

# Public Document Pack



## PLANNING AND DEVELOPMENT COMMITTEE

Date: Tuesday, 14 March 2023

Time: 6.30pm

Location: Council Chamber, Daneshill House, Danestrete, Stevenage

Contact: Ian Gourlay (01438) 242703

committees@stevenage.gov.uk

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

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### AGENDA

#### PART I

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

**2. MINUTES - 9 FEBRUARY 2023 AND 15 FEBRUARY 2023**

To approve as a correct record the Minutes of the meetings of the Planning & Development Committee held on 9 February 2023 and 15 February 2023.  
Pages 3 – 48

**3. 22/00781/RMM - LAND TO THE NORTH OF STEVENAGE, OFF NORTH ROAD AND WESTON ROAD, STEVENAGE**

Reserved matters application for the construction of a Country Park including access, layout and landscaping pursuant to Outline permission 17/00862/OPM.  
Pages 49 – 122

**4. INFORMATION REPORT - DELEGATED DECISIONS**

To note a report on decisions taken by the Assistant Director (Planning and Regulation) in accordance with his delegated authority.  
Pages 123 – 136

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

To note a report on planning appeals / called-in applications.  
Pages 137 – 138

**6. URGENT PART I BUSINESS**

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

## **7. EXCLUSION OF THE PRESS AND PUBLIC**

To consider the following motions:

1. That 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.

## **8. URGENT PART II BUSINESS**

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

STEVENAGE BOROUGH COUNCIL

## PLANNING AND DEVELOPMENT COMMITTEE MINUTES

Date: Thursday, 9 February 2023

Time: 6.30pm

Place: Council Chamber

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

**Start / End Time:** Start Time: 6.30pm  
End Time: 8.10pm

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

Apologies for absence were submitted on behalf of Councillor Adam Mitchell.

Councillors Teresa Callaghan and Graham Lawrence CC declared interests in items 3 and 4 relating to Land North of Stevenage, off North Road and Weston Road, Stevenage as they were both Members of the Friends of Forster Country. They both remained in the meeting and took part in the deliberation and votes for the two items.

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

It was **RESOLVED** that the minutes of the Planning and Development Committees held on 8 December 2022 and 10 January 2023 be approved as correct records and signed by the Chair.

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

The Committee considered an application for Reserved Matters for Site Wide Infrastructure including Highways Infrastructure, Drainage and Surface Water, and Green Infrastructure pursuant to Outline permission 17/00862/OPM at the land to the North of Stevenage, Off North Road and Weston Road, Stevenage.

The Assistant Director Planning and Regulation advised that the Committee would receive an overview presentation in relation to both items 3 and 4 on the agenda as well as hearing from the speakers for both applications prior to detailed discussions and a separate vote being taken on the items individually.

Members were reminded that an application for outline planning permission had come before the Committee in 2020 and that this was the first of four applications relating to the reserved matters application for the site:

- Country Park;
- Phase 1D Conservation Area residential 115 units;
- Infrastructure;
- Phase 1A-C residential 243 units.

The Principal Planning Officer gave a presentation to the Committee including approved parameter plans detailing the spine road and link roads, the local commercial centre, the primary school site and the Country Park, green spaces and drainage as well as density levels for the site.

Officers advised that the current application sought 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;
- 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;
- 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.

The Chair then invited Jo Unsworth from Savills on behalf of the Developers Bellway Homes and Miller Homes to address the meeting. The Committee was informed that this application was the first in relation to the development of the new North Stevenage neighbourhood, including publicly accessible green spaces and energy efficient homes. Sustainable connectivity including segregated bus and cycle routes and footpaths would connect the new development to the existing edge of Stevenage.

Ms Unsworth advised that the Phase before members allowed for early delivery of a significant proportion of affordable housing required by the development. Different character areas would be created with a variety of heights, materials and finishes. Lower density housing would be located along the southern edge of the site with higher densities along the spine road and towards the commercial centre. The new

dwellings would include a range of energy efficient and sustainable measures in the build and within the property along with the provision of Electric Vehicle (EV) charging points.

The Chair then invited Chris Naylor from the Friends of Forster Country, an objector, to address the Committee. Mr Naylor advised that although the building of homes in the Town was vital, this scheme was damaging to the Borough's remaining Green Belt. It was also Mr Naylor's view that at this late stage of the process, the last 4 schemes for reserved matters were intimately linked and should all be considered together.

The scheme to be considered at this meeting included significant changes to the road layout which would enable many additional car journeys to be made to the car park in the conservation area which SBC officers also had concern over. As a result some of the roads had changed to be bigger and more urban to accommodate the additional journeys. This did not equate with the Council's recent declaration regarding the climate emergency.

Thousands of tonnes of spoil and soil were also going to be dumped in the conservation area which was currently teeming with wildlife.

The Country Park would be coming to committee in a few weeks but the proposal was very different to that originally spoken of in the outline approval.

Mr Naylor reiterated that all 4 of the Reserve Matters should be considered together and that this evening's applications should be deferred to enable this to happen.

The Chair thanked both speakers for their contribution to the meeting.

The Principal Planning Officer then presented landscaping plans including a large central green corridor and green links to the southern part of the site; drainage plans; highway plans including the tree lined main spine road, connection roads and access points to the development.

The Committee was advised that the scheme had undergone some revisions to take account of initial comments from statutory consultees which were considered to have enhanced the scheme further.

In relation to the impact on the heritage assets St Nicholas and Rectory Lane Conservation Area and nearby listed buildings, it had been demonstrated, in the Officers' opinion, 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 building. Officers advised that the proposal had a number of benefits which weighed in the schemes favour. The proposed level of useable and accessible green open space along with the substantial and additional landscaping would bring numerous benefits to the development.

Officers were of the view that the highways proposals would enhance the walking and cycling connections in this northern area of the Town. The scheme would also maintain the existing well used Public Right of Ways along and through the site. The

proposal would also allow for a bus service within the site.

In relation to design, officers advised that there would be an acceptable living environment throughout the development, well laid out and connected to the surrounding areas.

The Committee was advised that the Council's drainage consultants had responded to advise that the all the provisions and infrastructure were acceptable subject to the discharge of relevant conditions.

In response to a number of questions/comments from Members, the following answers were given:

- the separate consideration of the four reserved matters applications was a concern as there was an impact on all linked applications;
- in relation to the car park would there be an opportunity to look at the location, officers advised that the location of the car park could be reconsidered at the next meeting although the application was predicated on the car park being in the location advised currently;
- the dumping of soil by the contractors would be considered when the Country Park application was before Committee;
- the play areas planned for the development would ensure full inclusivity for all children through the discharge of conditions. The on-going upkeep of the play areas and green spaces would be the responsibility of the Developer through a Management Company. The play areas would also be protected as play areas;
- when would the work to the bridle paths and footpaths happen? There was no firm timetable for this currently but the footpaths would be kept open as much as possible. A detailed timeline would be advised once known;
- Consideration of the footpath on the eastern side of the site by the cemetery would also be as part of the Country park proposals;
- in terms of gas into the site, the applicant advised that 2025 building regulations would not allow gas into developments and in the interim the properties built would have a high level of renewables. There were no plans to run a gas main through the site;
- there was only 1 vehicle access through to NS1, Members expressed concern that this would be used as a short cut through to Stevenage. Officers advised that in consultation with NHDC and HCC this route had been agreed. The road had been designed to accommodate the traffic and there would ultimately be 2 roads in and out of the site once it was fully completed;
- in relation to pylons, the UK Power Networks had advised where they needed to be and would be carrying out these works under permitted development;
- The primary school would open in conjunction with HCC at the appropriate time and subject to occupation of the site.

It was **RESOLVED**:

That Reserved Matters planning permission be GRANTED subject to the following :-

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);

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.

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.
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.
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.
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.
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.
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.
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.

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.
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.
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.
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.

## **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.

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

The Committee considered 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.

The main Officer presentation and Speakers to this application had been considered under the previous item.

The Principal Planning Officer gave an introduction to the committee which included details of the residential development which proposed a mixture of houses and two blocks of flats located at the junctions of the spur roads. There would be a mixture of detached and semi-detached dwellings with either garages and driveways or allocated parking spaces. The proposal would have an acceptable level of car parking, slightly over the required provision, including disabled spaces, EVCP and cycle storage.

The local centre would be accessed via its own spur road.

In response to a number of comments/questions, officers advised:

- Previous developments considered by the Committee had unacceptable parking layouts, could we make sure there is no distinction between parking standards in the affordable and other properties on the site for this application? Officers advised that all of the apartment blocks were affordable and the parking proposed met all our standards, albeit a slight over provision. The number of parking spaces per property would increase to reflecting the number of bedrooms in a property;

- In relation to utility vehicles, there was no requirement for a separate parking provision;
- In relation to social housing, the permission gave an outline of the mixture of tenures for the affordable housing properties. The overall figure for the development was 30% affordable units;
- There would be parking restrictions and no visitor spaces on the spine road, which was also a bus route, through the development to ensure there was no parking on this road;
- There was a maximum height of 3 storeys in the development any changes to this would have to come back to the planning and Development Committee for approval.

It was **RESOLVED** That Reserved Matters planning permission be GRANTED subject to the following :-

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;

1. 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.

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.
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.
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.
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.
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.
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.
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.

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.
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.
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.
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.
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.
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.
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
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.

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.
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.
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

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.
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.

## 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.

### 5 **URGENT PART I BUSINESS**

None.

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

Not required.

### 7 **URGENT PART II BUSINESS**

None.

**CHAIR**

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**STEVENAGE BOROUGH COUNCIL**  
**PLANNING AND DEVELOPMENT COMMITTEE**  
**MINUTES**

**Date: Wednesday, 15 February 2023**

**Time: 6.30pm**

**Place: Council Chamber**

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

**Start / End Time:** Start Time: 6.30pm  
End Time: 8.53pm

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

Apologies for absence were submitted on behalf of Councillor Teresa Callaghan. Councillor Myla Arceno was substituting for Councillor Callaghan.

The following declarations were made in respect of Item 4 on the agenda – 22/00902/ENF: Tranquil Turtle:

Councillor Michael Downing (Chair) advised that he had met with residents objecting to the unauthorised structure on various occasions, including at Member surgeries for the Ward he represented (Symonds Green). He announced that he had listened to the views expressed, but had not offered any opinions on the matter, and that he would be considering the issue with an open mind.

Councillor Maureen McKay and Myla Arceno stated that there were also Members of the Licensing Panel which would be meeting in March 2023 to consider an application for a variation of the premises licence relating to the Tranquil Turtle. They advised that they would only be considering the Planning aspects of the matter at this Planning & Development Committee meeting.

Councillor Graham Lawrence wished it to be noted that the Tranquil Turtle was located in the Division (Old Stevenage) he represented on Hertfordshire County Council.

**2 22/00923/FPM - THE FORUM CENTRE**

The Committee considered an application for the demolition of existing retail units (use Class E) and erection of proposed mixed-use development comprising biopharma manufacturing laboratories and workspace facilities (use class E(g)) together with flexible active ground floor uses including cafes, retail, collaboration spaces (use class E), Cinema (Sui Generis) and drinking establishments (Sui

Generis), new multi-storey public car park, service road, public realm improvement works and ancillary works, at The Forum Centre, Stevenage.

The Principal Planning Officer advised that 8,000 square metres of floorspace would be provided, together with a new three-level Multi-Storey Car Park (MSCP) with 326 parking spaces, replacing the equivalent number of existing spaces in the surface level Forum car park. There were currently two vacant units in the Forum complex and a third was soon to be moving to the Roaring Meg Retail Park.

The Principal Planning Officer explained that the scheme would be constructed in a phased manner, as set out in the report, and would provide an estimated 1,800 new jobs. The use of the laboratories would be complementary to the GSK campus and the nearby Autolus building. A new pedestrian crossing would be provided on St. George's Way to link the development with the Swimming Pool and Town Centre Gardens, and new cycleways would be constructed to link into the existing cyclepath network.

The Chair invited Mr Will Rohleder (Reef Group) to speak on behalf of the applicant. Mr Rohleder advised that Stevenage benefitted from an international reputation in the life sciences sector, in the centre of the Oxford-Cambridge-London triangle. The current scheme, in common with the plans for the GSK campus and the soon to be completed Autolus building, would enhance that reputation.

Mr Rohleder stated that the laboratories would be at the cutting edge of cell and gene therapy work aiming to provide effective cures for major conditions, such as cancer. The new jobs would include apprenticeships and upskilling opportunities, with the hope of attracting a number of local employees.

In response to a number of Members' questions, the Principal Planning Officer, assisted by the Assistant Director (Planning & Regulation) stated:

- the concerns about the level car parking (and the suggestion for an additional floor on the new MSCP) were acknowledged, although the new MSCP would replace the same number of existing surface level parking spaces. If capacity was reached, then other nearby car parks would need to be used – there was a 12% surplus of parking across the other town centre car parks. The level of car parking had been calculated based on the number of expected trips, as set out in the Transport Assessment submitted with the application;
- the surface level parking would be unavailable once the contract had commenced, as it would not be viable for the MSCP to be built in advance of the de-commissioning of the surface level provision;
- it should be noted that the laboratory facilities would operate on a 24 hour shift system, and so the demand for car parking would be spread over that whole period;
- Phase 1 of the scheme would not impact on existing retailers, as it related to the two vacant units and the occupier who would be re-locating. The aim was to provide alternative space in the development for retailers impacted by Phase 2 or to assist them in re-location;
- the traffic changes to both Lytton Way and St. George's Way were included in the

Local Plan, and were supported by the Highway Authority (HCC). The aim of the traffic modelling work was to increase public safety by slowing down traffic and improving traffic flow;

- the existing bus stop serving the Forum on Fairlands Way would be retained post-construction; and
- in view of the new complex including restaurants/cafes, discussions would take place with the applicant to consider the inclusion of public conveniences as part of the internal arrangements for the development.

It was **RESOLVED**:

- (1) That application 22/00923/FP be GRANTED planning permission, subject to the conditions set out below, and subject also to the applicant having first entered into a S106 Legal Agreement to secure/provide contributions towards:

- S278 Agreement (covering the junction improvements, surface level crossing and public realm works on highway verge land to be adopted by HCC Highway Authority)
- £6000 Travel Plan evaluation and support fee
- £116,600 'Strand 2' HCC Highway Authority contribution
- Local Employment and Apprenticeships
- Retail phasing planning obligations
- Management Company to manage areas of un-adopted public realm
- S106 monitoring fee,

the detail of which would be delegated to the Assistant Director of Planning and Regulation, in liaison with the Council's appointed solicitor, along with the recommendations of Highways England following cessation of their holding direction and the Council's Drainage Consultant, as well as the imposition of suitable safeguarding conditions.

- (2) That authority be given to the Assistant Director of Planning and Regulation, in consultation with the Chair of the Planning & Development Committee, to amend or add to the suggested draft conditions set out in this report and listed below, 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 & Development Committee has resolved to approve.

## **Conditions**

### **General**

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

547-PL-001-P01; 547-PL-002-P01; 547-PL-003-P01; 547-PL-004-P01; 547-PL-010-P03; 547-PL-011-P02; 547-PL-012-P02; 547-PL-013-P02; 547-PL-014-P02; 547-PL-015-P02; 547-PL-016-P02; 547-PL-017-P02; 547-PL-018-P02; 547-PL-019-P02; 547-PL-020-P02; 547-PL-021-P01; 547-PL-022-P02; 547-PL-023-P02; 547-PL-024-P02; 547-PL-025-P01; 547-PL-026-P02; 547-

PL-027-P02; 547-PL-028-P01; 547-PL-029-P02; 547-PL-035-P02; 547-PL-036-P01; 547-PL-040-P02; 547-PL-041-P02; 547-PL-042-P01; 547-PL-043-P01; 547-PL-044-P01; 547-PL-045-P01; 547-PL-046-P01; 547-PL-047-P01; 547-PL-048-P01; 29948 / 7021 P04; 29948 / 7022 P04; 29948 / 9001 P05; 29948 / 9002 P03; 29948 / 9003 P02; 29948 / 9004 P02; 29948 / 7030 P03  
SY691-CAM-XX-00-DR-L-0001 P02; SY691-CAM-XX-00-DR-L-0002 P02; SY691-CAM-XX-ZZ-DR-L-0101; SY691-CAM-XX-ZZ-DR-L-0102; SY691-CAM-XX-ZZ-DR-L-0103; SY691-CAM-XX-ZZ-DR-L-0104; SY691-CAM-XX-ZZ-DR-L-0105; SY691-CAM-XX-ZZ-DR-L-0106; SY691-CAM-XX-00-DR-L-0021 P03 (GA Phase 1 and 2 Proposed external Levels Plans); SY691-CAM-XX-00-DR-L-0031 P02; SY691-CAM-XX-00-DR-L-0041 P02; SY691-CAM-XX-00-DR-L-0051 P02; SY691-CAM-XX-00-DR-L-0071 P02; SY691-CAM-XX-00-DR-L-0081 P02; SY691-CAM-XX-00-DR-L-0091 P02; SY691-CAM-XX-00-DR-L-1320; 220923-1.0-TFS-TPP--JI

2. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
3. No site clearance or construction work relating to this permission shall be carried out except between the hours of 0730 and 1800 on Mondays to Fridays and between the hours of 0800 and 1300 on Saturdays, unless otherwise agreed in writing by the Local Planning Authority. These times apply to work which is audible at the site boundary.
4. The use of floors 1 – 5 of building 3A and the Grad Lab and floors 1 – 6 of buildings 3B and 3C hereby approved shall be limited to Schedule 2, Part A, Class E (g) of the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 relating to office, research and development of product or processes and industrial processes and shall be used for no other purposes.
5. If 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 submitted to and approved in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be submitted to and approved in writing by the Local Planning Authority.
6. The development to which this permission relates shall be carried out in accordance with the external materials specified within the Design and Access Statement by Stanton Williams submitted as approved or any alternatives to be submitted to and approved by the Local Planning Authority.
7. All hard and soft landscaping shall be carried out in accordance with the approved details as set out in phase 1 and 2 landscape plan ref: SY691-CAM-XX-00-DR-L-0002 P02 to a reasonable standard in accordance with the relevant British Standards or other recognised Codes of Good Practice.
8. All planting, seeding or turfing comprised in the approved details of

landscaping shall be carried out in the first planting and seeding seasons following the completion of the development.

9. All hard surfacing comprised in the approved details of landscaping shall be carried out within 6 months of the completion of the development, or, prior to first occupation of in relation to each building or phase of the development hereby permitted, whichever is the earliest.
10. The proposed shrub bed to be maintained by Stevenage Direct Services (SDS) shall be designed to prevent soil from washing onto surrounding hard surfaces. All paved/hard surface areas maintained by SDS shall be designed for mechanical sweeping with suitable resistant surfaces.
11. The measures to address adaptation to climate change as set out within the Design and Access Statement by Stanton Williams, Energy Statement and BREEAM Pre-Assessment by KJ Tait Engineers shall achieve minimum BREEAM Very Good and be implemented and permanently maintained in accordance with the approved details.
12. The development to which this permission relates shall be carried out in accordance with the recommendations set out within the Air Quality Statement by Gem Air Quality Ltd (ref. AQ2158) as approved or any alternatives to be submitted to and approved by the Local Planning Authority.
13. The development to which this permission relates shall be carried out in accordance with the recommendations set out within the Noise Report by Sandy Brown (ref. 22079-R01-D) as approved or any alternatives to be submitted to and approved by the Local Planning Authority.
14. The recommended ecological and nature conservation enhancements set out within the Preliminary Ecological Appraisal by SLR dated March 2022 shall be implemented and permanently maintained in accordance with the approved details.
15. No use of outside trolleys or cages in connection with loading, unloading, deliveries or collections shall take place in external public realm areas other than between the hours of 07.00 hours and 22.00 hours seven days a week. Deliveries within dedicated service yards are unrestricted.
16. The development to which this permission relates shall be carried out in accordance with the recommendations set out within the Flood Risk Assessment prepared by STM Environmental dated 11 October 2022.

#### Prior to Commencement

17. No demolition and site clearance shall take place until a demolition management plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter, demolition and clearance of the site shall only be carried out in accordance with the approved plan. The demolition management plan shall include details of the following:
  - a) Vehicle numbers, type, routing;
  - b) Access arrangements to site;

- c) Traffic and pedestrian management requirements;
  - d) Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas);
  - e) Siting and details of wheel washing facilities;
  - f) Cleaning of site entrances, site tracks and the adjacent public highway;
  - g) Timing of demolition activities (including delivery times and removal of waste) and to avoid school pick up/drop off times;
  - h) Provision of sufficient on-site parking prior to commencement of demolition/site clearance activities;
  - i) 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;
  - j) A Site Waste Management Plan including mechanisms to deal with environmental impacts such as air quality and dust control measures, noise and vibration restriction measures, light and odour and predicted and latterly actual waste arisings and how this is to be managed and where it is sent to.
  - k) Dust control measures during demolition and construction from plant and machinery, and vehicles.
18. No development shall take place in relation to Buildings 3A, 3B, 3C and the Grad Lab (excluding demolition and site clearance) until a construction management plan has been submitted to and approved in writing by the Local Planning Authority in relation to each building or phase of the development. Thereafter the construction of the development shall only be carried out in accordance with the approved plan. The construction management plan shall include details of the following:
- a) Construction vehicle numbers, type, routing;
  - b) Access arrangements to site;
  - c) Traffic and pedestrian management requirements;
  - d) Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas);
  - e) Siting and details of wheel washing facilities;
  - f) Cleaning of site entrances, site tracks and the adjacent public highway;
  - g) Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times;
  - h) Provision of sufficient on-site parking prior to commencement of construction activities;
  - i) Post construction restoration/reinstatement of the working areas and temporary access to the public highway;
  - j) Where works cannot be contained wholly within the site, a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements;
  - k) A Site Waste Management Plan including mechanisms to deal with environmental impacts such as air quality and dust control measures, noise and vibration restriction measures, light and odour and predicted and latterly actual waste arisings and how this is to be managed and where it is sent to.

- l) Dust control measures during construction from plant and machinery, and vehicles.
19. No development shall take place in relation to the Multi Storey Carpark (excluding demolition and site clearance) until a construction management plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved plan. The construction management plan shall include details of the following:
- a) Construction vehicle numbers, type, routing;
  - b) Access arrangements to site;
  - c) Traffic and pedestrian management requirements;
  - d) Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas);
  - e) Siting and details of wheel washing facilities;
  - f) Cleaning of site entrances, site tracks and the adjacent public highway;
  - g) Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times;
  - h) Provision of sufficient on-site parking prior to commencement of construction activities;
  - i) Post construction restoration/reinstatement of the working areas and temporary access to the public highway;
  - j) Where works cannot be contained wholly within the site, a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements;
  - k) A Site Waste Management Plan including mechanisms to deal with environmental impacts such as air quality and dust control measures, noise and vibration restriction measures, light and odour and predicted and latterly actual waste arisings and how this is to be managed and where it is sent to.
  - l) Dust control measures during construction from plant and machinery, and vehicles.
20. No development shall take place in relation to the Collaboration Building (including demolition and site clearance) until a construction management plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved plan. The construction management plan shall include details of the following:
- a) Construction vehicle numbers, type, routing;
  - b) Access arrangements to site;
  - c) Traffic and pedestrian management requirements;
  - d) Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas);
  - e) Siting and details of wheel washing facilities;
  - f) Cleaning of site entrances, site tracks and the adjacent public highway;
  - g) Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times;
  - h) Provision of sufficient on-site parking prior to commencement of

- construction activities;
  - i) Post construction restoration/reinstatement of the working areas and temporary access to the public highway;
  - j) Where works cannot be contained wholly within the site, a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements;
  - k) A Site Waste Management Plan including mechanisms to deal with environmental impacts such as air quality and dust control measures, noise and vibration restriction measures, light and odour and predicted and latterly actual waste arisings and how this is to be managed and where it is sent to.
  - l) Dust control measures during demolition and construction from plant and machinery, and vehicles.
21. No development shall take place (excluding demolition, site clearance and utility diversion enabling works) until full details (in the form of scaled plans and / or written specifications) have been submitted to and approved in writing by the Local Planning Authority to illustrate the following:
- i) Roads, footways.
  - ii) Cycleways.
  - iii) Foul and surface water drainage.
  - iv) Visibility splays
  - v) Access arrangements
  - vi) Parking provision in accordance with adopted standard.
  - vii) Loading areas.
  - viii) Turning areas.
22. No piling shall take place until a Piling Method Statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the Local Planning Authority in consultation with Thames Water in relation to each building or phase of the development. Any piling must be undertaken in accordance with the terms of the approved piling method statement.
23. Prior to the first commencement for each phase or building of the development hereby permitted, a scheme for the parking of cycles including details of the design, level and siting shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented before the development is first occupied (or brought into use) and thereafter retained for this purpose.

Prior to Work above Slab Level

24. No development shall take place above slab level until a scheme for the provision of adequate water supplies and fire hydrants, necessary for firefighting purposes at the site, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until

the scheme has been implemented in accordance with the approved details.

25. No development shall take place above slab level, excluding super-structure works, until a Landscape Management Plan and Planting Schedule has been submitted to and approved in writing by the local planning authority. The approved plan shall then be implemented in the first planting and seeding season following completion of the development unless otherwise agreed in writing by the local planning authority.
26. No development shall take place above slab level until a final detailed design for the drainage scheme for the site has been submitted to and approved in writing by the Local Planning Authority. The approved drainage scheme shall be implemented in full prior to occupation of each building or phase of the development to which this permission relates and shall be permanently retained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.
27. A) Design Approval  
Notwithstanding the details indicated on the submitted drawings, no on-site works above slab level (excluding superstructure works and multistorey car park) shall commence until a detailed scheme for the off-site highway improvement works as indicated on drawing number (29948 / 7030 P03) have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.  
B) Implementation / Construction  
Prior to the first use of the development hereby permitted, the improvement works referred to in part A of this condition shall be completed in accordance with the approved details.

