulted on the different RM applications currently being considered, and whilst comments have been provided in respect of the Country Park and residential phases, no comments have been made for this application.
- 9.12.22 It is acknowledged that there will be temporary effects on both the landscape character and visual amenity during the construction phase of the project, in respect of initial works, the creation of the drainage proposals, landscaping planting and the built form. However, the development will include significant benefits, in particular the grounding of the northern electricity pylons and cables within the proposed built footprint of the development which will result in beneficial landscape and visual effects within this part of the site.
- 9.12.23 It is proposed that the planting of the various landscape features within the new Country Park area of the site and those along the most northerly boundary of the site will take place in advance of the construction of the houses within the eastern and northern parts of the site. This will allow these areas of planting to begin to become established by the time that the construction of the houses is complete within these parts of the site.

9.12.24 In conclusion, having regard to the above, the level and quality of green open space and landscaping, including tree and shrub planting is considered high and meets the aspirations of the NPPF and Local Policy. The proposals would bring about significant biodiversity benefits by the creation of numerous habitat areas, including the SuDS drainage areas.

## **9.13 Other Matters**

### Sustainable construction and climate change

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

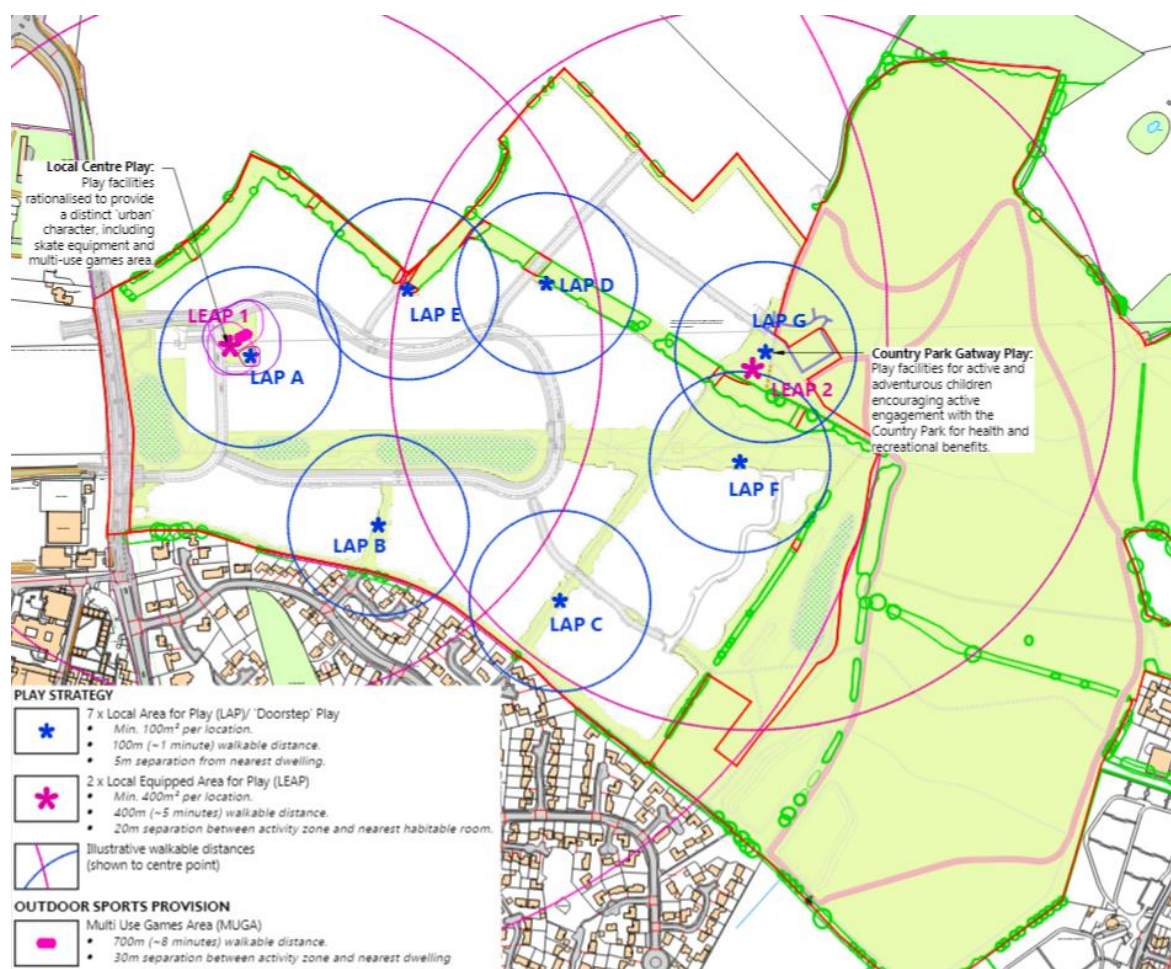
- Ways to ensure development is resilient to likely variations in temperature;
- Reducing water consumption to no more than 110 litres per person per day, including external water use;
- Improving energy performance of buildings;
- Reducing energy consumption through efficiency measures;
- Using or producing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

9.13.2 Taking the aforementioned into account, the proposed drainage design incorporates a good use of SuDS to reduce flood risk across the site and in the immediate area. The highway and landscaping proposals do not meet the points above because of their function. Therefore, it is considered the infrastructure proposed is acceptable having regard to this policy.

### Provision of play space

9.13.3 The proposed infrastructure includes the provision of several play areas within the developed area of the site. This provision includes –

- Local centre Local Equipped Area for Play (LEAP), Local Area of Play (LAP), Multi Use Games Area and Skate park;
- Country Park entrance LEAP and LAP;
- Central Green Corridor LAP;
- Secondary green link LAP (x2) in Phase 1;
- Phase 2 LAP x2.



- 9.13.4 Policy HO3 notes at criteria j) that a skate park or MUGA for children should be provided. Both of these features are proposed at the local centre play area, which is sited to the north east of the spur connection road and would be immediately west of the proposed primary school site. It is envisaged that the LEAP and LAP play areas in this location would be a more traditional equipped area, with the MUGA and skate park separated by footpaths and enclosures. Provision would be made to ensure the play areas are inclusive to children with a variety of special needs and disabilities.
- 9.13.5 The second LEAP proposed near the entrance to the Country Park, east of the developed area of the site, would be a more adventurous area, allowing children to engage in a more natural play provision with potential role playing from natural landscape forms such as boulders, small hills, etc. It is envisaged any equipment here would be natural materials such as wood or similar appearance, to be in-keeping with the setting of the Country Park. This area would also incorporate a smaller LAP area also. Provision would be made to ensure the play areas are inclusive to children with a variety of special needs and disabilities.
- 9.13.6 Throughout the rest of the site there would be five other LAP areas, all within close proximity of the residential parcels, and providing playful spaces encouraging interaction with nature and sensory and developmental play experiences. These areas are aimed at younger children and would be inclusive to children with a variety of special needs and disabilities.
- 9.13.7 Details of the proposed equipment at each area has not been provided and it is envisaged that a condition be imposed to seek specific details for each site, to be agreed with input from the Council's Parks and Amenities Team.

Equality, Diversity and Human Rights

- 9.13.8 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.
- 9.13.9 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.
- 9.13.10 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.
- 9.13.11 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.
- 9.13.12 In terms of inclusive access, looking only at highways, landscaping and play provision, the proposals make allowance for level crossing at highway intersections, level access across all open spaces, with good provision of seating within. Furthermore, the Design and Access Statement advises the play areas will be inclusive and this can be ensured when the play equipment details are agreed through a discharge of condition application in consultation with the Council's Parks and Amenities Team.

#### Impact on Archaeological Remains

- 9.13.13 The NPPF paragraph 128 states that "*In determining applications...Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation*".
- 9.13.14 Paragraph 129 notes that "*Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal*".
- 9.13.15 The impact of the proposed development of the HO3 allocated site of North of Stevenage was assessed as part of the outline application process and the decision notice issued included the imposition of conditions relating to archaeology in accordance with comments received by the Hertfordshire County Council Archaeological Team at the time. As such, matters pertaining to archaeology will be adequately picked up as part of the respective discharge of condition applications as and when they are submitted to the LPA.

#### Air Quality

- 9.13.16 Similarly to the above, the impact of the proposed development of the site on air quality was assessed as part of the outline application, through the Air Quality Assessment and cumulative impact assessment in respect of the effects of both construction and operation of the proposed development on the application site and surrounding area. The impact was

deemed minimal by the Council's Environmental Health Team and thus no further study of this is deemed necessary for the consideration of the infrastructure for the site.

## **10. PLANNING BALANCE AND CONCLUSIONS**

- 10.1 In summary, the proposed infrastructure proposals that include the main highways network of the primary spine and spur road connections, pedestrian and cycle connections, drainage proposals, green open spaces, green links, and landscaping, and play areas is considered acceptable. The scheme has undergone some revisions to take account of initial comments from statutory consultees and these changes are considered to have enhanced the scheme further.
- 10.2 The scheme proposes an initial highway network which meets the requirements of the local highways authority, including shared surface foot and cycle ways, and improved walking and cycling connections both west/east and north/south across the site.
- 10.3 Turning to the impact on the heritage assets St Nicholas and Rectory Lane Conservation Area, and nearby listed buildings, due regard has been given to Sections 66 and 72 of the Listed Building Act 1990 in terms of considering whether to grant planning permission for development which affects the setting of the conservation area and listed buildings, where special regard, with respect to this application, is given to the desirability of preserving the settings which they possess. As set out in section 9.6 of this report, it has been demonstrated that the development would cause, at the lower end of the scale, less than substantial harm to the setting of the conservation area and to a lesser degree the settings of the listed buildings. Consequently, regard must be given to paragraph 202 of the NPPF which stipulates that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. These public benefits are considered in section 9.6 of the report and in further detail below as part of the Planning Balance exercise.
- 10.4 Taking the above harm into consideration, the proposal does have a number of a planning benefits which weigh in the schemes favour. The infrastructure proposed would allow an allocated site with outline permission approved to come forward. The provision of SuDS drainage proposals would better current drainage systems in place on site in terms of flows to water outlets and brooks, and the additional water features would be a benefit to biodiversity and ecology on site.
- 10.5 The highways proposals would enhance the walking and cycling connections in this northern area of the town in accordance with the local highway authorities' aspirations, in particular connections to and from North Road, Underwood Road and into the Country Park which would provide further connections to Weston Road and Great Ashby Way. The scheme would also maintain the existing well used PROW's along and through the site. The proposals would also allow for cross boundary connections to the newly adopted NS1 site in North Hertfordshire. The proposals would also allow for a bus service within the site and into NS1 as appropriate.
- 10.6 Furthermore, the proposed level of useable and accessible green open space, along with the substantial additional landscaping, tree and shrub planting will bring numerous benefits to the development. The central green corridor in particular is considered a high-quality benefit of the development, for existing and future residents, and also local wildlife, in accordance with aspirations set out in the NPPF and Local Plan.

- 10.7 Therefore, it has to be concluded that the benefits the development would bring as a whole would be substantial. The proposals are considered to meet the requirements of the relevant local plan policies, especially HO3 specifically, but more broadly in terms of design and quality also.
- 10.8 Further to the above, it has been demonstrated that whilst the development would cause, at the lower end of the scale, less than substantial harm to the setting of the St Nicholas and Rectory Lane Conservation Area and nearby listed buildings, the substantial benefits the development would bring would outweigh the harm that is caused.
- 10.9 Turning to design, the proposed infrastructure alone follows the approved Masterplan of the outline permission and ensures compliance with aspects required by the local highway authority. The open spaces and landscaping have taken opportunity from constraints on site to provide good levels of accessible spaces for residents, with impressive landscaping proposed to reinforce those areas.
- 10.10 In terms of the amenity of future residents, the infrastructure has been carefully designed to ensure that there would be an acceptable living environment throughout the development. With regards to the impact of the development on the amenity of existing residents, it can be demonstrated that the development would not have a detrimental impact on the residential properties along Granby Road, Underwood Road, Chouler Gardens, The Brambles, Thurlow Close and Arnold Close. Additional landscaping is proposed along the southern PROW and whilst the proposed new access route from the site to Underwood Road has raised concerns, the benefit of this north/south connection is considered to outweigh the disruption of the connection being more greatly used. In this regard, there are not sufficient grounds to warrant refusal of this application in this instance.
- 10.11 In summary, the infrastructure required for the outline approved development of the site is reflective of the masterplan, well laid out and connected to the surrounding areas in a manner supported by the local highway authority. The identified less than substantial harm to the setting of the conservation area and nearby listed buildings are outweighed by the benefits as detailed above. Therefore, there are sufficient material considerations, subject to conditions that planning permission should be granted in this instance.

## **11. RECOMMENDATIONS**

- 11.1 That Reserved Matters planning permission be GRANTED subject to the following :-
- 11.2 The imposition of suitable conditions, with authority given to the Assistant Director of Planning and Regulation in consultation with the Chair of Planning Committee, to amend or add to the suggested draft conditions set out in this report, prior to the decision notice being issued, where such amendments or additions would be legally sound and most effectively deliver the development that the Planning Committee has resolved to approve. These suggested conditions are as follows:-
1. The development hereby permitted shall be carried out in accordance with the following approved plans:  
 BM1-NPA-I-OS-DR-L-3008-A-C07; BM1-NPA-I-OS-DR-L-3007-A-C07; BM1-NPA-I-OS-DR-L-3006-A-C07; BM1-NPA-I-OS-DR-L-3005-A-C07; BM1-NPA-I-OS-DR-L-3004-A-C07; BM1-NPA-I-OS-DR-L-3003-A-C07; BM1-NPA-I-OS-DR-L-3002-A-C07; BM1-NPA-I-OS-DR-L-3001-A-C07; BM1-NPA-I-OS-DR-L-3000-A-C07; BM1-NPA-I-OS-DR-L-2012-A-C04; BM1-NPA-I-OS-DR-L-4301-A-C03; BM1-NPA-I-OS-DR-L-4302-A-C03; BM1-NPA-I-OS-DR-L-4303-A-C03; BM1-NPA-I-OS-DR-L-4304-A-C03; BM1-NPA-I-OS-DR-L-4305-A-C03; BM1-

NPA-I-OS-DR-L-4306-A-C03; BM1-NPA-I-OS-DR-L-4307-A-C03; BM1-NPA-I-OS-DR-L-5301-A-C03; BM1-NPA-I-OS-DR-L-5302-A-C03; BM1-NPA-I-OS-DR-L-5303-A-C03; BM1-NPA-I-OS-DR-L-5304-A-C03; BM1-NPA-I-OS-DR-L-5305-A-C03; BM1-NPA-I-OS-DR-L-5306-A-C03; BM1-NPA-I-OS-DR-L-5307-A-C03; BM1-NPA-I-OS-DR-L-5308; BM1-NPA-I-OS-DR-L-5309-A-C02; BM1-NPA-I-OS-DR-L-5310-A-C02; BM1-NPA-I-OS-DR-L-7405-A-C03; BM1-NPA-I-OS-DR-L-7500-A-C04; BM1-NPA-I-OS-DR-L-7501-A-C04; BM1-NPA-I-OS-DR-L-7502-A-C02; BM1-NPA-I-OS-DR-L-7503-A-C04; BM1-NPA-I-OS-DR-L-7504-A-C05; BM1-NPA-I-OS-DR-L-7505-A-C03; BM1-NPA-V1-OS-DR-L-7100-A-C03; BM1-NPA-V1-OS-DR-L-7400-A-C03; BM1-NPA-V1-OS-DR-L-7401-A-C03; BM1-NPA-V1-OS-DR-L-7301-A-C02; BM1-OC-V1-ZZ-DR-C-0042-P08; BM1-OC-RMA-XX-DR-C-2000-R11; BM1-OC-RMA-XX-DR-C-2001-R14; BM1-OC-RMA-XX-DR-C-2002-R14; BM1-OC-RMA-XX-DR-C-2004-R07; BM1-OC-RMA-XX-DR-C-2005-R08; BM1-OC-RMA-XX-DR-C-2006-R07; BM1-OC-RMA-XX-DR-C-2008-R09; BM1-OC-RMA-XX-DR-C-2009-R09; BM1-OC-RMA-XX-DR-C-2010-R08; BM1-OC-RMA-XX-DR-C-2012-R06; BM1-OC-RMA-XX-DR-C-2013-R04; BM1-OC-RMA-XX-DR-C-2014-R04; BM1-OC-RMA-XX-DR-C-2015-R04; BM1-OC-RMA-XX-DR-C-2016-R04; BM1-OC-RMA-XX-DR-C-2017-R04; BM1-OC-RMA-XX-DR-C-2018-R04; BM1-OC-RMA-XX-DR-C-2019-R05; BM1-OC-RMA-XX-DR-C-2020-R05; BM1-OC-RMA-XX-DR-C-2021-R05; BM1-OC-RMA-XX-DR-C-2022-R05; BM1-OC-RMA-XX-DR-C-2023-R05; BM1-OC-RMA-XX-DR-C-2024-R06; BM1-OC-RMA-XX-DR-C-2025-R06; BM1-OC-RMA-XX-DR-C-2026-R03; BM1-OC-RMA-XX-DR-C-2028-R02; BM1-OC-RMA-XX-DR-C-2029-R02; BM1-OC-RMA-XX-DR-C-2030-R02; BM1-OC-RMA-XX-DR-C-2031-R02; BM1-OC-RMA-XX-DR-C-2032-R02; BM1-OC-RMA-XX-DR-C-2033-R02; BM1-OC-RMA-XX-DR-C-2034-R02; BM1-OC-RMA-XX-DR-C-2036-R03; P1708.SRL.0004-F; BM1-OC-RMA-XX-DR-C-2035-R01; BM1-OC-RMA-XX-DR-C-2039; BM1-OC-RMA-XX-DR-C-2040; 302438 R01(01);

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

2. Prior to first occupation/use of any identified phase contained within the outline permission parameter plans and subsequent reserved matters applications details of the proposed play areas equipment shall be submitted to and approved in writing by the Local Planning Authority. The details shall include but not be limited to, the character of each area i.e. local centre or Country Park entrance; equipment proposed including for inclusive play, landscaping to be used for play and role play, signage within/at the areas, hardstand materials for each area in particular the MUGA and skate park. Once approved the play areas shall be constructed at a time cohesively working with the respective phase in which they are proposed such that they can be made available for residents of the development as each phase comes forward.

**REASON:-** To ensure adequate provision of play equipment and inclusive play is proposed in each LEAP, LAP, MUGA and skate park proposing a mixed play availability for ages and disabilities.

3. Prior to first occupation/use of any identified phase contained within the outline permission parameter plans, details of signage associated with the proposed horse mounting block and RoW wayfaring signs shall be submitted to and approved in writing by the Local Planning Authority. The signs shall be erected in accordance with the approved plans prior to first occupation of said phases of the development site.

**REASON:-** To ensure the new facilities proposed along the existing PROW routes maintained throughout the site are legible and informal for users.

4. Prior to first occupation/use of any identified phase contained within the outline permission parameter plans, details of the proposed benches and bins identified within all open spaces and green links shall be submitted to and agreed in writing by the Local planning Authority. The development shall thereafter be carried out in accordance with the approved details.

**REASON:-** To ensure they have an acceptable appearance and positively benefit the high quality of the development.

5. Prior to commencement of any works relating to the provision of residential phases as identified on the outline permission parameter plans or their respective approved reserved matters application(s) a landscape planting timeframe document shall be submitted to and approved in writing by the Local Planning Authority. This document shall detail the sequence of each area/location of planting as hereby approved. The works shall thereafter be constructed in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.  
**REASON:-** In the interests of visual amenity, ensuring the landscaping is utilised to provide appropriate screening/buffers between the proposed Country Park area and developed land to the west whilst works to undertake the development are underway.
6. Prior to commencement of any works relating to the provision of drainage features hereby approved, a Drainage Timeframe Strategy shall be submitted to and approved in writing by the Local Planning Authority. The Strategy will identify the works to be carried out, their sequence of construction and an indication of timeframes for each stage. The works shall thereafter be constructed in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.  
**REASON:-** In the interests of visual amenity and to reduce the impact of the drainage works on the identified Heritage Assets by understanding the extent and timings of the works in the land to the east shown as the proposed Country Park.
7. The development hereby permitted shall be carried out in accordance with the soft and hard landscaping details submitted, unless otherwise approved in writing by the Local Planning Authority.  
**REASON:-** To ensure a satisfactory appearance for the development.
8. All planting, seeding, and turfing comprised in the approved landscaping details as agreed under condition 7 of this approval shall be carried out in the first planting and seeding seasons following the first occupation of the development hereby permitted or, the completion of the approved development whichever is the sooner.  
**REASON:-** To ensure a satisfactory appearance for the development.
9. All hard surfacing comprised in the approved landscaping details as specified in condition 7 of this approval shall be carried out prior to first occupation of the development hereby permitted or, the completion of the approved development, whichever is the sooner.  
**REASON:-** To ensure a satisfactory appearance for the development.
10. 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.
11. No tree shown on the 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.
12. All areas of hedges, scrub, or similar vegetation where birds may nest which are to be removed as part of the development within each phase(s), are to be cleared outside the bird-nesting season (March - August inclusive) or if clearance during the bird-nesting season cannot reasonably be avoided, a suitably qualified ecologist will check the areas to be removed immediately prior to clearance and advise whether nesting birds are present. If active nests are recorded, no vegetation clearance or other works that may disturb active nests shall proceed until all young have fledged the nest.

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

13. Before any development commences, (including any site clearance or demolition works, (but excluding work on the site access(es)) trees on the site shall be protected by fencing or other means of enclosure in accordance with a detailed scheme submitted to and approved in writing by the Local Planning Authority. Such protection as may be agreed shall be inspected and approved by the Local Planning Authority prior to the commencement of the work and maintained until the conclusion of all site and building operations.

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

### **Pro-active Statement**

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

### **INFORMATIVES**

#### **1 Hertfordshire Highways**

AN1) Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047.

AN2) Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> telephoning 0300 1234047.

AN3) Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047.

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

associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website

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

AN5) Constructions standards for works within the highway. The application is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highways Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The requirement as part of the offsite s278 works is to provide:

- Access works;
- Provision of two pedestrian crossing facilities in Maxwell Road;
- Resurfacing of the existing footway along the site's northern boundary;
- Provision of a new footway between the two new pedestrian crossing facilities;
- Provision of two new shared pedestrian/cycle links from the site to the cycle track to the south;
- Cavendish Road bus stop improvements: provision of Kassel kerbing, bus shelter, bench;
- Connect the existing two off road cycle facilities across Maxwell Road;
- Improve pedestrian access to Cavendish Road bus stop by resurfacing the provision of dropped kerbs and tactiles; and
- 'Keep Clear' markings on the Maxwell Road / Gunnels Wood Road junction.

The details should be included as part of the s278 drawing as part of the required highway work in conjunction with the development. The construction of such works must be undertaken to the satisfaction and specification of the Highways Authority, and, by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements.

## 2 **Thames Water**

With regards to surface water drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water, we would have no objection. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required.

