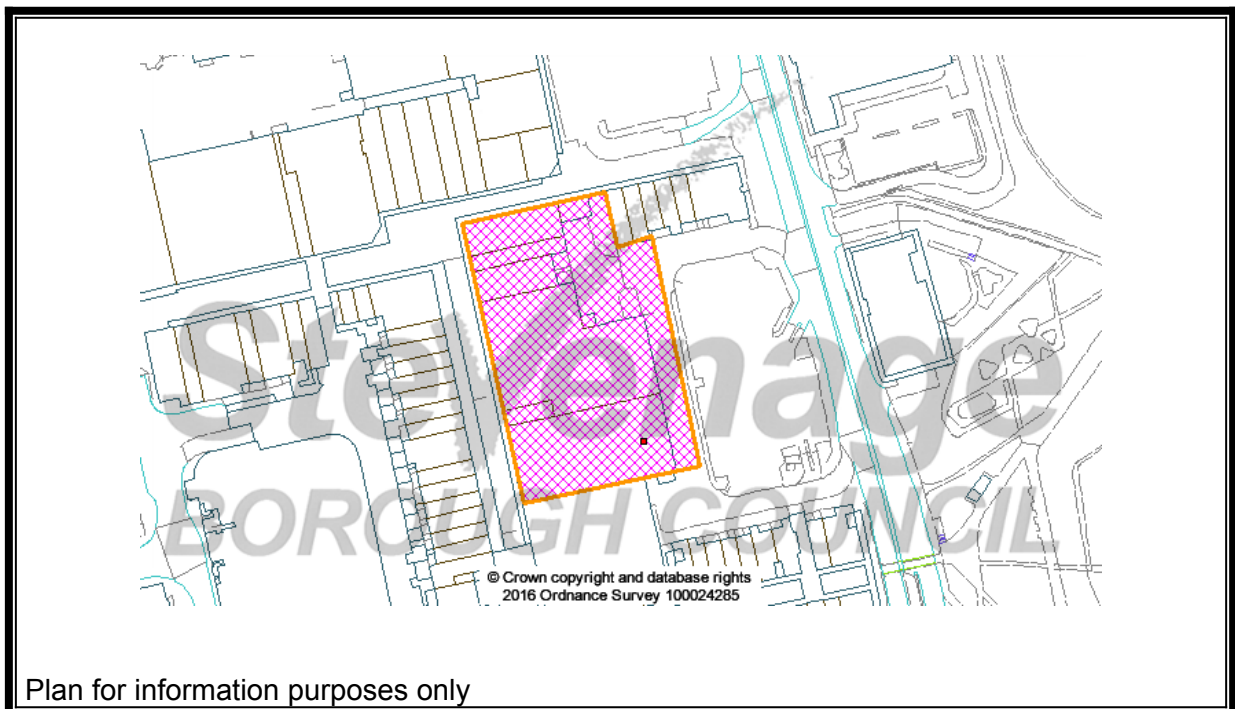


Meeting: Planning and Development Committee **Agenda Item:**
Date: 14 August 2018
Author: James Chettleburgh 01438 242266
Lead Officer: Chris Berry 01438 242257
Contact Officer: James Chettleburgh 01438 242266

Application No:	18/00268/FPM
Location:	85 to 103 Queensway, Stevenage, Hertfordshire, SG1 1EB.
Proposal:	Partial demolition of existing buildings to facilitate erection of new residential building comprising 39no. studio, 54no. one bed and 1no. two bed flats with under-croft car parking; retention of existing office use (Use Class B1) on upper floors; change of use of existing retail units (Use Class A1) to a mixed use development of Use Classes A1 (Shops), A2 (Professional & Financial Services), A3 (Restaurants & Cafes), A4 (Drinking Establishments) and D2 (Gym) with associated enhancements to shop frontages; replacement canopies; public realm improvements and associated car parking and highway works.
Drawing Nos.:	P1.1; P1.2; P4.1b; P4.2; P4.2.1, P4.3a; P4.4a; P4.4.1 P4.5; P5.1; P5.2; P5.3; P5.4; P5.5, P5.6; P5.7a.
Applicant:	Reef Estates
Date Valid:	24 May 2018
Recommendation:	GRANT PLANNING PERMISSION.



1. SITE DESCRIPTION

- 1.1 The application site is located at the northern end of Queensway which falls within Stevenage Town Centre. The site comprises numbers 85 (The former M&S store) to 103 (Poundland) Queensway and is part three-storey, part four storeys in height with a shopping parade at ground floor level with offices and ancillary retail floorspace located above. However, the building drops down to single-storey where it turns the corner into The Forum with this part of the building occupied by “Kaprys Polish Delicatessen”. The building itself across all of the levels is flat roofed. The Queensway elevation is predominantly constructed from concrete panels with a textured pebble dash finish, crittall windows and green tiles with a timber canopy overhanging the ground floor shopping parade. The shopping parade itself generally comprises of full height glazed shop frontages with low level stall risers and fascia signage.
- 1.2 The Marshgate elevation (rear) of the building is constructed from either grey engineering or red bricks with metal windows. At ground floor level there are single-storey projections with flat roofs comprising of plant on their respective roof areas and metal shutters and doors which form part of the service area to the building. There are also external metal staircases and an electricity sub-station. On the roof area of the former M&S building there are areas of plant and equipment located within brick enclosures.
- 1.3 To the east of the application site (rear) is the Marshgate Car Park and service road and beyond this is St George’s Way, Bowes Lyon and Town Centre Gardens. To the north of the development site is “The Forum” which is a modern two ½ storey building comprising of retail units and to the north-east is a modern, brick built, two-storey building comprising a tanning salon, hot food takeaway, a mattress store and the Job Centre. To the south/south east of the application site is Park Place which is currently undergoing extensions and external modernisation works in order to create a new residential development with ground floor retail units. To the west of the application (the front) is the main Queensway pedestrianised area of the town centre beyond which is the other part of the shopping parade with retail premises at ground floor level with ancillary retail floorspace above. To the front of the building is a metal framed, painted white, glazed canopy which over-sails the public footpath.

2. RELEVANT PLANNING HISTORY

- 2.1 There have been numerous permissions granted in the past for advertisements at the premises as well as alterations to shop fronts.
- 2.2 Planning application 18/00279/FPM seeks permission for the demolition of existing buildings and the provision of undercroft car parking, retention of existing office use (Use Class B1) on upper floors, change of use of existing retail units (Use Class A1) to a mixed use development of Use Classes A1 (Shops), A2 (Professional & Financial Services), A3 (Restaurants & Cafes), A4 (Drinking Establishments) and D2 (Gym) with associated enhancements to shop frontages, replacement canopies, public realm improvements, associated car parking and highway works. This application is pending consideration.
- 2.3 Prior approval application 18/00386/CPA seeks approval for the change of use of the second floor from use Class B1(a) (offices) to use Class C3 (residential) to provide 11 flats. This application is pending consideration.
- 2.4 Planning application 18/00390/FP seeks planning permission for the change of use of the second floor from retail (Use Class A1) to for 8 residential flats (7 x studio flats and 1 x 1 bed) including upgrade and refurbishment to stair and access to residential flats, a new lift and formation of bin and cycle store areas at ground floor. This application is pending consideration.

- 2.5 Prior approval application 18/00393/CPA seeks prior approval for the change of use from Use Class A1 (Shop) and Class A2 (Financial & Professional) to 2 no. dwelling units (Use Class C3). This application is pending consideration.

3. THE CURRENT APPLICATION

- 3.1 The current application seeks planning permission to partially demolish an area of the existing buildings to facilitate the erection of a new five storey residential building and an additional floor on the former M&S building which would comprise of 39no. studio, 54no. one bedroom and 1no. two bedroom flats with under-croft car parking. The apartments located within the new residential block would comprise of Juliette balconies. Turning to the new residential floors located on 85 Queensway (the former M&S store), these would have access to two communal garden terrace areas.
- 3.2 The new residential block would measure 25.90m in length, span 30.48m in width with an overall height of 18.25m. The new floor to the former M&S building would increase its height from 12.65m to 14.73m. The application also includes, to the rear of the site, a secure cycle parking area for 110 bike racks on a two tier system along with a secure waste and recycle store. There would also be the provision of 18 new cycle hoops for the retail units/gym, five additional staff parking spaces, the creation of 4 electric vehicle (E.V.) parking bays and replacement disabled parking and pay and display bays onto Marshgate.
- 3.3 The proposal also seeks the retention of existing office use (Use Class B1) on upper floors and a change of use of some of the existing retail ground floor units (Use Class A1) to a mixed use development of Use Classes A1 (Shops), A2 (Professional & Financial Services), A3 (Restaurants & Cafes), A4 (Drinking Establishments) and D2 (Gym). The overall retail mix for the development is set out in the table below.

Table 1: Proposed retail mix for the development.

Unit Name	Use Class	Total Gross Internal Area (GIA) (Sq.m)
85 A Queensway	A1	789.88
85 B Queensway	D2	1,633.21
85 C Queensway	A1 – A3	358.11
87 Queensway	A1	229.91
89 Queensway	A1 – A3	532.25
91 Queensway	A1	362.67
93 Queensway	A1	331.53
95 Queensway	A1	1,070.82
97 – 99 Queensway	A2	762.53
101 Queensway	A1	375.86
103 Queensway	A1 – A4	821.76

Note:- The specified uses are set out in detail under paragraph 3.3 of this report.

