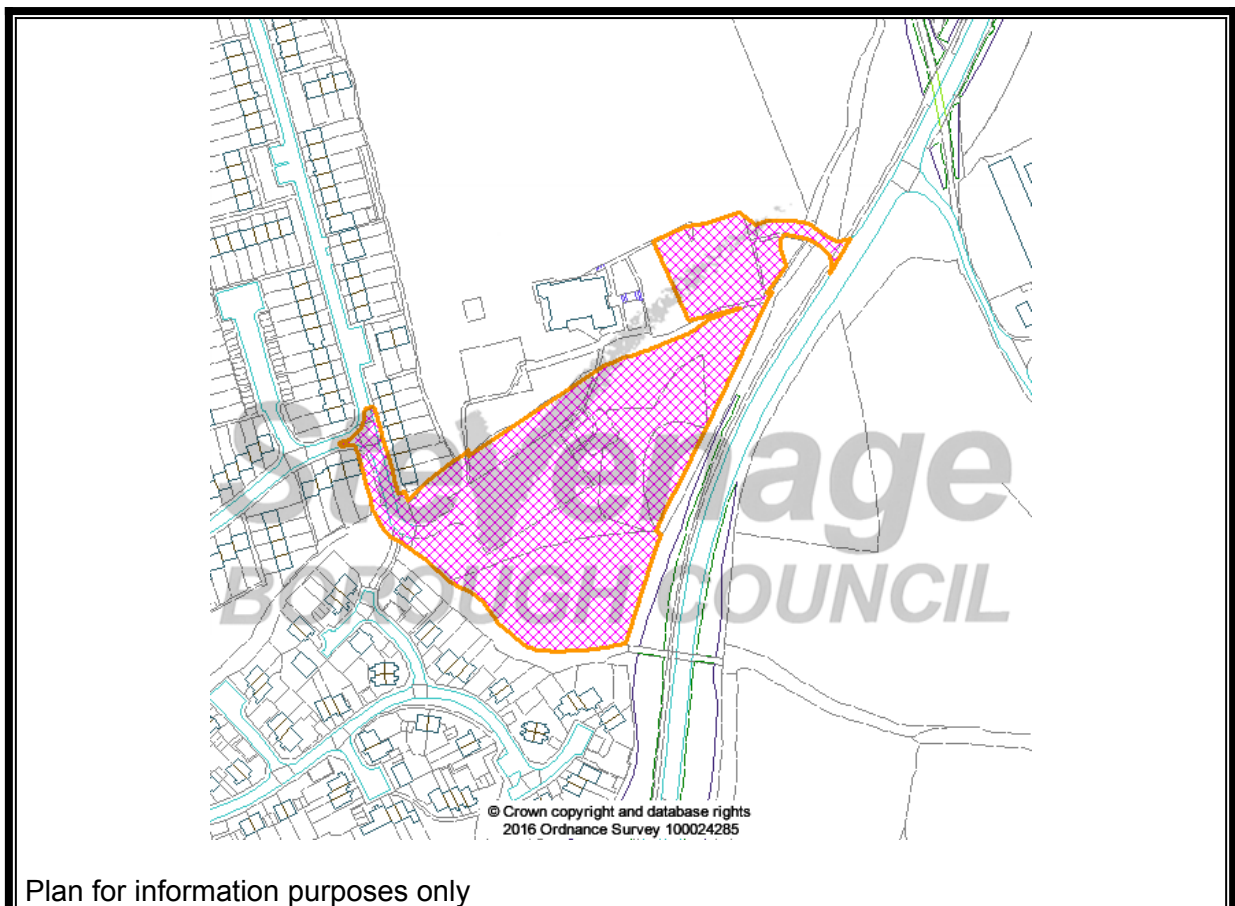


<b>Meeting:</b>	<b>Planning and Development Committee</b>	<b>Agenda Item: 3</b>
<b>Date:</b>	<b>5 September 2017</b>	
<b>Author:</b>	<b>Clive Inwards</b>	01438 242837
<b>Lead Officer:</b>	<b>Zayd Al-Jawad</b>	01438 242257
<b>Contact Officer:</b>	<b>Clive Inwards</b>	01438 242837

Application No:	17/00389/FPM
Location:	Land to the west of Gresley Way and to the south of Ferrier Road, Stevenage.
Proposal:	Erection of 43 residential dwellings with associated access, internal road layout, drainage, landscaping and infrastructure.
Drawing Nos.:	088-001B, 088-PL-101C, 2016/3491/002D, E16-091-101P3, 088-PL200, 088-PL201, 088-PL202, 088-PL203, 088-PL204, 088-PL205, 088-PL206, 088-PL208, 088-PL210, 088-PL211 and 088-PL212.
Applicant:	Hill Residential Ltd
Date Valid:	12 June 2017
Recommendation:	GRANT PLANNING PERMISSION



## **1. SITE DESCRIPTION**

- 1.1 The application site is 1.63 hectares in size and comprises a former car park, basketball court, a former children's play area and an area of open space. The car park is no longer in use and concrete bollards prevent vehicular access from Ferrier Road. The play equipment has been removed from the former children's play area although the basketball hoops on the basketball court still remain. The application site is located towards the eastern boundary of the Borough, with Gresley Way forming a significant part of the eastern boundary of the Borough of Stevenage. To the north of the site is Chells Park which contains a sports pavilion, an equipped children's play area, a basketball court and a car park. To the east of the site is Gresley Way, beyond which is Elm Green Pastures. To the south of the site is existing residential development in Magellan Close and Christie Road and to the west of the site is existing residential development in Ferrier Road. Immediately beyond the south-western boundary of the site is Sheafgreen Lane which is a designated ancient lane. It also constitutes an existing horse and pony riding route. A bridleway runs down the eastern boundary of the site.
- 1.2 At present the only existing vehicular access into the site is from Ferrier Road but this has been closed off with bollards. Ferrier Road is a residential road subject to a 30mph speed limit. There is vehicular access to the north of the site, from Gresley Way, but at present this only serves the car park to the playing fields.
- 1.3 The application site was designated as an allocated housing site in the Stevenage District Plan Second Review 1991-2011 adopted in December 2004.