## 12. **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 January 2023, the impact of Development on Biodiversity adopted March 2021, Stevenage Borough Council Developer Contributions adopted March 2021.
3. Stevenage Borough Local Plan 2011-2031 adopted 2019.
4. Hertfordshire County Council's Local Transport Plan 4 adopted May 2018.

5. Responses to consultations with statutory undertakers and other interested parties referred to in this report.
6. Central Government advice contained in the National Planning Policy Framework July 2021 and Planning Policy Guidance.

This page is intentionally left blank

---

<b>Meeting:</b>	<b>Planning and Development Committee</b>	<b>Agenda Item:</b>
<b>Date:</b>	<b>9 February 2023</b>	
<b>Author:</b>	<b>Rebecca Elliott</b>	
<b>Lead Officer:</b>	<b>Zayd Al-Jawad</b>	
<b>Contact Officer:</b>	<b>Rebecca Elliott</b>	

Application No:	22/00810/RMM
Location:	Land to the North of Stevenage, off North Road and Weston Road, Stevenage.
Proposal:	Application for approval of reserved matters (layout, landscaping, scale, and appearance) for residential development of 243 units comprising Phase 1 Parcels A-C and commercial unit (Use Class E) pursuant to Outline permission 17/00862/OPM

Drawing Nos.:

P1708.HA.102; P1708.HA.105; P1708.HP.101; P1708.HP.102;  
P1708.HP.103; P1708.HU.101; P1708.HU.102A; P1708.HU.103;  
P1708.HU.104; P1708.LA.101; P1708.LA.102; P1708.LO.101A;  
P1708.LO.102; P1708.LO.103; P1708.M2.101; P1708.M2.102A;  
P1708.M2.103; P1708.M2A.101; P1708.M3.101; P1708.M3.102;  
P1708.M4.101; P1708.M4.102A; P1708.M4.103; P1708.M4.104;  
P1708.M4A.101; P1708.M4A.102; P1708.PG.101; P1708.PG.102;  
P1708.PH.101; P1708.PH.102; P1708.PS.101; P1708.PS.102A;  
P1708.PS.103; P1708.PS.104A; P1708.PS.105; P1708.PS.106;  
P1708.RE.101; P1708.RE.102; P1708.RE.103; P1708.RE.104;  
P1708.SA.102; P1708.SC.101; P1708.SC.102; P1708.SC.103;  
P1708.SC.104; P1708.SUB.101; P1708.TH.102A; P1708.TH.103;  
P1708.TH.104; P1708.TH.105; P1708.TH.106; P1708.TH.109;  
P1708.TH.110; P1708.WB.101; P1708.WB.102; P1708.WB.103;  
P1708.WB.104; P1708.BSA.01G; P1708.MSA.01E; BM1-NPA-V1-0S-DR-  
L-7510-A-C01; BM1-NPA-V1-0S-DR-L-7511-A-C01; BM1-NPA-V1-0S-  
DR-L-7512-A-C01; BM1-NPA-V1-1a-DR-L-5210-A-C02; BM1-NPA-V1-  
1abc-DR-Y-3200-A-C01 A3; P1708.18; P1708.AN.101A; P1708.B2A.101;  
P1708.AN1.101B; P1708.B2.101; P1708.B2.102; P1708.B2A.102;  
P1708.B3A.101; P1708.B3A.102; P1708.B3B.101; P1708.B3B.102;  
P1708.B4.101; P1708.B4.102A; P1708.BC.101; P1708.BC.102;  
P1708.BC.103; P1708.BC.104; P1708.BC.105; P1708.BLK1.103 - Rev A;  
P1708.BLK1.104 - Rev A; P1708.BLK2.101; P1708.BLK2.102;  
P1708.BLK2.103; P1708.BLK2.104; P1708.BLK2.105.; P1708.BLK2.106;  
P1708.BLK2.107; P1708.BLK2.108; P1708.BLK3.101; P1708.BLK3.102;  
P1708.BLK3.103; P1708.BLK3.104; P1708.BLK3.105; P1708.BLK3.106;  
P1708.BLK3.107; P1708.BLK3.108; P1708.BLK4.101; P1708.BLK4.102;  
P1708.BLK4.103; P1708.BLK4.104; P1708.BLK4.105; P1708.BLK4.106;  
P1708.BLK4.107; P1708.BLK4.108; P1708.BLK5.104; P1708.BLK6.104;  
P1708.BLK7.101; P1708.BLK7.102; P1708.BLK7.103; P1708.BLK7.104;  
P1708.BLK7.107; P1708.BLK7.105; P1708.BLK7.106; P1708.BLK7.108;  
P1708.BM.101; P1708.BM.102; P1708.BM.103; P1708.BM.104;  
P1708.BR.101A; P1708.BR.102B; P1708.CA.101A; P1708.CA.102B;  
P1708.CA.103; P1708.CA.105A; P1708.CH.101; P1708.CH.102;  
P1708.CO.102; P1708.CO.103; P1708.GAR.101; P1708.GAR.102;  
P1708.GAR.103; P1708.GAR.105; P1708.GAR.106; P1708.GAR.107;  
P1708.GAR.108; P1708.GR.101; P1708.GR.102; P1708.HA.101A;  
P1708.SRL.0006-C; P1708.BLK1.101 - Rev C; P1708.BLK1.102 - Rev C;  
P1708.BLK1.105 - Rev C; P1708.BLK1.106 - Rev B; P1708.BLK5.101A;  
P1708.BLK5.102A; P1708.BLK5.103A; P1708.BLK5.105A;  
P1708.BLK5.106A; P1708.BLK5.107A; P1708.BLK5.108A;  
P1708.BLK6.101A; P1708.BLK6.102A; P1708.BLK6.103A;  
P1708.BLK6.105A; P1708.BLK6.106A; P1708.BLK6.107A;  
P1708.BLK6.108A; P1708.CO.101A; P1708.MA.101A; P1708.MA.102A;  
P1708.MA.103A; P1708.MA.104A; P1708.MA.105A; P1708.MA.106A;  
P1708.PG.103A; P1708.PG.104A; P1708.SA.101A; P1708.SS.101D;  
P1708.SS.102C; P1708.SS.103C; P1708.SS.104B; P1708.SS.105C;  
P1708.01R; P1708.02K; P1708.12K; P1708.13J; P1708.14J; P1708.15K;  
P1708.16J; P1708.17J; BM1-OC-RMA-1E-DR-C-5400 -R02; BM1-OC-  
RMA-1E-DR-C-54001-R02; BM1-OC-RMA-1E-DR-C-5402-R02; BM1-  
OCRMA-1E-DR-C-5403-R02; BM1-NPA-V1-ZZ-DR-L-5200-A-C02; BM1-  
NPA-V1-ZZ-DR-L-5201-A-C02; BM1-NPA-V1-ZZ-DR-L-5202-A-C02;  
BM1-NPA-V1-ZZ-DR-L-5203-A-C02; BM1-NPAV1-1a-DR-L-5215-S1-C01;  
BM1-NPA-V1-1a-DR-L-5216-S1-C02; BM1-NPA-V1-1a-DR-L-5217-S1-  
C02; BM1-NPA-V1-1b-DR-L-5220-S1-C02; BM1-NPA-V1-1b-DR-L-5221-  
S1-C02; BM1-NPA-V1-1b-DR-L-5222-S1-C02; BM1-NPA-V1-1b-DR-L-  
5223-S1-C02; BM1-NPA-V1-1b-DR-L-5224-S1-C02; BM1-NPA-V1-1c-M2-  
L-5205-S0-C01; BM1-NPA-V1-1c-M2-L-5206-S0-C01; BM1-NPA-V1-1c-  
M2-L-5207-S0-C01; BM1-OC-RMA-1A-DR-C-5100 - R02; BM1-OCRMA-  
1A-DR-C-5101 - R02; BM1-OC-RMA-1A-DR-C-5102 - R02; BM1-OC-  
RMA-1A-DR-C-5103 - R03; BM1-OC-RMA-1A-DR-C-5104 - R03; BM1-  
OC-RMA-1A-DR-C-5105 - R05; BM1-OC-RMA-1A-DR-C-5106 - R03;  
BM1-OC-RMA-1A-DR-C-5107 - R03; BM1-OC-RMA-1A-DR-C-5108 -

R03; BM1-OC-RMA-1A-DR-C-5109 - R02; BM1-OC-RMA-1A-DR-C-5110 - R02; BM1-OC-RMA-1A-DR-C-5111 - R02; BM1-OC-RMA-1A-DR-C-5112 - R03; BM1-OC-RMA-1A-DR-C-5113 - R03; BM1-OC-RMA-1A-DR-C-5114 - R03; BM1-OC-RMA-1A-DR-C-5115 - R02; BM1-OC-RMA-1A-DR-C-5116 - R02; BM1-OC-RMA-1A-DR-C-5117 - R02; BM1-OC-RMA-1C-DR-C-5200 - R04; BM1-OC-RMA-1C-DR-C-5201 - R02; BM1-OC-RMA-1C-DR-C-5202 - R02; BM1-OC-RMA-1C-DR-C-5203 - R02; BM1-OC-RMA-1C-DR-C-5204 - R02; BM1-OC-RMA-1C-DR-C-5205 - R02; P1708.TH.101; P1708.CA.104;

Applicant: Bellway Homes (North London) and Miller Homes Ltd

Date Valid: 07 September 2022

Recommendation: APPROVAL OF RESERVED MATTERS.

## 1. SITE DESCRIPTION

- 1.1 The application site which measures approximately 75 hectares in area is located to the north of Stevenage and is situated to the east of North Road, to the north east of Granby Road and Chancellors Road and to the west of Weston Road and Great Ashby Way. To the north are agricultural fields. This site is agricultural land comprising a number of arable fields with semi mature hedgerows and trees. The site undulates with a ridgeline running along the northern boundary which adjoins trees. There are two sets of electricity pylons running through the site, with 132Kv pylons toward the north of the site and 440Kv pylons within the centre of the site.
- 1.2 The northern boundary of the site adjoins the borough boundary with North Hertfordshire District Council (NHDC). The land to the north of this is included in the adopted NHDC local plan for residential development. To the west the site faces onto North Road and the Wrenbridge employment site currently under construction, adjacent to which is the nearby Rugby Club and Lister Hospital. Along the south western boundary of the site is a public footpath/bridleway which runs along the boundary with properties in Chancellors Road, Granby Road and respective cul-de-sac spur roads. There are also footpaths running through the site to land to the north. To the east of the site is Weston Road which contains the Cemetery to the south west and the nearby St Nicholas Church and adjoining listed buildings on Rectory Lane. Finally, also to the east of the site is Rooks Nest Farm which comprises a number of listed buildings including the grade II listed farm itself and associated outbuildings and Rooks Nest House which is a grade I listed building. The south eastern part of the site is located within the St Nicholas and Rectory Lane Conservation Area and the Green Belt.

## 2. RELEVANT PLANNING HISTORY

- 2.1 Planning application 17/00862/OPM granted Outline consent for the erection of 800 residential dwellings, creation of a new local centre, provision of a primary school, provision of landscaped communal amenity space including children's play space; creation of new public open space together with associated highways, landscaping, drainage and utilities works. The application was accompanied by an Environmental Statement. The decision was issued on 1<sup>st</sup> September 2022 following completion of a Section 106 Agreement.
- 2.2 Application 21/01354/FP granted permission for access works (comprising a new access to land to the west of North Road) on North Road, Stevenage in association with the Employment development on land to the west of North Road. The decision was issued on 1 April 2022.
- 2.3 Application reference 22/00781/RMM is currently being considered for the reserved matters application for the construction of a Country Park including access, layout and landscaping pursuant to Outline permission 17/00862/OPM.

- 2.4 Application reference 22/00806/RMM is currently being considered for the approval of reserved matters (layout, landscaping, scale, and appearance) for residential development of 115 units comprising Phase 1 Parcels D pursuant to Outline permission 17/00862/OPM.
- 2.5 Application reference 22/00808/RMM is currently being considered for the approval of reserved matters for Site Wide Infrastructure including Highways Infrastructure, Drainage and Surface Water, and Green Infrastructure pursuant to Outline permission 17/00862/OPM.
- 2.6 Application reference 22/00850/NMA was granted for a non-material amendment to outline planning permission 17/00862/OPM to amend wording of conditions 4, (Approval of Details), 18 (Service and Delivery Plan) and 37 (Power Lines). The decision was issued on 17 October 2022.
- 2.7 Application reference 22/00840/COND is currently being considered for the discharge of condition 36 (Flood Risk) attached to planning permission reference number 17/00862/OPM.
- 2.8 Application reference 22/00841/COND is currently being considered for the discharge of condition 14 (Construction Management Plan - Temporary Access) attached to planning permission 17/00862/OPM.
- 2.9 Application reference 22/01099/COND is currently being considered for the discharge of conditions 7 (Method Statement Ecology) and 8 (Construction Environmental Management) attached to planning permission 17/00862/OPM.
- 2.10 Application reference 23/00013/NOI is currently being considered as a notice of intent to ground the overhead power lines and install two terminal towers under Section 37 of the Electricity Act 1989 and in accordance with the Overhead Lines (Exemption) (England and Wales) Regulations 2009, as permitted development.
- 2.11 Application reference 23/00011/CLPD is currently being considered for a Certificate of Lawfulness (Proposed) for the erection of a 3m high brick wall enclosure around proposed terminal tower 314A (subject to Section 37 of the Electricity Act) adjacent North Road.
- 2.12 Application reference 23/00014/TPTPO is currently being considered for works to trees covered by tree preservation orders to include the cutting back of mixed broadleaf trees (T47-T60) under TPO 71 along Bridleway 022 adjacent to No. 22 North Road and No.11 Granby Road.
- 2.13 Application reference 23/00070/COND is currently being considered for the discharge of condition 9 (Biodiversity Monitoring Strategy) attached to planning permission 17/00862/OPM.
- 2.14 Application reference 23/00086/TPCA is currently being considered for works to trees sited within the Conservation Area to include works to various mixed broadleaf hedgerows, mixed saplings, and Elm saplings within the Conservation Area to provide minimum height clearance of 3.4m to 5.2m and minimum width of 3m to Bridleways 022 and 023.

### **3. THE OUTLINE APPLICATION AS APPROVED**

- 3.1 The outline application (reference 17/00862/OPM) was submitted to establish the principle of development at the site, with all matters reserved except for the means of access. The outline proposal sought permission for a residential development of up to 800 dwellings as well as the creation of a new local centre, provision of a primary school, provision of landscaped communal amenity space together with associated highways, landscaping, drainage, and utilities works. The outline application was approved with a masterplan and a series of parameter plans identifying design coding, building heights and showing the illustrative layout

of the development, including how the development will impact on the St Nicholas and Rectory Lane Conservation Area.

- 3.2 The primary access to the site is to be taken from North Road via two vehicular access points from which the remainder of the road network for the site will be formed. The primary access road, or spine road, forms a loop within the residentially developed land between the two main access points. Beyond this, the highway network will extend into the residential parcels to provide permeable access to all parts of the site, including the proposed Country Park. A bus route is provided along the primary access route through the site, with a connection proposed to the neighbouring North Hertfordshire District Council (NHDC) NS1 designated residential site. The primary access route would also have dedicated cycle and footways, with access off an improved cycleway provision along North Road in conjunction with Hertfordshire County Council (HCC).
- 3.3 The residential development on site will be limited to the western side, with the eastern half of the site providing a fully accessible Country Park. The residential provision is separated into northern and southern parcels, with the primary school and local centre located centrally between. The layout of the developed part of the site accommodates the 440kv electricity pylons within a landscaped corridor running east-west across the site and to the south of the primary school and local centre. The northern 132kv cables within the site will be grounded with terminal towers being provided on the western and eastern parameters of the developed area of the site.
- 3.4 The outline application was approved in September 2022 with the S106 Agreement being signed at the same time. This agreement makes provision for financial and developer contributions towards (but not limited to) primary education, affordable housing, the Country Park, outdoor open space and children's play space, highways works, improved pedestrian and cycle connections along North Road and the NHS.

## **4. RESERVED MATTERS APPLICATIONS**

- 4.1 Following the approval of the outline application, the permission was conditioned such that further details were to be submitted by reserved matters applications for the siting, layout, landscaping, and appearance of the development. Four reserved matters applications have been submitted for 1. Infrastructure; 2. Country Park; 3. Residential Phases 1A-C (Including Local Centre parcel); and 4. Residential Phase 1D (Conservation Area Parcel).
- 4.2 Application reference 22/00808/RMM relates to the infrastructure reserved matters (RM) which proposes the main highway network of the spine road and primary spur road connections off the spine road, it also covers all foot and cycleway provision, open space (excluding the Country Park) and landscaping provision within the main non-residential areas of the site, the drainage proposals and the sites play spaces.
- 4.3 The Country Park is being considered under application reference 22/00781/RMM and would provide a 38-hectare accessible open space within Stevenage. The Country Park would be served by a car park and toilet block accessed from the proposed residential development to the north of the site. This area of development known as and referred to as Phase 2 is due to come forward as a RM within the second quarter of 2023. Access to the Country Park is shown on the respective infrastructure plan of the current infrastructure RM application. The Country Park also includes provision of two drainage attenuation basins, perimeter and other footpaths/cycleways, and furniture.
- 4.4 The developed area of the site is distinguished largely in two parts, the western and northern areas, known as Phases 1A-C, parcel C being the local centre, and then the eastern Phase

1D which is the area contained within the St Nicholas and Rectory Lane Conservation Area. All parcels in Phase 1 would equate to a total of 358 dwellings, which includes a provision of flats in the local centre, and larger aspirational homes in the Conservation Area. These applications are being considered under application references 22/00810/RMM and 22/00806/RMM respectively.

- 4.5 The residential RM applications include all areas of open space and landscaping not contained in the infrastructure application; secondary roads and cul-de-sacs; parking areas; communal areas; cycle stores and bin stores (where appropriate).

## **5. THE CURRENT APPLICATION**

- 5.1 The current application relates to application reference 22/00810/RMM and seeks reserved matters approval for the erection of 243 dwellings, the provision of the local centre including commercial uses (Use Class E), all highways matters outside of the infrastructure application, landscaping and boundary treatments contained within the western residential parcels Phase 1 A-C. This does not include any of the land within the St Nicholas and Rectory Lane Conservation Area.
- 5.2 Parcel 1A is contained to the south western corner of the site and would be viewed on the right-hand side of the site when entering off the southern North Road access junction. The parcel would extend along a stretch of the spine road, with vehicular access provided off three southerly directed spur roads. The first spur would turn a corner where it meets the PROW (Public Right of Way) on the south boundary and would extend westwards following the line of the PROW where it turns 90 degrees to proceed northwards into a private driveway. The second spur would form an upside down 'T' at the PROW boundary with private driveways extending off the western and eastern arms. The third spur would be sited adjacent a green link running from the spine road to the PROW. This spur would continue approximately two thirds of the length of the green link, finishing at a turning point.
- 5.3 This parcel of residential development proposes a mixture of houses and two blocks of flats (blocks 5 and 6) located at the junctions of the spur roads discussed above, creating gateway buildings. The houses would be a mixture of detached and semi-detached dwellings with either garages and driveways or allocated parking spaces. The properties would have modest frontages and policy compliant rear gardens.
- 5.4 The green link would provide a 3m wide shared surface for pedestrians and cyclists, as well as landscaped areas and a Local Play Area (LAP). This feature is being considered as part of the infrastructure application (reference 22/00808/RMM). East of the green link is Parcel 1B, the largest of the three parcels' proposed in this application. The area extends eastwards towards the conservation area and parcel 1D (reference 22/00806/RMM) and extending slightly north east around the south eastern corner of the spine road. Beyond this to the north is the eastern section of the main green corridor being considered as part of the infrastructure application.
- 5.5 Parcel 1B would also have vehicular access off three spur roads, two initially heading southwards and the third and most eastern spur extending east before turning to head southwards. The first and second spur roads have additional tertiary roads that extend off of them with a west to east connection joining the two together. Off of this west to east link would be two southerly directed spurs which would also have upside 'T' designs with private driveways off each side.

- 5.6 The second/middle spur road mentioned forms part of the infrastructure application as a primary road and would continue into Parcel D which is sited within the St Nicholas and Rectory Lane Conservation Area. To the east of Parcel 1B is a second green link, longer in length and provides a footway with tree planting to provide shade and several benches. This green link would provide a landscaped buffer between this phase and Phase 1D to the east.
- 5.7 The residential units that make up Parcel 1B would predominantly be terraced and semi-detached, with some detached properties proposed. One block of apartments (block 7) is proposed on the corner of the eastern green link sitting opposite block 6 in Parcel 1A. Properties would have similar modest frontages and policy compliant rear gardens. Parking arrangements include garages and driveways, tandem driveways, allocated parking spaces and small car parking courtyards for the apartment blocks.
- 5.8 The local centre is sited to the west of the central area of the developed part of the site. To the west is the green space adjacent North Road and between the two access junctions approved as part of the outline permission. The local centre is accessed via its own spur connection road linking the main spine road from north to south. The area would consist of four buildings (blocks 1-4), with blocks 1 and 4 located to the west of the road, and blocks 2 and 3 to the east. This area is referred to as Parcel 1C. To the north east of this parcel is the local centre local equipped area of play (LEAP), local play area (LAP), multi-use games area (MUGA) and Skate Park being considered under the infrastructure reserved matters application.
- 5.9 Block 1 would consist of commercial uses at the ground floor, with two floors of residential two-bedroom apartments above (building total of three storeys). Blocks 2, 3 and 4 would be solely residential offering one- and two-bedroom flats over three storeys. Parking would be provided in parking areas to the front and side of the buildings. Outside block 1 and 4 the parking is allocated to either retail or residential. The parking to blocks 2 and 3 sits to the front of both blocks, with external private amenity space proposed to one side of each block.

## **6. PUBLIC REPRESENTATIONS**

- 6.1 As a major planning application the proposal has been publicised by way of letters to adjoining and nearby premises, as well as all third-party contributors from application 17/00862/OPM, the erection of site notices and a press notice. Following this publicity, the below have been received from the occupiers of the following properties –

General comments -

- 2 The Priory;

Objections –

- 163 Sefton Road;
- 13 The Brambles;
- 5 Chestnut Walk;
- 71 Burymead;
- 33 Kilner Close;
- 7 Mathews Close;
- 3 Underwood Road;
- 4 Rooks Nest Farm Barns;
- 7 The Brambles;
- 1 Underwood Road;
- 10 Oak Lane, Graveley;
- 50 Grace Way;
- 107 Skipton Road;
- 3 Nicholas Place, Rectory Lane;

- 5 Underwood Road;
- 13 The Brambles;
- 9 The Brambles;
- 9 Chestnut Walk;

Several of the above addresses have multiple responses from different members of the same family. Furthermore, additional comments from the same address have been received following re-consultation on amended plans. All objections stated below in section 6.2 are in summary. Members are advised that this summary does not provide the comments de-facto. The full comments received are available on the Council's website.