#### Prior to Occupation/First Use

28. Prior to the first use of the multistorey car park hereby permitted, provision shall be made for 20% of the car parking spaces to have active provision for EV charging and 80% of the remaining car parking spaces to have passive provision for EV charging.
29. Prior to the first occupation of each phase or building of the development hereby permitted the proposed access arrangements / onsite car and cycle parking / servicing / loading, unloading / turning / waiting area shall be implemented in accordance with the approved drawing number 547\_PL\_010\_P03 Proposed Site Plan and retained thereafter available for that specific use.
30. Prior to the first occupation of the development hereby permitted (excluding the Multi Storey Car Park), a visibility splay measuring 2.4 x 43 metres shall be provided to each side of the access(es) where it meets the highway and such splays shall thereafter be maintained at all times free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway.
31. Prior to the first occupation of buildings 3A, 3B and 3C hereby permitted, the vehicular accesses shall be completed and thereafter retained as shown on

drawing numbers (SY691-CAM-XX-00-DR-L-0002 P02, 29948 / 7021 P04, 29948 / 7022 P04, 29948 / 9001 P05, 29948 / 9002 P03, 29948 / 9003 P02 and 29948 / 9004 P02) in accordance with details/specifications to be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.

32. Prior to the first occupation of each phase or building of the development hereby permitted, the vehicular and pedestrian (and cyclist) access to, and egress from, the adjoining public highway shall be limited to the accesses shown on drawing numbers (SY691-CAM-XX-00-DR-L-0002 P02, 29948 / 7021 P04, 29948 / 7022 P04, 29948 / 9001 P05, 29948 / 9002 P03, 29948 / 9003 P02 and 29948 / 9004 P02) only. Any other access(es) or egresses shall be permanently closed, and the footway / kerb / highway verge shall be reinstated in accordance with a detailed scheme to be approved in writing by the Local Planning Authority in consultation with the Highway Authority.
33. Prior to first occupation of each phase or building hereby permitted the vehicular access improvements, as indicated on drawing numbers (SY691-CAM-XX-00-DR-L-0002 P02, 29948 / 7021 P04, 29948 / 9001 P05, 29948 / 9002 P03 and 29948 / 9003 P02), shall be completed and thereafter retained in accordance with details/specifications to be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.
34. Prior to first occupation of each phase or building hereby permitted, arrangement shall be made for surface water from the proposed development to be intercepted and disposed of separately so that it does not discharge onto the highway carriageway except for the existing overland flow path as outlined in the Drainage Strategy (rev 3) by Price & Myers (Jan 2023).
35. Prior to the first occupation of the development hereby permitted (excluding the Multi Storey Car Park), a Management and Maintenance Plan for the approved SuDS features and drainage network must be submitted to and approved in writing by the Local Planning Authority in relation to each building or phase of the development. The scheme shall include:
  - (a) provision of a complete set of as built drawings, including the final drainage layout for the site drainage network
  - (b) maintenance and operational activities
  - (c) arrangements for adoption; and
  - (d) any other measures necessary to secure the operation of the scheme throughout its lifetime.

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

36. Prior to the first occupation of each building hereby permitted (excluding the Multi Storey Car Park), details of the proposed external lighting strategy shall be submitted to and approved by the Local Planning Authority. The lighting

strategy shall be implemented in accordance with the approved details prior to first occupation of each building or development phase:

- a) Building 3A
- b) Building 3B
- c) Building 3C
- d) Grad Lab
- e) Collaboration Building

37. Prior to the first occupation of each building hereby permitted (excluding the Multi Storey Car Park), details of the proposed CCTV arrangements shall be submitted to and approved by the Local Planning Authority. The CCTV arrangements shall be implemented in accordance with the approved details prior to first occupation of each building or development phase:

- a) Building 3A
- b) Building 3B
- c) Building 3C
- d) Grad Lab
- e) Collaboration Building

38. Prior to first use of the Multi Storey Car Park, details of the proposed external lighting strategy shall be submitted to and approved by the Local Planning Authority. The lighting strategy shall be implemented in accordance with the approved details prior to first occupation of each building or development phase.

39. Prior to first use of the Multi Storey Car Park, details of the proposed CCTV arrangements shall be submitted to and approved by the Local Planning Authority. The CCTV arrangements shall be implemented in accordance with the approved details prior to first occupation of building or development phase.

40. Prior to first occupation of the development hereby permitted (excluding the Multi Storey Car Park), a public art programme in accordance with the Council's Cultural Strategy shall be submitted to and approved in writing by the Local Planning Authority. The public art shall be implemented in accordance with the approved details and permanently maintained thereafter.

41. Prior to first occupation of any café/restaurant uses (Use Class E(b)) hereby permitted, a scheme for the extraction and filtration of cooking fumes shall be submitted to and agreed in writing by the Local Planning Authority and implemented in accordance with the approved details. The implemented scheme shall be permanently maintained in good working order thereafter.

42. At least 3 months prior to the first occupation of the development hereby permitted (excluding multistorey car park), a detailed Travel Plan or Travel Plan for each building on the site shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The approved Travel Plan Statement shall be implemented in accordance with the timetable and target contained therein and shall continue to be implemented as

long as any part of the development is occupied subject to approved modifications agreed by the Local Planning Authority in consultation with the Highway Authority as part of the annual review.

#### Post Occupation/Completion

43. 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.
44. 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.

#### **INFORMATIVES**

1. 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).  
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.
2. The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be

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

3. Extent of Highway: Information on obtaining the extent of public highway around the site can be obtained from the HCC website: [www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/extent-of-highways.aspx](http://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/extent-of-highways.aspx)
4. 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.
5. 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.
6. 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. 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.

8. Roads to remain private: The applicant is advised that all new roads 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.
9. Adoption (section 38): The applicant is advised that Hertfordshire County Council as Highway Authority will likely adopt the pedestrian and cycle routes through the development to ensure their long-term continuity, however the developer should put in place permanent arrangements for long-term maintenance. Details of the specification, layout and alignment, width and levels of the said highways, together with all the necessary highway and drainage arrangements, including run off calculations must be submitted to the Highway Authority. No development shall commence until the details have been approved in writing and an Agreement made under Section 38 of the Highways Act 1980 is in place. Furthermore, the extent of adoption as public highway, once finalised, must be clearly illustrated on a plan. Further information is available via the County Council's website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx> or by telephoning 0300 1234047.
10. Construction Management Plan (CMP): The purpose of the CMP is to help developers minimise construction impacts and relates to all construction activity both on and off site that impacts on the wider environment. It is intended to be a live document whereby different stages will be completed and submitted for application as the development progresses. A completed and signed CMP must address the way in which any impacts associated with the proposed works, and any cumulative impacts of other nearby construction sites will be mitigated and managed. The level of detail required in a CMP will depend on the scale and nature of development. The CMP would need to include elements of the Construction Logistics and Community Safety (CLOCS) standards as set out in our Construction Management template, a copy of which is available on the County Council's website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>
11. 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.

12. Travel Plan (TP): A TP, in accordance with the provisions as laid out in Hertfordshire County Council's Travel Plan Guidance, would be required to be in place from the first occupation/use until 5 years post occupation/use. A £1,200 per annum (overall sum of £6000 and index-linked RPI March 2014) Evaluation and Support Fee would need to be secured via a Section 106 agreement towards supporting the implementation, processing and monitoring of the full travel plan including any engagement that may be needed. Further information is available via the County Council's website at:  
<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>  
or by emailing [travelplans@hertfordshire.gov.uk](mailto:travelplans@hertfordshire.gov.uk).
13. During the demolition and construction phase of the development, the guidance in BS5228-1:2009 (Code of Practice for Noise Control on Construction and Open Sites) should be adhered to.
14. The applicant is advised to contact the Hertfordshire Constabulary CPDS with a view to seeking to achieve accreditation to the Police preferred minimum security standard that is Secured by Design to ensure that the development is compliant with both National and Local Planning Policies. In addition, this will also demonstrate the discharge of obligations under Approved Document 'Q' – Security of Building Regulations".
15. 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.

### **3 22/01075/FPM - THE BRAGBURY CENTRE**

The Committee considered an application for the Variation of Condition 1 (Approved Plans) attached to planning permission 18/00398/FPM to sub-divide the approved retail units, at the Bragbury Centre, Kenilworth Close, Stevenage.

The Development Manager advised that the proposal comprised no other changes in terms of floorspace or external alterations to the built fabric of the residential block in which the retail units will form part of. The reason why the sub-division of the retail units required planning permission related to a recent Court of Appeal case (as outlined in the report).

The Development Manager reminded Members that the description of application 18/00398/FPM was *“Demolition of the existing Bragbury End community centre, Asquith Court and various residential dwellings and the construction of a mixed-use development with 169 no. dwellings (Including independent living) and 4no. retail units across various blocks”*.

The Development Manager explained that a non-material amendment application (S.96A application) had sought to remove the wording **"4 no."** from the description of and replace it with **"provision of"**. The justification for this amendment was to allow the future sub-division of the retail units to create additional or smaller units to reflect market requirements. The current wording of the 2018 permission restricted the applicant's ability to do so as it restricted the number of retail units to 4.

The Development Manager advised that the non-material amendment application was approved as it was determined that the overall amendment did not materially affect the parameters established under the original planning permission. Application 22/01075/FPM had been submitted to amend the approved plans under application 18/00398/FPM i.e. to sub-divide the approved retail floorspace to create more than 4 no. retail units. This application was deemed to be lawful because the S96A permission (22/00979/NMA) effectively amended the description of development of the 2018 permission to allow greater flexibility.

The Development Manager stated that the application was before Members as Stevenage Borough Council was the applicant. In addition, it was a Major application and sought to amend the scheme which was previously approved by the Committee.

The Committee supported the Development Manager's recommendation to grant planning permission. With regard to an issue raised by a resident during the consultation process requesting that a protection order be placed on the trees adjacent to Hertford Road as they provided a privacy screen to 32 Petworth Close, the Assistant Director (Planning & Regulation) agreed to discuss this matter with the Council's Arboricultural Officer.

It was **RESOLVED** that application 22/01075/FPM be GRANTED planning permission, subject to the imposition of suitable conditions, as set out below, and that authority be given to the Assistant Director of Planning and Regulation, in consultation with the Chair of Planning & Development Committee, to amend or add to the suggested draft conditions set out below, 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 & Development Committee has resolved to approve.

### **Conditions**

1. The development hereby permitted shall be carried out in accordance with the following  
19063.wd2.01 E; 19063.A1.wd2.01 B; 19063.A1.wd2.02 B; 19063.A1.wd2.03 B; 19063.A1.wd2.04 B; 19063.A1.wd2.05 B; 19063.A1.wd2.06 A; 19063.A1.wd2.101 A; 19063.A1.wd2.102 B; 19063.A2.wd2.01 A;

19063.A2.wd2.02 A; 19063.A2.wd2.03 A; 19063.A2.wd2.102 A;  
19063.A2.wd2.103 A; 19063.A4.wd2.02; 19063.A4.wd2.03 A;  
19063.A4.wd2.04 A; 19063.A4.wd2.05 A; 19063.A4.wd2.101 A;  
19063.A4.wd2.102 A; 19063.A4.wd2.103 A; 19063.A4.wd2.104 A;  
19063.A5.wd2.01; 19063.A5.wd2.101.

2. The external surfaces of the buildings (including the dwellings) hereby permitted shall be carried out in accordance with the approved Materials Palette as specified in application reference 20/00736/FPM as received on 02 December 2020
3. The approved hard and soft landscaping scheme, unless otherwise agreed in writing by the Local Planning Authority, shall be implemented within the first available planting season following the first occupation of the buildings or the completion of the development whichever is the sooner, in accordance with the following plans which accompanied discharge of condition application 22/01072/COND:
  - Soft Landscaping with Planting Schedule (Drawing number HILL23073 – 11F Sheet 1)
  - Soft Landscaping with Planting Schedule (Drawing number HILL23073 – 11F Sheet 2)
  - Soft Landscaping with Planting Schedule (Drawing number HILL23073 – 11F Sheet 3)
  - Hard Landscaping Strategy including details of materials (Drawing number HILL2303 – 12G Sheet 1);
  - Hard Landscaping Strategy including details of materials (Drawing number HILL2303 – 12G Sheet 2);
  - Planter Details (Drawing number HILL23073 – 1401A);
  - Seating with back rest details (Drawing number HILL23073 – 1402A);
  - Bench details (Drawing number HILL23073 – 1403A).
4. 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.
5. No demolition or construction work relating to this permission shall be carried out on any Sunday, Public or Bank Holiday nor at any other time, except between the hours of 0730 and 1800 on Mondays to Fridays and between the hours of 0830 and 1300 on Saturdays, unless otherwise agreed in writing by the Local Planning Authority. These times apply to work which is audible at the site boundary.
6. Prior to first occupation of the development hereby permitted, unless otherwise agreed in writing by the Local Planning Authority, the external lighting scheme shall be installed in accordance with the following approved documentation and plans which accompanied discharge of condition application 21/01273/COND:
  - Block A4 Communal Ground Electrical Services Layout (drawing number CVG/965/E3000 Rev C1);

- Block A1 - Flat Type A3 Electrical Services Layout (drawing number CVG/979/E6002 Rev P1);
- Block A2 - Flat Type C Electrical Services Layout (drawing number CVG/979/E6016 Rev P1);
- Lighting Layout (Adoptable Lighting) (drawing number 2436-DFL-HLG-XX-DR-EO-13001 P01);
- External lighting plan (drawing number D44820/RD/C);
- Block A1 Ground Floor Electrical Lighting Layout Sheet 1 of 4 (drawing number CVG/979/E3000 Rev. P1);
- Block A1 Ground Floor Electrical Lighting Layout Sheet 2 of 4 (drawing number CVG/979/E3001 Rev. P1);
- Block A1 Ground Floor Electrical Lighting Layout Sheet 3 of 4 (drawing number CVG/979/E3002 Rev. P1);
- Block A1 Ground Floor Electrical Lighting Layout Sheet 4 of 4 (drawing number CVG/979/E3003 Rev. P1);
- Block A2 Ground Floor Electrical Lighting Layout Sheet 1 of 5 (drawing number CVG/979/E3100 Rev. P1);
- Block A2 Ground Floor Electrical Lighting Layout Sheet 2 of 5 (drawing number CVG/979/E3101 Rev. P1);
- Block A2 Ground Floor Electrical Lighting Layout Sheet 3 of 5 (drawing number CVG/979/E3102 Rev. P1);
- Block A2 Ground Floor Electrical Lighting Layout Sheet 4 of 5 (drawing number CVG/979/E3103 Rev. P1);
- Block A2 Ground Floor Electrical Lighting Layout Sheet 5 of 5 (drawing number CVG/979/E3104 Rev. P1);
- A4 House Type 1 Electrical Services Layout (drawing number CVG/965/E6000 Rev C2);
- A4 House Type 2 Electrical Services Layout (drawing number CVG/965/E6001 Rev C3);
- A4 House Type 3 Electrical Services Layout (drawing number CVG/965/E6002 Rev C4);
- A5 House Type 1 Electrical Services Layout (drawing number CVG/965/E6003 Rev C3);
- Proposed feature lighting / soft landscape proposals (drawing number HILL23073-11D Sheet 1);
- External lighting illumination plan (drawing number 21-0234-1A);
- Outdoor Lighting Report by DFL (document reference: 1984-DFL-HLG-XX-CA-13001-S3-P01);
- Outdoor Lighting Report by DFL (document reference: 1984-DFL-HLG-XX-CA-13002-S3-P01);
- Outdoor Lighting Report by DFL (document reference: 1984-DFL-HLG-XX-CA-13003-S3-P01);
- Outdoor Lighting Report by DFL (document reference: 1984-DFL-HLG-XX-DR-13001-S3-P01);
- Outdoor Lighting Report by DFL (document reference: 1984-DFL-HLG-XX-RA-13001-S3-P01);
- Outdoor Lighting Report by DFL (document reference: 1984-DFL-HLG-XX-RP-13001-S3-P01);
- Luminaire Schedule by Colne Valley Group.

7. No removal of trees, scrubs or hedges shall be carried out on site between 1st March and 31st August inclusive in any year, unless searched before by a suitably qualified ornithologist.
8. No development, including site clearance, shall commence until the trees as specified on drawing numbers 9575 TPP 02 Rev A (1/3) A; 9575 TPP 02 Rev A (2/3) A; 9575 TPP 02 Rev A (3/3) A (Aboricultural Impact Assessment, prepared by Aspect Arboriculture, Report reference 9575\_AIA.001 dated October 2018) to be retained on the site have been protected by fencing in accordance with the vertical tree protection fencing detailed in the Aboricultural Impact Assessment. In addition, all works which are to be undertaken within the Root Protection Areas of trees which are to be retained as specified on the aforementioned drawings shall be undertaken in accordance with the details specified in the Aboricultural Impact Assessment.
9. Within the areas to be fenced off in accordance with condition 8, there shall be no alteration to the ground levels and they shall be kept clear of vehicles, materials, surplus soils, temporary buildings and machinery.
10. Prior to the first occupation of each dwelling hereby permitted the bird (Manthorpe Swift Brick) as detailed in application reference 20/00736/FPM submitted 02 December 2020 shall be installed as high as possible under the roofline in accordance with the approved scheme and retained thereafter.
11. Prior to the first occupation of each dwelling hereby permitted any bat (Schwegler 1FR Bat Tube) boxes associated with that dwelling detailed in application reference 20/00736/FPM submitted 02 December 2020 shall be installed as high as possible under the roofline in accordance with the approved scheme and retained thereafter.
12. Prior to the first occupation of the dwellinghouses hereby permitted, the parking areas as shown on drawing number 16059.01.wd2.01 B shall be surfaced (in either a porous material or provision shall be made for surface water drainage to be contained within the site) and marked out accordingly and shall not thereafter be used for any purpose other than the parking of vehicles for the development hereby approved.
13. The Construction Management Plan/Method Statement as detailed in application reference 20/00736/FPM submitted 02 December 2020 shall be carried out in accordance with the approved details, or any such scheme that is submitted to and approved in writing by the Local Planning Authority, which cover the following requirements:-
  - (i) Details of construction phasing programme (including any pre-construction demolition or enabling works);
  - (ii) Hours or operations including times of deliveries and removal of waste;
  - (iii) The site set-up and general arrangements for storing plant including cranes, materials, machinery and equipment, temporary offices and other facilities, construction vehicle parking and loading/unloading and vehicle turning areas;
  - (iv) Access and protection arrangements around the site for pedestrians, cyclists and other road users;

- (v) Details of the provisions for temporary car parking during construction;
  - (vi) The location of construction traffic routes to and from the site, details of their signing, monitoring and enforcement measures;
  - (vii) Screening and hoarding;
  - (viii) End of day tidying procedures;
  - (ix) Construction and storage compounds (including areas designated for car parking);
  - (x) Siting and details of wheel washing facilities;
  - (xi) Cleaning of site entrances, site tracks and the adjacent public highway; and
  - (xii) Disposal of surplus materials.
14. The development hereby permitted shall not be occupied until the proposed accesses have been constructed as identified on drawing number 16059.01.wd2.01 B the existing accesses have been closed and the existing footway has been reinstated to the current specification of Hertfordshire County Council and to the Local Planning Authority's satisfaction.
15. The Site Waste Management Plan (SWMP) which details how waste materials as a result of the proposed demolition and/or construction methods shall be disposed of, and detail the level of soil to be imported to the site as submitted with application reference 20/00736/FPM dated 02 December 2020 shall be strictly adhered too during the course of construction of the development hereby permitted, or any such scheme that is submitted to and approved in writing by the Local Planning Authority.
16. Prior to the first occupation of each dwelling hereby permitted the approved secure cycle parking areas and public cycle parking for the relevant dwelling shall be constructed in accordance with the details approved under Condition 1 and shall be permanently retained in that form thereafter.
17. Prior to the first occupation of each dwelling hereby permitted the approved refuse and recycle stores for the relevant dwelling shall be constructed in accordance with the details approved under condition 1 and shall be permanently retained in the form.
18. The design of windows and ventilators to each dwelling shall achieve an acoustic performance which shall ensure that, when windows are closed, the following noise levels are not exceeded:
- (i) An average of 35 decibels (dB) (LAeq) during the daytime (07:00 - 23:00) within bedrooms and living rooms
  - (ii) An average of 40 dB (LAeq) during the daytime (07:00 - 23:00) within dining rooms
  - (iii) An average of 30 dB (LAeq) during the night (23:00 - 07:00) within bedrooms
  - (iv) A maximum of 45 dB (L<sub>Amax,F</sub>) on more than ten occasions during any typical night (23:00 - 07:00) within bedrooms.
- And prior to first occupation of the development hereby permitted, the noise mitigation measures detailed in discharge of condition application 21/00047/COND being implemented as detailed in the following

documentation:

- Noise Assessment with detailed mitigation prepared by Cass Allen (Report reference: RP02-17645-R0 dated December 2020);
- Glazing specifications with associated technical notes;
- Acoustic Facade specifications;
- Balcony door specifications;
- BRE Laboratory measurement of sound insulation.

19. Prior to first occupation of the development hereby permitted, unless otherwise agreed in writing by the Local Planning Authority, the Electric Vehicle Charging Points shall be installed in accordance with the approved drawing number 19063.WD3.L.01 rev 1 which accompanied discharge of condition application 21/01274/COND and thereafter permanently retained.

20. The development permitted by this planning permission shall be carried out in accordance with the approved submitted Surface Water drainage Strategy Rev. final v2.0, dated November 2018, prepared by JBA, and the following mitigation measures detailed within the FRA:

1. Implementing an appropriate drainage strategy based on infiltration, using appropriate SuDS measures as shown on drawing No. 2017s6007-001 Rev.P01, No.2017s6007-002 Rev. P01 and No.2017s6007-003 Rev.P01.

2. Providing attenuation to ensure no increase in surface water run off volumes for all rainfall events up to and including the 1 in 100 year + 40% to climate change.

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

21. The detailed surface water drainage scheme for the site based on the approved drainage strategy and sustainable drainage principles as submitted and approved by Hertfordshire County Council as Lead Local Flood Authority under discharge of condition application 20/00707/COND which demonstrated the surface water run off generated up to and including 1 in 100 year + climate change critical storm will not exceed the runoff from the existing site following the corresponding rainfall event. The approved scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

22. 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 also include:

- 1. Final confirmation of management and maintenance requirements
- 2. Provision of complete set of as built drawings for both site drainage

23. Upon completion of the development a final management and maintenance plan must be supported by a full set of as-built drawings, a post construction

location plan of the SuDS components cross-referenced with a maintenance diagram to secure the operation of the scheme throughout its lifetime.

24. The remediation measures as detailed in Phase 2 Geo-environmental Assessment (Prepared by MLM Group, document reference:- 724476-MLM-ZZ-XX-RP-J-0001, dated August 2020) and remediation strategy and verification report (Prepared by MLM Group, document reference 724476-MLM-ZZ-XX-RP-J-0002, dated September 2020) to remediate the contaminants which have been identified shall be implemented in order to render the site suitable for the development hereby permitted. The site shall be remediated in accordance with the approved measures before the properties are occupied.

If, during the course of development, any contamination is found which has not been identified in the site investigation, additional measures for the remediation of this contamination shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures.

25. 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 26, 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 27.
26. 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.
27. 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.
28. Prior to the first occupation of the ground floor retail units as detailed on the approved drawings, a scheme for the installation of equipment to control the

emission of fumes and smell from these premises and/or for the installation of any external plant and equipment such as air conditioning units and refrigeration units shall be submitted to and approved in writing by the Local Planning Authority and the approved scheme shall be implemented prior to the first occupation of these units. All equipment installed as part of the scheme shall thereafter be operated and maintained in accordance with the manufacturer's instructions.

29. Prior to first occupation of the dwellings hereby permitted, unless otherwise agreed in writing by the Local Planning Authority, the boundary treatment shall be constructed in accordance with the approved details set out in discharge of condition application 21/01275/COND which are as follows:

Detailed Drawing Reference Numbers:

- Proposed Site Plan (drawing number:- 19063.WD3.L.01 P);
- Proposed Site Plan (West) (drawing number:- 19063.WD3.L.02 J);
- Proposed Site Plan (East) (drawing number:- 19063.WD3.L.03 O).

The boundary treatment would comprise as follows:

- 1800mm close board timber fence;
- 1800mm close board timber fence with 300mm trellis;
- 2100mm brick wall - buff to match adjacent building;
- 2100mm brick wall - blue to match adjacent building;
- Brick retaining wall with 1500mm metal polyester powder coated (PPC) railings (total 1800mm above ground);
- 1200mm PPC railings;
- Brick retaining wall with 1100mm metal PPC railings above;
- 450mm knee high rail fence;
- 1800mm close board timber fence gate.

Thereafter, the hereby approved boundary treatment(s) shall be permanently retained and maintained accordingly.

## **INFORMATIVES**

### **Environmental Health**

The ventilation system for each dwelling shall incorporate continuous mechanical supply and extract with heat recovery conforming to the current edition of Approved Document F to the Building Regulations and designed so as to ensure that the ventilation system itself does not produce unacceptable levels of noise within each dwelling.

### **Thames Water**

A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Thames Water 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 [wwqriskmanagement@thameswater.co.uk](mailto:wwqriskmanagement@thameswater.co.uk). Application forms should be completed

on line via [www.thameswater.co.uk/wastewaterquality](http://www.thameswater.co.uk/wastewaterquality)."

In the car parking areas, it is recommended that a petrol/oil interceptor be fitted to ensure that local watercourses are not polluted from potential oil polluted discharges.

### **Hertfordshire Constabulary Crime Prevention Design Advisor.**

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 can be contracted by telephone on 01707 355227 or by email on [mark.montgomery@herts.pnn.police.uk](mailto:mark.montgomery@herts.pnn.police.uk).