## **2. RELEVANT PLANNING HISTORY**

- 2.1 2/0229/74 Site for a playing field, pavilion, groundsman enclosure and car parking facilities off Ferrier Road for Stevenage Borough Council. No objection to deemed permission raised 5<sup>th</sup> December 1974.
- 2.2 2/0311/85 Construction of bell mouth into Chells Park from the Gresley Way extension, Chells Park off Ferrier Road. Decision made 17<sup>th</sup> September 1985.
- 2.3 2/0122/86 Redevelopment of playing field to form district park, incorporating a pavilion, bowling green, all weather playing pitch, horse ride and activity area, putting course, crazy golf, tennis court, additional car parking and new vehicular access. Planning permission refused 15<sup>th</sup> July 1986.
- 2.4 2/0432/86 Redevelopment of playing field to form district park, incorporating a pavilion, bowling green, all weather playing pitch, horse ride and activity area, putting course, crazy golf, tennis court, additional car parking and new vehicular access. Decision made 15<sup>th</sup> February 1987.
- 2.5 2/0569/88 New community park pavilion, Chells District Recreation Park, Ferrier Road. Decision made 13<sup>th</sup> February 1989.
- 2.6 14/00038/REG3M The erection of 14no. three bed, 9no. four bed and 7no. two bed houses; and 4no. one bed flats. Outline planning permission granted 23<sup>rd</sup> December 2014.

### **3. THE CURRENT APPLICATION**

- 3.1 The current application seeks planning permission for the erection of 43 residential dwellings together with accesses, internal road layout, drainage, landscaping and associated infrastructure. The site would have two vehicular access points, one utilising the existing access from Ferrier Road serving 15 dwellings, and a new connecting road from the existing access point onto Gresley Way serving the remaining 28 dwellings. 43 dwellings on this site of 1.63 hectares would equate to a gross density of approximately 26 dwellings per hectare. 32.5% (14) of the dwellings to be provided on site would be affordable and would either be social rented housing or low cost market housing. The residential development would comprise predominantly traditional two and two and a half storey dwellings, although it does also include an apartment block of four units and a smaller building containing two flats close to the entrance with Ferrier Road. The development proposes a mix of 1, 2, 3, 4 and 5 bedroom dwellings which would be a range of detached, semi-detached and terraced houses and with the apartment blocks mentioned above.
- 3.2 The site layout shows the majority of the existing trees and hedges on the boundaries of the site as being retained, including the retention of the 'B' category (trees of moderate quality and value) and TPO'd trees on the site boundary. However, a number of small trees in the centre of the site would need to be removed. The layout shows a number of areas of new tree planting including additional tree planting on the eastern boundary of the site, street trees and trees in front gardens of properties to enhance the street scene and tree planting in rear gardens.

### **4. PUBLIC REPRESENTATIONS**

- 4.1 As a major planning application the proposal has been publicised by way of letters to adjoining premises, the erection of site notices and a press notice. In response to this consultation six objections to the application have been received from the occupiers of 35 Ferrier Road, 70 Ferrier Road, 58 Ferrier Road, 1 Magellan Close and 122 Austen Paths. The grounds of objection can be summarised as:

- The proposal would overload Ferrier Road with traffic and would create a potential accident spot on Gresley Way which has already been the scene of various accidents whilst vehicles exit the car park. Ferrier Road is usually heavily parked leaving it difficult for emergency services to access this area;
- This land should be left alone and not developed as it would blight the surrounding area and take away another piece of recreational land that the locals enjoy;
- The field located next to the tarmac basketball court is vital for wildlife, the field has new trees which are vital to support the local bird wildlife alongside multiple other wildlife;
- Pedestrian access to the park would disturb the occupiers of the new houses;
- The existing basketball court is still a highly prized area for local residents to use for recreation;
- There is minimal consideration to the disruption of local residents during the construction phase nor the increased light pollution once the building works are complete;
- The layout of the plan would create a rat run for local youths on their mopeds and motorbikes which would be hazardous for local residents;

- Object that the vehicle access for some of the new homes should be provided via Ferrier Road. Any increase in traffic along Ferrier Road presents an unacceptable increased risk to safety for all residents of Ferrier Road and surrounding streets who need to use it for access. The Ferrier Road access should either be closed off completely, or remain open to pedestrian and cycle traffic only; and
- An additional 15 houses will increase parking pressure on the short stretch of road from Nos. 64-74 Ferrier Road, which at the moment is a dead end.

## **5. CONSULTATIONS**

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

- 5.1.1 Consider that the proposal would not have an unreasonable impact on the safety and operation of the adjoining highways subject to the recommended conditions and a financial contribution towards the improvement of existing bus stops in the vicinity of the site.

### **5.2 Hertfordshire County Council as Fire and Rescue Service**

- 5.2.1 Access will need to be provided in accordance with the Building Regulations Approved Document B. Fire hydrant provision required.

### **5.3 Environmental Health**

- 5.3.1 No issues identified.

### **5.4 Thames Water**

- 5.4.1 With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. Thames Water would advise that with regard to sewerage infrastructure capacity, they would not have any objection to the planning application.

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

- 5.5.1 We can confirm that we have no objection in principle on flood risk grounds and advise the Local Planning Authority that the proposed development site can be adequately drained and mitigate any potential existing surface water flood risk if carried out in accordance with the overall drainage strategy. We acknowledge that Thames Water has been contacted and have no objection in principle to the proposed connection. The proposed scheme provides a significant betterment and a significant reduction in run-off rates. Recommend that conditions are attached to any grant of planning permission.

### **5.6 Affinity Water**

- 5.6.1 The construction works and operation of the proposed development site should be undertaken in accordance with the relevant British Standards and Best Management Practices, thereby significantly reducing the groundwater pollution risk.

