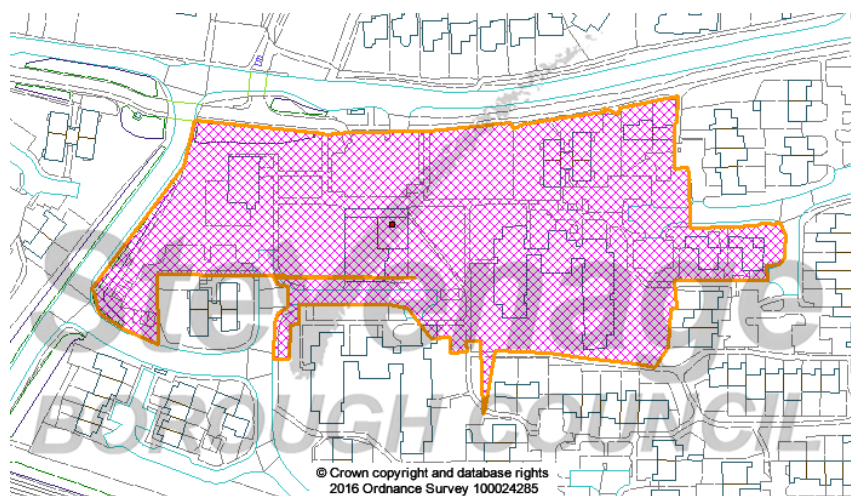


<b>Meeting:</b>	<b>Planning and Development Committee</b>	<b>Agenda Item:</b>
<b>Date:</b>	<b>4 December 2018</b>	
<b>Author:</b>	<b>James Chettleburgh</b>	01438 242266
<b>Lead Officer:</b>	<b>Chris Berry</b>	01438 242257
<b>Contact Officer:</b>	<b>James Chettleburgh</b>	01438 242266

Application No:	18/00398/FPM
Location:	The Bragbury Centre, Blenheim Way, Stevenage.
Proposal:	Demolition of the existing community centre, neighbourhood centre, Asquith Court sheltered accommodation and various residential dwellings and the construction of a mixed use development with 169 no. dwellings (Including independent living) and 4no. retail units across various blocks.
Drawing Nos.:	16059.01.SU1.01; 16059.01.SU1.02; 16059.01.SU1.03; 16059.01.wd2.01 B; 16059.01.wd2.101 A; 16059.01.A1.wd2.01 B; 16059.wd2.02 A; 16059.01.wd2.03 A; 16059.01.wd2.04 A; 16059.01.wd2.05 A; 16059.01.A1.wd2.06; 16059.01.A2.wd2.01 A; 16059.01.A2.wd2.02 A; 16059.01.A2.wd2.03 A; 16059.01.A2.wd2.04 A; 16059.01.A2.wd2.05 A; 16059.01.A2.06 A; 16059.01.A4.wd2.01 A; 16059.01.A4.wd2.02; 16059.01.A4.wd2.03 A; 16059.01.A4.wd2.04 A; 16059.01.A4.wd2.05 A; 16059.01.A5.wd2.01 A; 16059.01.A1.wd2.101 A; 16059.01.A1.wd2.102 A; 16059.01.A2.wd2.101 A; 16059.01.A2.wd2.102 A; 16059.01.A2.103 A; 16059.01.A4.wd2.101; 16059.01.A4.wd2.102 A; 16059.01.A4.wd2.103 A; 16059.01.A4.wd2.104 A; 16059.01.A5.wd2.101 A.
Applicant:	Stevenage Borough Council
Date Valid:	12 July 2018
Recommendation:	GRANT PLANNING PERMISSION.