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

Works to be undertaken on the adjoining highway shall be constructed to the satisfaction of the Highway Authority and in accordance with Hertfordshire County Council publication Roads in Hertfordshire Highway Design Guide. Before proceeding with the proposed development, the applicant shall contact on 0300 1234 047 to obtain the requirements for a section 278 agreement for the associated road works as part of the development. This should be carried out prior to any development work is carried out.

Prior to commencement of the development the applicant shall contact Network Management North at [NM.North@hertfordshire.gov.uk](mailto:NM.North@hertfordshire.gov.uk) or call on 0300 1234 047 to obtain the requirements to arrange a site visit to agree a condition survey of the approach of the highway leading to the development likely to be used for delivery vehicles to the development. Under the provisions of Section 59 of the Highways Act 1980 the developer may be liable for any damage caused to the public highway as a result of traffic associated with the development. Herts County Council may require an Officer presence during movements of larger loads.

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

The applicant has not carried out ground contamination investigation for this site. Contamination on site can condition the suitability of the entire drainage strategy which is based in infiltration. We therefore recommend the LPA to contact the Environment Agency in respect to this.

The LPA will need to satisfy itself that the proposed SuDS features can be maintained for its lifetime and we recommend the LPA obtains a maintenance and adoption plan.

## **4 22/00902/ENF - TRANQUIL TURTLE**

The Committee considered a report recommending enforcement action for the removal of an unauthorised erection of a large outdoor structure without planning permission, at the Tranquil Turtle, Symonds Green Lane, Stevenage.

The Development Manager drew attention to a late representation submitted by residents of Symonds Green objecting to this unauthorised structure.

The Development Manager advised that, in his opinion, the structure was harmful to the character and appearance of the Symonds Green Conservation Area by virtue of its size and makeshift / scaffolded, poor quality appearance. This view was supported by the Council's Conservation and Heritage Advisor (BEAMS).

The Development Manager commented that the owners of the Tranquil Turtle had stated that they would be removing the unauthorised structure by 26 February 2023. However, he recommended that enforcement action should be authorised should the structure remain in situ beyond that date.

Councillor Jackie Hollywell, Ward Member for Symonds Green, addressed the Committee on behalf of the residents who had objected to the unauthorised structure, and had requested that enforcement action be taken for its removal. She and the residents were wholeheartedly opposed to the structure, which was not in keeping with the area and did not preserve or enhance the Conservation Area in which it was located. She also referred to the general noise complaints and nuisance issues associated with the premises.

Councillor Hollywell acknowledged the owner's intention to remove the structure by 26 February 2023. However, she and residents were concerned that, if removal did not take place, the period of six months for compliance with any approved enforcement notice would be too long, as it would allow the structure to remain in place throughout the summer period.

The Committee was supportive of the Development Manager's recommendations for enforcement action. Mindful of the comments made by Councillor Hollywell, Members agreed that the period for compliance with the enforcement notice should be amended to three (rather than six) months.

It was **RESOLVED**:

- (1) That an Enforcement Notice be issued and served by the Assistant Director of Planning and Regulation, and subject to an appointed solicitor by the Council being satisfied as to the evidence, requiring the removal of the existing structure in the outdoor seating area of the Tranquil Turtle. The precise terms of the Enforcement Notice, including all time periods, to be delegated to the Assistant Director of Planning and Regulation.
- (2) That, subject to an appointed solicitor by the Council being satisfied as to the evidence, the Assistant Director of Planning and Regulation be authorised to take all steps necessary, including prosecution or any other litigation/works in default to secure compliance with the Enforcement Notice.
- (3) That, in the event of any appeal against the Enforcement Notice, the Assistant Director of Planning and Regulation be authorised to take any action required to defend the Enforcement Notice and any appeal against the refusal of planning permission.
- (4) That, within three months of the date of any Enforcement Notice served, the

entirety of the scaffolded structure which forms a cover for the outdoor seating area shall be removed in its entirety and the land made good where required.

## **5 22/00952/FP - 22 BASILS ROAD**

The Committee considered an application for the Variation of condition 4 (Boundary Treatments) attached to planning permission reference number 19/00287/FP, at 22 Basils Road, Stevenage.

Prior to presenting the report on the application, the Development Manager showed a short video clip taken by the occupiers of the neighbouring property (24 Basils Road) showing an interaction between them and the applicant on the highway adjacent to the application site. Members of the Committee had also been provided with a string of e-mail's from the occupiers of 24 Basils Road, describing a number of other alleged confrontational interactions with the applicant. Although the Development Manager considered this to be a civil (rather than a planning) matter, the occupiers of 24 Basil Road had threatened legal action should the video not be shown to the Committee.

The Development Manager advised that, under planning permission 19/00287/FP, the existing rear wall of the two-storey building which was to be demolished was to remain in-situ. This was in order to protect the privacy of numbers 33 and 35 Grove Road located to the rear of the site, specifically in terms of overlooking from the approved 2 no. dwellinghouse which were to be constructed at 22 Basils Road. Moreover, the wall would also act as a screen to protect the amenities of the future occupiers of the development at 22 Basils Road.

The Development Manager stated that the applicant had since demolished the 4.8m high wall which was to be retained as part of planning permission 19/00287/FP. This was because the applicant's structural engineer had considered the wall to be structurally unsafe. Taking this into consideration, the applicant was now looking to replace the two-storey wall with a 1.8m high close board timber fence.

The Development Manager considered that the proposed fence was not deemed to be of a sufficient height to overcome the privacy issues identified above. Therefore, if the application was to be approved, there would not be suitable mitigation measures in place to deal with the privacy issues identified. He therefore recommended that planning permission be refused.

The Committee was addressed by the applicant and developer, Mr Edger. Mr Edger re-iterated the Development Manager's comment that the rear wall had been demolished because his appointed structural engineer had considered the wall to be structurally unsafe. He drew attention to the fact that the replacement 1.8m wooden boundary fence would be in keeping with those of adjoining and nearby properties.

The Committee debated the application, and considered that it would be unreasonable to expect a 4.8m high replacement brick wall to be constructed in this location. Members agreed that the proposed 1.8m wooden fence would be an acceptable boundary treatment, and would be in keeping with those of other properties in the area. The Committee therefore agreed that application

22/00952/FP should be granted planning permission.

It was **RESOLVED** that application 22/00952/FP be GRANTED planning permission, subject to appropriate conditions.

**6 INFORMATION REPORT - DELEGATED DECISIONS**

Noted.

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

Noted.

**8 URGENT PART I BUSINESS**

22/00423/FP – Town Square (Event Island) - Cycling on the road in front of Daneshill House

With the Chair's permission, a Member referred to the planning permission relating to the Event Island space in the Town Centre, and the condition prohibiting cycling on the road in front of Daneshill House (known informally as the "Yellow Brick Road"). She was concerned that cyclists were still using the road in contravention of this condition.

In response, the Assistant Director (Planning & Regulation) advised that cycling was banned in the area up to 6.00pm as part of the Town Centre wide cycling prohibition. The extension of the ban beyond 6.00pm for the "Yellow Brick Road" had required the drawing up of a Traffic Regulation Order (TRO), which officers had included as part of the wider TRO relating to the adjacent Matalan site development. Objections had been received to the element of the TRO relating to the prohibition of cycling on the "Yellow Brick Road". If such objections were not overcome, then a Public Inquiry would be required. In the circumstances, and to avoid the need for a Public Inquiry, officers had separated the cycling element from the Matalan site element, which would enable the TRO relating to that element to be progressed. Officers were working on a solution to the remaining cycling prohibition issue, but if necessary would report back to the Committee should changes be required to the planning permission for the Town Square/Event Island space.

**9 EXCLUSION OF THE PRESS AND PUBLIC**

Not required.

**10 URGENT PART II BUSINESS**

None.

**CHAIR**

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

**Date:** 14 March 2023

**Author:** Rebecca Elliott

**Lead Officer:** Zayd Al-Jawad

**Contact Officer:** Rebecca Elliott

Application No:	22/00781/RMM
Location:	Land to the North of Stevenage, off North Road and Weston Road, Stevenage.
Proposal:	Reserved matters application for the construction of a Country Park including access, layout and landscaping pursuant to Outline permission 17/00862/OPM.
Drawing Nos.:	BM1-NPA-CP-OS-DR-L-3100-A-C04; BM1-NPA-CP-OS-DR-L-3101-A-C04; BM1-NPA-CP-OS-DR-L-3102-A-C04; BM1-NPA-CP-OS-DR-L-3103-A-C04; BM1-NPA-CP-OS-DR-L-3104-A-C04; BM1-NPA-CP-OS-DR-L-3105-A-C04; BM1-NPA-CP-OS-DR-L-3106-A-C04; BM1-NPA-CP-OS-DR-L-3107-A-C04; BM1-NPA-CP-OS-DR-L-3108-A-C04; BM1-NPA-CP-OS-DR-L-4052-A-C03; BM1-NPA-CP-OS-DR-L-4053-A-C03; BM1-NPA-CP-OS-DR-L-4054-A-C03; BM1-NPA-CP-OS-DR-L-5101-A-C04; BM1-NPA-CP-OS-DR-L-5102-A-C04; BM1-NPA-CP-OS-DR-L-5103-A-C04; BM1-NPA-CP-OS-DR-L-5104-A-C04; BM1-NPA-CP-OS-DR-L-5105-A-C04; BM1-NPA-CP-OS-DR-L-5106-A-C04; BM1-NPA-CP-OS-DR-L-5107-A-C04; BM1-NPA-CP-OS-DR-L-5108-A-C04; BM1-NPA-CP-OS-DR-L-7420-A-C01; BM1-NPA-CP-OS-DR-L-7421-A-C01; M1-NPA-CP-OS-RP-Y-4600-A-C01; BM1-NPA-V1-OS-DR-L-7400-A-C04; BM1-NPA-V1-OS-DR-L-7407-A-C01; BM1-OC-RMA-XX-DR-C-4000-R08; BM1-OC-RMA-XX-DR-C-4001-R06; BM1-OC-RMA-XX-DR-C-4002-R06; BM1-OC-RMA-XX-DR-C-4003-R06; BM1-OC-RMA-XX-DR-C-4004-R06; BM1-OC-RMA-XX-DR-C-4005-R06; BM1-OC-RMA-XX-DR-C-4006-R07; BM1-OC-RMA-XX-DR-C-4007-R06; BM1-OC-RMA-XX-DR-C-4008-R07; BM1-OC-RMA-XX-DR-C-4012-R06; BM1-OC-RMA-XX-DR-C-4013-R04; BM1-OC-RMA-XX-DR-C-4014-R05; BM1-OC-RMA-XX-DR-C-4015-R03; BM1-OC-RMA-XX-DR-C-4016-R04; BM1-OC-RMA-XX-DR-C-4017-R02; BM1-OC-RMA-XX-DR-C-4018-R03; BM1-OC-V1-ZZ-DR-C-0042-P08; P1708.TB.01_B;
Applicant:	Bellway Homes (North London) and Miller Homes Ltd
Date Valid:	23 August 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 22/00806/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.
- 2.4 Application reference 22/00806/RMM 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. The application was heard at and approved by members of the Planning and Development Committee on 9<sup>th</sup> February 2023. The decision notice has not yet been issued.
- 2.5 Application reference 22/00810/RMM 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. The application was heard at and approved by members of the Planning and Development Committee on 9<sup>th</sup> February 2023. The decision notice has not yet been issued.
- 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 for 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 has been issued confirming the works do not require planning permission. The notice was issued on 6 February 2023.

- 2.11 Application reference 23/00011/CLPD has been issued 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. The decision notice was issued on 22 February 2023
- 2.12 Application reference 23/00014/TPTPO has been granted 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. The decision was issued on 24<sup>th</sup> February 2023.
- 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 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 was considered and no Tree Preservation Orders served. The decision notice was issued on 24<sup>th</sup> February 2023.

### **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 (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 (RM's) 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 22/00781/RMM relates to the Country Park 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 infrastructure (highways, drainage and green) for the site has been considered under application reference 22/00808/RMM and was approved by members at the 9 February 2023 Planning and Development Committee meeting. This would provide the main spine road, primary roads, foot and cycleway connections, four drainage basins and associated connections, including the pumping station. The green infrastructure is extensive and includes the large west to east central corridor and smaller north/south green links connecting to existing bridleways and public rights of way (PROW). Extensive planting and landscaping is also proposed along the eastern boundary between Phase 1D and the proposed Country Park, as well as additional planting in parts along the southern PROW/bridleway. The proposals for infrastructure also include for numerous play areas within the site, including a skate park and MUGA with the local centre local equipped play area (LEAP) and local play area (LAP).
- 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).

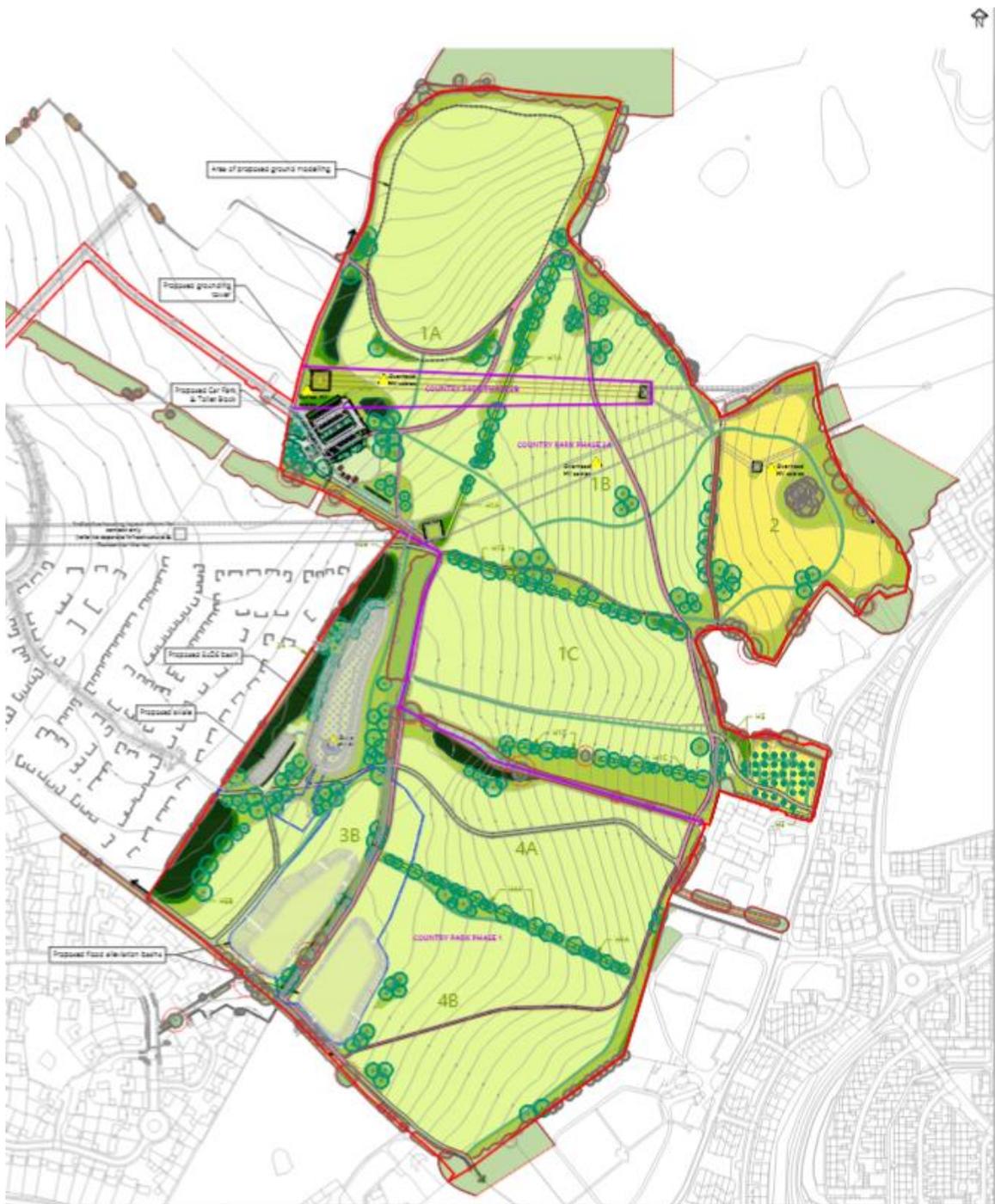
## **5. THE CURRENT APPLICATION**

- 5.1 The current application seeks reserved matters approval for the provision of a 38 hectare Country Park on land located to the east of the site. The provision of this accessible open space would include the provision of –
- A single storey, green flat roof toilet block;

- A 50 space car park (including disabled parking and EV spaces);
- Various foot and cycleways creating perimeter paths and desire line paths around and through the site varying in width up to a maximum of 3.5m, and consisting of bound gravel or mown grass;
- Two dry, grass lined flood attenuation basins (SuDS basin, swales and deep borehole soakaways located in Country Park but approved under the Infrastructure application);
- Land remodelling to include a 'mound' in the northern field of the proposed Country Park;
- Introduction of new field barriers through additional tree and landscaping planting to re-create historic field de-lineation;
- Creation of hay and wild flower meadows across the fields, with possible animal grazing in the north eastern field;
- Creation of a community orchard;
- Street furniture, including benches, cycle stands, bins and directional signage posts.

5.2 The proposed Country Park would utilise the eastern parcel of land within the total site, bordering the proposed residential development of HO3 to the west, Chesfield Park, Ten Acre Plantation and Gorsedell Plantation to the north, Weston Road and associated properties and the cemetery along the eastern boundary, and St Nicholas Church, graveyard, adjoining fields and residential properties in Mathews Close and Chancellors Road to the south. As laid out in the S106 agreement attached to the outline permission, the Country Park will be transferred to and adopted by Stevenage Borough Council.

5.3 The Country Park would be formed of seven field areas, referenced 1A, 1B, 1C, 2, 3B, 4A and 4B on submitted drawing number BM1-NPA-CP-OS-DR-L-3100 C04, following creation of several new field boundaries.



- 5.4 Field 2 would remain as existing pasture and would allow for future use for animal grazing. The remaining five fields would be seeded to be hay meadows. The proposed community orchard is a small area of land to the east of field 1C and sits due north of Rooks Nest Barns and would provide pedestrian and cycle access onto Weston Road.
- 5.5 Fields 3B and 4B would accommodate the proposed flood and SuDS drainage, including the wet basin and swale approved under the infrastructure application and the two dry attenuation basins which form part of this application. A water connection is also proposed for field 2 to accommodate any future use by livestock. This connection runs from the proposed toilet block building.

- 5.6 To the south west of field 1A it is proposed to construct a 50 space car park and single storey toilet block with grass sedum roof. The toilet facility would provide separate male and female areas and a disabled toilet. To the rear of the building is a storage area for maintenance equipment used by SBC Parks and Amenities team. The building would be located towards the south western corner of this area screened to the west by proposed tree planting. The proposed car park would be sited to the north east of the building with vehicular access from the north west. The car park would come forward in two phases in line with the undergrounding of the overhead power cables. The car park would be slightly banked to take account of the topography and additional planting is proposed to the east of this area. A small area of picnic benches is proposed to the south of the car park and landscaping.
- 5.7 A collection of footpaths is proposed around most of the perimeter of the Country Park, with east/west crossing connections as well. The widest of these would measure 3.5m in accordance with Hertfordshire County Councils LTP4 policies to enable sufficient space for pedestrians, mobility users and cyclists to adequately pass each other. This would also allow access to the eastern side of the park by maintenance teams. Narrower 2m wide paths for pedestrians are proposed at other desire lines, as well as mown footpaths. The bound surfaces would be constructed of self-binding gravel with timber edging.
- 5.8 The proposed use of sub soil taken from the creation of the SuDS and flood basins to create an increase in land levels in field 1A to the north of the site would result in a maximum increase in topography levels by up to 1.75m. The existing topography of the field is such that the land slopes east/south east with a dip in the central area of the field leading towards the eastern tree lined boundary. The proposed soil distribution is concentrated in this central area with a dis-placement leading outwards from this area at a decreasing level.
- 5.9 The proposed Country Park would include the provision of furniture for use by park users, including benches, bins, cycle stands near the toilet block and car park and the installation of wayfinder/directional signs/bollards to demarcate the bridleways/PROW.

## **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 –

- 13 Pound Avenue;

Objections –

- 3 Southwark Close;
- 2 Mathews Close;
- 13 The Brambles;
- 65 Arseley Road, Ickleford;
- 7 Mathews Close;
- 71 Burymead;
- 33 Kilner Close;
- 50 Grace Way;
- 3 Underwood Road;
- 22 Granby Road;
- Keepers Cottage, Weston Road;
- 68 Conifer Walk;
- 44 Kessingland Avenue;
- 6 Nycolles Wood;

- 8 Morgan Close;
- 8 Rooks Nest Farm Barns;
- 4 Rooks Nest Farm Barns;
- 2 Rooks Nest Farm Barns;
- 9 Rooks Nest Barns;
- 6 Wilson Close;
- 1 Underwood Road;
- 3 Rooks Nest Farm Barns;
- 27 Trafford Close;
- 60 Roubourne Drive;
- 10 Oak Lane, Hitchin;
- 61 Granby Road;
- 21 Essex Road;
- 16 Trent Close;
- 12 Chancellors Road;
- 12 Elm Park Road, London;
- 14 Whitesmead Road;
- 3 Mathews Close;
- 48 Basils Road;
- 142 Grace Way.

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 objections received are as follows –
- Loss of farming / arable land;
  - More than enough development going on in Stevenage, no more houses needed;
  - Concern over positioning of the flood alleviation area, neither sufficient or well suited;
  - No-one is listening or taking account of the level of objections received;
  - Unacceptable development in the Green Belt and the Country Park is a token gesture which takes away from this area of natural beauty;
  - Impossible to find and understand the massive amounts of documents submitted;
  - Country Park is being used to justify the 800+ houses being built;
  - Not necessary to create this Country Park, leave the land as it is;
  - Proposals will further exacerbate existing drainage /surface water issues;
  - Land needed for farming and growing of veg in these times of climate emergency and the war in Ukraine;
  - How will the local NHS services cope?;
  - Toilet block and car park were not part of the original plans;
  - Land should be left as managed meadows and hedgerows;
  - Profit coming before people and the planet;
  - Land is Green Belt and proposals contravene the NPPF;
  - Unacceptable impact on 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;
  - Proposed car park is unnecessary with many people already enjoying walking these fields without need to park in a car park;
  - Same reason a toilet block is unnecessary, one is not currently available or needed;
  - 50 bay car park is excessive;

- How will the car park be policed and protected?;
- No proposals to show how the boundaries with neighbouring properties will be provided;
- The mown paths will come very close to our property and the whole frontage of our property is exposed to the proposed park;
- The access to the park from Weston Road could encourage people to leave cars along Weston Road;
- The proposal highlights how developers have no concept of how to 'create', 'manage' and 'enhance' nature, based on the comments by HMWT;
- The toilet block would seem an eyesore in its current form;
- Dodgy deals being made behind closed doors at the Council they think people know nothing about;
- Deception shown by the true plans of the proposed development recently revealed;
- Enormous traffic impact of these houses, has this been considered especially at peak times;
- Disgraceful to destroy an important piece of English heritage;
- Never been more vital to preserve natural meadows for our health benefits;
- Car park will attract out of hours anti-social behaviour;
- Toilet block will be vandalised in weeks and become at best an unsanitary hotspots for undesirables;
- What is the Council's need for public toilets in this location when its closing many other public toilets in Stevenage;
- Creation of a landscape mound of waste materials is both offensive and damaging to the current views and landscaping in the conservation area;
- Original highway assessment no longer fit for purpose;
- Existing Council bin location on Weston Road at proposed entrance to park. More people passing this area will likely cause more issues for vandalism;
- Parking and access restrictions on Weston Road;
- Proximity of gravel pathway to Rooks Nest Barns. Additional privacy and security measures should be included;
- Possible general public access to our private gated driveway;
- 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 thoughtout 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;
- Impact on wildlife and protected species;
- Plans for this overdeveloped country park were made with no public involvement;
- Impact of E M. Forster is national and international and therefore a simple local consultation is inadequate;
- 3.5m wide 'road' around the park is not necessary and harmful;
- Drainage close to Mathews Close has been insufficiently considered and the detail is insufficient;
- Borehole calculations based on 1 in 100 year flooding however there were flooding issues only a few years ago;
- Drainage report makes comment of modelling of the boreholes but there is detail of what this will entail.

**Note:** A verbatim copy of all the comments and objections received can be viewed on the Council's website.

### 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, the classification of development parcels (including parcel E within the St. Nicholas/Rectory Lane Conservation Area) and the provision of key amenities including the restoration of fields in the remainder of the conservation area variously referred to in the paperwork as “St Nicholas Meadows”, “publicly accessible open space”, “parkland”, and in some cases a “Country Park”.
- 6.3.2 According to the planning officer report to Planning and Development Committee of the 4th February 2020<sup>1</sup>, a masterplan was produced by the developer Bellway Miller “in order to guide the location of the built development, whilst responding to the conservation area designation in the eastern part of the site. It is intended that the built development will be restricted to the western part of the site...” It went on to state “the application is supported by 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.
- 6.3.3 Section 7 of the February 2020 report considered, at length, the impact of the proposed development within the conservation area and on the settings of the grade 1 listed buildings – St Nicholas Church and Rooks Nest House. The report acknowledged that the proposed development “will cause harm to the character of the conservation area through the building on land within the area”. Indeed, Historic England were of the view that the impact of the proposals would have a “considerable, harmful impact upon the character, appearance and significance of the conservation area, to such an extent that it would either weaken or eradicate the ability to appreciate the listed buildings and conservation area within the setting”.
- 6.3.4 By way of mitigation, Bellway Miller’s masterplan and strategy for the open space in the conservation area focused heavily on the restoration of St Nicholas Meadows to “its late-nineteenth-century landscape character” with a “new network of footpaths” as the means of providing public access into the “existing footpath network and to Weston Road. It further proposed new hedgerows and species rich hay meadows with the intention of “recreating something of the character of the area as it was known by Forster”
- 6.3.5 On the basis of the mitigations of harm arising from proposed meadow, the density and design of house building in parcel E, and the significant planting or trees around the new houses (to screen the conservation area from them) and analysis of a series of ‘verified views’ (which were relied upon to assess the efficacy and impact of the screening) the Council’s Heritage Impact Assessment concluded that “the proposals to restore earlier landscape forms to the area north of the church will contribute positively to the setting of this listed building, rather than have any harmful effect on its significance. This point was considered in the local plan examination and accepted by the Inspector” .
- 6.3.6 Furthermore, it argued “It is considered that the management of the remaining agricultural land within the conservation area and its restoration to a land form that reflects historic landscape patterns in the area offers a significant benefit to the setting of listed buildings and a contribution to the character and appearance of the conservation area. The management of the remaining land in this way offers a significant contribution to the character and appearance of the conservation area and will contribute significant benefits to the setting of St Nicholas’ Church, Rooks Nest, Rooks Nest Farm and the Old Bury. The restoration of the landscape to a form that would be recognised by Forster, rather than its present appearance of large-scale, modern fields, offers a significant benefit to the character of the undesignated

heritage asset of Forster Country.” It was on this basis that outline planning permission was granted.