## **5.7 Hertfordshire Constabulary as the Crime Prevention Design Service**

5.7.1 The revised plans are acceptable and as the applicant will be seeking Secured by Design accreditation, the Police Crime Prevention Design Service supports this application.

## **5.8 Hertfordshire County Council as Archaeological Advisors**

5.8.1 Conditions to be attached to the grant of any planning permission.

## **5.9 Hertfordshire County Council as Minerals and Waste Planning Authority**

5.9.1 In determining the planning application the borough council is urged to pay due regard to the policies of the Hertfordshire County Council Waste Core Strategy and Development Management Policies Development Plan Document 2012 and to ensure their objectives are met. Many of the policy requirements can be met through the imposition of planning conditions.

## **5.10 Sport England**

5.10.1 Sport England is satisfied that the proposed development meets the following Sport England Policy exception 'The proposed development affects only land incapable of forming, or forming part of, a playing pitch, and does not result in the loss of, or inability to make use of any playing pitch (including the maintenance of adequate safety margins), a reduction in the size of the playing area of any playing pitch or the loss of any other sporting/ancillary facility on the site.' As such Sport England does not wish to raise an objection to the application.

## **5.11 Hertfordshire County Council in relation to impact on service provision**

5.11.1 Based on the information provided for a development of 43 dwellings, the County Council would seek financial contributions towards primary education, secondary education and youth services.

## **5.12 Parks and Amenities**

5.12.1 'There are some technical issues to be addressed in relation to the traffic control barrier, park security and the phasing of the car park works.' These issues will continue to be progressed with the applicant so that they are suitably resolved to the satisfaction of the Council's Parks and Amenities Team.

## **5.13 Stevenage Borough Council Housing Team**

5.13.1 No objection to this development as it meets the planning policy requirements for affordable housing on site.

## **5.14 Herts and Middlesex Wildlife Trust**

5.14.1 Ecological impacts on habitats should be assessed by applying the DEFRA Biodiversity Impact Calculator. In order to accord with the NPPF the development should return a net positive ecological unit score. In principle there is no objection to the location and concept of this development, located as it is on amenity land. However, in order to conform with the requirements of NPPF, BS 42020, the proposals need to demonstrate that the development

will achieve no net loss and where possible net gains to biodiversity. At present they do not do so and accordingly the Wildlife Trust object to the proposal.

## **5.15 Arboricultural Manager**

5.15.1 Having inspected the site, I can confirm the following concerns:

- Tree numbers T7, 8, 9, 14, 15 and 16 should, in my opinion, also be reduced to reduce the impact on the proposed properties;
- TG9 should also be reduced in order to reduce the impact on properties;
- Hornbeam T20 is currently proposed to be removed. My suggestion is that although the trunk has some areas of degraded wood, the overall condition is good. I would suggest that both this hornbeam and the multi-stem one adjacent (just outside the boundary) are reduced in height and spread at the cost of the developer;
- I note the suggestions that the reductions should not exceed 30%. In my view, in order to reduce impact, there should be a minimum of 30% reduction but no more than 40%. This should be combined with some further cut back to suitable points where the trees are very near to the proposed buildings;
- I would also want to clarify the position of the ownership as some of the hedgerow trees T5 to T20 seem to fall outside the development.

## **6. RELEVANT PLANNING POLICIES**

### **6.1 Background to the Development Plan**

6.1.1 In the determination of planning applications development must be in accordance with the statutory development plan unless material considerations indicate otherwise. For Stevenage the statutory development plan comprises:

- Hertfordshire Waste Development Framework 2012 and Hertfordshire Waste Site Allocations Development Plan Document (adopted 2012 and 2014);
- Hertfordshire Minerals Local Plan 2002 – 2016 (adopted 2007); and
- The Stevenage District Plan Second Review 2004.

The Council has now commenced work on the new Stevenage Borough Local Plan 2011-2031. The draft version of the Plan was published in January 2016 and will be used as a material consideration in the determination of all planning applications registered on or after Wednesday 6 January 2016. The Site Specific Policies DPD, the draft Gunnels Wood Area Action Plan (AAP), the draft Old Town AAP, the Pond Close Development SPG, Stevenage West Masterplanning Principles SPG, the Gunnels Wood Supplementary Planning Document and the Interim Planning Policy Statement for Stevenage are no longer material considerations in the determination of all planning applications registered on or after Wednesday 6 January 2016.

6.1.2 Where a Development Plan Document has been submitted for examination but no representations have been made in respect of relevant policies, then considerable weight may be attached to those policies because of the strong possibility that they will be adopted. The converse may apply if there have been representations which oppose the policy. However, much will depend on the nature of those representations and whether there are representations in support of particular policies.

6.1.3 In considering the policy implications of any development proposal the Local Planning Authority will assess each case on its individual merits, however where there may be a

conflict between policies in the existing Development Plan and policies in any emerging Development Plan Document, the adopted Development Plan policies currently continue to have greater weight.

## **6.2 Central Government Advice**

- 6.2.1 In March 2012 the National Planning Policy Framework (NPPF) was published and in doing so it replaced many documents including all Planning Policy Guidance Notes and Planning Policy Statements. The NPPF sets out the Government's planning policies for England and how these are expected to be applied. Annex 1 of the NPPF provides guidance on how existing local plan policies which have been prepared prior to the publication of the NPPF should be treated. Paragraph 215 of the NPPF applies which states that only due weight should be afforded to the relevant policies in the adopted local plan according to their degree of consistency with it.
- 6.2.2 Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is itself a material consideration. Given that the advice that the weight to be given to relevant policies in the local plan will depend on their degree of consistency with the NPPF, it will be necessary in the determination of this application to assess the consistency of the relevant local plan policies with the NPPF. The NPPF applies a presumption in favour of sustainable development.
- 6.2.3 In addition to the NPPF advice in the National Planning Practice Guidance (March 2014) also needs to be taken into account. It states that, where the development plan is absent, silent or the relevant policies are out of date, paragraph 14 of the National Planning Policy Framework requires the application to be determined in accordance with the presumption in favour of sustainable development unless otherwise specified.