6.2 A summary of the general comments received are as follows –

- Building work on this site and the adjoining areas is likely to be very disruptive to access to the remaining countryside beyond. It is vital that the various public footpaths and bridleways (Stevenage 015, 017, 018, 022, 023) remain open and usable by the public. Please ensure that this is a condition before construction starts

6.3 A summary of the objections received are as follows –

- Amount of infrastructure required and unplanned for;
- Already large amounts of cars and pollution from noise and fumes;
- Harm caused to wildlife;
- House at plot 201 is too close to the existing buildings in The Brambles, it is some 6m closer to the boundary than any other proposed houses;
- The house design of plot 201 has front door and windows facing SW directly towards the garden and main bedroom windows of 13 The Brambles. Privacy will be adversely affected;
- Plans to build on historical green belt land is appalling;
- Land is well used by dog walkers, walkers, families;
- Already highly congested roads in the area, which will worsen;
- Physical landscape of the area looks after itself at present, but concerns over how fields will drain once turned into concrete;
- Town is already struggling in terms of services, Drs, schools, etc.;
- Crime is worsening, will the number of police increase to match the increase in the number of people?;
- Huge impact on existing residents and value of their houses;
- Shortage of farmland for growing food, needed following likes of Ukraine war;
- Monies should be spent on improving the lack of services current on offer before increasing the local housing population;
- SBC need to re-evaluate their plans considering the current issues around economic climates and a climate emergency;
- Profit coming before people and the planet;
- Land is Green Belt and proposals contravene the NPPF;
- Land not acknowledged as last parcel of land which is arable and alive with grounded and flighted wildlife;
- Recognition of local history – Forster Country;
- Rate of expansion will have impact on current struggling infrastructure;
- Unsustainable with the town centre being a ghost town;
- Increased need for further policing and Council services not considered;
- Impact of 440kv power lines in close proximity of school and housing in terms of electromagnetic force and noise;
- Traffic in nearby roads not adequately assessed following COVID;
- Increased impact on road network from employment site opposite;
- Further barrier along southern ROW with Granby/Chouler/Underwood needed to prevent rat runs and cut through's;
- Exposure to houses and apartments up to 12.5m high in respect of sight and sound to existing properties;

- There should be parking and access restrictions on Weston Road to prevent people causing obstruction by parking here to access the Country Park;
- Location of gravel footpath bordering Rooks Nest Barns should have additional screening or fencing to prevent trespassing, risk of theft and vandalism, and increased disturbance;
- Increase in number of vehicles will impact on existing developments and the hospital;
- Active Travel Plan is not reflective of the number of users of the road;
- Volume of traffic on North Road and surrounding roads likely to block access to ambulances, this hasn't been considered;
- Fail to see how the development links to good intentions to support more sustainable transport use;
- The process for this development has failed to address issues raised at all opportunities and the plethora of applications has diluted a large number of high-quality objections;
- The Council's desire to chase arbitrary and badly thought out housing targets is being mistakenly prioritised over the environment, wildlife, important open spaces, sustainable infrastructure and historical/cultural concerns;
- Constant use of land by walkers, joggers, dog walkers and horses;
- Manufactured Country Park nowhere close to the scale and beauty of the land being destroyed;
- Toilet block and car park in the Country Park conflict with intention previously stated;
- Connectivity into Underwood Road not welcome. Will cause disturbance, and this was not proposed at outline stage.
- Proposals to erect an unsightly and unnecessary mound, a track/road around Forster Country Park and the urban features are not needed;
- With existing car parking and facilities at the Weston Road Cemetery so close the proposals seem a duplication of these;
- The heritage of Stevenage is being destroyed;
- Not enough tree planting along southern boundary such that properties too close and at angles imposing to properties on Underwood Road;
- Following amended plans being viewed plot 201 is still too close to 13 The Brambles and should be moved further away;
- Plots 181 and 182 appear to have garage or car port inside the 20m alignment that needs to be either moved or removed;

6.4 Friends of Forster Country -  
No comments received in respect of this application.

6.5 British Horse Society –

6.5.1 I refer to the above planning application. I am the local representative of the British Horse Society (BHS) and my area covers the area in which this proposed development is intended to take place. The British Horse Society is a charity which represents the four and a half million people that regularly ride horses and drive carriages in Great Britain. The Equestrian industry is the second largest land-based industry to farming in Great Britain and contributes to the stimulation of the local rural economies. The horse-riding industry is worth £4,000,000,000 (Four Billion Pounds) to the British economy each year.

6.5.2 Horse riding is an activity that can be carried out by people of all ages and ability. Riding for the Disabled and Driving for the Disabled enables people with both physical and mental disabilities to have contact with horses and have access to the countryside. We treat all rights of way as a valuable resource for horse riders as riding on the roads has become more dangerous as motorised vehicles travel faster and with less consideration to vulnerable road users. There are 188,700 Km of public rights of way in Great Britain but horse riders only have access to 42,101 Km of them. That is in percentage terms 22.3%.

- 6.5.3 On behalf of the British Horse Society (BHS), I have examined this proposal on the ground with regard to the potential impact this development will have on horse riders and carriage drivers that use the public highways, byways and bridleways in the area. I am very concerned that this development should not reduce the enjoyment, which includes views across open country, and the safety of horse riders exerting their right of access to the countryside along the public bridleways which runs across this proposed development.
- 6.5.4 I am also concerned that the proposed development and the access route into it and out of it will result in a dramatic increase in the amount, of vehicles using local roads which are used by horse riders who wish to gain access to the bridleway network and other routes and that this increased traffic will pose a danger to horse riders and carriage drivers.
- 6.5.5 It is therefore essential that if you are mindful of granting planning permission for this proposed development that it should be conditional that:
- 6.5.6 Bridleways Graveley 008, Stevenage 023, Stevenage 018 and Stevenage 105 should not be surfaced and continue to have a soft grass surface so that horse riders can continue to use them in all four paces of a horse i.e. walk, trot, canter, and gallop. If a hard surface is to be provided for walkers and cyclists, then these paths should be placed adjacent to the existing bridleways but should not reduce the defined width of the bridleway.
- 6.5.7 In addition prior to any pre-construction or construction work being carried out the bridleway should be permanently and securely fenced off from the development site with heavy duty wooden post and three railed fencing with Equi-fencing on it so that any ridden horses are safe from any contact with motorised vehicles or from loose dogs running through the fence line.
- 6.5.8 Barbed wire or metal stake fencing must not be used as they pose a serious danger to horses and horse riders.
- 6.5.9 A documented system is created by the developers to ensure that all contractors, sub-contractors and delivery vehicles are made aware that horse riders use this bridleway route and are instructed to take great care when entering or leaving the site and also the local roads.
- 6.5.10 A documented system is created by the developers to ensure that operators of all heavy machinery and vehicles are instructed to take great care when operating them and to stop them when horses pass them.
- 6.5.11 In addition, the surface of the bridleway must not be damaged in any way nor should construction traffic be allowed to use it and no debris should be disposed on it by the developers/contractors. In the event of damage being caused to it then the developers should be responsible for immediately fully repairing/restoring it and all construction work halted until it is repaired/restored.
- 6.5.12 Permanent horse warning signs also need to be placed at each end of the bridleway and at any crossing, entry and exit points to warn pedestrians and motorists of the presence of horse riders travelling along it.
- 6.5.13 Permanent signs should also be erected at each end of the bridleway and any road crossing points, entry and exit points warning dog owners that it is a bridleway which is used by horse riders and that all dogs must be kept under strict control. I would suggest that a local bylaw is created which compels dog walkers to keep their dogs on a short lead (not extendable) when using the bridleway.
- 6.5.14 In addition, where construction traffic crosses the bridleway that all crossing points are clearly signed that they are crossing a bridleway that horse riders use. The crossing points surface

must be reinstated to a bridleway surface immediately after all the construction work has been completed and the fencing replaced.

- 6.5.15 The developers must also consult with the Access Department of Hertfordshire County Council and myself of the British Horse Society to agree on the fencing and surfacing of the bridleway.
- 6.5.16 See: <http://www.bhs.org.uk/advice-and-information/safety-advice-and-information/free-leafletsand-advice> and go to Surface.
- 6.5.17 In addition, any new paths created in the country park should be of no less than Bridleway status and dedicated as such so that horse riders can use them and the existing permissive bridleways should be dedicated as bridleways so that horse riders can continue to use them.

## 7. CONSULTATIONS ON THE ORIGINAL APPLICATION

Unless noted, all comments stated relate to the original submission consultation and not the amended plans submitted on 13<sup>th</sup> January 2023.

### 7.1 Hertfordshire County Council as Highways Authority

#### Original Plans Consultation Response

- 7.1.1 **Proposal** AMENDED PROPOSAL Application for approval of reserved matters (layout, landscaping, scale, and appearance) for residential development of 243 units comprising Phase 1 Parcels A-C and commercial unit (Use Class E) pursuant to Outline permission 17/00862/OPM.
- 7.1.2 **Comments** It is considered that although that as per HCC's emerging Place & Movement Design Guide that 5m wide Mews streets are built throughout that the current layout for Phase 1 A-C of the North Road Stevenage site reflects what was agreed by way of a compromise during pre-application discussions.
- 7.1.3 **Recommendation** Notice is given under article 22 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission subject to the inclusion of the following Advisory Note (AN) / highway informative to ensure that any works within the highway are carried out in accordance with the provisions of the Highway Act 1980. (Informatives as now covered in amended plan consultation).

#### Amended Plans Consultation Response

- 7.1.4 **Comments** Whilst HCC Highways DM approved the previous Residual Matters Application (RMA) for the Phase 1 A-C residential area of the HO3 site, the applicant has resubmitted a slightly modified application and HCC Highways have been re consulted. As before, we have no objections to the Phase 1 A-C residential area of the development.
- 7.1.5 **Recommendation** Notice is given under article 22 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission. HCC as Highway Authority recommends inclusion of the following Advisory Note (AN) / highway informative to ensure that any works within the highway are carried out in accordance with the provisions of the Highway Act 1980:
- 7.1.6 AN1) Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before

construction works commence. Further information is available via the County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

- 7.1.7 AN2) Obstruction of highway: 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 County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.
- 7.1.8 AN3) Debris and deposits on the highway: It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made up carriageway, or any or other debris on a highway to the interruption of any highway user. Section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.
- 7.1.9 AN4) Avoidance of surface water discharge onto the highway: The applicant is advised that the Highway Authority has powers under section 163 of the Highways Act 1980, to take appropriate steps where deemed necessary (serving notice to the occupier of premises adjoining a highway) to prevent water from the roof or other part of the premises falling upon persons using the highway, or to prevent so far as is reasonably practicable, surface water from the premises flowing on to, or over the footway of the highway.
- 7.1.10 AN5) Works within the highway (section 278): The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the County Council website at: <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.
- 7.1.11 AN6) Roads to remain private: The applicant is advised that the new roads marked on the submitted plans (BM1-OC-RMA-XX-DR-C-2025 Rev 06) associated with this development will remain unadopted (and shall not be maintained at public expense by the highway authority). At the entrance of the new estate the road name plate should indicate that it is a private road and the developer should put in place permanent arrangements for long-term maintenance.
- 7.1.12 AN7) The Public Right of Way(s) should remain unobstructed by vehicles, machinery, materials, tools and any other aspects of the construction during works. Safe passage past the site should be maintained at all times for the public using this route. The condition of the route should not deteriorate as a result of these works. Any adverse effects to the surface from traffic, machinery or materials (especially overspills of cement & concrete) should be made good by the applicant to the satisfaction of the Highway Authority. No materials shall

be stored or left on the Highway including Highway verges. If the above conditions cannot reasonably be achieved, then a Temporary Traffic Regulation Order (TTRO) would be required to close the affected route and divert users for any periods necessary to allow works to proceed, for which a fee would be payable to Hertfordshire County Council. Further information is available via the County Council website at <https://www.hertfordshire.gov.uk/services/recycling-waste-and-environment/countryside-access/rights-of-way/rights-of-way.aspx> or by contacting Rights of Way, Hertfordshire County Council on 0300 123 4047.

- 7.1.13 AN8) Abnormal loads and importation of construction equipment (i.e. large loads with: a width greater than 2.9m; rigid length of more than 18.65m or weight of 44,000kg - commonly applicable to cranes, piling machines etc.): The applicant is directed to ensure that operators conform to the provisions of The Road Vehicles (Authorisation of Special Types) (General) Order 2003 in ensuring that the Highway Authority is provided with notice of such movements, and that appropriate indemnity is offered to the Highway Authority. Further information is available via the Government website [www.gov.uk/government/publications/abnormal-load-movements-application-and-notification-forms](http://www.gov.uk/government/publications/abnormal-load-movements-application-and-notification-forms) or by telephoning 0300 1234047.

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

- 7.2.1 You have indicated that the following case is being reviewed by consultants instructed by you, the Local Planning Authority. As previously advised on 05/12/2022, with a strict prioritisation approach by Hertfordshire LLFA service, we will not be supplying any comments in order to avoid any duplication or contradiction of advice.

## **7.3 Council's Drainage Consultant WSP**

- 7.3.1 Informally the proposed works have been deemed acceptable, subject to additional information relating to low point run off in residential roads. Written comments to be provided by way of an update.

## **7.4 North Hertfordshire District Council**

- 7.4.1 Thank-you for consulting North Hertfordshire on the Reserved Matters application for site-wide infrastructure as a neighbouring authority. We have identified a number of reconciliation issues between the land covered by this application and adjoining land in North Hertfordshire allocated for development (site NS1) which we consider require further resolution. These include, but are not limited to:

- The nature and design of the principal connection between the two sites;
- Potential secondary and tertiary connection points between the two sites; and
- How the above might be affected or influenced by other connections and routes within the Stevenage site including but not necessarily limited to:
  - The main spine / circular route within the Stevenage site;
  - Routes and connections to / from the proposed Country Park; and
  - Potential pedestrian and cycle connectivity along and across the southern boundary of the Stevenage site into the wider network within the town.

- 7.4.2 These issues have potential consequential implications for 22/00810/RMM. Beyond the general comments below, we have no specific comments on 22/00806/RMM. We have not provided comments on the detail of 22/00781/RMM at this stage. We may wish to comment further following further resolution of the potential approach to green infrastructure on site NS1. However, our general comments set out in this letter should be taken into account in your consideration of this application.

- 7.4.3 **Policy context (applicable to all applications)**

Since the issuing of the outline permission for this scheme and the submission of these reserved matters applications to Stevenage Borough Council, North Hertfordshire has adopted its new Local Plan for the period 2011-2031. This is now part of the statutory Development Plan for the District. The North Hertfordshire Local Plan allocates land adjoining this scheme on site NS1. Following adoption of our own Plan there is greater certainty around the likelihood of this site being brought forward for development. The relevant policy requirements in the adopted North Hertfordshire Local Plan are a now significant material consideration for these applications that should be appropriately reflected in your determination of these applications alongside the Development Plan for Stevenage and other relevant material considerations.

- 7.4.4 Policy HO3 of the Stevenage Local Plan sets out the site-specific requirements for the site, with the introductory paragraph and first three criteria of particular relevance:  
Land to the North of Stevenage, as defined by the policies map, is allocated for the development of approximately 800 dwellings. A Masterplan for the whole site will need to be submitted as part of an outline planning application. The Masterplan must be approved prior to the submission of detailed development proposals for the site. Development proposals will be permitted where the following criteria are met:
- a. The applicant can demonstrate that development can be expanded beyond the Borough boundary, and fully integrated with a wider, cross-boundary scheme;
  - b. Satisfactory vehicular access is provided. At least two access points to and from the site will be required, which link effectively into the existing road, cycleway and pedestrian networks;
  - c. The scheme is designed to encourage the use of sustainable modes of transport...
- 7.4.5 The supporting text adds:  
*9.23 This site forms part of a wider potential development opportunity which stretches beyond the Borough boundary. North Hertfordshire have consulted on delivering a further 1,000 homes to the north of Stevenage. Any prospective developer should liaise with North Hertfordshire and adjacent landowners / developers to ensure that proposals on this site can be fully integrated with a wider scheme in the future. The approval of a Masterplan will be required prior to the submission of detailed development proposals for the site*
- 7.4.6 The supporting text to Policy IT1 of the Stevenage Local Plan states  
*8.4 The Borough Council and developers should continue to work closely with North Hertfordshire District Council to ensure the access arrangements for this site allow for integration with any subsequent schemes beyond the administrative boundary. The preferred long-term solution is a continuous link from the identified access point on North Road to a new or improved junction within North Hertfordshire at, or close to, the existing North Road / Graveley Road intersection approximately 150 metres north of the administrative boundary.*
- 7.4.7 The most relevant parts of the equivalent site allocation policy for adjoining site NS1 in North Hertfordshire read:

#### Policy SP16: Site NS1 – North of Stevenage

Land to the north of Stevenage within Graveley parish, as shown on the Policies Map, is allocated as a Strategic Housing Site for a new neighbourhood of approximately 900 homes.

A comprehensive and deliverable Strategic Masterplan for the entire allocation is to be prepared and agreed between the landowner/developer and the Council.

Where applications have already been submitted to the Council a Strategic Masterplan should be agreed prior to the or as part of the grant of planning permission.

Any application on part of the site will be assessed against its contribution to the Strategic Masterplan and must not prejudice the implementation of the site as a whole.

Development proposals should provide the following planning and masterplanning requirements:

- a) Integration with adjoining development in Stevenage Borough including site-wide solutions for access, sustainable travel, education, retail, and other necessary medical and social infrastructure to include:

...

- ii. travel provision designed having regard to the Stevenage Mobility Strategy and including:

- Effective links into the existing pedestrian and cycle, public transport and road networks; and
- an upgraded junction at the intersection of Graveley Road / North Road...

#### 7.4.8 The supporting text adds:

*4.218 The area north of Stevenage is currently undeveloped farmland in the parish of Graveley. Adjoining land within Stevenage Borough to the south has been identified for development and this provides an opportunity for a coherent extension of the town to the north. A master planning exercise for this site will need to consider the collective implications of these allocations and demonstrate appropriate solutions. This may lead to some facilities which will serve the whole development being located wholly within either North Hertfordshire's or Stevenage's administrative areas.*

*4.219 It is envisaged that principal access to the site will be in the form of a looped estate road, one end of which will be in Stevenage Borough. The northern end of this road will emerge at, or close to, the existing junction of the B197 at Graveley Road / North Road. A new arrangement, possibly a roundabout, will need to be provided. Any transport proposals should consider the effects on adjacent networks and communities such as Graveley and propose suitable mitigation; the analysis should also consider cumulative impacts.*

*4.220 The site will need to integrate provision for walkers, cyclists and public transport in line with the aims of the Stevenage Mobility Strategy. This will include connections to the wider sustainable travel network. These measures, along with wider transport and mobility proposals arising from development of the site, will be developed in consultation with Hertfordshire County Council and Stevenage Borough Council.*

#### 7.4.9 It is clear that both plans envisage the 'end point' for the combined northern extension of town being comprehensively integrated and experienced as a single whole. In particular they

envisage a shared primary route serving both sites. This is in keeping with good design and placemaking principles and reflects the fact that – notwithstanding the administrative boundary between the two sites – future residents' day-to-day experience of the sites would and should be as part of the town of Stevenage.

7.4.10 Hertfordshire Local Transport Plan 4 is a relevant material consideration with the following policies of particular importance:

- Policy 1: *Transport User Hierarchy*
- Policy 5: *Development Management*
- Policy 6: *Accessibility*
- Policy 7: *Active Travel – Walking*
- Policy 8: *Active Travel – Cycling*
- Policy 9: *Buses*
- Policy 12: *Network Management*, in particular: • Policy 14: *Climate Change Network Resilience*
- Policy 19: *Emissions Reduction*, in particular:
- Policy 21: *Environment*, in particular:

7.4.11 Other relevant material considerations – which were not published at the time the outline application was last considered by the Council's Planning Committee (December 2020) should also be appropriately taken into account. These include (but are not necessarily limited to):

7.4.12 **Revised NPPF:** The revised NPPF was published in July 2021 and includes a series of new and reinforced measures to improve design quality such as (but not limited to):

- The use of appropriate tools such as masterplans to secure a variety of well-designed and beautiful homes to meet the needs of different groups in the community (para 73);
- Ensuring streets and transport elements reflect national policy on design (para 110); and
- Use of the new National Model Design Code and the National Design Guide to inform decisions on applications in the absence of locally produced design guides or codes (para 129)

7.4.13 The **National Design Guide**, first published in 2019, is structured around ten key characteristics within which 29 principles are identified. Collectively they set out the Government's approach to good design. The NDC should be read as a whole, and all characteristics taken into account. However, for the purposes of these comments, the following are particularly highlighted:

- Principle B3 encourages the use of destinations to inform the framework of development;
- Principle M1 seeks 'a connected network of routes for all modes of transport' and promotes a clear layout and hierarchy of streets and other routes.
- Principle M2 supports a coherent, priority network for active travel;
- Principle N1 asks for a network of high quality, green open spaces embedded in a strategic GI system taking into account how spaces are connected

7.4.14 **LTN1/20 revised standards for cycling provision:** Published in July 2020 as part of the *Gear Change* strategy these (in broad terms, and subject to various considerations) seek the separation of cycling and pedestrian uses, the provision of segregated cycling facilities where possible and dissuades the use of shared footways. As part of the one-year review of *Gear Change* the Government have announced the creation of *Active Travel* England who, among other duties will act as a statutory consultee on larger planning applications to ensure they provide properly for cycling and walking. Of particular relevance are, for primary streets, Sections 4 *Design principles and processes* and 5 *Geometric requirements* and, for secondary streets, Section 7 *Quiet mixed traffic streets and lanes*.