#### New proposals included within the reserved matters application

- 6.3.7 The proposals due to be considered under reserved matters are a significant departure from the original propositions set out in the outline permission. In particular, there are a number of additions to the proposed development within the conservation area that were not included in the masterplan that formed the basis of the planning consent in 2020. These include but are not limited to:
- A 50-car carpark;
  - a ‘vandal proof’ toilet block and storage building;
  - an industrial electrical base unit;
  - breaking-through of the tree screening for a vehicle access road to the car park, along with many attendant urban artefacts including: speed humps, steel height restriction gates and other 21st century obstructions;
  - The creation of a ‘landscaped mound’ made from 25,000 cubic meters of spoil accumulated during the construction of the 800 houses in the north west part of the conservation area;
  - The development of a 2.5 kilometre 3.5-meter-wide orbital “open space multi-purpose path” made from “self-binding gravel” which to all intents and purposes is a road, intended to be used by maintenance and refuse trucks;
  - An excessively urban approach to path layout, furniture, litter bins and benches that is not in line with national best practice in terms of inclusive access to rural spaces or the preservation of historically significant conservation areas.
- 6.3.8 In and of themselves, each of these new proposals create additional harms to the St. Nicholas/Rectory Lane Conservation Area and on the settings of the grade 1 listed buildings – St Nicholas Church and Rooks Nest House. It is our view that due process has not been followed in properly assessing both the need for these developments or the impact of their harm. On this basis alone, the Planning and Development Committee should refuse consent and, in our view, be directed by planning officers to do so too.
- 6.3.9 National best practice also requires that an assessment of the cumulative impact of developments in sensitive areas is undertaken, understood and considered. Meaning a consideration of the extent to which further proposed unsympathetic developments would exacerbate the existing loss of open country-side and the additional loss already agreed in the Outline Planning Permission. Namely the development of Parcel E.
- 6.3.10 This is an especially important consideration given that the in-perpetuity restoration of the St Nicholas Meadows on the remainder of the eastern portion of the site was the principle mitigation for the harm caused by the housing development in parcel E of the conservation area. A mitigation that the Council’s planning team and Committee relied upon when making their considered, balanced and thoughtful judgement at Outline Planning stage, in 2020.
- 6.3.11 In simple terms, taken in the round the “significant harms” identified by Historic England in their initial assessment of the outline proposals for the development in parcel E, are no longer mitigated by the benefits of St Nicholas Meadow as set out in the original Bellway Miller Masterplan and Strategy. This is because the proposed Country Park itself includes a number of additional harms. Far from providing a mitigation, the reserved matters application makes the problem worse. For this additional reason, the Planning and Development Committee should also refuse any further harmful development within the conservation area. Alternatively, they could consider revocation or modification of consents given in relation to Parcel E so that the cumulative impact is maintained or minimised. The following sections set out our objections in detail.

### New car park and amenity facility within the conservation area

6.3.12 The reserved matters application includes proposals to build within the St. Nicholas/Rectory Lane Conservation Area:

- a 50-car carpark (with just 4 disabled bays);
- a 'vandal proof' toilet block and storage building, and
- an industrial electrical base unit.

It also includes a proposal to 'break-through' the tree screening (proposed at outline planning as a means of obscuring and mitigating the impact of the housing on significant views across the conservation area) to allow for a vehicle access road to the car park, along with many attendant urban artefacts including: speed humps, steel height restriction gates and other 21st century obstructions.

6.3.13 None of these proposals were included in the Masterplan put forward by Bellway Miller for consideration at Outline Planning. Nor were they included in their public consultation material in the months and years preceding their application.

6.3.14 Need for a car park has not been established or subject to proper scrutiny. The National Planning Policy Framework (NPPF) (paragraph 132) requires planning authorities to place 'great weight' on the conservation of designated heritage assets. It also recognises that their significance can be harmed by development within their setting. It goes on to say that 'any harm or loss should require a 'clear and convincing justification'.

6.3.15 The Local Plan Policy NH8: North Stevenage Country Park, envisaged at paragraph 14.54 "small scale developments which facilitate public access and use of this land, whilst respecting the purposes of Green Belt and the need to maintain and enhance the conservation area will be supported". It cannot be inferred from this statement that its intended meaning was a 50-space asphalt car park and vandal proof toilet block built within the conservation area. Moreover, neither of these proposals could reasonably be described as 'small'.

6.3.16 Furthermore, the Active Travel Plan/Framework Travel Plan that accompanied the Outline Planning Application did not reference the need for a 50-car car park. Indeed, the principle objective of the plan was to:

- Reduce the level of car traffic generated by the development;
- Provide a choice of travel modes for residents', pupils, staff and visitors;
- Promote healthy lifestyles and sustainable, vibrant communities; and
- Encourage a permeable development which will promote walking and cycling trips on routes that are safe, logical, convenient and attractive.

6.3.17 Meanwhile, the Highways Technical Note that accompanies the reserved matters application makes no reference to the proposed car park either. In fact, it states that the provision of parking within phase 1D of the residential development provides 40 spaces in excess of the 'prescribed standard'. It goes on to say at paragraph 4.1.7 "The proposed provision and allocation of parking is therefore considered to be suitable". This is without counting the additional 50 spaces proposed in the car park.

6.3.18 Grounds for refusal - Due process requires that the Active Travel Plan/Framework Travel Plan be updated to incorporate the additional proposed car park and consequent vehicle journeys. In so doing, it needs to demonstrate that the 50-space car park is both required and is in line with the policy requirements for sustainable transport. Consultees on the reserved matters should be given the opportunity to review the amended plan. Any decisions on the reserved matter application in advance of this would be premature. If a new Travel Plan is not produced, the Planning and Development Committee should refuse the permission to build the car park.

- 6.3.19 Heritage impacts of the car park, vandal proof toilet block & storage building, the industrial electrical base, and the new vehicle access road, have not been assessed - Putting aside whether the car park is indeed a necessary feature of the development (noting that this has not yet been established) it appears that the landscaping for the car park serves to screen it from the proposed new development, not the conservation area that includes Rooks Nest House from it. The proposed car park occupies a prominent position and will impact heavily on the conservation area. Any valid proposal would need to include measures to screen the car park, toilet block and other developments from the conservation area and the heritage buildings in particular. Given that this proposed development will impact on open views from across the conservation area, the design of the landscaping will of course need to be sensitive and as sympathetic as possible.
- 6.3.20 None of these visual impacts were considered in the Heritage Impact Assessment which was relied upon when Outline Consent was given. Indeed, the new developments render the existing 'Verified Views' that formed the back bone of that analysis, obsolete. Consequently, given the visual impact of the car park and other developments on the conservation area, new "Verified Views" should be provided. These 'Verified Views' should show the impact both in terms of the screening of the new developments (in summer and winter) and in terms of the impact on the open views that form an essential element of Forster Country, as seen from the conservation area and from Rooks Nest House and its grounds.
- 6.3.21 It is noted that Bellway Miller consider the existing Verified Views analysis to be sufficient and they have not be undertaken fresh analysis and have no plans to do so. These are grounds enough for refusing the application.
- 6.3.22 Finally, it is noted that the Planning Statement for the reserved matters produced by Savills on behalf of Bellway Miller states that the additions of the car park, access road and toilet block were requested by Stevenage Borough Council as part of the section 106 and subsequent CIL negotiation. These plans were further developed during a series of private meetings between council officials and the developers on the 14th of December 2021 and 12th January 2022. In attendance were the Green Spaces team, and 'drainage' advisors. It does not appear that the heritage team have been involved in the development or assessment of these reserved matters proposals. This is very concerning and calls into question whether the Council have been sufficiently fulsome and rigorous in their specification for the Country Park and their commitment to heritage and conservation matters.
- 6.3.23 Grounds for refusal - Due process requires that the visual impact of the new car park, toilet block, electrical facility and access road are subject to a heritage assessment. Any such assessment would require the production of new 'Verified Views' to be undertaken. Bellway Miller have not developed new 'Verified Views' and have stated that they don't intend to do so. Consequently, it is not possible for the Planning and Development Committee to properly determine the extent of harm of these proposals either individually or cumulatively (alongside everything else). On this basis the Committee should refuse permission.
- 6.3.24 **AN ALTERNATIVE CONSIDERATION** In the spirit of progress, an alternative proposal would be to make better, more imaginative use of existing Council owned parking, toilet and storage facilities in the vicinity of St Nicholas Meadows. The current proposed car park and toilet block negotiated through the CIL process will cost over half a million pounds to build. With sensitivity, imagination and clever design this money could be better spent making adaptations to the existing Council owned 40 space car-park on Weston Road. St Nicholas Church PCC have also made alternative suggestions in the past. We encourage the Council to be bold and consider the numerous alternatives to building on our precious rural heritage.

The creation of a 'landscaped mound' made from 25,000 cubic meters of spoil accumulated during the construction of the 800 houses in the north west part of the conservation area.

- 6.3.25 The reserved matters application includes a proposal to utilise 'surplus cut and fill material arising from the development' and to dump it to a height of up to 1.75 meters with the effect of creating what the application refers to as a "landscaped mound" in the northern part of the conservation area next to Chesfield Park. If agreed, this proposal will forever alter the topography of the landscape as it would have been known to EM Forester. It causes unnecessary harm to an area that is already beautifully contoured and one of the most attractive parts of the conservation area for no apparent benefit other than it makes lighter work for the developer.
- 6.3.26 Moreover, the creation of the mound during phase 1, 2a and 2b of the 'Country Park' will cause significant and unnecessary harm to the conservation area during the construction period for the best part of a decade. This creates significant harm and is a material consideration for the Planning and Development Committee in their determination
- 6.3.27 Grounds for refusal - As with other proposed new developments there has been no assessment of the heritage/conservation impact of the 'mound' or the extended impact of its construction. Nor is there any discernible benefit beyond reduced costs of waste disposal for the developer.
- 6.3.28 Consequently, it is not possible for the Planning and Development Committee to adequately determine whether this proposal is compliant with the St Nicholas/Rectory Lane Conservation Areas Management Plan SPD or its wider obligations to protect heritage assets and their settings. Due process has not been followed and the proposal creates unnecessary harm for no benefit. On this basis, the application should be refused

The development of a 2.5 kilometre 3.5-meter-wide orbital "open space multipurpose path" made from "self-binding gravel" which to all intents and purposes is a road, intended to be used by maintenance and refuse trucks. AND An excessively urban approach to path layout, furniture, litter bins and benches that is not in line with national best practice in terms of inclusive access to rural spaces or the preservation of historically significant conservation areas.

- 6.3.29 Friends of Forster Society have long campaigned for the land we love to be more accessible, inclusive and available for use by all. Indeed, for many years we have been a lone voice in this endeavour. We would support and champion proposals that carefully balance the needs of all users, including those using wheelchairs, mobility scooters and pushchairs with the objective of preserving and restoring the very essence of why people want to visit the conservation area, and what Forster himself described as "one of the finest views in England" in the first place.
- 6.3.30 It is why, for all its flaws we took some solace from the fact that the outline planning permission included an undertaking to restore St Nicholas Meadows to a rural landscape the nature and character of which would have been recognised by EM Forster and other late 19th Century visitors.
- 6.3.31 Unfortunately, what is included in the reserved matters application does not live up to that promise. Instead there is an over designed and unnecessarily urban proposition that focuses too heavily on a municipal-parks led vision for the meadows rather than one that reclaims its rural heritage and charm. What is being proposed is not the rural landscape the Forster would have recognised.
- 6.3.32 The most concerning feature of the reserved matters plan is the inclusion of the 2.5 kilometre 3.5 meter-wide orbital "open space multi-purpose path" made from "self-binding gravel". To all intents and purposes this is a road, and certainly from a planning perspective is a

permanent structure that should be considered as having the same impact on the conservation area as if it were an actual road. Indeed, Weston Road, within the northern part of the conservation area is itself barely 3.5 meters wide and in many places is narrower than that.

- 6.3.33 Although the reserved matters Design and Access strategy suggests that this “multi-purpose path” is designed for use by mobility impaired users (which we support) the accompanying Highways Technical Note 19-188 dated August 2022 states that the real reason for the 3.5 meter width is so that Council maintenance and refuse pick-up trucks up to 5 meters in length and 1.75 meters wide can drive around the Country Park to make repairs and empty litter bins. Why have the Council designed a park that is so cluttered with urban artefacts that all these van journeys are going to be necessary? With a less engineered and less urban design, the need for such wide paths could be avoided and the rural heritage of the meadow enhanced yet further.
- 6.3.34 With imagination the Council could create a stunning local heritage asset of national significance. And it could do so in a manner that significantly reduces the burden of traditional maintenance regimes and enhance access for all. The Charity Groundworks UK estimates that 97% of England's Wildflower Meadows have been lost in recent years and that proposals to re-adopt less manicured meadows and open spaces should be encouraged. They also note that future and on-going maintenance regimes and costs are significantly lower meadows than they are for more traditional parks.
- 6.3.35 The Planning and Development Committee are duty bound to determine whether the proposed Country Park complies with its own policy as set out in NH8 and with the relevant Conservation Area SPD. We do not believe they can reasonably make that determination, because as with other aspects of the reserved matters proposals, proper heritage assessments have not been undertaken – particularly in relation to the new proposed hard landscaping (the multi-purpose path/road) and particularly as those development impact on Rooks Nest House and its setting.
- 6.3.36 Figures 7 below reproduces the detailed proposals for the development of the 3.5 meter-wide multi-purpose path/road together with other installations (benches, bike racks etc.) and its juxtaposition with significant heritage assets. Implementing these proposals will have a permanent impact on the environment and character of the land immediately (a matter of feet) away from the Grade 1 listed Rooks Nest House and its grounds, and the Grade 2 list Rooks Nest Farm and Barns. There has been no heritage impact assessment of these proposals and seemingly no involvement of the Council's heritage teams in the development of them either, despite the fact that implementation will require excavation and land levelling and the removal of sections of ancient hedge-row.
- 6.3.37 In developing these proposals, the developer and Council have not adopted national best practice guidance with regards balancing access and heritage conservation. There are two obvious tools that they could have used but have not. They are:
- **Historic England Technical Guidance: Easy Access to Historic Landscapes** amongst other things this guidance sets out how stewards of historic landscapes can adopt access strategies that help them understand, balance and manage enhanced access alongside conservation objectives. Given that the Local Plan specifically references the need to follow Historic England best practice, is it disappointing that the developer and Council haven't done so.
  - **Paths For All** (a charity established to improve access to parks and rural settings for people with disabilities) and their national guidance<sup>16</sup> “Country Side for All – Good Practice Guide”. This guide, much like the English Heritage guide, sets out a process and method for land owners and stewards to consider what appropriate measures needed to be put in place to enable inclusive access to their land. Their guidance was developed in partnership with Arthritis Care, Disability Action, Radar, Mencap, the

RNIB and the Scottish Disability Equality Forum. Their guidance recommends that in rural settings inclusive access for wheel chair and mobility impaired users can be achieved through the use of hard surface (but non-permanent) paths (compacted material) with a width of 1 to 1.2 meters. Their guidance also recommends seating places in a frequency 200-300 meters.

- 6.3.38 In short – good practice would suggest that a fully inclusive and accessible meadow could be achieved with a far less intrusive pattern and size of paths and with far less urban park clutter. The Council should go back to the drawing board and come forward with a more appropriate plan.
- 6.3.39 Grounds for refusal - As with other proposed new developments due process has not been followed with regards the proper assessment of the heritage/conservation impact of the proposed multi-use path, which from a planning perspective, should be considered as a “development”. Nor has there been adequate assessment of the cumulative impact of other park infrastructure, particularly in close proximity of Rooks Nest House and Rooks Nest Farm and Barns. Best practice guidance has not been adopted and there appears to have been little or no involvement of heritage professionals in the development of the Country Park Plans.
- 6.3.40 Consequently, it is not possible for the Planning and Development Committee to adequately determine whether this proposal is compliant with the St Nicholas/Rectory Lane Conservation Areas Management Plan SPD or with the intention of Local Plan policy NH8, and its wider obligations to protect heritage assets from harm. On this basis, this aspect of the application should be refused These are initial comments from Friends of Forster Country. We continue to read through all the planning material and reserve the right to submit further comments in due course
- 6.4 Ramblers Association –
- 6.4.1 I suggest that the additional footpaths are formally added to the Definitive Map thereby protecting them into the future. Years 2 to 5. For the PROW to be widened I suggest you look at the Herts CC Countryside and Rights of Way Service document - Non-Motorised Routes: A Design Guide which describes a 50/50 best practice approach to multi-user paths.
- 6.4.2 Fig 1.03. I note that in the explanation information at the bottom of this Plan, it states 'PROW 23 Existing Public Right of Way (to be surfaced)' should also be guided by the document above. The surfacing should be suitable for equestrians which is NOT hard tarmac, and it is a Bridleway. Horses prefer soft and flexible surfaces. Advice can be sought with the British Horse Society who have extensive knowledge of the requirements for equestrians.
- 6.4.3 To the East and North of Forster Country the current roads are narrow and have blind bends and alternative off -road routes should be provided which riders can use as this development will inevitably increase traffic use. This will further increase the danger of vulnerable users. I also understand that there are other well used horse riding routes that are in process of being submitted with user evidence for inclusion on the Definitive Map. These additional routes will interlink with those on this development and provide a significantly improved network of off-road safe paths. Thank you for considering these comments which are made with further enhancement to a great project

## 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 AMENDED PROPOSAL Reserved matters application for the construction of a Country Park including access, layout and landscaping pursuant to Outline permission 17/00862/OPM.

#### Recommendation

- 7.1.2 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

#### Comments

- 7.1.3 HCC Highways DM consider that a Country Park is a destination in its own right, that people will visit for exercise, leisure or both; additionally the park should compliment and integrate with the cycle facilities which are being provided within the residential area of the site and North Road. Initially cycle parking was not provided within the park to facilitate this and HCC Highways objected then. Cycle parking in the form of Sheffield Stands are now provided. Initial designs included cycle parking under the eaves of the toilet block and within the park towards Weston Road. As shown on the drawings BM1-NPA-CP-OS-DR-L-3102 Rev C04 and BM1-OC-RMA-XX-DR-C-4000 Rev 08 the cycle stands within the park towards Weston Road have subsequently been relocated to an area just north west of the toilet block stands and just south of the raised PROW crossing of the Park car park access road. Whilst HCC Highways preferred the original locations we find the provision acceptable and withdraw our objection.

#### Informatives

- 7.1.4 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:
- 7.1.5 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.
- 7.1.6 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 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.
- 7.1.8 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.
- 7.1.9 AN5) 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 The further information provided following negotiations on the drainage proposals across the site to enable the discharge of conditions is largely acceptable. Further details pertaining to modelling of infiltration in the area is requested to further inform the size and number of deep borehole soakaways required to serve the flood alleviation basins.
- 7.3.2 It is anticipated an updated Technical Note will be provided prior to the meeting.

## **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:
    - o The main spine / circular route within the Stevenage site;
    - o Routes and connections to / from the proposed Country Park; and
    - o 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.

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

7.4.3 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 farm land 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 masterplanning 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.

**7.5 Council's Conservation Advisor BEAMS**

Originally submitted plans response –

7.5.1 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. This Reserved Matters application is for the construction of a 38 hectare Country Park within the St Nicholas / Rectory Lane Conservation Area (a designated heritage asset) as part of the wider 'North of Stevenage' development that was granted outline consent.

7.5.2 The Country Park will inevitably have a very different character to the arable fields which currently exist within the site and the introduction of a car park, WC block and wide formal paths around and through the grass meadow park (with associated required bins / benches / signage etc) will certainly give the area a more suburban character.

7.5.3 Historic England did provide consultation advice on the 2017 application, and it is noted they were supportive of the reinstatement of field boundaries depicted on the 1834 Tithe Map of Stevenage. Can it be clarified that these field boundaries are to be reinstated? The introduction of an orchard is welcomed but it should be ensured appropriate tree species are planted, and its management (as well as that of the 'meadows' as a whole), is guided by the necessary expertise.

7.5.4 It is questioned whether the re-grading / raising of land in the north of the site (and beyond) to accommodate surplus soil from the residential development is appropriate - how will this change the character of the landscape?

7.5.5 A car park is proposed to serve the country park. In terms of providing a car park (if one cannot be provided as part of the residential area adjacent), the current location is the least

harmful to the setting of historic listed buildings along Rectory Lane / Weston Road. The car park has a very suburban layout - efforts to screen the car park / soften its visual impact through providing a bank round the car park / tree screening / hedge boundary / limited use of tarmac would be welcomed. Any signage / barriers etc should be sensitively designed. Will any lighting be proposed within the car park / country park?

- 7.5.6 The WC / store block is a low key building, timber clad with a flat roof. In itself it will not have a harmful impact upon the Conservation Area.
- 7.5.7 The creation of a Country Park has already received outline consent. BEAMS take the view that, as a whole, the proposal will result in harm to the significance of the St Nicholas / Rectory Lane Conservation through the cumulative impacts of a car park / WC (and associated infrastructure), new paths and, potentially, the regrading of the existing landscape. Ways of screening the car park / WC etc should be explored.
- 7.5.8 As a whole the proposals will result in 'less than substantial harm' to the significance of the St Nicholas Rectory Lane Conservation Area. 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).

Amended plans response –

- 7.5.9 The application plans have been amended slightly and further information provided, including a Heritage Technical Statement and visuals.
- 7.5.10 The scheme essentially remains as initially submitted, turning the agricultural fields into a Country Park, with a parking area and WC block close to the new residential development forming part of the wider 'land north of Stevenage' scheme.
- 7.5.11 The car park retains a very suburban, square layout but its appearance has been softened through the use of gravel surfacing, tree / hedge planting and a reduction in tarmac. The toilet block is as unobtrusive a design as it can be with timber cladding and a green roof. The country park will include the creation of formal public routes (resin bonded gravel) and require signage, seats, bins and fencing. Drainage to reduce flooding will also be included, as will the creation of earth banking in the northern part.
- 7.5.12 As previously advised, and as has been acknowledged within the Heritage Technical Statement, it is inevitable the change from agricultural fields to a Country Park will result in a degree of formalisation / urbanisation to this part of the Conservation Area and a significant change to its character and appearance.
- 7.5.13 The creation of a Country Park has already received outline consent. BEAMS take the view that, as a whole, the proposal will result in harm to the significance of the St Nicholas / Rectory Lane Conservation Area and the wider setting of designated heritage assets including St Nicholas Church, Rooks Nest House and The Bury through the various works proposed as part of the creation of the country park.
- 7.5.14 In relation to the NPPF the proposals will result in 'less than substantial harm' at a moderate level, to the significance of the St Nicholas Rectory Lane Conservation Area and the listed buildings closest to the application site.
- 7.5.15 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.

## **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 Car Park:

- We note changes to incorporate gravel containment within the car park. However, we stipulate that there should also be a requirement to include markers to denote parking spaces, disabled bays and any electric charging points.
- There are significant amounts of wooden fencing and bollards around the proposed car park. We are moving away from wooden security measures in our parks due to the limited lifespan and cost of replacement. To help reduce the amount of wooden fencing and bollards, there could be opportunities in some areas to consider bunding and, where considered appropriate, the use of metal hoop barriers.
- We have concerns regarding the three proposed Populus tremula located just to the north of the toilet building, which could cause maintenance issues. Therefore, a suitable species substitution shall be considered here.
- Whilst beyond my expertise, any EV charging points shall be robust and protected from possible vehicle strikes.

7.8.2 Toilet building:

- We have some concerns regarding the potential fire resistance of the proposed timber effect composite cladding on the toilet building. As such, it may be more appropriate to consider a metal or cement-based product as an alternative. The external finish must be robust, exhibiting good resistance to vandalism, graffiti and fire.
- The proposed building layout shows limited natural lighting, which we anticipate meaning a reliance on artificial lighting. As such, we'd like to see the inclusion of roof light tubes to maximise the use of natural light and minimise the dependence on artificial lighting and energy.
- The entire building must be designed to be safe and secure when locked.
- Whilst, in principle, the footprint of the building can be accepted, the details of the interior layout, fixtures and fittings of the building still need to be discussed, determined and agreed upon with SDS. The current setup is an over-provision and could be reduced and made more inclusive. For example, this could be 1x disabled, 2x separate unisex toilets, additional storage. The entire building must also be designed to be easily maintainable.
- The toilet building shall also be designed and built to meet excellent environmental credentials. This shall include minimising water use, electric/ energy, sound insulation and heating, sustainable materials etc.

7.8.3 General:

- We are concerned about the proposals for removable wooden bollards for maintenance access. All removable bollards shall be of metal construction for improved durability and must be lockable.
- We acknowledge the inclusion of the tussock grass management within the management plan. However, to assist with future maintenance, some measurements showing the width of tussock grass (or margin) would be helpful in some areas.
- Where there are proposals to retain existing fencing, gates or boundary treatments, the condition of these must be assessed and, where required, improved to ensure the boundary treatments remain effective for a minimum period as set out in the management plan, i.e. at least ten years.

