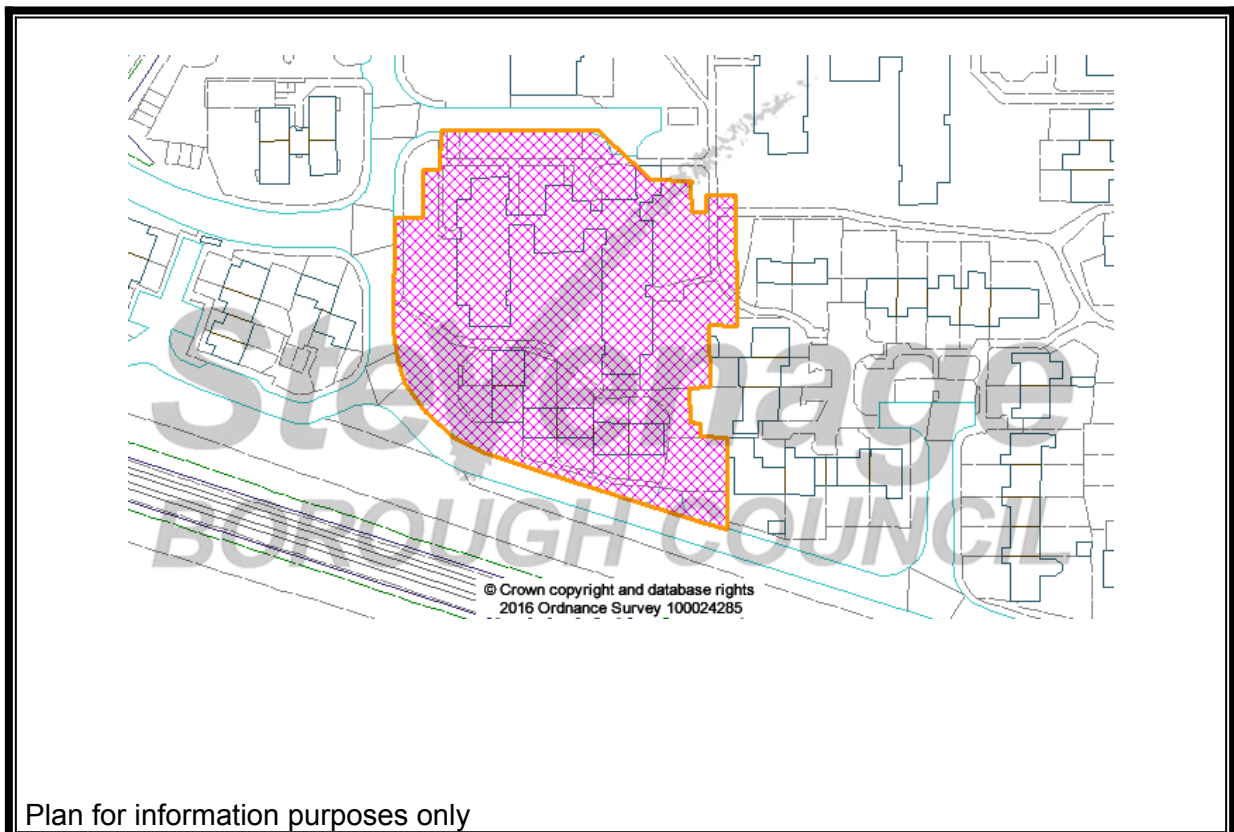


Meeting: Planning and Development Committee **Agenda Item:**
Date: 4 December 2018
Author: James Chettleburgh 01438 242266
Lead Officer: Chris Berry 01438 242257
Contact Officer: James Chettleburgh 01438 242266

Application No:	18/00399/FPM
Location:	Walpole Court, Blenheim Way, Stevenage.
Proposal:	Demolition of the existing Walpole Court sheltered scheme and associated parking and the construction of 51 no. apartments and 9 no. dwellinghouses.
Drawing Nos.:	16059.02.SU1.01; 16059.02.SU1.02; 16059.02.SU.1.03; 16059.02.wd2.01 B; 16059.02.A6.wd2.01 A; 16059.02.A6.wd2.101; 16059.02.A3.wd2.102; 16059.02.A3.wd2.101; 16059.02.A3.wd2.06; 16059.02.A3.wd2.05; 16059.02.A6.wd2.02; 16059.02.A3.wd2.04; 16059.02.A3.wd2.03; 16059.02.A3.wd2.02; 16059.02.A3.wd2.01.
Applicant:	Stevenage Borough Council
Date Valid:	12 July 2018
Recommendation:	GRANT PLANNING PERMISSION.



1. SITE DESCRIPTION

- 1.1 The application site is located on the western end of Blenheim Way at the junction with Kenilworth Close. The site, which has an area of 0.5 hectares (ha), currently comprises Walpole Court which is a sheltered housing development. The main building itself has a horse-shoe shaped footprint and is two-storeys in height with a combination roof consisting of cat slides and gable-ends. The building itself is constructed from a mixture buff multi-stock brick with parts of the first floor level clad in timber. The roof of the sheltered accommodation is clad in bold roll concrete inter-locking tiles with timber soffits with black uPVC gutters and downpipes. The fenestration detailing of the Walpole Court comprises of uPVC windows and doors which are symmetrically aligned and evenly spaced.
- 1.2 The site also comprises six bungalows which form a staggered terrace with hipped roofs. These properties are constructed from red and buff brick with a band of grey bricks. The roofs of the bungalows are clad in concrete inter-locking tiles. The main entrance doors are slightly recessed and comprise of white uPVC doors. The windows are also white uPVC which are symmetrical and evenly spaced. The rear private garden areas of the bungalows are enclosed by 1.8m high timber fencing.
- 1.3 Turning to the surrounding area, to the south of the application site beyond Blenheim Way is a belt of woodland which runs parallel with the East Coast railway line. To the north of the application site lies the existing Kenilworth Close neighbourhood centre. This neighbourhood centre itself comprises two single-storey buildings and a surface car park. The main building, which fronts onto the surface car park which is accessed off of Hertford Road, consists of 4 no. retail units. Immediately to the west of the small parade of shops is the detached single-storey community centre.
- 1.4 To the west of the application site beyond Blenheim Way is the residential development of Cragside. This development comprises two residential terraces which front onto a centralised parking courtyard. The terraces themselves, which are uniform in design, are constructed from a mixture of red and buff brick with a grey brick band with their respective roofs clad in concrete inter-locking tiles. There is also a standalone pair of semi-detached properties which are of the same design as the terraced properties. To the north of Cragside of Blenheim Way (to the north-west of the site) lies a three storey residential block of flats with a double mono-pitched roof. The block itself is constructed from a stock red brick with the roof clad in concrete inter-locking tiles. On the flank elevations at second floor level the elevations are finished in timber cladding.
- 1.5 To the east of the Walpole Court is the residential development in Blenheim Way. The development generally comprises of uniform, two-storey terraced properties set within regimented building lines and regular shaped plots. These properties have been constructed from a stock buff brick with their roofs finished bold inter-locking concrete tiles.

2. RELEVANT PLANNING HISTORY

- 2.1 Planning application reference 2/0436/87 sought permission for the installation of two lifts and motor rooms. This application was granted permission in November 1987.
- 2.2 Planning application reference 2/0224/93 sought permission for a two storey external lift shaft and single-storey pump room. This application was granted planning permission in September 1993.

3. THE CURRENT APPLICATION

- 3.1 This application seeks planning permission, following the demolition of the existing Walpole Court development, for the erection of a residential block which comprises of 23 no. one bedroom and 28 no. two bedroom apartments. This application also seeks planning permission for the erection of 9 no. three bedroom town houses. The residential block of apartments, including pedestrian and vehicular access, would be taken off Kenilworth Close. In terms of access to the proposed dwellinghouses, these would be accessed off Blenheim Way. The proposal also comprises 61 car parking spaces (4 disabled) which would be reserved for the residential apartments and 18 parking spaces (including 9 integral garages) which would serve the proposed town houses. In addition, there would be a provision of 4 visitor spaces located adjacent to the proposed houses. This application also seeks permission for the provision of a communal lawn, associated landscaping and ancillary works.
- 3.2 The proposed residential block of apartments, which would be located on the junction of Blenheim Way and Kenilworth Close, would have an L-shaped footprint with the building spanning a maximum width of approximately 47m and depth of approximately 34m respectively. In terms of height, the proposed building would at it tallest be five storeys reducing down to three storeys with an overall height of approximately 15m. The building itself would be constructed from a mixture of contrasting materials which includes a buff brick and blue engineering brick along with stone composite panelling with the roof finished in zinc. The fenestration detailing would comprise of aluminium timber composite finished in grey windows and doors with the apartments on the roof also comprising of curtain wall glazing. There is also a bin store and cycle store located adjacent to the south/western corner of the apartment development.
- 3.3 Internally, at ground floor level there would 6 no. one bedroom and 5 no. two bedroom apartments. At first and second floor level (on each level) there would be 5 no. one bedroom and 6 no. two bedroom apartments. In regards to third floor level, there is 5 no. one bedroom and 5 no. two bedroom apartments as well as an area of green roof. With respect to the fourth floor, there would be 2 no. one bedroom and 6 no. two bedroom apartments. The building would also consist of 2 internal stair cores and a lift. The roof area of the building would comprise of associated plant, including an area of solar pv panels.
- 3.4 Serving each of the apartments on the ground floor up to the third floor would be a recessed balcony area with the properties on the fourth floor being served with outdoor terraces. The balconies themselves would comprise of either polyester powder coated stainless steel handrails or a frameless glazed balustrade.
- 3.5 In regards to the proposed town houses, these would measure individually (House Type 1 and 2) 9.87m in length, span 5.83m in width with an eaves height of 7.50m with an overall height of 10.73m. At ground floor level, the dwellinghouses would comprise an integral garage, study, utility room and WC. In relation to first floor level, there would be an open plan kitchen/dining room and lounge. With respect to second floor level (within the roof), there would be three bedrooms (one en-suite) and a family bathroom.
- 3.6 In regards to construction, the townhouses would be constructed from contrasting buff and grey facing brick with the gable-end roof clad in zinc. In terms of the fenestration detailing, the properties would comprise of aluminium timber composite windows and doors which have been symmetrically aligned and evenly spaced.
- 3.7 This application comes before the Planning and Development Committee as Stevenage Borough Council is the applicant and the owner of the site. In addition, this application is also classed as a Major residential development.

