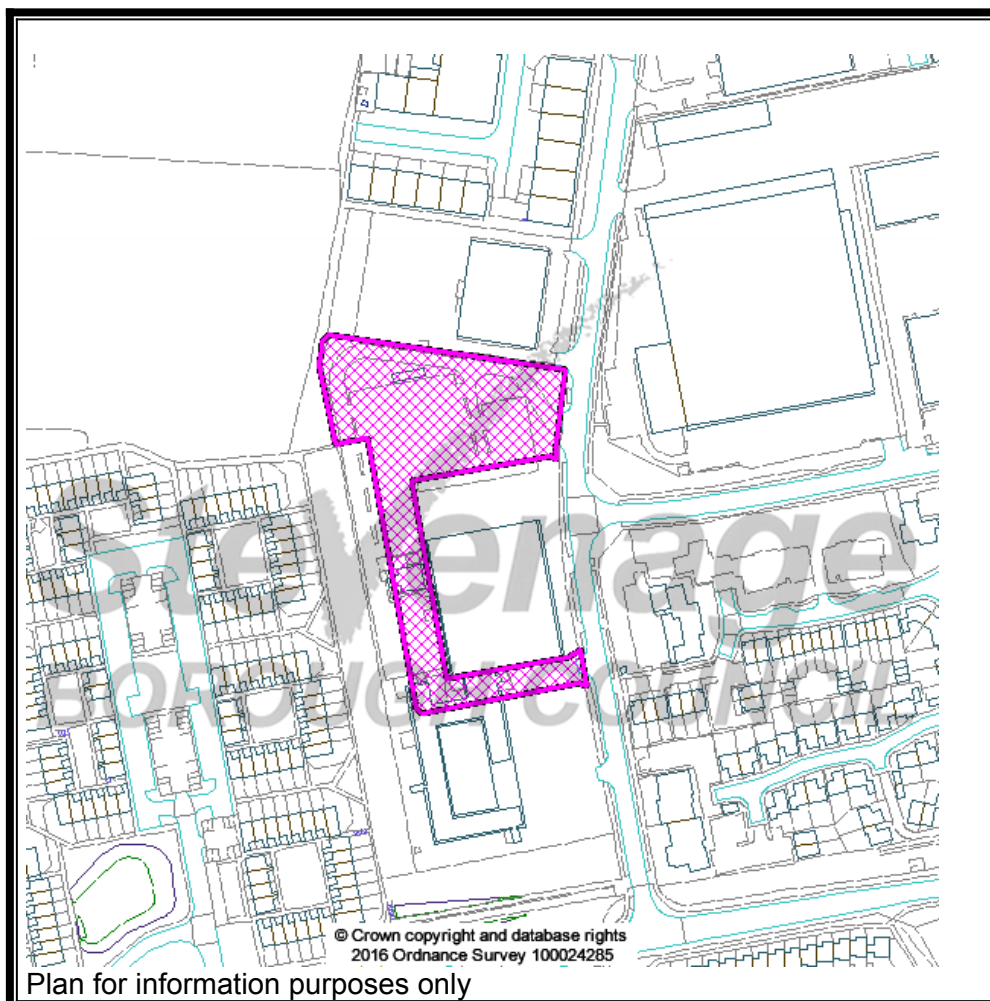


**Meeting:** Planning and Development Committee      **Agenda Item:** 4  
**Date:** 5 September 2017  
**Author:** Clive Inwards      01438 242837  
**Lead Officer:** Zayd Al-Jawad      01438 242257  
**Contact Officer:** Clive Inwards      01438 242837

Application No:	17/00376/FPM
Location:	Land to the west of Wedgwood Way (the former DuPont UK Ltd site), Stevenage.
Proposal:	Erection of apartment building containing 70 apartments with associated access, parking and landscaping.
Drawing Nos.:	160105-625D, (63) SW (-- ) 002P2, 160105-624F, 4160638-1210P1, 4160638-SK1200P2, 4160638-SK1201P2 and 4160638-SK1202P2.
Applicant:	Chase New Homes
Date Valid:	7 June 2017
Recommendation:	GRANT PLANNING PERMISSION