- Signage shall also be provided at entrances and points where the use of motorcycles is restricted.
- We require clarification regarding the maintenance and upkeep of the car park swale. The management plan states that: **5.4 "... the responsibility of the activity set out in this Landscape and Management Document is to transfer to Stevenage Borough Council, with the exception of the SuDS (south of the car park and in the south west of the Park,) for which the development management company will be responsible. It is provisionally agreed that the management company will be responsible for the drainage pipes, inspection chambers, headwalls, swale, SuDS basin and deep bore soakaways. They will also be responsible for the vegetation in the swale, on the verge beside it and the vegetation in the SuDS basin and its banks. Whilst SBC will adopt and maintain the surrounding trees, grass, and meadow, including where over the deep bore soakaways."**  
Please confirm that the appointed ManCo will also manage the car park swale.
- Basin 4 proposals show an area of permanent water. A risk assessment shall be carried out to determine if water safety equipment may be required. If the assessment outcome determines that such safety equipment is needed, then this will be managed and maintained by the appointed ManCo.
- Whilst beyond my expertise, all borehole covers shall be lockable and able to withstand heavy vehicles, i.e. tractors and machinery running over them. Furthermore, boreholes must be clearly demarcated to prevent damage, as we anticipate they may be difficult to find when the meadow grass is long.

## 7.9 Historic England

- 7.9.1 This application is submission of the reserved matters pursuant to the creation of a country park. It includes various associate infrastructure including a toilet block, car parking and access roads.
- 7.9.2 In our previous response to the outline planning application we registered our support 'in principle' of the change of use of the arable fields for the creation of public accessible open space. The land in question lies within the Rectory Lane and St Nicholas Conservation Area and also forms part of the wider setting of various highly graded listed These including the church of St Nicholas (grade I), Rooks Nest House (grade I), The Bury (grade II\*), the significance of which we discussed in our letter of January 2018. There are also a number of grade II listed buildings nearby which fall outside of Historic England's statutory remit.

### *Impact*

- 7.9.3 Whilst we appreciate that in general a country park retains the open character of the land to a large degree, its creation would however involve the introduction of facilities such as hard landscaping, toilets and car parking – all of which would bring a certain degree of formalisation to the land which would fundamentally change its essential character. We believe that if a park is to be created on this land that the aim should be to retain as much of the historic landscape character and physical form as possible, rather than seeking to work against it and cluttering the natural landscape with a proliferation of man-made features.
- 7.9.4 The conservation area appraisal describes the importance of the conservation area's rural/semi-rural character and notes the historic interest of the part known as Forster Country. We note the short section in the Design and Access Statement (Heritage Conservation Area Setting) which provides a brief description of the existing views through the landscape, but we also note that it provides no further analysis of significance in NPPF terms, or assessment of the effect that the development would have upon the character and appearance of the conservation area and upon the setting of the nearby listed buildings. We therefore advise that in accordance with paragraph 194 of the NPPF your authority ensures that it has sufficient information to enable a full and proper understanding of significance and how that would be affected.

7.9.5 Although the visual effects of the proposal have not been fully demonstrated by way of appropriate visuals such as photomontages, we believe that the change of use and introduction of the associated facilities and infrastructure would not be entirely without impact upon the historic environment. As well as the likely visual impact of elements such as the proposed toilet block and car parking area/hard surfacing within the existing landscape, the increased activity and vehicular movements etc has the potential to affect the way in which this part of the conservation area and other heritage assets is experienced and appreciated in terms of their setting. It may of course be possible to mitigate any negative effects, to some extent, through specific design details and choice of materials, colours and surface treatments and we suggest that you seek detailed guidance in this regard from your in-house Conservation/Design Officer.

#### *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'.

7.9.10 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.

#### *Historic England's Position*

7.9.12 We are concerned that the proposed change of use of the existing agricultural land to a country park will result in physical and visual change to the character and appearance of the conservation area, and also to the wider setting of the heritage assets referenced above - which in our opinion would result in a moderate level of less than substantial harm to their significance.

7.9.13 We therefore advise that if minded your authority is minded accept the principle of the proposed development that it carries out the weighing exercise in accordance with paragraph 202 of the NPPF and is satisfied that the harm is outweighed by the public benefit. We would also urge you to consider whether the harm might be mitigated by way of specification of design details/ materials palette/colours of the scheme.

### **Recommendation**

7.9.14 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 194, 200, 202 of the NPPF.

7.9.15 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..

### **7.10 UK Power Network (UKPN)**

7.10.1 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:

7.10.2 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.

7.10.3 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.

7.10.4 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.

7.10.5 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.

7.10.6 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.

**7.11 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

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 Hay meadow management is not suitable to create a species rich hay meadow. Meadow mix needs to be changed. Trees selected need small changes. Once these changes have been made the objection will be withdrawn.
- 7.14.2 Hay meadow botanical communities are created by cutting in late June/early July and then critically grazing after the start of August. This is the lammas system and has been used for hundreds of years to produce the community that this scheme intends to create. If it is not enacted, or simulated, a lowland meadow community will not be created and the scheme will fail.
- 7.14.3 There is some leeway in terms of timings but not a lot. So it is acceptable to cut and clear from mid July to the start of August (earlier is better) but it is not acceptable thereafter to mow the site short - as proposed and not remove the cuttings. The correct management would be to simulate the aftermath grazing by cutting and collecting in October. This cut and clear is critical.
- 7.14.4 The cut and clear episodes are necessary to reduce stored energy and vigour in the grasses, and therefore provide a competitive advantage to the wildflowers. If you cut and leave from September to March you will add nutrient to the system, which will favour the grass, and create thatch which will prevent flower seeds from germinating. It will also prevent Black Knapweed (the dominant flower of this community) from flowering a second time and setting seed when there is little competition from other plants. This will fundamentally affect the community.
- 7.14.5 Cutting and leaving up to March will also prevent Yellow Rattle from establishing properly. This is the most crucial plant in the meadow because it parasitises the grass. Without Yellow Rattle the scheme has little chance of success. THEREFORE, THE MANAGEMENT REGIME IN THE LANDSCAPE AND MANAGEMENT DOCUMENT (p21 point 17, p31 point 7) MUST BE ALTERED TO CUT AND CLEAR IN JULY AND OCTOBER.
- 7.14.6 The Plant Schedule states sowing the wildflower meadow in spring or autumn. It is much better to sow in Autumn. Spring sowings have the really high risk of failure due to lack of rain - particularly in the south of England. Remove all Scots Pine from the planting schedule. It is not appropriate for the location and does not occur here naturally. Remove Elder from the planting mix. It will outcompete other species and proliferate. Replace with Buckthorn (*Rhamnus cathartica*).
- 7.14.7 The hay meadow seed mix selected for the site should be changed to Emorsgate EM4. This is more suitable for the area and the soil and does not contain inappropriate species such as Musk Mallow, Salad Burnet and Bladder Champion. It is also noted that this mix does not contain Yellow Rattle. This must be added to the mix after the autumn cut in year 1. It is critical to the success of the project that this happens. THE PLANS MUST BE ALTERED TO REFLECT THIS.
- 7.14.8 A re-consultation has been sent to HMWT following submission of amended plans. No response has been received at the time of drafting this report. Any update shall be reported at the meeting.

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

- 7.15.1 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.

- 7.15.2 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.
- 7.15.3 The provision of the proposed car-park (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)
- 7.15.4 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 car-park 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.
- 7.15.5 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.
- 7.15.6 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.
- 7.15.7 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 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 GD1: High quality design;  
Policy FP1: Climate change;  
Policy FP2: Flood risk in Flood Zone 1;  
Policy FP5: Contaminated land;  
Policy FP7: Pollution;  
Policy FP8: Pollution sensitive uses;  
Policy NH5: Trees and woodland;  
Policy NH6: General protection for open space;  
Policy NH7: Open space standards;  
Policy NH8: North Stevenage Country Park;

### **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 impact of the development on the character and appearance of the area, impact on heritage assets including the conservation area and nearby listed buildings, impact on the Green Belt, 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 It is the Council's aim, as future landowner of the proposed Country Park to provide a space that is fully accessible by all and provides a welcoming and open space for the residents of Stevenage. As a New Town, Stevenage is well known for its various parks and green open spaces. Policy NH8 ensures the provision of a further space in this northern part of the town. It also allows for this green area to remain as Green Belt whilst preserving an area of the conservation area between the proposed residential development of HO3 and the existing developments off Chancellors Road and Weston Road.
- 9.4.5 The provision of a Country Park, in officer's opinion, is the presence of adequate foot/cycleway networks providing connections north/south and east/west in this area of the town, as well as providing a perimeter access route for those visiting the Country Park. As with many of the Council's existing parks the provision of benches and litter bins allows for users to take stops, especially given the sites topography, and have provision for litter collection.
- 9.4.6 Whilst the outline application did not propose additional provisions for the park, such as a car park and toilet block, these are elements that the Council have deemed necessary through discussions with Parks and Amenities teams (Stevenage Direct Services (SDS)) to ensure users have facilities to use for a park of this size (38 hectares) and to prevent overspill parking on nearby residential roads from users of the park. These are facilities deemed appropriate for a Country Park in the Council as Parks and Amenities providers opinion (Please note the Council as Local Planning Authority has not approved the proposed Country Park with these facilities and they are the subject of this application which is yet to be determined). As these facilities have come out of meetings relating to the S106 agreement, the details are proposed as part of this application for full assessment by officer's and statutory consultees, as well as third parties.
- 9.4.7 Officers are fully aware of the local designation of the land as 'Forster Country' and the heritage implications, which will be fully considered later in this report, and the proposals make provision for returning the arable land back to hay meadows, as well as re-instating historic field boundaries with planting and landscaping schedules.
- 9.4.8 It must be made clear that further objections raised as part of this application on the development of this land for matters not pertaining to the Country Park and relating to the provision of housing on the land to the west of the site 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 and an increase in traffic numbers.).
- 9.4.9 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. The

Council has as Local Planning Authority has also followed due process in accordance with and exceeding the requirements for consultation on this application as set out in the Town and Country Planning (Development Management Procedure) (England) Order 2015.

## **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 creation of a Country Park, the level of works which are built form are restricted when looking at the larger picture of the Country Park size and provision. Notwithstanding this, the built form being proposed does include the toilet block building, car park, foot/cycleways and miscellaneous street furniture and security measures. The provision of these features, including the grounding tower are a contentious point with local group Friends of Forster Country (FoFC) and other third-party objectors. The main issue here relating to the provision of the toilet block and car park, grounding tower, foot/cycleways and street furniture proposed in the conservation area and its impact on heritage assets in the area. These points will be covered in section 9.6 of this report. The implications of these items in terms of design and visual impact shall be addressed in this section.

### *Toilet Block*

- 9.5.13 The proposed toilet block building would be sited in the south western corner of field 1A, close to the agreed positioning of the local equipped area of play (LEAP) at the entrance to the Country Park. Designed as a flat roof grass sedum building, the footprint would measure approximately 10.4m in length by 9.9m in width maximum, which includes a 1.6m canopy overhang on the front and rear elevations to provide cover over the toilet doors and storage area access. The building would measure approximately 2.7m in height.
- 9.5.14 The building is proposed to be finished in a composite timber cladding and grass sedum roof. The design has been slightly amended such that the originally approved screen around the toilet door entrances has been removed. The front and rear elevations are now both open on three respective sides, with the canopy overhang providing roof cover over these areas. The exact details of the materials have not been submitted and if approved it is recommended a condition be imposed seeking samples of materials to ensure they are good quality and appropriate for their environment. The use of timber cladding, despite the concerns raised by the Council's Parks and Amenities Officer, is considered acceptable and would ensure the building has a natural visual appearance, blending in with the landscaped surroundings.
- 9.5.15 The grass sedum roof, and low height of the flat roof allow for the building to blend in with surrounding landscapes when viewed from further vantage points. The roof material proposed is also a good introduction of sustainable measures for the built form. Located close to the housing parcels in Phase 2, as well as the LEAP the proposed toilet block is considered to be of good design and would not adversely impact the character and appearance of the area in terms of its design and siting.

### *Car Park*

- 9.5.16 Associated with the proposed toilet block is the provision of a 50-car parking space car park, sited just north east of the toilet block building. The car park would be accessed via the secondary road as determined to be acceptable under the Infrastructure reserved matters application. This access road would also serve the maintenance and service area required for the grounding tower, as well as areas of the residential development within Phase 2. The car park, which is square in shape, sits at a slight diamond shape with access taken from the south western edge, with two areas for parking, each with a row of spaces on each side, with vehicular access between the two areas made around the back of the car park. The provision would allow for 4 disabled spaces and electric vehicle charging points.



- 9.5.17 It is envisaged that the car park would come forward in two phases due to the programmed timing of the grounding of the overhead powerlines taking place. The south eastern half of the car park would come forward first, with the north western side coming forward once the grounding works have taken place, due to their proximity within the existing swing zone of the cables. The car park would be surfaced with reinforced gravel to the parking bays and asphalt to the road areas. Footways surrounding the car park and toilet block would be completed in a resin bounded surface, with those leading into the Country Park finished in a self-binding gravel surface.
- 9.5.18 The size and capacity of the car park has been considered as adequate by the Council's Green Spaces Officer within the SDS department based on the size of other Stevenage parks/open spaces and their car parking capacity. The need for the car park is to prevent users of the Country Park from parking on roads in the nearby proposed residential areas and existing estates to the south and east of the site predominantly.
- 9.5.19 Given the topography of the site, the car park being proposed on a slight incline to the south east, a limited amount of bunding and levelling will be required to provide a flatter, levelled surface. This can be seen on the plan snippet above, with proposed landscaping and trees along the ridge of this area and abutting the footpath which runs parallel and to the south east of the car park. Further tree planting and landscaping is also proposed on the eastern side of the car park development to provide further screening from the main Country Park and conservation area.
- 9.5.20 It is noted that the proposed facilities would be located in the conservation area themselves, as well as being on land designated Green Belt. The impact of this is considered in the following two sections of this report. However, in assessing the impact of the car park on the character and appearance of the area, given the proximity of the built development in Phase 2 of the site, to the west and north west of the car park, including the LEAP, the provision of built form of a sufficient layout and size is not considered to have an adverse impact.

### *Foot/cycleways*

- 9.5.21 To increase the accessibility of the proposed Country Park, in addition to the existing PROW/bridleways sited within the area, it is proposed to introduce foot/cycleway accesses from the proposed residential parcels at 1D and Phase 2 (layout to be submitted and approved), a perimeter connection, as well as west to east connections with Weston Road. The main shared foot/cycleways would be 3.5m in width in accordance with guidance from Active Travel England (ATE) and Hertfordshire Country Council policy as the local highway authority. These paths would lead –
- from Phase 1D eastwards to meet and cross bridleway No.23 then crossing field 4A;
  - from Phase 1D extending southwards to meet bridleway No.18 along the southern boundary;
  - along the southern boundary eastwards up to the far point of the eastern flood attenuation basin;
  - along bridleway No.23 from the southern boundary northwards to the north western corner of field 1C where it meets bridleway No.17;
  - from the north western corner of field 1C heading north west up to the proposed car park;
  - from the proposed car park heading east then north east to the eastern side of field 1A;
  - from the middle of field 1A's western boundary (at the proposed connection point to NS1) heading south easterly and then north easterly around the ground contours to meet the path from the car park and then onto the northern corner of field 1B;
  - heading southeast from the northern corner of field 1B across the field to the south eastern corner of field 1B and then running south along the eastern boundary of the site to meet with the path cutting across field 4A.
- 9.5.22 The other paths proposed in the Country Park are 2m wide self-binding gravel or 1m grass mown. The 2m wide paths provide connections along the southern boundary from the basin around the south eastern corner and head northwards to meet the wider footpath by field 4A. There is also an east/west connection across the bottom of field 1B. The mown paths would take walkers across fields 1B and 1C, and around field 2 in a circular type arrangement.
- 9.5.23 Officers have sought to remove a number of paths or reduce their width to try and mitigate some of the concerns raised by consultees and third parties, however, requirements for active travel connections as set out by HCC Highways and therefore, have advised the 3.5m wide paths should not be reduced. The possibility of removing the connection across field 4A was investigated, looking at upgrading the connection across the bottom of field 1B to a 3.5m foot/cycleway instead. However, due to the topography of this area the path has an incline of 1:12 (8%) which is not considered appropriate for cyclists, with Manual for Streets advising an incline no greater than 5% for a maximum length of 30m. This would clearly exceed this and thus would not be a viable cycling connection across the site west to east. Hence the footpath across field 4A has been retained in the proposals.
- 9.5.24 The existing fields and the bridleways providing connections over them are mud based and do not allow for use by those not on foot or horse back. The vision for the Country Park is to be a fully accessible site for all and thus surfaced foot/cycleways need to be provided to enable this objective to come forward. Whilst it is noted the width of the shared surfaces at 3.5m appears excessive, the current guidance from ATE and HCC policies suggests this is required to allow for adequate use by all without impinging on other users. There is an on-balance judgement therefore as to whether harm is outweighed by benefit.
- 9.5.25 In respect of the design and visual impact of the paths on the character and appearance of the area, these are considered acceptable and would benefit the proposed use of the land as a Country Park. The proposed materials have been negotiated and agreed with the Council's respective departments given SBC will take the Country Park on.

### *Grounding Tower*

- 9.5.26 The proposed Country Park plan shows the location of the new grounding tower required to ground the overhead powerlines. The siting of this tower is different to the location of the existing pylon in this area which is due west of the car park just inside the residential phase 2 area of the site. The tower has been relocated to this area based on UKPN input and the tower (as well as the second tower on the western side of the site close to North Road) will be constructed under the permitted development rights of electricity undertakers through the Electricity Act (1989). Planning permission is not therefore required for this development. The visual impact, whilst there will be one, cannot therefore be assessed in this regard. The accumulative impact will be considered as part of the assessment on heritage.

### *Street Furniture*

- 9.5.27 The proposals for the Country Park include the provision of Sheffield cycle stands, benches, litter bins, wayfinder signage and picnic tables. Predominantly the different types of furniture are proposed close to the toilet block and car park, convenient for use here and within context of its siting. Several other benches and bins are proposed around the perimeter path. These have been reduced in number, in particular, where the path on the eastern side extends into the proposed community orchard towards Weston Road.
- 9.5.28 Originally it was proposed to have several benches, bins and Sheffield cycle stands near the entrance of the orchard from the Country Park. However, officers requested these be removed to reduce the level of furniture in this area, closer to the listed buildings, and also to prevent the area being a meeting place for potential anti-social behaviour given the proximity to the residential properties of Rooks Nest Farm and Barns.
- 9.5.29 Consequently there are now 19 benches proposed throughout the park, with these being predominantly along bridleway No.23, and near the paths coming through from Phase 1D. Five benches are proposed along the eastern path, spread a reasonable distance apart along this lengthy side of the site. Several benches are also located nearer the car park. Four litter bin vestibules are proposed throughout the park, one by the bench nearest the orchard entrance, one to the south of bridleway No.23 and two near the car park and toilet block. This is considered sufficient to allow users to discard their rubbish.
- 9.5.30 There are four picnic benches proposed to the south of the car park and associated landscaping. The bench bases would be a resin bound surface similar to the footpaths around the toilet block, with one bench having a surfaced access from the path. The remaining three benches would be accessed over grass. The provision of benches, whilst an additional furniture item are considered a benefit to users of the park. Their introduction to this area of the Country Park is considered acceptable and would not be out of character with the proposed scheme.
- 9.5.31 Lastly in terms of furniture, several Sheffield cycle stands are proposed in accordance with the requirements of the local highway authority. These would allow cycle users to stop and use the facilities whilst journeying north/south to or from NS1 as the neighbouring development, or the proposed residential development of North Stevenage itself, or existing areas such as Weston Road or Chancellors Road estate. These are essential for cycle users and form part of the encouragement of a modal shift in travelling.

### *Conclusion*

- 9.5.32 In considering the various built form developments proposed in the Country Park, the provision of these items/features will have an impact on the character and appearance of the area, however, the impact is not considered to be of such detriment to warrant a refusal. This

is when considering the proximity of and built form within Phase 2 to the west, and also the Council's vision for this land as a Country Park with accessibility for all.

## 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 onto 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:-

- 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.
- Will use national guidance and legislation to review, designate and determine planning applications affecting heritage assets.
- 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 of the Local plan relating to 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 outline application was accompanied by a Heritage Impact Assessment (HIA) which assessed the proposals at outline stage on the designated heritage assets. This did not include the additional features proposed as part of this reserved matters application, including the car park, toilet block, land re-modelling, foot/cycleways, grounding tower and street furniture. The current application has been supported by a Heritage Technical Statement (HTS) to address these matters further to those the HIA covered at outline application stage.

9.6.14 Of note, and quoted in the HTS submitted is recent guidance provided by Historic England which introduced the concept of ‘interests’ to assess the significance of heritage assets (HEAN 12: Statements of Heritage Significance – Analysing Significance in Heritage Assets (2019)), with reference to the following criteria:

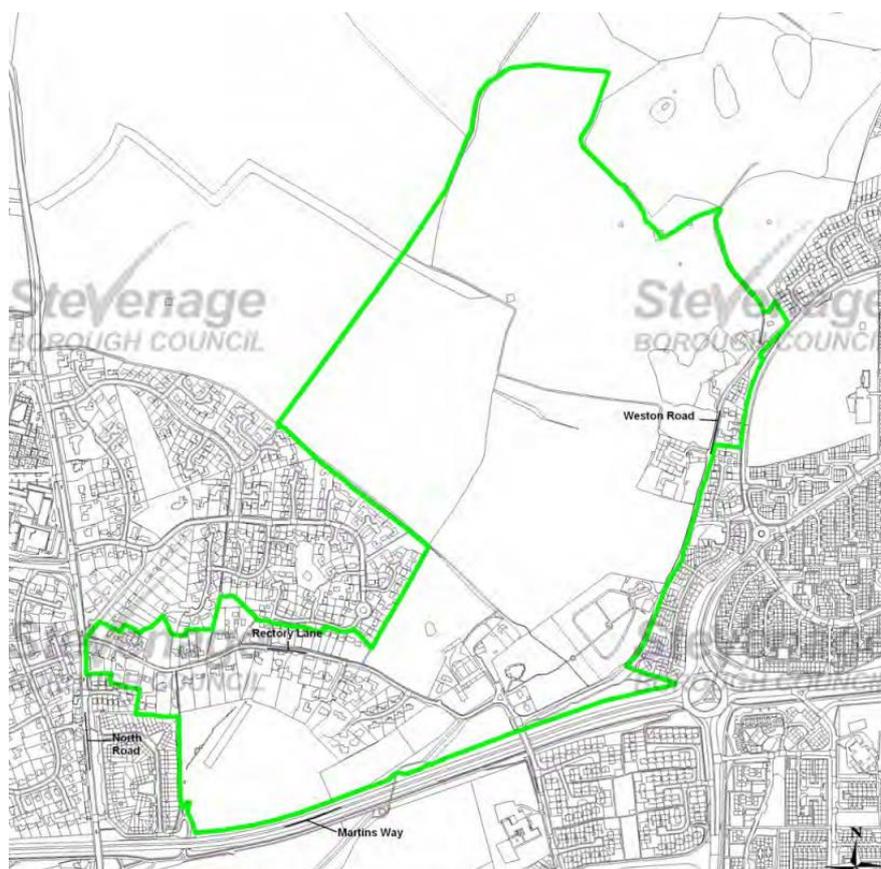
- Architectural and artistic interest: Interest form the design or general aesthetics of a place. Derived from conscious design or fortuitously through evolution. More specifically, it relates to the science of design, construction, craftsmanship and decoration. Artistic interest is an interest in other human skill, such as sculpture.
- Historic interest: An interest in past lives and events. It tends to be illustrative or associative. Providing a material record of the nation’s past, it can also provide meaning for communities derived from their collective experience of a place and it can symbolise wider value such as faith or cultural identity.
- Archaeological interest: Deriving from the potential of a place to yield evidence about past human activity that is worthy of expert investigation.

*St Nicholas and Rectory Lane Conservation Area*

9.6.15 The application site falls within the northern half of the St Nicholas and Rectory Lane Conservation Area, which spans the length of Rectory Lane and fields to the south, along Weston Road to the west of the road and extends northwards with the boundary following the extent of the site boundary. The conservation area includes a number of listed buildings

and the roads mentioned above form part of an historic road system that led from the former Great North Road and continued to the village of Weston, past Chesfield Park. E M. Forster spent some of his childhood at Rooks Nest House (Grade I listed) and the arable fields to the west of the house are known as 'Forster Country' by many as a result.

- 9.6.16 The boundary of the conservation area is shown on the plan below taken from the St Nicholas and Rectory Lane Conservation Area Management Plan SPD (2012). Due regard is therefore given to the Management Plan which 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.



- 9.6.17 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.

- 9.6.18 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.”

- 9.6.19 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.”

#### *Listed Buildings*

- 9.6.20 The red line area of the proposed Country Park is fully sited within the St Nicholas and Rectory Lane Conservation Area. In close proximity of the site are the following listed buildings –
- Rooks Nest House (Howards), Weston Road (Grade I)
  - Rooks Nest Farm and Barns, Weston Road (Grade II)
  - Church of Saint Nicholas, Rectory Lane (Grade I)
  - The Old Bury, Rectory Lane (Grade II\*)
- 9.6.21 Rooks Nest House is located on the west side of Weston Road and is to the east of the Site with its garden/curtilage sharing a boundary with the Site. The house is a two storey plus attic 17th century timber frame building (or earlier), re-fronted in red brick in the 18th century. The principal range is three bays wide with pitched clay tile roof and two dormer casement windows and a timber porch over the ground floor entrance. The house was the childhood home of E. M. Forster and the house and landscape described in his novel ‘Howards End’ is based on Rooks Nest House and the countryside around it.
- 9.6.22 The Heritage Technical Statement submitted provides a good analysis of the setting of Rooks Nest House stating that ‘the house’s setting is comprised of its garden curtilage, the properties along Weston Road, including Rooks Nest Farmhouse (GII listed) which features in Howard’s End and with which the house has historical connections, and the agricultural land to the north west of the property which include land within the Site. The relationship of the house with Rooks Nest Farm and the agricultural land are key elements of the setting of Rooks Nest House and contribute to its significance’.