4. PUBLIC REPRESENTATIONS

4.1 This planning application has been publicised by way of a site notice and neighbouring properties have been notified about the application via a letter. The application was also published in the local press as it is a major application. At the time of drafting this report eight objections have been received from numbers 25, 102, 128, 132, 134 and 138 Blenheim Way, number 93 Stirling Close and number 37 Walpole Court. In addition, comments were received from 7 Stirling Close. In regards to objections which have been raised, a summary of these objections are set out below:-

- Inadequate public transport which is unreliable to serve the development;
- Insufficient off-street parking;
- Development will result in additional on-street parking;
- The development would generate an unacceptable level of additional traffic;
- The development would prejudice highway safety;
- The development site, despite what is stated, is not in close proximity to railway stations in Stevenage or Knebworth;
- The development is likely to have a negative impact on accessibility for emergency services, refuse collection vehicles and buses;
- Safety concerns regarding shared space design;
- Safety concerns regarding pedestrian links;
- Loss of amenity provision in terms of shops and the community centre;
- There appears to be a lack of communal recycling facilities for the new dwellings;
- Some of the plans appear ineligible or are not correct;
- Residents seek confirmation that the existing footpaths linking existing houses will be maintained;
- Will there be specific restrictions on the proposed retail spaces?;
- The development will pose a safety risk to local children;
- The development would generate an unacceptable level of overshadowing;
- The development would result in a substantial loss of light;
- The development would result in a substantial loss of privacy;
- The development in terms of its design (including the provision of town houses) and its overall height is out of character;
- The development would result in an unacceptable level of noise and disturbance to local residents;
- The increase in waste bins would generate an unacceptable increase in odour;
- The number of shops being provided is inadequate;
- How will local schools cope with the additional capacity required from the development;
- The development would obstruct visibility lines on the highway;
- The development is more akin to a university campus;
- It is considered by residents that the Council has been deceitful, if not duplicitous to only reference part of the development when seeking views on the proposal;
- The Council have not engaged in proper consultation in relation to three of the planning applications for the area;
- A comprehensive consultation with residents needs to be undertaken to allow concerns to be addressed as it is considered local peoples viewpoints will not be heard;
- The planning department need to take into account the objections placed on all three applications;

- The residential travel plan is flawed and contains a number of errors and inconsistencies around dwelling numbers/retail floorspace, inaccurate traffic data and calculations as well as parking;
- The development would have a detrimental impact on property values;
- The development would result in an increase in crime and anti-social behaviour;
- The village characteristics of the area would be diminished by the development;
- Would the Council give local residents compensation due to the developments impact in terms of noise, pollution and reduction in property values;
- Where is the provision of electric vehicle charging points?;
- Cycling to the main Stevenage station is not an option in bad weather, is dangerous along ill maintained cycleway which are frequented by persons who generate unacceptable levels of anti-social behaviour;
- The train stations in Knebworth and Stevenage are not easily accessible by foot;
- The proposed houses would not be affordable;
- The proposal would attract people from outside and not as an alternative to town centre living;
- There is a request for more information to be provided in terms of the types of social houses being provided as in most cases when these are rehabilitation centres for those with known social issues, more problems are caused for the incumbent residents;
- Would the current shops be allowed to tender for the new retail units?;
- What happens to existing businesses when the development is under construction;
- What provision will be made for parking of contractor vehicles;
- The development will turn the area into Great Ashby;
- Councillors at recent meetings with residents have not listened to the concerns which have been raised;
- The proposal is contrary to the Policies in the Local Plan;
- The proposal should be providing a doctors surgery as required under the Local Plan;
- Social housing is not acceptable in this private estate;
- The Council is building on Green Belt land when it suits it despite it being protected;
- The Council has not offered to buy up properties which are to be affected by the development;
- Stevenage Borough Council will likely approve the development without properly considering the concerns of local residents;
- The Local Plan is not very clear and needs to be written in plain English;
- The Council is failing to consider the ongoing bullying which is taking in place in Walpole Court;
- The Council is placing refugees and their children into Walpole Court;
- The proposal is considered to be overdevelopment of the site;
- If permission were to be granted, a condition should be imposed to ensure there is a temporary provision of shops for the duration of the building of the new shops;
- The Transport Assessment is inaccurate as not properly consider the local highway network;
- A number of statements set out in the submitted Transport Assessment are considered to be misleading;
- If permission were to be granted, a condition should be imposed regarding the speed restriction limit to be moved back from the junction with Watton

road, the road signs to be relocated and for vegetation to be removed for site lines. This is in order to improve road safety due to the increase in traffic;

- If permission were to be granted, a condition should be imposed requiring there is the provision of facilities for charging of electric cars;
- It is recommended that one of the satellite dwellings should be used as a surgery and maybe a local Police office;
- The development should not be monolithic;
- The development should not be excessive in height;
- The developments needs to fit in with the spirit of “Bragbury End”;
- The development needs to adapt the best facades where appropriate;
- The development should have reflective facades;
- The proposal needs to have 4 shops such as Co-Op (Not Tesco’s), chemist, hairdressers and hot food takeaway.
- So many houses, what ages are they for?;
- Are they for sale/rent?;
- Are the costs reasonable to local people?;
- Could there be provision for a GP surgery?;
- There are no schools or GPs nearby.

4.2 Please note that the aforementioned is not a verbatim of the comments and representations which have been received. However, a full version of the comments and representations which have been received are available to be viewed on the Council’s website.

5. CONSULTATIONS

5.1 Hertfordshire County Council as Highways Authority

5.1.1 The County Council as the Highways Authority consider the development to be in accordance with National and Local Policies. Therefore, the Highways Authority formal recommendation is that there are no objections to the development proposal subject to the recommended conditions. In regards to the S106 financial contributions which were originally sought for bus stop improvements, it has been recommended that these should be tied in The Bragbury Centre application (18/00398/FPM) being the larger of the two schemes. Therefore, the County Council is no longer seeking financial contributions for this development.

5.2 Hertfordshire County Council Growth and Infrastructure Unit

5.2.1 Based on the information provided for a development of 60 units, the County Council would seek financial contributions towards primary education in order to expand Shephalbury Park Primary School from 1 Form of Entry (FE) to a 2 FE school. In addition, the proposal also seeks a financial contribution towards secondary education in order to expand Barnwell Secondary School. Furthermore, a library service contribution is sought towards developing community meeting/training room(s) on the first floor of Stevenage Library. Finally, a youth service contribution is also being sought towards the purchase of additional art and/or sport equipment for detached work, run as part of an outreach programme from the Bowes Lyon Centre or its re-provision.

5.2.2 In addition to the above, the County Council also recommends the provision of a fire hydrant be secured as part of any S106 agreement.

5.3 Hertfordshire Constabulary as the Crime Prevention Design Service

- 5.3.1 Following an assessment of the proposed development, there are no concerns from a Secured by Design perspective. Therefore, await a copy of the Secured by Design application if permission was granted.

5.4 Herts and Middlesex Wildlife Trust

- 5.4.1 The methodology and recommendations set out in the surveys are considered to be acceptable. However, in accordance with British Standards 42020: 2013 (Biodiversity: Code of Practice for Planning and Development) all mitigation, compensation or enhancement measures must be definitively stated and marked on plans. If integrated bat boxes are to be delivered (as recommended in the ecological report) it must be clear, how many, what model, and exactly where they will be provided so that the LPA is clear on what is actually being proposed. It is recommended that integrated bat boxes which slot into the brickwork of the buildings are an acceptable solution. These are permanent and have greater temperature stability than free hanging boxes which are vulnerable and not as permanent.

5.5 Council's Parks and Amenities Section

- 5.5.1 There are insufficient details at this stage for the Parks Section to be able to comment fully on the soft and hard landscaping proposals for this development. Parks will require full details, specifications and plans of the areas that are expected to be maintained and adopted by the Parks Section. This shall also include any proposed sustainable drainage within the development. In addition, all planting schemes, specifications and plans are to be approved by the Parks and Amenities Section prior to commencement of any planting, seeding, turfing etc.
- 5.5.2 If planting is to be adopted by the Parks Section, they shall need to strictly comply with the emerging specification document being produced by Parks. In addition, a minimum of 12 month establishment and defect period is required for all new plantings and landscaped areas. Any issues (e.g. plant establishment) that have not been resolved by this period will extend the adoption hand over until resolved and Parks is satisfied. Any replacement or rectification works during this period shall be undertaken and completed all at cost to the applicant.
- 5.5.3 The Parks Team have been informed that some areas may be maintained by a management company. Therefore, the Parks Section will require full details and plans of the areas that are expected to be maintained by Parks and those by a management company. Parks and Amenities will also require full contact details of the management company maintaining these areas for our records. It is important to note that the Parks and Amenities Section are not able to adopt or maintain any planted areas at height (e.g. garden roof terraces).
- 5.5.4 Proposed planting around parking bays must be considerate to access of maintenance and must not cause any visual difficulties for motorists. Proposed planting and grassed landscaping must also consider location in respect of glazed windows and doors. Areas of planting to be adopted by Parks must not interfere with potential blocking of windows and doors. Grassed areas shall not be near low level glazing due to risk of material being thrown from machinery. The use of any loose fill hard aggregate for landscaping will not be acceptable.
- 5.5.5 On a separate point, there are a number of proposed small / narrow strips of planting around parking spaces. These small areas should be removed from the design. Protection of the soft landscaped areas from vehicles must also be incorporated into the design where appropriate. As such the main open space must include appropriate methods to prevent unauthorised vehicular access whilst still allowing access for maintenance. Consideration

must also be made for protecting areas of landscape that will be vulnerable to damage by large turning vehicles (i.e. road verge corners).

- 5.5.6 Consideration must also be made of the locations of litter bins within the design. All new bins shall comply with the black standardised Wybone litter bin installed throughout the town. Specification details can be provided upon request.

5.6 Council's Arboricultural Manager

- 5.6.1 Following an analysis of the application, the proposals set out in the arboricultural report are acceptable. However, the only concern would be that where trees are due to be removed, the nearby ones would need to be pruned at the same time to compensate for the loss of support.

5.7 Council's Environmental Health Section

- 5.7.1 The proposed development is considered to be acceptable. However, this is subject to conditions regarding the mitigation of environmental noise from road/rail traffic on the development. In addition, a condition should be imposed on the hours of construction.

5.8 Thames Water

- 5.8.1 With regards to surface water drainage, it has been advised that it is for the developer to follow the sequential approach to the disposal of surface water. Where a developer proposes to discharge to a public sewer, prior approval from Thames Water Development Services will be required. The development would be expected to demonstrate what measures will be undertaken to minimise ground water discharge into the public sewer. Groundwater discharges typically from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Therefore, Thames Water recommends an informative stipulating that the developer will be required to have a "Groundwater Risk Management Permit" in order to discharge water into the sewer.

- 5.8.2 In regards to the waste water network and waste water processing infrastructure capacity, there are no concerns with the proposed development.

5.9 Hertfordshire County Council as Lead Local Flood Authority

- 5.9.1 The County Council as the Lead Local Flood Authority consider the proposed drainage scheme to be acceptable. The drainage strategy for the site is based on infiltration via shallow soakaways and permeable pavements. The proposal also comprises lined bio-retention areas with rainwater pipes proposed to provide treatment and to convey to the surface water from the communal areas and roads prior to discharging into the communal soakaway. The proposal also consists the use of individual soakaways for the dwellings as well as a geo-cellular soakaway for the apartment block and the communal areas, including roads and tanked permeable pavement for all car parking areas. The proposed drainage scheme is therefore considered to be acceptable subject to conditions.