- 3.4 In addition, the proposed development also seeks permission for associated enhancements to shop frontages; replacement canopies; public realm improvements and associated car parking and highway works. The modernised shop frontages would comprise of uniform full height glazing frontages within metal frames and canopies which would be re-clad with a perforated underside with strip lighting behind along with replacement building up lighting. The improvement works to the building would also comprise of the existing concrete panels and brickwork to be cleaned and refurbished, replacement metal cladding, and new joinery to extrude from the building line around the first and second floor windows.
- 3.5 The applicant has stated that the proposed development would be finished in high quality materials comprising of brick cladding, metal cladding, modern glass casements, recessed and glazed balcony areas, creeper walls and raised garden terraces, new paving blocks,

public seating, lights and cycle storage areas along with modern gates, fencing and bollards.

3.6 This application comes before the planning committee for consideration as it is a major application.

4. PUBLIC REPRESENTATIONS

4.1 As a major planning application, the proposal has been publicised by way of letters to adjoining premises, site notices and a press notice. At the time of drafting this report one comment on the application was received from number 69 Lonsdale Road. A summary of the comments raised are as follows:-

- The design of the development is supported especially where the development incorporates existing and surrounding architecture;
- Support the provision of new residential building but recommend affordable housing is provided;
- They do not consider Queensway to be appropriate location for A4 land use (drinking/public house) and recommend the developer to keep the proposal retail focused;
- Questions whether the developer has plans for future applications on Queensway to ensure consistency on the street.

5. CONSULTATIONS

5.1 Hertfordshire County Council as Highways Authority

5.1.1 The County Council as the Highways Authority consider the development to be in accordance with National and Local Policies. Therefore, the Highways Authority formal recommendation is that there are no objections to the development proposal subject to recommended planning conditions and a S106 agreement to address sustainable transport and a highway informative.

5.2 Hertfordshire County Council as Lead Local Flood Authority

5.2.1 The proposed drainage strategy for the southern and eastern parts of the site would be based upon attenuation and discharge at a restricted discharge rate of 4.9 l/s into Thames Water surface water sewer network system along Marshgate. The remainder of the site would be managed as is the current situation. Overall, the proposed drainage scheme will provide a significant betterment to the site by reducing the discharge rate from the southern and eastern catchment to 4.9 l/s with the provision of 313m³ of attenuation, calculated for a 1 in 100 plus 40% for climate change allowance. Subsequently, the proposed development is considered acceptable subject to conditions.

5.3 Hertfordshire County Council as Minerals and Waste Planning Authority

5.3.1 The Council needs to be aware of the Policies in regards to waste management of the site, including the re-use of unavoidable waste where possible and the use of recycled materials where appropriate to the construction. Furthermore, Waste Policy 12: Sustainable Design, Construction and Demolition require all relevant construction projects to be supported by a Site Waste Management Plan (SWMP). This aims to reduce the amount of waste produced on site and should contain information including types of waste removed from the site and where that waste is being taken to.

5.4 Hertfordshire County Council Development Services

- 5.4.1 Based on the information provided for a development of 94 dwellings, the County Council would seek financial contributions towards the library service in order to develop a community meeting/training room(s) on the first floor of Stevenage Library. In addition, monies would also be sought towards youth services in order to purchase sports equipment for the Bowes Lyon Centre or its re-provision.

5.5 Hertfordshire Constabulary as the Crime Prevention Design Service

- 5.5.1 There are no concerns with the proposed development subject to it meeting Secured by Design in line with Local and National planning policy.

5.6 Council's Environmental Health Section

- 5.6.1 Following a review of the acoustic report, it is considered that it adequately addresses noise which would be generated from traffic and services. However, the report does not adequately assess the level of noise generated from the gymnasium from noise sources such as music, raised voices, machinery and weights being dropped. In this regard, the consultant will need to address these issues prior to the commencement of development.
- 5.6.2 Given the above, it is recommended that conditions be imposed requiring that the internal noise level shall not exceed those contained in British Standard BS8233.2014 (guidance on sound insulation and noise reduction for buildings) in so far as they relate to living rooms, dining rooms and bedrooms in the residential accommodation. In addition, it appears that the internal noise levels can only be achieved with the windows closed, therefore, details will need to be provided for the proposed ventilation and thermal comfort arrangements for the development.
- 5.6.3 In terms of contamination, this should be dealt with through a "catch all" condition to cover any potential contamination. In addition, it is recommended that conditions be imposed, to mitigate the impact on nearby businesses and residents, in regards to asbestos, dust control measures, external lighting, construction method statement and a methodology for the screening of plan and machinery.

5.7 Council's Parks and Amenities Section

- 5.7.1 Financial contributions would be sought to fund improvements to play at the Town Centre Gardens and to fund outdoor sports improvements at Fairlands Valley Park. Turning to hard and soft landscaping, there are insufficient details at this stage for Stevenage Direct Services (SDS) to be able to comment fully on the soft and hard landscape details for this development. Based on the initial outline landscape proposals we can only provide broad comments. To be able to fully comment we will require detailed soft & hard landscape proposals. This should include full planting details and areas to be adopted by SDS for maintenance.
- 5.7.2 For those planted areas to be maintained by SDS the following shall apply:
- The full proposed planting plans shall be reviewed by SDS in reasonable notice and shall be subject to amendments if required.
 - Planting and top soil shall be in accordance to the relevant British Standards (BS 3882 Minimum rooting depths for turf is 600mm for shrubs)
 - Planting shall be through a geotextile weed suppressant membrane with a suitable layer of mulch applied over the top.
 - Mulch shall not contain any loose hard aggregate and methods shall be employed to prevent mulch and soil from washing onto the surrounding footpaths / hard surfaces.

- Plant selection shall be of low maintenance, year round interest, drought tolerant and ideally planted in increased density to discourage weed growth.
- Access shall also be considered for teams to carry out the maintenance of the landscaped areas.
- Planting shall be undertaken during the winter months (October to February). A minimum defect period of 12 months shall also be in place for replacement of failed planting and trees – all defects shall be resolved before handover of the landscaped areas to Stevenage Direct Services with approval from the relevant Council Officer.

5.7.3 The proposed landscaped areas around the service yard and parking area shall require suitable protection from vehicle (including HGV) damage. For example this could include the use of metal bollards. Without any protection the current proposed landscape would be very vulnerable to damage from turning and delivery vehicles. For the new landscaped areas to be maintained by SDS, sums for the future maintenance of these areas shall be considered fully. SDS are unable to maintain any planting at height – if the design incorporates such planting / landscaping (e.g. garden roof terrace) these areas shall not be maintained at a cost to SDS.

5.8 Council's Housing Section

5.8.1 The affordable housing provision is acceptable, whilst the Council would generally seek Social Rented units, the provision of Affordable Rented units is acceptable under National Policy.

5.9 Council's CCTV Section

5.9.1 The Council's CCTV section seeks the provision of a new camera near Marshgate in order to improve coverage towards the rear of the development site.

5.10 Council's Engineering Section

5.10.1 The scheme provides an opportunity to rationalise and improve the streetscape on Marshgate which is supported. Therefore, it recommended a new boundary line is created between public and private areas such that:-

- The loading zone and staff parking bays would become private (requiring the transfer of some Council land to the developer);
- The new car park to remain private and the private operator would balance the needs of residents of the new flats;
- The new footway and its verges would be adopted by the Council to become a publically maintainable street.

5.10.2 There is also a need to incorporate four electric vehicle (EV) charging points where the proposed disabled bays would be located with the provision of 2 twin-port EV charge points. The proposed disabled and pay and display bays lost from the proposed arrangement should be provided kerb-side on the northern side of the street.

5.10.3 In terms of the land transfer itself, there would need to be a fence provided along the boundary to demarcate the different ownership. There would also need to be coordination that all works in areas carried out by the developer be covered under a S278 agreement under the Highways Act which is used to secure highway improvement works, which would be managed by the Engineering Section. Beyond the S278, there would also be financial contributions sought towards the drafting and preparation of Traffic Regulation Orders as well as replacement of pay and display machines and road markings.

5.11 Thames Water

- 5.11.1 With regards to surface water drainage, it has been advised that it is for the developer to follow the sequential approach to the disposal of surface water. Where a developer proposes to discharge to a public sewer, prior approval from Thames Water Development Services will be required. The development would be expected to demonstrate what measures will be undertaken to minimise ground water discharge into the public sewer. Groundwater discharges typically from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Therefore, Thames Water recommends an informative stipulating that the developer will be required to have a "Groundwater Risk Management Permit" in order to discharge water into the sewer.
- 5.11.2 In addition to the above, as there are sewers crossing in close proximity to the site, if any significant works are to be undertaken, then there will be a requirement to minimise risk of damage. Therefore, any development must not reduce capacity, limit repair or maintenance activities, or inhibit the services of Thames Water. Furthermore, it is recommended that petrol/oil interceptors be fitted in all car parking facilities. This is to ensure that oil polluted discharges do not enter local watercourses. In regards to the waste water network and waste water processing infrastructure capacity, there are no concerns with the proposed development.

5.12 Affinity Water

- 5.12.1 No comment.

5.13 East and North Hertfordshire Clinical Commission Group

- 5.13.1 No comment.

5.14 NHS England

- 5.14.1 No comment.