## **6.3 Adopted Local Plan**

TW1	Sustainable Development
TW2	Structural Open Space
TW8	Environmental Safeguards
TW9	Quality in Design
TW10	Crime Prevention
TW11	Planning Requirements
H3	New Housing Allocations
H8	Density of Residential Development
H14	Benefits of Affordability
T6	Design Standards
T12	Bus Provision
T13	Cycleways
T14	Pedestrians
T15	Car Parking Strategy
EN9	Archaeology and Development
EN13	Trees in New Development
EN15	Ancient Lanes and Associated Hedgerows
EN27	Noise Pollution
EN38	Energy Conservation and Supply
L15	Outdoor Sports Provision in Residential Developments
L16	Children's Play Space Provision in Residential Developments
L17	Informal Open Space in Residential Developments

- L18 Open Space Maintenance
- L23 Horse and Pony Route

#### **6.4 Stevenage Borough Local Plan 2011-2031 Publication Draft (Emerging Local Plan)**

- Policy SP1: Presumption in Favour of Sustainable Development
- Policy SP2: Sustainable Development in Stevenage
- Policy SP5: Infrastructure
- Policy SP6: Sustainable Transport
- Policy SP7: High Quality Homes
- Policy SP8: Good Design
- Policy SP9: Healthy Communities
- Policy SP11: Climate Change, Flooding and Pollution
- Policy SP12: Green Infrastructure and the Natural Environment
- Policy IT3: Infrastructure
- Policy IT4: Transport Assessments and Travel Plans
- Policy IT5: Parking and Access
- Policy HO7: Affordable Housing Targets
- Policy HO8: Affordable Housing Tenure, Mix and Design
- Policy HO9: House Types and Sizes
- Policy GD1: High Quality Design
- Policy FP1: Climate Change
- Policy FP2: Flood Risk in Flood Zone 1
- Policy NH5: Trees and Woodland
- Policy NH6: General Protection for Open Space
- Policy NH3: Green Corridors
- Policy NH09: Areas of Archaeological Significance

#### **6.5 Supplementary Planning Documents**

- Parking Provision Supplementary Planning Document January 2012.
- Stevenage Design Guide 2009.

### **7. APPRAISAL**

- 7.1 The main issues for consideration in the determination of this application are its acceptability in land use policy terms, the impact on the character and appearance of the area; the impact on both existing neighbouring amenities and future residential amenity; the effect of the proposals on the highway network, the adequacy of parking provision and other issues raised in representations.

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

- 7.2.1 The application site is designated as an allocated housing site under policy H3 of the Stevenage District Plan Second Review 1991-2011 adopted 2004 and there is therefore a longstanding presumption in favour of developing this site for housing. Whilst policy H3 of the District Plan set an estimated number of 40 dwellings on this site, this is not a fixed target and on a further detailed consideration of the site the applicant has been able to accommodate 43 dwellings on this site which is considered to be an appropriate quantum of development and in accordance with the estimated figure of 40 dwellings set out in policy H3. Additionally, the principle of the residential development of this site has been accepted



by the granting of outline planning permission 14/00038/REG3M, which granted planning permission for 34 dwellings on this site and this permission is still extant.

- 7.2.2 Paragraph 3.1 above sets out that the gross development of density across the site is 26 dwellings per hectare (1.63/43). However, in working out the net residential density development of the site, the area of car parking to the north of the site which is to be replaced as existing, is included with the application red line. This area can be excluded for the purposes of calculating the net residential development and which reduces the area of development to 1.13 hectares. 43 dwellings on 1.13 hectares equates to a net residential development of 38 dwellings per hectare which is within the range of 30-50 dwellings per hectare set out in policy H8 of the Local Plan.
- 7.2.3 Additionally, the proposal needs to be assessed against the National Planning Policy Framework March 2012 (NPPF). The NPPF states at paragraph 49 that “housing applications should be considered in the context of the presumption in favour of sustainable development” and that “relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites.” Taking these issues in turn, the site is considered to be in a relatively sustainable location. The site has access to public transport with the nearest bus stop being located approximately 250m to the north-east of the site on Gresley Way and which is served by the circular SB1 bus route. Further bus stops are provided approximately 400m to the west of the site on Chells Way which are similarly served by the circular SB1 route. There are also footpaths and cycleway links through the site and the proposed development can connect into the existing system of footways through the existing residential areas and also the dedicated cycle lanes that exist on Six Hills Way into the town centre. The nearest primary school to the site is Camps Hill Primary which is approximately 650m to the north-west of the site and the nearest secondary school is the Nobel School, approximately 900m to the north-west. The closest neighbourhood centre is The Glebe which is approximately 800m to the north-west of the application site. Sainsbury’s supermarket at The Poplars is some 1,100m to the south of the site. Obviously, being adjacent to Chells Park, the site has excellent access to the sports facilities and a children’s equipped area of play is immediately to the north of the site. Accordingly, the application site is considered to have good access to local facilities and is considered to be in a sustainable location.
- 7.2.4 In relation to the five year supply of deliverable housing, paragraph 47 of the NPPF states that local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide five years’ worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land. The most up to date housing supply figures indicate that the Council is unable to meet its requirement to provide a five year supply of deliverable housing. The fact that the Council is unable to meet its requirement to provide a five year supply of housing is thus a material consideration in the assessment of the application.
- 7.2.5 The fact that the site is an allocated housing site in the District Plan, the site is considered to be in a relatively sustainable location and that the Council is currently unable to provide a 5 year supply of deliverable housing sites are strong material considerations that significantly weigh in favour of the application.