## **1. SITE DESCRIPTION**

- 1.1 The application site is 6,919m<sup>2</sup> in size and comprises the northern most part of the former DuPont (UK) Ltd site which has now been cleared and where construction has commenced on the residential dwellings approved under outline planning permission reference 15/00253/OPM. The site is located in the north east of Stevenage, approximately 2.8km from Stevenage town centre. The site is situated in the south western corner of the Pin Green Industrial Estate and is bounded by Wedgwood Way to the east, the remainder of the DuPont site to the south and then amenity grassland and Martins Way beyond, a tree belt, Wellfield Wood and residential properties in Ely Close to the west and industrial and commercial buildings of the industrial estate to the north.
- 1.2 The application site also includes the two access points onto Wedgwood Way which have already been approved under the outline and reserved matters approvals set out below. Wedgwood Way serves the Pin Green Industrial Estate and has its junction with Martins Way in close proximity and to the south east of the application site.
- 1.3 The site is currently being developed by the applicant (Chase New Homes), following the approval of the outline planning permission 15/00253/OPM and the subsequent reserved matters approvals.

## **2. RELEVANT PLANNING HISTORY**

- 2.1 14/00553/CPA Prior approval for the change of use from Offices (Use Class B1 (a)) to 1no. 3 bed, 38no. 2 bed, 33no. 1 bed and 1no. studio residential units. Prior approval not required 25.11.2014.
- 2.2 15/00253/OPM Outline planning application for the demolition of existing buildings and provision of up to 200 new homes, up to 900 sqm of Use classes A1/A2/A3/D1, provision of residential amenity space and associated access and car parking. Outline planning permission granted 11.08.2016.
- 2.3 16/00742/S106 Variation of clause 3.1.3.3 (affordable housing), clause 3.1.4.1 (affordable housing), clause 12.5 (obligation exclusion), and clause 5.4 of schedules 2 and 4 and clause 8 of schedule 4 (mortgagee exclusion) of the section 106 Agreement (dated 11 August 2016) approved under planning permission 15/00253/OPM. Currently pending consideration.
- 2.4 16/00782/RMM Reserved matters application pursuant to planning permission 15/00253/OPM for the erection of 38 no. two bedroom apartments, 42 no. one bedroom apartments, and 14 no. 3 bedroom dwellings, seeking approval of the appearance, landscaping, layout and scale. Reserved matters approval granted 21.02.2017.
- 2.5 17/00121/COND Discharge of conditions 6 (Code of Construction Practice), 8 (Travel Plan), 10 (Construction Method Statement), 11 (site layout drawing), 13 (tree protection fencing), 15 (scheme of external lighting), 16 (bird boxes), 20 (surface water drainage scheme), 21 (boundary treatment), 22 (materials) and 24 (drainage strategy) attached to outline planning permission 15/00253/OPM. Conditions discharged 21.04.2017.
- 2.6 17/00333/NMA Non material amendment to planning permission reference number 15/00253/OPM to alter the southern access into the site to utilise existing access. Non-material amendment agreed 09.06.2017.

- 2.7 17/00185/RMM Reserved matters application pursuant to outline planning permission 15/00253/OPM for 37 no. one bedroom apartments, 67 no. two bedroom apartments and commercial space; seeking the approval of the appearance, landscaping, layout and scale. Reserved matters approval granted 09.06.2017.
- 2.8 17/00550/COND Discharge of condition 2 (landscaping) attached to reserved matters approval 16/00782/RMM. Currently pending consideration.

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

- 3.1 The current application seeks planning permission for the erection of an apartment building containing 70 apartments together with associated access, parking and landscaping. The application drawings identify two access points onto Wedgwood Way and demonstrate 73 car parking spaces along with 70 cycle parking spaces. The proposed apartment building would adopt an 'L' shape which would have a maximum length of 49m and a maximum width of 36.2m. It would be 5 storeys in height, utilising a flat roof system which would be 15m in height. The proposed building would utilise buff stock brick, with black feature brickwork, black uPVC windows, black powder coated balconies and black metal fascias and feature cladding panels. The apartment block would comprise 54 no. two bed apartments and 16 no. one bed apartments. The application documents state that there would be 17 affordable housing units on the site.
- 3.2 The site layout shows the proposed apartment block being set back from Wedgwood Way with a significant area of open space and landscaping in front of the building. The applicant has stated that the building will incorporate robust energy efficiency measures in line with the latest Building Regulations and has been laid out to ensure maximum daylight, sunlight and ventilation to all units. Finally, the applicant has stated that the layout and design of the site have been proposed in such a way as to naturally discourage crime and anti-social behaviour on the site.