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 reached an advanced stage in the preparation of a new Stevenage Borough Local Plan 2011-2031. The Plan has been used as a material consideration in the determination of all planning applications registered on or after Wednesday 6 January 2016. The Plan has now been through the Examination process and the Inspector's Report was received in October 2017. This recommended approval of the Plan, subject to modifications proposed. The Plan is currently subject to a holding direction placed upon it by the Ministry of Housing Communities and Local Government (MHCLG), which prevents its adoption whilst MHCLG are considering whether or not to call it in.

- 6.1.2 The National Planning Policy Framework sets out that decision-takers may give weight to relevant policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies, and their degree of consistency with policies in the National Planning Policy Framework.
- 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, bearing in mind the positive Inspector's Report, significant weight will be afforded to policies within the emerging Local Plan.

6.2 Central Government Advice

- 6.2.1 A revised National Planning Policy Framework (NPPF) was published in July 2018. 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 213 of the NPPF applies which states that 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 Planning Practice Guidance must also be taken into account. It states that, where the development plan is absent, silent or the relevant policies are out of date, paragraph 11 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

Policy TW1: Sustainable Development;
Policy TW2: Structural Open Space;
Policy TW8: Environmental Safeguards;
Policy TW9: Quality in Design;
Policy TW10: Crime Prevention;
Policy TW11: Planning Requirements;
Policy H7: Assessment of Windfall Residential Sites;
Policy H8: Density of Residential Development;
Policy H14: Benefits of Affordability;
Policy T6: Design Standard;
Policy T12: Bus Provision;
Policy T13: Cycleways;
Policy T14: Pedestrians;
Policy T15: Car Parking Strategy;
Policy TR1: Town Centre;
Policy TR3: Retail Frontages;
Policy TR4: Loss of Retail Floorspace;
Policy TR7: Loss of Office Accommodation;
Policy TR9: Town Centre Parking;
Policy EN27: Noise Pollution;
Policy EN13: Trees in new development;
Policy EN36: Water Conservation;

Policy EN38: Energy Conservation and Supply;
Policy L15: Outdoor Sports Provision in Residential Developments;
Policy L16: Children's Play Space in Residential Developments;
Policy L17: Informal Open Space in Residential Developments;
Policy 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 SP3: A strong, competitive economy;
Policy SP4: A Vital Town Centre;
Policy SP5: Infrastructure;
Policy SP6: Sustainable Transport;
Policy SP7: High Quality Homes;
Policy SP8: Good Design;
Policy SP9: Healthy Communities;
Policy SP11: Climate Change, Flooding and Pollution;
Policy TC1: Town Centre
Policy TC7: Marshgate Major Opportunity Area
Policy TC8: Town Centre Shopping Area
Policy IT3: Infrastructure
Policy IT4: Transport Assessments and Travel Plans
Policy IT5: Parking and Access
Policy IT8: Public parking provision
Policy HO1: Housing Allocations
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

6.5 Supplementary Planning Documents

Parking Provision Supplementary Planning Document January 2012.
Stevenage Design Guide Supplementary Planning Document January 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 flood risk.

7.2 Land Use Policy Considerations

7.2.1 The application site is identified within the Town Centre Policy Area in the Stevenage District Plan Second Review 1991-2011, where policy TR1 applies. Policy TR1 states that "Within the town centre policy area, as identified on the proposals map, permission will be granted for "inter alia" housing provided that it does not conflict with the Council's adopted vision or strategy for the town centre or other policies." However, as an unallocated housing site within the urban area of Stevenage the proposal is considered to be a 'windfall' site where policy H7 of the District Plan (Assessment of Windfall Residential Sites) applies. Policy H7 sets out a number of criteria against which proposals for residential development on sites not allocated in the District Plan will be assessed against. The proposal is subject to both the

relevant housing policies of the District Plan and the National Planning Policy Framework July 2018 (NPPF).

7.2.2 The NPPF states at paragraph 7 that the purpose of the planning system is to contribute to the achievement of sustainable development. The NPPF also stipulates that decisions should plan an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area. In addition, the Framework also set out that the sustainable development needs to be pursued in a positive way and at the heart of the framework is a “presumption on favour of sustainable development”. Paragraph 67 of the NPPF (2018) states that planning policies should identify a supply of specific deliverable sites for years one to five of the plan period, and specific deliverable sites or broad locations for growth, for years 6 to 10 and where possible, for years 11 to 15. Paragraph 73 of the same document states that “Local Planning Authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years’ worth of housing against their housing requirement set out in adopted strategic policies”.

7.2.3 Taking the above issues in turn, the site is considered to be in a highly sustainable location. The application site is approximately 150m from the town centre bus station and 390m from the railway station and both these modes of transport can be easily reached on foot. The application site is located in the town centre and has ready access to a range of retail and service units as well as a number of food and drink premises. The site is in close proximity to three supermarkets and there are pharmacies, a library, doctors and dental surgeries all within a short walk of the site. Finally, the nearest primary school is Brooms Barns JMI School at Homestead Moat, which is located approximately 450m from the application site to the south-east, with the nearest secondary school being The Thomas Alleyne School which is approximately 1,400m to the north of the site. As such, the application site is considered to have excellent access to local facilities and alternative forms of travel to the private car and is therefore in a highly sustainable location.

7.2.4 In relation to five year land supply of deliverable housing, as mentioned in paragraph 7.2.2 of this report, 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, but the supply of specific deliverable sites should in addition include a buffer (moved forward from later in the plan period) of:-

a) 5% to ensure choice and competition in the market; or

b) 10% where the local planning authority wishes to demonstrate a five year supply of deliverable sites through an annual position statement or recently adopted plan, to account for any fluctuations in the market during that year; or

c) 20% where there has been significant under delivery of housing over the previous three years, to improve the prospect of achieving the planned supply.

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 considered to be in a highly sustainable location, would constitute a sustainable form of development and that the Council is currently unable to provide a five

year supply of deliverable housing sites are strong material considerations that significantly weigh in favour of the application.

- 7.2.6 Finally, further to stating that housing is an appropriate land use in the Town Centre Inset Area, policy TR1 also states that mixed use development will be permitted provided that it does not conflict with the Council's adopted vision, strategy for the town centre or other policies. Given the proposed mixed use of retail and residential is considered to be acceptable in principle, it is then also important to assess the use against the Council's specific housing policies

7.3 Compliance with the Council's Housing Policies

- 7.3.1 As set out above, as the site is unallocated for housing within the adopted District Plan, the application site is considered to be a 'windfall' site where policy H7 of the District Plan applies. Policy H7 sets out a number of criteria against which proposals for residential development on sites not allocated in the District Plan should be assessed against.

- 7.3.2 Firstly, the application site is on previously developed land. The application site currently comprises a part single-storey, part two-storey and part three-storey building with a number of vacant retail units at ground floor level with paving and surface car parking areas to the rear of the building. As the site is currently occupied by buildings and hard surfacing, it is considered to accord with the definition of previously developed land as 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, which thus satisfies criterion (b) of policy H7.

- 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 set out above, the site has excellent access to local facilities and services and also excellent access to the public transport network and both the pedestrian and cycle networks. The site has thus been demonstrated to be in a highly sustainable location and, as such, would comply with criteria (d) and (e) of policy H7 of the District Plan.

- 7.3.5 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 67 units on a site of 0.72 hectares which will provide a density of approximately 93 dwellings per hectare, in excess of the range set out above. However, it is recognised that this site is in a highly sustainable location, is in close proximity to other high density schemes and the high density is a result of the number of apartments proposed which would not be out of context in this location.

- 7.3.6 As demonstrated above, the proposal is in accordance with policy H7 of the Adopted District Plan; however, it is also important to consider the emerging policy position. The Stevenage Borough Local Plan 2011 – 2031, Publication Draft 2016, emerging policy SP4 promotes the

comprehensive and co-ordinated regeneration of Stevenage Central (Town Centre plus adjoining sites) and states that this should provide for 3,000 new homes. Additionally, Policy SP7 allocates the town centre for 2,950 new homes.

- 7.3.7 Further, as well as being within the defined Town Centre of the emerging Local Plan, the site is also located adjacent to the Marshgate Major Opportunity Area (MOA), where policy TC7 applies. This seeks high-density residential units, new D1, D2, leisure, cultural and civic uses and new use class A1, A3 and A4 uses. As such, whilst the proposal does not fall directly within the MOA, the principle of this mixed use proposal reflects the aspiration of this policy given the provision of enhanced retail, a new D2 leisure use and high density residential development.
- 7.3.8 It is recognised that the proposal provides for a number of studio and one bedroom units. Emerging policy HO9 requires that residential schemes provide an appropriate range of market and affordable house types and size taking into account structural imbalances in the existing housing stock, the housing needs of the Borough, the location and accessibility of the application site and recent completions, existing permissions and sites in the five-year land supply. The emerging plan makes it clear that there is a specific need to increase the number of smaller homes and apartments that are available. Whilst the proposal would provide a large number of smaller units, it is considered that the proposed mix of units is acceptable in this town centre location and is in accordance with policy HO9 of the emerging Local Plan.