Plan for information purposes only

## 1. SITE DESCRIPTION

- 1.1 The application site is currently designated as a neighbourhood centre. The site is bordered by Hertford Road which is located to the north, Watton Road to the east, Stirling Close to the west and Kenilworth Close to the south. The site, which has an area of 1.6 hectares (ha), currently comprises Asquith Court which is sheltered living accommodation, a three storey residential block of flats, 2 no. semi-detached dwellinghouses, 2 no. bungalows, the community centre and parade of shops. Asquith Court is two-storeys in height with a combination roof consisting of cat slides and gable-ends. The building itself is constructed from a mixture of 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 To the north of Asquith Court is 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. To the east of this residential block is a pair of semi-detached, two-storey properties which front onto Stirling Close. These properties have gable-end roofs and are constructed from facing brick with tiled roofs. In regards to the two bungalows, these also front onto Stirling Close. These properties have a mono-pitched roof and constructed from a mixture of brick with timber cladding. The bungalows also comprise of an attached flat roofed canopy.
- 1.3 In regards to the existing Kenilworth Close neighbourhood centre, the centre comprises two no. 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 Turning to the surrounding area, to the south of the application site lies Walpole Court which is a sheltered housing development. 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. The Walpole Court 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
- 1.5 To the south-west/west of the application site is the residential development of Cragside and a residential block of flats on Blenheim Way. The development at Cragside 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 off 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. To the west of the community centre beyond Watton Road is the residential development of Balmoral Close. This consists of a mixture if three storey blocks of flats and terraced houses.
- 1.6 To the east of the application is residential development in Blenheim Way and Stirling Close. The developments in both the aforementioned roads 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 in bold roll inter-locking concrete tiles. To the north of the application site beyond Hertford Road is Petworth Close. This estate generally comprises of two-storey detached properties which are generally uniform in design constructed from buff facing brick with gable-end roofs clad in concrete tiles set within spacious plots.

## **2. RELEVANT PLANNING HISTORY**

- 2.1 Planning application 2/0379/79 sought permission for a shop front. This application was granted planning permission in January 1980.
- 2.2 Planning application 2/0047/82 sought permission for a change of use of shop to take away. This application was granted planning permission in April 1982.
- 2.3 Planning application 2/0339/83 sought permission for a community building. This application was withdrawn in March 1984.
- 2.4 Planning application 2/0111/84 sought permission for a community centre. This application was granted planning permission in April 1984.
- 2.5 Planning application 2/0327/84 sought permission for the change of use of a shop to a doctors surgery. This application was granted planning permission in October 1984.
- 2.6 Planning application 2/0241/85 sought permission for a pre-fabricated building for use as a play hut, close boarded fence (1.8m in height) and refuse bin enclosure. This application was granted permission in September 1985.
- 2.7 Planning application 2/0303/85 sought permission for new mechanical extract ventilation duct. This application was withdrawn.
- 2.8 Planning application 2/0435/87 sought permission for the installation of two lifts and motor rooms. This application was granted planning permission in November 1987.
- 2.9 Planning application 2/0393/89 sought permission for a ground floor rear extension. This application was granted planning permission in January 1990.
- 2.10 Planning application 2/0338/97 sought permission for a three storey extension to house a lift shaft for Asquith Court. This application was granted planning permission in December 1997.
- 2.11 Advertisement consent application 13/00318/AD sought consent for the retention of 1 no. internally illuminated ATM fascia sign. This application was approved advertisement consent for September 2013.
- 2.12 Planning application 13/00393/FP sought permission for the retention of 1 no. ATM. This application was granted planning permission in October 2013.

## **3. THE CURRENT APPLICATION**

- 3.1 This application seeks planning permission, following the demolition of the existing community centre, neighbourhood centre, Asquith Court sheltered accommodation and various residential dwellings, to erect the following:-

- Residential Block A1 – 35 no. one bedroom and 22 no. two bedroom apartments;

- Residential Block A2 (Independent Living) – 49 no. one bedroom and 39 no. two bedroom apartments;
- 4 no. retail units at ground floor of Residential Block A1;
- Residential Block A4 – 6 no. one bedroom and 3 no. two bedroom apartments;
- 8 no. two bedroom and 7 no. three bedroom dwellinghouses.

3.2 In addition to the above, the independent living block would also comprise at ground floor level a scooter store, restaurant/bar as well as associated treatment rooms and a health and beauty spa. The upper floors of this building would also have hobby rooms/cinemas for the future residents. In terms of access, there are three main access points into the development and these are taken from Kenilworth Close, Stirling Close and Hertford Road. The proposal also comprises the provision of the following parking:-

- Residential Block A1 – 68 spaces (unallocated);
- Residential Block A2 – 47 spaces (unallocated) and 1 no. minibus parking space;
- Retail – 6 no. staff spaces, 17 no. retail spaces and 1 no. motorbike space;
- Residential dwellinghouses and residential apartment block – 48 parking spaces;
- Replacement parking following demolition of garages – 6 spaces.