- 7.4.15 The Borough Council should satisfy itself that the reserved matters applications under consideration (i) comply with relevant policy requirements and considerations at the point of determination to ensure an appropriately designed scheme within Stevenage Borough and (ii) facilitate the future delivery of a fully policy-compliant scheme on the adjoining NS1 site within North Hertfordshire.
- 7.4.16 **General approach to liaison and integration**  
As above, Stevenage's Local Plan is clear that *"any prospective developer should liaise with North Hertfordshire and adjacent landowners / developers to ensure that proposals on this site can be fully integrated with a wider scheme in the future"*.
- There has been no proactive engagement with the District Council on these applications initiated by the applicant. North Hertfordshire convened a meeting to discuss integration issues with the Borough Council, County Council, the applicant, and representatives of the adjacent landowners. A number of issues were discussed, and it was agreed that a further workshop would be required with transport and landscape representatives. The District Council sought to arrange this, but the proposed date was declined by the applicant and no alternate has been proposed.
- 7.4.17 The applicant has identified to the Borough Council that it considers this engagement to be 'very informal', 'very late in the day' with proposals for NS1 'at a very early stage' with a 'need to treat comments accordingly'. They have further stated that substantive alterations would 'not be reasonable at this late stage and would unduly delay SBC's consideration' of the applications.
- Inconvenience to the applicant is not a material planning consideration. It is not a valid reason to avoid pursuing alterations to the scheme which have a clear planning rationale and would assist in ensuring the scheme properly addresses policy requirements.
- 7.4.18 22/00810/RMM – Phase 1 Parcels A – C To ensure compatibility between the applications, any alterations to the highway layout and access arrangements (as shown in 22/00808/RM) would need to be reflected in the detailed plans for this Reserved Matters application.
- 7.4.19 In relation to the connection between the loop road and Underwood Road, Apartment Block 7 is most likely to be affected. However, the repositioning of the crossing to the west to align with the connection, as suggested above, would appear to be capable of being accommodated without requiring any consequential changes. Should the crossing remain in situ then the additional pathway / cycleway width required could result in a need to amend the footprint and / or layout of this building at its north-west corner.
- 7.4.20 Notwithstanding this point, the general approach of ensuring this important connection is overlooked by habitable rooms and / or building frontages is supported. As above, it may be appropriate to reflect the general layout approach here for the Secondary cross boundary street.
- 7.4.21 Similarly, any amendments to the highway layout along the inner loop connector road may necessitate alterations to the footprint, parking arrangements and / or accesses to Apartment Blocks 1-4 inclusive as detailed in this application.
- 7.4.22 It is noted that drawing BM1-OC-RMA-1C-DR-C-5200 shows a layout to the north of the inner loop road. This is outside the red line of the application and intended to form part of a future phase of reserved matters. However, the plan includes a pair of dwellings directly north of the inner loop connector road. These would preclude the District Council's requests to ensure a direct and legible active travel route is facilitated to the north of the loop road linking to NS1. For the avoidance of doubt and confusion, the detail to the north of the red line and loop road should be removed from this plan and shown blank with a 'Phase 2 Housing' label as per (e.g.) Drawing BM1-OC-RMA-XX-DR-C-2000.

## **7.5 Council's Conservation Advisor BEAMS**

- 7.5.1 It should be noted BEAMS were not used as SBC's heritage consultants for the Land north of Stevenage application in 2017 (subsequently granted outline consent) so are not overly familiar with the original application, nor did BEAMS have any input into the reserved matters scheme at the pre-application stage.
- 7.5.2 This part of the wider application site lies within the setting of the St Nicholas / Rectory Lane Conservation Area. The setting of listed buildings within the Conservation Area will not be impacted.
- 7.5.3 Plots A - C looks to contain a mix of dwelling types and a neighbourhood centre. The level of development is fairly dense / suburban but in layout terms it seems well considered. In terms of impact upon the Conservation Area which adjoins Plots A - C (to the east) the development will result in some harm to its setting although this harm is reduced because plot D (in the Conservation Area) is also being developed for residential use at a relatively high density. BEAMS has raised concerns over this within a separate Reserved Matters application.
- 7.5.4 Harm will also arise due to the inevitable light spill and suburban nature of the new development which BEAMS consider will harm the wider setting of the Conservation Area - this harm is at the lower end of 'less than substantial'.
- 7.5.5 NPPF Paragraph 199 requires the planning authorities to place 'great weight' on the conservation of designated heritage assets, and states that the more important the asset the greater the weight should be, 'this is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance'.
- 7.5.6 NPPF paragraph 200 States that 'any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification'.
- 7.5.7 NPPF paragraph 202 states where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.'
- 7.5.8 As decision maker Stevenage Borough Council should weigh the 'less than substantial harm' identified against any public benefits the proposal may possess (as directed by NPPF para. 202).

## **7.6 Hertfordshire County Council Rights of Way**

- 7.6.1 No comments received at the time of drafting this report.

## **7.7 Council's Arboricultural Manager**

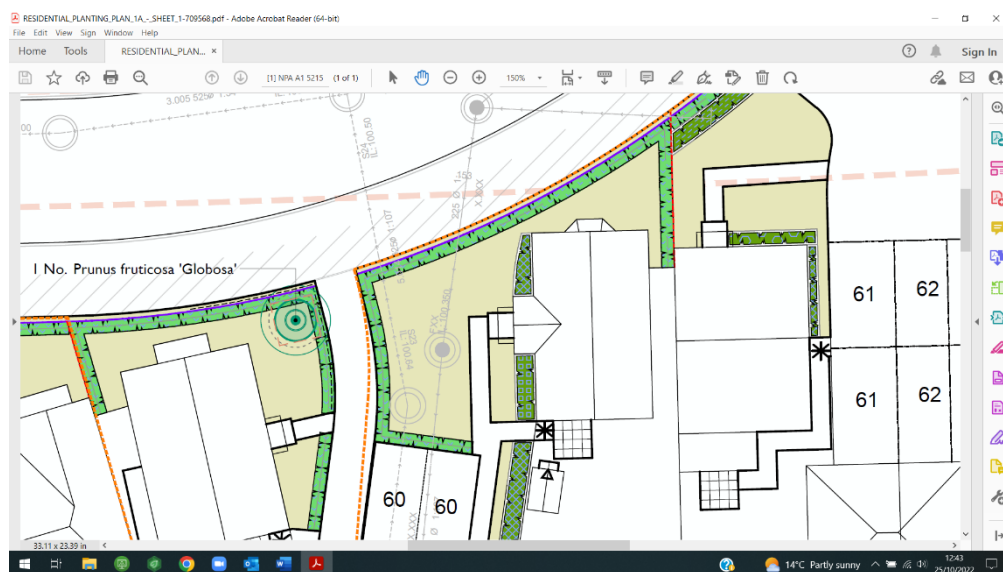
- 7.7.1 Comments contained within Parks and Amenities / Green Spaces section below.

## **7.8 Council's Parks and Amenities / Green Spaces**

### **7.8.1 Comments**

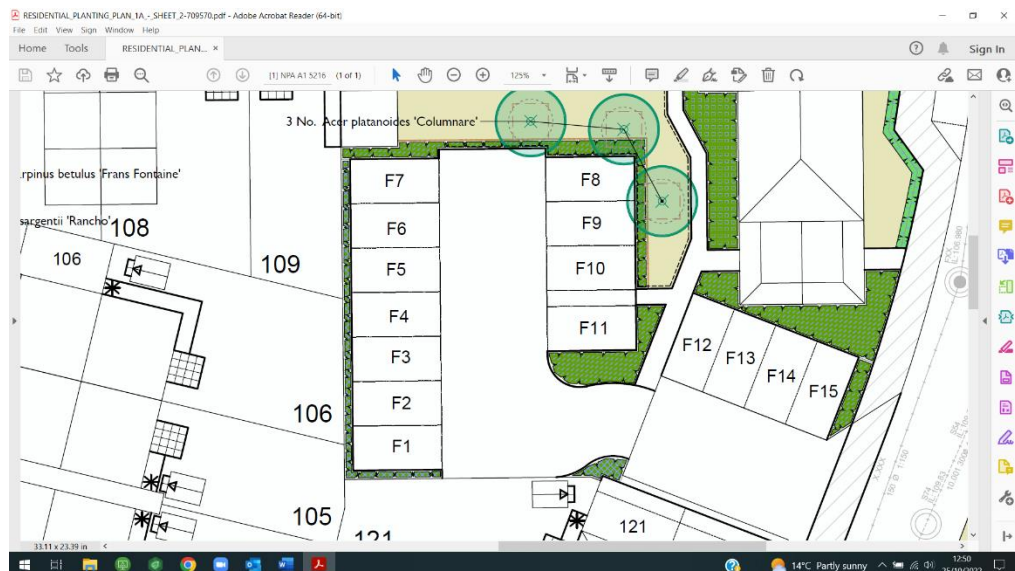
- In some areas, the plant selection could be improved further to attract pollinators.
- Elder (*Sambucus nigra*) should be substituted with a suitable alternative as it will likely out-compete other plants.

- From experience, *Pachysandra terminalis* has struggled to establish in some areas in Stevenage. Therefore, we recommend substituting for a suitable ground cover alternative.
- All planted areas need to be accessible for maintenance by the Management Company
- Consideration should be given to protecting those areas of planting on road corners, which could be vulnerable to damage from large vehicles (such as refuse/delivery lorries) and parking. This includes those areas around the proposed local centre and residential areas. Furthermore, some small/narrow areas within the design may struggle to establish which may be more suitable for hard landscaping.
- Care should be given to perceived desire lines which could make some planting and soft landscaping vulnerable to damage by pedestrians. An example is highlighted in red below.



It appears that pedestrian access to nearby parking has been provided, yet access from the main pathway may have been overlooked. As such, it may be anticipated that shortcuts will be used, resulting in damage to the planting. The scheme should also provide the flexibility for creating additional pathways for desire lines that were not foreseen after completion of the development and/or provide the relevant protection of the landscaping.

- Planting around parking bays should be considered further due to experience with maintenance and establishment issues. Thought must be given to vehicle overhang, access and egress to vehicle doors, visibility, access to maintenance when spaces are fully occupied etc. An example area is shown below



- Street tree varieties mainly consist of Prunus, Carpinus and Acer spp. However, we believe the scheme should provide greater diversity in tree species and forms within the streetscape to improve resilience where possible.
- For those street trees proposed to be planted next to a road, enough space must be provided so as not to cause interference for large vehicles (e.g., refuse lorries) and/or street lighting.

## 7.9 Historic England

- 7.9.1 This is for the reserved matters pursuant to the outline planning permission 17/00862/OPM to include layout, scale, landscaping detailed design. The application site lies partially within the Lane and St Nicholas Conservation area and also within the setting of various listed buildings including the Church of St Nicholas (grade II\*), Rook's Nest House (grade I) and The Bury (grade II\*).
- 7.9.2 We provided a response to the outline planning application in 2018, where we raised various concerns to do with the density and layout of the development. We concluded that the proposed development would erode the essential open character of the landscape and diminish the sense of rural place that contributes to the experience and understanding of those heritage assets identified. We judged that the development would result in a level of less than substantial harm in NPPF terms and suggested that the harm might be mitigated by a more sensitive and contextual design approach and a reduction in density. We appreciate that the application was subsequently approved and that the principle of development of this site has therefore been established, however we remain concerned that the density and general design and appearance of the development would have a negative impact upon the character and appearance of the conservation area and its setting as well as the setting of the listed buildings referenced above.
- 7.9.3 We previously advised that consideration should be given to incorporating a more vernacular form and design to the development using good quality local materials to better reflect the rural character of this historic area of Stevenage. We also advised that a reduced density on the southern portion of the site could help to mitigate the negative visual effects of the development and would help to avoid the creation of a suburban estate with standard house types. We are therefore disappointed to note that the submitted drawings show standard housing types that are laid out and arranged in unimaginative street patterns, and which seem to have much in common with the residential development that lies to the south-west of the site.

- 7.9.4 As per our previous advice we do not believe that this design approach is at all appropriate to the prevailing rural character, or that it best reflects the character and appearance of the conservation area. We are conscious that the density has been set by way of the approved parameter plans as part of the outline permission and this is somewhat regrettable. However, we believe that the visual effect and impact could be improved if the generic estate design and layout was eschewed in favour of a more considered approach that created a greater sense of identity and place.
- 7.9.5 We therefore suggest that a scheme where buildings were arranged more informally around high-quality, functioning, landscaped spaces, and where the landscaping and planting was the defining characteristic rather than the houses, would be a more appropriate solution. Greater thought should also be given to the way that the scheme layout can help traffic management and car parking throughout the development so as to avoid any sense of busy suburban streets where the car takes priority over the pedestrian and dominates the neighbourhood(s). The design and appearance of the road surfaces and walkways will also be an important factor in ensuring that this can be achieved, as we previously advised.

#### *Policy context*

- 7.9.6 The National Planning Policy Framework (NPPF) establishes a presumption in favour of sustainable development in the planning system (paragraphs 7, 8, 10 and 11) which also identifies protection of the historic environment as an important element of achieving sustainable development. Further policy principles relating to the historic environment are set out in Chapter 16 of the NPPF.
- 7.9.7 In particular, it emphasises the importance of conserving heritage assets, which are an irreplaceable resource, in a manner appropriate to their significance so that they can be enjoyed for their contribution to the quality of life of existing and future generations (NPPF paragraph 189). Paragraph 194 states that ‘in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance’.
- 7.9.8 Paragraph 195 requires the LPA to identify and assess the particular ‘significance’ of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset). This policy also says that the significance of the heritage assets ‘should be taken into account ‘when considering the impact of a proposal on a heritage asset. Paragraph 197 requires local planning authorities to take account of the desirability of new developments making a positive contribution to local character and distinctiveness.
- 7.9.9 Paragraph 199 requires the planning authorities to place ‘great weight’ on the conservation of designated heritage assets, and states that the more important the asset the greater the weight should be, ‘this is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance’.
- Paragraph 200 States that ‘any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification’.
- 7.9.10 Paragraph 202 states where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

#### *Historic England’s Position*

- 7.9.11 We are unconvinced that the detailed design and layout of the proposed development has taken full account of the sensitivities of the historic environment and the nearby heritage assets. We believe that a more sympathetic solution is possible that better preserves the setting of the heritage assets and the conservation area as discussed above. We therefore urge you to seek specialist design guidance from your in-house conservation specialists and negotiate a revised scheme of development that achieves these aims.

#### *Recommendation*

- 7.9.12 Historic England has concerns regarding the application on heritage grounds. We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraphs 189, 197, 199 200, 202 of the NPPF.
- 7.9.13 In determining this application you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess.... (CAs) section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.
- 7.9.14 Your authority should take these representations into account and seek amendments, safeguards or further information as set out in our advice. If there are any material changes to the proposals, or you would like further advice, please contact us.

### **7.10 Environment Agency**

- 7.10.1 We are currently operating with a significantly reduced resource in our Groundwater and Contaminated Land Team in our Hertfordshire and North London Area. This has regrettably affected our ability to respond to Local Planning Authorities for some planning consultations. We are not providing specific advice on the risks to controlled waters for this site as we need to concentrate our local resources on the highest risk proposals. We do note that the proposed drainage scheme includes the use of deep borehole soakaways. Please see the below advice for further information.
- 7.10.2 Advice to applicant Deep borehole soakaways as the site lies within a Source Protection Zone 3, infiltration via deep borehole soakaways are not acceptable, other than when a drainage and hydrogeological risk assessment shows this to be the only viable option and that any risks to groundwater will be adequately mitigated.
- 7.10.3 In line with position statement G9 in The Environment Agency's approach to groundwater protection (formerly GP3) we would usually only agree to the use of deep infiltration systems for surface water if you can demonstrate the following:
- There are no other feasible options such as shallow infiltration systems or drainage fields/mounds that can be operated in accordance with the with the appropriate British standard (e.g. discharge to a shallow infiltration system, surface water or sewer);
  - The system is no deeper than is required to obtain sufficient soakage;
  - Acceptable pollution control measures are in place;
  - Risk assessment demonstrates that no unacceptable discharge to groundwater will take place;
  - There are sufficient mitigating factors or measures to compensate for the increase risk arising from the use of deep structures.

The above should be read in conjunction with the position statement G1. Please note that we cannot issue an Environmental Permit for the direct discharge of hazardous substances into groundwater.

7.10.4 G1 - Direct inputs into groundwater - The Environment Agency must take all necessary measures to:

- Prevent the input of any hazardous substance to groundwater;
- Limit the input of non-hazardous pollutants to groundwater so as to ensure that such inputs do not cause pollution of groundwater.

The Environment Agency will only agree to the direct input of non-hazardous pollutants into groundwater if all of the following apply:

- It will not result in pollution of groundwater; • There are clear and overriding reasons why the discharge cannot reasonably be made indirectly;
- There is adequate evidence to show that the increased pollution risk from direct inputs will be mitigated.

Please refer to our Groundwater Protection webpages for further information.

7.10.5 Water Resources - Increased water efficiency for all new developments potentially enables more growth with the same water resources. Developers can highlight positive corporate social responsibility messages and the use of technology to help sell their homes. For the homeowner lower water usage also reduces water and energy bills. We endorse the use of water efficiency measures especially in new developments. Use of technology that ensures efficient use of natural resources could support the environmental benefits of future proposals and could help attract investment to the area. Therefore, water efficient technology, fixtures and fittings should be considered as part of new developments.

7.10.6 Residential developments All new residential development are required to achieve a water consumption limit of a maximum of 125 litres per person per day as set out within the Building Regulations &c. (Amendment) Regulations 2015. However, we recommend that in areas of serious water stress (as identified in our report Water stressed areas - final classification) a higher standard of a maximum of 110 litres per person per day is applied. This standard or higher may already be a requirement of the local planning authority.

7.10.7 Commercial/Industrial developments We recommend that all new non-residential development of 1000sqm gross floor area or more should meet the BREEAM 'excellent' standards for water consumption. We also recommend you contact your local planning authority for more information.

## **7.11 Thames Water**

### Original Plans Consultation Response

#### 7.11.1 Waste Comments

With regard to sewerage this comes within the area covered by Anglian Water PLC. For your information the address to write to is Anglian Water PLC, Anglian House, Ambury Road, Huntingdon, Cambs PE18 6NZ [Tel:-](tel:01480433400) (01480) 433400

#### 7.11.2 Water Comments

With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Affinity Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.

#### 7.11.3 Supplementary Comments

It is our understanding that foul water is to be discharged to Anglian Water network and SuDS are to be used to drain surface water network. If there is intention to connect to Thames Water network, the developer should contact Thames Water with more information regarding proposed connection point(s), if the discharge is pumped or via gravity, potential pump rates

if pumped and phasing of the development. A very high level assessment with the existing information available has shown that we would have significant capacity concerns if this development was to discharge to our network.

#### Amended Plans Consultation Response

##### 7.11.4 Waste Comments

The application indicates that SURFACE WATER will NOT be discharged to the public network and as such Thames Water has no objection, however approval should be sought from the Lead Local Flood Authority. Should the applicant subsequently seek a connection to discharge surface water into the public network in the future then we would consider this to be a material change to the proposal, which would require an amendment to the application at which point we would need to review our position.

7.11.5 Thames Water would advise that with regard to FOUL WATER sewerage network infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.

7.11.6 We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission: "A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing [trade.effluent@thameswater.co.uk](mailto:trade.effluent@thameswater.co.uk). Application forms should be completed online via [www.thameswater.co.uk](http://www.thameswater.co.uk). Please refer to the Wholesale; Business customers; Groundwater discharges section.

7.11.7 Thames Water would advise that with regard to WASTE WATER NETWORK and SEWAGE TREATMENT WORKS infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.

##### 7.11.8 Water Comments

With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Affinity Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.

##### 7.11.9 Supplementary Comments

Waste: The proposed foul strategy is to pump all foul flows into the foul network served by Anglian Water. Flows downstream eventually enter the foul network served by Thames Water. On the information provided we have no objections. The proposed surface water strategy for this site is to attenuate and discharge into the surface water sewer network served by Anglian Water which eventually discharges to a watercourse.

#### 7.12 Affinity Water

7.12.1 **Water quality** We have reviewed the planning application documents and we can confirm that the site is not located within an Environment Agency defined groundwater Source Protection Zone (SPZ) or close to our abstractions. The construction works and operation of the proposed development site should be done in accordance with the relevant British Standards and Best Management Practices, thereby significantly reducing the groundwater

pollution risk. It should be noted that the construction works may exacerbate any existing pollution. If any pollution is found at the site, then the appropriate monitoring and remediation methods will need to be undertaken.

- 7.12.2 Any works involving excavations below the chalk groundwater table (for example, piling or the implementation of a geothermal open/closed loop system) should be avoided. If these are necessary, a ground investigation should first be carried out to identify appropriate techniques and to avoid displacing any shallow contamination to a greater depth, which could impact the chalk aquifer. For further information we refer you to CIRIA Publication C532 "Control of water pollution from construction - guidance for consultants and contractors"
- 7.12.3 **Water efficiency** Being within a water stressed area, we expect that the development includes water efficient fixtures and fittings. Measures such as rainwater harvesting and grey water recycling help the environment by reducing pressure for abstractions. They also minimise potable water use by reducing the amount of potable water used for washing, cleaning and watering gardens. This in turn reduces the carbon emissions associated with treating this water to a standard suitable for drinking and will help in our efforts to get emissions down in the borough.
- 7.12.4 **Infrastructure connections and diversions** Due to its location, Affinity Water will supply drinking water to the development in the event that it is constructed. Should planning permission be granted, the applicant is also advised to contact Developer Services as soon as possible regarding supply matters due to the increased demand for water in the area resulting from this development.
- 7.12.5 There are potentially water mains running through or near to part of proposed development site. If the development goes ahead as proposed, the applicant/developer will need to get in contact with our Developer Services Team to discuss asset protection or diversionary measures. This can be done through the My Developments Portal (<https://affinitywater.custhelp.com/>) or [aw\\_developerservices@custhelp.com](mailto:aw_developerservices@custhelp.com).
- 7.12.6 To apply for a new or upgraded connection, please contact our Developer Services Team by going through their My Developments Portal (<https://affinitywater.custhelp.com/>) or [aw\\_developerservices@custhelp.com](mailto:aw_developerservices@custhelp.com). The Team also handle C3 and C4 requests to cost potential water mains diversions. If a water mains plan is required, this can also be obtained by emailing [maps@affinitywater.co.uk](mailto:maps@affinitywater.co.uk). Please note that charges may apply.

## **7.13 Anglian Water**

- 7.13.1 No comments received.

## **7.14 Herts and Middlesex Wildlife Trust**

- 7.14.1 The provision of bat and swift boxes is most welcome, and it is noted that the make and model will be put forward in the method statement for ecology. These boxes must be integrated into the brickwork. The location of the boxes detailed in this submission can be improved with more definitive wording e.g., 'Bat boxes will be installed at a minimum of 5m, directly under the eaves, preferably at a gable apex, with the boxes facing south, south-east or southwest. Swift boxes/bricks will be installed at a minimum of 5m, directly under the eaves, in groups of 3.

## **7.15 UK Power Networks**

- 7.15.1 We refer to the Planning Application for the above site. The proposed development is in close proximity to our substation and have the following observations to make:

- 7.15.2 If the proposed works are located within 6m of the substation, then they are notifiable under the Party Wall etc. Act 1996. The Applicant should provide details of the proposed works and liaise with the Company to ensure that appropriate protective measures and mitigation solutions are agreed in accordance with the Act. The Applicant would need to be responsible for any costs associated with any appropriate measures required. Any Party Wall Notice should be served on UK Power Networks at its registered office: UK Power Networks, Newington House, 237 Southwark Bridge Road, London SE1 6NP.
- 7.15.3 Our engineering guidelines state that the distance between a dwelling of two or more stories with living or bedroom windows overlooking a distribution substation should be a minimum of ten metres if the transformer is outdoor, seven metres if the transformer has a GRP surround or one metre if the transformer is enclosed in a brick building. It is a recognised fact that transformers emit a low-level hum which can cause annoyance to nearby properties. This noise is mainly airborne in origin and is more noticeable during the summer months when people tend to spend more time in their gardens and sleep with open windows.
- 7.15.4 A problem can also occur when footings of buildings are too close to substation structures. Vibration from the transformer can be transmitted through the ground and into the walls of adjacent buildings. This, you can imagine, is very annoying.