Compliance with the Council's Retail Policies

- 7.3.9 The application site is identified within the Town Centre Policy Area in the Stevenage District Plan Second Review 1991-2011, where policy TR1 applies. Policy TR1 states that "Within the town centre policy area, as identified on the proposals map, permission will be granted for "inter alia" retailing, leisure, cultural, community and social uses provided that it does not conflict with the Council's adopted vision or strategy for the town centre or other policies
- 7.3.10 The ground floor retail units are designated as primary retail frontages by Policy TR3 of the District Plan, therefore, only proposals for Use Class A1 (shops) will be permitted. With respect to Policy TR4 of the same document, this states that proposals that result in the overall loss of retail (A1), food and drink (A3) and service floorspace (A2) in the town centre, will be resisted except for changes of use to social, community, leisure and cultural use. Turning to the emerging Local Plan, Policy TC8 also identifies the majority of units as falling within primary retail frontage and therefore, has the same restrictions on use. Looking at the proposed development, it would involve a change of use of the following units which fall within primary retail frontage:-
- 85 Queensway (former M&S store)) from Use Class A1 to a mixture of A1, A2, A3 and D2;
 - Unit 89 (former Select store) from Use Class A1 to a mixed use A1 to A3.
- 7.3.11 Given the above, the proposed development would result in a reduction in A1 retail floorspace which would be contrary to Policies TR3 and TC8. However, under emerging Policy TC8, planning permission would be allowed for other uses where:-
- The proposal will retain an active frontage;
 - The proposal will generate footfall equivalent to, or greater than A1 or A2 use in the equivalent location; and

- The unit has been unsuccessfully marketed for A1 or A2 use, or has remained vacant, for at least six months.

7.3.12 In regards to the first point, the premises are currently vacant and therefore, the proposed modernisation of their frontages would help to harmonise the visual appearance of the shopping parade. In addition, by allowing a more flexible use in these premises, it would help to bring back these vacant units into operation creating a more active frontage and help to draw trade down to this part of Queensway. In addition, through a more flexible use, the introduction of potentially a restaurant or café can help introduce a nighttime economy. Independent research (such as by Allegra, Killian Pretty Review and the recent Grimsey Review) has demonstrated that café's and/or coffee shops along with restaurants are social hubs which help bring people together in a safe and comfortable environment. These reports also demonstrate that they help to improve the vitality and viability of the town centre as they encourage people to stay in the centre longer.

7.3.13 Finally, the units have been vacant for more than six months having been actively marketed commercially. The M&S store (85 Queensway) has been vacant since September 2015 and has been marketed by CPRE (Commercial Property Real Estates) through online marketing brochures, A-boards and on commercial websites. Whilst the premises were used on a temporary lease, the property is now vacant with no interest in the use of the store. Turning to the former Select store (89 Queensway), this property has been vacant for over 12 months and has been actively marketed by Green and Partners (Commercial Agent) through online marketing brochures, signage and through commercial websites. The rent on this unit has also been reduced but there have been no interest in this unit.

7.2.14 In addition to the above, whilst it is not proposed to change the use of these premises, the former Rymans Stationary Store (91 Queensway) has also been vacant for a number of months and is being actively marketed for A1 retail by Green and Partners. Again, there has been no interest in leasing this property for A1 retail. In addition, whilst not part of the development site, there are a number of vacant units on the opposite side of the site along Queensway which were previously occupied by A1 retailers. Taking these matters into consideration, it demonstrates that there is a need to a more flexible usage in some of the premises in order to entice footfall along this part of Queensway and help to bring back a more active frontage.

7.2.15 In regards to the proposed change of use 103 Queensway (Poundland) from A1 to mixed use A1 to A4 unit, whilst this is occupied by an A1 retailer these premises are designated as secondary retail frontage and as such, both the adopted and emerging Local Plans do not restrict the use of premises in secondary frontages for A2, A3 and A4 uses.

7.2.16 Given the aforementioned assessment, whilst the proposal could result in the loss of A1 retail floorspace, it would help create an active frontage, have a high footfall and would bring a vacant unit into operation. Therefore, the proposed development would help to support the vitality and viability of the town centre. In this regard, the proposal is considered to comply with Policies TR3 and TR4 of the District Plan (2004), Policy TC8 of the Emerging Local Plan (2016), the NPPF (2018) and PPG (2014).

7.4 Affordable Housing and Financial Contributions

- 7.4.1 Policy HO7 of the emerging Local Plan (2016) states that planning permission will be granted for residential developments that maximise affordable housing provision. For developments on previously developed sites, 25% of the dwelling units on these sites should be affordable. In regards to the proposed development, this would equate to 24 units. Policy HO7 continues that “planning permission will be refused where these targets are not at least achieved unless:
- a) Developers robustly demonstrate that the target cannot be achieved due to site-specific constraints resulting in higher than normal costs, which affect its viability; or
 - b) Meeting the requirements would demonstrably and significantly compromise other policy objectives.”
- 7.4.2 Turning to affordable housing tenure, mix and design, Policy HO8 of the same document states that where affordable housing is secured through Policy HO7, planning permission would be granted where those dwellings:
- a. Are provided by the developer on site with at least 70% of the units being for rent and the remainder consisting of other tenures which is to be agreed with the Council’s Housing team;
 - b. Meets the requirements of Policy HO9 (House types and sizes);
 - c. Are physically indistinguishable from other types of homes and are distributed across the site to avoid over-concentration in particular; and
 - d. Will remain at an affordable price for future eligible households.
- 7.4.3 In addition to the above, paragraph 64 of the NPPF (2018) stipulates that for major developments involving the provision for housing, at least 10% of the homes should be made available for affordable home ownership (this includes shared ownership, equity loans, other low cost homes which are 20% below local market value and rent to buy). However, the aforementioned 10% requirement is part of the overall affordable housing contribution from the site.
- 7.4.4 The applicant has confirmed in writing that they will provide 25% affordable housing on site where the units will be at 80% of market rent. Whilst this is not strictly in accordance with Policy HO7 of the emerging Local Plan (2016), it would be in accordance with the definition of “affordable housing” in the framework. Following consultation with the Council’s Housing Section, the affordable housing being provided on-site is considered to be acceptable. Turning to the 10% requirement set out under paragraph 64 of the NPPF (2018), the proposed development would be classed as an exemption as it provides solely “Build to Rent” homes which are purpose built developments typically 100% rented out.
- 7.4.5 In addition to 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. Based on the number of units proposed, the following contributions would be sought:-

Stevenage Borough Council	Financial Contribution
Open outdoor space	£4,257.04
Children's play space	£4,087.12
Sustainable Transport Infrastructure contribution for the town centre.	£35,375
Traffic Regulation Orders.	£8,000
Replacement of pay and display machine signage and road markings.	£3,000
Car parking study.	£5,000
Total	£59,719.16
Hertfordshire County Council	
Youth Facilities	£239
Library Facilities	£6,346
Travel Plan Monitoring	£6,000
Total	£12,585.00
Overall total	£72,304.16

7.4.6 In addition to the above, the Council's CCTV section is seeking the provision of a new security camera on Marshgate. Following negotiations with the applicant they have agreed to pay the aforementioned financial contributions and obligations which would be secured via a S106 agreement. In this regard, the proposed development would accord with the NPPF and the Council's adopted and emerging policies in relation to affordable housing and financial contributions.

7.5 Impact on the Character and Appearance of the Area

7.5.1 The proposal seeks to demolish part of 85 Queensway and to rationalise the parking and service areas on Marshgate. This is to facilitate the erection of a five storey residential building with undercroft car parking and an extra floor on the former M&S store to create residential apartments. The proposal would modernise and improve the appearance of the existing buildings and is considered to have a positive impact on the character and appearance of the area for the following reasons.

7.5.2 In terms of layout, the majority of the scheme utilises the existing buildings and thus has the same basic layout. However, the proposed development does comprise of residential blocks of private rent apartments comprising 39 no. studios, 54 no. one bedroom and 1 no. two bedroom apartments. The new building, as set out in paragraph 3.2 would measure approximately 25.90m in length, span 30.48m in width with an overall height of 18.25m. The proposed development also comprises an additional floor to the former M&S building which would increase its height from 12.65m to 14.73m. This is in order to create additional space for apartments on the upper floors of the building. To compare the scale and height of the proposal, the development would not be too dissimilar to Park Place which is six storeys in height and there are taller buildings within the town centre. These include Vista Towers which is a 16 storey building, The Towers which is 13 storeys and the Holiday Inn which is 7 storeys. Therefore, the proposed development would not be out of character with the wider area due to the range of building heights.

7.5.3 The existing buildings including the Queensway frontage, are now dated and do not contribute positively to the street scene. However, it is considered that the existing canopies, whilst the application site does not fall with the Town Centre Conservation Area, are a key feature of the town centre as emphasised in the Town Centre Conservation Area Management Plan SPD (2012). This is because they provide general protection along the pedestrianised precincts which define the core of Stevenage Town Centre. Therefore, the proposed development as part of the modernisation works, seeks to retain the existing canopy structure and update with new perforated cladding to the underside with strip lighting behind. Through this approach, the canopies would appear modern and slim line and would complement the rest of the modernisation of the shop frontage.