3.3 The proposed residential block of apartments (Block A1), which would be located adjacent to Hertford Road, would have an L-shaped footprint with the building spanning a maximum width of approximately 52m and depth of approximately 44m respectively. In terms of height, the proposed building would at its tallest be five storeys reducing down to three storeys with an overall height of approximately 17.6m. Turning to residential Block A2, this block would be located on the junction of Hertford Road and Watton Road. This building would have a horseshoe footprint with the building spanning a maximum width of approximately 67m with a maximum depth of approximately 39m. In terms of height, the building at its tallest would be five storeys down to four storeys with an overall height of 17.6m.

3.4 In terms of construction, residential blocks A1 and A2 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 with the apartments on the roof also comprising of curtain wall glazing. A number of apartments would also be served with individual balconies with either powder coated railings or steel railings.

3.5 Turning to apartment block A4, this would be located to the east of block A1 and would front onto Stirling Close. The building itself would have a staggered footprint with a maximum depth of approximately 14.5m with a maximum width of approximately 10.1m. In terms of height the apartment block, which comprises of a saw tooth roof, would have a maximum height of three storeys with an approximate height of 11m. This building would be constructed from contrasting buff brick at ground and first floor level with the second floor and the roof finished in zinc cladding. The fenestration detailing of the development comprises of aluminium timber composite windows and doors.

3.6 In relation to the proposed dwellinghouses which form part of zone A4, these would form part of Stirling Close. This part of the development would comprise a terrace of 6 no. dwellings, a terrace of 3 no. dwellings and 4 no. semi-detached dwellings. In regards to the terrace of 6 no. dwellings (Types 1 to 3), these would measure approximately 8.5m in length and span 6m in width. In terms of height, these properties would have an eaves height of approximately 4.9m with an overall height of 7.9m. In regards to one of the pair of semi-detached properties (Type 4), these would measure approximately 10.20m in length, span 5.85m in width with a similar eaves and ridge height. In relation to the terrace of 3 no. dwellings (Types 5 and 6), these would measure approximately 10m in length and span 5.85m. Finally, with respect to the last pair of semi-detached properties (Type 7), these would measure approximately 9.51m in length and span 6.39m in width. All of the dwellings

would comprise of a saw tooth style roof with an eaves height of 4.8m with an overall height of approximately 7.8m. The dwellinghouses would be constructed in a stock buff brick with the roof clad in zinc with the fenestration consisting of aluminium timber composite windows and doors. The principal elevation of the properties also comprises a box style porch feature clad in zinc.

- 3.7 With respect to the 2 no. two bedroomed semi-detached properties (A5) which are located to the rear of numbers 152 to 164 Blenheim Way, these properties would be located on the junction of Blenheim Way and Watton Road. The properties would measure approximately 8.51m in length, span 5.85m in width with an eaves height of approximately 4.62m with an overall height of approximately 9.20m. The dwellinghouses would be constructed from a stock buff brick with the gable-end roof clad in zinc. The fenestration detailing comprises aluminium timber composite windows and doors with a zinc clad box style porch feature on the principal elevation.
- 3.8 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 58 objections have been received from the following:-

- Apollo Way – Number 41;
- Badminton Close – Number 3;
- Blenheim Way – Numbers 25, 30, 34, 38, 53, 57, 61, 73, 82, 102, 118, 128, 132, 134, 136, 138, 156, 164;
- Dawlish Close – Numbers 2, 19, 21, 47;
- Hampton Close – Number 21;
- Hardwick Close – Number 5;
- Hertford Road – Number 143;
- Long Leaves – Number 42;
- Lygrave – Number 17;
- Oakwell Close – Numbers 1, 12, 14, 35;
- Petworth Close – Numbers 2, 3, 10, 11, 15, 18, 19, 21, 22, 24, 32;
- Skyline House, Stevenage Town Centre – Number 140;
- Stirling Close – Numbers 7, 31, 34, 39, 54, 60, 63, 67, 85, 87, 93,
- Walpole Court – Number 37;
- Walsham Close – Number 15.