- 5.9.2 In addition, as the applicant has not carried out ground contamination investigation, there is the potential contamination on site could affect the suitability of the proposed drainage. Therefore, it is recommended the Environment Agency is consulted in respect of this. The Council will also need to satisfy itself that the proposed SuDS features can be maintained for its lifetime and recommend the Council obtains a maintenance and adoption plan from the applicant.

5.10 Hertfordshire County Council Mineral and Waste Section

5.10.1 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 development's construction. Furthermore, Waste Policy 12: Sustainable Design, Construction and Demolition require all relevant construction projects to be supported by a Site Waste Management Plan (SWMP). This aims to reduce the amount of waste produced on site and should contain information including types of waste removed from the site and where the waste is taken to.

5.11 UK Power Networks

5.11.1 No comment.

5.12 NHS England

5.12.1 No comment.

5.13 East Hertfordshire District Council

5.13.1 No comment

5.14 East and North Herts NHS Clinical Commission Group

5.14.1 No comment.

5.15 Herts and Middlesex Bat Group

5.15.1 No comment.

5.16 Affinity Water

5.16.1 No comment.

6. RELEVANT PLANNING POLICIES

6.1 Background to the Development Plan

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

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

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

- 6.1.2 The National Planning Policy Framework sets out that decision-takers may give weight to relevant policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies, and their degree of consistency with policies in the National Planning Policy Framework.
- 6.1.3 In considering the policy implications of any development proposal, the Local Planning Authority will assess each case on its individual merits, however, bearing in mind the positive Inspector's Report, significant weight will be afforded to policies within the emerging Local Plan.

6.2 Central Government Advice

- 6.2.1 A revised National Planning Policy Framework (NPPF) was published in July 2018. The NPPF sets out the Government's planning policies for England and how these are expected to be applied. Annex 1 of the NPPF provides guidance on how existing local plan policies which have been prepared prior to the publication of the NPPF should be treated. Paragraph 213 of the NPPF applies which states that due weight should be afforded to the relevant policies in the adopted local plan according to their degree of consistency with it.
- 6.2.2 Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is itself a material consideration. Given that the advice that the weight to be given to relevant policies in the local plan will depend on their degree of consistency with the NPPF, it will be necessary in the determination of this application to assess the consistency of the relevant local plan policies with the NPPF. The NPPF applies a presumption in favour of sustainable development.
- 6.2.3 In addition to the NPPF, advice in Planning Practice Guidance must also be taken into account. It states that, where the development plan is absent, silent or the relevant policies are out of date, paragraph 11 of the National Planning Policy Framework requires the application to be determined in accordance with the presumption in favour of sustainable development unless otherwise specified.

6.3 Adopted Local Plan

Policy TW1: Sustainable Development;
Policy TW2: Structural Open Space;
Policy TW8: Environmental Safeguards;
Policy TW9: Quality in Design;
Policy TW10: Crime Prevention;
Policy TW11: Planning Requirements;
Policy H6: Loss of Residential Accommodation;
Policy H7: Assessment of windfall residential sites;
Policy H8: Density of residential development;
Policy H10: Redevelopments;
Policy T6: Design Standard;
Policy T12: Bus Provision;
Policy T13: Cycleways;
Policy T14: Pedestrians;
Policy T15: Car Parking Strategy;
Policy T16: Loss of Residential Car Parking;
Policy EN13: Trees in new development;
Policy EN27: Noise Pollution;
Policy EN36: Water Conservation;
Policy EN38: Energy Conservation and Supply;
Policy L15: Outdoor Sport Provision in Residential Developments;

Policy L16: Children's Play Space Provision in Residential Developments;
Policy L17: Informal Open Space Provision in Residential Developments;
Policy L18: Open Space Maintenance;
Policy L21: Footpath, Cycleway and Bridleway Network;

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

Policy SP1: Presumption in favour of sustainable development;
Policy SP2: Sustainable Development in Stevenage;
Policy SP5: Infrastructure;
Policy SP6: Sustainable Transport;
Policy SP7: High quality homes;
Policy SP8: Good Design;
Policy SP11: Climate Change, Flooding and Pollution;
Policy SP12: Green infrastructure and the natural environment;
Policy IT3: Infrastructure;
Policy IT4: Transport Assessments and Travel Plans;
Policy IT5: Parking and Access;
Policy IT6: Sustainable Transport;
Policy IT7: New and improved links for pedestrians and cyclists;
Policy HO1: Housing Allocations;
Policy HO5: Windfall Sites;
Policy HO7: Affordable housing targets;
Policy HO8: Affordable housing tenure, mix and design;
Policy HO9: Housing types and sizes;
Policy HO11: Accessible and adaptable housing;
Policy GD1: High Quality Design;
Policy FP1: Climate Change;
Policy FP2: Flood Risk in Flood Zone 1;
Policy FP4: Flood storage reservoirs and functional floodplain;
Policy FP7: Pollution;
Policy NH5: Trees and woodland;
Policy NH6: General protection for open space;
Policy NH7: Open space standards.

6.5 Supplementary Planning Documents

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

7. APPRAISAL

7.1 The main issues for consideration in the determination of this application are land use policy considerations, compliance with the Council's Housing Policies, affordable housing and financial contributions, impact on the character and appearance of the area, impact on neighbouring amenity, future residential amenity, impact on the highway network, parking provision, trees and soft landscaping, impact on ecology and development and flood risk.

7.2 Land Use Policy Considerations

7.2.1 The application site is not allocated in both Stevenage District Plan Second Review 1991 – 2011 (adopted 2004) and the Stevenage Borough Local Plan 2011 – 2031 Publication Draft January 2016 for residential development. Given this, as an unallocated housing site within the urban area of Stevenage the proposal is considered to be a 'windfall' site where Policy H7 of the District Plan (Assessment of Windfall Residential Sites) and Policy HO5 of the

Emerging Local Plan (Windfall Sites) apply in this instance. Both policies set out a number of criteria against which proposals will be assessed. Consequently, the proposal is subject to the relevant policies of the District Plan, Emerging Local Plan and the National Planning Policy Framework July 2018 (NPPF).

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

7.2.3 Taking the above issues in turn, the site is considered to be in a sustainable location. In regards to access to local facilities, the application site is located 18m from the small neighbourhood centre/shopping parade which would be constructed at Kenilworth Close. The site is also located approximately 986m from Shephallbury Park Primary School and 1.58km from The Barnwell School respectively. There are also bus stops on Hertford Road (SB8 bus) and Watton Road (SB8 bus) and there is a designated cycle route to the north of the application site along Hertford Road. As such, the application site is considered to have good access to local facilities and alternative forms of travel to the private car and is therefore in a highly sustainable location.

7.2.4 In relation to five year land supply of deliverable housing, as mentioned in paragraph 7.2.2 of this report, local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide five years’ worth of housing against their housing requirements, but the supply of specific deliverable sites should in additional include a buffer (moved forward from later in the plan period) of:-

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

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

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

The most up to date housing supply figures indicate that the Council is unable to meets its requirement to provide a five year supply of deliverable housing. The fact that the Council is unable to meet its requirement to meet a five year supply of housing is thus a material consideration in the assessment of the application.

7.2.5 The fact that the site is considered to be in a sustainable location, would constitute a sustainable form of development and the fact that the Council is currently unable to provide a five year supply of deliverable housing sites are strong material considerations that significantly weigh in favour of the application.

7.3 Compliance with the Council's Housing Policies

- 7.3.1 As set out above, as the site is unallocated for housing within the adopted District Plan, the application site is considered to be a 'windfall' site where policy H7 of the District Plan. This policy sets out a number of criteria against which proposals for residential development on sites not allocated in the District Plan should be assessed against.
- 7.3.2 Firstly, the application site is classed as previously developed land. The application site currently comprises the existing development of Walpole Court (including the bungalows) and areas of hardsurfacing. Therefore, the proposal would accord with definition of previously developed land as set out in Annex 2 of the NPPF which states that previously developed land is land which is or was occupied by a permanent structure, including the curtilage of the developed land and any associated fixed surface infrastructure. The NPPF also advises that a key objective is that local planning authorities should continue to make effective use of land by re-using land that has been previously developed. Further, as a previously developed site, the proposal would not result in the loss of any structural open space, which thus satisfies criterion (b) of Policy H7.
- 7.3.3 In regards criterion (c) of Policy H7 this states that there should be no detrimental effect on the environment or adjoining properties. This issue will be assessed in detail in the following sections considering the impact on the character and appearance of the area and the impact on neighbouring amenity.
- 7.3.4 Finally, Policy H7 also requires that there is access to local facilities and services and also excellent access to public transport network and both the pedestrian and cycle networks. As set out above, the site has good access to the public transport network and both the pedestrian and cycle networks. The site has thus been demonstrated to be in a sustainable location and as such, would comply with criterion (d) and (e) of Policy H7.
- 7.3.5 Policy H8 of the District Plan relates to the density of residential development and states that 'in general, the net density of new housing should be within a range of 30 – 50 dwellings per hectare and that higher densities (50-65+ dwellings per hectare) will be encouraged in developments in the town centre, at neighbourhood centres and other locations well served by passenger transport'. The proposal is seeking 60 units on a site of 0.55 hectares which will provide a density of approximately 109 dwellings per hectare, which exceeds the aforementioned standards. However, the application site is in a sustainable location being in close proximity to an existing neighbourhood centre. In addition, the existing density of development of Walpole Court is 69 dwellings per hectare which is also above the specified density per hectare standard.
- 7.3.6 As demonstrated above, the proposal is in accordance with Policy H7 of the adopted District Plan, however, it is also important to consider the emerging policy position. The Stevenage Borough Local Plan 2011-2031, Publication Draft 2016, emerging Policy SP7 promotes the provision of 1,950 new homes to be provided, via windfall sites, elsewhere in the Borough.
- 7.3.7 Policy HO5 (Windfall Sites) of the Emerging Local (2016) also sets out a number of criteria which are similar to those set out under Policy H7 of the District Plan. However, this policy also requires developments to not prejudice the Council's ability to deliver residential development on allocated sites, and, development must not overburden existing infrastructure. Dealing with the first point, due to the siting and location of the development, it does not affect the delivery of any nearby allocated residential sites, including the redevelopment of Kenilworth Close Neighbourhood Centre as defined under Policy HO1/9. In terms of impact on existing infrastructure, due to the limited scale of the development

proposed, it would not have a detrimental impact on infrastructure such as education facilities, youth and library facilities along with health care facilities. This is considered in more detail in the “Affordable Housing and Financial Contributions” section of this report.