- 7.5.4 Having regard to the modernisation works, the proposal would comprise of full height modern glazing within metal frames with a new double height glazed frontage on the corner of Queensway and The Forum. The proposed works would also comprise of new metal cladding and the cleaning and refurbishment of brick work and the concrete cladding. In addition, there would be new joinery to extrude from the building line around windows in order to create variation and detail to the existing built form. There would also be new building up lights to help to create a modern environment. The overall refurbishment works would help to provide rhythm and continuity to the shop frontage with an expressed corner to create a key focal point.
- 7.5.5 In regards to the modernisation and rationalising works to the rear, this would help to enhance the overall public realm and connectivity between The Forum and the surface car park at Marshgate which currently is a poor environment. The external refurbishment works and the installation of new windows, cladding and louvres all help to enhance the visual appearance of Queensway/Marshgate. In terms of the new residential block, the use of high quality modern materials, Juliette balconies and the overall design concept with a distinctive low pitch profile roof with plant creeper fencing to help screen the undercroft car park, would create a high quality residential development. Therefore, the proposed design of the development accords with the principles of the NPPF and policy GD1 of the emerging local plan which requires high quality design. Whilst the buildings would be taller than the majority of the town centre buildings, the design does reference the proportions and simple geometric form of existing buildings in the town centre and the high quality design would ensure that the buildings themselves would have an acceptable impact on the character and appearance of the area. For a contemporary approach to work effectively, it requires the use of high quality materials. Whilst the materials that have been indicated appear appropriate, it is recommended that a condition is attached to the grant of any planning permission requiring the submission of samples of building materials.
- 7.5.6 In addition to the buildings themselves, the proposal also provides for significant improvements to the public realm in the vicinity of the application site and a landscape strategy has been submitted as part of the application. The proposals intend to revitalise the public realm through new landscaping, street furniture and use of the area with enhanced site lines and rationalising the area to create a defined public/private landscape through the use of modern fencing. This will in essence create a clear distinction between the private service yard and the public footpath. These improvement works would be secured through a S278 agreement and a specific condition regarding hard and soft landscaping can be imposed.
- 7.5.7 Having regard to the aforementioned, whilst the scheme introduces taller buildings into this part of the town, it is considered that the scale and form of the buildings would enhance this part of the town centre. The articulation and materials proposed, together with the façade improvements to the retail units along Queensway along with public realm improvements, would result in an attractive development that would significantly enhance this part of the town centre.

7.6 Impact upon Neighbouring Amenity

- 7.6.1 With regards to the impact on neighbouring amenity, the proposal would not unduly affect the operation or amenity of any of the existing neighbouring buildings. The application site is adjacent to the Marshgate surface level car park to the east, beyond which are the Town Centre Gardens. To the north and north-east of the site are the service areas and rear aspects for properties fronting onto Queensway and The Forum. In view of this, it is considered that the only development likely to be affected by the proposal is Park Place. This development is sited approximately 35m from the application site which is well in

excess of any standards set out in the Council's Design Guide SPD. Given this, it is considered that the proposed development would not have a detrimental impact on the amenities of the nearest residential properties within Park Place.

- 7.6.2 Turning to the surface level car park at Marshgate, this is identified in the emerging Local (2016) as a Major Opportunity Area as detailed under paragraph 7.3.7 of this report. In this regard, the proposed development should not sterilise the Council's ability to redevelop the car park for a mixed use development. Taking this into consideration, the applicant has drawn up a massing model of what potential development could be achieved at Marshgate. This model shows that the scheme has been designed in a way to ensure that the development does not result in any potential loss of privacy, outlook as well as sunlight and daylight issues to future occupiers and businesses of a potential Marshgate development.

7.7 Future Residential Amenity

Outlook, privacy, sunlight and daylight

- 7.7.1 In regards to outlook and privacy, the applicant has demonstrated in the Design and Access Statement that privacy and outlook of future residents of the development would not be affected by any future development which would occur on Marshgate surface car park. This is because the applicant has drawn up massing models for a potential development on the Marshgate Car Park which identifies that a building could start at low level and then have a stepped increase in height towards St George's Way. In addition, this modelling has shown that the proposed development would not result in a significant loss of sunlight or daylight which could affect future occupiers of the development.
- 7.7.2 Turning to the residential units which are being created as part of the conversion works to 85 Queensway (former M&S store) and the creation of a new floor, a number of the residential units would look out onto the Marshgate surface car park. In terms of the units being constructed to the rear, these would look onto the roof terraces where there would be no direct overlooking into habitable rooms. In addition, there would be a separation distance of between 9m to 12m between bedroom/living room windows and blank external walls of neighbouring buildings. However, at the upper level this increases to approximately 15m separation with a number of units looking over the roof of Queensway and as such would have an unobstructed outlook.
- 7.7.3 With respect to the proposed new residential block, it is noted that a number of units located to the rear of this block would look onto the rear elevation of the existing Queensway building fabric. However, there would be a separation distance of approximately 12m at the lower levels and this increases by each floor as the rear building line of Queensway is staggered back at each floor from Marshgate. This would mean the Queensway building would not appear overbearing when viewed from the habitable rooms of the residential properties. In addition, it allows for adequate daylight and sunlight to reach those apartments located to the rear of the new block. Furthermore, the applicant is looking to undertake façade treatment works including the provision of louvres in order to screen any external plant and to improve outlook when viewed from the development.
- 7.7.4 In addition to the above, the application has undertaken sunlight and daylight modelling which demonstrates that the residential apartments would all have adequate levels of natural sunlight and daylight in line BRE guidance.
- 7.7.5 Given the aforementioned assessment, it is considered that the level outlook, privacy, sunlight and daylight would be acceptable for future residents of the development in line with the Council's Design Guide SPD (2009).

Private amenity space

- 7.7.6 The Council's Design Guide States that in flatted development, the Council will aim to achieve a minimum useable communal area of 50 sq.m for schemes up to 5, plus an additional 10 sq.m per additional units over 5. Taking this into consideration, there would be a requirement to provide as a minimum, 940 sq.m of communal amenity space to serve the proposed development.
- 7.7.7 The proposed development would comprise of 2 no. roof terraces which measure a combined floor space of 517 sq.m. This equates to 56% of the required communal amenity space. In terms of private amenity space, the residential apartments in the new residential block would only comprise of Juliette balconies and not external balcony area. However, it is noted in the Council's Design Guide that upper floor flats do not generally have private amenity space. In this regard, the level of amenity provided for residents is considered to be an appropriate solution in this town centre location. In addition, the site is located in close proximity to the Town Centre Gardens and King George V playing fields.
- 7.7.8 In order to meet the requirements of policies L15 and L16 of the District Plan, commuted payments towards existing sports/open sports facilities and children's play space will be included as a provision in the S106 agreement. The nearest substantive open spaces with children's play equipment are in the Town Centre Gardens and King George V Playing Fields. In addition, Fairlands Lakes provides a wide range of sporting facilities which could be utilised by future residents. Therefore, the financial contributions (see paragraph 7.4.5 of this report) sought by the Council's Parks and Amenities Section would help to provide improved children's play space and sports/open sports facilities in the town.
- 7.7.9 Given the aforementioned assessment, it is considered that the proposed development would have adequate provision of private amenity space to serve the future occupiers of the development and is highly accessible to public open space.

Gross internal floor area

- 7.7.10 Policy GD1 of the emerging Local Plan (2016) relates to High Quality Design and it sets out the minimum gross internal floor space standards for dwellings (including apartments) which are in line with the Government's nationally described space standards. Following an assessment of the proposed floor plans, the studios, one and two bedroom apartments would meet the minimum internal floor standards as set out in the emerging Local Plan. Given this, there would be adequate living space standards for any future occupiers of these properties.

Noise

- 7.7.11 Policy EN27 of the District Plan (2004) states that for noise sensitive uses, these will only be permitted if they are located where they will not be subjected to unacceptably high levels of noise generating uses. Policy FP8 of the emerging Local Plan (2016) stipulates that permission for pollution sensitive uses will be granted where they will not be subjected to unacceptably high levels of pollution exposure from either existing, or proposed, pollution generating uses.
- 7.7.12 Taking the above policy into consideration, due to the location of the development which lies in close proximity to Marshgate car park and the service road along St George's beyond along with the proximity of existing retail activity combined with the provision of a new gym, the applicant has submitted with the application a Noise Impact Assessment.
- 7.7.13 Following consultation with the Council's Environmental Health Section, it is considered that the Noise Impact Assessment adequately assess the levels of noise which are generated from the external environment i.e. vehicle traffic. However, they consider that the Noise

Impact Assessment does not adequately assess the potential noise levels which could be generated from the proposed gym use. Notwithstanding this, the Environmental Health Section consider this can be addressed at the detailed design stage of the development. In this regard, they recommend a condition be imposed requiring submission of details to ensure internal noise level shall not exceed those contained in British Standard BS8233.2014 (guidance on sound insulation and noise reduction for buildings) in so far as they relate to living rooms, dining rooms and bedrooms in the residential accommodation.

- 7.7.14 In addition to the above, details will need to be provided as part of the development for the proposed ventilation and thermal comfort arrangements for the residential scheme in general. This requirement would also be conditioned if members were minded to grant planning permission. With these conditions in place, it will ensure that the future amenities of occupiers of the development would not be detrimentally affected by noise.