- 4.2 In addition, a 17 signature petition against the development was received from the following properties:-

- Petworth Close – Numbers 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 28, 30, 32, 34
- Hardwick Close – Numbers 3, 9,

- 4.3 The summary of the objections which have been received are as follows:-

- 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 would appear overbearing to neighbouring properties;
- The development in terms of its design and its overall height is out of character with the wider area;
- The development should only have two storey houses and flats and should be constructed in similar materials to existing development;
- The proposal is considered to be overdevelopment of the site;
- 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;
- There is a lack of infrastructure and existing infrastructure such as schools will be unable to support the proposed 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 applications;
- 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 or 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 place in Walpole Court;
- The Council is placing refugees and their children into Walpole Court;
- 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 comprises a number of inaccuracies (such as housing numbers), misleading statements and does not set out what infrastructure is required to mitigate the impact of development such as increased school places and doctors surgeries;
- The Transport Assessment underestimates the level of traffic which would be generated by the development;
- The Transport Assessment does not assess the impacts the development would have on the A602/Hertford Road, Watton Road and Knebworth High Street;
- There appears to be some information and plans referenced in the Transport Assessment which have not been provided;
- 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 proposal needs to have 4 shops such as Co-Op (Not Tesco's), chemist, hairdressers and hot food takeaway;
- Residents at 60 Stirling Close would not have undertaken a joint extension with their neighbour (number 58) had they been made aware by the Council about the proposed development;
- Were informed by a Councillor that the Council had a legal requirement to consult residents to inform residents directly affected by the development;
- Stirling Close does not receive local papers so would not have seen the information on the proposed development;

- Many residents being elderly do not have access to computers, therefore, residents would have found it extremely difficult to know about the development;
- Large vehicles serving the shops will travel down Stirling Close will cause unacceptable noise pollution and disturbance to local residents in a quiet, safe and peaceful area;
- Where does the Council propose local residents park if they introduce double yellow lines as part of the development;
- The proposed new location of the community is completely unacceptable to local residents;
- The loss of open space would be detrimental to local residents who walk their dogs locally;
- Local residents want to be informed when new services are to be provided as part of the development;
- The Council should consider reducing Council Tax for local residents during the construction phase of the development;
- Residents feel the development proposals won't be overturned despite the substantive concerns which have been raised;
- Residents will not be able to enjoy sitting in their gardens due to significant disturbance during construction;
- The Council should consider restricting hours of construction to not start before 7:30AM finish at 4:30PM Monday to Friday, 8:30AM to 1:30PM on Saturday and no work on a Sunday;
- There is a lack of provision for a doctor's surgery, chemist, post office and even the Chiropody service has been lost. These are facilities which will be needed for the elderly residents welfare;
- There is a concern regarding the houses near the junction of Watton Road and Blenheim in that the distance of the houses to the balcony at 164 Blenheim Way would be below 12m separation which is contrary to Building Regulations;
- The existing balcony of 164 Blenheim Way would look straight down to the gardens of the proposed houses;
- The loss of the drying area which is regularly used is not acceptable;
- There are 12 flats in the block with 10 allocated spaces, in the plans these parking spaces appear to have been removed;
- Will the existing wall along the flats garden/garage's be removed?;
- Will the trees in the flats garden be removed?;
- There is a total lack of parking for people with disabilities;
- The Hertford Road through road and Watton Road should be upgraded to an A road;
- Views from the kitchen window of 164 Blenheim Way would look straight onto the new bin store for the flats;
- The revised plans fail to properly consider all of the concerns raised by local residents;
- The Council should be working on behalf of the local community;
- The proposed development would be more suitable in the town centre rather than a suburban area of town;
- The proposed development has increased in size despite residents substantive concerns;
- Has the planning department properly assessed the impact the development will have on local residents;
- There has been an increase of 10 flats in Block A2 which seems to be taking those which were removed from the community centre scheme, is this the results of discussions between planning and the developer who is the Council's Housing Section?;
- With luxury retirement accommodation being constructed in Knebworth, is there really any requirement for so much independent living accommodation in this area;