- 7.3.8 In respect to Policy HO9 (House types and sizes), as the proposed development seeks to deliver a mixture of three bedroomed townhouses as well as one and two bedroom apartments, it would be in accordance with this policy. This is because it would help to balance the structural imbalances in the existing housing stock whereby there is a lack of smaller homes in the Borough

7.4 Affordable Housing and Financial Contributions

- 7.4.1 Policy HO7 of the Emerging Local Plan (2016) states that planning permission will be granted for residential developments that maximise affordable housing provision. For developments on previously developed land, 25% of the dwelling units should be affordable. In regards to the proposed development, whilst the proposal seeks to provide 60 new dwelling units, there are 38 dwelling units which are to be demolished in order to facilitate the construction of the development. Therefore, the Council can only seek affordable housing provision and financial contributions on the net addition which in this instance is 22 dwellinghouse units. Taking this into consideration, there is a requirement to provide 6 affordable housing units. Policy HO7 continues that planning permission will be refused where these targets are not achieved unless:-

- a) Developers robustly demonstrate that the target cannot be achieved due to site specific constraints resulting in higher than normal costs, which affect its viability; or
- b) Meeting the requirements would demonstrably and significantly compromise other policy objectives.

- 7.4.2 Turning to affordable housing tenure, mix and design, Policy HO8 of the same document states that where affordable housing is secured through Policy HO7, planning permission would be granted where those dwellings:

- a. Are provided by the developer on site with at least 70% of the units being for rent and the remainder consisting of other tenures which is to be agreed with the Council’s Housing team;
- b. Meets the requirements of Policy HO9 (House types and sizes);
- c. Are physically indistinguishable from other types of homes and are distributed across the site to avoid over-concentration in particular; and
- d. Will remain at an affordable price for future eligible households.

- 7.4.3 In addition to the above, paragraph 64 of the NPPF (2018) stipulates that for major developments involving the provision for housing, at least 10% of the homes should be made available for affordable home ownership (this includes shared ownership, equity loans, other low cost homes which are 20% below local market value and rent to buy). However, the aforementioned 10% requirement is part of the overall affordable housing contribution from the site.

- 7.4.4 The proposed development would not consist of or include the provision of any affordable housing. Therefore, it would be contrary to the Policy HO7 of the Emerging Local Plan (2016) and the NPPF (2018). However, it is important to note that this application has been brought forward in conjunction with The Bragbury Centre, where an application proposes to erect 169 dwellings (including 88 independent living units) (Planning reference:-18/00398/FPM). This application is to be considered elsewhere on this agenda. These

applications are linked in terms of affordable housing, where the affordable housing requirement for the Walpole Court development (6 units) would be provided within The Bragbury Centre application which comprises 70% affordable units (118 units). It is considered that the affordable housing provision for this application to be provided within Bragbury Centre development can be secured by way of a S106 agreement.

7.4.5 In addition to affordable housing, financial contributions are also required in accordance with the Hertfordshire County Council tool kit and contributions to Stevenage Borough Council for commuted payments. Based on the number of units proposed, the following contributions would be sought:-

Stevenage Borough Council	Financial Contribution
Open outdoor space	£1,392.80
Children's play space	£1,255.68.
Total	£2,670.48
Hertfordshire County Council	
Primary Education	£40,502.00
Secondary Education	£34,080.00
Library	£5,569.00
Youth Services	£809.00
Total	£106,960
Overall total	£83,630.48

7.4.6 In addition to the above, Hertfordshire County Council has also sought the provision of a fire hydrant within the development. Following negotiations with the applicant, they have agreed to pay the aforementioned financial contributions and obligations and to provide a fire hydrant which would be secured by a S106 Agreement. In this regard, the proposed development would accord with the NPPF and the Council's adopted and emerging policies in relation to affordable housing and financial contributions.

7.5 Impact on the Character and Appearance of the Area

7.5.1 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 the 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.

7.5.2 Paragraph 130 of the NPPF states that "permission should be refused for development of poor design that fail to available opportunities available for improving the character and quality of an area and the way it functions". 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.

7.5.3 The proposed development would seek to demolish the existing sheltered living accommodation and bungalows known as Walpole Court. This is in order to facilitate the

construction of the proposed residential apartment block and the 9 no. townhouses which would be located at the southern end of the application site. Dealing with the proposed residential apartment block, this would be the principal building on the site, and as such, it is positioned in the most prominent location in the north-west corner adjacent to the junction of Kenilworth Close and Blenheim Way. The building is to be a maximum of five storeys in height, which as detailed in paragraph 3.2 of this report, would span approximately 47m with a depth of approximately 34m. In terms of height, the proposed building would have an overall height of approximately 15m.

- 7.5.4 To compare the scale and height of the building, the proposed building would be taller than any existing building in the area as the tallest buildings are generally three-storeys. Notwithstanding this, as the proposed residential apartment block will be the principal building on the site on a prominent and conspicuous corner, it needs to be a high quality landmark development. In addition, the proposed development forms part of the wider regeneration of Kenilworth Close with this application running in conjunction with the Bragbury Centre Scheme (18/00398/FPM).
- 7.5.5 In respect of finished appearance, the materials which would be used in the construction of the development would be a mixture of buff brick and blue engineering brick with the roof finished in zinc. The fenestration detailing would comprise of aluminium timber composite finished in grey windows and doors. Serving the majority of the flats is a recessed balcony which comprise of metal railings. These balconies have been aligned in order to give the building an element of verticality to the overall architectural design of the apartment block.
- 7.5.6 On the north-eastern corner of the building is a white framed box which is constructed with stone composite panelling. This architectural feature is broken up on the northern elevation with recessed balconies with metal railings with glazed panels. The top floor level of the building has been recessed and comprise of curtain wall glazing serving the habitable areas. In addition, the building, due to its prominent position, has been designed with a curved corner feature positioned on the junction of Kenilworth Close and Blenheim Way. This part of the building has recessed curved balconies framed by the building's brickwork. In terms of fenestration, the windows are generally vertically aligned and evenly spaced, but this a varied window design which runs through all of the elevations of the building. The aforementioned architectural features and contrast in materials and mixed window design, help to not only provide visual interest but also gives the building a high quality appearance. In addition, the building would be well modulated due to the projecting and recessed features which help to add variety and interest into the built form of the apartments.
- 7.5.7 Turning to the proposed townhouses, these would measure, as set out in paragraph 3.5 of this report, 9.87m in length, span 5.83m in width with an eaves height of 7.50m with an overall height of 10.73m. Therefore, they would not be too dissimilar in height to some of the existing properties in the area. In regards to the overall makeup of the townhouses, this would comprise of 1 no. terrace of three houses and 3 no. semi-detached properties. The properties themselves would be uniform in design being constructed from contrasting buff and blue engineering brick with the V-gulley gable-end roof and part of the principal elevation clad in zinc. The proposed fenestration detailing would be symmetrically aligned and evenly spaced comprising of aluminium timber composite windows and doors. The windows themselves would have a varied design in order to add variety and interest.
- 7.5.8 The proposed townhouses would have a contemporary modern appearance. Each property would have an individual access to the rear gardens which help to separate the dwellings. The properties are also staggered due to the curvature in the road with the ground floor area of the dwellings consisting of integral garages. The front entrances to the properties would have an overhanging glass canopy.

7.5.9 Having regards to the aforementioned, whilst the scheme introduces a taller building into this part of town, it is considered that the scale and form of the development, including the proposed town houses, would enhance the visual amenities of this part of Stevenage through the delivery of a contemporary modern, high quality residential development. Therefore, it is considered that the proposed development would not have a detrimental impact on the visual amenities of the wider street scene.

7.6 Impact upon Neighbouring Amenity

Daylight

7.6.1 BRE "Site Layout Planning for Daylight and Sunlight – A Guide to Good Practice" in terms of light from the sky/daylight, provides guidance on the effects of new development on existing building. The guide states that "in designing a new development...it is important to safeguard the daylight to nearby buildings. A badly planned development may make adjoining properties gloomy and unattractive". Guidance is further provided to establish whether or not an existing building receives enough skylight, when a new development is constructed. The guidance sets out that an angle should be measured to the horizontal subtended by the new development at the centre of the lowest window. If this angle is less than 25 degrees for the whole of the development then it is likely to have a substantial effect on the diffuse skylight enjoyed by the existing building.

7.6.2 Turning to the impact on number 132 Blenheim Way, there are no ground floor windows on the western elevation but there is a window at first floor level. However, this window appears to serve a bathroom and as such, as it is not classed as a habitable room. Consequently, an assessment as to the impact on daylight to this window does not have to be undertaken in this instance. In relation to the habitable rooms of this property, as they are positioned on the northern and southern elevation the development being located to the west of this site it would not have a detrimental impact on the level of daylight which is currently received at the aforementioned property.

7.6.3 With respect to the impact on numbers 126 to 130 Blenheim Way, it is noted that the proposed development would be located to the rear of their respective private garden areas. However, due to the layout of the proposed development, the aforementioned properties would back onto the rear garden area of plot 9. Given this, as the proposed townhouses are not located directly opposite the aforementioned properties in Blenheim Way, the proposed development does not subtend 25 degree line as taken from the ground floor habitable rooms.

7.6.4 In relation to the impact on number 124 Blenheim Way, as the habitable room windows are orientated north/south and the development is located to the west of this property, the proposed residential block of apartments would not result in any loss of daylight to this property. In relation to the impact on numbers 148, 160 and 168 Blenheim Way which are located in the flat block to the north-west of the application site, it is noted that their respective living rooms and bedroom windows are positioned on the eastern elevation on this existing flat block.

7.6.5 Looking at the impact the development may have on the properties in Cragside, the most likely affected properties would be numbers 10 and 11. However, as their respective habitable room windows are located on a north/south axis and the development is located to the east, it would not result in any loss of daylight to these properties. Given this, it is considered that the proposed development could potentially impact on the level of daylight which is currently received by these properties. However, the proposed development is not located directly opposite this residential building. In addition, the proposed development would be over 26m from the residential windows of numbers 148, 160 and 168 Blenheim Way. Therefore, it can be deduced that the proposed development would not erode the level of daylight which is currently received within the existing flats.

- 7.6.6 Given the aforementioned assessment, the proposed development is not considered to impact upon daylight serving the dwellings.

