

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

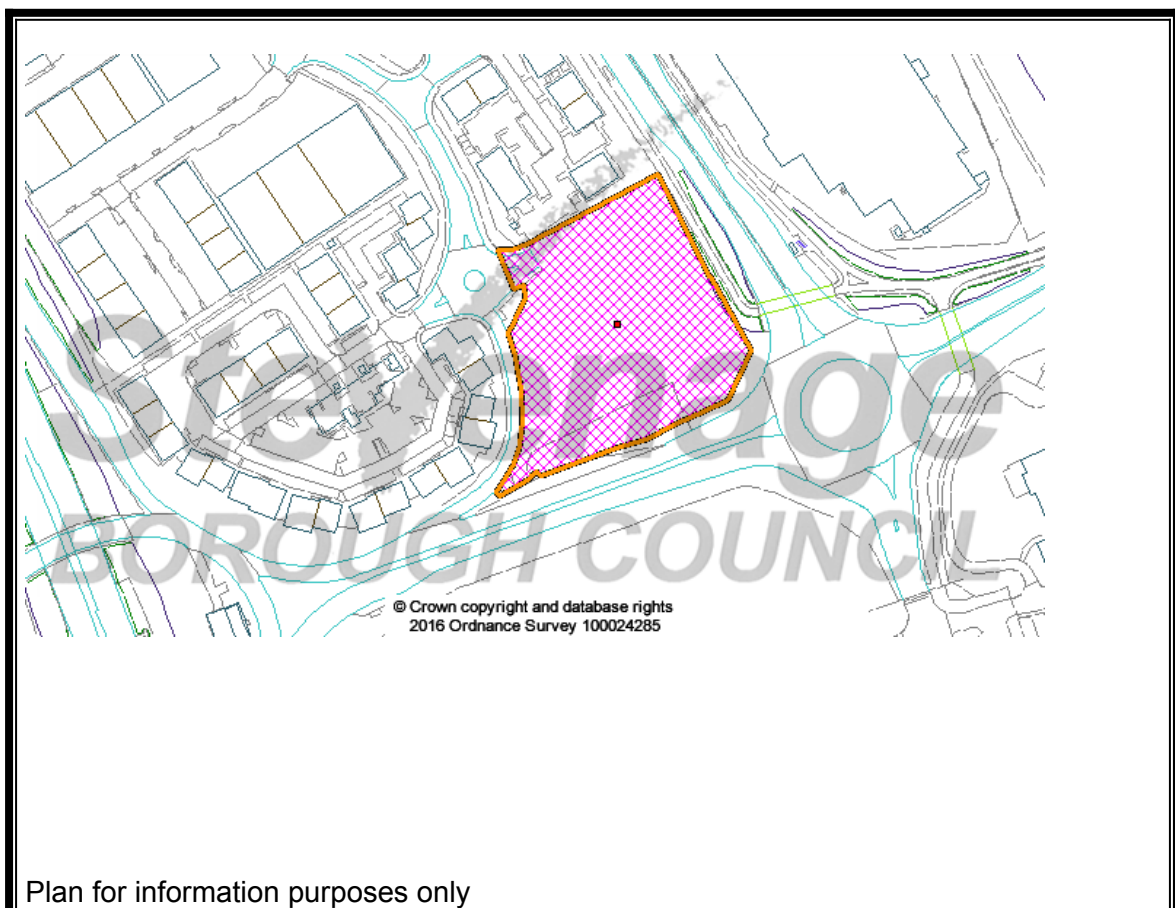
Date: 11 September 2018

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Application Nos:	17/00826/FPM
Location:	Plot 2000, Arlington Business Park, Gunnels Wood Road, Stevenage
Proposal:	Erection of four storey office building (Use Class B1a), petrol filling station with ancillary convenience store and coffee drive-thru outlet with associated access, parking and circulation arrangements, landscaping and associated works.
Drawing Nos.	16.139 001; 16.139 002 O; 16.139 007 B; 16.139 009; 16.139 012; 16.139 013; 16.139 014; 16.139 015; 16.139 016; 3358 01 D; 3358 02 D; 0066804-CUR-00-XX-DR-D-72001-P01.
Applicant:	Monte Blackburn Ltd
Date Valid:	11 July 2018
Recommendation:	GRANT PLANNING PERMISSION



1. SITE DESCRIPTION

- 1.1 The application site is located within the Gunnels Wood Road Employment Area. The site is bordered by Gunnels Wood Road (A1072) which is located to the east, Broadhall Way (A602) to the south and Whittle Way to the west with Arlington Court to the north. The site, which was previously occupied by BAE manufacturing before the buildings were demolished and cleared, is a 0.95 hectare plot of open land comprising of self-seeded trees and overgrown vegetation. The site itself is positioned in the south eastern corner of Arlington Business Park.
- 1.2 To the north of the site lies Arlington Court which comprises of two-storey brick built offices with a mono-pitched metal roof. To the west of the site is Arlington Business Park (also known as Gateway 1000) which comprises part single-storey, part two-storey and part three-storey offices, trade units and commercial premises. The buildings are generally constructed from metal cladding with full height curtain wall glazing along metal mono-pitched roofs.
- 1.3 To the south of the site beyond Broadhall Way is the Glaxo SmithKline (GSK) campus and to the east beyond Gunnels Wood Road is Leyden Road. This road comprises a number of commercial and industrial premises which are generally single-storey in height. To the west beyond Arlington Business Park lies Junction 7 of the A1(M) motorway which connects to Broadhall Way.

2. RELEVANT PLANNING HISTORY

- 2.1 Under outline planning application 02/00098/OP permission was sought for the erection of a business park comprising of Use Class B1, B2 and B8 uses with food store (Use Class A1), day nursery (Use Class D1) and car showroom. This application was granted planning permission in October 2002.
- 2.2 Planning application 04/00243/FP sought a variation of condition 7 of outline planning permission reference 02/00098/OP to omit the proposed new egress onto Gunnels Wood Road. This application was granted permission in July 2004.
- 2.3 Reserved matters application 04/00247/RM related to Phase 2 construction of access with associated landscaping, pursuant to outline permission 02/00098/OP. This application was granted In July 2004.
- 2.4 Reserved matters application 05/00428/RM was for the construction of 2991 square metres of Class B1(a) (Office) floorspace to be accommodate in 5 two storey buildings with ancillary car parking and landscaping pursuant to outline permission 02/00098/OP. This application was granted in October 2005.
- 2.5 Planning application 11/00701/FPM sought permission for the erection of a 3,770 sqm office, a 2,622 sq.m hotel and a 511 sq.m restaurant with associated car parking and vehicle and pedestrian accesses. This application was granted planning permission in September 2012.
- 2.6 Planning application 17/00183/FPM sought permission for the erection of 1 no. 83 bed hotel, petrol filling station with ancillary convenience store and coffee drive-thru outlet with associated access, parking and circulation arrangements, landscaping and associated works. This application was withdrawn in August 2017.

3. THE CURRENT APPLICATION

- 3.1 This application seeks planning permission for a four storey, 3,900 sq.m office building (Use Class B1a). The building itself would span approximately 54m in width, 19m in depth with an overall height of approximately 15m. The internal floorspace of the office would be open plan with the external elevations of the building constructed from a mixture of contrasting materials which includes brick, vertical bronze cladding and polished concrete columns. The windows which would be installed within the fenestration would be polyester powder coated aluminium double glazed windows. The building has been designed as dual aspect with frontages onto both Broadhall Way and Gunnels Wood Road.
- 3.2 The proposal also seeks permission for the erection of a petrol filling station (Use Class Sui Generis). The filling station would measure approximately 35m in width, 15m in depth with a height of between 4m to 5m due to the mono-pitched roof. The building itself would be constructed from grey composite cladding with a lower brick course with the roof finished in grey composite panelling. On the front elevation of the building would be double glazed curtain walling forming the main entrance along with ATMs. The petrol filling station would itself comprise a convenience store and food to go.
- 3.3 Further to the above, the proposal also consists the erection of a coffee drive-thru. The drive-thru building would measure approximately 17m in width, 10m in depth with a height of between 6.38m to 8.70m due to the sloping mono-pitched roof. To the side of the building would an attached timber enclosure refuse store. The building itself would be constructed from Kingspan metal panelling with interspersed areas of vertical timber panelling. The main frontage of the building would comprise of polyester powder coated aluminium framed shop front with a clay brick facing feature which would be utilised to advertise the premises. The roof of the drive-thru would be finished in a grey single-ply membrane.
- 3.4 In addition to the above, proposal also comprises areas of new landscaping, parking, circulation areas and ancillary works. This application comes before the Planning and Development Committee is because it is a major.

4. PUBLIC REPRESENTATIONS

- 4.1 Following notification of the application via letter, the erection of a site notice and the issuing of a press notice, one comment was received from 13 Church Lane. In their comments, they state that the development would be positive for the area and will provide future job prospects. However, the only issue of concern is traffic and how vehicles will exit the site. This is because there are two possible entry points, one from Broadhall Way and one from Gunnels Wood Road. There is already a large amount of traffic during peak periods, especially between 16:00 to 18:00 where it can be heavily congested.
- 4.2 Further to the above, they ask whether it would be possible to put either a roundabout or junction with traffic lights on Whittle Way/Gunnels Wood road allowing cars to go across Gunnels Wood Road instead of going north and then back south around the underpass roundabout.

5. CONSULTATIONS

5.1 Hertfordshire County Council as Highways Authority

- 5.1.1 It is considered that the proposed access and egress points have been designed to industrial standards and are of sufficient width to accommodate the traffic generated by the proposal. The application submission establishes that vehicles, including petrol

tankers, waste collection and emergency vehicles can safely manoeuvre in and around the site. In addition, the accesses have acceptable visibility splays in accordance with Manual for Streets.

- 5.1.2 Turning to traffic generation, the traffic modelling undertaken identifies that there would be a nominal increase in trips to the development, but not at a level which is significant to impact on the surrounding highway network. The existing bus service is considered to be viable to meet the needs of the business but recommend a financial contribution of £48,000 to improve transport infrastructure such as the need for the introduction of Automatic Vehicle Location (ALV) departure screens.
- 5.1.3 The proposal also comprises new pedestrian footway connections to enable pedestrian access from Arlington Business Park itself. The proposal also seeks to create a new pedestrian access onto the shared use pathway adjacent to the western carriageway of Gunnels Wood Road. There also appears to be an acceptable level of cycle parking being provided in the development site as well.
- 5.1.4 The County Council as Highways Authority therefore considers, subject to a condition on construction traffic and to secure parking across the site before the development is occupies and a financial contribution towards sustainable transport infrastructure, the proposed development would not prejudice the safety and operation of the highway network.

5.2 Council's Arboricultural Officer

- 5.2.1 There are no concerns with the proposed development from an arboricultural point of view.

5.3 Lead Local Flood Authority

- 5.3.1 The drainage strategy which has been submitted to the Council is considered to be acceptable. It is considered that the proposed development site can be adequately drained and mitigate any potential surface water flood risk. The applicant has also demonstrated that an appropriate sustainable drainage scheme can be implemented in accordance with best practice.
- 5.3.2 If the Council is minded to grant planning permission, it is recommended a condition be imposed requiring that the drainage scheme provided should be implemented in accordance with the approved details.