### **7.3 Emerging Planning Policy**

- 7.3.1 The application site has not been allocated for residential development in the emerging Local Plan (Stevenage Borough Local Plan 2011-2031 Publication Draft January 2016) as the site is considered to constitute a committed development, given that 34 dwellings have already been granted planning permission on this site. The 34 dwellings are already included within the housing land supply by virtue of this 2014 permission. This proposal would therefore contribute an additional 9 dwellings towards the housing supply and would assist in meeting the housing requirement in Stevenage.
- 7.3.2 Policy HO7 sets an affordable housing target of 30% affordable provision on sites that are not previously developed. The proposal provides 14 affordable housing units which equates to a percentage of 32.5% and is thus entirely in accordance with emerging policy HO7. This can be secured through a s106 legal agreement to be attached to the grant of any planning permission. In addition to the provision of affordable housing, financial contributions are also required in accordance with the Hertfordshire County Council tool kit and contributions to Stevenage Borough Council for commuted payments towards the improvement of nearby outdoor sports facilities and the off-site children's equipped play area. Again these contributions can be captured through a s106 agreement.
- 7.3.3 Policy HO9 relates to house type and sizes and requires an appropriate range of market and affordable house types and sizes. The proposed housing mix incorporates a range of 1 bedroom apartments to 5 bedroom houses predominantly in the form of 2 to 2.5 storey dwellings. The proposal is thus considered to provide an appropriate mix of housing and one which also reflects the scale and typology of the existing development in proximity to the site. Additionally, policy HO9 requires the provision of aspirational homes in appropriate locations, including edge-of-town sites such as this. The proposal includes three 5 bedroom properties as part of the mix of dwellings and one of which would meet all of the aspirational homes criteria. Accordingly, the proposal is considered to comply with emerging policy HO9.
- 7.3.4 As well as being in accordance with Development Plan policy, the proposal is also therefore considered to be in accordance with emerging planning policy and also contributes to the Council's five-year supply of housing.

### **7.4 Impact upon the Character and Appearance of the Area**

- 7.4.1 The application proposes the development of the site for residential and related purposes, including the internal road layout, drainage, landscaping and associated infrastructure. The application documents demonstrate a range of 1, 2, 3, 4 and 5 bedroom dwellings comprising a mix of detached, semi-detached, terraced house and small apartment blocks. The majority of the dwellings would be 2½ storey dwellings with 2 storey dwellings predominantly in the area of the site closest to Ferrier Road to relate to existing residential properties. The proposal would also provide for some single storey garages.
- 7.4.2 The site is relatively self-contained as it has strong linear groupings of native trees on its northern and south-western boundaries that provide separation from Chells Park and Sheafgreen Lane respectively. It is recognised that the eastern boundary adjacent to Gresley Way is rather more sparsely populated in terms of trees and there are views into the site from Gresley Way. However, the site is set within a wider residential context in the east

of Stevenage. In the wider area the site is surrounded by existing residential development in the Chells area of the town to the west and south of the site. There is also residential development to the north of Chells Park in Chells Manor. It is recognised that to the east, beyond Gresley Way, there is open countryside, however Gresley Way does form a barrier to the urban edge of Stevenage and as such this proposal is not considered to adversely affect the countryside beyond Gresley Way to the east. Accordingly, residential development in this location is not considered to be out of context.

- 7.4.3 As the site is allocated for housing in the District Plan, there has always been a presumption that this site would be developed for residential development. The site layout drawing demonstrates that this amount of development can be accommodated on this site which would allow for the important trees on the northern and south-western boundaries to be retained, and would also allow for the retention of the hedgerow adjacent to Sheafgreen Lane and the bridleway on the eastern boundary of the site. Residential development and the associated open space and landscaping are considered to be achievable on this site without adversely affecting the character and appearance of the area. The proposal would therefore be able to integrate with the urban fabric of the town, complying with Policy TW9 'Quality in Design' of the District Plan.
- 7.4.4 Additionally, the specific design of the dwellings would be appropriate adopting a contemporary design approach with 10 bespoke house types. These house types then have subtle variations in external fenestration and materials depending on their position within the development site. The materials proposed are intended to respond to the verdant nature of the site and include timber boarding, render and brick to create a varied street scene and to ensure that a monotonous development is avoided. The design approach is welcomed and the specific materials can be controlled by condition attached to any grant of planning permission.
- 7.4.5 Given this assessment it is considered that the proposal would create an attractive residential environment that would have an acceptable impact on the character and appearance of the area.

## **7.5 Impact upon Neighbouring Amenity**

- 7.5.1 The only existing residential properties that would be affected by the proposal are those properties in the existing spur of Ferrier Road, nos. 62 to 76, and those properties to the south-west of the site in Magellan Close and Christie Road. Firstly, with regard to the nearest properties in Magellan Close and Christie Road, the closest back to back distances would be in excess of 25m which is the minimum separation distance for dwellings of two storeys in height set out in the Stevenage Design Guide. For the 2½ storey properties the back to back distance to the properties in Christie Road would be in excess of 35m which is the minimum separation distance set out in the Design Guide. The closest back to side distance would be approximately 20m which is well in excess of the 15m set out in the Stevenage Design Guide. Additionally, the application site benefits from being separated from the properties to the south-west by Sheafgreen Lane and there is a strong screen of existing landscaping that is proposed to be retained on this boundary. Accordingly, there is considered to be an acceptable relationship between the proposal and these existing properties.

- 7.5.2 With regard to the closest property in Ferrier Road (no. 64), the nearest property proposed would be plot 43 which would adopt a side to side relationship, albeit at a slightly oblique angle. It was also noted from the site visit that there are no windows in the side elevation of this existing dwelling. This side to side relationship, although slightly oblique, would avoid any detrimental loss of privacy or any adverse loss of light or overbearing impacts to this neighbouring property.
- 7.5.3 It is noted that some residents have objected to the proposal on a number of grounds, which include detrimental impacts during the construction process. Impacts during the construction process are noted, however, these would be temporary and it is considered could be adequately controlled through standard construction conditions attached to any grant of planning permission. The proposed dwellings would be sufficient distance from any existing residential properties to avoid any adverse overbearing or loss of light issues. With the imposition of conditions relating to construction, it is considered that the proposal complies with Policy TW8 of the Local Plan which relates to the Stevenage Design Guide and seeks to avoid adverse impacts to amenity.