- 9.6.23 It further adds 'the garden of Rooks Nest House is largely surrounded by mature vegetation, which limits intervisibility between the Site and the heritage asset. In addition, the rural character of the agricultural land which forms its setting has changed since the late-19th century when Forster was familiar with the area. In particular, the pattern of hedgerows which has been largely lost or diminished, the 20th century buildings of Stevenage have encroached into many of the views, two overhead electricity lines cross the area, with three pylons to the north of Rooks Nest House, and constant traffic noise is also audible which betrays the proximity of major road networks and urban development. These 20th century elements of the landscape around the asset undermine its historically rural setting'.
- 9.6.24 Rooks Nest Farmhouse and Barns (the L-shaped buildings to the west of the farmhouse) are also located on the west side of Weston Road, to the east of the site. The farmhouse is similarly 17<sup>th</sup> century with 18<sup>th</sup> and/or 19<sup>th</sup> century additions. The house is two-storey featuring a tiled gable roof. The L-shaped outbuilding is also 17<sup>th</sup> century, mid-to-late, with 20<sup>th</sup> century additions. The timber framed building with feather edge board cladding on a brick plinth comprises two barns set at a right angle to one another with feature plain roof tiles.
- 9.6.25 The two listed buildings have group interest and a historic literal association with Rooks Nest House with the farm being mentioned in 'Howards End'. Their setting is also similar to Rooks Nest House and their relationship with the land and house contribute to their significance. The same overhead powerlines and 20<sup>th</sup> century buildings of the town which have encroached on the land detract from their setting.
- 9.6.26 The Church of St Nicholas is a Grade I listed building of 12<sup>th</sup> century origins (the west tower and nave) and 13<sup>th</sup> century aisles. The 12<sup>th</sup> century chancel was rebuilt circa 1330. Further additions occurred in the 1800's with further enlargements in 1912-14. The church has architectural interest as a medieval ecclesiastical building and artistic interest from its interior and statuary. Historically its interest is being a focus point for the early development of Stevenage.
- 9.6.27 The HTS again offers a good outline of its significance stating 'The setting of the church is defined by its churchyard which extends east and south-east of the building, the listed buildings in its setting with which the church has group value and the agricultural land to the north, which includes land within the Site. Each of these elements contributes positively to the setting and so significance of the church. It should be noted that the mature trees and shrubs around the perimeter of the churchyard result in the immediate setting of the church having an enclosed character, with its wider setting to the north being open countryside. Elements which detract from its setting include the 20th century buildings of Stevenage which have encroached into many views of the church from within the site, the overhead electricity lines and pylons which cross the area and the constant traffic noise which is also audible and betrays the proximity of major road networks and urban development. These 20th century elements of the landscape around the asset undermine its historically rural setting'.
- 9.6.28 The Old Bury (Grade II\* listed) lies to the west of the church and is late 15<sup>th</sup>/early 16<sup>th</sup> century. The two-storey house is timber framed behind white plaster, with a tiled roof with cross gables and tall chimney stacks. The building has historic interest in its understanding of the settlement of Stevenage with architectural interest because of its age. The buildings setting is comprised of its garden curtilage, the church, churchyard and nearby cottages, as well as the agricultural land to the north east which includes land within the site. Its setting and historic relationship with the above-mentioned buildings contribute to its significance.
- 9.6.29 Similarly to the above-mentioned listed buildings, 20<sup>th</sup> century buildings of Stevenage which have encroached into many of the views of the area and the overhead power lines are considered to detract from its setting. Proximity of major roads and their noise also add to elements around the asset which undermine its historic rural setting.

## Chesfield Park Conservation Area

9.6.30 North Herts District Council, following adoption of their Local Plan (2022) have undertaken assessments to designate new conservation areas, one being Chesfield Park, a non-designated historic parkland, to the north east of the site and St Nicholas and Rectory Lane Conservation Area. As such, at present, this would be a non-designated heritage asset. The significance of this land has been included in the Heritage Technical Statement and shall be covered in this report. The extent of the proposed conservation area is shown below (Image taken from the Heritage Technical Statement by Savills).



9.6.31 The Proposed Chesfield Conservation Area: Character Appraisal and Management Plan (August 2022) published by North Herts District Council describes the historic development of the various heritage assets at Chesfield. It sets out that Chesfield Park is a large, landscaped park with an associated house and garden, which was laid out c.1680 (Hertfordshire HER no: 9567). The park is first recorded on the stylised (and so not reliable) 1766 Drury and Andrew map of Hertfordshire but has earlier origins. The more accurate tithe map of 1839 shows a large water feature which is present on the 1766 map and is still present to the south of Chesfield Park (shown as Chesfield Lodge), and that Chesfield Manor contained several farm buildings that have since been demolished. Also shown on the map is the Church of St Ethelreda (GII\* listed and scheduled monument) but it is shown as intact and incorrectly located, when in fact the church had fallen out of use by 1731, with materials removed from the site by 1750.

9.6.32 As with the listed buildings identified above the Heritage Technical Statement provides an accomplished review of the park's history and significance. It informs that 'the house at Chesfield Park was erected at the same time that the park was laid out, however it fell out of

repair and was demolished in 1950. A new house was then built on the site of the old house. A surviving feature of the earlier house and landscape is the walled garden which is present on the 1766 map. The tithe map also apports the land as being owned by 'Edward Parkins' who was also the owner of the Manor of Graveley, suggesting a historic relationship between the two.'

- 9.6.33 many changes occur over the next century or two with a model farm complex in Chesfield Manor, to the north East of Chesfield Park being constructed in the late 1800's and by the early 19<sup>th</sup> century the tree plantation to the north west of Chesfield Park appears to have been expanded, as does the woodland to the south-west (Ten Acres Plantation). Very little change then occurs other than the demolition of the house at Chesfield Park, until the encroachment of modern Stevenage towards Chesfield in the late 1990s to early 2000s, with houses being built along the south-eastern edge of the parkland and the construction of several large modern farm buildings to the north of Chesfield Manor.
- 9.6.34 The non-designated heritage asset of Chesfield Park comprises elements of a designed landscape, fields and meadows, and pockets of dense woodland. The land use is predominantly pastoral and is in private ownership. The significance of the park is derived from its association with the demolished 17th century house which stood on the site and its historic and landscape interest with its landscape design being largely unaltered. The parkland is physically enclosed by the dense tree banks and woodland areas resulting in a low level of intervisibility between the parkland and its setting. As with the St Nicholas conservation area and listed buildings the setting has been undermined by the 20th century buildings of Stevenage which have encroached into its setting, the overhead electricity lines and pylons which cross the area and the constant traffic noise which is also audible and betrays the proximity of major road networks and urban development.
- 9.6.35 Therefore, the significance of the proposed Chesfield Conservation Area is derived in the variety of its building types and their ages which evidentially show the development of the area over time and help create a strong sense of place in the landscape.

#### *Impact Assessment*

##### *Car Park and Toilet Block*

- 9.6.36 The proposed introduction of a car park and toilet block to the west of the proposed Country Park, and south west of field 1A have been chosen to be sited here to provide screening through existing vegetation along the southern boundary, with new enhanced planting to the east and west of the development features reducing its visual impact. The proposals would see the introduction of built form which is not currently within this area of the conservation area. Furthermore, the car park brings with it the presence of boundary treatments and areas of hardstand. These components of the Country Park proposal are deemed a key component of delivering a functional park space in this area by the Council's Parks and Amenities (SDS) teams.
- 9.6.37 The proposals, by their very nature of being built form within the conservation area when taking account of its significance, will cause a level of harm to the conservation area and the settings of the listed buildings in particular Rooks Nest House, Rooks Nest Farmhouse and Rooks Nest Barns by virtue of their siting to the immediate east of the proposed development, and their importance of being associated with the literary works of E M. Forster. The impact on the Church of St Nicholas and The Old Bury is considered negligible given their siting to the south and already identified screening of the land due to the siting of the churchyard and the numerous mature trees in this area. Furthermore, the significance of these buildings and rest more heavily on their setting together and the open fields due north, rather than the area shown for the siting of the car park and toilet block.

9.6.38 In this regard, due consideration is given to the elements nearby which have already detracted from the conservation area and settings of these listed buildings. Most obviously here are the two sets of overhead power lines which traverse the site, but also the encroachment of Stevenage as a town, including the presence and proximity of additional infrastructure such as the road networks. Furthermore, in respect of the conservation area and connections to descriptions of the land in Forster's writings, it must be noted that the land itself is not as Forster would have remembered with the land now being agricultural rather than arable, and with the loss of several historic field boundaries overtime. In addition to the physical elements mentioned above, the heritage assets have already been significantly compromised. Subsequently, the level of harm caused is considered to be less than substantial and at the lower end of the scale.

#### *Grounding Tower*

9.6.39 The proposed grounding tower required to enable the existing overhead powerlines to be diverted underground, would be located to the north of the proposed car park, just to the east of the red line boundary and boundary with Phase 2 of the residential development on the wider site. The location of the tower has come forward from UK Power Networks as statutory undertaker and owner of the pylons and overhead lines.

9.6.40 The provision of the grounding tower in this location, different to that of the existing pylon in this area which is located slightly to the south west, will cause harm to the identified heritage assets. However, consideration is given to the siting of the existing pylon, albeit outside the conservation area, and its visual impact when viewing the area from the east of the site. However, it is important to note here that the location of and undertaking of erecting this grounding tower does not require planning permission as it is deemed permitted development under the Electricity Act 1989. Therefore, whilst it brings harm, it is not development that can be stopped under planning legislation.

#### *Foot/cycleways*

9.6.41 The proposed provision of a Country Park within the red line plan and conservation area would include a systematic series of foot and cycleways through and around the site to enable accessibility by various groups. It is the Council's opinion, as proposed landowner and trustee of the Country Park that the area should benefit from surfaced paths, incorporating the existing PROW and bridleways where appropriate, to enable recreational use by all. As well as providing key pedestrian and cycling links east/west and north/south in this area of the borough.

9.6.42 Given the proposed need of these paths for pedestrians and cyclists, users of mobility scooters and parents with pushchairs or similar, the wider shared surfaces have been advised to meet a minimum width to allow sufficient space for passing. Furthermore, the 3.5m wide areas of shared surface can be used to accommodate maintenance and agricultural (such as tractors) vehicles needed to manage and maintain the hay meadows and various items of furniture proposed.

9.6.43 The proposed paths also include 2m wide footpaths in certain areas, with mown grass routes also proposed in less desired areas of connection. The proposed materials to be used include self-binding gravel, a fairly typical material in parks and even historic estates. Their introduction into the currently agricultural landscape, which consists of mud PROW and bridleways will cause harm to the conservation area and settings of the listed buildings, but this harm is considered less than substantial and at the lower end of the scale. These additional paths across and around the site will create more urban looking connections in the fields, but these will be more greatly screened given the enhanced landscaping and reinstatement of field boundaries proposed.

### *Remodelling of North Field*

- 9.6.44 The existing landscape and topography is undulating with a north/south ditch within the southern fields, and a valley along the north and eastern boundaries of the site. The northern field, identified as field 1A on the Country Park overview plan, has a landscape sloping away from the western and northern edges south east towards its eastern and southern boundaries. The northern and eastern boundaries are defined by an extensive tree belt with the woodland areas of Ten Acre Plantation and Gorsewell plantation beyond.
- 9.6.45 It is proposed to re-use approximately 15,000 cubic metres of subsoil in this field, increasing ground levels in some places by up to approximately 1.42m. On top of this a layer of topsoil is proposed to enable satisfactory growth of the proposed hay meadow. This could increase the raised height to a maximum of 1.75m. The earthworks, as shown on the earthwork's assessment plan, would include shallower levels around the perimeter of the higher soil levels. The levels would increase to 0.5m then gently to 1m and eventually to 1.42m in respect of the subsoil. For clarity, this is not a calculation of each height measurement added to the previous, but a gradual increase to the maximum stated height.
- 9.6.46 Given existing topography of the site, the proposals aren't seen as creating a 'mound' in its most basic sense of the word, as a hill formation or similar, it would instead create a gradual increase in topography north to south and to a lesser overall length west to east within the existing downward sloping land. This would therefore result in a leveller landscape in the centre of this field before traversing south east downwards towards field 1B at a slighter steeper incline than present.
- 9.6.47 The change in topography will impact the conservation area physically and visually and as such, harm will be caused to this heritage asset. In respect of views from the eastern boundary of the site, field 1A is proposed to be screened by the reinstatement of historic field barriers and thus views from Rooks Nest House, Farmhouse and Barns will be largely screened, back to how Forster would have seen and written about. The earthworks will not therefore be visible from these vantage points. To this end the harm caused to the listed buildings in this respect is considered to be very low.
- 9.6.48 The overall harm caused by these topographical alterations, in an area where other built form features are being proposed is considered to be on the lower end of the scale of less than substantial harm. However accumulatively, the harm caused by the re-modelling and the introduction of the proposed car park and toilet block could be seen as low to moderate of less than substantial harm.

### *Street Furniture*

- 9.6.49 Within the proposed Country Park it is proposed to include various items of street furniture. Items considered typical of a Country Park with accessible use by many. These items include Sheffield bike stands near the toilet block and car park, picnic benches south of the car park, litter bins, seating benches throughout the park and way finding or information posts to direct people within the park.
- 9.6.50 It has been noted by Historic England that measures can be included to mitigate the harm caused and that this can be through appropriate design and materials. The Council's Parks and Amenities team have advised (as landowner successors) that the materials of the street furniture and similar should be robust with little maintenance required. In particular, they state the use of timber as less than desirable from a maintenance perspective. However, given the rural setting of the area and the need to ensure materials are sympathetic to the setting of the conservation area and nearby listed buildings, there needs to be a fine balance here to cover both points.

- 9.6.51 Officer's consider the need to mitigate the harm through sympathetic materials a greater need than the concerns raised by Parks and Amenities. Therefore, the use of timber is preferred in this location, however, it is recognised that there are many alternative materials available that could find a middle ground. The use of a condition to seek further details to agree the street furniture finishes is considered reasonable and necessary in this case.
- 9.6.52 The use of street furniture such as benches and bins are not uncommon in historic areas such as conservation areas or in close proximity of listed buildings, such as National Trust or heritage sites. The level of furniture proposed has been significantly reduced on the eastern edge of the site to take account of its proximity to Rooks Nest House, Farmhouse and Barns which is deemed a positive enhancement to the scheme. The proposed use of such furniture in the Country Park is considered to be on the lower end of the scale of less than substantial harm.

#### *Drainage/flood basins*

- 9.6.53 The proposed drainage plans for the site include the provision of basin 4 and associated swale (covered in the infrastructure RM), and two flood attenuation basins at the southern end of the Country Park site and as the land follows the lowest point of the fields. Basin 4, the swale and the larger of the two flood basins are proposed in field 3B to the west of PROW/bridleway 23. The smaller second basin would be located in the south western corner of field 4A to the east of the same bridleway.
- 9.6.54 Whilst under construction the drainage proposals will cause significant disruption to this area due to the depth of the associated deep borehole soakaways and basin excavations. This itself will cause an element of impact on the conservation area, although it is noted that this would end once works have finished. Notwithstanding this, the resulting development in this area will produce three excavated basins in the existing landscape. The current topography is such that the fields are on a slope towards the central bridleway 23 with visible ditches between.
- 9.6.55 Basin 4 and its associated swale have been designed to be permanently wet, with a 'pond' area in the southern end of basin 4. Due to the siting of water in this area, it is likely signage and a lifesaving apparatus will be necessary, details of which will need to be agreed. This will be additional paraphernalia in the Country Park and conservation area. The flood attenuation basins to the south would be laid to grass (wetland grasses) as they are intended to be dry basins outside of their need during flooding incidents.
- 9.6.56 These engineering operations will undoubtedly alter the landscape in this southern area of the site, and as such would cause harm to the conservation area and the Church of St Nicholas and to a lesser extent the Old Bury. The fields identified are due north of the church and are noted when assessing the heritage assets significance. Having regard to the significance of these assets and the advice provided by statutory consultees the level of harm is considered to be low scale of less than substantial harm.

#### *Assessment of Heritage Balance and Public Benefit*

- 9.6.57 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'.

- 9.6.58 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 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.
- 9.6.59 Based on the impact assessments made above it is officer’s opinion that each feature proposed as part of this reserved matters application will cause a level of harm to the identified designated heritage assets. In each case this harm has been assessed by officer’s as being of less than substantial harm on the lower end of the scale. However, when looked at collectively, the proposals have been considered by the Council’s advisors BEAMS and Historic England to be harmful at a moderate scale of less than substantial harm and officers would agree with this conclusion.
- 9.6.60 The assessments made also identify features and built form in the area which has already negatively detracted from the significance of the conservation area and listed buildings in the area. Firstly, the presence and siting of two rows of overhead powerlines and associated pylon towers heading east to west across the site. Secondly the encroachment and sprawl of buildings within the town of Stevenage which have grown since the 20<sup>th</sup> century, most notable the Lister hospital to the west of the site, but also numerous residential estates and commercial buildings. Also, the increase in road infrastructure around the site. The fields within the site and which will form the Country Park are also not of the appearance noted by Forster in his writings. In particular the fields are currently agricultural rather than meadows and several of the field barriers have been lost. This also impacts the significance of this asset.
- 9.6.61 In addition to the features being introduced, it is important to note that enhanced landscaping will significantly alter the landscape for the better, re-instating much of the area to its former hay meadow covering. Furthermore, the historic field barriers as identified on the Tithe maps will be reinstated with traditional, native hedge and tree species. The additional landscaping proposed beyond these areas is also considered to have been sympathetically designed in a sensitive manner to mitigate harm caused to setting of the heritage assets. These works will in officer’s opinion significantly enhance the character and significance of the conservation area and the settings of the listed buildings.
- 9.6.62 Turning then to the public benefits that would come forward from the proposals, the development of this land would secure the delivery of a Country Park as an important piece of green infrastructure and this would meet fundamental local plan policies. The proposals for the Country Park, including the new built form and features would make a larger quantity of the land useable and the proposed surfaced foot/cycleways would make it accessible to all, something it is not at present. Furthermore, the area would provide a significant area for recreation and with the enhanced planting schedule the proposals would provide a betterment in its ecological and biodiversity provision.
- 9.6.63 The proposed pedestrian and cycle connections shown would also provide greater provision for increasing sustainable travel through modal shift and would create connections both east/west and north/south in this area of the borough. The proposals would also create future connections to the NHDC allocated site NS1 due north of the site. These are considered beneficial to the public.
- 9.6.64 Whilst the accumulative impact of the various elements of the proposals being considered have been assessed as causing less than substantial harm at the moderate end of the scale,

the proposal is considered as a whole to deliver a number of significant public benefits which in officers professional opinion outweighs this harm.

## **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.
- 9.7.10 Paragraph 145 of the NPPF states that local planning authorities should plan positively to enhance their beneficial use, such as looking for opportunities to provide access; to provide opportunities for outdoor sport and recreation; to retain and enhance landscapes, visual amenity and biodiversity; or to improve damaged and derelict land. Furthermore, Paragraph 148 advises 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.
- 9.7.11 In respect of the development proposed to provide a Country Park in this area and its impact on the Green Belt, an assessment must be made in respect of the car park and toilet block, foot/cycleways, street furniture, grounding tower, flood attenuation basins and remodelling of field 1A. The proposed works to provide two flood attenuation basins and land remodelling are considered to be engineering operations. 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.

#### *Flood attenuation basins*

- 9.7.12 As an engineering development the flood attenuation basins 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 a typical sight in many new developments, and would add to the biodiversity of the area. For this reason it is not considered the basins would harm the Green Belt and its openness.

### *Land remodelling*

- 9.7.13 The proposed works to field 1A include the re-location of 15,351 cubic metres of soil taken from the works required to create the flood attenuation basins, basin 4, the SuDS swales and car park levelling works, as shown on the Earthworks Assessment drawing number BM1-OC-RMA-XX-DR-C-4016-R04. Whilst the proposals would alter the topography of this field, it would remain open and when finished a hay meadow to match the other fields. Consequently, these works are not considered to harm the Green Belt.
- 9.7.14 Beyond the scope of the above referred works, the provision of the car park, toilet block, foot/cycleways and street furniture are all works that do not meet the Green Belt exceptions for acceptable development. As such each element of development must be assessed to understand its harm and then weigh this against any other considerations in accordance with the NPPF.
- 9.7.15 In respect of buildings in the Green Belt Paragraph 149 advises that the construction of new buildings in the Green belt should be considered inappropriate except several exceptions, one being 'the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it'.

### *Toilet block*

- 9.7.16 Located close to, and within the south western corner of field 1A, the proposed toilet block would be a single storey flat roof building, with timber clad walls and grass sedum roof. The design has come forward to reduce the impact of the building on the landscape. Additional landscaping has been proposed around the area. The exterior of the proposed building is accessed via footpaths of a resin bound surface. The footpaths form part of the wider connections through the development, linking the area to the residential development in Phase 2 as well as the Country Park to the north, south and east.
- 9.7.17 The provision of the toilet block is in association with the Country Park proposal, a 38 hectare park for recreational use by members of the public. Buildings within the Green Belt are predominantly seen as inappropriate where they do not meet the criteria set out in the NPPF. The introduction of this building will bring some level of harm to the openness of the Green Belt land, by the very virtue that it is a building. However due weight is given to the fact the building is in connection to and supports the recreational function of the land and use of the site as a Country Park, which is generally acceptable in the context of the Green Belt.

### *Car park*

- 9.7.18 The construction of a car park as an operational development would be associated with the proposed use of the land as a Country Park. The Country Park itself being a requirement of the larger HO3 site and Local Plan policy NH8. The car park will require minor levelling works and then construction of asphalt access and bound gravel parking bays. The area would benefit from increased landscaping and planting. Ancillary development would form part of the car park works, including installation of electric vehicle charging points (EVCP), bollards for maintenance access and gating to prevent non-car use of the parking spaces and overnight access.
- 9.7.19 The laying out and construction of car parking spaces which are at ground level and do not erect anything above ground would retain an openness to the area. However, it is recognised that the ancillary works associated with the car park use would introduce elements of development not currently visible in the area. On the flip side to this is the recognition that

the siting of the car park is close to the built development proposed in Phase 2 of the overall site.

- 9.7.20 The introduction of the car park and ancillary development would, by the very nature of being non-exceptional development by definition of the NPPF, cause a degree of harm to the Green Belt. Notwithstanding this, other considerations must be given to the Council's objective to have a parking facility for the proposed Country Park use, supporting the overall recreational function of the site as a Country Park. The benefits extended from the Country Park provision, for use by residents of Stevenage across all accessibility branches, as well as aiding the active travel cycle network in this northern area of the town, is considered to significantly outweigh the provision of this car park in the Green Belt, which singularly takes an area of approximately 2000 square metres in a park of 38 hectares.

#### *Foot/cycleways*

- 9.7.21 As with the car park, the provision of accessible and shared surface foot and cycleways around and in places across the Country Park would greatly increase the use of the land for members of the public to enjoy, whilst benefiting the pedestrian and cycling networks throughout the site, connections to existing neighbouring areas and also providing a sustainable connection to the proposed NHDC NS1 allocated site.
- 9.7.22 The extent of and width of the 3.5m shared paths would require a reasonable level of operational development within the Greenbelt. However, notwithstanding the difference in materials from the existing bridleways/PROW to those proposed, the paths would retain openness to the area and would allow for recreational use of land which is currently mud paths and restricted in its access. For this reason, the level of harm to the Green Belt caused by the path network is considered low and would be far outweighed by the benefits named in allowing these connections to be provided.

#### *Street furniture*

- 9.7.23 The proposals, as mentioned, include for various street furniture, including picnic benches, seating benches, litter bins, cycle stands and signage posts providing directional information. Whilst the Green belt and conservation area land does not currently have such furniture within it, it is the Council's SDS / Parks and Amenities Department perception that a Country Park should make provision for users to sit and be able to dispose of their rubbish. Furthermore, the provision of cycle stands and picnic benches near the toilet block and car park are positive additions to the proposed use and layout of this area of the site in particular.
- 9.7.24 Paragraph 145 of the NPPF clearly states that planning authorities should plan to positively enhance the Green Belts beneficial use. The proposed Country Park with the various elements discussed would enable greater access to the land, would provide opportunities for recreational use, whilst retaining a landscape. The proposals would also enhance visual amenity and biodiversity by virtue of the landscaping scheme proposed.

#### *Grounding tower*

- 9.7.25 The proposed grounding tower as discussed in earlier sections of this report, will facilitate the works by UKPN to place the existing overhead powerlines underground throughout the extent of the built development to the west of the site. This will require the removal of the existing pylon in the area of the proposed Country Park LEAP, to be replaced by a new grounding tower to the north west of this area, due north of the proposed car park. This will place the grounding tower in the conservation area and consequently the Green Belt.
- 9.7.26 It has been determined that this will cause a level of harm to heritage assets of the area, however, it is also development in the Green Belt which is equally deemed inappropriate. Notwithstanding this, the works will be carried out by UKPN as statutory undertakers.

Therefore, they have additional rights to carry out certain works without the need for a planning application to be submitted. In this case, the grounding tower has permitted development rights to be constructed under the Electricity Act 1989 and this has been confirmed by the LPA. Consequently, whilst harm to the Green Belt has been identified, this element of development cannot be fully considered as part of the determination of this application when considering Green Belt harm.