5.4 Herts and Middlesex Wildlife Trust

- 5.4.1 No comments to make on the application.

5.5 Council's Environmental Health Officer

- 5.5.1 The Environmental Health Section agrees with the Environment Agency recommended conditions 2 and 3. In addition, the recommendation in the developer's preliminary site assessment is acceptable. In regards to conditions, if planning permission were to be granted the standard condition of hours of work should be imposed.

5.6 Thames Water

- 5.6.1 Thames Water has been unable to determine the waste water infrastructure of the development, however, if the Council is minded to grant permission, a condition should be imposed with respect to a drainage strategy detailing how any on and/or off site drainage works would be delivered. Separately, a Trade Effluent Consent will be

required for any Effluent discharge other than 'Domestic Discharge'. Any discharge without Thames Water consent is illegal. In addition, Thames Water recommends that petrol/oil interceptors should be fitted in all car parking areas. This is because failure to enforce the effective use of petrol/oil interceptors could result in oil-polluted discharges entering local water courses.

5.6.2 In addition to the above, Thames Water recommends the installation of a properly maintained fat trap on all catering establishments. They also recommend, in line with best practice for the disposal of Fats, Oils and Grease, the collection of waste oil by a contractor, particularly to recycle for the production of bio diesel. If this is not enforced the sewer system could become blocked, create sewage flooding and pollution to local watercourses.

5.6.3 It is also noted that there are public sewers crossing or close to the development. Consequently, in order to protect public sewers and to ensure Thames Water can gain access to these sewers for repairs and maintenance, approval will need to be sought from Thames Water where the erection of a building would come within 3 metres of a public sewer. In addition, the developer needs to demonstrate what measures they will take to minimise groundwater discharges into the public sewer. This can occur from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal. Therefore, an informative should be attached to any permission issued requiring the applicant to seek a Groundwater Risk Management Permit from Thames Water.

5.7 Hertfordshire County Council Development Unit

5.7.1 Following a review of the application, it is recommended an obligation be secured for the provision of fire hydrants. However, no other financial contributions would be sought.

5.8 Hertfordshire County Council Minerals and Waste

5.8.1 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.

5.9 Police Crime Prevention Design Advisor

5.9.1 Only issue with the proposal is the potential for person(s) to drive off without payment at the service station. But, this can be mitigated by making pumps Pay at Pump along with the use of an automatic number plate recording camera at the site entrance. Other than, no objection is raised to the proposed development.

5.10 Highways England

5.10.1 No objection.

5.11 Environment Agency

5.11.1 The documentation submitted by the applicant provides confidence that it will be possible to suitably manage the risks posed to groundwater resources by the development. However, if planning permission were to be granted a number of conditions should be imposed with respect to contamination, remediation, infiltration of surface water, borehole management, underground storage tanks and piling.

5.12 North Hertfordshire District Council

5.12.1 No comment.

5.13 UK Power Network

5.13.1 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 District Plan

TW1: Sustainable Development;
TW8: Environmental Safeguards;
TW9: Quality in Design;
TW10: Crime Prevention;
TW11: Planning Requirements;
E2: Employment Areas;
E3: Employment Sites;
E4: Acceptable Uses in Employment Areas;
E5: Retail and Leisure Proposals in Employment Areas;
T6: Design Standards;
T12: Bus Provision;
T13: Cycleways;
T14: Pedestrians;
T15: Car parking strategy;
EN13: Trees in New Developments;
EN18: Natural Habitats in Adjoining Local Authorities;
EN27: Noise Pollution;
EN29: Light Pollution;
EN31: Hazardous installations;
EN36: Water Conservation;
EN38: Energy Conservation and Supply.

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 SP8: Good Design;
Policy SP11: Climate Change, Flooding and Pollution;
Policy EC2a: Gunnels Wood Employment Area;
Policy EC4: Remainder of Gunnels Wood;
Policy EC5: Active frontages and gateways;
Policy TC13: Retail Impact Assessments;
Policy IT4: Transport Assessments and Travel Plans;
Policy IT5: Parking and Access;
Policy IT6: Sustainable transport;
Policy IT7: New and improved links for pedestrians and cyclists;
Policy GD1: High Quality Design;
Policy FP1: Climate Change;
Policy FP2: Flood risk in Flood Zone 1;
Policy FP5: Contaminated land;
Policy FP6: Hazardous installations;

Policy FP7: Pollution;
Policy NH2: Wildlife Sites;
Policy NH5: Trees and woodland.

6.5 Supplementary Planning Documents

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

APPRAISAL

7.1 The main issues for consideration in the determination of the application are its acceptability in land use policy terms, Impact on visual amenity, Impact on amenities, parking provision, means of access and highway safety, trees and landscaping, impact on the environment, ecological impacts and development and flood risk.

7.2 Land Use Policy Considerations

Employment

7.2.1 The application site is located within the Gunnels Wood employment area as defined by Policy E2 of the Stevenage District Plan Second Review 1991 – 2011 (adopted 2004). Policy E4 sets out acceptable uses in employment areas and specifically states “in the employment areas already designated a range of employment uses within the B1, B2 and B8 use classes will be encouraged. A mix of uses within a development site will also be encouraged.” Policy EC2a of the Stevenage Borough Local Plan 2011 – 2031, Publication Draft January 2016 also defines the site as falling within the Gunnels Wood employment area. Emerging Policy EC4: Remainder of Gunnels Wood stipulates that for sites outside of the Edge-of-Centre and Industrial Zones and allocated sites for employment, planning permission will be granted where:-

- a. Development (including changes of use) is for use classes B1(b) research and development, B1(c) light industry, B2 General Industry and / or B8 storage and distribution;
- b. (Re-) development of the site would not prejudice the provision of an appropriate number and range of jobs across the Employment Area as a whole; and
- c. On sites over two hectares in size, any proposals for B8 development are either part of a mixed use scheme providing a range of acceptable uses or essential to the continued operation of an existing use.

The above policy goes onto state that planning permission for B1(a) offices will only be granted as an exception to criteria a where it is ancillary to the specified uses, is essential to the continued operation of an established B1(a) use or a sequential test clearly demonstrates that no suitable sites are available in more accessible locations.

7.2.2 The proposed development seeks to provide a petrol filling station with shop which is defined as ‘Sui Generis’ under the Town and Country Planning (Use Classes) Order 1987 (As amended). The proposal would also comprises of a coffee shop drive-thru (Use Class A3) and offices (Use Class B1(a)). Given this, the development would be contrary to the policies contained in the adopted Local Plan (2004) and Emerging Local Plan (2016). However, Policy E4 of the adopted Local Plan (2004) does also state “*proposals for employment generating uses that do not fall within the use classes order will be considered on their own merits*”. In this regard, an assessment has to be made regarding the individual merits of the proposed development which is dealt with in more detail in the following sections of this report. Furthermore, paragraph 6.18 of the Emerging Local Plan states that the Council would support a broad range of uses and unit sizes in Gunnels Wood. In addition, an assessment has to be made as to overall

job density the development will generate and how the proposal supports the continuing operation of the employment area.

- 7.2.3 Policy E5 of the adopted Local Plan stipulates that the development of land for retail or leisure uses will not be permitted unless the following criteria are met a) a local need for a facility in terms of supporting the operation of an employment area; and b) the proposal does not have an unacceptable traffic or environmental impact. Dealing with the application site specifically, the site falls within the former BAE site, therefore, Policy E3 of the Local Plan (2004) is of relevance. This policy indicates that the site, which forms part of the wider Arlington Business Park comprises of some 26 hectares of land which could provide an estimated 120,000 sq.m of floorspace with the most suitable uses being B1(offices) and B2 (general industry). However, as noted above, Policy E4 also allows for other B-class uses. Given this, the adopted Local Plan allows for the provision for office development on this application site. This is material in the determination of this planning application which weighs in favour to the provision of offices on this site.
- 7.2.4 Looking at the history of the application site in more detail, it has been vacant for a number of years since the former BAE manufacturing buildings were demolished in the 1990's. In 2002, planning permission (02/00098/OP) which covered the whole of the former BAE site had been granted for a business park comprising of Use Class B1 (Business), B2 (General Industry) and B8 (Warehouse and Distribution) along with a foodstore (Class A1), Restaurant (Class A3), day nursery (Class D1) and Showroom. The masterplan associated with the aforementioned permission identifying the application site (Plot 2000) as B1(a) offices with Plot 4000, which is to the north of the site, being allocated for a car showroom, nursery, foodstore and restaurant.
- 7.2.5 Under planning application 05/00428/RM, permission was granted for the erection of 2,991 sq.m of Class B1(a) floor space to be accommodated in 5 two-storey office buildings. These offices, which are located to the north of the site, have been constructed and currently make up Arlington Court. In regards to Plot 1000, reserved matters application 05/00369/RM sought permission for 7,600 sq.m of Class B1(a) (office) floorspace, 2,435 sq.m of Class B1(c) (light industrial) and Class B8 (storage and distribution) floorspace. This permission has also been carried and currently forms the rest of Arlington Business Park. In relation to plot 1500 Arlington Business Park, reserved matters application 03/00487/RM was for the erection of 16 units for B1c and B8 use. This development has also been constructed out and forms part of Arlington Business Park. The remainder of the area has been constructed out for the two car dealerships, which is BMW and Ford.
- 7.2.6 Given the aforementioned, it is evident that as part of the outline planning permission for the former BAE site as a whole (including the application site), the foodstore, nursery and restaurant were never implemented. This is of relevance as the idea behind these parts of the outline permission is to help to support the ongoing operation of Arlington Business Park as a whole and to help it be sustainable i.e. encourages linked trips between the employments areas of the site and the restaurant, nursery and foodstore. In addition, the original outline permission identified the application site to be brought forward for office development.
- 7.2.7 Under planning application 11/00701/FPM, permission was granted for the erection of 3,770 sq.m of office floorspace, 2,662 sq.m hotel and a 511 sq.m restaurant. This application was granted planning permission by the Council in 2012. This application was approved because despite the hotel and restaurant not considered to be employment uses as defined by the Local Plan, it was concluded that they would, however, support the wider needs of Gunnels Wood Employment Area. This is because it was recognised that there was an absence of support services which were originally envisioned for the Arlington Business Park as a whole. However, whilst this

application was never implemented, it is a material consideration in the determination of this planning application. This is because firstly, it has established the principle of commercial development on this site, including the development of non B class development. Furthermore, this application was determined under the current District Plan (2004) which is also material in the determination of this application. Moreover, it can be argued that the proposed development also helps to provide an element of support services. This is because the petrol filling station would comprise of a small food store which can be used by future staff at the offices and established surrounding businesses. In addition, the coffee-shop drive-thru would also be accessible surrounding business who are within walking distance to the development site.