Sunlight

- 7.6.7 The BRE “Site Layout Planning for Daylight and Sunlight – A Guide to Good Practice” under section 3.2, states that an obstruction to sunlight may become an issue if some part of a new development is situated within 90 degrees of due south of a main window wall of an existing building. In addition, in the section drawn perpendicular to the existing window wall, the new development subtends an angle 25 degrees to the horizontal from the centre of the lowest window to a main living room. It is important to note that bedrooms and kitchens are considered to be less important, although care should be taken not to block out too much sun.
- 7.6.8 In regards to the impact on number 132, as the proposed development would not be located within 90 degrees of due south to the living room window, the proposed development would not affect the level of sunlight which is currently received at this property. In relation to the impact on numbers 126 to 130, a number of the townhouses would be located within 90 degree of due south to the ground floor living rooms of the aforementioned properties. However, the nearest townhouse (plot 9), is located over 13m from the living room window of number 130 which increases to over 15m due to the proposed townhouse sitting at right angles to the aforementioned property.
- 7.6.9 In terms of number 128, the separation distance increases to 18m and for number 126 this increases further to 22m. Given the level of separation combined with the fact that the proposed townhouse in plot 9 is not positioned directly south of numbers 126 to 130, the level of sunlight these properties receive would not be affected by the proposed development.
- 7.6.10 Turning to the impact on number 124 Blenheim Way, given numbers 126 to 138 are located directly south of this property and its respective living room window is on the northern elevation, the proposed development would have no impact on the level of sunlight which is currently received at this property.
- 7.6.11 Looking at the impact on numbers 10 and 11 Craggside, as set out in paragraph 7.6.5, due to the orientation of the habitable windows (including the living room) combined with the siting of the proposed development, the development would not harm the level of sunlight which is currently received at these properties.
- 7.6.12 In relation to the impact on numbers 148, 160 and 168 Blenheim, due to the siting and positioning of the proposed development, it would be located within 90 degrees of due south of the aforementioned properties. Given this, there is the potential the development could impact on the level of sunlight which is currently received at numbers 148, 160 and 168. Following an assessment of the proposed development, it has been identified that the 25 degree line for the ground flat would be subtended by the proposed development. However, as you move further south, the separation distance of the building increases to 44m. In addition, it has been identified that only a 3m section of the proposed building subtends the 25 degree line. Given the large majority of the development does not impact on the 25 degree line combined with the fact that the development is not positioned directly south of the aforementioned residential block, it would not result in a substantial loss of sunlight to a level which would warrant refusal of this planning application.

Overshadowing

- 7.6.13 In regards to overshadowing, the proposed residential block of apartments is set to the north of numbers 128 to 132 Blenheim Way. In relation to number 126, whilst the residential apartment block is positioned to the west of the aforementioned property, it would be located over 60m away from number 126 Blenheim Way. Therefore, due to the significant separation distance, the development would not result in unacceptable levels of overshadowing to this property.
- 7.6.14 In relation to the impact on numbers 128 to 130 Blenheim Way, it is noted that the proposed townhouses could potentially generate some element of overshadowing to these properties in the afternoon. However, due to the separation distances combined with the fact that the shadow is likely to fall within the existing shadow which is generated by the boundary fence, this would be no worse than the existing situation. In addition, there are already a number of trees, which albeit are to be removed, are of a size which already generate afternoon overshadowing to these properties. Therefore, there would be insufficient ground to warrant refusal on the limited increase in overshadowing which may be generated by the development.
- 7.6.15 In regards to the impact on the properties in Cragside, due to the layout of numbers 10 and 11 in relation to their private gardens, the built form of these properties already cast a shadow in the morning to their respective private garden areas. Given this, the proposed development would not exacerbate the existing level of overshadowing which already occurs to the private garden areas of the aforementioned properties.
- 7.6.16 With respect to the impact on numbers 148, 160 and 168 Blenheim Way, it is noted that the proposed development would generate some level of overshadowing in the morning between 08:00 to 11:00. However, as the building does not overshadow the communal space which serves this flatted development, the proposal would not harm the amenities of the occupiers of these flats.

Privacy and outlook

- 7.6.17 Chapter 5 of the Design Guide SPD (2009) states that privacy is an important aspect of residential environments to ensure that a reasonable degree of privacy for residents is provided, both within their habitable rooms and garden areas. Therefore, the position of dwellings and the arrangement of their rooms and windows, should not create significant overlooking of other dwellings or private garden areas, nor should they lead to overbearing impacts or adversely affect the residential amenities of neighbouring properties. Therefore, the guide sets out the minimum separation distances which should be achieved between new buildings.
- 7.6.18 In regards to the impact on privacy, none of the proposed townhouses would directly overlook the private garden areas or habitable rooms of the neighbouring residential properties within Blenheim Way. However, it is noted that the first and second floor windows on plot 9 on the eastern elevation would overlook the private garden area of number 132. Given this, combined with the fact that these windows only serve the landing, it is recommended a condition be imposed requiring these windows to be obscurely glazed and non-opening as measured 1.7m from finished floor level.
- 7.6.19 Turning to the proposed residential apartment block, the northern wing of this block does not directly overlook the private garden areas or habitable rooms of numbers 126 to 132 Blenheim Way. However, it is considered that the habitable rooms/private garden areas could be seen from acute angles as taken from habitable rooms within the residential block. However, the nearest garden area i.e. number 126 is over 22m away in which the flats would generally overlook the private car parking area.

- 7.6.20 On a separate point, it is noted that the western wing of the development is located due west of the numbers 126 to 130 Blenheim Way. Notwithstanding this, this part of the development at its nearest point would be over 60m from the aforementioned properties. With respect to the fourth floor, it is noted that there would be an outdoor terrace serving the individual apartments. However, this has been positioned so as to not directly overlook the private garden or habitable room areas of neighbouring properties in Blenheim Way.
- 7.6.21 In relation to the impact on numbers 10 and 11 Craggside, the private balconies serving the flats would be over 19m from the private garden areas of these properties. In addition, the proposed development, due to the orientation of these properties, would not directly look onto the habitable rooms of these properties. In regards to the impact on numbers 148, 160 and 168 Blenheim Way, whilst it is noted that there would be a balcony area on the north-western part of the apartment block, it is angled away. In addition, there would be a separation distance of over 25m. Therefore, the privacy of the aforementioned properties would not be detrimentally affected by the development.
- 7.6.22 With respect to outlook, due to the level of separation between all parts of the respective development and neighbouring residential properties as detailed in the aforementioned sections of this report, it would not appear overbearing or harm the outlook of the nearest residential properties.

7.7 Future residential amenity

Outlook, privacy, sunlight and daylight

- 7.7.1 Dealing first with the proposed dwellinghouses, it is noted that with regards to plot 1, that the rear elevation of this property would look onto the side elevation of the proposed apartment block. Given this, in line with the Council's Design Guide, there should be a separation distance of 20m.
- 7.7.2 Taking the above into consideration, there would only be a separation distance of between 8.04m to 8.94m. This is considered to be well below the Council's Standards. However, at ground floor level, the property would have a study and utility room which are not classed as habitable rooms. In regards to the first floor level, there would be a living room which faces onto the apartment block. Notwithstanding this, there would be two windows serving this room where one of the windows overlooking the proposed communal lawn would not be directly affected by the apartment block. Therefore, the outlook from the living room would not be detrimentally affected in this instance.
- 7.7.3 Turning to the second floor of the townhouse in plot 1, it is noted that bedroom 3 would not be affected as it looks out onto the communal lawn area as per the living room below. Notwithstanding this, the room most affected is bedroom 2 as it looks straight onto the flank wall of the flatted scheme. However, the property within plot 1 would sit at an angle to the apartment block and, as such, a large portion of the views out from this window would not be obscured by the development. In addition, this part of the apartment development comprises the flat roofed area which helps to improve the outlook from this bedroom window.
- 7.7.4 Turning to the townhouses in plots 2 to 8, the rear walls of these properties would appear to face onto the rear walls of the residential apartment block. Given this, in line with the Council's Standards, as the apartment block and townhouses are over two storey's in height, the guide states that there should be a separation distance of 30m. Taking this standard into consideration, there would be a separation distance of between 28m to 37m. Therefore, the only property likely to be affected is the dwellinghouse in plot 2 as there is a separation shortfall of 2m. However, the townhouse in plot 2 sits at an angle to the proposed apartment block and as such the separation distance increases to 30m. Consequently, due to the level of separation, it is considered that there would not be a

detrimental impact on the outlook of plots 2 to 8. In relation to plot 9, as there is built form located directly behind this townhouse, the level of outlook from this property would be acceptable.

- 7.7.5 In relation to privacy, with respect to plot 1, whilst there is a limited separation distance, the only windows on the southern elevation of the residential apartment block serve an en-suite bathroom. Given this, the windows serving the en-suite bathroom be obscurely glazed and non-opening as measured 1.7m from finished floor level. This can be covered by a planning condition. In regards to plots 2 to 8, the only plot affected is number 2 as the separation distances between plots 3 and 8 and the residential apartment block exceed the separation distance standards of 30m. Looking at plot 2, whilst it is noted that there is a shortfall of 2m, the balconies are recessed into the building and as such, the windows serving the habitable rooms within the apartments would be 30m from the residential development. In addition, as the townhouse in plot 2 sits at an angle, there is no direct overlooking of each property. Moreover, each property would generally overlook the communal lawn. With respect to plot 9, as mentioned above, as there is no development positioned directly opposite the rear wall, the residential apartment block would not have a detrimental impact on the level of privacy which would be enjoyed by the future occupiers of this property.
- 7.7.6 Notwithstanding the above, with respect to the private garden area associated with plot 9, it is noted that numbers 126 and 130 would look directly onto the private garden area of this property. Therefore, the level of privacy of future occupiers could be affected by the level of overlooking from the existing properties. Despite this, these properties have rear garden areas of between 10 to 11m. Therefore, there is sufficient separation distance and garden depth in line with the Council's Standards to ensure that the level of privacy which would be enjoyed by future occupied would not be detrimentally affected by numbers 126 to 130 Blenheim Way.
- 7.7.7 Dealing with the residential apartment block with regards to outlook and privacy, due to the separation distances specified between the houses and this part of the development, the level of privacy and outlook for the future owner/occupiers of the development would be in accordance with the Council's Standards. Turning to any potential overlooking from neighbouring developments, as there is significant separation distances of over 25m from 148, 160 and 168 Blenheim Way and over 30m increase to 60m from 126 Blenheim Way, the level of outlook and privacy afforded by the future occupiers of the development would be acceptable.
- 7.7.8 Given the aforementioned assessment, it is concluded that the level of outlook, privacy, sunlight and daylight would be acceptable for future residents of the development in line with the Council's Design Guide SPD (2009).

Private amenity space

- 7.7.9 Dealing with the proposed townhouses, the Council's Design Guide States that in the case of new dwellings, the minimum standard for dwellings should normally be 50 square metres. In addition, each dwelling should normally have a minimum garden depth of 10m. However, for larger detached dwellinghouses, there will generally be a requirement to provide larger gardens. Taking this into consideration, the private garden area for each property is set out in the table 1 below.

Table 1:- Size of private garden areas per plot.