### *Conclusion*

9.7.27 Subsequently, it has been demonstrated that whilst the proposal and its operational and engineering development is likely to bring an element of harm to the openness of the Green Belt, the elements discussed above all support the overall recreational function of the site as a Country Park which would in its own right be an acceptable use in the Green Belt. Therefore, the overall harm is outweighed by the significant public benefits of delivering a high quality, accessible Country Park which can be enjoyed for recreational purposes.

## **9.8 Impact upon Neighbouring Amenity**

9.8.1 In the grander scheme, the proposals would not cause an adverse impact on the amenity of neighbouring properties along the southern boundary including Chancellors Road, Mathews Close and The Old Bury; nor for the cemetery and various residential properties along Weston Road. Residential properties are not entitled to a view beyond their own boundary. Notwithstanding this, the proposals for the Country Park are not removing views from neighbouring properties, more simply altering certain aspects of them.

9.8.2 Concerns have been raised from resident's in Rooks Nest Barns that relate to amenity, and these are based on the introduction of a footpath close to the rear of the barns and through the proposed orchard. The provision of a footpath here would present a new connection from the site onto Weston Road. A connection which is not there at present. As such, there will be a greater footfall of pedestrians and cyclists on the eastern side of the site, where currently no footpaths are present.

9.8.3 The amended plans submitted have sought to realign the position of the path through the orchard so that it sits further off the southern boundary with Rooks Nest Barns, whilst also proposing additional landscaping along this boundary. Furthermore, numerous items of street furniture have been removed from the orchard entrance within the Country Park, as well as along the footpath to the rear of the barns / east of the site. This will reduce the ability for people to stop and congregate close to these residential properties, possibly resulting in anti-social behaviour.

9.8.4 The proposed changes are considered to be beneficial to the residents of the barns as opposed to the original plans. As a result it is considered that the amenity of these properties will not be detrimentally affected such that a refusal of the application is warranted.

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

9.9.1 The proposed Country Park layout and design has been evolved with the plans for the residential development to the west. Whilst the detailed plans for Phase 2 to the north of the site and north west of the Country Park have not come forward, it is considered the proposals would not adversely impact the occupiers of any future properties.

## **9.10 Highways and Parking**

9.10.1 The proposed Country Park would be accessed by vehicles from the south easterly secondary road as approved in the infrastructure reserved matters, which extends off the bus connection primary road heading north east from the spine road to the NHDC NS1 site. Vehicles would enter the western side of the park near the south western corner of field 1A.

The proposed car park would be located to the north east of the road access, with the toilet block and footpath access to the south west.

- 9.10.2 The proposed car park, due to come forward in two stages, proposes a total of 50 car parking spaces, including four disabled spaces. Provision would also be made for electric vehicle charging points. Gated access points in the north east and south east corners of the car park would allow for access to the UKPN grounding tower and SBC maintenance vehicles for the park respectively. Sheffield stands for cycle storage are proposed in two locations near the toilet block in accordance with requests made by the local highway authority.
- 9.10.3 The Council's supplementary planning document Stevenage Parking Standards and Sustainable Transport does not have set requirements in terms of parking provision for this type of use or development. The non-residential standards specify that 'other uses within specified Use Classes' or 'unspecified Sui Generis categories' shall be decided in each case on their individual merits (Table 5, page 24).
- 9.10.4 Consequently, there is no set size of car park applicable to the use in policy terms. The 50 space car park has been proposed following discussion and negotiation with the Council's Parks and Amenities and Green Spaces Officers. Reference has been taken from other SBC owned parks, their size, car park provision and recreational provision. For example Fairlands Valley Park has five separate car parks, and at least four of these have the potential to facilitate up to 50 cars or more. The park spans approximately 48 hectares, and in the summer months the various car parks are at maximum capacity.
- 9.10.5 Clearly the level of provision being proposed in the new Country Park in terms of facilities is not comparable to Fairlands despite being 38 hectares in size. Therefore, a car park of 50 spaces is being proposed. Given the above, this size and capacity is considered to be acceptable by the LPA as the parking authority and will provide off-street parking for users of the park that will prevent cars parking on nearby residential roads that will come forward as part of Phase 2. The proposals also include the provision of numerous cycling Sheffield stands proposing an acceptable level of cycling parking, agreed with the local highway authority.
- 9.10.6 The proposed foot/cycleways within the Country Pak would bring forward a significant increase in accessibility for walkers and cyclists, not only in the Country Park, but with connections to the proposed development of North Stevenage, existing estates to the south, access from North Road and eventually connections to the NS1 site in NHDC. In particular the east-west connections to and from Weston Road, which have been carefully designed to integrate into the Country Park and are at the heart of the development as a whole, would be greatly benefitted. Currently there is limited accessibility from North Road and surrounding areas of the town to Weston Road and Great Ashby without using the bridleways/PROW or narrow roads such as Rectory Lane and the southern end of Weston Road.
- 9.10.7 The Stevenage Local Cycling and Walking Infrastructure Plan (LCWIP) 2019 identifies Great Ashby Way as a key corridor in this document and it is important to connect the new development to this walking and cycling route. The northern part of Weston Road being low trafficked, narrow and with a mobility filter at its northern end, is conducive to encouraging active travel. The proposed foot/cycleways across the Country Park therefore play an important role in increasing walking and cycling routes and capabilities in the Borough.
- 9.10.8 Furthermore, the creation of new walking and cycling routes across the whole site, including connections to existing and proposed residential developments, PROW and highways is a huge benefit to encouraging a modal shift in transport journeys, and this will be further bolstered by the provision of a bus service through the residential development and eventually into the NS1 site to the north.

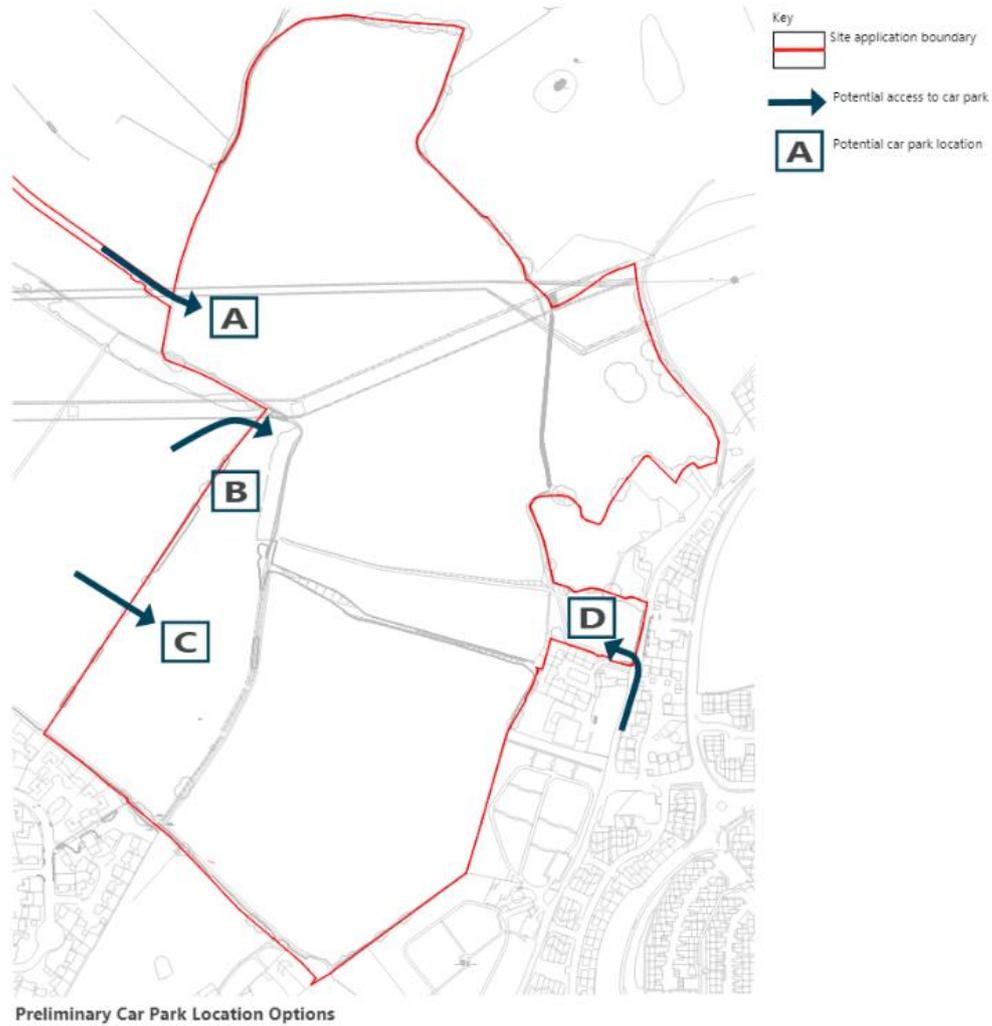
9.10.9 Objections have been raised in respect of the impact of additional parking spaces at the Country park on trip generation and an increase in car trips in the new development as a result of proposing this facility. The local highway authority (HCC) engaged with the applicant in pre-application discussions on the proposals and did not request for an updated Travel Plan or Transport Assessment for submission. They have assessed and commented on the proposals put forward including the provision of the 50 space car park and have raised no objections in their recent comments on this aspect.

## **9.11 Alternative Car Park Locations**

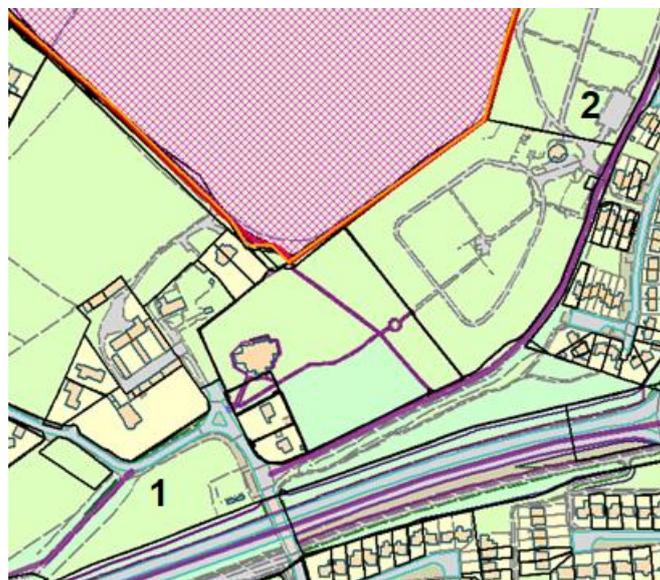
9.11.1 As part of the design process of the Country Park and proposed car park location, other locations within the Country Park red line were considered by the applicant. The location of the car park in the Country Park red line is important by virtue of the legal obligation for the Country Park to be transferred to Stevenage Borough Council. The car park and toilet block are a requirement of the Council's SDS / Parks and Amenities Department on the developer and thus they must be contained within land that will be taken over by the Council. Furthermore, suggestions have been posed by local group Friends of Forster Country (FoFC). These will all be discussed below.

9.11.2 The Design and Access Statement (page 26) outlines three other possible locations for the car park as shown on the below map and identifies why sites B, C and D were not considered acceptable. Namely –  
Site B – required location for SuDS drainage basin;  
Site C – prominent open location when viewed from south eastern and eastern areas of the site;  
Site D – poor visibility and access off Weston Road, plus in close proximity of nearby residential properties.

9.11.3 Whilst rudimentary in their conclusion, officer's agree that other possible options for a car park within the Country Park and accessed from the new development are limited and that location A, as proposed is the most appropriate location. It is not considered an access off Weston Road is appropriate given the narrow nature of the road. Whilst site A will be visible from vantage points to the north of the site, it is largely screened from southern and south eastern views by existing and proposed tree belts/landscaping. Furthermore, the position of the proposed car park in the south western corner of field 1A can be more greatly screened by landscaping than more open areas like Site C.



9.11.4 In respect of possible options raised by FoFC, two of the three alternatives are shown on the below map as these sites are outside of the red line boundary of the Country Park. The first is a field located on the southern side of Rectory Lane and south west of St Nicholas Church and its vehicular access. This land is elevated and bounded to the south by St Martins Way. The second site is the Weston Road cemetery to the south east of the Country Park.



- 9.11.5 Location 1 is not considered a viable option as the land is not in the owners or Council's ownership. Secondly, given the elevated position of the road next to Rectory Lane and the juncture at which it sits within the Rectory Lane highway it is unlikely an acceptable access point could be accommodated. Thirdly, given the proximity of the site to St Nicholas Church, Church Cottage and Dominic Cottage, as well as being located in the Conservation Area, the site has its own heritage implications. Lastly, it is not considered the site provides for good legibility for potential users to gain access into the Country Park.
- 9.11.6 In terms of the second site, the Weston Road Cemetery is in the ownership of the Council, albeit not the developer. The site does have capacity for approximately 40 cars and toilets are provided in the main building for public use. However, officer's professional opinion is that the use of this space for funerals and as a quiet peaceful space for people to visit the place where loved ones are laid to rest is not appropriate for general users of the Country Park. Furthermore, it would seek to increase traffic movements along Weston Road which is noted by objectors as being narrow and at times dangerous.
- 9.11.7 The third possibility raised verbally by members of FoFC was to swap the location of the car park and toilet block with the LEAP and LAP agreed through the infrastructure RM located at the entrance to the Country Park. To this extent the play areas would be located in the Country Park and the car park and toilet block within the red line of Phase 2. The main reason this would not be acceptable is because the S106 Agreement shows clearly on a red line plan the extent of the land to be transferred to the Council to provide the Country Park. The location of the approved play area does not fall within this area and thus a change in positions would not be appropriate to enable the Council to take on ownership and maintenance of the car park and toilet block.
- 9.11.8 Consequently, it is considered site A, the location of the proposed car park and toilet block is the most beneficial location considering the above discussion.

## **9.12 Development and Flood Risk**

- 9.12.1 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.
- 9.12.2 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.
- 9.12.3 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 flood mitigation measures of the drainage proposals are shown and considered as part of the Country Park application, the modelling and finer details of the flood mitigation measures 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.

- 9.12.4 The proposals include the provision of two attenuation basins and associated deep borehole soakaways located at the southern end of the Country Park. One basin is sited on each side of PROW/bridleway 23 which extends northwards from the southern boundary, following the contours of the land which at this point are a low ditch with the two adjacent fields sloping towards it on each side. The basins would be dry with grass finishes. To the north of the westerly basin it is proposed to use deep borehole soakaways to accommodate flood water.
- 9.12.5 The size, scale and position of the basins has been deemed acceptable by the Council's drainage advisors, and since submission further modelling has found infiltration to be better than originally anticipated which could allow for a reduction in the borehole diameter and number. However, further information is required on this point and these details will be agreed as part of the discharge of condition application.

### **9.13 Trees, Landscaping and Biodiversity**

- 9.13.1 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;
- 9.13.2 Policy SP12: Green Infrastructure and the Natural Environment seeks to create, protect and enhance green infrastructure and the natural environment in Stevenage. The policy requires new development to create and protect multi-functional green space and sports facilities as an integral part of its design, and it will permit the creation of other new open spaces.
- 9.13.3 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.'
- 9.13.4 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, criterion 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.

#### *Trees and Landscaping*

- 9.13.5 The proposed development includes a significant level of new enhanced landscaping throughout the proposed Country Park, a space which will be available to the public and within which biodiversity and ecology will be enhanced. The proposals include the creation of traditional hay meadows across the main north to south fields, with field 2 retained as

arable for use in the future by livestock. Furthermore, the proposals would see the reinstatement of historic field boundaries and barriers in accordance with the objectives at outline stage to return the land to a landscape type described in Forster's novels.

- 9.13.6 It is appreciated that other proposals to include paths and ancillary development will alter this, however, this section looks at the landscaping proposals and their impact. The site will provide a 38-hectare Country Park, of landscaped open space, planted to create smaller, hedged hay meadows with improved public access. The proposals include additional planting to existing tree belts and hedge lines, as well creating new ones.
- 9.13.7 As part of the infrastructure RM there is substantive additional planting proposed along the eastern boundary of parcel 1D providing 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 proposed Country Park. The combination of these planting proposals will effectively visually integrate this edge of the proposed housing of Phase 1D into the receiving landscape over time.
- 9.13.8 In total, three new hedge lines and field boundaries would be created within the land in line with historic field records. In addition, existing field barriers would be enhanced with further tree and shrub planting. Additional tree planting is also proposed around areas of the drainage basins, and predominantly around the proposed car park and toilet block. The far eastern area of land between Rooks Nest Farm and Barns and Rooks Nest House is proposed to be a planted community orchard.
- 9.13.9 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 to ensure longevity of life without compromising existing species and planting. These comments have been taken on board and appropriate changes have been proposed to the planting schedule.
- 9.13.10 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 and landscaping planting. However, the development will include significant benefits, in particular the enhancement of the existing land with tree and landscape planting, as well as the use of the land for a Country Park allowing accessibility by all users. The result of these works is considered to be beneficial landscape and visual effects within this part of the site.
- 9.13.11 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.
- 9.13.12 Herts and Middlesex Wildlife Trust (HMWT) have provided comment on the application (prior to amendments) advising that the initial hay meadow management plan needed improvement and that certain species of tree and shrub should be changed to take better account of their position and context with existing landscaping. These concerns have all been taken into consideration and the amended plans submitted in February have addressed the issues and made the required and relevant changes as necessary. HMWT have been re-consulted on these proposals but at the time of drafting this report no further comments had been received. It is recommended that if the application be approved, the decision is issued on receipt of further comments from HMWT confirming acceptance of the revised proposals. Any conditions deemed necessary would be delegated to the Assistant Director of Planning and Regulation.

## *Biodiversity*

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

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

9.13.14 The acceptability of a Country Park being formed on this land has already been established through the Local Plan adoption and 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 (HMWT) have been consulted on the different RM applications currently being considered. Initial comments on the Country Park proposals raised objections based on the proposed management of the hay meadows, along with some concerns over tree and plant species. These have all been taken into account and appropriate changes made following the advice of HMWT. Further comments from HMWT have not been received and the same course of action is proposed as stated in paragraph 9.3.12.

9.13.15 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 flood attenuation and drainage areas.

## **9.14 Other Matters**

### Equality, Diversity and Human Rights

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

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

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

9.14.4 The Equalities Act 2010 requires the Council when exercising its functions to have due regard to the need to (a) eliminate discrimination, harassment, victimisation and other conduct

prohibited under the Act; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and (c) foster good relations between persons who share protected characteristics under the Equality Act and persons who do not share it. The protected characteristics under the Equality Act are: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion and belief; sex and sexual orientation.

- 9.14.5 In terms of inclusive access, the proposals would allow for fully accessible access to the Country Park with handstand surfaces to paths and level access to the disabled toilet facilities. The car park also proposes four disabled parking spaces with level access to adjacent footpaths.

#### Impact on Archaeological Remains

- 9.14.6 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*".
- 9.14.7 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*".
- 9.14.8 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.

#### Designing out crime

- 9.14.9 Paragraph 91(b) of the NPPF states planning policies and decisions should aim to achieve healthy, inclusive and safe places which are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example, through the use of clear and legible pedestrian routes, and high quality open spaces, which encourage the active and continual use of public areas.
- 9.14.10 Paragraph 127(f) states planning policies and decisions should ensure that developments create 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, and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
- 9.14.11 Policy GD1 of the adopted Local Plan (2019) sets out that planning permission will be granted where a proposal makes a safe environment that designs out crime. The Council's Design Guide SPD (2023) emphasises the importance of designing out crime and creating safe, accessible and inclusive spaces and places.
- 9.14.12 The proposed development has been designed with the aforementioned in mind, with the use of clear and legible pedestrian routes. The scheme also seeks to deliver a high quality, highly accessible open space to members of the public and helps to encourage healthy activity. This is through the creation of a loop walking routes, clearly defined cycle routes and allows greater access to the wider countryside. With respect to anti-social behaviour and some

concerns raised by residents, a number of measures can be put in place in order to mitigate such issues. These can include the use of barriers, boundary treatments and gates to control unauthorised vehicles accessing the Country Park. In addition, the use of defensible planting in proximity to residential properties can be used. Moreover, suitable lighting can be put in place around for example the toilet block and car park can be put in place and dealt with through appropriate conditions.

- 9.4.13 In addition to the above, as Stevenage Borough Council will take ownership and management of the Country Park once completed. Therefore, how the park is used and how it might need to be adapted in the future can be undertaken by the Council if required. This can include the use of CCTV, additional barriers and enclosures etc.
- 9.4.14 In summary, it is considered that the proposed in combination with the use of appropriate conditions, the objectives set out in the NPPF in regards to secure by design can be met.

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

- 10.1 In summary, the proposals for the use of the land identified in the red line boundary as a Country Park are considered to be acceptable. This is especially given the principle of a Country Park on this site has been established by the adopted Local Plan (2019) and the outline planning permission for North Stevenage. The works, including the construction of foot/cycleways, a toilet block and car park, as well as the provision of various street furniture are considered to provide significant public benefit to the use of this land by the public as a Country Park. The scheme has undergone various revisions to take account of initial comments from statutory consultees as well as concerns raised by third parties and these changes are considered to have enhanced the scheme further.
- 10.2 The report outlines that the operational development proposed will cause harm to the various heritage assets which have been identified including the conservation area and the setting of several listed buildings. Due regard has been given to the Heritage Impact Assessment findings identified from the outline permission, as well as those identified in the Heritage Report for this application. Also, as required by the NPPF officers have given full consideration to the comments received from Historic England and the Council's own historic advisors BEAMS.
- 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, moderate harm on the scale of less than substantial harm to the conservation area and 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 provision of a large green open space for recreational use; enhanced tree planting and landscaping re-invigorating the fields as viewed by E.M Forster; pedestrian and cycling connections between the proposed residential development of HO3 and NS1, existing development to the south of the site and access easterly on to Weston Road and Great Ashby Way beyond; provision of a facilitated and accessible for all space to the north of the borough.

- 10.5 Also, in respect of harm and impact, the proposed use of subsoil to form a gradual increase in land levels in field 1A by creating a mound has been assessed. Whilst officers recognise and make note that the topographical changes that would result from this displacement of subsoil, with a layer of topsoil will undoubtedly change the existing landscape, the full extent of this when having full regard for the existing traverse of the land is moderate to low scale of less than substantial harm on the designated heritage assets, in particular the Conservation Area and its character and appearance.
- 10.6 Furthermore, the impact of these elements proposed as part of the Country Park and its use is the conclusion that the openness of the Green Belt will be harmed to some degree. However, this has been concluded by officer's to be a low level of harm, with the recreational use of the Country Park being an acceptable form of development in the Green Belt and thus some of the ancillary development an extension of this acceptability based on the NPPF. Those areas identified as causing harm, have been considered to be acceptable in this case as planning judgement deems the benefits of providing the Country Park with these facilities as significant public benefits.
- 10.7 The highways proposals would significantly enhance the walking and cycling connections in this northern area of the town in accordance with the local highway authorities' and Borough Council's 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.
- 10.8 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 re-creation of hay meadows, along with areas of wildflowers and the re-introduction of historic hedge lines to the land are key aspects of enhancing the landscape and biodiversity in the Country Park. The proposed enhanced planting will also be a key component of reducing the overall impact of the car park and toilet block, as well as creating various habitat areas with additional features being provided to attract wildlife and ecology in the Country Park.
- 10.9 Lastly, the provision of the two flood attenuation basins and associated deep borehole soakaways will provide acceptable flood-risk mitigation measures on site and whilst the creation of these will have a disruptive impact on the landscape, the finished basins finished in wetland grass will not result in a harmful appearance to the area when viewed within the existing topography of this southern part of the site.
- 10.10 Therefore, it has to be concluded that the public and planning 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, in particular HO3 and NH8 which are specific to this site.
- 10.11 Further to the above, it has been demonstrated that whilst the development would cause, at a moderate level on the scale, less than substantial harm to the St Nicholas and Rectory Lane Conservation Area and settings of the nearby listed buildings considered, the substantial benefits the development would bring would outweigh the moderate level of less than substantial harm that is caused.
- 10.12 The elements of operational development included in the details presented in this reserved matter application which did not form part of the outline plans have been determined to be of high quality design, and would be finished in materials which respect the history of and proposed feel and appearance of this Country Park. The introduction of these 'urban' features, designed to be visually attractive in their setting would enable use of the proposed park by a significantly greater number of people than the fields currently allow. Accessibility to all is a

main objective of the Council in proposing this Country Park and ensuring its future recreational use by residents of the town.