- 7.2.8 Focusing on the employment aspects of the development, it is noted that historically the unemployment levels in Stevenage have been low, albeit higher than the rest of Hertfordshire with approximately 4% of the population in Stevenage being unemployed with 1.5% of the population on Job Seeks Allowance (Office for National Statistics April 2017 to March 2018). Data also shows that between 2010 and 2013 Stevenage experienced a loss of 2,600 jobs (6% decline) whereas over the same period, there has been a 2% increase in jobs nationally. The job losses in Stevenage were around manufacturing, accommodation and food services, ICT, administrative and support services. Currently, employment numbers, according to recent data, in Stevenage are still below pre-recession figures and this is reflected in the evidence base for the emerging Local Plan (2016).
- 7.2.9 With regards to assessing the potential amount of employment a development would generate, the Homes and Community Agency Employment Density Guide, 3rd Edition (2015) provides a benchmark for employment densities. In regards to general offices (Use Class B1a), 1 job is created for every 8 (call centre) to 13 (corporate) sq.m of floorspace. For research and development (Use Class B1b), 1 job is created for every 40 to 60 sq.m of floorspace. For light industrial (Use Class B1c) 1 job is created for every 47 sq.m of floorspace and for Industrial and Manufacturing (Use Class B2) its 1 job for every 47 sq.m of floorspace. Turning to storage and distribution (Use Class B8), 1 job is created for every 70 ('Final Mile' Distribution Centre) to 95 (National Distribution Centre) sq.m of floorspace created. Given this, it is evident that office developments create a higher level of employment compared to the uses specified under Policy EC4 of the emerging Local Plan (2016) i.e. B1(b), B1(c), B2 and B8. Turning to the other proposed uses within the development scheme, the Density Guide sets out that for food stores and restaurants/cafes, 1 job is created for every 15-20 sq.m of floorspace which is constructed. In regards to petrol filling stations specifically, these will be down to the relevant business model of the filling station in question. In this regard, the applicant states that this would generate around 26 full time equivalent jobs.
- 7.2.10 Taking the established employment densities into consideration combined with the business model for the petrol filling station, the Socio-Economic report submitted by the applicant estimates that the development would generate 315 new jobs. This is considered to be a reasonable assumption. In terms of the jobs themselves, there would be a mixture of higher and lower skilled occupations which will provide opportunities for all segments of Stevenage's population. In addition, the development would generate an estimated 70 construction jobs over an 18 month build period as well as create an additional 95 jobs off-site within the corporate supply chain. Furthermore, it is estimated that the development itself would also generate an additional £407,800 of business rates which can be collected by Stevenage Borough Council. Therefore, it can be argued that the development, specifically the offices, which would generate around 279 jobs, would help to increase the level of employment numbers to near pre-recession levels. In addition, due to the overall density of employment the development would generate, it falls in line with the requirements of the Emerging Local Plan.

7.2.11 A further consideration is the existing use of the site which has been vacant for approximately 16 years since the 2002 masterplan. The site was previously owned by The Howard Group back in 2008 and prior to this the site was marketed for redevelopment by Strutt and Parker for a period of 10 years. Brown and Lee and CBRE/Juniper Real Estates had marketed the site since 2008 through the use of site boards, marketing particulars, details of the site mailed to London agents and local occupiers in main commercial centres within a 15 mile radius of the site, details on both agents websites and also on the EG Property Link website, however, it has not been possible to secure an agreement to build a pre-let. Following the granting of planning permission in 2011, the site was further marketed for the offices, hotel and restaurant with no interest in building out the permission prior to the acquisition of the site by the applicant. Finally, looking at the sites allocation specifically, due to the nature of uses such as warehouses (Use Class B8) and general industrial developments (Use Class B2), they would not be suitable for this gateway location as it would be difficult to deliver high quality, landmark buildings as for example warehouses require large high bay sheds and industrial development generally require large amounts of plant and equipment which would be readily visible from the public realm.

7.2.12 Given the aforementioned assessment, it is evident that there is no reasonable prospect of the site being used for the allocated employment use and therefore, this application for a mixture of uses needs to be considered on its own merits taking into account market signals and how the development helps to support the ongoing operation of the employment area. Consequently, it has been clearly demonstrated that whilst the provision of a petrol filling station with associated retail and drive-thru coffee shop are not considered to be employment uses as defined in the District Local Plan (2004) and Emerging Local Plan (2016), it has been demonstrated that these uses would be acceptable as they will help to support the wider needs of the Gunnels Wood Employment Area. In addition, the proposed petrol filling station and drive-thru combined with the provision of high quality offices would generate an acceptable level of employment on this key gateway site as well as generate additional income for the Council. Therefore, on balance, it is considered that the proposed development is acceptable in employment policy terms.

Retail impact and the Sequential Test

7.2.13 The NPPF reaffirms the Government's objectives for ensuring the vitality and viability of town centres. For proposals that are not in an existing centre, the NPPF states that a sequential test must be undertaken giving preference to town centre sites and then edge of centre sites before consideration is given to out of centre sites. For reference, under Annex 2: Glossary of the NPPF, drive-thru restaurants, offices and retail development are identified as main town centre uses. Additional to this, the NPPF states that for proposals of this nature (above the default threshold of 2,500m² – if there is no locally set threshold) an impact assessment must be undertaken which has to consider the following:-

a) the impact of the development on existing, committed and planning public investment in a centre or centres in the catchment area of the proposal; and

b) the impact of the development on town centre vitality and viability, including local consumer choice and trade in the town centre and the wider retail catchment.

7.2.14 The Planning Practice Guidance (PPG) (2014) reaffirms the 'town centre first' principle, that compliance with the sequential and impact tests does not guarantee that permission will be granted and that the Local Planning Authority will have to take into account all material considerations in reaching a decision. With regards to the sequential test, the PPG states that the applicant must demonstrate flexibility. A town

centre site does not have to accommodate precisely the scale and form of the proposed development and consideration should be given to the contribution that more central sites are able to make.

7.2.15 The relevant adopted Local Plan Policies TR5 and TR6 of the Stevenage District Plan Second Review 1991 – 2011 adopted 2004, which relate to retail development, were not saved from September 2007. However, emerging Policy TC13: Retail impact assessments states that for main town centre uses, an impact assessment is required for any proposal in excess of 300m² for main town centre uses located outside of the town centre. This policy goes on to state that this should include an assessment of:

i. The impact of the proposal on existing, committed and planned public and private investment in centres in the catchment area; and

ii. The impact of the proposal on town centre vitality and viability, including consumer choice and trade in the Town Centre and wider area, up to five years from the time that the application is made. For major schemes, where the full impact will not be realised in five years, the impact should also be assessed up to ten years from the time that the application is made.

7.2.16 To address the two tests, the applicant has submitted a Planning and Retail Statement dated November 2017. This document contains a significant amount of technical information and judgements on the suitability and availability of alternative sites and the likely impacts from the proposed development. These have been carefully assessed in the following sections of this report.

Sequential Assessment

7.2.17 To properly consider the sequential assessment, it is necessary to be clear that the proposal is to create a 599 sq.m petrol filling station (including convenience store) with a 223 sq.m sales area, 167 sq.m drive-thru coffee shop with a sales area of 134 sq.m and a 3,900 sq.m office development located in an out-of-centre site in terms of retail policy.

7.2.18 In considering the suitability of alternative sites, it is necessary to have regard to the characteristics of any site that must be met in order to satisfy the applicant's business model. Legal decisions such as the Supreme Court Decision of *Tesco Stores Ltd v Dundee City Council* (2012) and appeal decisions (*Rushden Lakes decision – APP/G2815/V/12/2190175*) have confirmed that the sequential test is directed at what the developer is proposing, not some other proposal which the planning authority may seek to substitute for it which is something less than that is sought by the developer. The *Zurich Assurance Ltd Judgement (R(oao Zurich Assurance) v North Lincolnshire [2012] EWHC 3708 (Admin)* recognised the Dundee judgment, particularly with the real concept stating 'it is also important to mark that developers....work in the real world'. The developer under this decision had assessed the only available town centre alternative to the site, and had concluded that a development that was smaller than that proposed, or one with a more restricted range of goods, was neither commercially viable nor suitable for their commercial requirements. Consequently, what these judgements mean is that when applying the sequential test, neither the NPPF nor the PPG which have taken into account these court decisions, refers to disaggregation, thus, a development cannot be altered or reduced in order to fit into an alternative site.

7.2.19 The applicant has confirmed that the requirements of the applicant is for a 0.95 hectare site which includes a petrol filling station with associated equipment, a convenience store and food and beverage offer, a drive-thru coffee-shop and office accommodation. The site has been chosen by the applicant for the following reasons:-

- High volume of passing trade as a gateway site into Stevenage;
- Relative lack of Petrol Filling Station facility in the area;
- Potential for the Petrol Filling Station and other facilities to serve both passing trade and traffic associated with the surrounding employment area.

7.2.20 The applicant, Monte Blackburn, work currently with the operator Euro Garages, state that Euro Garages operate nationally petrol filling stations, motorway service areas and food and beverage franchises. In the sequential assessment, the report sets out that customer demand has moved towards a comprehensive requirement from just the supply of fuel to a requirement of retail provision, takeaway food, coffee and other ancillary offerings. Therefore, the scheme put forward to the Council is a more comprehensive form of development and thus, for the petrol filling station, as a minimum they require sites of 0.4 hectares. In addition, the development also includes the drive-thru coffee shop and offices which also need to be considered and should not be disaggregated from the petrol filling station as they form part of the wider planning application proposal. This is also relevant to the potential filling station itself i.e. the retail and food and beverage elements as they form part of the business model of Euro Garages.

7.2.21 In line with the requirements of the NPPF, the applicant has undertaken a sequential test. The applicant states that the assessment looks at all neighbourhood centre and the town centre itself which fall within a 5 minute drive time and 5 minute walk time. In addition, in order to operate a petrol filling station, the site needs to be close proximity to a road in order to capture passing traffic as well as be adjacent to a road with an appropriate number of daily vehicle movements. The assessment focused on sites with a minimum site threshold, for flexibility, 0.30 hectares to a maximum site area of 1.14 hectares in order to represent the size of the site plus 20%. Furthermore, for flexibility, they have included buildings within the catchment of between 613 sq.m and 919 sq.m representing 20% of the proposed floorspace of the petrol filling station for the retail elements and drive-thru coffee shop. The assessment undertaken by the applicant takes into account the following:-

- Proximity and linkages;
- Accessibility to the road network and accessibility to businesses in the catchment area;
- Land ownership and site assembly issues;
- Site constraints, including availability, site size, topography, planning policy objective etc;
- The need for flexibility in determining the format of the design and scale of development;
- Development plan allocation and impact on Development Plan strategy.

7.2.22 The following sites have been considered by the applicant as part of the sequential test:

- Stevenage Town Centre;
- Old Town High Street;
- Popple Way Neighbourhood Centre;
- Roebuck Local Centre;
- Bedwell Local Centre;
- Filey Close Centre;
- Hydean Way Neighbourhood Centre;
- Rockingham Way Neighbourhood Centre;
- Stevenage Leisure Park;
- Roaring Meg Retail Park;
- Other Sites adjacent to Arterial Routes;

- Other Sites within Stevenage.

7.2.23 Taking into consideration the advice in the PPG and associated Case Law, the Local Planning Authority has considered the above sites in detail. Looking at Stevenage Town Centre North, this site was allocated under Policy TR2 of the adopted Local Plan (2004). Under this policy, it was identified that the site would be suitable for redevelopment for retail (principally A1 with ancillary A3) and car parking, and optionally ancillary D1 Community Centre and/or D2 Leisure. However, Policy TR2 was not saved by way of direction in 2007 and no other saved policies within the Local Plan are specifically concerned with the Town Centre Redevelopment Proposals. Furthermore, a number of the units are not owned by Stevenage Borough Council and with part of the site being designated a conservation area, the site is not considered to be readily available or suitable. Therefore, this site cannot be considered to be a sequentially preferable site.