### **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 one objection to the application has been received from the occupiers of 6 Noble Court, Drury Lane. The grounds of objection can be summarised as:
- The original DuPont building was only 4 storeys in height and this set a precedent for buildings in the local area. Exceeding 4 storeys would devalue the overall appearance of the area, restrict the view of the horizon and tower above surrounding trees and buildings. This would be more in keeping with a city tower block, located in a city centre and not a quiet suburban area on the outskirts of a small town ;
  - A higher building would cast shadow and preclude light if it were to reach the 5 storey level and this would be detrimental to the tenants living in proximity and spoil the general outlook of the area and views;
  - A 3 or 4 storey apartment building would be much more in keeping with the area and would be at the same height as surrounding trees and buildings.

## **5. CONSULTATIONS**

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

5.1.1 No objection subject to conditions and a financial contribution towards the assessment of the Travel Plan and improvement of nearby bus stops.

### **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 objections as long as the mitigation measures set out in the acoustic report are followed.

### **5.4 Thames Water**

5.4.1 There are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted for extensions to existing buildings. The applicant is advised to visit [thameswater.co.uk/buildover](http://thameswater.co.uk/buildover). 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 The Lead Local Flood Authority has reviewed the documents provided by the applicant in support of this planning application and advise the Local Planning Authority that the information provided is sufficient to prove that no flooding will occur within the site or surrounding area. We therefore have no objection to the present planning application.

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

5.6.1 Based on the information provided for a development of 70 dwellings, the County Council would seek financial contributions towards primary education, youth services and fire hydrant provision.

### **5.7 Stevenage Borough Council Housing Team**

5.7.1 The Housing team welcome the delivery of additional units in Stevenage in a mixed tenure development and is supportive of this application. There will need to be discussion with the applicants about the affordable provision to ensure that it complies with policy or that suitable viability evidence is provided to support the proposals for a higher number of shared ownership units in place of rented.

### **5.8 Arboricultural Manager**

- 5.8.1 The only concern is the woodland encroachment onto the proposed apartment block and parking spaces. I would suggest that the trees forming the woodland edge are cut back / reduced prior to the commencement of any construction works.

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

- 5.9.1 Conditions to be attached to the grant of any planning permission.

## **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
H7	Assessment of Windfall Housing Sites
H8	Density of Residential Development
H14	Benefits of Affordability
E2	Employment Areas
E4	Acceptable Uses in Employment Areas
T6	Design Standards
T12	Bus Provision
T13	Cycleways
T14	Pedestrians
T15	Car Parking Strategy
EN9	Archaeology and Development
EN13	Trees in New Development
EN17	Wildlife Sites and Regionally Important Geological Sites
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

### **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 HO5: Windfall Sites  
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 FP7: Pollution  
Policy FP8: Pollution Sensitive Uses  
Policy NH1: Principal Open Spaces  
Policy NH2: Wildlife Sites  
Policy NH5: Trees and Woodland  
Policy NH7: Open Space Standards  
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 located within the Pin Green employment area as identified by the Stevenage District Plan Second Review 1991-2011. Within this area policies E2 and E4 of the District Plan apply. Policy E2 simply designates the Pin Green employment area and policy E4 sets out the acceptable uses in the employment areas, which does not include residential use. Given this designation it is clear that the starting point for considering a residential development in this location is that it would be contrary to development plan policy.

7.2.2 Although the proposal is contrary to adopted development plan policy it is considered that there are a number of significant material considerations that outweigh this policy designation in this instance. Firstly, the whole of the former DuPont (UK) Ltd site has now gained a lawful residential use through the grant of outline planning permission reference 15/00253/OPM and the subsequent reserved matters approvals 16/00782/RMM and 17/00185/RMM. These permissions have been implemented and construction is currently underway at the site. This has established the principle of the residential use of the application site. Given this the application site has now also been taken out of the Pin Green employment area in the emerging Local Plan (Stevenage Borough Local Plan 2011-2031 Publication Draft). The emerging Local Plan has now been through its Examination in Public

and therefore material weight can be attached to the policies contained therein. The fact that the site has now been taken out of the employment area in the emerging Local Plan is therefore a significant material consideration in the assessment of the current application.