- The proposal lacks green space;
- The information provided to local residents has been inconsistent in regards to building heights;
- In the wake of Grenfell, high rise blocks will have a significant impact from fire and safety issues;
- There already has a lack of policing in the area;
- The development is akin to a battleship;
- The development will destroy the local community;
- Money should be better spent improving local roads;
- How long will the community centre remain closed;
- The play equipment in the area have been demolished or sold, therefore, money should be better spent on improving such facilities;
- Has the sewerage infrastructure been assessed as it always floods on Watton Road;
- Why is the Council not building on brownfield sites;
- The area will decline to an overpopulated area of Stevenage;
- The Council is breaching law by failing to properly and comprehensively consult with local residents on the proposed development;
- How long will the construction process take;
- What provisions are being made for parking of contractors vehicles;
- What provisions are being made to ensure the roads are dust/debris free;
- As the Council is promoting a new train station and a concept of a station in the south on Hertford Loop, therefore, the development should be dependent on S106 contributions towards this new station, bus services and other amenities such as increased school places and provision of a doctors surgery;
- The development would result in a substantial loss of trees, bushes, hedgerows and plants with only limited replacement planting proposed;
- The Government has released a moratorium on the creation of new 'shared spaces', effectively banning the creation of any new ones until more evidence is gathered;
- The Planning Committee should refuse such a high density development as it is contrary to the Local Plan;
- The development is likely to increase flooding;
- The existing buildings in the area are structurally sound so do not need to be demolished;
- The Council should not be redeveloping this area;
- The plans are different to what the community were originally shown;
- The development will set a precedent for the redevelopment of other courts in the area.

4.4 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 and a S106 agreement to address sustainable transport and a highway informative.

## **5.2 Hertfordshire County Council Growth and Infrastructure Unit**

- 5.2.1 Based on the information provided for a development of 169 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 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 Discussions should be held with Parks, well in advance of the finalised landscaping to determine maintainability, adoption and any financial contributions required to undertake such maintenance. Moreover, all landscaped / planted areas must be designed to be easily accessible for maintenance. In addition, a financial contribution to help to mitigate the loss of green/open space should be sought and as such, the Parks and Amenities Section would seek to pool the funding contributions with Walpole Court (18/00399/FPM) in order to help deliver improvements to the local area such as Blenheim Way Central Open Space.
- 5.5.3 In term of all soft and hard landscaping elements, these must be designed to provide an attractive amenity, yet being mindful of the Council's resources for maintenance. All planting shall be hardy to typical winters, drought tolerant and show consideration for year round interest. Furthermore, all proposed planting shall be undertaken during the winter

months (October to February). Moreover, all planting to be adopted by the Parks Section shall strictly comply with the emerging specification document being produced by Parks.

- 5.5.4 A minimum 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.
- 5.5.5 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.
- 5.5.7 In relation to the community garden, relocation of the existing community garden should be investigated and implemented with positive engagement and consultation with the community group.

## **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 The Council's CCTV Section**

- 5.8.1 New CCTV cameras should be provided near the new neighbourhood centre.

## **5.9 Thames Water**

- 5.9.1 Thames Water would advise that with regard to waste water network and waste water process infrastructure capacity, we would not have any objection to the above planning application, based on the information provided. The application indicates that surface waters will not be discharged to the public network and as such Thames Water has no objection, however approval should be sought from the Lead Local Flood Authority. Should the applicant subsequently seek a connection to discharge surface water into the public network in the future then we would consider this to be a material change to the proposal, which would require an amendment to the application at which point we would need to review our position.
- 5.9.2 In regards to public sewers crossing or close to the development, if there are plans for significant works near the sewers, it is important to minimise the risk of damage. In addition,

Thames Water will need to check that the development does not reduce capacity, limit repair or maintenance activities, or inhibit the services we provide in any other way.

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

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

- 5.10.1 The County Council as the Lead Local Flood Authority consider the proposed drainage scheme to be acceptable. The drainage strategy is based on infiltration via shallow soakaways and permeable pavement. There would also be the provision of lined bio-retention areas with rainwater pipes to provide treatment and to convey to the surface water from the communal areas, and prior to discharging into the communal soakaway. The proposal also consists of the use of individual soakaways for the dwellinghouses which would be geo-cellular in order to infiltrate runoff by the apartment block and 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.

- 5.10.2 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.

#### **5.11 Hertfordshire County Council Mineral and Waste Section**

- 5.11.1 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 developments 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.

#### **5.12 UK Power Networks**

- 5.12.1 The company is the owner/occupier of the electricity substation located within 6m of the development. It is believed that the proposed works are notifiable under the Party Wall etc. Act 1996. Therefore, UK Power Networks objects to the planning application as the applicant has neither served Notice in accordance with the Party Wall Act nor satisfied the company that the works are not notifiable. The applicant should provide details of the proposed works and liaise with the company to ensure that appropriate protective measures and mitigation solutions are agreed in accordance with the Act. The applicant would need to be responsible for any costs associated with any appropriate measures required

#### **5.13 NHS England**

- 5.13.1 No comment.