7.2.24 In regards to the former BHS store, this is now currently available for retail purposes on a leasehold. However, the store occupies a prominent area within the town centre and is integrated into the wider purpose built town centre. Therefore, this site would not be suitable for a petrol filling station and drive thru coffee shop. In addition, due to its location, it is not directly accessible to car traffic. Consequently, this site does not represent a sequentially preferable site. With respect to the former Marks and Spencer Store, this is located in a prominent location of the pedestrianised town centre with a store offer of 7,100 sq.m where the ground floor is 2,400 sq.m which exceeds the threshold of 919 sq.m. In addition, this site has also recently been granted permission, subject to the completion of a S106 legal agreement, for retail, a new gym and residential premises. Furthermore, the site would have to be redeveloped to provide a drive-thru and petrol filling station and as such, the former M&S store is not sequentially suitable for the application development.

7.2.25 With respect to the Park Place development, the ground floor units provide approximately 2,018 sq.m of retail floorspace across six units. However, the site is located in a pedestrianised part of the town centre with no direct access to an arterial road or be able to accommodate vehicular access with circulation space which is required to serve the drive-thru coffee shop. Therefore, the Park Place development is not considered to be sequentially preferable site in this instance.

7.2.26 In regards to the former post office units at 22-23 Westgate Shopping Centre, this premises is now occupied and no longer available so must be discounted from the sequential assessment. Turning to the Stevenage Town Centre Regeneration Proposal, this achieved a resolution to grant planning permission in January 2012, subject to the completion of a S106 agreement, which to date, has not been signed. The proposal sought to redevelop the bus station and the surrounding underutilised sites. Approximately 45,000m² floorspace was proposed, including a department store, a hotel and residential units. The regeneration scheme does not include the provision of a petrol filling station or a drive thru coffee shop as part of the wider redevelopment of Stevenage Town Centre. However, it did include an element of office development. Notwithstanding this, the proposed development partnership has withdrawn their interest in the scheme. Given this, it is considered that this proposal is neither available within the necessary timeframe required by the developer, nor is it viable in terms of the costs of implementing the scheme. Accordingly, this scheme does not represent a sequentially preferable site.

7.2.27 In assessing the Matalan site, there is a resolution to grant planning permission under planning application reference 14/00559/OPM for a mixed residential of 526 residential apartments and commercial units Class A1 (Retail), Class A2 (Professional and Financial), Class A3 (Restaurant) and A4 (Drinking Establishment) and A5 (Hot Food Take-away) with associated landscaping following demolition of the existing building.

The site itself, is 1.34 hectares in size, therefore, it could accommodate the proposed development. However, the approved scheme does not include the provision of a petrol filling station or the creation of a drive-thru coffee shop. In addition, the development would have to be completely reconfigured to deliver the proposed uses. Furthermore, the application is in outline and not in detail form and no development has commenced on this site. Given this, the site would not be readily available within a reasonable timeframe. Accordingly, the site identified does not represent a sequentially preferable site for the proposed development.

7.2.28 The Sequential Assessment undertaken by the applicant has also reviewed the Major Opportunity Areas (MOAs) which have been identified in the Emerging Local Plan (2016). In regards to Policy TC3: Centre West Major Opportunity Area, this seeks to provide a mixture of development which includes offices, small scale retail and café uses. However, the Leisure Park is not currently on the market as a whole or in part and there are no commitments in planning terms to deliver any form of development within a reasonable timeframe. In terms of suitability, the site is centred on the Leisure Park which is accessed by minor road which are not prominent on the public highway and do not provide the quantum of passing trade. As such, the site would not provide a viable alternative and therefore is not suitable. Furthermore, the aspirations of this site which is for general residential, commercial and leisure uses and improved links to the train station and as such, vehicular traffic through the site would be expected to decrease should the aspirations of the site be met. Therefore, this area is not a sequentially preferable site for the development.

7.2.29 In regards to Policy TC4: Station Gateway Major Opportunity Area, this focuses on the train station, arts and leisure complex and a number of car park facilities. The allocation seeks the provision for the wider scale regeneration of the bus and train stations, car parking, residential development, town centre uses and new offices. The site is still operating as a railway station with the car parks in the area well used to service the station. In addition, there are no known plans or commitments as to the planned works in order to deliver this part of the regeneration of the town centre. Furthermore, redevelopment of the area would need to be designed in a way to not prejudice the operation of key transport infrastructure. In addition, the proposed development in its form would not integrate well with this part of the regeneration as it would be piecemeal and could undermine the deliverability of the overall regeneration scheme. Therefore, this site is not available or suitable for the development and as such, would not be sequentially preferable site.

7.2.30 In regards to Policies TC5 (Central Core Major Opportunity Area), TC6 (Northgate Major Opportunity Area) and TC7 (Marshgate Major Opportunity Area), whilst these have allocations for retail, cafes and offices, these sites would not be suitable for a coffee drive-thru or petrol filling station. In addition, no formal planning applications have been submitted for these areas of the town centre so they would not be available in a reasonable timeframe and the overall nature of the development does not fit in to the overall regeneration programmes for these areas. Therefore, these parts of the town centre are not considered to be sequentially preferable for the proposed development.

7.2.31 In regards to Stevenage Old Town, it has not been included in the Stevenage Central Framework and has not been identified for retail expansion in Stevenage. The only site which is identified in the adopted Local Plan is Pond Close, which is only 0.9 hectares in area and allocated for residential development. The Old Town is also protected for its high architectural and historic qualities. Consequently, there are no sites which are of an appropriate size for the proposal. Turning to the other sites identified in the sequential assessment which includes the Roaring Meg and Neighbourhood Centres, it has been identified that there are no sequentially preferable sites to accommodate the proposal at these locations.

7.2.32 Given the aforementioned assessments of the alternative sites, it is considered that there are no sequentially preferable sites other than the application land and accordingly, it can be concluded that the application passes the sequential test.

Impact Assessment

7.2.33 The NPPF advises that when assessing applications for *inter alia* retail outside of town centres, which are not in accordance with an up-to-date Local Plan, local planning authorities should require an impact assessment if a development is over a proportionate, locally set floorspace threshold. As set out under paragraph 7.2.15 Stevenage Borough Council has a locally set threshold set threshold of 300m² under Policy TC13 of the emerging Local Plan (2016). Given this, as the emerging Local Plan has been through public examination, this policy is material in the determination of this application.

7.2.34 An assessment of impact is essentially determined by the projected turnover of the proposed development, where this trade will be drawn from and the ability of the existing centres to absorb the predicted impact. The assessment should include the impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area and the impact of the proposal on a town centre's vitality and viability.

7.2.35 In respect to the first test, the applicant has undertaken health checks in each of the centres of the study area. The applicant's assessment focuses on the existing, committed and planned public and private investment scheme within the centres outlined in the study area. Where schemes have been committed (developments with planning permission), these have been assessed as part of the impact assessment as well. With regard to the second test, the town centre health checks are important to set a baseline so that the relative value of any impact can be fully assessed.

7.2.36 Due to the nature of the proposed development, its location and the business case developed by the applicant, it is considered that a high proportion of turnover of the convenience store and drive-thru coffee shop will be derived from passing trade. This is anticipated to exceed 80% of turnover of both units. As such, it is not considered appropriate for the applicant to undertake a detailed quantitative assessment of the impact of the proposed development on the centres listed in paragraph 7.2.22 of this report. This is in line with Planning Practice Guidance where Retail Assessments should be proportionate and appropriate for the proposal. Therefore, it is considered that any trade which arises from residents would be limited to trips associated with visits to purchase fuel or from residents passing the site. In addition, the proposed convenience store would have a limited range of goods available due to its overall size and at most, would be classed as a top up shop.

7.2.37 Further to the above, due to the location of the site, it makes it unlikely that local residents would visit the site specifically to purchase coffee. In addition, the convenience store on the site, due to its limited size and range of products available, it cannot be classed as a main shopping destination compared to the larger format stores which are located in the town such as Tesco, Asda or Aldi. Furthermore, most residents travelling through Stevenage would pass a larger retail store for convenience goods and thus, are unlikely to travel to the site in order to purchase groceries. Therefore, the applicant's case that 80% of turnover would derive from passing trade is a reasonable assumption to make.

- 7.2.38 Separate to the above, in order for a centre's ability to absorb impacts is dependent on the underlying health of the centre in question. The PPG advises that judgement as to whether the likely impacts are significant and adverse can only be reached in light of local circumstances. It is also the case that a healthy, buoyant centre will be more capable of absorbing impact than a centre which is fragile. The most recent Town Centre Health Check identifies that there are some weaknesses within the town centre with some vacancies, dated appearance and its ability to provide a good retail offer to its natural catchment area. Furthermore, there is a need to invest into public realm improvement works along with other maintenance and enhancements to the town centre in order to improve its attractiveness as a shopping destination. However, the town centre as a whole is reasonably healthy, it generally meets the town's needs and it is performing better than the regional average.
- 7.2.39 In addition to the above, the town centre does also offer a wide range of convenience, comparison and food and beverage premises. The town centre also includes large format convenience stores such as Tesco, Asda and Aldi and there is a wide variety of coffee shop provision in the town centre which includes Starbucks, Costa, Esquires and other independent outlets in the town centre.
- 7.2.40 Taking into consideration of the above, it is considered that the proposed development would not result in a significant trade diversion from the town centre which would undermine its vitality and viability. In addition, the town centre is also healthy and any impact the development does generate, which is considered to be almost negligible, can be absorbed due to the variety of convenience and coffee outlets in the town centre.

Impact on Investment

- 7.2.41 Paragraph 89 of the NPPF states that, in assessing impact, account should be taken of the impact the proposal would have on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal. This is reflected in Policy TC13 in the Emerging Local Plan (2016).
- 7.2.42 Taking into consideration of the above, it is noted that there was a resolution to grant planning permission, subject to the completion of a S106 agreement, which to date, has not been signed for the regeneration of the town centre. The proposal sought to redevelop the bus station and the underutilised sites. Approximately 45,000m² floorspace was proposed, including a department store, a hotel and residential units. The regeneration scheme also included the provision of office, retail and cafés. However, the proposed development partnership has withdrawn their interest in the scheme. Whilst a scheme based on the major redevelopment of the town centre could be resurrected, it is likely that the delivery of such scheme would be many years away. Given this, it cannot be argued that there is a committed scheme.
- 7.2.43 Turning to the emerging Local Plan (2016), under Policy SP3 it is set out that the Council will promote a comprehensive and co-ordinated regeneration of Stevenage Town Centre. This will include for in the order of 4,600m² of additional comparison floorspace, 3000 new homes and an improved range of shopping, bars, restaurants, cafes, leisure, community, civic and cultural facilities. A new train station will be the focus of the enlarged Stevenage Central Area, within which six MOAs will be designed to promote distinct mixed-use redevelopment schemes.