Townhouse plot number	Area of private garden (sq.m)	Length of private garden (metres)
1	72	7.43
2	51	8.62
3	69.63	11.49
4	78.81	13.12
5	68.98	11.47
6	76.66	13.44
7	82.72	15.19
8	89.84	15.11
9	130.25	15.11

- 7.7.10 Taking into consideration the above, whilst the private garden areas of plots 1 and 2 do not meet the Council's Standard in terms of depth, their overall size and design ensures that they are usable. This is because every private garden within each plot comprises a shed and an area to store bins with sufficient space left over for the occupiers of the development to enjoy. With regards to the other plots, their respective private garden areas exceed the Council's Standards.
- 7.7.11 Turning to the proposed residential block of apartments, the Council's Design Guide states that where private space is required, the Council will seek the provision of a minimum useable communal area of 50 sq.m for schemes up to 5 units, plus an additional 10 square metres per additional unit over 5. Taking this standard into consideration, there would be a requirement to provide 510 sq.m communal space. In addition to this, the Design Guide does set out that upper floor flat dwellers rarely have access to garden space. Therefore, where there is no communal space, then effort should be made to provide balconies or roof gardens.
- 7.7.12 The proposed development would seek to provide a 122 sq.m (approximate area) communal lawn which is located to the rear of the development. However, this communal lawn is well below the Council's Standards for communal space. Notwithstanding this, each apartment has either a private balcony or private terrace. These areas combined would provide approximately 456 sq.m of private amenity space. Given this, the balconies, terraces and communal lawn would exceed the 510 sq.m communal space standard which is required.
- 7.7.13 In order to meet the requirements of policies L15 and L16 of the District Plan (2004) and Policy NH7 of the emerging Local Plan (2016), commuted payments towards existing sport/open space facilities and children's play space will be included as provision in the S106 agreement. The nearest substantive open space with children's play equipment is at Blenheim Way. The Council's Parks and Amenities section would seek to utilise these monies as well as pool the monies from The Bragbury Centre development to enhance the children's play and open space provision at Blenheim Way.
- 7.7.14 Given the aforementioned assessment, it is considered that the development would have adequate provision of private amenity space to serve the future occupiers of these properties.

Gross internal floor area

- 7.7.15 Policy GD1 of the Emerging Local Plan (2016) relates to High Quality Design and it sets out the minimum gross internal floor areas for dwellings which are in line with the Government's nationally described space standards. Following an assessment of the proposed floor plans, the proposed dwellings would meet the minimum internal floor standards set out in

the Emerging Local Plan. Given this, there would be adequate living space standards for any future occupiers of the development.

Noise

- 7.7.16 Policy EN27 of the District Plan (2004) states that for noise sensitive uses, these will only be permitted if they are located where they will not be subjected to unacceptably high levels of noise generating uses. Policy FP8 of the emerging Local Plan (2016) stipulates that permission for pollution sensitive uses will be granted where they will not be subjected to unacceptably high levels of pollution exposure from either existing, or proposed, pollution generating uses.
- 7.7.17 Tacking the above policy into consideration, due to the location of the development which lies in close proximity to the East Coast main railway line, a neighbourhood centre and bordered by highways, the applicant has submitted with the application a Noise Impact Assessment.
- 7.7.18 Following consultation with the Council's Environmental Health Section, it is considered that the Noise Impact Assessment adequately assesses the level of noise which is generated from the external environment. However, to ensure noise levels within the development do not exceed the internal noise levels contained in British Standard BS8233:2014 (guidance on sound insulation and noise reduction for buildings) in so far as the living rooms, dining rooms and bedrooms, a condition should be imposed if planning permission were to be granted. This condition would require the ventilators and windows to each dwelling to achieve an acceptable level of acoustic performance in line with the regulations.
- 7.7.19 In addition to the above, the Council's Environmental Health Section has recommended a condition be imposed in respect to construction noise. This is to ensure that noisy activities associated with the building out of the development are only to be carried out within certain timeframes. This is to ensure that existing residents in the area are not detrimentally affected in terms noise during the construction phase of the development.

External lighting

- 7.7.20 In regard to external lighting, the applicant has not submitted any details of lighting which would be installed on the development or around the application site. However, to ensure that any external lighting does not affect the amenities of nearby residential properties, prejudices highway safety or has a negative impact on protected species such as bats, it is recommended a condition be imposed to any permission granted in order to deal with external lighting. This condition will require details of any external lighting to be installed to be submitted to the Council for its approval prior to it first being installed.

7.8 Impact on the Highway Network

- 7.8.1 The application site is currently accessed via Kenilworth Close and Blenheim Way which are unclassified local access roads. These roads are restricted to a speed limit of 30 mph. The proposed residential block of flats would be served by a new vehicular access off Kenilworth Close which would have a width of 6m. The internal car park road would also be 6m in width. With this in mind, the access road and internal road serving the car park would be of a sufficient width to allow for two way traffic.
- 7.8.2 The proposal also comprises a new vehicular access off Blenheim Way to the west of the proposed block of flats to serve a parking area. The kerb radii serving the access point into the car park would be 7m in width narrowing to 5m. Turning to the proposed vehicle cross-overs serving the townhouses, these would be taken off Blenheim Way. There would be three single and three shared vehicle access points, including one which would serve a visitor parking area.

- 7.8.3 With regard to vehicle-to-vehicle inter visibility as taken from the individual access points, these have been designed in accordance with the Department for Transport (DfT) Manual for Streets and Herefordshire County Council (HCC), Roads in Hertfordshire Design Guide where the visibility lines have been taken along the footway. In terms of pedestrian visibility, all of the residential access points would have adequate pedestrian visibility splays in line with Manual for Streets as well as HCC Roads Design Guidance.
- 7.8.4 In regards to vehicle manoeuvrability, the applicant has provided as part of this application submission swept path analysis as part of their Transport Assessment. The plans depicting the swept path analysis display that tracking is accommodated within the site for refuse vehicles, emergency vehicles (ambulance and fire tender) and the average motor car. In terms of accessibility for emergency vehicles, the proposal is within the statutory building regulation distance of 45 metres to all parts of the building from the principal and internal road. In addition, the geometrical layout of the roads would accommodate the swept path of larger vehicles.
- 7.8.5 In assessing traffic generation, the applicant's transport consultant has produced a transport assessment which incorporates details of proposed traffic generation for weekdays. The assessment also comprises of a future year assessment model in order to inform the potential future impact of the development on the surrounding highway network. In regards to the peak periods the assessment focused on were 08:00-09:00 AM and 17:00-18:00 PM. The model utilised to predict the amount of traffic which would be generated was via TRICS (Trip Rate Information Computer System) with a base model of private residential development in a similar location.
- 7.8.6 It is anticipated that the proposal would generate between 08:00-09:00 AM Peak 25 arrivals and 57 departures which generates a two trip of 82 vehicle movements. With respect to peak traffic between 17:00-18:00 PM Peak, there would be 51 arrivals and 23 departures which generates a two way trip of 74 in Total. Taking this into consideration, it equates to 2 vehicle movements per minute. In regards to trip distribution, the Transport Assessment has reviewed how the development would affect the local highway network including the reconfigured A602/Hertford Road Traffic Light controlled junction.
- 7.8.7 In order to assess future traffic growth on these junctions based on the survey data from 2018 up to a future year of 2023 (5 years is an agreed industry standard), the Transport Consultant has utilised the National Transport Model (NTM) which factors local conditions using TEMPRO (Trip End Model Presentation Programme). This model demonstrates that the queue length on the junction and surrounding roads would be well dispersed due to the various access points into the development. In addition, the modelling has demonstrated that the new A602/Hertford junction would operate with adequate spare capacity during both peak periods.
- 7.8.8 In regards to the traffic modelling generated within the Transport Assessment, HCC Highways considers the data produced is a fair representation of the potential amount of traffic which would be generated by the development (including the level of traffic which could be generated cumulatively by the development at The Bragbury Centre). Following a review of this, it is considered the development would generate a nominal increase in vehicle trip movements to and front the development site, but, this would not be to prejudicial highway safety. In addition, the applicant has provided accident data which demonstrates that there have been no serious accidents within the vicinity of the development. Furthermore, the Highways Authority consider that the likely distribution and assignment of traffic across the surrounding roads, the impacts of the proposal would be dispersed throughout the various junctions.
- 7.8.9 Following consultation with 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, including emergency vehicles and refuse collection vehicles. This analysis demonstrates the development can safely accommodate these vehicles.

- 7.8.10 Notwithstanding the above, HCC recommends that if planning permission were to be granted, a condition should be imposed requiring details of a Construction Management Plan/Statement to be submitted to the Council for its approval prior to the commencement of development. This will ensure that during the construction phase of the development the safety and operation of the highway would not be detrimentally affected in this instance.

7.9 Parking provision

- 7.9.1 The Parking Provision Supplementary Planning Document sets out the base standard of 1 parking space for 1 bedroom units, 1.5 spaces for a two bedroom unit, 2 spaces and for a three bedroom unit and 2.5 spaces are required. Taking these standards into consideration there would be a requirement to provide 83 parking spaces. Given the application site is not located within a residential accessibility zone, there would be a requirement to provide the maximum number of spaces which are required.

- 7.9.2 Taking the aforementioned standards into consideration, the proposed development would comprise of 61 parking spaces to serve the residential block of flats, 18 spaces to serve the dwellinghouses plus an additional 4 visitor parking spaces to serve the development. This would in total provide 83 car parking spaces in this instance.

- 7.9.3 In regards to garages, as the proposed dwellinghouses would comprise of integral garages, each of which has minimum internal dimension of 3m x 6m. These would therefore, accord with the Council's standards. In relation to disabled parking, as the majority of the parking provided on the site is communal and not allocated, there is a requirement to provide 5% of the number of parking spaces for disabled residents. This scheme provides 4 spaces which accords with this requirement.

- 7.9.4 With regard to cycle parking, the minimum standard for residential development is 1 long term space per unit. Given this, due to the overall size of each properties respective gardens as well as the size of the integral garages, there would be sufficient space within each plot to secure a bicycle. In terms of the residential block of apartments, the proposed development would comprise of a secure cycle store adjacent to the car parking area. This store would be of a sufficient size to provide 51 secure cycle spaces for residents of the flatted block, which meets the Council's Standards.

- 7.9.5 In summary, subject to conditions on requiring the necessary parking and secure cycle parking to be provided prior to the occupation of the development, and, to remove permitted development rights with respect to the garages so they cannot be converted in the future, it is considered that there would be sufficient off-street parking and secure cycle parking in accordance with the Council's Standards.

7.10 Trees and Soft Landscaping

- 7.10.1 The application site comprises a number of mature trees which are likely to be affected by the proposed development. Given this, in order to facilitate the construction of the proposed development, it would result in the removal of 1 category B tree (Trees of moderate quality) and 15 category C trees (Trees of low quality). The trees to be removed comprise a mixture of Red Oak, Winter Cherry, Ash, Corsican Pine, Rowan, Swedish Whitebeam and Norway Maple.

- 7.10.2 In addition to the above, the proposed development would encroach on the root protection area of a Silver Birch. Given this, the applicant's Arboricultural Impact Assessment recommends the provision of protective fencing to be installed prior to the commencement

of development. In addition, where development works are to be undertaken in the root protection area, the Assessment recommends this is supervised by an Arboriculturalist to ensure that the roots of the tree are not damaged.