In practice there is little that can be done to alleviate these problems after the event. We therefore offer advice as follows:

1. The distance between buildings and substations should be greater than seven metres or as far as is practically possible.
2. Care should be taken to ensure that footings of new buildings are kept separated from substation structures.
3. Buildings should be designed so that rooms of high occupancy, i.e. bedrooms and living rooms, do not overlook or have windows opening out over the substation.
4. If noise attenuation methods are found to be necessary, we would expect to recover our costs from the developer.

7.15.6 Other points to note:

5. UK Power Networks require 24-hour vehicular access to their substations. Consideration for this should be taken during the design stage of the development.
6. The development may have a detrimental impact on our rights of access to and from the substation. If in doubt please seek advice from our Operational Property and Consents team at Barton Road, Bury St Edmunds, Suffolk, IP32 7BG.
7. No building materials should be left in a position where they might compromise the security of the substation or could be used as climbing aids to get over the substation surround.
8. There are underground cables on the site associated with the substation and these run in close proximity to the proposed development. Prior to commencement of work accurate records should be obtained from our Plan Provision Department at UK Power Networks, Fore Hamlet, Ipswich, IP3 8AA.
9. All works should be undertaken with due regard to Health & Safety Guidance notes HS(G)47 Avoiding Danger from Underground services. This document is available from local HSE offices.

7.15.7 Should any diversion works be necessary as a result of the development then enquiries should be made to our Customer Connections department. The address is UK Power Networks, Metropolitan house, Darkes Lane, Potters Bar, Herts, EN6 1AG.

## **7.16 Campaign for the Protection of Rural England (CPRE)**

7.16.1 I write with reference to the above reserved matters applications for residential development, including the Country Park, following the recent granting of outline planning permission. CPRE Hertfordshire has a long history of objection to the release of the Green Belt land known as 'Forster Country' for residential development and continues to be concerned that the detailed proposals by developers are of insufficient quality and scope, given the significance of the area in landscape and heritage terms.

7.16.2 We believe there is a specific responsibility to achieve the highest possible quality of development when the land was previously designated as protected to preserve its rural character permanently. This responsibility is compounded by the environmental requirements of recent legislation, including Climate Change Acts, and given the length of time that has elapsed since the original application, it is appropriate to review key objectives and components of the proposed development at this Reserved Matters. Specific CPRE Hertfordshire concerns are as follows.

7.16.3 The provision of the proposed carpark (App no 22/00781) within the Green Belt identified for the County Park is hugely regrettable and an entirely inappropriate feature within land which should form an open countryside setting to Rooks Nest House and the St Nicholas Church and Rectory Lane Conservation Area. The provision of municipal type facilities in this area introduces alien features into this highly valued rural landscape, and runs counter to the intention of the Applicant which is stated as: "(restoration) as hay meadows to the approximate field patterns that would have existed historically" (Planning Statement, Savills, para 3.2)

7.16.4 The constant references in the Planning Statement to future management of the Country Park by Stevenage Borough Council and the proposed installation of infrastructure such as the toilet block, hard-standing, bins and tarmac are incompatible with the assertion by the Applicants that the proposals "provide for the creation of 38 ha of informal open space for use by the general public" (op cit para. 3.2). The proposed carpark and toilet building will degrade the open character of the countryside and if such facilities are to be provided, they should be incorporated into areas identified for development outside the Green Belt.

7.16.5 With regard to the reserved matters applications for the residential and other development, the primary concern is of a major opportunity lost with regard to the establishment of high quality and appropriate development on land that was originally designated to be protected from inappropriate development permanently. The Applicant's Planning Statement relating to planning application number 22/00806 (RMA: Phase 1 Parcel D) notes the promotion of three 'Character Areas' for new housing.

7.16.6 The over-whelming impression of the plans submitted, both in terms of street layout and housing types, is of standard housing estates with scant attention paid to principles of good urban design, sustainable transport, or the development of a coherent neighbourhood and sense of place. The recently published 'A Housing Audit for England (2020)' undertaken by the Place Alliance and supported by CPRE, identified the lack of design quality in developments on 142 greenfield sites throughout the country, and the criteria utilised in that study would be likely to provide a similar assessment when applied to this application.

7.16.7 The lack of ambition with regard to the standard house types proposed together with inadequate landscaping and drainage treatments is most disappointing, when there is the opportunity to provide an exemplar development as part of an extension to Stevenage Old

Town, demonstrating innovative design and provision which addresses the challenges of climate change in a sensitive and valued location. The increasing requirements to take account of environmental issues, as evidenced by the enactment of the Climate Change Acts and related legislation, should encourage innovation and higher standards

## 8. RELEVANT PLANNING POLICIES

### 8.1 Background to the Development Plan

8.1.1 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).

### 8.2 Central Government Advice

8.2.1 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.

8.2.2 Since November 2018, housing delivery has been measured against the Housing Delivery Test (HDT) as set out by the Government planning policy and guidance. The results of the HDT dictate whether a local planning authority should be subject to consequences to help increase their housing delivery. Where an authority's HDT score is less than 85% of its housing requirement, the Council must incorporate a 20% buffer into its housing supply calculations in line with paragraph 73 of the NPPF. Where an authority's score is below 75%, the Council will be subject to the HDT's most severe penalty and must apply the presumption in favour of sustainable development. The latest HDT results, published by the Ministry of Housing Communities and Local Government (MHCLG) (**now the Department for Levelling Up, Housing and Communities (DLUHC)**) in January 2022 (DLUHC have not yet published the HDT results for 2022), identifies that Stevenage delivered 79% of its housing requirement which is above the 75% requirement. However, this is still less than 85%. Consequently, Stevenage Borough Council must include the 20% buffer in its 5-year housing land supply calculations, which it already does.

8.2.3 The Council also has to prepare an Action Plan to show how it is responding to the challenge of ensuring more homes are delivered in the Borough. It will have to be prepared in accordance with Planning Practice Guidance and analyse the reasons for under-delivery of new homes against the Government's requirements. It also has to set out clear actions on how to improve housing delivery. Consequently, Stevenage Borough Council has recently published its Action Plan (July 2022) to demonstrate how it seeks to maintain the supply of housing:

<https://www.stevenage.gov.uk/documents/planning-policy/monitoring/housing-delivery-test-action-plan-2022.pdf>

- 8.2.4 Turning to 5-year housing land supply, the Council recently published an Addendum Report in May 2022. The report set out that the Borough Council could demonstrate a housing supply of 5.91 years (including 20% buffer) for the period 1 April 2022 to 31 March 2027. However, since the Land West of Lytton Way appeal was allowed by the Planning Inspectorate for a development of 576 residential units (Appeal Reference: APP/K1935/W/20/3255692), the Council's Policy Department has confirmed the Council can now demonstrate a housing supply of 6.68 years (including 20% buffer).
- 8.2.5 The Council will also be commencing preliminary work into a potential review of its Local Plan, last adopted in May 2019. This is to ensure the policies within the Local Plan are up to date in accordance with the NPPF as well as ensuring the Council is delivering a sufficient supply of housing and employment.

### **8.3 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.

### **8.4 Adopted Local Plan (2019)**

- 8.4.1 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 SP4: A Vital Town Centre;  
Policy SP5: Infrastructure;  
Policy SP6: Sustainable transport;  
Policy SP7: High quality homes;  
Policy SP8: Good design;  
Policy SP9: Healthy communities;  
Policy SP11: Climate change, flooding and pollution;  
Policy SP12: Green infrastructure and the natural environment;  
Policy SP13: The historic environment;  
Policy IT3: Infrastructure;  
Policy IT4: Transport assessments and travel plans;  
Policy IT5: Parking and access;  
Policy IT6: Sustainable transport;  
Policy IT7: New and improved links for pedestrians and cyclists;  
Policy HO3: North of Stevenage;  
Policy HO7: Affordable housing targets;  
Policy HO8: Affordable housing tenure, mix and design;  
Policy HO9: House types and sizes;  
Policy HO11: Accessible and adaptable housing;  
Policy GD1: High quality design;  
Policy HC8: Sports facilities in new developments;  
Policy FP1: Climate change;  
Policy FP2: Flood risk in Flood Zone 1;  
Policy FP5: Contaminated land;  
Policy FP7: Pollution;  
Policy FP8: Pollution sensitive uses;  
Policy NH5: Trees and woodland;  
Policy NH6: General protection for open space;  
Policy NH7: Open space standards;  
Policy NH8: North Stevenage Country Park;  
Policy NH10: Conservation areas;

Policy TC11: New convenience retail provision.

## **8.5 Supplementary Planning Documents**

Parking Provision Supplementary Planning Document October 2020  
Stevenage Design Guide Supplementary Planning Document January 2023.  
The Impact on Biodiversity SPD 2021  
Developer Contributions SPD 2021

## **8.6 Community Infrastructure Levy**

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

# **9. APPRAISAL**

9.1 The principle of the development of this site to provide up to 800 dwellings, a primary school, local centre, landscaped communal amenity spaces, highways, drainage and utilities have been established with the grant of outline planning permission which has also considered and agreed the means of access to the site from North Road.

9.2 The main issues for consideration now are the visual impact of the development on the character and appearance of the area, impact of the development on the conservation area, impact upon neighbouring amenities, impact upon future amenities of residents, parking provision, highway implications, development and flood risk, impact on the environment, trees and landscaping, and ecology.

9.3 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.

## **9.4 North of Stevenage Policy**

9.4.1 The site has two site specific policies that should be identified as key elements will come out throughout the consideration of each RM application, and it must be ensured that all the RM's can be read in conjunction and don't contradict each other.

9.4.2 Policy HO3: North of Stevenage defines the boundary of the site and identifies its allocation for the development of approximately 800 dwellings. The policy states that development proposals will be permitted where the following criteria are met:

- a) The applicant can demonstrate that development can be expanded beyond the Borough boundary, and fully integrated with a wider, cross-boundary scheme;
- b) Satisfactory vehicular access is provided. At least two access points to and from the site will be required, which link effectively into the existing road, cycleway and pedestrian networks;
- c) The scheme is designed to encourage the use of sustainable modes of transport;
- d) At least 5% aspirational homes are provided in line with Policy HO9;
- e) Plots to accommodate at least 1% new homes are made available for self-build purposes;
- f) At least 30% affordable housing is provided in line with Policy HO7;
- g) Provision for supported or sheltered housing is provided in line with Policy HO10;
- h) Local facilities to serve the community are incorporated, including a GP surgery;
- i) A primary school is provided in line with the most up-to-date evidence of need;
- j) A skate park or MUGA for children is provided on-site;
- k) A full archaeological assessment is undertaken;

- l) A full flood risk assessment is undertaken;
- m) The proposal seeks to preserve the conservation area, including the setting of adjacent listed buildings. The following mitigation measures should be incorporated –
  - i. As much of the requirement for aspirational homes (criteria d) as possible should be met on the part of the site that lies within the conservation area. Development within this area should also be heavily landscaped to reduce visual impact of development;
  - ii. Existing hedgerows should be maintained and additional screening implemented to reduce visual impact of the development;
  - iii. Tall buildings will not be permitted. Building heights will be a maximum of two storeys within the eastern part of the site;
  - iv. No vehicular access to the site will be permitted from the east of the site, across the open fields;
  - v. Existing Public Rights of Way are retained and designed into the development, where possible; and,
  - vi. Building styles and layout to the east of the site should reflect the key features of the conservation area.
- n) The scheme incorporates a network of green infrastructure, with an emphasis on high quality landscaping within and around the development to reduce the impact of the development on the surrounding greenfield / Green Belt land; and
- o) An appropriate buffer around existing power lines is incorporated.

9.4.3 Policy NH8: North Stevenage Country Park states that within that part of the Rectory Lane and St Nicholas Conservation Area which lies within the Green Belt, proposals that facilitate improved public access and / or the creation of a country park will be supported in principle where they also support the aims and purposes of the existing policy designations.

9.4.4 Given the nature of this RM proposing the residential parcels A-C of Phase 1, Policy NH8 is not relevant in this case as matters pertaining to the Country Park are being considered under application reference 22/00781/RMM.

9.4.5 It must be made clear that further objections raised as part of this application on the development of this land for housing and a Country Park are not being taken into account as the site already has outline permission following allocation in the Local Plan (2019) and thus the principle of development as laid out in the outline application has been agreed. This includes and assessed the removal of the land to be developed for housing from the Green Belt, loss of arable land, assessment of infrastructure which led to S106 financial contributions and provisions, recognition of local history, increase in traffic numbers and provision of two vehicular accesses into site, active travel plan (pre-COVID).

9.4.6 The Local Plan adoption and Inquiry process would have required full assessment of many of the issues raised in third party objections, including housing numbers and delivery. Furthermore, comments relating to proposals outside of the remit of infrastructure, for example the Country Park, scale and siting of dwellings/apartment blocks will not be considered here as they are covered by separate reserved matters applications.

## **9.5 Visual impact of the development on the character and appearance of the area.**

9.5.1 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”.

9.5.2 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.

9.5.3 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”.

9.5.4 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”.

9.5.5 Policy SP8 of the adopted Local Plan (2019) requires new development to achieve the highest standards of design and sustainability which can deliver substantial improvements to the image and quality of the town’s built fabric. Policy GD1 of the Local Plan generally requires all forms of development to meet a high standard of design which includes form of built development, elevational treatment and materials along with how the development would integrate with the urban fabric, its relationship between buildings, landscape design and relevant aspects of sustainable design.

9.5.6 Policy HO3: North of Stevenage requires high quality not just in the provision of homes on site, but in the green spaces and landscaping and through sustainability of pedestrian and cycleway movements throughout the site.

9.5.7 The National Design Guide (2019) which was published by National Government is a material consideration in the determination of planning applications. It sets out that Buildings are an important component of places and proposals for built development are a focus of the development management system. However, good design involves careful attention to other important components of places. These include:

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

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

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

9.5.9 The Guide further iterates that all developments are made up of these components put together in a particular way. As such, the choices made in the design process contribute

towards achieving the ten characteristics and shape the character of a place. For reference, these ten characteristics are as follows:-

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

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

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

9.5.11 Policy GD1 of the adopted local plan 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. Furthermore, the newly adopted revision of the Stevenage Design Guide (2023) has been updated to reflect the ten characteristics above and re-emphasises the need for high quality design and development.

9.5.12 The application seeks to provide 243 residential units in the southern half of the site (excluding the conservation area). Phase 2 would cover the northern half of the site, everything north of the spine road, local centre and primary school site. It is envisaged this Phase will undergo pre-application negotiations later this year before an application(s) is submitted. In addition to Phase 1A-C's provision of dwellings, Phase 1D is being considered under planning application reference 22/00806/RMM for 115 units, taking the total for Phase 1 up to 358 dwellings.

#### Layout

9.5.13 The layout of Phase 1 has emerged and been influenced by the approved parameter plans from the outline permission and following pre-application advice. It is considered the scheme has adapted positively as a result. The layout is informed by the infrastructure layout with much of the core area laid out for the primary school site and to address the constraints on site, namely the southern line of overhead lines and pylons which will sit within the central green corridor. Beyond this the site is split between the southern and northern parcels for residential development. The southern parcel, is then split further by the conservation area covering much of the eastern half of the site, including the area proposed as the Country Park.

9.5.14 The layout is further predicated on the existing public rights of way (PROW) that intersect the site. ROW numbers 22, 105 and 18 run along the southern boundary of the site from its western entrance off North Road to the east where it finishes within the site at the churchyard and continues through the church yard to Weston Road. Heading northwards from the intersection of 105 and 18 is ROW 17, and at an intersection along ROW 18 where the properties of Mathews Close finish, ROW 23 travels north and then bears 90 degrees west where it meets ROW 17 before bearing 90 degrees to the right to head northwards up towards

ROW numbers 7 and 8 which are located in North Herts, providing connections north and north west.

- 9.5.15 The PROW are retained on site and the layout includes these within the green link areas, creating breaks within the built form through landscaped grass areas, or dense tree belts. Further green links are proposed creating new connections north to south from the pine road to the southern PROW, further increasing walking and cycling routes within the site and to the wider area. The residential parcels are then set within these links and work around shared surface roads and shared private driveways to reduce the priority levels given to the motor vehicle.
- 9.5.16 The residential units form patterns of units i.e. perimeter blocks which sit so that rear gardens are contained together facing inwards, with frontages facing outwards on the main boundaries and inner roads. This creates good surveillance in the area and prevents rear boundaries from being prominent in the street scene.
- 9.5.17 The layout and siting of the buildings has also been considered such that taller buildings are placed furthest from existing dwellings (to the south), within the Main Street and Local Centre. This provides a key distinctive character to this part of the new development, with lower density and scale dwellings proposed in the more sensitive areas.

#### Character Areas

- 9.5.18 The residential units have been designed to have character areas, to bring a mixture of features and materials forward, whilst respecting the context of the site with existing developments nearby and proximity to the Conservation Area. These character areas are presented in the Design and Access Statement (DAS) submitted in support of the application. This document outlines the designs progression including site context and surrounding architecture.
- 9.5.19 The character areas do follow on from the outline permission, informing the site layout, helping to provide legibility and a sense of place when travelling by foot, cycle or car. These areas are intended to have an individual personality and inform the scale, design and material treatment of the buildings proposed, creating appropriately individual senses of place and establishing a defined hierarchy of built form throughout the site. The character areas are identified as –
- Main Street and Local Centre (blue)
  - Green Edge (green)
  - The Neighbourhood (red)
  - St Nicholas' End (brown)



9.5.20 It is of note that the St Nicholas' End character area will not be discussed as part of this application as it refers to parcel 1D and is considered in its own right under planning reference 22/00806/RMM.

#### 9.5.21 Main Street and Local Centre

9.5.21.1 These character areas cover the houses in parcels A and B which front onto the main spine road and road which enters the site from the southern access junction off North Road. It also covers the local centre. This character area focuses on the entrance to the new development and brings modern features to the street scene. The properties are predominantly 2.5 and 3 storeys townhouses and apartment blocks (blocks 5, 6 & 7). The area benefits from views over the central green corridor open space which includes the attenuation ponds. The character area is the central spine running through the development and fronts on to the tree lined spine road.

9.5.21.2 The modern design principles for the Main Street and Local Centre character area include the use of buff brick and white render, along with grey roof tiles. The fenestration would be contemporarily styled with full length glazing and finished in Anthracite grey. No window heads or cills are proposed to emphasise the modern design. The dwellings would have front or side facing gable roofs, with some properties incorporating small flat roof dormers in the roofscape. Porch details would be flat roofed, and some properties include flat roof square bay windows.

#### 9.5.22 Green Edge

9.5.22.1 The green edge character area covers the southerly section of both parcels A and B, those areas closest to the PROW running along the southern boundary and the existing neighbouring developments off the Granby Road estate. This area takes note of its landscaped setting overlooking open spaces and the PROW running through the site. The area is made up of 2 storey detached and semi-detached dwellings at a low to medium density. The houses would have parking by way of private driveways, with garages also

provided set back to the side of the properties. The properties in this character area are accessed from the finish points of each spur road, via shared surface or private driveway.

9.5.22.2 The design of the dwellings in the Green Edge character area are traditional in appearance, including features such as pitched roof bay windows, boarding and pitched porch coverings. The materials palette includes traditional red brick with contrasting dark red brick detail brick, single brick band and quoins, gauged brick heads and stone cills to windows, and plain red or brown roof tiles. Properties will have front to back or hipped roof forms. Windows would be finished in UPVC casement windows with a mid-bar and in white.

#### 9.5.23 The Neighbourhood

9.5.23.1 The Neighbourhood character area is a blend of the Main Street and Green Edge areas. Properties form the middle sections of the parcels on the secondary and tertiary streets. Predominantly 2 storeys in height, the properties are a mix of detached, semi-detached, and small rows of terraces. The layout of the dwellings is informal with different set-back distances from the shared surface roads. Parking provision is typically to the side/rear of the dwellings, with some parking bays to the front of properties in certain areas.

9.5.23.2 The elevations are more traditional in style, but modern features proposed within the Main Street character area are incorporated, including flat roof porch canopies and bay windows. This character area has a mixed materials palette to take account of the transition between Main Street and the green Edge. Red brick is proposed for the elevations, with use of grey weatherboarding at first floor. The windows would have gauged heads but no cills are proposed. The roof scape would be a mixture of front to back, gabled and hipped finished in red or grey tiles. Plain upvc white casements are proposed.

#### Parcel 1C Local Centre

9.5.24 Proposed in three parcels, starting with the local centre located within the 'central' core of the site, this area would provide four blocks of apartments, with block 1 providing commercial space on the ground floor. Each block would be three storeys in height. Looking specifically at block 1 to start, being the largest of the four blocks, this building proposes an Art Deco style design with symmetry, layered shapes and line art. It would have a more typical flat roof design, with layered floors and cornice detailing. There would be a central three storey column on the front elevation finished in a light render. The ground, first and second floors would predominantly be in brick, with two set back elements of the second floor being completed in render.

9.5.25 Facing eastwards towards the internal road and primary school site, the design incorporates tall glazing in a symmetrical pattern across the upper floors, with large, glazed shop windows on the ground floor. Upper floors also include 'Juliet' balcony style openings to serve the apartments. The building design and materials palette is considered to propose a standout building in the main local centre, which will be visible from North Road. Bin and cycle storage for this block are proposed externally on land fronting the link road. Parking would also be in this area, as well as to the south of the building for residents. A large area of parking for users of the commercial space is shown to the north of the building with disabled parking to the front of the building.

9.5.26 To the south of block 1 the second largest building in the local centre is block 4. The three-storey building also faces eastwards onto the road, looking towards blocks 2 and 3 on the eastern side of the local centre. The building design incorporates a hipped roof, with small crown detail, and gable roof projections on both the front and rear elevations. To the front, these include one narrower central gable with reduced ridge line, and two larger gables evenly spaced on each side. To the rear there would be two similar sized larger gables of equal separation on the elevation. The building would be completed in buff brick with elements of white render. Apartments in block 4 would be two bed with those sited on the

ends of the buildings having three aspects with windows. The four central flats on each floor would be single aspect facing either west or east.

9.5.27 Bin and cycle storage would be contained in the building at ground floor on the northern side of the block. Parking would be located to the front and also to the north, in an area shared with block 1. Landscaping would be provided between parking areas, with trees planted in wider areas. To the rear the block overlooks the attenuation basin located to the west of the site and North Road beyond.

9.5.28 On the eastern side of the local centre link road, blocks 2 and 3 are located adjacent the primary school site and south of the proposed school access and LEAP, LAP, MUGA and Skate Park which are located to the north east of the local centre. Both blocks are of the same design and layout, with block 2 facing southwards towards block 3. The two are slightly offset with block 3 located towards the west and block 2 towards the east. The proposed amenity spaces for each block on their respective open sides. Parking for both blocks are located in one large communal area between the two buildings. Landscaping is proposed to the frontage of both blocks and around the perimeter of areas of the parking courts by way of hedging and tree planting and both amenity areas have tree planting and grass lawns.