7.2.44 Taking into consideration of the above, whilst there is the potential that the development could potentially impact upon these allocations, there are currently no applications in place to deliver the regeneration of Stevenage Town Centre in line with the MOA policies. In addition, due to the nature of the proposal, there is no provision for a coffee drive-thru or petrol filling station within the outlined policies in the Emerging Local Plan. Furthermore, a scheme would have to be designed to accommodate the development and due to the nature of the proposal, a large amount of land would be required for the petrol station and associated pump islands and fuel lanes combined with the circulation space for the drive-thru. So the development would also been unfeasible within the town centre. Moreover, due to its nature, there would be a limited offer on the site which is unlikely to undermine the Council's abilities to deliver on these sites. Moreover, the office development would tie in with the existing office development within Arlington Business Park and does not restrict the Council's abilities to deliver further offices in the future.

7.2.45 Given the status of the Stevenage Town Centre Regeneration proposal and the allocations in the emerging Local Plan have not yet been brought forward, it must be concluded that there would be no adverse impact on the planned investment in Stevenage Town Centre. Additionally, there is no other planned investment which the proposed development could frustrate.

Other Retail Policy Issues

7.2.46 The NPPG states that compliance with the sequential test and impact tests does not guarantee that permission will be granted and that the local authority will have to take into account all material considerations in reaching a decision. Additionally, paragraph 87 of the NPPF (2018) states that when considering edge of centre and out of centre proposals, preference should be given to accessible sites which are well connected to the town centre.

7.2.47 It is agreed that the application site is out of centre and the site is 1km to the south-east of the town centre. However, the site is considered fairly accessible by modes of transport other than the private car as there are bus stops in close proximity on Gunnels Wood Road which connect to the town centre. There are also good footpath and cycleway links to the site from the town centre, taking approximately 20 minutes to walk to the site from the town centre and approximately 10 minutes to cycle.

7.2.48 The proposed development also seeks to redevelop a vacant site and helps to deliver a mixture of offices and supporting uses which complies with the principle of sustainable development. In addition, the development would secure significant levels of investment into the site and also provide additional employment opportunities for local people as well providing benefits for local businesses. Finally, it would make efficient use of this brownfield site.

7.2.49 To conclude this section on retail planning policy, it has been demonstrated that the application passes both the sequential test and the retail impact test. It has been shown that the proposal would not have a negative impact on town centre turnover and it is considered that the town centre is reasonably healthy to absorb any potential impact. Finally, there are no sequentially preferable sites within the town centre framework area which would be able to support the proposed development. Therefore, the conclusion has been reached that the proposal is acceptable in retail planning policy terms.

7.3 Impact on Visual Amenity

- 7.3.1 This part of the Gunnels Wood Employment Area is dominated by three large sites, including the GSK complex and Arlington Business Park. The area immediately surrounding the site is characterised by two and three storey high modern office developments. In the wider area there is a range of single-storey industrial buildings as well as the car showrooms for BMW and Ford. Junction 7 of the A1(M) is a key gateway, not only entering the Gunnels Wood Road area, but also Stevenage as a town. In this location, a number of employment sites front onto Gunnels Wood Road, however, there is considered to be a poor sense of arrival into the area with few buildings providing an 'active frontage'.
- 7.3.2 Paragraph 127 of the NPPF 2018 stipulates that planning decisions should ensure developments function well and add to the overall quality of the area, not just in short term but over the lifetime of the development. It also sets out that development should be visually attractive as a result of good architecture, layout and appropriate and effective landscaping is sympathetic to local character and history, including the surrounding built environment and landscape setting. In addition, the NPPF sets out that developments should establish or maintain a strong sense of place, using arrangements of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit. It also stipulates that development should optimise the potential of the site to accommodate and sustain an appropriate mix of development and finally, create places that are safe, inclusive and accessible.
- 7.3.3 Paragraph 130 of the NPPF states that "permission should be refused for development of poor design that fail to make available opportunities available for improving the character and quality of an area and the way it functions".
- 7.3.4 Policy TW9 of the District Plan (2004) requires all forms of development to meet a high standard of design which includes form of built development, elevational treatment and materials along with how the development would integrate with the urban fabric, its relationship between buildings, landscape design and relevant aspects of sustainable design as well. Policy GD1 of the emerging Local Plan (2016) generally reflects the above policy. Turning to Gunnels Wood Road specifically, emerging Policy EC5: Active frontages and gateways states that planning permission for the (re-) development of sites with a frontage along, in this case Gunnels Wood Road and Broadhall Way, will be granted where:-
- a. Proposals face directly onto the identified road and provide active frontages and natural surveillance;
 - b. Buildings are not set back significantly from the identified road;
 - c. Car parking and service areas are located away from the street frontage of the identified road;
 - d. On corner plots, where the roads intersect, schemes incorporate landmark architecture and gateway features wherever this would be compatible with the proposed use(s).
- 7.3.5 The proposed office building is to be the principal building on the site and, as such, it is to be positioned in the most prominent location in the south east corner of the site adjacent to the roundabout fronting GSK. The building is to be a maximum of four storeys high, which as detailed in paragraph 3.1 of this report, would span approximately 54m in width, 19m in depth with an overall height of approximately 15m. The building would be well modulated with projecting window features framed in

vertical bronze cladding with the southern part of the building at ground floor level recessed with the upper floors cantilevered over which are supported by concrete pillars. This part of the building would have full height modern glazing and positioned above on the above floors would be vertically aligned and symmetrically spaced window fenestration. The first three floors of the building would be constructed from brick with the upper floor level of the building, being recessed, clad in vertical bronze cladding. The contrasts in the use of materials along with a mixed window design, helps to not only provide visual interest but also gives the building a high quality appearance.

- 7.3.6 Further to the above, the building office would also comprise of a full height glazed lobby area and frontage which is orientated towards Gunnels Wood Road. The northern elevation of the building, which overlooks the application site itself, would also be well modulated with projecting and recessed features with a contrast in the use of materials and full height curtain wall glazing. Turning to the proposed coffee-drive thru shop, as set out in paragraph 3.2 of this report, the building would measure approximately 17m in width, 10m in depth with a height of between 6.38m to 8.70m due to the sloping mono-pitched roof. The building, which is located on the western part of the site, would have a modern appearance constructed from contrasting materials of metal and timber cladding. The main elevation would comprise of full height curtain wall glazing with the over-sailing mono-pitched roof consisting of exposed timber rafters. There would also be a clay brick facing feature which would be utilised for future advertisement signage. To the rear of the building the drive-thru booth would be timber clad with the main fabric of the building clad in flat metal cladding finished grey.
- 7.3.7 Turning to the petrol filling station, this would measure approximately 35m in width, 15m in depth with a height of between 4m to 5m due to the mono-pitched roof. The building itself would be constructed from grey composite cladding with a lower brick course with the roof finished in a grey composite panelling. On the front elevation of the building would be double glazed curtain walling forming the main entrance along with ATMs. The station would comprise internally a convenience store and food to go. The proposal also comprises the creation of a 10 bay filling area with associated canopy. This would measure 35m in width, 10m in length with an overall height of 5.5m. This has been positioned just to the north of the office building.
- 7.3.8 Taking into consideration of the above, it is noted that the site has a gateway status, therefore the scheme has been developed to ensure that a high quality office building is sited in the most prominent location adjacent to the roundabout front GSK. This building would be the tallest on the site and is taller than the existing office buildings in both Gateway 1000, Arlington Business Park and Arlington Court. The building would be of a high quality design that would create a landmark building on this prominent part of the site. The increase in height on the eastern side of the building adds interest to its built form with the main elevation orientated towards Gunnels Wood Road. The proposed drive-thru coffee shop and petrol filling station have been positioned to appear less prominent within the site being only single-storey. However, there are views of the site across the surface car park, therefore, the drive-thru has been positioned in a way to screen the petrol filling station when viewed from Broadhall Way. In addition, it has been designed to have a modern, high quality appearance in order to reflect the modern design of not only the proposed offices but the existing offices within the area.

- 7.3.9 With respect to the petrol filling station, this has been positioned in a way to ensure that it would be well screened by existing trees which are located outside of the application site. In addition, the applicant is also seeking to provide additional planting in order to further screen the fuelling station. Furthermore, the station is of a modern design in order to blend in with the wider modern development of Arlington Business Park. In addition, the petrol filling station has been positioned over 27m from Gunnels Wood Road, 36m from Whittle Way and 54m from Broadhall Way and being single-storey, has been designed to have as little impact on the visual amenities of the area. Moreover, it has been designed in such a way so as to not detract from the gateway building which would be the offices. Finally, the petrol filling station would also have a modern appearance to reflect the architectural composition of the modern offices in the area.
- 7.3.10 The applicant has indicated that this will be a phased development with the petrol filling station and coffee shop drive-thru first. The reason for this is because there is no end user already secured for the office development. However, the applicant is looking to provide a comprehensive landscaping scheme for the site to provide a high quality appearance. In addition, the applicant has also confirmed that they will also be constructed the new road up to the offices, provide the necessary services (including drainage) and the necessary remediation works. This will ensure that when an end user is secured there would be no delay in constructing out the offices. Furthermore, as mentioned in the employment section of this report, they are actively marketing the site to ensure they secure an end user for the officer the development. But, at the same time, through the imposition of a phased condition, the Council has an element of control (via enforcement powers) to ensure that the office development do come forward within a reasonable timeframe.

7.4 Impact on Amenities

Noise

- 7.4.1 Policy EN27 of the District Plan (2004) states that for noise generating uses, these will only be permitted if they do not result in unacceptable noise exposure for the users of existing or proposed noise sensitive uses nearby. Policy FP8 of the emerging Local Plan (2016) generally reflects this policy.
- 7.4.2 Taking the above policy into consideration, despite the proposed development comprising of noise generating uses, the nearest residential property lies within Norton Green which is approximately 932m to the north-west of the application site beyond the A1(M). Given this, the development would not harm the amenities of the nearest residential properties.
- 7.4.3 In terms of impact on neighbouring commercial properties, given the site is on the edge of Arlington Business Park, the closest development to the application site is the Gateway 1000 development which comprises of three-storey offices. This is located on the western side of the site and is separated by Whittle Way. Given this, the development i.e. the coffee shop drive-thru would be over 20m from these offices. Due to this separation distance, it would not have a detrimental impact on the operating conditions of the occupiers of these premises. Furthermore, these offices are of an open plan design with glazing on both the front and rear elevations.

- 7.4.4 In respect of other neighbouring properties, to the south of the site on the opposite side of Broadhall Way is the GSK site. There is a significant separation distance between the two sites and, as such, it is considered that the development would not have an impact on the operation of GSK. Immediately to the north is Arlington Court which is an office development of two and three storey buildings. The proposed petrol filling station being the closest building would be 45m away, but the proposed fuel lanes would be in close proximity to the boundary. However, given the location of the site adjacent to Gunnels Wood Road which is one of the main distributor roads through Stevenage, and the fact that these are commercial premises, it is considered that the proposed siting of the fuel lanes will not have a detrimental impact upon the operating conditions of the occupiers of these premises.

External lighting

- 7.4.5 Policy EN29 of the adopted Local Plan (2004) stipulates that proposals for external lighting would only be approved where the scheme is minimal to meet operational requirements and that light spillage is minimised so as to not to have an unacceptable impact on residential amenity. This is reflected in Policy FP7 of the emerging Local Plan (2016).
- 7.4.6 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 operation of nearby business operators or prejudices highway safety, 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.