- 7.10.3 In addition to the works within the root protection areas and the removal of a number of trees, there would also be a requirement to reduce the crown by between 1m to 2m of a Silver Birch as it would be located in close proximity to one of the dwellinghouses. In relation to mitigation, the Arboricultural Impact Assessment recommends that a landscape architect is appointed to ensure that suitable replacement tree planting can be undertaken within the development site.
- 7.10.4 Following consultation with the Council's Arboricultural Manager, the Arboricultural Impact Assessment submitted with the planning application is considered to be acceptable. However, to ensure that sufficient replacement tree planting is provided within the development site along with suitable landscaping, it is recommended a condition be imposed to any grant of planning permission requiring the applicant to provide details of a landscaping scheme with replacement tree planting to be submitted to the Council for its approval.

7.11 Impact on Ecology

- 7.11.1 The application site is identified as previously developed land and predominantly comprises of residential buildings, amenity grassland, trees, low hedgerows and associated hardstanding including roads, car parking and footpaths. The wider environment is generally urban in nature comprising of residential and commercial premises, trees, amenity grass land and areas of structural open space. The applicant has undertaken a preliminary ecological assessment of the site and immediate wider surroundings. The survey comprised a desk top study of records from the multi-agency geographic information for the countryside, Herts Environmental Records Centre (HERC) and ordnance survey maps. A Phase 1 habitat survey was also undertaken by the Ecologists.
- 7.11.2 The survey identified that there are no habitats of high value to legally protect species on site. In addition, it was identified that the site was not suitable for badgers, great crested newts, otters, water voles, hazel dormouse, notable plants or invertebrates of significance. In regards to bats, there were trees on site that were considered suitable for localised foraging and commuting bats, but at a limited level. However, in order to protect foraging bats, it is recommended in the Ecological Report that sensitive lighting design in the final scheme will be required to ensure there are no impacts on foraging bats. Furthermore, it is recommended that bat boxes should also be incorporated into the final development scheme. In this regard, it is recommended a condition be imposed to require details of bat boxes to be installed to be agreed by the Council.
- 7.11.3 In addition, due to the presence of scattered trees along the southern boundary and around the edges of the site which are considered suitable for nesting habitats for breeding birds during the breeding season, it is recommended a condition would be imposed to protect nesting birds and for trees to only be removed at certain times of the year. In addition, a condition should be provided to require the provision of bird boxes in order to help to improve nesting opportunities.
- 7.11.4 Turning to the ecological value of the development site itself, the Ecological Assessment concluded that the development site as a whole has a low ecological value. Following consultation with Herts and Middlesex Wildlife Trust (HMWT), they consider the methodology and conclusions of the surveys undertaken are acceptable. In regards to the improvements and enhancement measures requested by HMWT, these as set out in paragraphs 7.11.2 and 7.11.3 can be secured by a condition. In addition, suitable

landscaping in order to improve biodiversity can also be secured by a condition if planning permission were to be granted.

7.12 Development and Flood Risk

7.12.1 The application site is situated within Flood Zone 1, which has a low probability of flooding. However, as the application is classed as a Major residential application, there is a statutory requirement to consult Hertfordshire County Council as the Lead Local Flood Authority (LLFA). The LLFA has confirmed that the applicant has provided sufficient detail to demonstrate that there is a feasible drainage scheme for the site. Accordingly, the LLFA raise no objection on flood risk grounds subject to conditions which are included in section 9.1 of this report. In regards to the consultation with the Environment Agency, they are not a statutory consultee on this application. However, if permission were to be granted a catch all land contamination can be imposed if permission were to be granted. This would ensure that if there are any contaminants, these can be addressed accordingly through appropriate remediation measure in consultation with the Environment Agency and the Council's Environmental Health Section.

7.13 Other Matters

Refuse and recycling

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

- Residual Waste – 240 litres;
- Cans and plastics – 55 litres;
- Paper and cardboard -55 litres;
- Glass – 20 litres;
- Green Waste (dwellinghouses) – 240 litres.

7.13.2 The applicant has detailed on the submitted plans show the location of the proposed refuse store and bin storage areas for the dwellinghouses in line with the above. In addition, the bin store serving the residential block of flats as well as the individual bin storage areas for the dwelling houses have been positioned in a way to ensure that they are easily accessible to the refuse collection teams and can be screened so as to not have a detrimental impact on the visual amenities of the area.

Sustainable construction and climate change

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

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

- Contributing towards reducing flood risk through the use of SuDS or other appropriate measures.

- 7.13.4 The applicant has provided as part of their Design and Access Statement details on sustainable construction and adaptation to climate change. It is set out in the statement that water saving measures which include flow restrictions, aerated taps and dual flush toilets would be incorporated into the development. In addition, the residential apartment block has been designed with large scale glazing to serve the lobby areas in order to reduce the reliance on artificial lighting. The apartments also incorporate large windows in order to allow natural light is predominant in main areas. In addition, the block also comprises the provision of solar PV panels on the roof in order to generate renewable energy for the apartments. The building also comprises a green roof in order to reduce the level of water been drained from the building into the local sewer network.
- 7.13.5 In addition to the above, the applicant has set out that in terms of construction, they will be sourcing environmentally friendly materials. In addition, all materials from the development will be recycled where possible. Furthermore, the development would have high levels of thermal insulation and all heating appliances installed would be energy efficient. Moreover, the drainage strategy which would be utilised as part of this development will achieve a 1 in 100 year event plus 40% allowance for climate change.
- 7.13.6 Turning to sustainable construction itself, Hertfordshire County Council as Minerals and Waste Authority recommended the applicant submit a SWMP (Strategic Waste Management Plan). This is to ensure that materials used in the construction consist of recycled materials and any materials generated from the construction of the development are properly recycled where possible. Whilst it noted the applicant has specified that they would look to utilise recycled materials where possible, they have not submitted a SWMP with this application. Therefore, 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.
- 7.13.7 Given the above, and subject to a 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.

Impact on property values

- 7.13.8 Concerns have been raised about the impact that the development would have on property values. However, despite the concerns raised, it has long been established through planning case law that in the assessment of planning applications, it is the conventional tests of impact on planning policies and amenity harm to neighbouring uses or the character of an area as a whole that is the deciding issue and not any possible consequential effects on nearby property values.

Consultation Process

- 7.13.9 A number of concerns have been raised by local residents that the Council has not undertaken a thorough or comprehensive consultation process with local residents about this planning application. However, the Council has complied with the regulations which are set out in the Town and Country Planning (Development Management Procedure) (England) Order 2015.
- 7.13.10 In line with the he aforementioned Order, residential properties located in close proximity to the application site have been notified via a letter and four site notices were also erected. In addition, being a Major Residential Development, the application has also been advertised in the Local Press. Furthermore, this planning application has been published on the weekly

planning list and all of the relevant plans and documentation associated with this application have been uploaded onto the Council's website.

- 7.13.11 In regards to the applicant's engagement with the Local Community, there is no statutory requirement for them to do this in line with current UK planning legislation and law. However, the applicant has confirmed that public consultation events were undertaken via an exhibition within Asquith Court in May 2018.

Crime and anti-social behaviour

- 7.13.12 It is noted that a number of objections have been raised citing concerns that the development would increase levels of crime and anti-social behaviour. However, following consultation with the Police Crime Prevention Design Officer, no concerns have been raised with respect to the proposed development generating extra crime or issues of anti-social behaviour.

Odour

- 7.13.13 Some concerns have been raised by residents that the proposed development and particularly the refuse bins are likely to generate increased issues of odour. However, this is not considered to be a material planning consideration in relation to this planning application. However, if odours were to be an issue in the future and cause a statutory nuisance, then the Council's Environmental Health Section have powers to enforce against such nuisances.

Provision of a doctors surgery

- 7.13.14 It is noted that some residents have raised concerns in relation to the lack of provision of a GP doctors surgery. In addition, residents also emphasise that the Council's policies in the Local Plan clearly sets out a requirement for a doctor's surgery for this site. Whilst these concerns are noted, this site is not allocated in the Local Plan (both emerging and adopted) and the land in question where large scale residential development is allocated in the Emerging Local (2016) is located further south along the A602. In addition to this, the NHS and the North and East Hertfordshire CCG have not formally requested a GP surgery is provided on this site. Therefore, it would be unreasonable to require the applicant to provide a GP surgery as part of this planning application.

Provision of retail units and the community centre

- 7.13.15 It is noted that some concerns have been raised in regards to the existing shops and community centre. Whilst these concerns are noted, these facilities do not form part of this planning application as they are dealt with separately under the application for The Bragbury Centre (18/00398/FPM).

Electric Vehicle Charging Points

- 7.13.16 Comments from local residents have been received regarding the lack of details of electric vehicle (EV) charging points. In regards to EV, the District Plan (2004), the Emerging Local Plan (2016) and the Council's Parking Standards SPD (2009) do not have any requirements for a developer, at this current time, to provide EV charging points. However, it is noted that there is a drive by Central Government as well in HCC's Local Transport Plan 4 (2018) to provide EV charging points in order to help tackle climate change. Therefore, if members were minded to grant planning permission, a condition could be imposed to require the applicant to provide details of EV charge points which are to be agreed in writing by the Council. This condition would then require the applicant or developer to install the EV points based on the details provided.

8. CONCLUSIONS

- 8.1 In summary, the principle of residential development has been established as being acceptable on this windfall site which does not conflict with the Council's vision for the proposed re-development of the Kenilworth Close Neighbourhood Centre. In addition, whilst considered a high density scheme, the development is located within a sustainable location with access to local buses, the nearby cycle network and nearby facilities within the neighbourhood centre, which can therefore accommodate a high-density scheme. In view of this, the proposal is considered to accord with the Council's adopted District Plan policies which relate to windfall developments.
- 8.2 The design and layout of the development would not significantly harm the amenities of the occupiers of neighbouring residential properties and the residents of the proposed development would enjoy an acceptable level of amenity. In design terms, it would represent a high quality development resulting in an attractive landmark building and would assist in the wider aspirations of the redevelopment of the Kenilworth Close Neighbourhood Centre.
- 8.3 The proposal would have adequate off-street parking in line with the Council's adopted standards as well as an appropriate level of cycle parking provision in a convenient location. Finally, issues relating to construction management, materials, landscaping, affordable housing and development contributions can be satisfactorily addressed through the use of conditions and/or a S106 Legal Agreement.
- 8.4 Given the above, the proposed development accords with the Policies contained within the adopted Local Plan (2004), the Council's Emerging Local Plan (2016), the Council's Supplementary Planning Documents, the NPPF (2018) and NPPG (2014).

9. RECOMMENDATIONS

- 9.1 That planning permission be GRANTED subject to the applicant having first entered into and completed a S106 legal agreement to secure/provide financial contributions towards:-
- Primary and Secondary Education;
 - Libraries and Youth Facilities;
 - The improvement of open outdoor space and children's play space;
 - Provision of a fire hydrant;
 - Securing the off-site provision of affordable housing.