#### Future Residential Amenity

- 7.5.4 In considering a residential scheme of this nature it is also important to ensure that living conditions for any future occupiers are appropriate. The residential properties proposed generally adopt either front to front or front to side relationships for which the Local Planning Authority does not adopt any specific separation distances. There are a couple of back to side relationships between plots 11, 12 and plot 13 and this separation distance would be 12.1m which accords with the back to side relationship distance of 12m for new dwellings set out in the Stevenage Design Guide. Whilst plot 13 is 2½ storeys in height it uses the roofspace to provide the second floor accommodation and is therefore not significantly higher than the 2 storey properties proposed. Whilst the back to back distance between plots 4 and plot number 6 is only approximately 16m (4m below the back to back distance of 20m for new dwellings), plot 4 is set at an oblique angle to plot 6 such that it would not result in direct mutual overlooking. The angled nature of this relationship is therefore considered to be acceptable in this instance.
- 7.5.5 In terms of garden sizes the majority of the properties are able to achieve the recommended garden depth of 10m as set out in the Stevenage Design Guide. Where some of the properties are not able to achieve this depth, many of these are able to compensate by having garden areas in excess of the 50m<sup>2</sup> minimum garden size set out in the Design Guide. It is recognised that some garden areas are not able to achieve either the depth or minimum garden size recommended; however useable garden areas are still provided and the NPPF does advise that a mix of housing should be provided which would include housing with smaller gardens. Finally, this would be a buyer beware issue for any future occupier. In summary the proposal is considered to be able to provide sufficient privacy distances and garden sizes to ensure suitable living conditions for any future occupiers.

## **7.6 Impact on the Highway Network**

- 7.6.1 The proposal would require the construction of a new access road to link in with the existing access onto Gresley Way from the Chells Park car park and the opening up of the existing access road from Ferrier Road. Hertfordshire County Council as Highway Authority has

stated that the internal road layout would have an acceptable level of vehicle to vehicle inter-visibility and that the proposal includes a dedicated access road which would have the capacity for the level of traffic generated by the scale of development giving the capacity to accommodate two-way traffic at the entrance.

7.6.2 The applicant has also provided a Transport Statement to consider the traffic generated by the proposal. Using the TRICS database 43 dwellings would generate a total peak generation of 22 vehicles departing the development site in the morning peak period (8.00am to 9.00am) and 22 vehicles arriving at the development site in the evening peak period (5.00pm to 6.00pm). Taking into account that the development is located adjacent to a local access road, the Highway Authority has stated that the proposal is not considered to have a significant impact on the local highway network.

7.6.3 In conclusion Hertfordshire County Council as Highway Authority has stated that the proposal would not have an unreasonable impact on the safety and operation of the adjoining highways subject to a number of conditions to be attached to any grant of planning permission and a financial contribution to secure safety and passenger transport improvements.

## **7.7 Parking Provision**

7.7.1 The application provides for 87 car parking spaces. Based on the proposed mix of dwellings which comprises 6 x 1 bedroom dwellings, 12 x 2 bedroom dwellings, 8 x 3 bedroom dwellings, 14 x 4 bedroom dwellings and 3 x 5 bedroom dwellings this would require 83 parking spaces in this un-zoned location in accordance with the Council's Parking Provision Supplementary Planning Document (SPD). Whilst there is a slight over-provision of parking, this does then allow for some visitor parking in addition to the allocated parking and further visitor parking could be accommodated on the internal roads. The garages proposed have been designed to meet the minimum standards of 6m x3m internally and are thus in accordance with the SPD. Finally, cycle parking is proposed throughout the development with designated cycle stores for apartment blocks and on-plot cycle storage for individual dwellings at a minimum of one space per unit. Given this the proposal is considered to provide both sufficient car and cycle parking in accordance with the Parking Provision SPD.

## **7.8 Other Considerations**

### Flood Risk Assessment

7.8.1 The application site is situated within a Flood Zone 1 location which has a low probability of flooding. Hertfordshire County Council as the Lead Local Flood Authority (LLFA) has confirmed that the proposed development site can be adequately drained and can mitigate against any potential existing surface water flood risk if carried out in accordance with the overall drainage strategy. Accordingly, the LLFA raise no objection on flood risk grounds subject to conditions which are included in section 9.1 of this report.

### Loss of Open Space/Amenity Area

7.8.2 Obviously the development of this site for residential purposes will result in the loss of the existing hard-surfaced area and an area of green open space. However, the loss of this area was considered through the Local Plan process when the site was allocated for housing.

Additionally, there is a large sports field, children's equipped area of play and small basketball court immediately to the north of the application site which would provide a suitable area of open space for both existing and future residents. A contribution towards the improvement of this open space will form part of the s106 legal agreement.

#### Impact on Trees

- 7.8.3 With regard to the impact on trees, 2 'B' category trees as well as parts of 2 'B' category trees are in conflict with the proposed layout and would be required to be felled as well as a number of 'C' category trees and some unclassified trees. The Council's Arboricultural Officer has stated that further works may be necessary to some of the trees proposed for retention to avoid potential future conflicts with future occupiers of the dwellings and this issue can be addressed by a suitably worded condition. The layout does show the retention of all trees the subject of tree preservation orders and also shows that the hedgerow associated with Sheafgreen Lane would not be adversely impacted. With a suitable condition as above and suitable replacement planting, the impact on trees and hedges is considered to be acceptable.