- 7.2.3 Finally, 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 good footpath and cycleway links to the rest of Stevenage via the segregated footpath and cycleway that runs directly past the southern boundary of the site on the northern side of Martins Way. Additionally, the site is located approximately 650m to the north-east of The Oval large neighbourhood centre and 900m to the south-east of the Canterbury Way large neighbourhood centre which provide a range of shops and services. The nearest primary school is in close proximity to the site; Martins Wood Primary School is located 250m to the south of the site across Martins Way. The nearest secondary school is the Nobel School which is located approximately 1.2km to the south of the site. The site has ready access to bus stops with a stop on each side of Wedgwood Way right outside the site and other bus stops on Cartwright Road to the east, Ascot Crescent to the south and Sefton Road to the south-west. Given this it is considered that there is good access to local facilities and also good opportunities to access alternative forms of travel to private motorised transport.
- 7.2.4 With regard to passenger transport specifically the Highway Authority has requested a financial contribution towards improving the existing bus stop in the vicinity of the site to meet accessibility requirements for passenger transport services in the local area. Additionally, a residential travel plan has also been requested to provide a continuing commitment to using alternative forms of transport to the private car. With the provision of an improved bus stop and a residential travel plan, the proposal is considered to have suitable opportunities to access alternative forms of travel, which would complement the access to existing facilities and add weight to the sustainability of the site.
- 7.2.5 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 and will not be able to until the Green Belt sites are released through the emerging Local Plan process. 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.
- 7.2.6 The fact that the site is considered to be in a sustainable location, would constitute a sustainable form of development and that the Council is unable to provide a 5 year supply of deliverable housing sites are strong material considerations that significantly weigh in favour of the application.



7.2.7 Given that the Council cannot demonstrate a 5 year supply of deliverable housing sites, the principle of the residential use of the site has been established by the implementation of residential permissions and that the site has been taken out of the Pin Green employment area in the emerging Local Plan, these issues are strong material considerations that outweigh the employment area protection of the site through policies E2 and E4 of the adopted Local Plan in this instance. Subject to the proposal's compliance with the Council's housing policies, the principle of the further residential use of this site is accepted.

### **7.3 Compliance with the Council's Housing Policies**

7.3.1 As set out above, as the site is within a defined Employment Area in the adopted Local Plan and is not designated for housing, the application site is considered to be a 'windfall' site where policy H7 (Assessment of Windfall Residential Sites) of the Local Plan applies. Policy H7 sets out a number of criteria against which proposals for residential development on sites not allocated for housing in the Local Plan should be assessed against.

7.3.2 Firstly, the application site is on previously developed land. The site was formerly occupied by the DuPont office building and workshop, hardstandings, car parks and small ancillary buildings and thus accords with the definition of previously developed land set out in Annex 2 of the NPPF. The NPPF states that previously developed land is land which is or was occupied by a permanent structure, including the curtilage of the developed land and any associated fixed surface infrastructure. The NPPF also advises that a key objective is that Local Planning Authorities should continue to make effective use of land by re-using land that has been previously developed. Further, as a previously developed site, the proposal would not result in the loss of any structural open space. The existing site is well contained and the proposal would ensure that the tree belt to the west and the area of amenity grassland to the south of the site are both retained. Structural open space would remain unaffected and therefore there would be no conflict with policy TW2 of the adopted Local Plan.

7.3.3 Criterion (c) of policy H7 states that there should be no detrimental effect on the environment and the surrounding or adjoining properties. This issue will be assessed in detail in the following sections considering the impact on the character and appearance of the area and the impact on neighbouring amenity.

7.3.4 Finally, policy H7 also requires that there is access to local facilities and that residential proposals include opportunities to access alternative forms of travel to private motorised transport. As shown in paragraph 7.2.3 above the site has good access to local facilities and services and also good access to the public transport network and both the pedestrian and cycle networks. The site has been demonstrated to be in a sustainable location and as such would comply with criteria (d) and (e) of policy H7 of the Local Plan.

7.3.5 The proposal is therefore considered to accord with all the criteria of policy H7 of the Local Plan, with the exception of criterion (c) which will be assessed in later sections of this report.

7.3.6 Policy H8 of the District Plan relates to the density of residential development and states that 'in general, the net density of new housing should be within the range of 30-50 dwellings per hectare and that higher densities (50-65+ dwellings per hectare) will be encouraged in developments in the town centre, at neighbourhood centres and other locations well served by passenger transport.' The proposal is seeking planning permission

for 70 units on a site of 0.6919 hectares which would provide a density of approximately 101 dwellings per hectare. This high density is obviously a result of the apartment approach that has been adopted. It is not considered that this apartment approach to development would be out of context in this location and it would relate to the flatted blocks and apartments that have recently been completed at Chrysalis Park, immediately to the east of the application site. More importantly, the drawings demonstrate that a high quality environment can be created utilising this form of development, which can be controlled through the use of conditions. In this context, this high density of development is considered to be acceptable in this location.