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

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:
- 16059.02.SU1.01; 16059.02.SU1.02; 16059.02.SU.1.03; 16059.02.wd2.01 B;
16059.02.A6.wd2.01 A; 16059.02.A6.wd2.101; 16059.02.A3.wd2.102;
16059.02.A3.wd2.101; 16059.02.A3.wd2.06; 16059.02.A3.wd2.05; 16059.02.A6.wd2.02;
16059.02.A3.wd2.04; 16059.02.A3.wd2.03; 16059.02.A3.wd2.02; 16059.02.A3.wd2.01.

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, above slab level, shall commence until a schedule and sample of the materials to be used in the construction of the external surfaces of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

REASON:- To ensure the finished appearance of the development enhances the visual amenities of the area.

- 4 Notwithstanding the details specified in the application submission, no public realm landscaping works shall commence until a scheme of soft and hard landscaping and details of the treatment of all hard surfaces has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of all new planting to take place including species, size and method of planting as well as details of landscape management (including long term design objectives, management responsibilities and maintenance responsibilities for all landscape areas). The approved landscaping scheme shall be implemented within the first available planting season following the first occupation of the buildings or the completion of the development whichever is the sooner.

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

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

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

- 6 No demolition or construction work relating to this permission shall be carried out on any Sunday, Public or Bank Holiday nor at any other time, except between the hours of 0730 and 1800 on Mondays to Fridays and between the hours of 0830 and 1300 on Saturdays, unless otherwise agreed in writing by the Local Planning Authority. These times apply to work which is audible at the site boundary.

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

- 7 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. In addition, to ensure the development does not have a detrimental impact on foraging bats.

- 8 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).

- 9 No development, including site clearance, shall commence until the trees as specified on drawing numbers 9575 TPP 02 Rev A (1/3) A; 9575 TPP 02 Rev A (2/3) A; 9575 TPP 02 Rev A (3/3) A (Arboricultural Impact Assessment, prepared by Aspect Arboriculture, Report reference 9575_AIA.001 dated October 2018) to be retained on the site have been protected by fencing in accordance with the vertical tree protection fencing detailed in the Arboricultural Impact Assessment. In addition, all works which are to be undertaken within the Root Protection Areas of trees which are to be retained as specified on the

aforementioned drawings shall be undertaken in accordance with the details specified in the Arboricultural Impact Assessment.

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

- 10 Within the areas to be fenced off in accordance with condition 9, there shall be no alteration to the ground levels and they shall be kept clear of vehicles, materials, surplus soils, temporary buildings and machinery.

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

- 11 No development shall take place, above slab level, until a scheme for the provision of bird boxes have been submitted to and approved in writing by the Local Planning Authority. Prior to the first occupation of the development hereby permitted, the boxes shall be installed in accordance with the approved scheme and retained thereafter.

REASON:- To increase roosting opportunities for birds and to compensate for lost opportunities for nesting birds.

- 12 No development shall take place, above slab level, until a scheme for the provision of bat boxes have been submitted to and approved in writing by the Local Planning Authority. Prior to the first occupation of the development hereby permitted, the boxes shall be installed in accordance with the approved scheme and retained thereafter.

REASON:- To increase roosting opportunities for bats.

- 13 Prior to the first occupation of the dwellinghouses hereby permitted, the parking areas as shown on drawing number 16059.02.wd2.01 B shall be surfaced (in either a porous material or provision shall be made for surface water drainage to be dealt with within the application site) and marked out accordingly and shall not thereafter be used for any purpose other than the parking of vehicles for the development hereby approved.

REASON:- To ensure adequate parking provision 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, or the amenities and convenience of existing local residents.

- 14 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revising, revoking and re-enacting that Order with or without modification), no internal or external alterations shall take place to any garage, which would preclude its use for housing motor vehicles without the prior written approval of the Local Planning Authority.

REASON:- To ensure that alterations are not carried out which would preclude the use of the garages for the parking of motor-vehicles and to ensure the development remains in accordance with the Council's adopted Parking Standards.

- 15 Prior to the commencement of development, a Construction Management Plan/Method Statement shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the construction of the development shall only be carried out in accordance with the approved statement. The Construction Management Plan/Method Statement shall address the following matters:-

- (i) Details of construction phasing programme (including any pre-construction demolition or enabling works);
- (ii) Hours or operations including times of deliveries and removal of waste;
- (iii) The site set-up and general arrangements for storing plant including cranes, materials, machinery and equipment, temporary offices and other facilities, construction vehicle parking and loading/unloading and vehicle turning areas;

- (iv) Access and protection arrangements around the site for pedestrians, cyclists and other road users;
- (v) Details of the provisions for temporary car parking during construction;
- (vi) The location of construction traffic routes to and from the site, details of their signing, monitoring and enforcement measures;
- (vii) Screening and hoarding;
- (viii) End of day tidying procedures;
- (ix) Construction and storage compounds (including areas designated for car parking);
- (x) Siting and details of wheel washing facilities;
- (xi) Cleaning of site entrances, site tracks and the adjacent public highway; and
- (xii) Disposal of surplus materials.

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

- 16 The development hereby permitted shall not be occupied until the proposed accesses have been constructed as identified on drawing number 16059.02.wd2.01 B the existing accesses have been closed and the existing footway has been reinstated to the current specification of Hertfordshire County Council and to the Local Planning Authority's satisfaction.

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

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

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

- 18 Prior to the first occupation of the dwellings hereby permitted the approved secure cycle parking areas and public cycle parking shall be constructed in accordance with the approved details submitted with this planning application and shall be permanently retained in that form.

REASON:- To ensure that there is sufficient cycle parking provision in accordance with the Council's adopted standards is maintained for all dwellings and the development as a whole on site in perpetuity.

- 19 Prior to the first occupation of the dwellings hereby permitted the approved refuse and recycle stores shall be constructed in accordance with the details submitted with this application and shall be permanently retained in the form.

REASON:- To ensure that there is sufficient refuse/recycle provision in accordance with the Council's standards and maintained for all dwellings and the development as a whole in perpetuity.

- 20 The design of windows and ventilators to each dwelling shall achieve an acoustic performance which shall ensure that, when windows are closed, the following noise levels are not exceeded:

- (i) An average of 35 decibels (dB) (LAeq) during the daytime (07:00 – 23:00) within bedrooms and living rooms
- (ii) An average of 40 dB (LAeq) during the daytime (07:00 – 23:00) within dining rooms
- (iii) An average of 30 dB (LAeq) during the night (23:00 – 07:00) within bedrooms
- (iv) A maximum of 45 dB (LAmax,F) on more than ten occasions during any typical night (23:00 – 07:00) within bedrooms.

REASON:- To ensure that residents of the development do not suffer undue noise disturbance from traffic on the adjoining highway as well as noise generated from the nearby East Coast railway line.

- 21 The windows on the first and second floor level serving the landing area of plot 9 on the eastern elevation shall be obscurely glazed (at level 3 or above of the Pilkington Scale of Obscurity) and fixed shut at 1.7m as measured from finished floor level.

REASON:- In order to protect the residential amenity on the owner/occupiers of number 132 Blenheim Way.

- 22 The windows on the first and second floor level serving the en-suite bathrooms serving the apartment on the southern elevation of the building facing onto the townhouse in plot 1 shall be obscurely glazed (at level 3 or above of the Pilkington Scale of Obscurity) and fixed shut at 1.7m as measured from finished floor level.

REASON:- In order to protect the residential amenity on the owner/occupiers of plot 1.

- 23 No development shall take place, above slab level, until details of Electric Vehicle Charging Points have been submitted to and approved in writing by the Local Planning Authority. The approved Electric Vehicle Charge Points shall be installed in accordance with the approved details and thereafter permanently retained.

REASON:- In order to provide facilities to charge electric vehicles and to help reduce the impact of vehicle emissions on the local environment.

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

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

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

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

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.

- 25 No development shall take 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 the surface water run off generated up to and including 1 in 100 year + climate change critical storm will not exceed the run off from the existing site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the following approved details before the development is completed:

1. Infiltration tests in line with the BRE 365 methodology in the exact location of the geocellular soakaway, in a representative site where single soakaways are proposed to be installed and in a representative site where permeable pavement is being proposed. Infiltration tests to be carried out at the depth of the base of the proposed infiltration features and information regarding the strata layers should be included.

2. Updated detailed surface water calculations and modelling presented solely for the Site A (S), including detailed design calculation and modelling for SuDS features proposed for Site A (S) (single soakaways and the tanked permeable pavement) for all rainfall events up to and including the 1 in 100 years + climate change. Half drain times to be included.

3. Updated clearly labelled drainage layout plan showing pipe networks. This plan should show any pipe 'node numbers' that have been referred to in network calculations and it should also show invert and cover levels of manholes.

4. Provision of details of all proposed SuDS features, including their size, volume, depth and any inlet and outlet features including any connecting pipe runs, node numbers and all corresponding calculations/modelling.

5. Exceedance flow paths for surface water for events greater than the 1 in 100 year + climate change, including extent and depth of the flooded areas shown on the modelling.

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

26 Upon completion of the drainage works a management and maintenance plan for the SuDS features and drainage network must be submitted to and approved in writing by the Local Planning Authority. The scheme shall also include:

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

REASON:- To reduce the risk of flooding to the proposed development and future occupants.

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

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

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

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

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

- 29 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 30, which is subject to the approval of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 31.

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

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

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

- 31 The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval in writing of the Local Planning Authority.

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

- 32 No development, above slab level, shall take place until details of all boundary treatment which includes walls, fences or other means of enclosure, including any retaining walls, have been submitted to and approved in writing by the Council as the Local Planning Authority. The boundary treatment, including any retaining wall, shall be constructed in accordance with the approved details. Thereafter, the hereby approved boundary treatment(s) shall be permanently retained and maintained.

REASON:- To ensure that the finished appearance of the development will enhance the character and visual amenities of the area.

Pro-active Statement

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

INFORMATIVE

Environmental Health

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

Thames Water

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

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

Hertfordshire Constabulary Crime Prevention Design Advisor.

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

Hertfordshire County Council as Highways Authority.

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

REASON:

To ensure that work undertaken on the highway is constructed to the current Highway Authority's specification, to an appropriate standard and by a contractor who is authorised to work in the Public Highway.

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

Hertfordshire County Council as Lead Local Flood Authority

The applicant has not carried out ground contamination investigation for this site. Contamination on site can condition the suitability of the entire drainage strategy which

is based in infiltration. We therefore recommend the LPA to contact the Environment Agency in respect to this.

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

10. BACKGROUND DOCUMENTS

1. The application file, forms, plans and supporting documents having the reference number relating to this item.
2. Stevenage District Plan Second Review 1991-2011.
3. Stevenage Borough Council Supplementary Planning Documents – Parking Provision adopted January 2012.
4. Stevenage Borough Local Plan 2011-2031 Publication Draft.
5. Responses to consultations with statutory undertakers and other interested parties referred to in this report.
6. Central Government advice contained in the National Planning Policy Framework July 2018 and Planning Policy Guidance March 2014.