#### **5.14 East Hertfordshire District Council**

- 5.14.1 No comment.

## **5.15 East and North Herts NHS Clinical Commission Group**

5.15.1 No comment.

## **5.16 Herts and Middlesex Bat Group**

5.16.1 No comment.

## **5.17 Affinity Water**

5.17.1 No comment.

## **5.20 Transco**

5.20.1 No comment.

## **5.21 National Grid**

5.21.1 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 TW4: New Neighbourhood Centres;  
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 H14: Benefits of Affordability;  
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 L9: Play Centres;  
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;  
Policy SC1: Retention of Social and Community Facilities;  
Policy SC5: Social and Community Provision in New Developments;  
Policy SC6: Care in the Community;  
Policy NC2: Small Neighbourhood Centres;  
Policy NC6: Redevelopments of the Neighbourhood Centres.

## **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 SP4: A vital Town Centre;  
Policy SP5: Infrastructure;  
Policy SP6: Sustainable Transport;  
Policy SP7: High quality homes;  
Policy SP8: Good Design;  
Policy SP9: Healthy communities;  
Policy SP11: Climate Change, Flooding and Pollution;  
Policy SP12: Green infrastructure and the natural environment;  
Policy TC11: New convenience retail provision;  
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 HO10: Sheltered and supported housing;  
Policy HO11: Accessible and adaptable housing;  
Policy GD1: High Quality Design;  
Policy HC1: District, local and neighbourhood centres;  
Policy HC2: Local Shops;  
Policy HC4: Existing health, social and community facilities;  
Policy HC5: New health, social and community facilities;  
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, Impact on structural open space, redevelopment of the neighbourhood centre/shopping parade, community facilities, affordable housing and financial contributions, 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 the Stevenage District Plan Second Review 1991 – 2011 (adopted 2004) for residential development. However, part of the application site is allocated in the Stevenage Borough Local Plan 2011 – 2031 Publication Draft January 2016 for residential development under Policy HO1/9 – Kenilworth Close which provides an indicative dwelling capacity of 65 dwellings. Therefore, the principle of residential development is considered to be acceptable in this instance.
- 7.2.2 However, large parts of the application site (Asquith Court, numbers 70 to 92 Stirling Close (Evens) and numbers 97 and 99 (Odds) Stirling Close) fall outside the allocation for residential as defined in the Emerging Local Plan (2016). Given this, the proposed development which falls outside of the site allocation under Policy HO1/9 would therefore, be defined as ‘windfall’. Taking this into consideration, 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 against. Consequently, this part of the proposed development is subject to the relevant policies of the District Plan, Emerging Local Plan and the National Planning Policy Framework July 2018 (NPPF).
- 7.2.3 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”.
- 7.2.4 Taking the above issues in turn, the site is considered to be in a sustainable location. In regards to access to local facilities, the proposed development as a whole comprises of a new neighbourhood centre/shopping parade. The site is also located approximately 934m from Shephallbury Park Primary School and 1.52km 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.
- 7.2.5 In relation to five year land supply of deliverable housing, as mentioned in paragraph 7.2.3 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 meet 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.

7.2.6 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 part of the site is unallocated for housing within the adopted District Plan (2004), the application site is considered to be a 'windfall' site where policy H7 of the District Plan applies. This policy set 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, whilst it comprises an area of open space, is classed as previously developed land. This is because the application site currently comprises the existing development of Asquith Court, community centre, neighbourhood centre, various residential units, car parking and hard surface areas. 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. However, whilst the development site is classed as previously developed land, part of the application site comprises an area of structural open space. An assessment as to the impact on this space is considered in more detail in the "impact on structural open space" section of this report.

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 good 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 169 units on a site of 1.6 hectares which will provide a density of approximately 105 dwellings per hectare, which exceeds the aforementioned standards. However, the application site would comprise the new neighbourhood centre and would be 296m from the new community centre as detailed under planning application 18/00401/FP if it were to be granted planning permission. This application is considered in more detail in the committee agenda.