- 10.13 The proposed design of the park, including the minor amendments made seek to ensure existing and proposed residential properties would not be adversely affected by the proposals when considering their amenity. This is in terms of privacy, seeking to remove possible outcomes of congregation and anti-social behaviour.
- 10.14 In summary, the Country Park proposals area largely reflective of the outline approval masterplan, with provision of 38 hectares of land laid to hay meadow and with enhanced tree planting and landscaping. The introduction of operational development would cause harm to the identified heritage assets, but the public benefits outweigh this harm in officer's professional judgement. 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-CP-OS-DR-L-3100-A-C04; BM1-NPA-CP-OS-DR-L-3101-A-C04; BM1-NPA-CP-OS-DR-L-3102-A-C04; BM1-NPA-CP-OS-DR-L-3103-A-C04; BM1-NPA-CP-OS-DR-L-3104-A-C04; BM1-NPA-CP-OS-DR-L-3105-A-C04; BM1-NPA-CP-OS-DR-L-3106-A-C04; BM1-NPA-CP-OS-DR-L-3107-A-C04; BM1-NPA-CP-OS-DR-L-3108-A-C04; BM1-NPA-CP-OS-DR-L-4052-A-C03; BM1-NPA-CP-OS-DR-L-4053-A-C03; BM1-NPA-CP-OS-DR-L-4054-A-C03; BM1-NPA-CP-OS-DR-L-5101-A-C04; BM1-NPA-CP-OS-DR-L-5102-A-C04; BM1-NPA-CP-OS-DR-L-5103-A-C04; BM1-NPA-CP-OS-DR-L-5104-A-C04; BM1-NPA-CP-OS-DR-L-5105-A-C04; BM1-NPA-CP-OS-DR-L-5106-A-C04; BM1-NPA-CP-OS-DR-L-5107-A-C04; BM1-NPA-CP-OS-DR-L-5108-A-C04; BM1-NPA-CP-OS-DR-L-7420-A-C01; BM1-NPA-CP-OS-DR-L-7421-A-C01; M1-NPA-CP-OS-RP-Y-4600-A-C01; BM1-NPA-V1-OS-DR-L-7400-A-C04; BM1-NPA-V1-OS-DR-L-7407-A-C01; BM1-OC-RMA-XX-DR-C-4000-R08; BM1-OC-RMA-XX-DR-C-4001-R06; BM1-OC-RMA-XX-DR-C-4002-R06; BM1-OC-RMA-XX-DR-C-4003-R06; BM1-OC-RMA-XX-DR-C-4004-R06; BM1-OC-RMA-XX-DR-C-4005-R06; BM1-OC-RMA-XX-DR-C-4006-R07; BM1-OC-RMA-XX-DR-C-4007-R06; BM1-OC-RMA-XX-DR-C-4008-R07; BM1-OC-RMA-XX-DR-C-4012-R06; BM1-OC-RMA-XX-DR-C-4013-R04; BM1-OC-RMA-XX-DR-C-4014-R05; BM1-OC-RMA-XX-DR-C-4015-R03; BM1-OC-RMA-XX-DR-C-4016-R04; BM1-OC-RMA-XX-DR-C-4017-R02; BM1-OC-RMA-XX-DR-C-4018-R03; BM1-OC-V1-ZZ-DR-C-0042-P08; P1708.TB.01\_B;  
**REASON:-** For the avoidance of doubt and in the interests of proper planning.
  2. Notwithstanding the details as set out in the approved plans, prior to installation of any street furniture within the Country Park details of their design and materials shall be submitted to and approved in writing by the local planning authority. The street furniture to be included are covers, benches, bins, picnic benches, wayfinding markers, information posts, signage, and bollards. In addition, details of lifesaving equipment to be positioned near the retention basins / within the Country Park shall also be provided for the local planning authority's written approval. The development shall thereafter be carried out in accordance with the approved details within each respective phase of delivery of the Country Park, including the provision of lifesaving equipment, unless otherwise agreed in writing by the local planning authority.

**REASON:-** In the interests of visual amenity and to ensure they preserve the character and appearance of the Conservation Area and Country Park.

3. Prior to commencement of any works relating to landscaping within the Country Park, 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 planting for each phase and/or field area of the Country Park as identified on Drawing number BM1-NPA-V1-OS-DR-L-3100-A C04 hereby approved. The works shall thereafter be carried out 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 and around the car park and toilet block whilst works to undertake the development are underway.

4. Prior to the construction of the LEAP (local equipped area of play) or any imaginative play areas, details of all play equipment (including imaginative play), fencing and surfacing materials to be used within the LEAP along with a detailed maintenance strategy shall be submitted to and approved in writing by the Local Planning Authority. The LEAP shall be constructed in accordance with the approved materials prior to first use of any given phase of the Country Park hereby permitted unless otherwise agreed in writing by the Local Planning Authority.

**REASON:-** In the interests of visual amenity and ensuring suitable play equipment is made available for future users of the Country Park.

5. Prior to the commencement of any works, details of any temporary boundary treatment needed to prevent unauthorised vehicular access (including off road motor-vehicles) to access any respective phase of the Country Park whilst under construction shall be submitted to and approved in writing by the Local Planning Authority. The temporary boundary treatment shall be installed in accordance with the approved details of works of any given phase of construction for the Country Park and shall remain in place until relevant permanent measures have been installed prior to first use of any given phase of the Country Park.

**REASON:-** To control any potential anti-social behaviour activities whilst the Country Park is under construction and to protect the visual amenities of the Country Park upon completion of each phase of the Country Park.

6. Prior to the commencement of any phase of the Country Park, details of measures to prevent off-road vehicles (other than those authorised for construction and maintenance purposes) shall be submitted to and approved in writing by the Local Planning Authority. The preventative shall be installed and put in place prior to the first use of each phase of the Country Park unless otherwise agreed in writing by the Local Planning Authority.

**REASON:-** To control any potential anti-social behaviour activities whilst the Country Park is under construction and to protect the visual amenities of the Country Park upon completion of each phase of the Country Park.

7. Prior to the construction of the car park hereby permitted, details of the access deterrents for the car park, including any bollards, access gates and height restriction barriers shall be submitted to and approved in writing by the Local Planning Authority.

**REASON:-** To restrict the parking of unauthorised vehicles within the Country Park.

8. Prior to the commencement of the Country Park hereby permitted, measures to avoid anti-social behaviour and nuisance for neighbouring properties which back onto the Country Park, such as the use of defensive planting, shall be submitted to and approved in writing by the Local Planning Authority.

**REASON:-** To mitigate any potential anti-social activities within the Country Park and to protect the amenities of neighbouring properties.

9. 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.
10. The development hereby permitted shall be carried out in accordance with the soft and hard landscaping details submitted, unless otherwise agreed in writing by the Local Planning Authority.  
**REASON:-** To ensure a satisfactory appearance for the development.
11. All planting, seeding and turfing comprised in the approved landscaping details as agreed under condition 5 of this approval within each respective Phase of the delivery of the Country Park 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 within each respective Phase of the delivery of the Country Park.  
**REASON:-** To ensure a satisfactory appearance for the development.
12. All hard surfacing comprised in the approved landscaping details as specified in condition 7 of this approval shall be carried out prior to first use of the each phase of delivery of the Country Park hereby permitted or, the completion of each phase of delivery of the Country Park, whichever is the sooner.  
**REASON:-** To ensure a satisfactory appearance for the development.
13. Any trees or plants comprised within the scheme of landscaping, which within a period of five years from the completion of each phase of delivery of the Country Park 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.
14. 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.
15. 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 in accordance with Drawing number BM1-NPA-V1-OS-DR-L-7404-A-C01 Tree Protection Enclosure Plan as hereby approved. Such protection may be inspected by the Local Planning Authority prior to the commencement of the work and these measures shall be maintained until the conclusion of all site and building operations within each respect phase of delivery of the Country Park.  
**REASON:-** To ensure that the retained tree(s) are not damaged or otherwise adversely affected during site operations.
16. No development above slab level of the toilet block hereby permitted shall be carried out until details/samples of the materials to be used in the construction of the toilet block (including the grass sedum roof and how this roof is to be maintained) have been submitted to and approved in writing by the local planning authority. The development shall thereafter be carried out in accordance with the approved details/samples.

**REASON:-** In the interests of visual amenity, to preserve the character and appearance of the Conservation Area and Country Park and in the interests of high quality design and development.

17. Prior to first use of the proposed car park, details of the height restriction barrier to be sited at the start of the entrance road into the Country Park red line shall be submitted to and approved in writing by the local planning authority. The barrier shall be installed in accordance with the details approved prior to first use of the car park unless otherwise agreed in writing by the local planning authority.

**REASON:-** In the interests of visual amenity, to preserve the character and appearance of the Conservation Area and Country Park and to ensure it will adequately perform its function.

18. The proposed earthwork remodelling proposed to the northern field of the Country Park shall not exceed in size, scale, form or area those measurements identified on Drawing number BM1-OC-RMA-XX-DR-C-4016-R04 Earthworks Assessment.

**REASON:-** As these were the details presented to, assessed and approved, and any change increase in these will require further assessment and consideration in their impact on the topography of the site and impact on local designated heritage assets.

19. 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).

20. The development hereby approved shall be carried out in accordance with the Landscape and Management Plan dated 05/08/2022 by Nicholas Pearson Associates, unless otherwise agreed in writing by the local planning authority.

**REASON:-** For the avoidance of doubt and to ensure the proposals are appropriately carried out and maintained.

21. Prior to first use of or transfer of the Country Park (in its respective phases) to Stevenage Borough Council, whichever is the sooner, all pedestrian and cycle routes within each respective phase shall be constructed and made ready for use, unless otherwise agreed in writing by the local planning authority.

**REASON:-** In the interests of promoting sustainable modes of travel in and around the site.

22. Prior to first use of each respective phase of the Country Park, all identified ecological improvement works and/or features that do not expressly form part of the landscaping works shall be provided in accordance with the details of the Design and Access Statement and Drawing Number BM1-NPA-V1-OS-DR-L-3100-A C04 hereby approved, unless otherwise agreed in writing by the local planning authority.

**REASON:-** To ensure the proposed improvement measures are carried out in the interests of ecology on the site.

23. Prior to first use of each respective phase of the Country Park the identified and approved cycle parking in the form of Sheffield stands, shall be made available and ready for use within its respective phase of the Country Park. The cycle parking shall thereafter be retained for its intended and specific use.

**REASON:-** To ensure adequate cycle parking provision is provided on site in accordance with the Council's and local highway authorities requirements.

24. 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.
25. Prior to relevant works in phase 2A of the Country Park, details of any external lighting to be installed on the toilet block building hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The approved external lighting shall be provided before phase 2 of the Country Park is made available for use by the public.  
**REASON:-** To ensure the development does not prejudice the amenities of future adjoining occupiers, visual amenities of the area, and for the protection of bats and other wildlife.

### **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)

## 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.

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**Meeting:** Planning and Development  
Committee

**Agenda Item:**

**Date:**

## **IMPORTANT INFORMATION - DELEGATED DECISIONS**

Author – Technical Support 01438 242838

Lead Officer – Zayd Al-Jawad 01438 242257

Contact Officer – James Chettleburgh 01438 242266

The Assistant Director of Planning and Regulation has issued decisions in respect of the following applications in accordance with his delegated authority:-

1. Application No : 21/01183/COND  
Date Received : 02.11.21  
Location : Matalan Site Danestrete Stevenage Herts  
Proposal : Discharge of conditions 15 (pollution), 16 (Contamination) and 22 (pedestrian safety) attached to planning permission reference number 14/00559/OPM  
Date of Decision : 09.02.23  
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**

2. Application No : 22/00853/COND  
Date Received : 22.09.22  
Location : 22 Basils Road Stevenage Herts SG1 3PX  
Proposal : Discharge of condition 3 (Materials) attached to planning permission reference number 19/00287/FP  
Date of Decision : 20.02.23  
Decision : **The Condition(s)/Obligation(s) cannot be discharged but are deemed Acceptable**
- Please note that the condition(s) cannot be discharged given that a breach of planning control has occurred in this instance. However, the Local Planning Authority would not seek any enforcement action against the breach at this time. Notwithstanding this, the Local Planning Authority still reserves the right to undertake enforcement action if a further breach of the condition(s) occurs at a later date.
- The case officer's letter is attached providing further information.
3. Application No : 22/01027/COND  
Date Received : 16.11.22  
Location : Land To West Of A1(M) And South Of Stevenage Road Todds Green Stevenage Herts  
Proposal : Discharge of conditions 7 (Drainage Phasing), 16 (Remediation) and 34 (Visibility Splays) of planning permission 20/00682/FPM.  
Date of Decision : 07.02.23  
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**
4. Application No : 22/01058/CLPD  
Date Received : 29.11.22  
Location : 168 Durham Road Stevenage Herts SG1 4HZ  
Proposal : Lawful Development Certificate (Proposed) for a single storey side/rear extension  
Date of Decision : 14.02.23  
Decision : **Certificate of Lawfulness is APPROVED**

5. Application No : 22/01093/FPH  
Date Received : 09.12.22  
Location : 32 Wetherby Close Stevenage Herts SG1 5RX  
Proposal : Single storey rear extension and garage conversion  
Date of Decision : 28.02.23  
Decision : **Planning Permission is GRANTED**
6. Application No : 22/01098/FP  
Date Received : 13.12.22  
Location : 23 The Glebe Chells Way Stevenage Herts  
Proposal : Change of use from Sui Generis (MOT centre) to Sui Generis (hot food takeaway) at ground floor and to Class E (health service) at first floor, including external alterations.  
Date of Decision : 06.02.23  
Decision : **Planning Permission is GRANTED**
7. Application No : 22/01104/HPA  
Date Received : 19.12.22  
Location : 54 Barnwell Stevenage Herts SG2 9SN  
Proposal : Single storey extension which will extend beyond the rear wall of the original house by 6.00m for which the maximum height will be 3.35m and the height of the eaves will be 3.00m  
Date of Decision : 06.02.23  
Decision : **Prior Approval is NOT REQUIRED**

8. Application No : 22/01108/COND  
Date Received : 19.12.22  
Location : 12 High Street Stevenage Herts SG1 3EJ  
Proposal : Discharge of conditions 3 (Schedule of Materials), 4 (Energy Statement), 6 (Waste and recycle storage facilities), 7 (Secure Cycle Parking), 9 (Electric Vehicle Charging Point) and 12 (Construction Management Plan) attached to planning permission 22/00695/FP  
Date of Decision : 10.02.23  
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**
9. Application No : 22/01120/FP  
Date Received : 20.12.22  
Location : Lister Hospital Coreys Mill Lane Stevenage Herts  
Proposal : Proposed extension for a hybrid vascular theatre to the south of the inpatient theatre block and to the west of the Stores Block  
Date of Decision : 07.02.23  
Decision : **Planning Permission is GRANTED**
10. Application No : 22/01125/FPH  
Date Received : 23.12.22  
Location : 43 Randals Hill Stevenage Herts SG2 9YN  
Proposal : Erection of a single storey rear extension and chimney stack removal, following demolition of the existing conservatory.  
Date of Decision : 21.02.23  
Decision : **Planning Permission is GRANTED**

11. Application No : 22/01126/COND  
Date Received : 23.12.22  
Location : Marks And Spencer's Unit 5 Roaring Meg Retail Park London Road Stevenage  
Proposal : Part Discharge of Condition 03 (Construction Method Statement) attached to planning permission 21/01339/FP  
Date of Decision : 22.02.23  
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**
12. Application No : 22/01127/FPH  
Date Received : 24.12.22  
Location : 15 Glenwood Close Stevenage Herts SG2 9QT  
Proposal : Single storey front and side extension and conversion of existing garage  
Date of Decision : 03.02.23  
Decision : **Planning Permission is GRANTED**
13. Application No : 22/01128/FPH  
Date Received : 24.12.22  
Location : 62 Augustus Gate Stevenage Herts SG2 7QY  
Proposal : Retention of single storey rear extension  
Date of Decision : 20.02.23  
Decision : **Planning Permission is GRANTED**
14. Application No : 22/01129/CLPD  
Date Received : 28.12.22  
Location : 418 Wisden Road Stevenage Herts SG1 5JJ  
Proposal : Lawful Development Certificate (Proposed) for single storey rear extension  
Date of Decision : 16.02.23  
Decision : **Planning Permission is GRANTED**

15. Application No : 22/01130/FPH  
Date Received : 29.12.22  
Location : 414 Wisden Road Stevenage Herts SG1 5JJ  
Proposal : Single Storey Front and Rear Extensions  
Date of Decision : 21.02.23  
Decision : **Planning Permission is GRANTED**
16. Application No : 23/00003/FPH  
Date Received : 03.01.23  
Location : 38 Franklins Road Stevenage Herts SG1 3BW  
Proposal : Alterations to previously approved roof lights under 22/00553/CLPD to enlarge 2no. roof lights and have them be openable for fire escape purposes  
Date of Decision : 27.02.23  
Decision : **Planning Permission is GRANTED**
17. Application No : 23/00007/COND  
Date Received : 04.01.23  
Location : 54 High Street Stevenage Herts SG1 3EF  
Proposal : Discharge of Conditions 8 (Construction Management Plan) and 18 (EV charging points) attached to planning permission reference number 18/00234/FP  
Date of Decision : 27.02.23  
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**
18. Application No : 23/00011/CLPD  
Date Received : 06.01.23  
Location : Land To The North Of Stevenage Weston Road Stevenage Herts  
Proposal : Certificate of Lawfulness for (Proposed) Erection of 3m high brick wall enclosure around proposed terminal tower 314A (subject to Section 37 of the Electricity Act) adjacent North Road  
Date of Decision : 22.02.23  
Decision : **Certificate of Lawfulness is APPROVED**

19. Application No : 23/00012/CPAS  
Date Received : 06.01.23  
Location : Mercedes-Benz Stevenage Gunnels Wood Road Stevenage Herts  
Proposal : Proposed roof mounted 100kW solar PV system comprising of 264 x Canadian Solar 380w modules  
Date of Decision : 23.02.23  
Decision : **Prior Approval is NOT REQUIRED**

20. Application No : 23/00014/TPTPO  
Date Received : 06.01.23  
Location : Land To The North Of Stevenage Weston Road Stevenage Herts  
Proposal : Cut back mixed broadleaf trees (T47-T60) under TPO 71 along Bridleway 022 adjacent to No. 22 North Road and No.11 Granby Road  
Date of Decision : 24.02.23  
Decision : **CONSENT TO CARRY OUT WORKS TO A TREE, THE SUBJECT OF A TREE PRESERVATION ORDER**

21. Application No : 23/00020/CLPD  
Date Received : 09.01.23  
Location : 27 Weston Road Stevenage Herts SG1 3RN  
Proposal : Erection of a mobile home in rear garden  
Date of Decision : 20.02.23  
Decision : **Certificate of Lawfulness is REFUSED**

For the following reason(s);

On the basis of the information submitted, the proposed mobile home for living accommodation does not fall within the definition of a caravan due to its proposed method of construction and instead constitutes development under Section 55 of the Town and Country Planning Act. Furthermore, the proposed mobile home for living accommodation does not constitute permitted development as it fails to adhere to Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) (England) Order 2015 as it is deemed to be ancillary living accommodation. Consequently, the proposal requires planning permission from the Council.

22. Application No : 23/00027/CLPD  
Date Received : 11.01.23  
Location : 38 Basils Road Stevenage Herts SG1 3PX  
Proposal : Certificate of lawfulness (Proposed) for installation of a set of bi-folding doors and external door to utility room.  
Date of Decision : 20.02.23  
Decision : **Planning Permission is GRANTED**
23. Application No : 23/00049/AD  
Date Received : 18.01.23  
Location : Autolus Marshgate Stevenage Herts  
Proposal : 1no. internally illuminated building sign, 1no. internally illuminated, freestanding directional sign to be installed within the business car park; 1no internally illuminated, freestanding deliveries sign to be installed within the business car park.  
Date of Decision : 21.02.23  
Decision : **Advertisement Consent is GRANTED**
24. Application No : 23/00054/COND  
Date Received : 19.01.23  
Location : Land To The West Of Lytton Way Stevenage Herts  
Proposal : Discharge of condition 3 (Construction Method Statement) attached to planning permission reference number 19/00474/FPM (As approved at appeal under reference: APP/K1935/W/20/3255692).  
Date of Decision : 20.02.23  
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**

25. Application No : 23/00055/FP  
Date Received : 19.01.23  
Location : Footpath Outside Cornish Pantry 16 Queensway Town Centre Stevenage  
Proposal : Installation of 1 no. BT Street Hub incorporating 2 x digital advertisement screens.  
Date of Decision : 28.02.23  
Decision : **Planning Permission is GRANTED**
26. Application No : 23/00056/AD  
Date Received : 19.01.23  
Location : Footpath Outside Cornish Pantry 16 Queensway Town Centre Stevenage  
Proposal : Advertisement consent for 2 no. digital 75" LCD advertisement display screens on the BT Street Hub unit.  
Date of Decision : 28.02.23  
Decision : **Advertisement Consent is GRANTED**
27. Application No : 23/00057/FP  
Date Received : 19.01.23  
Location : Outside Shoe Zone 57 Queensway Town Centre Stevenage  
Proposal : Installation of 1 no. BT Street Hub incorporating 2 no. digital display screen with associated removal of existing BT Phone Kiosk.  
Date of Decision : 28.02.23  
Decision : **Planning Permission is GRANTED**
28. Application No : 23/00058/AD  
Date Received : 19.01.23  
Location : Outside Shoe Zone 57 Queensway Town Centre Stevenage  
Proposal : Advertisement consent for 2 no. digital 75" LCD Advertisement display screens on the BT Street Hub unit.  
Date of Decision : 28.02.23  
Decision : **Advertisement Consent is GRANTED**

29. Application No : 23/00059/FP  
Date Received : 19.01.23  
Location : Footpath Outside Next Unit 5-7 The Forum Centre The Forum Town Centre  
Proposal : Installation of 1 no. BT Street Hub incorporating 2 no. digital display screens with associated removal of existing BT phone kiosk.  
Date of Decision : 28.02.23  
Decision : **Planning Permission is GRANTED**
30. Application No : 23/00060/AD  
Date Received : 19.01.23  
Location : Footpath Outside Next Unit 5-7 The Forum Centre The Forum Town Centre  
Proposal : Advertisement consent for 2 no. 75" LCD Advertisement display screens on the BT Street Hub unit.  
Date of Decision : 28.02.23  
Decision : **Advertisement Consent is GRANTED**
31. Application No : 23/00061/FP  
Date Received : 19.01.23  
Location : Footpath Outside Tesco Stores Extra 1 - 5 The Forum Town Centre Stevenage  
Proposal : Installation of 1 no. BT Street Hub incorporating 2 no. digital display screens with associated removal of existing BT phone kiosk.  
Date of Decision : 28.02.23  
Decision : **Planning Permission is GRANTED**

32. Application No : 23/00062/AD  
Date Received : 19.01.23  
Location : Footpath Outside Tesco Stores Extra 1 - 5 The Forum Town Centre Stevenage  
Proposal : Advertisement consent for 2 no. digital 75" LCD advertisement display screens on the BT Street Hub Unit.  
Date of Decision : 28.02.23  
Decision : **Advertisement Consent is GRANTED**
33. Application No : 23/00075/FP  
Date Received : 24.01.23  
Location : Footpath Outside Paddy Power 1 Town Square Town Centre Stevenage  
Proposal : Installation of 1 no. BT Street Hub incorporating 2 no. digital display screens with associated removal of existing BT phone kiosk.  
Date of Decision : 28.02.23  
Decision : **Planning Permission is GRANTED**
34. Application No : 23/00076/AD  
Date Received : 24.01.23  
Location : Footpath Outside Paddy Power 1 Town Square Town Centre Stevenage  
Proposal : Advertisement consent for 2 no. 75" LCD Advertisement display screens on the BT Street Hub unit  
Date of Decision : 28.02.23  
Decision : **Advertisement Consent is GRANTED**

35. Application No : 23/00086/TPCA  
Date Received : 26.01.23  
Location : Land To The North Of Stevenage Weston Road Stevenage Herts  
Proposal : 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  
Date of Decision : 24.02.23  
Decision : **CONSENT TO CARRY OUT WORKS TO A TREE IN A CONSERVATION AREA**
36. Application No : 23/00132/CLEU  
Date Received : 11.02.23  
Location : 8 Albert Street Stevenage Herts SG1 3NZ  
Proposal : Lawful Development Certificate (Existing) for use of property as a HMO (Use Class C4).  
Date of Decision : 28.02.23  
Decision : **Certificate of Lawfulness is APPROVED**
37. Application No : 23/00133/NMA  
Date Received : 13.02.23  
Location : Land To The West Of Junction 7 Of The A1(M) Knebworth Park Stevenage Herts  
Proposal : Non material amendment to planning permission reference number 21/00536/FPM to reconfigure electrical compounds, re-siting of car lift and amendment to lighting strategy  
Date of Decision : 21.02.23  
Decision : **Non Material Amendment AGREED**

## **BACKGROUND PAPERS**

1. The application file, forms, plans and supporting documents having the reference number relating to this item.
2. Stevenage Borough Council Supplementary Planning Documents – Parking Provision adopted January 2020.
3. Stevenage Borough Local Plan 2011-2031 adopted May 2019.
4. Hertfordshire County Council's Local Transport Plan 4 adopted May 2018.
5. Responses to consultations with statutory undertakers and other interested parties referred to in this report.
6. Central Government advice contained in the National Planning Policy Framework February 2019 and Planning Policy Guidance March 2014.

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**Meeting:** Planning and Development  
Committee

**Agenda Item:**

**Date:** Tuesday 14 March 2023

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

Author – Linda Sparrow 01438 242242

Lead Officer – Zayd Al-Jawad 01438 242257

Contact Officer – James Chettleburgh 01438 242242

### **1. APPEALS RECEIVED**

- 1.1 22/01001/FPH, 67 Siddons Road. Appeal against refusal of planning permission for the raising of the ridge height to the main roof of the existing dwellinghouse and enlargement of existing rear dormer window.

### **2. DECISIONS AWAITED**

- 2.1 21/01152/ENF. 68 Basils Road. Appeal against the serving of an enforcement notice to remove the first floor of the two storey rear extension which was refused under planning permission reference number 21/01256/FPH.
- 2.2 21/01256/FPH. 68 Basils Road. Appeal against the refusal of planning permission for the retention of a part two storey, part single storey rear extension.
- 2.3 21/01101/FP, 303 Ripon Road. Appeal against refusal of planning permission for the conversion of 1 no. 4 bedroom dwelling to 3 no. studios, single storey front and rear extensions and conversion of garage including the change of use from public amenity land to residential use and associated parking.
- 2.4 21/00717/ENFAPL, 134 Marymead Drive. Appeal against the serving of an Enforcement Notice relating to the unauthorised erection of an outbuilding and front extension.
- 2.5 21/01025/ENFAPL, 7 Boxfield Green. Appeal against the serving of an Enforcement Notice relating to the development not in accordance with approved plans under planning permission reference number 17/00734/FPH.
- 2.6 22/00307/ENF. Car park to side of 8 Aintree Way. Appeal against the serving of an enforcement notice to remove the structure built around the car parking space and return the communal parking spaces to their original condition.
- 2.7 22/00471/FP, 48 Made Feld. Appeal against refusal of planning permission for a two-storey side extension, single-storey front extension, part single-storey, part two-storey rear extension, rear dormer window, 2 no. front dormer windows, 2 no. roof lights to facilitate enlargement of existing property and to create 2 no. 1 bedroom flats, associated parking and ancillary works.

### **3. DECISIONS RECEIVED**

- 3.1 None.

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