#### **7.4 Emerging Planning Policy**

- 7.4.1 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 existing permission for up to 200 units, which has now been implemented, is considered to constitute a committed development. These 200 units are already included within the housing land supply. The current proposal seeks to make a more intensive and efficient use of the original site and would therefore contribute an additional 70 apartments towards the housing supply and would assist in meeting the housing requirement in Stevenage.
- 7.4.2 In terms of specific emerging policies, policy HO5 relates to windfall sites and is similar to adopted policy H7 in that it requires development to be on previously developed land, have good access to local facilities and not result in detrimental impacts on the environment and surrounding properties. These issues have already been considered in paragraphs 7.3.2 to 7.3.5 above and the criteria satisfied. The only two criteria that are different in the emerging policy are that proposals do not prejudice the Council's ability to deliver residential development on allocated sites and the proposed development would not overburden existing infrastructure.
- 7.4.3 Firstly, the development of an additional 70 units is not considered to prejudice any of the allocated housing sites coming forward after the adoption of the emerging Local Plan. This is a relatively modest figure in the context of the numbers of dwellings to come forward through the emerging Local Plan process. Secondly, the proposal is not considered to overburden existing infrastructure. The original outline planning permission included a small local centre on the application for day to day needs and top-up retail etc. Additionally, the current proposal would be expected to make the required financial contributions to services provided by the County Council and to existing children's play area and sports provision.
- 7.4.4 Policy HO7 sets an affordable housing target of 25% affordable provision on previously developed sites, such as the application site. The applicant has now agreed to 17 affordable housing units which equates to a percentage of 24.3%. Whilst this is marginally below the Council's policy requirement of 25% provision, the whole site (including the area currently being developed to the south) is owned by the Metropolitan Housing Trust and they have advised that they are bringing forward 80% affordable housing provision across the site. Given this level of affordable housing provision across the whole site, which is well in excess of the Council's policy requirement, the marginal under provision of affordable units on this specific site can be accepted. 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 children's equipped play area. Again these contributions can be captured through a s106 agreement.

- 7.4.5 Policy HO9 relates to house type and sizes and requires an appropriate range of market and affordable house type and sizes. The proposed housing mix comprises one and two bedroom apartments. The emerging Local Plan sets out that the Council needs to increase the number of flats and smaller houses that are available to provide a responsive range of accommodation and also to provide greater opportunities for first time buyers. Accordingly, whilst the mix of accommodation to be provided is limited to one and two bed apartments, this is in accordance with the need for smaller units set out in the emerging Local Plan given the structural imbalance in the existing housing stock in Stevenage.
- 7.4.6 Given this assessment the proposal is considered to be in accordance with emerging planning policy and also contributes to the Council's five-year supply of housing.

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

- 7.5.1 In terms of the impact of the proposal on the character and appearance of the area, the wider former DuPont site was considered to be relatively self-contained and set within a wider residential context in the north east of Stevenage. The application site would be surrounded on three sides by residential development, comprising the traditional new town housing in Ely Close and Ascot Crescent to the west and south respectively and by the modern residential development in Chrysalis Park to the east. The development of the apartment blocks and new housing immediately to the south (Phases 1 and 2 of the development of the site) is now also under construction. In this context an additional apartment block in this location is not considered to be out of character.
- 7.5.2 Additionally, the design of the apartment block would mirror that of the apartment blocks that have been approved under the reserved matters approvals 16/00782/RMM and 17/00185/RMM. It would comprise a five storey building to be constructed from buff stock bricks under a flat roof construction with a black, metal fascia. The block would utilise a black 2 brick string course and would have black uPVC windows. The outline planning application indicated a five storey apartment block in this location and as such the current proposal is in accordance with the original outline scheme. Specifically, the apartment block proposed would have a suitable appearance with sufficient detailing in the use of balconies, brick detailing and cladding panels to create interesting elevations. The block would thus both reflect some of the flatted blocks in the Chrysalis Park development and would follow the architectural style that has been agreed in the Phase 1 and 2 parts of the site with the same use of materials. Given this the apartment block is considered to have an acceptable visual appearance and impact on the character and appearance of the area.