External lighting

- 7.7.15 In regards to external lighting, the applicant has not submitted any details of lighting which would be installed on the development or around the application site. However, to ensure that any external lighting does not affect the amenities of nearby residential properties, prejudices highway safety, operation of the service road or prejudice the Council's ability to deliver future residential development in the area, it is recommended a condition be imposed to any permission granted in order to deal with external lighting. This condition will require the applicant to submit details of any external lighting scheme prior to the commencement of the development on-site

7.8 Impact on the Highway Network

- 7.8.1 The application site is currently serviced from Marshgate which is a local service road off St George's Way. The proposed development would seek to create a new vehicle access/egress point onto Marshgate. However, the development does not seek to extend or alter the existing access/egress points which are connected to St. George's Way. The new access itself has been designed to meet the Department for Transport (DfT) Manual for Streets with adequate vehicle-to-vehicle visibility and pedestrian inter-visibility lines.
- 7.8.2 Looking at traffic generation, the proposed development would seek to change the amount of retail of floorspace along with the provision of a new gym. In addition, the proposal would also involve the provision of 94 dwellings and due to this change in the overall mix of development, there will be a change in the amount of trips to and from the application site. Given this, the applicant's transport consultant has produced a transport assessment which incorporates details of proposed traffic generation for weekdays and weekends using TRICS (Trip Rate Information Computer System). Looking at the existing development, the trip projections for the site are 1,898 arrivals and 1,892 departures on a typical week end day. The reason for using weekend days is because these are the days where the largest amount of vehicle traffic is generated with respect to retail in the town centre. Turning to the proposed retail aspect of the development, due to the change in the amount of retail floorspace, the amount of trips generated would reduce to 957 vehicle arrivals and 954 vehicle departures. Consequently, there would be a decrease in vehicle traffic movements.
- 7.8.3 In regards to the proposed gym, the Transport Assessment identifies that there would be 89 vehicle arrivals and 94 vehicle departures on a typical week day. The peak hour of operation is expected to be between 19.00 and 20.00, with 10 arrivals and 17 departures, totalling 27 trips per hours. With respect to the residential development, the trip projections for the 94 dwellings have the potential to generate 34 vehicle arrivals and 34 vehicle departures on a typical week day, 68 vehicle movements in total. The reason for using the week day as the base point is because this is when the highest predicted level of traffic is generated by the gym and residential development. The Transport Assessment sets out

that the peak hour for vehicle movements for the residential development to be between 16.00 and 17.00 with 6 arrivals and 3 departures, totalling 9 trips within the hour.

- 7.8.4 Taking into consideration of the above, there would be a reduction in the amount of trips is expected arrival trips to reduce by 818 and expected departure trips to reduce by 816 vehicle trips. It should be noted that due to the location of the site falling within the town centre, there would be a lot of linked trips. Following consultation with Hertfordshire County Council as Highways Authority, it is considered that the level of traffic generated by the new development would not have a significant impact on the town centre or adjacent highway network such as the existing accesses on Marshgate. However, as part of the planning application, they have submitted an initial Travel Plan which sets out measures to encourage a modal shift from use of the private car to more sustainable forms of travel. Through consultation with the Highways Authority, it is considered that a condition be imposed requiring a Full Travel Plan be submitted with all the relevant surveys undertaken using TRICS. In order to monitor the Travel Plan, the Highways Authority have also recommended a financial contribution of £6,000 which has been agreed with the developer.
- 7.8.5 Further to the above, as the proposed development would have a relatively low trip generation compared to the existing baseline traffic generated by the existing development, there would not be a significant change of impact on the highway network. However, in regards to construction traffic, as this could potentially have an impact it is recommended a condition be imposed if planning permission were to be granted. This condition would require the submission of Construction Management Plan/Method Statement to ensure construction traffic, the siting of cabins, storage of construction equipment etc. does not prejudice the safety and operation of the highway network.
- 7.8.6 Turning to highway safety, the applicant has also undertaken a review of accident data which is set out in their Highway Safety Audit. Following a review of this data as well as the safety audit itself which includes swept path analysis for small and large vehicles which would use the service areas, in conjunction with HCC as the Highways Authority, it has been demonstrated by the applicant that the development would be unlikely to exacerbate existing accident concerns.
- 7.8.7 Separate to the above, it is noted that the proposed residential part of the development would seek to create a new vehicle access/egress point from Marshgate which is owned by Stevenage Borough Council. In addition, the proposed development would seek to reconfigure the existing pay and display/disabled parking area as well as rationalise the wider streetscape. This is in order to help facilitate the delivery of the proposed scheme as well as to ensure the service yard for the retail units can become more secure via the erection of a perimeter fence. Further to this, part of the proposed development seeks to create new footpath connections and a loading bay to the rear of the building where part of this land is currently under private ownership.
- 7.8.8 Following consultation with the Council's Engineering Department, they have advised that the Council could look to adopt the areas so that they become publically maintainable. In addition, the loading zone and staff parking bays would become private (requiring the transfer of some Council owned land to the developer). This would ensure that the loading zone and staff parking located to the rear of the retail area would be maintained by the landowner and not the Council. In addition, they recommend the provision of EV charging points (4 EV bays with 2 twin-port EV charge points) into the scheme in order to support low/zero emission vehicles. Turning to the disabled bays and pay and display bays, through negotiations with the Council's Engineering Section, these would be provided kerbside along Marshgate.
- 7.8.9 Taking into consideration of the above, in order to co-ordinate and to undertake all the necessary works as advised by the Council's Engineering Department, a Section 278 agreement under the Highways Act would be needed to cover the following:-

- Construction of a footway 1.8 metres wide in 6mm DBM;
- Provision of a LOADING ONLY lay-by;
- Construction of 4 EV bays with coloured painted surfacing;
- Installation of 2 twin-port 7KW Type 2 EV charge points;
- Installation of stainless steel Sheffield type bicycle stands;
- Provision of grass verge areas (planting levels to be agreed) protected from vehicle; overrun by full height kerbs;
- Provision of a pedestrian crossing point with a kerb build-out on the northern kerb-line and associated drainage provision;
- Removal of steel fencing from Marshgate footway;
- Installation of a new Metric Pay & Display machines;

7.8.10 Beyond the S278 works, the following financial contributions (see paragraph 7.4.5 for a breakdown of the financial contributions sought) have also been sought:-

- Allowance for drafting, consulting, advertising and making of 4 Traffic Regulation Orders (TRO);
- Replacement of Pay and Display machine signage and road markings; and
- Allowance for parking studies to monitor the effect on surrounding streets. This is dealt within in more detail under section 7.9 Parking Provision of this report.

7.8.11 In summary, subject to a S106 Agreement securing the relevant monetary contributions, and, the imposition of conditions, the proposed development as advised by HCC as the Highways Authority would not have a detrimental impact on the safety and operation of the highway network. The proposal is also supported by the Council's Engineering Section.

7.9 Parking provision

Residential development

7.9.1 The Parking Provision Supplementary Planning Document sets a base standard of 1 space per one bed unit (including studio's) and 1.5 spaces for a two bed unit, which would equate to 95 parking spaces. However, the application site is in Zone 1 (identified in the SPD), where car parking provision can be reduced to 25-50% of the base car parking standard which would equate to between 24 to 48 car parking spaces. In this instance, the proposed development would comprise of 25 residential car parking spaces which would meet the standard.

7.9.2 However, as the proposed development would be unallocated, the Parking Standard SPD recommends 5% of the total number spaces be designated for disabled parking. The proposed development would comprise of 2 disabled bays in accordance with the Council's Standards.

7.9.3 Notwithstanding the above, whilst it is noted that the proposal has provided the necessary parking for the residential development, there is the potential that on-street parking could be generated on nearby residential streets in the Bedwell Area. Consequently, a financial contribution of £5,000 has been secured toward a parking survey in order to assess the impact the development may have on the residential streets of the aforementioned area. If the study identifies problems with on-street parking in the Bedwell area, it will allow the Council to consider appropriate mitigation measures accordingly. In addition to this, a financial contribution of £35,000 has been secured towards sustainable transport infrastructure within the town centre.

Retail and leisure development

- 7.9.4 In regards to the proposed gym (Use Class D2), the parking standards sets out a requirement of 1 parking space per 15m² of gross floor area. In regards to Uses Classes A1 (shops) and A2 (financial and professional services) the standard is 1 space per 30m² of floor area. In terms of Use Classes A3 (Restaurants and Cafes) A4 (Public Houses and Bars), the standard ranges from 1 space per 3m² of bar area plus 3 spaces per 4 employees to 1 space 5m² dining area plus 3 spaces per 4 employees.
- 7.9.5 Taking into consideration of the above, there would be a requirement to provide 452 car parking spaces (109 spaces for the proposed gym and approximately 343 spaces for the proposed A1 to A4 uses (worst case scenario)). However, the application is located in non-residential accessibility zone 1, therefore car parking can be reduced to 0% to 25% of the base car parking standard which would equate to between 0 and 113 spaces.
- 7.9.6 Given the above, whilst the proposed development does not seek to create any additional parking to cater for this commercial element, it would still accord with the above standards. In addition, the existing A1 premises do not have any off-street parking there are a number of surface car parks in close proximity to the application site. The site is also located within a sustainable location so it is easily accessible by foot and by public transport. In addition, as mentioned under paragraph 7.9.3 of this report, a financial contribution has been secured toward a parking survey in order to assess the impact parking may have on nearby residential streets in the Bedwell Area. Further to this and as emphasised above, there would also be a £35,000 financial contribution towards sustainable transport infrastructure.