#### Parcel 1A

9.5.29 Parcel 1A incorporates dwellings from all three of the character areas, either facing onto the main spine road, the southern right of way or the secondary roads contained within the middle of the residential areas. The house types as identified in the character areas would include front to back roofs with side gables, or front gable roofs, either 2, 2.5 or 3 storeys high depending on the character area they fall in. The apartment blocks proposed would fall within the Main Street character area and face onto the main spine road.

9.5.30 These blocks would be an inverted 'L' shape wrapping around the corner of the spur road junction at which they are proposed. Their form is simplistic and modern with use of render and full height glazing to bring interest. Bin and cycle storage is either contained as part of the building or located in a detached outbuilding. Each block would have private amenity space tot eh south and rear along with dedicated car parking.

9.5.31 The landscape of the area incorporates hedging for property frontages, in particular along the main spine road to create a green and landscape driven development. The properties are laid out to create small shared private driveways off the shared surface highways proposed, with the parking predominantly to the sides of dwellings or the rear of apartment blocks. As such the visual appearance of the streets created is aesthetically pleasing to the eye.

9.5.32 Tree planting is proposed in front and rear gardens, or within tree pits in public areas such as near visitor parking bays, between parking areas or in verges, providing height in the landscaping and also pockets of shade in the street. The landscaping proposal would also tie in well with those of the green links and PROW boundaries as proposed in the infrastructure plans.

9.5.33 The development parcels have been designed to be small pockets of dwellings of apartment blocks set around a core green area made up of the rear gardens or communal areas. Visually this reduces the level of boundary treatments for rear gardens being seen within the street scene, and where corner plots would have some level of boundary treatment facing the road this is well landscaped to provide a level of screening against any hard finish.

#### Parcel 1B

9.5.34 The larger of the three parcels in Phase 1, parcel B covers the southern area of the phase, and leads into parcel 1D which lies within the St Nicholas and Rectory Lane Conservation Area. As with parcel A, the area incorporates dwellings from all three character areas, but predominantly has more of the Neighbourhood design within the wider middle section of the

parcel, with the Green Edge character area running along the southern and eastern boundaries and the Main Street to the north.

- 9.5.35 The area is enclosed on the western, southern, and eastern sides by good green links and landscaping, with pockets of landscaping and hedging to properties frontages within the street scenes. The layout includes short passages of shared surface areas and shared private driveways similar to the cul-de-sac forms seen within the existing Granby Road estate to the south.
- 9.5.36 Parcel 1B incorporates a wider selection of house types, including more terraced properties than parcel 1A. Detached properties are typically sited along the southern and eastern boundaries at a lower density, with semi-detached dwellings making up the volume of the parcel. Parking is typically to the side of properties with fewer garages proposed, and some frontage parking is proposed in the far north eastern corner of the parcel. This has been scaled back in the amended plans following officer concern over the visual appearance of the street scene having an excessive level of hardstand.
- 9.5.37 As with parcel A, the apartment block proposed (block 7) is three storeys and located on the corner junction with one of the spur roads and a green link. The 'L' shaped layout faces northwards onto the spine road, providing amenity space and car parking to the south and rear.

#### Conclusion

- 9.5.38 In conclusion, it is considered the layout, scale and design of Phase 1 parcels A-C has presented a good balance between the new development coming forward and the existing siting and context of the site within the North Road area of Stevenage. The proposals have evolved following officer and consultee input to the benefit of the scheme. The proposed residential areas fit well within the constraints of the site and around the infrastructure being proposed to bring the development forward.
- 9.5.39 The proposals are considered to have taken full account of the current National Design Guide and criteria as laid out in the NPPF and local policy. The character areas create clear distinctive parcels whilst showing a legibility between each area and ensuring the site has an appealing mixture of designs and features, providing visual interest. It is considered that the proposal would have a positive impact on the character and appearance of the area, creating a well-balanced and landscape led development.

## **9.6 Impact on the Conservation Area and other Heritage Assets**

- 9.6.1 The *Planning (Listed Buildings and Conservation Areas) Act 1990* imposes several 'statutory duties' for decision-makers, all of which are applicable to the proposed development:
- "Section 16(2): In considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses".
  - "Section 66(1): In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses".
  - "Section 72: In the exercise, with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area".
- 9.6.2 Case law (South Lakeland, 1992) has determined that 'preserve' means 'to do no harm'. However, if harm is identified, the NPPF provides a means of weighing either 'substantial harm' or 'less than substantial harm' to the significance of a designated heritage asset against

the public benefits of the proposal. In doing so, case law has emphasised the need to give “considerable importance and weight” to preserving listed buildings or the character and appearance of conservation areas (Barnwell Manor, Case No: C1/2013/0843). However, the presumption ‘to preserve’ is not irrebuttable and “can be outweighed by material considerations powerful enough to do so” (Forge Field (Case Nos: CO/735/2013; CO/16932/2013) and a decision maker that has followed the process set out in the NPPF, in respect to weighing harm and benefits, can reasonably be expected to have complied with the ‘statutory duties’ of the 1990 Act (Mordue, Case No. C1/2015/1067).

9.6.3 Paragraph 197 of the NPPF (2021) states that ‘in determining applications, local planning authorities should take account of:

a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;

b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and

c) the desirability of new development making a positive contribution to local character and distinctiveness.’

9.6.4 Furthermore, paragraphs 199 to 202 of the NPPF (2021) have to be considered in the determination of this planning application. As established through case law, if there is *any* harm to designated heritage assets, great weight must be given to it. Dealing with Paragraph 199, it stipulates that when considering the impact of a proposed development on the significance of a designated heritage asset, such as the St Nicholas and Rectory Lane Conservation Area, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss, or less than substantial harm to its significance. Paragraph 200 sets out that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

9.6.5 Paragraph 201 sets out that where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss.

9.6.6 Paragraph 202 sets out that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. In undertaking this balance, considerable importance and weight must be attached to the less than substantial harm

9.6.7 Paragraph 204 sets out that Local Planning Authorities should not permit the loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred. With respect to paragraph 205, this sets out that Local Planning Authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible. However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted.

9.6.8 In considering public benefits, the Planning Practice Guidance (PPG) (2019) (Reference ID: 18a-020-20190723) sets out that the National Planning Policy Framework requires any harm to designated heritage assets to be weighed against the public benefits of the proposal. Public benefits may follow from many developments and could be anything that delivers economic, social, or environmental objectives as described in paragraph 8 of the NPPF. For

reference, paragraph 8 of the NPPF states that “Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure.

b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and

c) an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy”

9.6.9 The planning practice guidance goes on to state that public benefits should flow from the development. They should be of a nature or scale to be of benefit to the public at large and not just private benefit. However, benefits do not always have to be accessible to the public in order to be genuine public benefits, for example, works to a listed building which secure its future as a designated heritage asset could be a public benefit. Consequently, while a range of benefits that help deliver sustainable communities could be relevant, the PPG provides examples of heritage based public benefits, as follows:

- Sustaining or enhancing the significance of a heritage asset and the contribution of its setting;
- Reducing or removing risks to a heritage asset;
- Securing the optimum viable use of a heritage asset in support of its long-term conservation.

9.6.10 Turning to the adopted Local Plan, Policy SP13 relates to the historic environment. This states that the council will preserve and enhance the most important area and characteristics of Stevenage. The policy goes on to state that the Council will:-

- a. Have carried out Heritage Impact Assessments for development sites within, or adjacent to, conservation areas. Site specific mitigation measures have been incorporated to minimise the impacts of development.
- b. Will use national guidance and legislation to review, designate and determine planning applications affecting heritage assets.
- c. Will protect areas of archaeological importance and other relevant heritage assets by applying the detailed policies set in this plan.

9.6.11 Policy NH8 of the local plan relates to the North Stevenage Country Park and states:-

“Within that part of the Rectory Lane and St Nicholas Conservation Area which lies within the Green Belt, proposals that facilitate improved public access and/or the creation of a country park will be supported in principle where they also support the aims of and purposes of the existing policy designations”

- 9.6.12 Finally, Policy NH10 Conservation Areas states that development proposals within, or affecting a conservation area should have regard to the guidance provided by the relevant Conservation Area Management Plan Supplementary Planning Document
- 9.6.13 The application site falls outside of but immediately adjacent the St Nicholas and Rectory Lane Conservation Area, therefore, due regard is given to the St Nicholas and Rectory Lane Conservation Area Management Plan SPD (2012). The SPD sets out that this part of the town was occupied since the Saxon period where it is thought the settlement stood in the area around the parish church of St Nicholas. In the 12th Century, a flint and stone church was constructed and the tower is now the earliest remaining part of the church, dating around 1125AD.
- 9.6.14 The settlement around the church grew and the oldest remaining building is the Old Bury (grade II\*). In addition, there are a number of listed buildings in the surrounding area including Rooks Nest House (grade I) and Rooks Nest Farmhouse and outbuildings (separate grade II list entries). Rooks Nest House was the home to EM Forster for a period of time and the surrounding area has become known locally as Forster Country.
- 9.6.15 In assessing the proposed allocation of the site in the Adopted Local Plan, the Inspector referred to the Council's assessment of the contribution that the heritage assets made to the area as part of the evidence base for the plan. She also went on to state:-
- “There is no doubt that the landscape contributes to the setting of the listed buildings to some degree. However, taking the listed buildings in turn, St Nicholas Church has a sizeable churchyard that is heavily wooded and contains numerous monuments. When walking around the churchyard, one gets a sense of enclosure within the well planted churchyard. There are glimpsed views of the fields to the north of the Church through the trees, but in terms of views of the wider landscape these are only achieved by leaving the churchyard.”
- “The Church building and in particular its tall spire are visible from a wide area, and the appreciation of its contained, heavily wooded churchyard reflect its central role within the Parish. However, the setting of the building that is experienced from the allocated site is that of a confined, wooded churchyard, with glimpsed views to land outside the churchyard. The wider landscape is within the setting of the Church, but due to the nature of the churchyard, site HO3 contributes little to its significance, compared to the land immediately north of the churchyard. Additionally, built development on the site would be located some distance from the Church and churchyard and would certainly not hinder the ability to appreciate it or its setting. Indeed, there is modern built development much closer to the Church than this proposed development would be.”
- “Rooks Nest House Howards is located on Weston Road, a narrow lane. It is set back from the road within maturely landscaped gardens which enclose it and significantly limit views of it. To the west of Rooks Nest House Howards and the adjacent Rooks Nest Farm (listed grade II) are agricultural fields. Nevertheless, this is an agricultural landscape of open fields as a result of modern farming practices. Consequently, much of the historic character of these fields has been lost, with the removal of field boundaries and hedges and so it appears different to how it would have done when EM Forster resided here. Also visible in this landscape is the housing development to the south of the allocated site, the extensive Lister Hospital complex to the west and numerous tall electricity pylons that straddle the fields.”
- 9.6.16 Finally, the Inspector went on to conclude:- “Overall, whilst built development here would increase significantly, I am confident that the site could be developed in a manner that protects the significance of the designated heritage assets. Also, for the reasons set out above, exceptional circumstances have been demonstrated to justify the release of this site from the Green Belt.”

- 9.6.17 Phase 1A-C falls outside the conservation area but immediately abuts its western boundary where parcel 1B adjoins parcel 1D (reference 22/0080/RMM). In respect of the current application, the assessment of harm relates specifically to the impact of the housing parcels on the setting of the conservation area only. It is noted that the proposals for Phase 1A-C would sit adjacent to the residential development of parcel 1D which falls within the western edge of the conservation area. Furthermore, as identified by the Local Plan Inspector, there is already significant built form in close proximity of the conservation area. Also, given the siting of parcel 1D and other built development within the Chancellors Road estate to the south of the site, it is considered the proposals would not harm the setting of the nearby listed building St Nicholas Church. Furthermore, given the distance from, and proposed screening of this Phase from properties on Weston Road to the east of the proposed Country Park, it is not considered the proposals require a further assessment of their impact on the listed buildings associated with Rooks Nest (House, Farm and Barns).
- 9.6.18 Paragraph 200 of the NPPF (2021) sets out that any harm to a designated heritage asset should require clear and convincing justification. In addition, where proposals that may cause less than substantial harm to the significance of a designated heritage asset, should be weighed up against the public benefits of the proposal, including where appropriate, securing the optimum viable use. In undertaking that weighting exercise ‘considerable importance and weight’ must be given to the preservation of the significance of the listed building, including its setting. In determining the application, it must be noted that ‘less than substantial harm’ is not a ‘less than substantial planning consideration’.
- 9.6.19 Turning to public benefits, there is no definition of ‘public benefits’ on the National Planning Policy Framework or associated Planning Practice Guidance. All the guidance states (as set out in paragraph 10.5.7) that it “*should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large*”. There is also Case Law that deals with what is a material consideration, and this pretty much whether it serves a “*proper planning purpose*” (see latest commentary on this in Wright v Resilient Energy Severndale Ltd and Forest of Dean District Council). Further, public benefit could be anything that delivers economic, social or environmental objectives as described in paragraph 8 of the NPPF. The test therefore is whether the benefits clearly and convincingly outweigh the considerable importance and weight given to the heritage harm.
- 9.6.20 Historic England have provided comments on each RM application, having made representations on the outline application. They acknowledge that the application has been approved and that the principle of development of the site has been established. However, they remain concerned that the density and general design and appearance of the development would have a negative impact upon the character and appearance of the conservation area and its setting.
- 9.6.21 It was highlighted in the outline application officer report that the level of harm perceived by Historic England was not supported by officers, nor the Council’s historic advisors and the Heritage Assessment undertaken by the applicants. Officer’s note the concerns raised in respect of the layout and house types of Phase 1, but also recognise that the comments provided by Historic England relate to the reserved matters application for Phase 1D which is the residential development in the conservation area. These concerns have been raised as part of the corresponding application (reference 22/00806/RMM) and amended plans are forthcoming to address these concerns.
- 9.6.22 Subsequently, the development of parcels A and B in particular being outside of but adjacent the conservation area, it is considered the layout and style of houses proposed to be acceptable. The principle of developing this area has been agreed, with revisions to the 1D parcel forthcoming as part of its respective application to take account of the conservation area and its setting. Taking account of the above, the NPPF guidance, local policy and conclusions of the Inspector following the Local Plan assessment, it is officers opinion that

the proposals will have some level of impact on the setting of the conservation area, albeit less than substantial harm and on the lowest end of the scale.

- 9.6.23 Furthermore, the proposed development would bring about public benefits that hold significant weight including in the case of parcels 1A-C the delivery of much needed housing (including affordable housing) and the provision of the local centre providing key amenities for future residents and nearby existing developments. These would outweigh the less than substantial harm at the lower end of the scale which would be caused by this development.

## 9.7 Affordable Housing

- 9.7.1 Criteria f) of Policy HO3 of the Local Plan (2019) states that the site should provide at least 30% affordable housing in line with Policy HO7, and this figure was secured through the S106 agreement attached to the outline permission granted, as seen in the table below. This figure (240 dwellings out of 800) is applicable to the whole site and would encompass a mixture of one and two bedroom apartments, and two, three and four bedroom houses.

Unit Size	% of affordable provision	No. of units
1 and 2 bed flats	60%	144
2 bed houses	25%	60
3 bed houses	10%	24
4+ bed houses	5%	12

- 9.7.2 In Phase 1, just over 50% of the total site affordable housing is being proposed, and a total of 51% of the number of houses within Phase 1 are proposed to be affordable, an overprovision in numbers and of smaller dwellings (1 and 2 bed flats) and under provision of houses (2, 3 and 4 beds). This imbalance is largely due to the higher proportion of the flatted requirement being met in the Local Centre, of which all are proposed as affordable, and no provision of affordable units being in parcel 1D (the Conservation Area) as this parcel seeks to meet the aspirational homes target set in Policy HO3. The below table shows the market vs affordable split.

Open Market	Affordable
2 bed dwellings x 29 3 bed dwellings x 78 4 bed dwellings x 11	1 bed dwelling x 20 2 bed dwellings x 88 3 bed dwellings x 12 4 bed dwellings x 5
<b>TOTAL</b> 118	<b>Total</b> 125

- 9.7.3 The remainder of the required affordable housing provision will be addressed as part of the Phase 2 reserved matters application due to be submitted to the Local Planning Authority later this year. Similarly, the site is required to provide 5% Aspirational Homes and 1% self-build plots. The aspirational homes, as mentioned above, are proposed within the Conservation Area parcel 1D. Furthermore, the self-build plots will come forward in Phase 2.

- 9.7.4 Given the large quantity of flats required under the S106 requirements, all seven apartment blocks proposed in Phases 1A-C are to be affordable units. The dwellings are then in small pockets of terrace or semi-detached dwellings, with at least 50% overlooking areas of green open space such as green links or the central green corridor. The layout and siting of the affordable units was agreed as acceptable by the Council's Housing Development team during the pre-application assessment. The proposals are considered to be acceptable on the provision that the remaining numbers and house type mix will come forward through the Phase 2 application.

## 9.8 Commercial Provision

- 9.8.1 Policy HO3 states under criteria h) provision of local facilities is a requirement of the site. The Local Centre proposes commercial units within the ground floor of block 1, with two being labelled retail units of circa 140 and 100 square metres. A third space labelled commercial store would equate to 280 square metres, with an ancillary back of house area of 140 square metres, totalling 420 square metres.
- 9.8.2 The proposed units make good use of the ground floor area of block 1 and have ample frontage and shop front windows on the southern, eastern and norther elevations, making the units visible from future residents and passing traffic. The proposals therefore meet the requirements of Policy HO3.
- 9.8.3 Furthermore, Policy SP4: A Vital Town Centre expressly states that a local centre shall come forward in the north of Stevenage development with an anchor store of the order of 500 square metres and other small-scale retail shops sufficient to meet the day-to-day needs of the residents of the new neighbourhood. The proposal falls slightly short of the anchor store size requirement by 80 square metres. Given the layout of the largest unit, and the size of the two smaller units proposed (being good) it is considered the overall provision is sufficient to meet the needs of the development and would not warrant a reason to refuse the application.

## 9.9 Impact upon Neighbouring Amenity

- 9.9.1 In assessing the impact on neighbouring amenity, the Council's Local Plan (2019) and Design Guide (2023) 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 of 2 storeys or more 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	25m
	Back to Side	15m
Between new 2 storeys or a mix of 1 and 2 storey	Back to Back	20m
	Back to side	12m
Over 2 storeys between existing and new dwellings	Back to Back	35m
	Back to Side	25m
Between new dwellings over 2 storeys in height	Back to Back	30m
	Back to Side	20m

- 9.9.2 In respect of the proposed development, it is the relationship between the proposed dwellings along the southern edge of Phases A and B which must be assessed given their proximity from and relationship with the existing properties of Granby Road and its associated spur roads/cul-de-sacs which back on to the site. There have been a couple of objections raised

specifically in respect of relationships of plots (180, 181 and 201) in proximity of houses in The Brambles.

- 9.9.3 Looking specifically at plot 201 first, the proposed dwelling type and layout have been changed as part of the amendments recently made to take account of concerns raised by 13 The Brambles. Previously a 'corner' property with main windows on the front (southern) and both side (eastern and western) elevations with the garden coming off the western elevation, the layout has changed such that the property now faces east (front) and the rear elevation being the western elevation. Consequently, only a ground floor obscure glazed window serving the utility area is now proposed on the southern elevation.
- 9.9.4 The side elevation measures approximately 22m from the rear elevation of 13 The Brambles. No.13 and plot 201 would be separated by the existing rear garden of No.13, measuring approximately 8.2m in length, and the existing PROW and landscaping buffer proposed. It is noted that there is less natural landscaping along this stretch of the PROW behind The Brambles to provide screening between the existing and proposed developments. However, at 22m and a back to side relationship proposed between an existing dwelling and a proposed dwelling, this would exceed the Council's required separation distance of 15m by 7m. Therefore, whilst the outlook from 13 The Brambles will change due to this development, the impact on their immediate amenity is considered to be of an acceptable level given the Council's adopted parameters.
- 9.9.5 Objections raised by 9 The Brambles imply that plots 181 and 182 would have a garage or car port within 20m of existing properties in The Brambles. This is not the case. Two car parking spaces are shown for plot 181 to the front of their property, and to the rear of plot 201's garden. There is no indication that these parking spaces are a garage or car port, and to place one in this location would have wider implications on the visual appearance of the area. Parking for plots 182 and 183 are located to the sides of the properties in a tandem fashion. It is not considered this proposed layout of parking would detrimentally impact the amenities of the properties in The Brambles that are within close proximity.
- 9.9.6 Looking more generally along the length of the southern boundary, the distances between the proposed dwellings facing on to or with side elevations facing the PROW and landscaped buffer are all in excess of the Council's adopted separation distances for privacy and outlook. Furthermore, given these separation distances the proposed dwellings would not cause any undue loss of light to the existing properties along this boundary.
- 9.9.7 Further comments have been made in respect of the proximity of the proposed three storey flats from existing properties along the Granby Road estate. Due to the proposed layout of the development these apartment blocks are located on the main spine road, some 70m (approx.) from the southern boundary of the PROW that defines the southern boundary of the site. Given there will be 2 and 2.5 storey houses viewed between the existing properties and the proposed flats it is not considered these would unduly impact the privacy or light of properties along Granby Road and its cul-de-sac spur roads.
- 9.9.8 There are several areas of additional landscaping proposed along the PROW and within the green buffer between the PROW and built development along this area of parcels A and B, to bolster the existing landscaping conditions, that will increase the screening within these areas to the benefit of existing and proposed properties. As such, it is considered the proposed development would not adversely affect the amenities of the existing residential properties off Granby Road and its associated spur roads/cul-de-sacs.

## **9.10 Impact upon the Amenity of Future Residents**

### **9.10.1 Internal Space Standards**

9.10.1.1 The adopted Local Plan outlines prescribed space standards for new dwellings, as set out in the Department for Communities and Local Government (now the Department of Levelling Up, Housing and Communities) document 'Technical housing standards - nationally described space standards' 2015. These are as shown below for one to four bedroom dwellings.

Number of bedrooms (b)	Number of bed spaces (persons)	1 storey dwellings	2 storey dwellings	3 storey dwellings	Built-in storage
1b	1p	39 / 37	N/a	N/a	1.0
	2p	50	58	N/a	1.5
2b	3p	61	70	N/a	2.0
	4p	70	79	N/a	
3b	4p	74	84	90	2.5
	5p	86	93	99	
	6p	95	102	108	
4b	5p	90	97	103	3.0
	6p	99	106	112	
	7p	108	115	121	
	8p	117	124	130	

9.10.1.2 The minimum internal sizes of the proposed different apartment block and dwelling type units have been annotated on their respective proposed floor plans. These plans have also been assessed to ensure they do meet the respective standards. Each unit, depending on its layout, bedroom numbers, etc as a minimum meets the above required standards.