#### Open Space Provision

- 7.8.4 Whilst Local Plan policy L16 seeks children's play space provision in residential developments, in this instance there is an existing children's play area immediately to the north of the application site and therefore it would not be appropriate to provide an additional play area on the application site. Rather financial contributions to the improvement of the existing children's play area in Chells Park will be sought through any s106 agreement attached to the grant of planning permission. Additionally, Local Plan policy L17 seeks informal open space provision in residential developments at a ratio of 0.4 hectares per 1,000 population. Based on an average household density of 2.48 persons per dwelling, the development would be required to provide 428m<sup>2</sup> of open space (43 x 2.48 = 107 persons and 0.4ha x 0.107 = 0.0428ha). There are six pockets of informal open space throughout the site amounting to 1,025m<sup>2</sup> in total, so well in excess of the policy requirement of 428m<sup>2</sup> as required by policy L17. As such sufficient informal open space provision is considered to be provided on site in this instance and obviously the site is also adjacent to Chells Park.

#### Ecology and Protected Species

- 7.8.5 The Herts and Middlesex Wildlife Trust has objected to the proposal on the basis that the impacts on habitats should be assessed by applying the DEFRA Biodiversity Impact Calculator to quantify the net ecological impact of the development. Whilst the applicant has not provided this Biodiversity Impact Calculator, they have provided a preliminary ecological appraisal which shows that the site has the potential to support nesting birds, reptiles and bats. Further to this a bat survey and reptile survey have also been provided. The bat survey did not observe bats using the suitable Ash tree for roosting although observed bats using the tree line for foraging. The reptile survey did not identify any reptiles or amphibians during the site visits made and concludes that it is unlikely that there is any reptile population present within the boundaries of the proposed development site. Following the recommendations made within both survey reports (a precautionary method statement for reptiles and soft felling of the Ash tree in the bat survey) and also avoiding tree works or shrub removal during the bird nesting season, it is considered that the development could proceed without adversely affecting protected species.

7.8.6 Additionally, enhancements such as a detailed landscaping scheme and habitat boxes for the benefit of local biodiversity can be conditioned to the grant of any planning permission. With such conditions it is considered that the proposed development does offer a realistic opportunity for a net increase in biodiversity. It should also be noted that the Council has not sought to adopt a policy requiring Biodiversity Impact Calculators in the emerging Local Plan. Finally, the Herts and Middlesex Wildlife Trust did not object to the previous application for 34 dwellings at this site and simply required the recommendations set out in the ecology appraisal to be implemented.

## **7.9 Matters Raised in Representations**

7.9.1 Many of the concerns received in representation responses relate to the loss of this area of informal open space and this issue has been addressed above and in paragraph 7.2.1 of this report.

7.9.2 Additionally, representations received object to the scheme on the basis of using Ferrier Road to access 15 of the dwellings proposed. This issue has been assessed by the Highway Authority who have not raised any issue with utilising this existing (but currently bollarded off) access point. It should also be noted that in the consideration of the previous application for 34 dwellings, the Local Planning Authority accepted the use of this road to serve 14 dwellings and thus this access road would only serve one additional dwelling in this current application. Finally, the proposal is considered to make suitable parking provision for this size of residential development and this issue has also been considered earlier.

## **8. CONCLUSIONS**

8.1 It is considered that the proposal would represent an appropriate residential use of this site. The residential development of the site complies with the National Planning Policy Framework and the adopted Local Plan which has allocated this site for housing. Additionally, the proposal complies with the emerging Local Plan by providing the necessary level of affordable housing on site and provides an appropriate mix of housing including an aspirational dwelling.

8.2 It is considered that the proposal would have an acceptable impact on the character and appearance of the area, it adopts an appropriate design and it would also avoid any detrimental impact to the amenity of neighbouring occupiers. Additionally, the proposed scheme would not adversely affect the operation or safety of the local highway network and would provide a sufficient level of both car and cycle parking. Finally, issues relating to wildlife, trees, open space provision, affordable housing and developer contributions can be satisfactorily addressed through the use of conditions or a s106 legal agreement. Accordingly, it is recommended that planning permission is granted.

## **9. RECOMMENDATIONS**

9.1 That planning permission be GRANTED subject to the applicant having first entered into and completed a s106 legal agreement to secure / provide financial contributions towards: -

- The provision of 32.5% affordable housing on site;
- Primary education, secondary education and youth services;
- The improvement of outdoor sports facilities and children's play space;
- The improvement of the existing bus stops in the vicinity of the application site;

- The provision of fire hydrants.

The detail of which would be delegated to the Assistant Director of Planning and Regulation in conjunction with an appointed solicitor on behalf of the Council and subject to the following conditions:-

- 1 The development hereby permitted shall be carried out in general accordance with the following approved plans: 088-001B, 088-PL-101C, 2016/3491/002D, E16-091-101P3, 088-PL200, 088-PL201, 088-PL202, 088-PL203, 088-PL204, 088-PL205, 088-PL206, 088-PL208, 088-PL210, 088-PL211 and 088-PL212.

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

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

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

- 3 No development shall take place until a schedule and samples of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

- 4 No development shall commence until a scheme of soft and hard landscaping and details of the treatment of all hard surfaces has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of all new planting to take place including species, size and method of planting. The scheme shall also include a schedule of works for the trees on the boundaries of the application site. The approved landscaping scheme shall be implemented within the first available planting season following the first occupation of the buildings or the completion of the development whichever is the sooner.

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

- 5 Any trees or plants comprised within the scheme of landscaping, which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless otherwise agreed in writing by the Local Planning Authority.

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

- 6 No 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.

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



7 No development shall commence until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Statement. The Construction Method Statement shall address the following matters:

- Off-site highway works in order to provide temporary access throughout the construction period; work shall be completed prior to the commencement of development and reinstated as required;
- Construction and storage compounds (including areas designated for car parking);
- Siting and details of wheel washing facilities;
- Cable trenches within the public highway that affect traffic movement of existing residents and highway users;
- Foundation works;
- Substation building;
- Cleaning of site entrances, site tracks and the adjacent public highways;
- Disposal of surplus materials.

**REASON:** - To minimise the impact of construction vehicles, protect highway safety and to maintain the amenity of the local area.

8 No development shall commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The Construction Traffic Management Plan shall include construction vehicle numbers and routing of construction traffic. The construction of the development shall then be carried out in accordance with the approved Plan.