Cycle parking

- 7.9.7 With regards to cycle parking, the minimum standard for residential development is 1 long term space per unit. Given this, the cycle store would need to provide as a minimum 94 cycle parking spaces for the residential part of the development. As the development would comprise of 110 bike racks, this would exceed the Council's Parking Standards and as such, the proposal would encourage a sustainable mode of transport other than the car.
- 7.9.8 In respect to the proposed gym and mixed use A1 to A4 units, it would be difficult to apply the relevant cycle parking standard as whilst a floor space figure has been provided for the gym, it is not known what use the units identified for mixed uses would fall into and the number of staff that would be employed. Consequently, as this is a mixed use development of retail and leisure, where cycle parking would be calculated as a whole, an assessment has to be made whether suitable provision has been made where possible.
- 7.9.9 The proposed development would seek to provide 18 cycle hoops on the footpath connection between the Forum and Marshgate. In addition, 1 cycle space for staff for the gym and cycle racks positioned in the service areas to the rear of the retail units would also be provided. Furthermore, between 1 and 2 cycle parking spaces would also be provided within the retail units themselves. Moreover, none of the existing retail units currently provide any secure or temporary cycling parking. Consequently, it can be considered that on-balance, the level of cycle parking would be appropriate for this development.

Existing pay and display and disabled parking bays

- 7.9.10 In order to facilitate the construction of the new development, it would result in the loss 7 pay and display parking bays of which 3 are disabled. In this regard, Policy TR9 of the District Plan states that proposals within the town centre will be required to provide parking in accordance with Policy T15. Additionally, within the town centre where any existing parking is necessary to meet the needs of the town these will be either required to be replaced within the development proposal or a planning obligation will be sought to ensure that it is provided elsewhere. Emerging Local Plan Policy IT8 stipulates that where a

development results in the loss of existing public car or cycle parking, permission will be granted where existing spaces are replaced within or adjacent to the new development.

7.9.11 Taking the aforementioned into consideration, the applicant has agreed in conjunction with the Council's Engineering Section to replace the pay and display parking bays and disabled bays onto Marshgate. The replacement parking would comprise of 4 disabled bays and 4 pay and display bays. In addition, the applicant will be looking to install 4 electric vehicle (E.V.) parking bays as well as additional staff parking to serve the retail units. The replacement car parking bays and new EV bays would be secured through a S278 Agreement. In addition, the new pay and display signage and markings would also be covered by a financial contribution. The aforementioned contributions are set out under paragraph 7.4.5 of this report. In addition to this, the applicant will also need to secure some of the works under a Section 278 (S278) Agreement under the Highways Act. The applicant has agreed to enter into such agreement.

7.10 Development and Flood Risk

7.10.1 The application site is situated within Flood Zone 1 which has a low probability of flooding. However, as the application is classed as a Major residential application, there is a statutory requirement to consult Hertfordshire County Council as the Lead Local Flood Authority (LLFA). The LLFA has confirmed that the applicant has provided sufficient detail to demonstrate that there is a feasible drainage scheme for the site. Accordingly, the LLFA raise no objection on flood risk grounds subject to conditions which are included in section 9.1 of this report.

7.11 Trees and Soft Landscaping

7.11.1 In regards to trees, there are some trees located on the footpath between The Forum and the surface car park on Marshgate. These trees are to be retained as part of the development proposed. In terms of landscaping, the applicant has only provided indicative landscaping plans which comprise of low level planting. Therefore, a condition would have to be imposed if permission were to be granted requiring details of the landscaping scheme. This scheme would be assessed by the Council's Parks and Amenities Section as this part of the development site would be transferred to Stevenage Borough Council and so it will be responsible for future maintenance. In addition, this will ensure that an acceptable landscaping scheme is implemented which aims to soften the appearance of the development and at the same time enhances to the visual amenities of the area.

7.12 Impact on the Environment

7.12.1 The site generally comprises of retail stores and 2 no. electricity substations with the construction of surface car parks. The applicant has therefore undertaken a Preliminary Environmental Risk Assessment to determine what levels of contamination there may be on-site. The Assessment identifies low to moderate risk from the substations along with potential pollutants from hydrocarbons, heavy metals and acids. In addition, there is also the potential for ground waters to be contaminated.

7.12.2 Taking into consideration of the above, as the assessment is only preliminary, the Council's Environmental Health Section recommends the imposition of a capture all condition regarding contamination. In this regard, the applicant will be required to submit a phase 1 contamination report which will look into contamination in more detail and if necessary, set out any remediation measures. In addition, there would be conditions set out under section 9.1 that if any suspected contamination is found during construction works, there will be a requirement to undertake a full assessment of the contamination and also send through remediation measures which have to be agreed in writing by the Council.

7.12.3 Turning to asbestos, whilst this could potentially be an issue within the existing buildings, this is generally a matter which has to be referred to the Health and Safety Executive. Therefore, whilst the Environmental Health Officer has recommended a condition on asbestos, this is a matter which cannot be controlled by planning as it is dealt with under separate environmental legislation.

7.13 Other Matters

Refuse and Recycling

7.13.1 The Stevenage Design Guide (2009) states, provision should be made within new development for the storage and collection of waste from a site. The current requirements for waste and recycling per household are as follows:-

- Residual Waste – 240 litres;
- Cans and Plastics – 55 litres;
- Paper and cardboard – 55 litres;
- Glass – 20 litres;

7.13.2 On drawing number P4.1a the applicant has detailed the location of the proposed refuse store for the residential part of the development in line with the above. In addition, the applicant has also set out details for the refuse stores associated with the commercial elements of the proposal. The bin stores have been positioned in a way which are easily accessible to the refuse collection teams and can be screened so as to not have a detrimental impact on the visual amenities of the area.

Sustainable construction and climate change

7.13.3 Policy EN36 of the District Plan states that development proposals will be encouraged to reduce water consumption and run-off by using suitable water conservation and storage measures such as the use of rainwater, water efficient devices and by recycling water. Policy EN38 of the same document states that development proposals will be expected to demonstrate that methods of maximising energy efficiency and supplying of energy in the development need to be considered. Policy FP1 of the Emerging Local Plan (2016) stipulates that planning permission will be granted for development that can incorporate measures to address adaptation to climate change. New developments will be encouraged to include measures such as:

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

7.13.4 The applicant has provided as part of their Design and Access Statement details on sustainable construction and adaptation to climate change. The details provided demonstrate that the development will utilise highly efficient building fabric, low energy lighting, enhanced insulation and air tightness, water efficient appliances and systems, the roof terraces will have low water demand specifications and rely on rainwater and rain water harvesting, a sustainable drainage system which will achieve 1 in 100 year event including 40% allowance for climate change. In addition, they will look to reutilise a large part of the existing building fabric and will look to adopt a Site Waste Management Plan in order to encourage the recycling of materials and the careful handling of waste.

8. CONCLUSIONS

- 8.1 In summary, the principle of residential development has been established as being acceptable in this town centre site which does not conflict with the Council's vision and strategy for the town centre. Whilst the application site is not allocated for residential development within the adopted District Plan, a proposed mixed use development of retail and residential is considered to be acceptable. Although a high-density scheme, the location close to the town centre, bus and rail stations and cycle and pedestrian facilities represents a sustainable location, which is able to accommodate a high-density proposal. In view of this, the proposal is considered to accord with the Council's adopted District Plan policies which relate to developments in the town centre. Further, the town centre is allocated for residential development in the emerging Local Plan.
- 8.2 The design and layout of the development would not significantly harm the amenities of the occupiers of neighbouring residential properties and the residents of the proposed apartments would enjoy an acceptable level of amenity. In design terms it would represent a high quality development resulting in an attractive gateway to the town centre, which would assist in the wider aspirations of redeveloping the town centre and provide an enhancement of the public realm at and adjacent to the application site. In addition, through the modernisation of the Queensway shopping parade this would help to enhance the overall visual landscape of this part of the town centre.
- 8.3 The proposal would have adequate off-street parking in line with the Council's adopted standards as well as an appropriate level of cycle parking provision in a convenient location. Finally, issues relating to construction management, materials, public realm improvements, affordable housing and developer contributions can be satisfactorily addressed through the use of conditions or a s106 legal agreement.
- 8.4 Given the above, the proposed development accords with the Policies contained within the adopted Local Plan (2004), the Council's Emerging Local Plan (2016), the Council's Supplementary Planning Documents, the NPPF (2018) and NPPG (2014).

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:-
- Libraries and Youth Facilities;
 - The improvement of outdoor sports facilities and children's play space;
 - Contributions towards a car parking study, TROs and replacement of Pay and Display Machine Signage and Road Markings;
 - The cost of evaluating, assessing the residential Travel Plan;
 - A financial contribution towards sustainable transport infrastructure in Stevenage Town Centre; and
 - To secure the on-site provision of affordable housing.

The detail of which be delegated to the Assistant Director of Planning and Regulation in liaison with the Council's appointed Solicitor and subject to the following conditions:-

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

P1.1; P1.2; P4.1b; P4.2; P4.2.1, P4.3a; P4.4a; P4.4.1 P4.5; P5.1; P5.2; P5.3; P5.4; P5.5, P5.6; P5.7a.

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, other than works of demolition, shall commence until a schedule and sample of the materials to be used in the construction of the external surfaces of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.
REASON:- To ensure the finished appearance of the development enhances the visual amenities of Queensway and Marshgate.
- 4 Notwithstanding details specified in the application submission, no public realm landscaping works 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 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 Prior to the first occupation of the ground floor mixed Use Class A1 (Shop) to A3 (Restaurants and Cafes) and Use Class A1 (Shop) to A4 (Bars and Public Houses) units as detailed on drawing number P4.1b, a scheme for the installation of equipment to control the emission of fumes and smell from these premises shall be submitted to and approved in writing by the Local Planning Authority and the approved scheme shall be implemented prior to the first occupation of these units. All equipment installed as part of the scheme shall thereafter be operated and maintained in accordance with the manufacturer's instructions.
REASON:- To protect the amenities of the occupiers of adjoining properties and the development.
- 7 No demolition or construction work relating to this permission shall be carried out on any Sunday, Public or Bank Holiday nor at any other time, except between the hours of 0730 and 1800 on Mondays to Fridays and between the hours of 0830 and 1300 on Saturdays, unless otherwise agreed in writing by the Local Planning Authority. These times apply to work which is audible at the site boundary.
REASON: - To safeguard the amenities of the occupiers of neighbouring properties.
- 8 No development, including site clearance or demolition works, shall commence until a Construction Management Plan/Method Statement shall be submitted to and approved in

writing by the local planning authority in consultation with the highways authority. Thereafter, the construction of the development shall only be carried out in accordance with the approved Statement.