9.10.1.3 Room size standards for bedrooms are also considered in the technical standards, determining how many persons the unit can accommodate and in terms of acceptable living environments. These standards state that a double bedroom should be 11.5 square metres minimum with a minimum width of 2.75m and that where a second (or more) bedroom(s) is proposed it should have a minimum of 7.5 square metres and width of 2.15m. A second double should be at least 2.55m wide with the same 11.5 square metres minimum floor space. The bedroom sizes of the proposed units meet the minimum standards.

## 9.10.2 External Amenity Space

9.10.2.1 The Stevenage Design Guide SPD (2023) recommends that where possible external amenity space should be provided for residential properties. For houses this is a minimum area of 50 square metres and typically 10m in depth. For flats this is an external amenity space of 10 square metres per flat. The only exception to this is where flats are developed in very central locations, where public open space is easily accessible and higher densities are required. The Design Guide specifically states that private open space should be located conveniently for use by residents and in a position that is not overlooked by neighbouring buildings; normally to the rear of the building, and in the case of flats the private space will usually form part of the garden or communal amenity space, and not an area of landscaping.

9.10.2.2 In respect of the dwelling houses proposed, each unit has an enclosed garden of a minimum of 50 square metres and a depth of 10m although on occasion the plot is not completely uniform in shape due to parking arrangements etc. The layout of parcels A and B have been designed to ensure the proposed dwellings meet the required separation distances for privacy levels and outlook, although these are discussed further below in this report.

- 9.10.2.3 Looking then at the apartment blocks which propose only flat units, blocks 1 and 4 in the local centre do not propose any external amenity space because of their location within and the function of the local centre, and their proximity to the attenuation basin and grounding tower facility within the green space to the west of the buildings. Whilst the provision of private external amenity space is preferred, in this case there are merits of having a large amount of open space in close proximity of the local centre for use by future residents. Furthermore, all other blocks have a level of private external amenity space.
- 9.10.2.4 Blocks 2 and 3 are also located in the local centre, on the eastern side of the main spur road which runs north to south. Each block here has an enclosed communal garden on one side of the building. For block 2 it is located to the west of the building, closest the road, and measures approximately 110 square metres in area. This equates to 10 square metres per flat with 11 flats proposed in this block. In respect of block 3 the communal space is located to the west of the building and closest the proposed school site. This area measures approximately 140 square metres for 10 flats and is thus slightly over the required 10 square metres per flat.
- 9.10.2.5 Moving on to parcel 1A, there are two apartment blocks in this area, blocks 5 and 6. Block 5 sits on the eastern side of the first spur road serving this area of residential development. The block faces northwards onto the spine road with the private communal garden being sited to the rear and thus south of the building, making the area much more attractive in terms of its orientation and light. This area is proposed as being approximately 170 square metres in size, with 10 flats being proposed in the building. The provision for block 5 therefore exceeds the requirement of the Design Guide.
- 9.10.2.6 In terms of block 6, this block is located west of the third spur road and middle green link area separating parcel 1A from 1B. The block has a similar layout to block 5 (and 7) in that it faces northwards towards the spine road, with parking and amenity space to the rear and thus to the south of the building. Due to some amendments to neighbouring dwelling plots to provide adequate rear garden and bin storage provision outside of the associated garage, the parking area for block 6 has been slightly revised and this has taken a small amount of the amenity space proposed for this block. An area of private space is still proposed however, at approximately 130 square metres for a provision of ten flats this is still in excess of the adopted standards.
- 9.10.2.7 Turning lastly then to block 7, this is proposed in parcel 1B and sits on the opposite side (eastern side) of the spur road and green link to block 6. A handed layout (excluding the bin and cycle store provision) of block 6, the external space is also to the rear and south of the building making the external amenity space much more likely to be used as it will have sunlight for much of the day. As with all the amenity spaces, some trees are provided to ensure a level of shade in these southerly facing areas. The size of the amenity space at block 7 would measure approximately 175 square metres for a provision of 10 units, again well in excess of the standards.
- 9.10.2.8 In conclusion therefore, and giving due weight to the provision of open spaces close to the local centre and the density of flats in this area, the proposed garden areas per dwelling and private communal spaces for the apartment blocks are considered acceptable, far exceeding the Council's requirements in places. The proposed Phases 1A-C would therefore provide adequate outdoor amenity space for future residents.
- 9.10.3 Separation Distance, Privacy and Outlook
- 9.10.3.1 As mentioned above the Council's adopted Design Guide and Appendix C of the adopted Local Plan set out the acceptable separation distances between new and existing residential developments, in terms of privacy and outlook.

9.10.3.2 Based on the table shown in paragraph 9.9.1 you can determine the distances required between the proposed plots specifically. Based on the plans submitted in support of the application the back-to-back and back to side relationships proposed all meet as a minimum these separation distances. Therefore, adequate levels of privacy and outlook are proposed for future residents. This could change should future residents wish to alter and/or enlarge their property by undertaking works deemed permitted development under the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (GPDO). In particular for two storey dwellings, should works be undertaken to create a loft conversion then a third storey/second floor is introduced, and these would be unlikely to meet the separation distances because of the additional floor being created.

9.10.3.3 Consequently it is considered reasonable and necessary to impose a condition on any approval removing these permitted development rights to ensure satisfactory separation distances are maintained for the proposed dwellings, as well as ensuring the high-quality design of the development is not compromised by large box dormers which can be allowed for loft conversions under Class B of Part 1 of the GPDO.

9.10.3.4 Looking specifically at outlook of particular buildings, concerns were raised by officers about the outlook of flats in the north western corner of block 1, given the location of the grounding pylon and 3m high brick wall enclosure. Amendments to the layout of the first and second floor flats in this location have removed main habitable room windows for living and dining areas on the rear elevation of block 1 to instead face northwards. The rooms would be dual aspect by retaining a window on the rear and also the front elevation to ensure sufficient light into the rooms. This is considered to be an acceptable solution and will provide adequate light and outlook to these units.

#### 9.10.4 HO11 Category 2 Housing

9.10.4.1 Policy HO11 of the Local Plan requires 50% of all dwellings provided to be Category 2 compliant in respect of wheelchair accessibility and adaptability (M4(2)). The requirements of Category 2 include –

- 1) Reasonable provision must be made for people to –
  - a) gain access to: and
  - b) use, the dwelling and its facilities.
- 2) The provision made must be sufficient to –
  - a) meet the needs of occupants with differing needs, including some older or disabled people; and
  - b) to allow adaptation of the dwelling to meet the changing needs of occupants over time.

9.10.4.2 Document M then goes on to discuss the different areas in which dwellings should meet Category 2. This includes –

- Step-free approach route;
- Additional stepped route;
- Private parking space (private dwelling);
- Communal parking space (flatted development);
- Communal entrances and circulation;
- Private entrances and circulation;
- Doorways;
- Habitable room sizes and layout;
- Sanitary facilities;
- Utilities and controls.

9.10.4.3 The information and plans submitted in support of the application show that 41% of the dwellings in Phase 1 would be HO11 compliant both internally and externally, and that a further 19% are internally compliant with these standards (totalling 60%). At present this is deemed acceptable, with Phase 2 being able to address the left-over requirement.

## **9.11 Highway Implications**

- 9.11.1 In respect of the main highways proposals for the site, these have been considered in the infrastructure RM reference 22/00808/RMM. The current application looks at the secondary and tertiary spur roads and cul-de-sacs proposed, visitor laybys, parking provision, and foot/cycle way connections to main infrastructure links.
- 9.11.2 The highway network proposed includes all small spur road and private driveway systems funnelling off the main primary road network (which consists of the main spine road, local centre link road, two north eastern spur road connections, the country park south eastern spur road, the south eastern spur road which runs through parcel 1B into parcel 1D and the main foot and cycleway connections). There are five additional spur roads proposed off the main spine road, heading south into parcels 1A and B. Three are proposed in parcel A and two are proposed in parcel B, with the third forming part of the infrastructure application.
- 9.11.3 The initial roads into the parcels would have designated footpaths on each side of the road, for at least the first 45 – 65m after which distance they become shared surfaces of approximately 6m in width. This width accommodates the normal 2m footways on each side and a narrower highway width. Manual for Streets states that ‘in traditional street layouts, footways and carriageways are separated by a kerb. In a street with a shared surface, this demarcation is absent, and pedestrians and vehicles share the same surface. Shared surface schemes work best in relatively calm traffic environments. The key aims are to:
- encourage low vehicle speeds;
  - create an environment in which pedestrians can walk, or stop and chat, without feeling intimidated by motor traffic;
  - make it easier for people to move around; and
  - promote social interaction.’
- 9.11.4 Where the shared surfaces or designated footpaths meet an area of open space/green link in these areas, appropriate connections are made to allow residents of these areas to have direct connections to these green spaces, local play areas and more direct access to the centre of the site, namely the local centre, central green corridor and beyond this the primary school site. This central green corridor and southern PROW also lead to the proposed Country Park.
- 9.11.5 Where the shared surfaces or roads are shorter and typically meet the southern PROW the areas split off to create small private driveways serving up to six dwellings. There is also provision within the roads and shared surfaces for visitor layby parking. This is set off the main road/shared surface area to prevent parking in these areas.
- 9.11.6 Each property would have parking provision in the form of tandem or double bay parking, a single garage and driveway space, allocated space(s) to the front of the dwelling or allocated space within a parking court (typically for the apartment blocks). In terms of the local centre, parking here is arranged in larger car parks, with designated retail/commercial parking separate from the residential parking for blocks 1 and 4. The management of these parking areas will be controlled by the Management Company required as part of the S106 agreement, and with signage in the respective areas.
- 9.11.7 The application has been supported by various swept path tracking plans to adequately show the manoeuvrability of a fire tender, refuse vehicle and delivery vehicle within the estate roads to the satisfaction of the local highway authority.
- 9.11.8 Within the local centre, a turning area is proposed to the north west of block 1 for use by the commercial/retail units and possible service vehicles associated with these uses, as well as providing maintenance access to the UKPN grounding pylon.

- 9.11.8 The proposed highway works have been led by pre-application engagement with Hertfordshire County Council as the local highway authority, and the amended plans submitted have addressed very minor points initially raised by them. As such HCC Highways have confirmed that the proposals are acceptable and have advised of a number of highway informatives that should be imposed on any approval granted.

## 9.12 Parking Provision

- 9.12.1 Manual for Streets recognises that a design-led approach should be taken regarding the provision of car parking spaces, which should take into account the expected levels of car ownership. Where insufficient car parking is provided this can lead to poor parking behaviours which can negatively affect the quality of development in terms of its visual appearance and cars parking on the roads and footways can lead to problems for pedestrians and emergency service access.

- 9.12.2 As the parking authority, the Council's supplementary planning document 'Parking Standards and Sustainable Transport' was adopted in 2020 and provides the Council's stance on parking levels within the borough whilst also putting forward strategies to reduce private car use with a modal shift to more sustainable modes of transport.

### 9.12.3 Car

- 9.12.3.1 The car parking provision for the site is a 100% provision as the site does not fall within a residential zone allowing for reductions in numbers based on sustainability.

The current standards require –

Description	Car parking requirement	
a) General needs		
i) 1 bedroom	1 space per house	1 space per flat
ii) 2 bedrooms	1.5 spaces per house	1.5 spaces per flat
iii) 3 bedrooms	2 spaces per house	1.5 spaces per flat
iv) 4+ bedrooms	2.5 spaces per house	2 spaces per flat
b) Houses in multiple occupation (i.e. Separate households sharing facilities) <sup>(1)</sup>	0.5 spaces per tenancy unit	
c) Sheltered housing for the elderly - warden control	0.5 to 1 spaces per unit	

- 9.12.3.2 Where the stated figures include a decimal place, provision should be rounded up to the nearest whole number. This calculation would usually happen at the end of the calculation. Where a property has a garage to be considered part of the parking provision, the garage should measure a minimum of 3m by 6m internally to allow for parking of a large vehicle and storage.

- 9.12.3.3 Where the local centre has provision for commercial/retail uses, parking provision is broken down and for Class E uses is typically 1 space per 30 square metres, although this does vary depending on the use within Class E proposed. Sufficient space should be provided in the local centre for the commercial use, but also for possible school trips and users of the local facilities.

- 9.12.3.4 The total of Phases 1A-C proposes 553 car parking spaces, this is inclusive of all residential, commercial and visitor parking requirements. Where necessary this has included rounding up of provision numbers based on the table above. The provision of visitor parking is based on 0.25 spaces per dwelling. Where parking is allocated these spaces are in addition to the total residential figure, and where parking is unallocated, visitor spaces can be forfeited.
- 9.12.3.5 Based on the Council's adopted standards the total number of spaces required for the development would be within the range of 499 and 510, with the margin being associated with the possible Use Class E uses at the local centre. The proposal is therefore seeking parking numbers over the recommended maximum by 43 spaces.
- 9.12.3.6 Officers have advised as part of the pre-application enquiry that a small percentage above maximum would be acceptable, given the local centre could also make provision for parking related to the primary school. The parking provision would be allocated across the site as follows –

Type of Car Parking	No of Spaces
Allocated parking space	158
Allocated driveway parking space	264
Allocated garage or car barn parking space (6 x 3m)	69
Unallocated parking space	39
Allocated retail parking spaces	23
<b>TOTAL SPACES</b>	<b>553</b>
E.V.C.P to be 13amp wall or pedestal mounted charge with gun holster	208

- 9.12.3.7 Furthermore, total car parking space numbers are equated with half numbers being rounded up at the end of the sum and not rounded up prior to multiplying the number of flats or houses vs the space requirement (i.e. 67 2 bed flats at 1.5 spaces each would be calculated as 67 x 1.5, not 6.7 x 2). However, the developers have taken the approach that the total number of spaces (residential and visitor) would be slightly over the maximum with residential numbers rounded up for each dwelling where appropriate.
- 9.12.3.8 As a result, more spaces will be available off-street for visitors and therefore 'visitor' spaces on-street will be fewer than the total visitor numbers based on the standards. In this case, this approach is considered acceptable and the additional provision for such a large development will help prevent displacement and bad parking behaviours to the betterment of the development.

#### 9.12.4 Electric Vehicle Charging Points

- 9.12.4.1 In line with the Council's aspirations for a modal shift, the SPD requires 20% of all parking provision to have active electric vehicle charging points (EVCP), with the remaining 80% having passive infrastructure in place to allow easy set up for future installation of EVCP's.
- 9.12.4.2 It is noted from the Design and Access Statement that 208 of the 553 parking spaces proposed in this phase of the development are proposed to have access to an active EVCP in accordance with Building Regulations Approved Document S. This would include 100% provision for all allocated spaces of dwelling houses, including garages, driveways, driveways, front or courtyard parking. Further details of the proposed 13-amp wall mounted

or pedestal points can be sought through the imposition of a condition. However, the proposed provision far exceeds the Council's current 20% requirement and is therefore acceptable.

### 9.12.5 Disabled Parking

9.12.5.1 The adopted parking standards SPD does require a minimum 5% of the parking provision, for communal parking, to be made available as disabled parking. Therefore, provision should be made for the apartment blocks and the local centre parking. The local centre parking requirement would therefore equate to two disabled parking spaces, which is shown on the respective layout plans for the local centre.

9.12.5.2 In respect of the apartment blocks parking areas, parking spaces are not expressly shown as being disabled, but over 5% provision is made within each area of parking for spaces that are HO11 compliant and are therefore accessible spaces meeting the requirements of a disabled space with additional door swing space. This is deemed acceptable to meet the SPD requirement.

### 9.12.6 Cycle

9.12.6.1 Taken from the Council's Parking Standards and Sustainable Transport SPD, the below table shows the current cycle parking provision requirements for C3 residential use. The 4<sup>th</sup> column shows the long-term provision, and the fifth column shows short-term provision (i.e. for visitors). Long-term provision should be secure and covered by way of a garage, shed or designated cycle store. The latter two typically in the rear garden of the dwelling houses.

C3-C4	Residential (without garage)	1-bed	1 space per unit	1 space per 40 units
		2-bed	2 spaces per unit	
		3-bed	3 spaces per unit	
		4-bed		
	Houses in multiple occupation (without garage)		1 space per bedroom	

9.12.6.2 For the proposed dwelling houses specifically, where these would be served by a garage, said garage would be a minimum 3m by 6m in accordance with the SPD, and this would provide ample space for car parking and storage/cycle parking. For all other dwelling houses provision is made through a lockable shed in the rear garden, with rear garden access readily available without the need to pass through a garage or through the house itself.

9.12.6.3 For the apartment blocks and commercial uses, cycle storage is proposed in cycle stores, either attached to or forming part of the building footprint, or within a detached outbuilding. These are of a size and design sufficient to meet the cycle parking standards above. Furthermore, at the local centre, short term cycle parking is proposed in the form of Sheffield stands which is acceptable by the local highway authority.

### 9.13 Development and Flood Risk

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

- 9.13.2 The drainage solution as proposed at outline application stage was for the site to discharge directly to the existing sewer infrastructure by using a pumped connection. The outline application also proposed a series of drainage basins within the developed area of the site and a basin and a series of boreholes within part of the proposed Country Park. This was agreed with Anglian Water and was also been agreed by the Lead Local Flood Authority (LLFA) subject to the imposition of several conditions to deal with the delivery of the drainage and future maintenance.
- 9.13.3 These proposals are as submitted and being assessed through the infrastructure reserved matters application, as well as discharge of condition applications for those conditions imposed on the outline permission.
- 9.13.4 In respect of this application, the drainage details cover the residential areas in terms of surface water run-off and how this meets and merges with the overarching site drainage. Areas of permeable hardstand are proposed for the local centre parking areas, as well as all the apartment block parking areas.
- 9.13.5 The engineering drawings submitted for the residential parcels highlight the high and low points within the road network to show where the run-off will head. Where possible these would lead to SuDS features such as swales. However due to the ground levels on the western part of the site this wouldn't be possible. It is proposed therefore to have double gully capacity of drains at necessary points in the road network to take the surface water to the nearest connection on site for transfer within the basin system and pumping station.
- 9.13.6 The proposals have been assessed by the Council's independent drainage consultant as the LLFA are not yet providing support to LPAs in terms of consultation responses. The Council's consultants have informally advised that the proposals are acceptable subject to some additional information on the gully designs. Any formal written response received prior to the date of the committee meeting will be provided by way of an update to members. If a response has not been received before this time, officer's request the matter be delegated to the Assistant Director for Planning and Regulation to ensure any necessary conditions are imposed in line with those comments.

## **9.14 Trees, Landscaping and Biodiversity**

- 9.14.1 Paragraph 174 of the NPPF (2021) states that planning policies and decisions should contribute to and enhance the natural and local environment by:
- a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
  - b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;
  - c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;
  - d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;
- 9.14.2 Policy SP12: Green Infrastructure and the Natural Environment seeks to protect and enhance green infrastructure and the natural environment in Stevenage. The policy requires new development to include multi-functional green space as an integral part of its design and would permit the creation of other new open spaces.

- 9.14.3 Paragraph 131 of the NPPF states that ‘Trees make an important contribution to the character and quality of urban environments and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible.’
- 9.14.4 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. Furthermore, criteria n) of Policy HO3 states that the scheme for the development of the North of Stevenage allocated site shall incorporate a network of green infrastructure, with an emphasis on high quality landscaping within and around the development to reduce the impact of the development on the surrounding greenfield / Green Belt land.
- 9.14.5 The proposed development includes a significant level of new green spaces which will be available to the public and within which biodiversity and ecology will be enhanced. It also proposes a much enhanced landscape included a large planting schedule of trees and shrubs throughout the site, but more intensively along the eastern boundary of parcel 1D and the Country Park. These proposals are being considered under the infrastructure application reference 22/00808/RMM.
- 9.14.6 The site as a whole will provide the 38-hectare Country Park, of landscaped open space, planted to create smaller, hedged hay meadows with improved public access. However, this key element is being considered under its own reserved matters application 22/00781/RMM. The main principles of the residential soft landscaping are to enhance the overall character of the development, integrate with the overarching landscape setting proposed by the public open space and nearby Country Park, and to provide an attractive and varied setting to the dwellings and street scene, within both public and private amenity spaces.
- 9.14.7 The Design and Access Statement explains that the landscape design approach has been developed to respond to the defined character areas and to compliment the architectural style of each area.
- 9.14.8 Phase 1A and B – within these parcels tree planting is proposed within the street, in front gardens of dwellings and within shared amenity spaces of each apartment block. A mixture of single and mixed species hedge planting is proposed through-out the two phases. Single species hedging is proposed to both houses and the apartment blocks, defining the residential boundaries and helping to provide privacy. Predominantly the length of the spine road frontage would be single species hedge planting, as well as properties fronting the southern PROW. Where properties face the wider green infrastructure of the site, these boundaries would have a mixed species hedgerow planted. Shrub planting has been proposed within shared amenity spaces around the apartment blocks and within front and side garden areas of the houses, as well as lawned grass areas.
- 9.14.9 The local centre includes pockets of landscaping with some tree and shrub planting around the perimeters of the parking areas, alongside footpaths within the parking areas, and within the frontages of blocks 2 and 3. The planting schedule includes additional planting mixes in this location to differentiate the local centre from the other phases. The use of larger species trees has been incorporated in this area to provide an overall structure. These are placed in the shared amenity spaces, with smaller street trees within car parking areas.
- 9.14.10 The main street and apartment blocks have hedge planting to define the main boundaries, with further shrub planting to provide green buffers, in particular around the ground floor of the apartment blocks. Shrub species near parking areas have been chosen to be robust whilst providing visual amenity. The species of tree, hedge and shrub have taken account of comments received by the Council's Green Spaces Officer and the Tree Manager.

- 9.14.11 The outline planning permission requires the submission and approval of a Construction Environmental Management Plan (Biodiversity) and a Method Statement for Ecology as part of the discharge of conditions. As part of this process and in accordance with comments provided by Herts and Middlesex Wildlife Trust the development will make provision for swift and bat boxes across all three phases. Furthermore, a sensitive lighting corridor is proposed along the southern boundary to preserve a bat commuting route.
- 9.14.12 The proposed tree, landscaping and biodiversity proposals for this application are considered to be acceptable and will support the wider infrastructure planting and landscaping proposals to the benefit of the area both visually and in terms of wildlife habitat.

## **9.13 Other Matters**

### Sustainable construction and climate change

- 9.13.1 Policy FP1 of the adopted Local Plan (2019) stipulates that planning permission will be granted for development that can incorporate measures to address adaptation to climate change. New developments will be encouraged to include measures such as:
- Ways to ensure development is resilient to likely variations in temperature;
  - Reducing water consumption to no more than 110 litres per person per day, including external water use;
  - Improving energy performance of buildings;
  - Reducing energy consumption through efficiency measures;
  - Using or producing renewable or low carbon energy from a local source; and
  - Contributing towards reducing flood risk through the use of SuDS or other appropriate measures.
- 9.13.2 The outline application was supported by a Sustainability Statement which included information on building performance and indicated that buildings would be designed to achieve low carbon energy emissions through the use of passive solar design in order to minimise heat loss in winter and overheating in the summer by using natural light and ventilation as much as possible. This could be managed through appropriate glazing. The statement also covered high performance building fabric and systems such as hybrid heating and cooling, high efficiency LED lighting, and intelligent lighting.
- 9.13.3 Much of the above mentioned systems and building techniques can be incorporated but no details have been provided specific to Phases 1A-C at this time. It is considered acceptable therefore to impose a suitably worded condition to seek further details to be agreed.