## **7.6 Impact upon Neighbouring Amenity**

- 7.6.1 The siting of the proposed apartment block would ensure that it would not adversely affect any residential amenity. The block has been set well into the site and is positioned approximately 41m from the back edge of the pavement. This distance would ensure that there would be no adverse loss of privacy to those properties opposite in Chrysalis Park, on the other side of Wedgwood Way and it would be well in excess of the separation distances set out in the Stevenage Design Guide. Similarly, as the block adopts an 'L' shape design, the windows in the furthest western end of the block would look onto Wellfield Wood rather

than the existing properties in Ely Close. Those windows in the block that would be opposite existing residential properties in Ely Close would be approximately 70m away and would be separated by the existing tree belt. The presence of this feature and the significant separation distance would also ensure no adverse loss of privacy to the occupiers of existing properties in Ely Close. Finally, this apartment block would have a separation distance of 25m to the side elevation of the nearest adjacent block, Block D. This would constitute a front to side relationship and a separation distance of 25m would be sufficient to avoid any undue loss of privacy and any adverse loss of light or overbearing impacts. 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

- 7.6.2 In considering a residential scheme of this nature it is also important to ensure that living conditions for any future occupiers are appropriate. Firstly, all of the two bed units have a gross internal floor area of 61m<sup>2</sup> or greater which complies with the nationally described space standards set out in Appendix C of the emerging Local Plan. Whilst the one bed units are shown with a double bed these are considered to be a reasonable size for one bed, one person units and therefore meet the minimum gross internal floor areas of 39m<sup>2</sup> for this size of unit. Many of the units also have balconies which provide outdoor private amenity space and which would help to create a pleasant residential environment.
- 7.6.3 During the original outline planning application concern was expressed with regard to the relationship between the proposed flats and the transport yard immediately to the north of the site. As such the applicant provided an acoustic report to seek to address this issue. Given that this block would be closest to this transport yard the Council's Environmental Health team have been approached for their advice on this specific issue. They have advised that providing that the recommendations set out in the acoustic report are complied with then they would have no objections to the proposal. Accordingly, a condition has been recommended in section 9.1 of this report to ensure that these noise mitigation measures are implemented prior to the occupation of any of the units.
- 7.6.4 Occupiers of the apartment block now proposed would have access to informal open space around the building and also the informal open space in front of the building which has an area of approximately 1,400m<sup>2</sup>. 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 696m<sup>2</sup> of open space ( $70 \times 2.48 = 174$  persons and  $0.4\text{ha} \times 0.174 = 0.0696\text{ha}$ ). The area of open space proposed is therefore well in excess of the policy requirement of 696m<sup>2</sup> as required by policy L17. As such sufficient informal open space provision is considered to be provided in this instance. The amenity for future occupiers is therefore considered to be acceptable.

### **7.7 Impact on the Highway Network**

- 7.7.1 The Highway Authority has stated that given that the proposal involves the provision of 70 units and considering the data output from the Transport Assessment, the total peak generation of traffic would reduce in comparison with the original use of the site.

Additionally, it is stated that as the development is located adjacent to a local access road, the new traffic generation of vehicles is not considered to have a significant impact on the local highway network. Accordingly, the Highway Authority has no objection to the application subject to conditions and a financial contribution towards the improvement of bus stops in the vicinity of the application site.

- 7.7.2 The financial contribution of £16,000 towards sustainable transport provision would be targeted towards improving the existing bus stop in Cartwright Road that would assist in meeting accessibility requirements for passenger transport services in the local area.

## **7.8 Parking Provision**

- 7.8.1 The application provides for 73 car parking spaces. Based on the proposed mix of dwellings which comprises 16 x 1 bedroom dwellings and 54 x 2 bedroom dwellings this would require 97 parking spaces in this un-zoned location in accordance with the Council's Parking Provision Supplementary Planning Document (SPD). However, in considering the outline planning application 15/00253/OPM it was accepted that this site would have the characteristics of an accessibility zone 3 location, given that it is immediately adjacent to a residential accessibility zone 3 and that a local centre was proposed as part of the outline application. Additionally, the site would be within 400m of a local primary school and would have good access to passenger transport links. As this argument has previously been accepted on this site, it is also considered that this current application can be assessed in the same way. In a zone 3 location residential car parking provision can be in the range of 75-100% of the usual car parking standard. 75% of the usual parking standard would equate to 73 parking spaces and, as such, the proposal is considered to provide sufficient car parking provision in this instance.