The Construction Management/Method Statement shall address the following matters:-

- (i) Details of a construction phasing program (including any pre-construction, demolition or enabling works);
- (ii) Hours of construction operations including times of deliveries and removal of waste;
- (iii) Site set up and general arrangements for storing plant including cranes, materials, machinery and equipment, temporary offices and other facilities, construction vehicle parking and loading/unloading and vehicle turning area;
- (iv) Access and protection arrangements around the site for pedestrians, cyclists and other road users;
- (v) Details of provisions for temporary public car parking during construction;
- (vi) The location of construction traffic routes to and from the site, details of their signing, monitoring and enforcement measures;
- (vii) Screening and hoarding details;
- (viii) End of day tidying up procedures;
- (ix) Construction and storage compounds (including areas designated for car parking);
- (x) Siting and details of wheel washing facilities;
- (xi) Cleaning of site entrances, site tracks and the adjacent public highway;
- (xii) Disposal of surplus materials and;
- (xiii) Post construction restoration/reinstatement of the working areas, reinstate construction access.

REASON:- To minimise the impact of construction vehicles and to maintain the amenities of the local area.

- 9 Within 6 months of implementing the permission hereby approved, the applicant shall submit a final Travel Plan with the object of reducing residents travelling to the development by private car which shall be implemented after its approval in writing by the Local Planning Authority in consultation with the Highways Authority.

REASON:- To encourage the use of sustainable transport modes, as well as promoting the available alternatives to the car.

- 10 No residential dwellings in the development hereby permitted shall be occupied until the relevant access and car parking areas have been fully constructed, surfaced and permanently marked out. The car parking areas so provided shall be maintained and retained permanently and shall be used for no other purpose at any time.

REASON:- To ensure that adequate access and parking is provided at all times so that the development does not prejudice the free flow of traffic or the conditions of general safety along the adjacent highway. Due to retail and office tenants remaining in occupation throughout the redevelopment and a requirement for section completion of vacant retail units prior to completion of the residential, rear car parking and public realm elements of the development.

- 11 The development permitted by this planning permission shall be carried out in accordance with the letter Ref: 18021/QueenswayStevenage/PG, carried out by GDP Limited dated 26/06/2018, and the following mitigation measures detailed within the drainage strategy:

- 1. Providing a minimum attenuation of 313m³ 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 by using sub-base lined permeable pavement, attenuation tank and green roofs as indicated on

drawing no. 18021-200 – Surface Water Drainage Strategy – General Arrangement dated 29/06/2018, and discharged into Thames Water surface water sewer system.

3. Limiting surface water discharge off the southern and eastern site at a maximum allowable discharge rate of 4.9 l/s for any rainfall event up to the 1 in 100 year plus 40% for climate change event.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing/phasing arrangements embodied with 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 and storage of surface water from the site. In addition, to reduce the risk of flooding to the proposed development and the surrounding area.

- 12 No development shall take place until the final design of the drainage scheme is completed and agreed by Thames Water and sent to the Local Planning Authority for written approval. The scheme shall also include:-

- Confirmation on the final discharge rate for the whole site with contribution of each sub-catchment (western, eastern and southern) with figures supported by drainage calculations presented in a manner that the link can be made with specific locations on drawings.
- Formal permission to continue using the existing connection to the public surface water sewer from the water company that must include figures;
- Engineering details of all SuDS features should be provided in line with the SuDS Manual (CIRIA C-753).

REASON:- To prevent the increase risk of flooding, both on and off site.

- 13 Upon completion of the development a final management and maintenance plan must be supported by a full set of as-built drawings, a post construction location plan of the SuDS components cross-referenced with a maintenance diagram to secure the operation of the scheme throughout its lifetime.

REASON:- To prevent the increase risk of flooding, both on and off site.

- 14 No development, including site clearance or demolition works, shall commence until a scheme has been submitted to and agreed in writing by the Local Planning Authority for ensuring that internal noise levels do not exceed those specified in BS8233:2014 in so far as to the living rooms, dining rooms and bedrooms in the residential development. In addition, details shall also be provided with respect to ventilation and thermal comfort arrangements which would be utilised within the residential development. The development shall thereafter be implemented in accordance with the approved scheme unless otherwise agreed in writing by the Local Planning Authority.

REASON:- To ensure that residents of the development do not suffer undue noise disturbance from traffic on the adjoining highway and the operation of nearby businesses including the gymnasium.

- 15 No development, including site clearance or demolition works, shall commence until a scheme of dust control measures has been submitted to and approved in writing by the Local Planning Authority in consultation with the Environmental Health Department and shall be adhered to throughout the construction period. Dust and airborne particulates from operations on site shall be minimised by spraying with water or by carrying out of other such works that may be necessary to suppress dust.

REASON:- To minimise the impact on the amenity and operation of neighbouring properties and to protect the wider environment.

- 16 No external lighting shall be installed on site unless details of such lighting, including the intensity of illumination and predicted light contours, have first been submitted to, and approved in writing the Local Planning Authority prior to first occupation of the development. Any external lighting shall accord with the details so approved.

REASON:- In order to protect the amenities and operations of neighbouring properties and to ensure any external lighting does not prejudice highway safety.

- 17 No development, including site clearance or demolition works, shall commence until a methodology for the screening or enclosure of plant and machinery to be used during the construction period shall be submitted to and approved by the Local Planning authority before works are commenced. The siting of plant and machinery shall be away from noise sensitive areas wherever possible. Vehicles and machines in intermittent use shall be shut down in the intervening periods between works.

REASON:- In order to protect the amenities and operations of neighbouring properties.

- 18 No development shall take place until a detailed Site Waste Management Plan (SWMP) to detail how waste materials generated as a result of the proposed demolition and/or construction methods shall be disposed of, and detail the level and type of soil to be imported to the site as part of the development has been submitted to and approved in writing by the Local Planning Authority.

REASON:- In order to reduce the level of waste generated during the demolition and construction phases of the development and to recycle all waste where possible.

- 19 No development shall take place until a site investigation of the nature and extent of contamination has been carried out in accordance with a methodology which has previously been submitted to and approved in writing by the local planning authority. The results of the site investigation shall be made available to the local planning authority before any development begins. If any significant contamination is found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the local planning authority. The site shall be remediated in accordance with the approved measures before the properties are occupied.

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

REASON:- To prevent harm to human health and pollution of the water environment in accordance with Government policy set out in the National Planning Policy Framework.

- 20 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 21, which is subject to the approval of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 22.

REASON:- To prevent harm to human health and pollution of the water environment in accordance with Government policy set out in the National Planning Policy Framework.

- 21 A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historic environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

REASON:- To prevent harm to human health and pollution of the water environment in accordance with Government policy set out in the National Planning Policy Framework.

- 22 The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval in writing of the Local Planning Authority.
REASON:- To prevent harm to human health and pollution of the water environment in accordance with Government policy set out in the National Planning Policy Framework.
- 23 Prior to the first occupation/use of the dwellings and development hereby permitted the approved secure cycle parking areas and public cycle parking shall be constructed in accordance with the details submitted with this planning application and shall be permanently retained in that form.
REASON:- To ensure that there is sufficient cycle parking provision in accordance with the Council's adopted standards is maintained for all dwellings and the development as a whole on site in perpetuity.
- 24 Prior to the first occupation/use of the dwellings and development hereby permitted the approved refuse/recycle stores shall be constructed in accordance with the details submitted with this planning application and shall be permanently retained in that form.
REASON:- To ensure that there is sufficient cycle parking provision in accordance with the Council's adopted standards is maintained for all dwellings and the development as a whole on site in perpetuity.
- 25 No development, including site clearance or demolition works, shall commence until a detailed Demolition and Construction Method Statement shall be submitted to and approved in writing by the Local Planning Authority. The Method Statement shall detail and advise of the measures in accordance with the best practicable means to be used to minimise construction noise and vibration likely to affect adjacent residential premises. The approved Statement shall be adhered to throughout the construction period.
REASON:- In order to protect the amenities and operations of neighbouring properties.

Pro-active Statement

Planning permission has been granted for this proposal. The Council acted pro-actively through early engagement with the applicant at the pre-application stage 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.

INFORMATIVE

Hertfordshire County Council as Highways Authority

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

Environmental Health Department

Measures must be taken to minimise noise nuisance to the residential flats which will be above the commercial units. This particularly applies to the gym, and to any plant installation whereby noise and vibration must be attenuated. If any food businesses are planned for the commercial units, suitable and sufficient ventilation must be part of the design, to prevent odour.

Thames Water

A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Thames Water expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality."

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

Hertfordshire Constabulary Crime Prevention Design Advisor.

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

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.
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 July 2018 and Planning Policy Guidance March 2014.