### Equality, Diversity and Human Rights

- 9.13.8 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.
- 9.13.9 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.
- 9.13.10 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.

- 9.13.11 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.
- 9.13.12 In terms of inclusive access, the proposed buildings would include level access with 41% being HO11 and M4(2) compliant both internally and externally making them accessible and/or adaptable, with a further 19% being compliant internally. Furthermore, route connections between the residential parcels and the wider infrastructure would incorporate level access and crossings where applicable. The development makes provision for disabled parking within the local centre and apartment block parking areas, and sufficient width footpaths at apartment blocks and the local centre.

#### Impact on Archaeological Remains

- 9.13.13 The NPPF paragraph 128 states that *"In determining applications...Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation"*.
- 9.13.14 Paragraph 129 notes that *"Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal"*.
- 9.13.15 The impact of the proposed development of the HO3 allocated site of North of Stevenage was assessed as part of the outline application process and the decision notice issued included the imposition of conditions relating to archaeology in accordance with comments received by the Hertfordshire County Council Archaeological Team at the time. As such, matters pertaining to archaeology will be adequately picked up as part of the respective discharge of condition applications as and when they are submitted to the LPA.

#### Air Quality

- 9.13.16 Similarly to the above, the impact of the proposed development of the site on air quality was assessed as part of the outline application, through the Air Quality Assessment and cumulative impact assessment in respect of the effects of both construction and operation of the proposed development on the application site and surrounding area. The impact was deemed minimal by the Council's Environmental Health Team and thus no further study of this is deemed necessary for the consideration of the infrastructure for the site.

#### Bin Storage and Collection Points

- 9.13.17 The proposed development has been supported by a refuse layout plan showing the bin drag distances for houses, as well as bin collection points and storage areas. These details have been amended following initial concerns over a minor number of dwellings have drag distances over the recommended 35m and requiring access through garages to take bins from the rear gardens to kerbside. The revised details have addressed these points and adequate provision for access to gardens and either kerbside or bin collection point collections within the 35m drag distance has now been provided across the site.

- 9.13.18 In respect of the proposed apartment blocks, an acceptable level of bin storage provision is proposed in integral or separate storage areas, located such that kerbside collection is possible.
- 9.13.19 Within the local centre, commercial bins are proposed to be stored to the rear of block 1, with access from the service yard turning head. Details of any enclosure to this area can be sought and approved by imposition of condition, to ensure it has an acceptable visual appearance.

## **10. PLANNING BALANCE AND CONCLUSIONS**

- 10.1 In summary, the proposals for Phases 1A-C which include the provision of the local centre commercial uses and residential flats, dwellings and apartments and secondary and tertiary road network in phases 1A-B are considered to be acceptable on balance. The scheme has undergone some revisions to take account of initial comments from statutory consultees and these changes are considered to have enhanced the scheme further.
- 10.2 The scheme proposes to extend the highways network proposed under the infrastructure RM with the further spur roads, shared surfaces and private driveways. Foot and cycle way connections are also shown to link up with the proposed green links and main thoroughfares proposed as part of the infrastructure plans.
- 10.3 Turning to the impact on the heritage assets St Nicholas and Rectory Lane Conservation Area, and nearby listed buildings, due regard has been given to Section 66 of the Listed Building Act 1990 in terms of considering whether to grant planning permission for development which affects the setting of the conservation area and listed buildings, where special regard, with respect to this application, is given to the desirability of preserving the settings which they possess. As set out in section 9.6 of this report, it has been demonstrated that the development would cause, at the lower end of the scale, less than substantial harm to the setting of the conservation area and to a lesser degree the settings of the listed buildings. Consequently, regard must be given to paragraph 202 of the NPPF which stipulates that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. These public benefits are considered in section 9.6 of the report and in further detail below as part of the Planning Balance exercise.
- 10.4 Taking the above harm into consideration, the proposal does have a number of significant planning benefits which weigh in the schemes favour. The proposals would see allocated housing on site come forward in a well-designed and contextual manner. The proposals would also provide a local centre with commercial space and facilities for future residents.
- 10.5 The proposed level of useable and accessible green open space would be enhanced by the proposed landscaping scheme for the residential parcels and the addition of swift and bat boxes within all three parcels.
- 10.6 Therefore, it has to be concluded that the benefits the development would bring as a whole would be substantial. The proposals are considered to meet the requirements of the relevant local plan policies, especially HO3, but more broadly in terms of design and quality also.
- 10.7 Further to the above, it has been demonstrated that whilst the development would cause, at the lower end of the scale, less than substantial harm to the setting of the St Nicholas and Rectory Lane Conservation Area and nearby listed buildings, the substantial benefits the development would bring would outweigh the harm that is caused.

- 10.8 Turning to design, the proposed character areas and house/apartment block types have followed the necessary ten characteristic approach as set out in the National Design Guide, as well as in the recently adopted Stevenage Design Guide (2023). The plans largely follow the approved parameter plans approved as part of the outline application, and streets created would be suitably landscaped and where appropriate would share surfaces between pedestrians and motor vehicles.
- 10.9 In terms of the amenity of future residents, the proposals meet all the required standards as set out in national and local policy in respect of living space standards, external amenity space and separation distances to maintain privacy and outlook. With regards to the impact of the development on the amenity of existing residents, it can be demonstrated that the development would not have a detrimental impact on the residential properties along Granby Road, and surrounding spur road and cul-de-sac estates. In particular the separation distances would meet current standards for relationships between existing and proposed housing.
- 10.10 The proposal would provide an acceptable level of car parking albeit slightly over the required provision, and this would include residential and commercial/retail parking, visitor spaces, disabled spaces, EVCP and cycle storage of a satisfactory provision.
- 10.11 In summary, the proposed residential development of Phases 1A-C is reflective of the masterplan, is considered to be of high-quality design and layout and makes positive contributions to link with the wider infrastructure proposals. The character areas and different design elements would bring distinctive character to the development whilst providing legibility between these areas. The identified less than substantial harm to the setting of the conservation area and nearby listed buildings are outweighed by the benefits as detailed above. Furthermore, the proposals would provide a good sense of place and level of amenity for future residents whilst preserving amenity levels of existing residents. Parking, landscaping, and drainage provisions would all meet the requirements of policy and consultees. Therefore, there are sufficient material considerations, subject to conditions that planning permission should be granted in this instance.

## 11. RECOMMENDATIONS

- 11.1 That Reserved Matters planning permission be GRANTED subject to the following :-
- 11.2 The imposition of suitable conditions, with authority given to the Assistant Director of Planning and Regulation in consultation with the Chair of Planning Committee, to amend or add to the suggested draft conditions set out in this report, prior to the decision notice being issued, where such amendments or additions would be legally sound and most effectively deliver the development that the Planning Committee has resolved to approve. These suggested conditions are as follows:-
- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:  
P1708.HA.102; P1708.HA.105; P1708.HP.101; P1708.HP.102; P1708.HP.103;  
P1708.HU.101; P1708.HU.102A; P1708.HU.103; P1708.HU.104; P1708.LA.101;  
P1708.LA.102; P1708.LO.101A; P1708.LO.102; P1708.LO.103; P1708.M2.101;  
P1708.M2.102A; P1708.M2.103; P1708.M2A.101; P1708.M3.101; P1708.M3.102;  
P1708.M4.101; P1708.M4.102A; P1708.M4.103; P1708.M4.104; P1708.M4A.101;  
P1708.M4A.102; P1708.PG.101; P1708.PG.102; P1708.PH.101; P1708.PH.102;  
P1708.PS.101; P1708.PS.102A; P1708.PS.103; P1708.PS.104A; P1708.PS.105;  
P1708.PS.106; P1708.RE.101; P1708.RE.102; P1708.RE.103; P1708.RE.104;

P1708.SA.102; P1708.SC.101; P1708.SC.102; P1708.SC.103; P1708.SC.104;  
P1708.SUB.101; P1708.TH.102A; P1708.TH.103; P1708.TH.104; P1708.TH.105;  
P1708.TH.106; P1708.TH.109; P1708.TH.110; P1708.WB.101; P1708.WB.102;  
P1708.WB.103; P1708.WB.104; P1708.BSA.01G; P1708.MSA.01E; BM1-NPA-V1-0S-DR-  
L-7510-A-C01; BM1-NPA-V1-0S-DR-L-7511-A-C01; BM1-NPA-V1-0S-DR-L-7512-A-C01;  
BM1-NPA-V1-1a-DR-L-5210-A-C02; BM1-NPA-V1-1abc-DR-Y-3200-A-C01 A3; P1708.18;  
P1708.AN.101A; P1708.B2A.101; P1708.AN1.101B; P1708.B2.101; P1708.B2.102;  
P1708.B2A.102; P1708.B3A.101; P1708.B3A.102; P1708.B3B.101; P1708.B3B.102;  
P1708.B4.101; P1708.B4.102A; P1708.BC.101; P1708.BC.102; P1708.BC.103;  
P1708.BC.104; P1708.BC.105; P1708.BLK1.103 - Rev A; P1708.BLK1.104 - Rev A;  
P1708.BLK2.101; P1708.BLK2.102; P1708.BLK2.103; P1708.BLK2.104; P1708.BLK2.105.;  
P1708.BLK2.106; P1708.BLK2.107; P1708.BLK2.108; P1708.BLK3.101; P1708.BLK3.102;  
P1708.BLK3.103; P1708.BLK3.104; P1708.BLK3.105; P1708.BLK3.106; P1708.BLK3.107;  
P1708.BLK3.108; P1708.BLK4.101; P1708.BLK4.102; P1708.BLK4.103; P1708.BLK4.104;  
P1708.BLK4.105; P1708.BLK4.106; P1708.BLK4.107; P1708.BLK4.108; P1708.BLK5.104;  
P1708.BLK6.104; P1708.BLK7.101; P1708.BLK7.102; P1708.BLK7.103; P1708.BLK7.104;  
P1708.BLK7.107; P1708.BLK7.105; P1708.BLK7.106; P1708.BLK7.108; P1708.BM.101;  
P1708.BM.102; P1708.BM.103; P1708.BM.104; P1708.BR.101A; P1708.BR.102B;  
P1708.CA.101A; P1708.CA.102B; P1708.CA.103; P1708.CA.105A; P1708.CH.101;  
P1708.CH.102; P1708.CO.102; P1708.CO.103; P1708.GAR.101; P1708.GAR.102;  
P1708.GAR.103; P1708.GAR.105; P1708.GAR.106; P1708.GAR.107; P1708.GAR.108;  
P1708.GR.101; P1708.GR.102; P1708.HA.101A; P1708.SRL.0006-C; P1708.BLK1.101 -  
Rev C; P1708.BLK1.102 - Rev C; P1708.BLK1.105-Rev C; P1708.BLK1.106 - Rev B;  
P1708.BLK5.101A; P1708.BLK5.102A; P1708.BLK5.103A; P1708.BLK5.105A;  
P1708.BLK5.106A; P1708.BLK5.107A; P1708.BLK5.108A; P1708.BLK6.101A;  
P1708.BLK6.102A; P1708.BLK6.103A; P1708.BLK6.105A; P1708.BLK6.106A;  
P1708.BLK6.107A; P1708.BLK6.108A; P1708.CO.101A; P1708.MA.101A;  
P1708.MA.102A; P1708.MA.103A; P1708.MA.104A; P1708.MA.105A; P1708.MA.106A;  
P1708.PG.103A; P1708.PG.104A; P1708.SA.101A; P1708.SS.101D; P1708.SS.102C;  
P1708.SS.103C; P1708.SS.104B; P1708.SS.105C; P1708.01R; P1708.02K; P1708.12K;  
P1708.13J; P1708.14J; P1708.15K; P1708.16J; P1708.17J; BM1-OC-RMA-1E-DR-C-5400-  
R02; BM1-OC-RMA-1E-DR-C-54001-R02; BM1-OC-RMA-1E-DR-C-5402-R02; BM1-  
OCRMA-1E-DR-C-5403-R02; BM1-NPA-V1-ZZ-DR-L-5200-A-C02; BM1-NPA-V1-ZZ-DR-L-  
5201-A-C02; BM1-NPA-V1-ZZ-DR-L-5202-A-C02; BM1-NPA-V1-ZZ-DR-L-5203-A-C02;  
BM1-NPAV1-1a-DR-L-5215-S1-C01; BM1-NPA-V1-1a-DR-L-5216-S1-C02; BM1-NPA-V1-  
1a-DR-L-5217-S1-C02; BM1-NPA-V1-1b-DR-L-5220-S1-C02; BM1-NPA-V1-1b-DR-L-5221-  
S1-C02; BM1-NPA-V1-1b-DR-L-5222-S1-C02; BM1-NPA-V1-1b-DR-L-5223-S1-C02; BM1-  
NPA-V1-1b-DR-L-5224-S1-C02; BM1-NPA-V1-1c-M2-L-5205-S0-C01; BM1-NPA-V1-1c-  
M2-L-5206-S0-C01; BM1-NPA-V1-1c-M2-L-5207-S0-C01; BM1-OC-RMA-1A-DR-C-5100 -  
R02; BM1-OCRMA-1A-DR-C-5101 - R02; BM1-OC-RMA-1A-DR-C-5102 - R02; BM1-OC-  
RMA-1A-DR-C-5103 - R03; BM1-OC-RMA-1A-DR-C-5104 - R03; BM1-OC-RMA-1A-DR-C-  
5105 - R05; BM1-OC-RMA-1A-DR-C-5106 - R03; BM1-OC-RMA-1A-DR-C-5107 - R03;  
BM1-OC-RMA-1A-DR-C-5108 - R03; BM1-OC-RMA-1A-DR-C-5109 - R02; BM1-OC-RMA-  
1A-DR-C-5110 - R02; BM1-OC-RMA-1A-DR-C-5111 - R02; BM1-OC-RMA-1A-DR-C-5112 -  
R03; BM1-OC-RMA-1A-DR-C-5113 - R03; BM1-OC-RMA-1A-DR-C-5114 - R03; BM1-OC-  
RMA-1A-DR-C-5115 - R02; BM1-OC-RMA-1A-DR-C-5116 - R02; BM1-OC-RMA-1A-DR-C-  
5117 - R02; BM1-OC-RMA-1C-DR-C-5200 - R04; BM1-OC-RMA-1C-DR-C-5201 - R02;  
BM1-OC-RMA-1C-DR-C-5202 - R02; BM1-OC-RMA-1C-DR-C-5203 - R02; BM1-OC-RMA-  
1C-DR-C-5204 - R02; BM1-OC-RMA-1C-DR-C-5205 - R02; P1708.TH.101; P1708.CA.104;  
**REASON:-** For the avoidance of doubt and in the interests of proper planning.

2. The development hereby permitted shall be carried out in accordance with the soft and hard landscaping details submitted, unless otherwise approved in writing by the Local Planning Authority.

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

3. All planting, seeding, and turfing comprised in the approved landscaping details as agreed under condition 2 of this approval shall be carried out in the first planting and seeding seasons following the first occupation of the development hereby permitted or, the completion of the approved development whichever is the sooner.  
**REASON:-** To ensure a satisfactory appearance for the development.
4. All hard surfacing comprised in the approved landscaping details as specified in condition 2 of this approval shall be carried out prior to first occupation of the development hereby permitted or, the completion of the approved development, whichever is the sooner.  
**REASON:-** To ensure a satisfactory appearance for the development.
5. Any trees or plants comprised within the scheme of landscaping, which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless otherwise agreed in writing by the Local Planning Authority.  
**REASON:-** To ensure a satisfactory appearance for the development.
6. No tree shown on the 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.
7. All areas of hedges, scrub, or similar vegetation where birds may nest which are to be removed as part of the development within each phase(s), are to be cleared outside the bird-nesting season (March - August inclusive) or if clearance during the bird-nesting season cannot reasonably be avoided, a suitably qualified ecologist will check the areas to be removed immediately prior to clearance and advise whether nesting birds are present. If active nests are recorded, no vegetation clearance or other works that may disturb active nests shall proceed until all young have fledged the nest.  
**REASON:-** Nesting birds are protected from disturbance under the Wildlife and Countryside Act 1981 (As amended).
8. Prior to first construction of any building on site, details of the proposed swift and bat boxes, their construction and integration into the respective buildings/dwellings shall be submitted to and approved in writing by the Local Planning Authority. The boxes shall thereafter be installed/integrated on the building/dwelling elevations as identified on Drawing number BM1-NPA-V1-1d-DR-Y-3200-A-C01.  
**REASON:-** To ensure that the development contributes to improving the ecology and biodiversity of the area.
9. Prior to first occupation/use of the buildings/dwellings and development hereby permitted, details of the proposed 13-amp wall mounted and pedestal electric vehicle charging points and their locations shall be submitted to and approved in writing by the Local Planning Authority. The 13-amp wall mounted and pedestal electric vehicle charging points shall be installed in accordance with the approved details prior to first occupation. Where the EVCP is located in a communal parking area these must be maintained to a working standard by the management Company appointed/created for the development.  
**REASON:-** To ensure the provision of charging points is in accordance with the Council's standards and that they have an acceptable visual appearance.
10. Prior to the first occupation/use of the buildings/dwellings and development hereby permitted the approved refuse/recycle stores and bin collection points shall be constructed in accordance with the details submitted with this planning application and shall be permanently retained in that form.

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

11. Prior to first occupation/use of plots 173-177 details of the proposed bin stores at the locations shown on Drawing numbers P1708.16-J and P1708.17-J to serve plots 173-177 shall be submitted to and approved in writing. The bin stores shall thereafter be installed in accordance with the approved details prior to occupation of these units.

**REASON:-** To ensure the bin stores have an acceptable visual appearance and there is sufficient waste storage for the plots identified in accordance with the Council's standards.

12. Prior to the first occupation/use of the buildings/dwellings and development hereby permitted the approved cycle parking stores shall be constructed in accordance with the details submitted with this planning application and shall be permanently retained in that form.

**REASON:-** To ensure that adequate cycle parking provision for the apartment buildings/local centre is provided on site in accordance with the Council's standards.

13. No plant or equipment shall be affixed to any external face of a building or added to the roof of the building unless otherwise agreed in writing by the Local Planning Authority.

**REASON:-** In the interests of amenity

14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no external telecommunications equipment or infrastructure shall be erected to any apartment block (numbers 1, 2, 3, 4, 5, 6 and 7) other than those expressly authorised by this permission.

**REASON:-** To retain the high-quality external design promoted by this development.

15. Notwithstanding the provisions of Classes A, B and C of Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revising, revoking or re-enactive that Order with or without modification) no internal or external alterations shall take place to any garage, which would preclude its use for housing motor vehicles and/or bicycles, no loft conversions including dormer windows / roof extensions, or roof lights and openings shall be constructed on the dwelling house(s) hereby permitted unless permission is granted on an application made to the Local Planning Authority.

**REASON:-** To enable the Local Planning Authority to fully consider the effects of development normally permitted by that Order to safeguard the amenities of the neighbouring properties from overlooking / loss of privacy and to ensure sufficient parking is available.

18. Notwithstanding the requirements of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that order) the non-residential units within the local centre shall be used for Use Classes E only of the schedule to the Town and Country Planning (Use Classes) Order 1987 and for no other purposes (including Use Class C3 - Residential or for employment based uses such as offices, research and development and light industrial as well as other services falling within Use Class E), unless otherwise agreed in writing or approved by way of separate planning permission

**REASON:-** To ensure the retention of active frontage, appropriate infrastructure is retained to support the residential community and because highway and other impacts have been assessed on the basis of the above uses.

19. Prior to the first occupation of the non-residential units of each phase hereby permitted (retail, leisure, office, commercial), details of the hours of operation of the non-residential units for the relevant phase hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The non-residential units shall thereafter be occupied solely with the approved details.

**REASON:-** To ensure that no nuisance or disturbance is caused to the detriment of the amenities of adjoining occupiers or users of the area generally.

20. 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.

21. Prior to relevant works in each phase of development, details of any external lighting to be installed on any building(s) hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The approved external lighting shall be provided before that phase of development is occupied.

**REASON:-** To ensure the development does not prejudice the amenities of adjoining occupiers, visual amenities of the area, protection of bats and to not prejudice highway safety.

22. Before any above-ground work is commenced on any individual phase of the development hereby permitted, samples of all external finishing materials shall be submitted to and approved in writing by the Local Planning Authority. This shall include:

- i) Facing and roof materials;
- ii) Balcony and/or dormer window treatment;
- iii) Window material details;
- iv) External rainwater goods where permitted.

The development shall be carried out in accordance with the approved details and shall thereafter be retained

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

23. No works above building foundations 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.

24. Prior to the first occupation or use of Phases 1 to 4 of the development hereby permitted, the proposed access, onsite car and cycle parking, servicing / loading, unloading / turning /waiting area(s) for the relevant phase(s) shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan(s) and retained thereafter available for that specific use, unless otherwise agreed in writing by the Local Planning Authority.

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

#### **Pro-active Statement**

Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant at the pre-application stage and during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the National Planning Policy Framework

(paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

## **INFORMATIVES**

### **1 Hertfordshire Highways**

AN1) Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047.

AN2) Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> telephoning 0300 1234047.

AN3) Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047.

AN4) Construction standards for works within the highway. The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047.

AN5) Construction standards for works within the highway. The application is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highways Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The requirement as part of the offsite s278 works is to provide:

- Access works;
- Provision of two pedestrian crossing facilities in Maxwell Road;
- Resurfacing of the existing footway along the site's northern boundary;
- Provision of a new footway between the two new pedestrian crossing facilities;

- Provision of two new shared pedestrian/cycle links from the site to the cycle track to the south;
- Cavendish Road bus stop improvements: provision of Kassel kerbing, bus shelter, bench;
- Connect the existing two off road cycle facilities across Maxwell Road;
- Improve pedestrian access to Cavendish Road bus stop by resurfacing the provision of dropped kerbs and tactiles; and
- 'Keep Clear' markings on the Maxwell Road / Gunnels Wood Road junction.

The details should be included as part of the s278 drawing as part of the required highway work in conjunction with the development. The construction of such works must be undertaken to the satisfaction and specification of the Highways Authority, and, by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements.

## 2 **Thames Water**

With regards to surface water drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water, we would have no objection. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required.

## **12. 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 January 2023, the impact of Development on Biodiversity adopted March 2021, Stevenage Borough Council Developer Contributions adopted March 2021.
3. Stevenage Borough Local Plan 2011-2031 adopted 2019.
4. Hertfordshire County Council's Local Transport Plan 4 adopted May 2018.
5. Responses to consultations with statutory undertakers and other interested parties referred to in this report.
6. Central Government advice contained in the National Planning Policy Framework July 2021 and Planning Policy Guidance.