7.5 Parking Provision

Office development

- 7.5.1 The Parking Provision Supplementary Planning Document (SPD) sets a base standard of 1 parking space per 30m² of gross floor area (gfa) which would equate to 130 parking spaces. However, the application is located in non-residential accessibility zone 4 (identified in the SPD), where car parking provision can be reduced to 75% to 100% of the base car parking standard which would equate to between 98 spaces to 130 spaces. In this instance, the proposed development would comprise of 73 spaces which is a shortfall of 25 spaces.

Drive-thru coffee shop

- 7.5.2 The Council's Parking Standards SPD sets out that there is a requirement of 1 space per 8 sq.m of gross floor area which would equate to 21 parking spaces. However, as the site is within non-residential accessibility zone 4, the car parking provision can be reduced to a minimum of 16 spaces. The proposed car park serving the drive-thru would have 12 spaces which would mean a shortfall of 4 parking spaces. However, the drive-thru, due to its nature, would have 6 operational spaces allowing a total provision of 18 spaces. This ensures that there would be more than sufficient car parking to accommodate the operation of the coffee shop drive-thru.

Petrol Filling Station and associated convenience

- 7.5.3 The parking provision SPD sets out a requirement of 3 spaces per 4 employees plus 3 waiting spaces per bay or run in to row of bays (additional parking is required where a shop is provided). In regards to small food shops (Use Class A1), there is a requirement to provide 1 space per 30m² of gross floor area. Taking these

requirements into consideration, as the petrol filling station has 10 filling bays plus 471.9m² of small food shop floorspace, a total of 46 spaces would be required. Notwithstanding, due to the site falling within a non-residential accessibility zone, the base car parking requirement can be reduced to 35 spaces.

- 7.5.4 The petrol filling station would comprise of 12 parking spaces to the front of site plus 6 spaces for staff. In addition, there would be 3 waiting spaces per bay. This would equate to a total of 51 parking spaces which is in accordance with the Council's Parking Standards.

Combined parking provision

- 7.5.5 Taking into consideration of the above, it is noted that there would be a shortfall in parking for the office development. However, because the overall development comprises a mixture of uses, then section 4 (page 25) of the Council's Parking Standards SPD (mixed use sites and town centre parking provision) needs to be taken into consideration. The Parking SPD states that parking standards are not provided for mixed use sites. Therefore, parking provision for such developments will be calculated on a site by site basis, and assessed via the Transport Assessment process.
- 7.5.6 Further to the above, paragraph 4.2 of the Parking Standards SPD states that mixed-use sites share parking and provision can be reduced below that required for each individual land use component. This takes into account linked trips on-site and the fact that time profiles of car parking demand will vary according to use. Therefore, over provision should be avoided. In addition, paragraph 4.3 of the same document sets out that research shows that linked trip making can reduce parking.
- 7.5.7 The applicant's Transport Assessment makes an allowance of 10% linked trips between the uses on site. Making this reduction to the maximum parking standards would reduce the requirement for the whole site from a required 141 spaces to 127 spaces, with the dedicated car parking spaces providing 80% of the maximum once linked trips are taken into consideration.
- 7.5.8 Further to the above, it is important to note that a large amount of the parking requirement, apart from the offices, is for the petrol filling station which has 10 filling bays combined with the coffee drive-thru that will never use a formal parking space due to their nature i.e. passing trade. Therefore, when an allowance is made for the operational spaces of the site, this would increase the provision of parking spaces on site, which would be 94% of the maximum once you take linked trips into consideration.
- 7.5.9 Given the aforementioned assessment combined with the fact that the site is located within non-residential accessibility zone four which allows for a parking requirement between 75% to 100% of the base car parking standard, when the mixed use nature of the site is taken into account for the parking provision, the parking which is being provided across the site would fall within the aforementioned values whilst the operational elements of the site accommodates the flow of vehicles without resulting to vehicles parking off-site.
- 7.5.10 Taking into consideration of the above, there would be sufficient off-street parking to serve the proposed development in accordance with the Council's Parking Standards. Turning to disabled parking, the number of disabled bays being provided across the development site would accord with the Council's Car Parking Standards.

Cycle parking

- 7.5.11 With regard to cycle parking, the minimum standard for office development is 1 short term space per 500m² gross floor area plus 1 long term space per 10 full time staff. Taking this into consideration, whilst it is unknown what the overall staff numbers will be as there is no end user, the Socio-Economic Report submitted by the applicant outlines that approximately 279 office based jobs could be generated by the development. Taking the aforementioned into consideration, approximately 35 cycle spaces would be required to serve the development. The proposed development would comprise of 5 Sheffield stands plus secure cycle parking within the building. However, the floorplans submitted do not show any secure cycle parking being provided within the building fabric.
- 7.5.12 Turning to the coffee shop drive-thru, the Council's Standards set out that 1 short-term space per 100m² gross floor area plus 1 long-term space per 10 maximum staff on site at any one time. Taking this into consideration, whilst the applicant has not specified who the end user would be, this would likely generate around 10 staff as set out in the applicants Socio-Economic Report. Given this, around 2 cycle parking spaces should be provided as part of the development. As the proposal would provide 2 Sheffield stands, there would be sufficient cycle parking to serve this part of the development.
- 7.5.13 With respect to the petrol filling station and small food shop, the Council's Standards set out that 1 long-term space per 10 full time staff plus 5 short spaces for the shop. The proposed petrol filling station and shop would generate approximately 26 full time jobs. Given this, there would be a requirement to provide 7 cycle parking spaces. The proposal only seeks to provide 2 Sheffield stands which would be insufficient in line with the Council's standards.
- 7.5.14 Taking into consideration the above, whilst it is noted there would be a shortfall in cycle parking for the office and petrol filling station, a condition can be imposed to any permission issued. This condition will require the applicant to provide further details of secure cycle parking prior to the commencement of development. This is to ensure the sufficient and acceptable cycle parking is provided as part of the development.

7.6 Means of access and highway safety

- 7.6.1 The application site currently has a single access point which is located on a roundabout off of Whittle Way. This road is accessed from two points, one is the slip road off Broadhall Way (A602) to the south and the second is via Gunnels Wood Road (A1072) to the north located adjacent to the BMW (Specialist Cars) and Ford (Gates of Stevenage) garages. The access point off Broadhall Way is a one way system with the two-way traffic coming off Gunnels Wood Road. However, there is no direct access to the site from either Gunnels Wood Road or Broadhall Way.
- 7.6.2 Given the above, all of the vehicular traffic to and from the site would be via Whittle Way. The access road off the roundabout would be 9.13m wide with the main internal road being 6.48m in width. With this in mind, the access and internal road have been designed to accommodate 10m rigid vehicles such as fuel tankers and emergency vehicles. The internal road also has three separate access points to serve the office, petrol filling station and the coffee shop drive-thru. This is in order to reduce conflict between the different uses within the site. With respect to the surface car park serving the office development, the internal road layout for the surface car park would be of a sufficient size to accommodate two-way traffic in line with the Department for Transport (Dft) Manual for Streets.

- 7.6.3 Turning to visibility splays, the proposed access point on Whittle Way, including the internal access/egress points would have adequate vehicle to vehicle and pedestrian inter-visibility splays in line with the Dft Manual for Streets and Hertfordshire County Council (HCC), Roads in Hertfordshire Design Guide. Therefore, vehicles entering and egressing should not prejudice the safety and operation of pedestrians, cyclists and vehicles utilising the highway network generally.
- 7.6.4 In assessing traffic generation, the applicant's transport consultant has produced a transport assessment which incorporates details of proposed traffic generation for weekdays. In order to identify a base traffic flow, traffic surveys were undertaken in December 2016. The assessment also comprises of a future year assessment of model in order to inform the potential future impact of the development on the surrounding highway network. This has been completed using TEMPRO (Trip End Model Presentation Program) with NTM (National Transport Model) adjustments. In addition, the applicant has utilised TRICS (Trip Rate Information Computer System) which is a National Traffic Generation Database in order to predict the amount of traffic that would be generated by each individual use.
- 7.6.5 Using TRICS, the model adopted looked at Petrol Filling Station (PFS) with retail with sites of between 8 and 14 filling bays which are located in suburban, edge of town and neighbourhood centres including industrial and employment based areas. The applicant also used the same database for the proposed coffee drive-thru and offices. The modelling generated by the applicant looked at the weekday AM peak (07.30 to 08.30) weekday PM peak (16.30 to 17.30). Through the modelling, the transport assessments sets out that the "PFS and retail" would generate at the AM peak, 90 arrivals and 87 departures and at the PM peak, 104 arrivals and 103 departures. This would equate to approximately 2 vehicles per minute. Turning to the coffee drive-thru, this would generate at the AM peak, 21 arrivals and 20 departures with a PM peak of 18 arrivals and 18 departures. This equates to a vehicle movement of one every three minutes.
- 7.6.6 With respect to the office part of the development, this would generate at the AM peak, 57 arrivals and 9 departure and in the PM peak, 4 arrivals and 51 departures. This demonstrates that there would be 66 two-way vehicle movements at the busiest peak hour, which is equivalent to one vehicle every minute departing or arriving. Taking into the aforementioned, the development would combined, generate at the AM Peak (including 5% cross visitation calculation) 162 arrivals and 109 departures and at the PM peak (including 5% cross visitation calculation), 120 arrivals and 166 departures. Given this, it is estimated that 168 vehicle movements either arriving or departing would occur in the busiest peak hour. This equates to three vehicles per minute either departing or arriving at the site.
- 7.6.7 In regards to trip distribution, it has to be considered that this would be split from Broadhall Way to the south and Gunnels Wood Road via Whittle Way to the north. However, for all trips leaving the site, the only way vehicles can travel will be via Whittle Way towards Gunnels Wood Road.
- 7.6.8 Taking into consideration of the above, the applicant undertook modelling via ARCADY (Assessment of Roundabout Capacity and Delay) which is a module from the JUNCTIONS programme. This model helps to generate a ratio to flow capacity of junctions along with potential traffic queues. The modelling demonstrates that there would be significant spare capacity on the highway network to cope with the traffic generated by the development.

7.6.9 Following consultation with Hertfordshire County Council (HCC) as Highways Authority, they consider the proposed access arrangement to be acceptable. This is because the Transport Assessment includes a swept path analysis for large vehicles such as articulated fuel tankers, waste collection vehicles and emergency vehicles. This analysis clearly demonstrates the development can safely accommodate these vehicles.

7.6.10 In regards to the traffic modelling generated within the Transport Assessment, the HCC Highways considers the data produced is a fair representation of the potential amount of traffic which would be generated by the development as a whole. Following a review of this, it is considered that the development would generate a nominal increase in vehicle trips to the development site, but this would not be significant, as advised by the Highways Authority to prejudice highway safety. In addition, the applicant has also provided accident data which demonstrates that there have been no serious accidents within the vicinity of the developments access. Turning to the impact on the A1(M) motorway and specifically junction 7, Highways England have confirmed that they have no objection to the proposed development. Therefore, it can be concluded that the proposal would also not have a detrimental impact on the safety and operation of the nearby motorway.