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

9 No removal of trees, scrub or hedges, shall be carried out on site between the 1<sup>st</sup> March and 31<sup>st</sup> August inclusive in any year, unless searched beforehand by a suitably qualified ornithologist.

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

10 No development, including any site clearance or demolition works, shall commence until the trees and hedges to be retained on the site have been protected by fencing or other means of enclosure in accordance with a detailed scheme submitted to and approved in writing by the Local Planning Authority. Such protection as may be agreed shall be inspected and approved by the Local Planning Authority prior to the commencement of the work and maintained until the conclusion of all site and building operations.

**REASON:** - To ensure that the retained trees and hedges are not damaged or otherwise adversely affected during site operations.

11 Within the areas to be fenced off in accordance with condition 10, there shall be no alteration to the ground level and they shall be kept clear of vehicles, materials, surplus soil, temporary buildings, plant and machinery.

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

12 The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) and Drainage Statement carried out by SDP Consulting Engineers, Job No. E16.091, Issue 2 dated of June 2017 including the following mitigation measures detailed within the FRA:

1. 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 + climate change event.
2. Implementing appropriate drainage strategy based on attenuation and discharge into Thames sewer including SuDS features as indicated on drawing No. E16-091-101 Rev. P2 – Drainage Layout, prepared by Hill dated of 12.06.17.
3. Limiting surface water discharge off the site at a maximum allowable rate of 5.0 l/s/ha for the 1 in 100 year plus 40% climate change event.

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

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

13 No development shall take place until the final design of the drainage scheme is completed and sent to the Local Planning Authority for approval. The scheme shall include;

1. Detailed engineered drawings of the proposed SuDS features including their size, volume, depth and any inlet and outlet features including any connecting pipe runs.
2. Final detailed management plan to include arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its lifetime.

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

14 No development shall commence until a scheme to provide suitable bird and bat boxes has been submitted to and approved in writing by the Local Planning Authority. The approved boxes shall be installed prior to the first occupation of any residential dwelling.

**REASON:** - To increase opportunities for wildlife in new developments.

15 Notwithstanding the details shown in this application the treatment of all boundaries including details of any walls, fences, gates or other means of enclosure shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development, including providing for the retention of the existing hedging on the boundaries of the application site. The approved boundary treatments shall be completed before any of the dwellings are occupied.

**REASON:** - To ensure a satisfactory standard of development in the interests of amenity.

16 No development shall commence until an Archaeological Written Scheme of Investigation has been submitted to and approved by the Local Planning Authority in writing. The scheme shall include an assessment of archaeological significance and research questions; and:

1. The programme and methodology of site investigation and recording
2. The programme and methodology of site investigation and recording as suggested by the archaeological evaluation

3. The programme for post investigation assessment
4. Provision to be made for analysis of the site investigation and recording
5. Provision to be made for publication and dissemination of the analysis and records of the site investigation
6. Provision to be made for archive deposition of the analysis and records of the site investigation
7. Nomination of a competent person or persons/organisation to undertake the works set out within the Archaeological Written Scheme of Investigation.

The demolition/development shall take place/commence in accordance with the programme of archaeological works set out in the Written Scheme of Investigation set out above.

The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved above and the provision made for analysis and publication where appropriate.

**REASON:** - To ensure that the proposal makes provision for the suitable recording of any archaeological remains.

- 17 The development hereby permitted shall not commence until the proposed junction from Chells Park access road has been constructed to base course construction for the first 20 metres as identified on the 'in principle' details on drawing no. 2016/3491/002 revision D to the current specification of Hertfordshire County Council and to the Local Planning Authority's satisfaction.

**REASON:** - In the interests of highway safety and amenity.

- 18 The development hereby permitted shall not be occupied until the proposed junction from Chells Park access road has been constructed and the junction improvement works as identified on the 'in principle' details on drawing no. 2016/3491/002 revision D have been provided to the current specification of Hertfordshire County Council and to the Local Planning Authority's satisfaction.

**REASON:** - In the interests of highway safety and amenity.

- 19 Before the driveways to all dwellings are first brought into use, pedestrian visibility splays of 0.65 metres by 0.65 metres each side shall be provided and permanently maintained. Within this area there shall be no obstruction to visibility between 600 mm and 2.0 metres above the carriageway level. These measurements shall be taken from the intersection of the centre line of the junction with the edge of the carriageway of the highway respectively, along the access roads of the application site and from the intersection point along the edge of the carriageway.

**REASON:** - In the interests of highway safety and amenity.

- 20 The development hereby permitted shall not commence until the proposed access from Ferrier Road has been constructed to base course construction for the first 20 metres as identified on the 'in principle' details on drawing no. 088-PL101 revision C to the current specification of Hertfordshire County Council and to the Local Planning Authority's satisfaction.

**REASON:** - In the interests of highway safety and amenity.

- 21 The gradient of the access roads shall not be steeper than 1 in 20 for at least the first 20 metres from the edge of the carriageway.

**REASON:** - To ensure a vehicle is approximately level before being driven off and on to the highway.

- 22 No development shall commence until a scheme that demonstrates a precautionary approach in any development with regard to nesting birds, bats, reptiles and amphibians and also how the recommendations within the Preliminary Ecological Appraisal (Landscape Planning Ltd September 2016) are to be brought forward through the development, has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full before and during the course of the development.

**REASON:** - To ensure that the proposal makes suitable provision for the protection and enhancement of wildlife at the site.

### **Pro-active Statement**

Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the National Planning Policy Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.

## **10. BACKGROUND DOCUMENTS**

1. The application file, forms, plans and supporting documents having the reference number relating to this item.
2. Stevenage District Plan Second Review 1991-2011.
3. Stevenage Borough Council Supplementary Planning Documents – Parking Provision adopted January 2012 and the Stevenage Design Guide adopted October 2009.
4. Stevenage Borough Local Plan 2011-2031 Publication Draft.
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 March 2012 and National Planning Policy Guidance March 2014.
7. Letters received containing representations referred to in this report.