- 7.8.2 Additionally, the application proposes 70 cycle parking spaces which is one space per unit in accordance with the Council's Parking Provision SPD. This would be in two purposefully built cycle stores adjacent to the building which would be convenient and can be made to be secure. Given this the proposal is considered to provide both sufficient car and cycle parking in accordance with the Parking Provision SPD.

## **7.9 Other Considerations**

### Flood Risk

- 7.9.1 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 sufficient information has been provided to prove that no flooding will occur within the site or surrounding area. Accordingly, the LLFA raise no objection on flood risk grounds.

### Impact on Trees

- 7.9.2 With regard to the impact on trees, the Council's Arboricultural Manager has advised that the trees forming the woodland edge should be cut back or reduced prior to the commencement of construction works to ensure an acceptable relationship between the proposed apartment block, the car parking and the adjacent tree belt. This can be a condition on the grant of any planning permission.

## Wellfield Wood Wildlife Site

- 7.9.3 It is considered that the proposed apartment block can be developed without adversely affecting Wellfield Wood Wildlife Site. Lighting details have been provided as part of the application to ensure appropriate lighting on site without adversely affecting wildlife.

### **7.10 Matters Raised in Representations**

- 7.10.1 It is noted that an objection letter has been received on the basis that apartment block would be too high at five storeys in height. However, the former DuPont office building was five storeys in part and the outline planning permission did set out that a building in this location would be up to five storeys in height. Additionally, it considered that the site can accommodate a building of this scale without adversely affecting either neighbouring residential amenity or the character and appearance of the area.

## **8. CONCLUSIONS**

- 8.1 It is considered that whilst the application site is designated within the Pin Green employment area in the adopted Local Plan, there are now significant material considerations in this instance that outweigh the policy position of protecting this site for employment use. These factors comprise the fact that the residential use of the site has been accepted through the grant of both the outline permission and reserved matters approvals, the current lack of a five year housing land supply and the fact that the site has been taken out of employment use in the emerging Local Plan.
- 8.2 Additionally, the proposal would have an acceptable impact on the character and appearance of the area, would not harm neighbouring residential amenity, it would not adversely affect the operation or safety of the local highway network and it would provide a sufficient level of both car and cycle parking. Finally, issues relating to trees, 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 17 affordable housing units on site;
  - Primary education and youth services;
  - The improvement of outdoor sports facilities and children's play space;
  - The improvement of 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 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: 160105-625D, (63) SW (--)-002P2, 160105-624F, 4160638-1210P1, 4160638-SK1200P2, 4160638-SK1201P2 and 4160638-SK1202P2.

**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 building 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 and shall also include a schedule of works for the trees in the tree belt on the western boundary of the 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 the traffic movement of existing residents;
- Foundation works that affect traffic movements of existing residents;
- 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 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 The development hereby permitted shall not be occupied until the proposed access road has been constructed as identified on drawing number 16 0105-625 revision D to the current specification of Hertfordshire County Council and to the Local Planning Authority's satisfaction.

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

- 10 Prior to occupation the access road shall be provided 5.5 metres wide for the first 15 metres complete with the surfacing course. The principal access road shall be 5.0 metres wide with the kerb radii along the internal layout being 6.0 metres and at the access to Wedgwood Way it shall be 8.0 metres which shall be complete with tactile crossing features.

**REASON:** - To facilitate the free and safe flow of other traffic on the highway and the safety and convenience of pedestrians and people with a disability.

- 11 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).

- 12 No development, including any site clearance or demolition works, shall commence until the trees and hedges to be retained on the site and immediately adjacent to 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.

- 13 Within the areas to be fenced off in accordance with condition 12, 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.

- 14 No development shall commence until a Travel Plan, with the object of reducing residents travelling to the development by private car, has been submitted to and approved in writing by Local Planning Authority. The Travel Plan shall be implemented in accordance with the approved scheme on the occupation of the first dwelling unless otherwise agreed in writing with the Local Planning Authority.

**REASON:** - To promote sustainable transport measures for residents,

- 15 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.

- 16 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.

- 17 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.

- 18 The apartment building shall not be occupied until such time as the agreed noise mitigation measures have been provided which shall include 2m high quality close-boarded fencing on the northern boundary of the site, double glazing and good acoustic passive ventilation.

**REASON:** - To ensure a suitable residential environment for future occupiers of the building.

### **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.