7.6.11 Notwithstanding the above, in order to help improve traffic conditions on the site and the immediately surrounding area, there would be an encouragement towards the use of local buses. This is in order to encourage a modal shift away for the private car. In addition, the County Council considers these services to be viable and would be able to support the development. Given this, the following financial contribution has been sought:-

- £48,000 to improve transport infrastructure such as the need for the introduction of Automatic Vehicle Location (ALV) departure screens.

The applicant has confirmed in writing that they are willing to pay the S106 monetary contributions which are being sought by HCC.

7.6.12 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.

7.7 Trees and landscaping

7.7.1 Policy EN13 of the Local Plan (2004) states that development proposals will be expected to protect and retain individual trees within development sites and should include new planting where appropriate. This is reflected in Policy NH5 of the Draft Local Plan (2016).

- 7.7.2 The development site generally has a limited number of trees and these are self-seeded and are of limited visual amenity value in accordance with British Standards BS:5837 2012. Therefore, all of these trees are to be removed in order to facilitate the construction of the development. Therefore, whilst the proposal would clear the site of existing trees, the Council's Arboricultural Manager has not raised any concerns with respect to their removal in this instance. Furthermore, it is important to note that these trees are not protected so can be removed without permission from the Council. However, in order to compensate for the removal of these trees and in order to improve the biodiversity of the site the proposed landscaping scheme seeks to provide a number of amenity planting areas which would comprise of a mixture of shrubs and wildflowers. These amenity planting areas would be located in and around the surface car parking area and the edge of the development site generally. The applicant is also seeking to provide 52 trees as well as hedging and grass areas. Further to this, a number of mature trees fall outside the application boundary and to be retained as part of the development proposal.
- 7.7.3 In summary, it is considered that the proposal, despite the loss of some existing trees on site would help to soften the appearance of the application site which would improve the visual amenities of the wider area. However, to ensure that the landscaping scheme is implemented, it is recommended that a condition be imposed requiring the soft landscaping to be planted in accordance with the submitted plans. Furthermore, a condition would be imposed requiring any trees, shrubs or planting which is damaged, destroyed or dies to be replaced and to provide the necessary protection of those existing trees which are to be retained.

7.8 Impact on the Environment

Land contamination

- 7.8.1 The application site, as identified in the applicants Phase 1 Preliminary Site Assessment sets out that in the 1960's and 70's there were a number of buildings on site which made up the former BAE aircraft components factory with areas of hardstanding. These buildings have been demolished with the site open brownfield land. The assessment identifies a moderate to low risk of contaminants within the sites soil which may pose a risk to end users. In addition, the report identifies that there is potential contaminants within the Made Ground to mitigate into the underlying aquifer, therefore, it is considered there is a moderate to low risk to groundwater.
- 7.8.2 The report submitted by the applicants, based on their findings recommended the following:-
- Undertake an intrusive ground investigation;
 - Undertake a GQRA (Generic Quantitative Risk Assessment) as part of the ground investigation including strategic groundwater monitoring locations around the proposed location of underground petroleum infrastructure;
 - Undertake Ground Gas Monitoring; and
 - All UST's (Underground Storage Tanks) constructed and installed according to the specifications provided in accordance with APEA Blue Book Guidance (2011).

7.8.3 Following consultation with the Council's Environmental Health Section, it is considered that whilst there are contaminants on this site, the recommendations set out in the applicant's Preliminary Risk Assessment is considered to be acceptable. Furthermore, the Environmental Health Section consider the conditions recommended by the Environment Agency are acceptable in regards to the requirements of a verification report which demonstrates the completion of works in relation to site remediation and in the event unidentified contaminants are found, a remediation strategy to be undertaken and submitted to the Council for its approval. These conditions ensure that underlying groundwater is not affected by contaminants and the health of future end users.

Groundwater

7.8.4 The application site is located upon Secondary A aquifer within the superficial glaciofluvial sand and gravel deposits and a Principal aquifer within the Chalk bedrock. Given this, as part of the development proposal seeks to install underground storage tanks, there is the potential that any leakage from these tanks could detrimentally affect these underground aquifers.

7.8.5 Given the above, the applicant has designed a tank vault to ensure that no leakage affects the aforementioned aquifers. The fuel tanks themselves would have a double skin with the tanks linked to an alarm in the event of a breach. There would also be a monitoring well installed which can be used for frequent physical monitoring or continuous vapour monitoring with an alarm linked to the kiosk.

7.8.6 Following consultation with the Environment Agency, they have removed their original objection to the scheme as the amended underground tank scheme is now acceptable. However, this is subject to conditions being imposed if permission were to be granted. Through these conditions, the development would not have a detrimental impact in terms of contamination of groundwater.

7.9 Ecological Impacts

7.9.1 The application site is identified as previously developed land and currently comprises of a mosaic grassland, ruderal species and bare ground with a belt of trees which align Broadhall Way to the south. The wider environment is generally urban in nature where beyond the A1(M) to the west the environment becomes more rural. The applicant has undertaken a Phase 1 Habitats Survey to assess the potential for the site and adjoining habitats to have species that receive legal protection at either UK and/or European level. The survey comprised a desk top study of records from the multi-agency Geographic Information for the Countryside, Natural England and Hertfordshire Biological Records. A field survey was also undertaken along with a reptile survey.

7.9.2 The survey identified that there are no protected species such as birds, flora, invertebrates, mammals and reptiles within the application site. In terms of impact, as the development site is a considerable distance from any designated sites, it is considered that the proposed development would not have a detrimental impact on these sites. Consequently, it was concluded that the development site as a whole has a low ecological value.

7.9.3 In regards to birds, these are protected by the Wildlife and Countryside Act 1981. It is considered that there is a suitable foraging habitat on the site with breeding opportunities existing, particularly within the belt of trees. Notwithstanding this, as birds are protected, a condition would be imposed to protect nesting birds and for trees to only be removed at certain times of the year.

7.9.4 Given the above, it is considered that the proposed development would not have a detrimental impact on protected species, both flora and fauna. This is supported by Herts and Middlesex Wildlife Trust. However, the Ecology Report does recommend the installation of bat and bird boxes as part of the development; this would help to improve biodiversity of the application site. Given this, it is recommended that a condition be imposed requiring details of bat and bird boxes to be agreed in writing by the Council and thereafter, to be installed in accordance with the approved details.

7.10 Development and Flood Risk

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

7.10.2 The sustainable drainage system which would be installed as part of the development proposal comprises of a 656m³ cellular storage tank with an additional treatment provided by a full retention separator for the petrol filling station. Following consultation with Hertfordshire County Council as the Lead Local Flood Authority (LLFA), they have advised that the applicant has provided an appropriate sustainable drainage scheme in accordance with industry best practice. The LLFA has also recommended that a condition be imposed to require the development to be carried out in accordance with the detailed drainage strategy. In addition, a condition would be imposed to require the application to provide a more detailed drainage strategy (based on the adopted strategy for the whole site) with engineering drawings and sections of the attenuation system as well as to provide a detailed management plan. This is to ensure that the development does not result in surface water flooding both on and off the site.

7.11 Other matters

Sustainable construction and climate change

7.11.1 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 development 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.

7.11.2 The applicant as set out in their application submission set out that all of the buildings are designed with roof mounted solar panels. These panels would generate around 10% of the energy required for the buildings in question. In addition, all of the buildings

will comply with current guidance on insulation levels and air tightness with SBEM (Simplified Building Energy Model) which identifies the buildings being 25% above the requirements set out under Building Regulations. This will mean the buildings would have a low CO2 footprint and be energy efficient. The buildings have also been designed to capture as much natural light as possible.

- 7.11.3 In addition to the above, the development would have an acceptable drainage system to ensure it does not contribute towards flooding. The development would also comprise of extensive landscaping to improve wildlife and biodiversity. In terms of water usage, again the buildings have been designed to ensure that water consumption is less than 110 litres per person per day.
- 7.11.4 Turning to sustainable construction, Hertfordshire County Council as Minerals and Waste Authority recommend the applicant submit a SWMP (Strategic Waste Management Plan). This is to ensure that materials used in construction consist of recycled materials and any materials generated from the construction of the development are also properly recycled where possible. It is recommended that if planning permission were to be granted, a condition could be imposed requiring the applicant to submit a SWMP prior to the commencement of development.
- 7.11.5 Given the above, and subject to condition, it is considered that the development has been designed in order to be adaptable to climate change through the use of sustainable technologies and construction.

8 CONCLUSIONS

- 8.1 In principle, whilst the development is not strictly in accordance with the Council' District Plan (2004) and Emerging Local Plan (2016), the proposal would generate an acceptable level of additional employment on the site and would provide a high quality office building as well. The development would also help to support the ongoing operation of the employment area as well as bring back a vacant plot of land back into operation. In terms of retail impact, the development would not have a negative impact on the town centre and it has been adequately demonstrated that there are no sequentially preferable sites in the town centre.
- 8.2 In addition to the above, the proposed development would deliver a high quality, landmark office building and overall, the development would help to enhance the visual appearance of this part of the employment area. Furthermore, the proposal would not have a detrimental impact on residential amenity, biodiversity, ecology, the environment or contribute to flooding on or off the site through the provision of suitable SuDS. Moreover, it would have sufficient cycle parking and car parking, would not prejudice highway safety and it has been demonstrated that it would also be a sustainable form of development in terms of its construction. Further to this, the development would not have a detrimental impact on trees which are to be retained and would have an acceptable landscaping scheme. Finally, through appropriate conditions, the development would not have a detrimental impact on wildlife or ecology and the risk of contamination to groundwater and human health would be mitigated against.
- 8.3 Given the above, the proposed development is acceptable in planning terms subject to a number of conditions and the applicant entering into a Section 106 agreement. Therefore, the proposal is in accordance with the adopted Local Development Plan Policies, the Council's Supplementary Planning Documents, the NPPF (2018) and PPG (2014).

9 RECOMMENDATIONS

9.1 That planning application reference be GRANTED subject to:-

- A) no intervention from the Secretary of State for Communities and Local Government following reference of the application under the Town and Country Planning (Consultation) (England) Direction 2009;
- B) the applicant having first entered into and completed a S106 legal agreement to secure/provide financial contributions towards:-
 - HCC Automatic Vehicle Location Departure Screens (£48,000)

The detail of which would be delegated to the Assistant Director of Planning and Regulation in liaison with the Council's appointed solicitor.

9.2 The proposal be subject to the following conditions:-

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

16.139 001; 16.139 002 O; 16.139 007 B; 16.139 009; 16.139 012; 16.139 013; 16.139 014; 16.139 015; 16.139 016; 3358 01 D; 3358 02 D; 0066804-CUR-00-XX-DR-D-72001-P01;

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, including site clearance, shall take place until a phasing plan, identifying the areas of the site to be developed under each phase, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the phasing plan.

REASON:- To identify which areas of the site are to be developed at each stage and to ensure that the office development is delivered within an acceptable timeframe.

4 No development, including site clearance, shall take place until samples of the materials to be used in the construction of the external surfaces of the building and hardsurfacing areas, including roads, footpaths and car parking areas, hereby permitted have been submitted to and approved in writing by the local planning authority. The external surfaces of the development shall be carried out in accordance with the approved details. Furthermore, all hard surfacing comprised in the details of shall be carried out within three months of the first occupation of the building(s) or the completion of the development, whichever is the sooner.

REASON:- To ensure the development has an acceptable appearance and to protect the visual amenities of the area.

5 No development, including site clearance, shall take until details of the refuse store and area/facilities allocated for storing recyclable materials has been submitted to and approved in writing by the Local Planning Authority. The refuse and recycle stores shall be implemented in accordance the approved details and no refuse or recycling material shall be stored or placed for collection on the highway pavement, except of the day of collection.

REASON:- To safeguard the amenity of the occupiers, protect the general environment, prevent obstruction to pedestrian movement and to ensure that there are adequate facilities for the storage and recycling of recoverable materials.

- 6 No development, including site clearance, shall commence until a scheme of dust control measures as well as the methodology for the screening and enclosure of plant and machinery to be used during the construction period 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. 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:- To prevent harm to human health, to minimise the impact of construction and to maintain the amenity of neighbouring properties.

- 7 No development, including site clearance, 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 highway authority. Thereafter, the construction of the development shall only be carried out in accordance with the approved statement. The Construction Management Plan/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 areas;
- (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 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 on construction vehicles and to maintain the amenity of the local area.

- 8 No part of 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 as a permanent ancillary to the development 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.

- 9 No development approved by this planning permission shall take place until a scheme that includes the following components to deal with the risks associated with

contamination of the site shall each be submitted to and approved, in writing by the local planning authority:

1. A preliminary risk assessment which has identified:
 - All previous and proposed uses;
 - Potential contaminants associated with those uses (e.g. historic and proposed fuel storage);
 - A conceptual model of the site indicating sources, pathways and receptors, and
 - Potentially unacceptable risks arising from contamination at the site.
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation or mitigation strategy giving full details of the remediation or mitigation measures required and how they are to be undertaken.
4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation or mitigation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

REASON:- To ensure that the development is not put unacceptable risk from, or adversely affected by, unacceptable levels of water. Underground storage and polluting substances poses particular risks to groundwater because of the problems of leak detection. Groundwater is particularly sensitive in this location because the proposed development site formed part of an aircraft components factory and is located upon Secondary A aquifer within the Superficial glaciofluvial sand and gravel deposits and a Principal aquifer with the Chalk bedrock.

- 10 Prior to any part of the permitted development being brought into use a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.
REASON:- To ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete.
- 11 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing by the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority.
REASON:- To ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is completed.
- 12 No drainage systems for the infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approved details.

REASON:- To ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete.

- 13 Piling using penetrative methods shall not be carried other than with the written consent of the local planning authority. The development shall be carried out in accordance with the approved details.

REASON:- To ensure that the proposed office building does not harm ground water resources. Some piling techniques can cause preferential pathways for contaminants to migrate to groundwater and cause pollution. A piling risk assessment and appropriate mitigation measures should be submitted with consideration of the EA guidance.

- 14 A scheme for managing any borehole installed for the investigation of soils, groundwater or geotechnical purposes shall be submitted to and approved in writing by the local planning authority. The scheme shall provide details of how redundant boreholes are to be decommissioned and how any boreholes that need to be retained, post-development, for monitoring purposes will be secured, protected and inspected. The scheme as approved shall be implemented prior to the occupation of the permitted development.

REASON:- To ensure that redundant boreholes are safe and secure and does not cause pollution or loss of water supplies.

- 15 The development hereby permitted may not commence until such time as a scheme to install underground tanks has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the full structural details of the installation, including details of: excavation, the tanks, tank surrounds, associated pipework and monitoring system. The scheme shall be fully implemented and subsequently maintained, in accordance with the scheme, or any changes subsequently agreed, in writing, by the local planning authority.

REASON:- To ensure that the underground storage tanks do not harm the water environment. Underground storage of polluting substances poses particular risks to groundwater because the proposed development site is located upon Secondary A aquifer within the Superficial glaciofluvial sand and gravel deposits and a Principal aquifer with the Chalk bedrock.

- 16 The development permitted by this planning permission shall be carried out in accordance with the approved Detailed Drainage Strategy dated 13 July 2018 produced by Curtins, including:

1. Discharge of surface water to the Thames Water Utilities Ltd surface water sewer at not more than 2l/s;
2. Provision of 656m³ of storage sufficient to manage surface water up to the 1 in 100 plus 40% for climate change rainfall event.

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

- 17 No development shall place until a detailed surface water drainage scheme for the site based on the approved drainage strategy and sustainable drainage principles, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate that the surface water run-off generated up to and including 1 in 100 year + climate change critical storm will be exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

1. Detailed engineered drawings of the proposed SuDS features including cross section drawings, their size, volume, depth and any inlet and outlet feature including any connecting pipe runs.

2. Final detailed management plan to include arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its lifetime.

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

18 No development shall take place, including site clearance, until details for the maintenance and adoption plan for the underground surface water attenuation features for its lifetime shall be submitted to and approved in writing by the Local Planning Authority. The maintenance and adoption plan shall be implemented in accordance with the approved details.

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

19 No development shall take place, including site clearance, until details of secure cycle storage facilities have been submitted to and approved in writing by the Local Planning Authority. The secure cycle storage facilities shall be installed in accordance with the approved details.

REASON: - To ensure the suitable provision of cycle storage.

20 The soft landscaping shall be carried out in accordance with drawing numbers 3358 01 D; 3358 02 D unless otherwise agreed in writing by the Local Planning Authority.

REASON:- To ensure the proper completion of the of the hard and soft landscaping and in the interests of the visual amenities of the area

21 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the first occupation of the building(s) or the completion of the development whichever is the sooner.

REASON:- To ensure the proper completion of the soft landscaping in the interests of visual amenity.

22 No tree shown on the approved soft landscaping plan 3358 01 D; 3358 02 D shall be cut down, uprooted or destroyed, nor shall any retained tree detailed on the aforementioned drawings be topped or lopped within five years of the completion of development without the written approval of the Local Planning Authority.

REASON:-To ensure the protection of those trees which should be retained in the interests of visual amenity.

23 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 the maintenance of the approved landscaping scheme in the interests of visual amenity.

24 No demolition or construction works relating to this permission shall be carried out on any Sunday or Bank Holiday, nor before 07.30 hours or after 18.00 hours on any weekdays, nor on any Saturday before 09.00 hours or after 13.00 hours. These times apply to work which is audible at the site boundary.

REASON:- To protect the amenities of adjoining land users

- 25 No removal of trees, scrubs or hedges shall be carried out on site between 1st March and 31st August inclusive in any year, unless searched before by a suitably qualified ornithologist.

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

- 26 No development, including site clearance, 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.

- 27 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.

- 28 No development shall commence, including site clearance, until a scheme for the provision of bat and bird boxes have been submitted to and approved in writing by the Local Planning Authority. Prior to the first occupation of the buildings, these boxes shall be installed in accordance with the approved scheme and retained thereafter.

REASON:- To increase roosting opportunities for bats and birds in the area and to compensate for lost opportunities for nesting birds.

Pro-active statement

Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant at the pre-application stage and during the determination process which lead 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) Order 2015.

INFORMATIVES

Hertfordshire Highways

Prior to the commencement of development the applicant shall contact Hertfordshire County Council as Highways Authority on 0300 123 4047 in order to obtain the requirements to arrange a site visit to agree condition survey of the approach of the highway leading to the development likely to be used by large articulated and rigid 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. Hertfordshire County Council as Highways Authority may also require an Officer presence during movements of larger loads.

The County Council also note that there are no electric vehicle charging points included in the scheme. Due to the absence of this facility being part of the 'Roads in Hertfordshire Design Guide' through the planning process, the developer will be encouraged to provide such facilities off the highway within their parking schemes, until such time as EVCP's are incorporated into the Highway Design Guide.

Thames Water

A Trade Effluent Consent will be required for any Effluent Discharge, these include food preparation, vehicle washing and any other process which produces contaminated water. In addition, it is recommended a petrol/oil interceptor be fitted in all car parking/washing/repair facilities to ensure oil polluted discharges do not enter local watercourses.

Further, it is recommended that a fat trap be installed and properly maintained on all catering establishments. Also, in line with best practice the disposal of fats, oils and grease, the collection of these waste oils by a contractor, particularly to recycle for the production of bio diesel.

There are also public sewers crossing or close to the development, therefore, in order to protect the public sewers and to ensure Thames Water can gain access for future repair and maintenance, approval should be sought from Thames Water where the erection of a building would be over the line of, or would come within 3m of a public sewer.

A Groundwater Risk Management Permit from Thames Water will be required for discharging ground water into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We expect the developer to demonstrate what measures they will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 0203 577 9483 or by emailing wwqriskmanagement@thameswater.co.uk. Application forms should be completed online via www.thameswater.co.uk/wastewaterquality.

Environment Agency

The developer should follow the risk management framework provided in CLR11, Model Procedures of Land Contamination, when dealing with land affected by contamination. Refer to the Environment Agency Guiding principles for land contamination that are required in order to assess risks to controlled waters from the site. The Local Authority can advise on risk receptors such as human health. Consider using the National Quality Mark Scheme for Land Contamination Management which involves the use of competent persons to ensure that land contamination risks are appropriately managed.

Refer to the contaminated land pages on GOV.UK for more information. It is expected the site investigations to be carried out in accordance with best practice guidance for site investigations on land affected by land contamination, for example British Standards, when investigating potentially contaminated sites and groundwater, and references with these documents:

- BS5930:2015 Code of practice for site investigations;
- BS10175:2011 A1:2013 Code of practice for investigation of potentially contaminated sites;
- BS ISO 5667-22:2010 Water quality, sampling, Guidance on the design and installation of groundwater monitoring points;
- BS ISO 5667-11:2009 Water quality, sampling, Guidance on sampling of groundwater's (A minimum of 3 groundwater monitoring boreholes are required to establish the groundwater levels, flow patterns and groundwater quality, more monitoring locations may be required to establish the conceptual model);
- Use MCERTS accredited methods for testing contaminated soils at the site.
- A Detailed Quantitative Risk Assessment (DQRA) for controlled waters using the results of the site investigations with consideration of the hydrogeology of the site and the degree or any existing groundwater and surface water pollution should be carried out.

In the absence of any applicable on-site data, a range of values should be used to calculate the sensitivity of the input parameter on the outcome of the risk assessment. GP3 version 1.1 August 2013 provided further guidance on setting compliance points in DQRA's.

The verification plan should include proposals for a groundwater monitoring programme to encompass regular monitoring for a period before, during and after ground works. For example, monthly monitoring before, during and for at least the first quarter after completion of ground works, and then quarterly for the remaining 9 month period. Where SUDs are proposed, infiltration SUDs should not be located in unsuitable and unstable ground conditions such as land affected by contamination or solution features. Where infiltration SUDs are to be used for surface water run-off from roads, car parking and public or amenity area, they should have a suitable series of treatment steps to prevent the pollution of groundwater. For the immediate drainage catchment areas used for handling and storage of chemicals and fuel, handling and storage of waste and lorry, bus and coach parking and turning areas, infiltration SUDs are not permitted with an environmental permit.

13 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 Local Plan 2011 – 2031 Publication Draft 2016
4. Central Government advice contained in the National Planning Policy Framework July 2018 and National Planning Policy Guidance 2014.
5. Responses to consultations with statutory undertakers and other interested parties referred to in this report.