- 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 the 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 aspect 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 independent living units, dwellinghouses and apartments, 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.
- 7.3.9 Turning to Kenilworth Close itself, as this is designated for residential development in the Emerging Local Plan as detailed under paragraph 7.2.1 of this report, the principle of residential development on this part site is deemed to be acceptable in this instance. This is because this site would help to meet the Council's needs to deliver 7,600 new dwellings over the Emerging Local Plan period.

#### **7.4 Impact on structural open space**

- 7.4.1 Part of the application site is punctuated by areas of informal structural open space which border the main shopping parade. Consequently, Policy TW2 of the adopted Local Plan (2004) and Policy NH6 of the draft Local Plan (2016) has to be considered in this instance. Policy TW2 states that development proposals which have an unacceptable adverse impact on structural open spaces of the town will not be permitted. The criteria used in assessing the impact that a development proposal may have are a) the size, form, function and character of the structural open space affected by the development proposal; and b) the impact of the development proposal on the structural open space.
- 7.4.2 Policy NH6 of the Emerging Local Plan (2016) stipulates that for development of any existing, unallocated open spaces, development would be permitted where:

A) the loss of the open space is justified having regard to:

- i) the quality and accessibility of the open space;
- ii) the existence, or otherwise, or any interventions to improve the quality or access;
- iii) whether the open space is serving its function and purpose; and
- iv) whether alternative space(s) remain available for community use, and

B) Reasonable compensatory provision is made.

- 7.4.3 The development comprises areas of grassed amenity space which are bordered by mature trees and hedging. There is also an area of open space located to the west of the shopping parade which comprises an area of soft landscaping and decorative flower beds. The areas of green space within the development measure in total approximately 2835 sq.m in area. The proposed development would result in a significant reduction in these areas of structural open space. However, the Council's Parks and Amenities Section have not raised in objection in their comments in regards to the proposed reduction to the area of structural open space. However, they have sought financial contributions in order to mitigate for the loss of this green/open space.
- 7.4.4 In order to mitigate the impact of the proposed development, the proposed replacement of the existing communal garden would be located adjacent to the new community centre under planning application 18/00401/FP. In addition to this, the applicant is also providing a financial contribution of £4,500 towards the Kenilworth gardening club/woodland walk in order to compensate for the loss of the existing communal garden. Furthermore, the new community centre (Planning reference: 18/00400/FP) also comprises the provision of a new community garden area as well. In addition to this, the applicant is also providing a financial contribution of £25,000 towards green space improvements as well as a financial contribution of £85,000. This contribution would go towards Community and/or Ecological Amenity Infrastructure improvements within the area. It is considered that these financial contributions which would help to mitigate the impact of the proposed development can be secured by way of a S106 Legal Agreement.
- 7.4.5 Additionally, in order to soften the appearance of the proposed development, there would be the provision of 333 sq.m area public lawn which is located within the centre of development. In addition, there would be approximately 600 sq.m of structural open space which is punctuated throughout the development site. In terms of soft landscaping, in order to provide suitable replacement plating across the development site, this can be secured by a condition. This condition would also allow the Council as the Local Planning Authority be able to address issues raised by the Parks and Amenities Section with respect to landscaping.
- 7.4.6 Given the aforementioned assessment, whilst the proposed development does result in a substantial reduction in open space, the proposed financial contributions would help to mitigate the impact of the loss of this open space. Furthermore, the overall benefits of the development would outweigh the loss of this area of structural open space. This is because it would provide a high quality residential development, deliver a new neighbourhood centre as well as provide a significant level of affordable housing which would meet the Council's needs in this instance. Moreover, these affordable housing units would be for the residents of Stevenage as well.

## **7.5 Redevelopment of the neighbourhood centre/shopping parade**

- 7.5.1 The site is designated as a neighbourhood centre under Policy NC2 of the adopted Local Plan (2004). The proposal, seeks to re-develop the Kenilworth Close Neighbourhood Centre in erecting houses, flats and retail units. Consequently, under Policy NC6 of the adopted local plan, any proposal for the redevelopment of a neighbourhood centre should include provision for the retention of local shopping and other services and facilities appropriate to the catchment area.

- 7.5.2 Turning to the emerging local plan (2016), the application site is not designated as a neighbourhood centre but as a small parade of shops. Therefore, policy HC2: Small Shops of the emerging local plan states that where there are freestanding shops and small shopping parades, these should be retained. Therefore, planning permission for the redevelopment of existing sites to alternate uses or the change of use of individual units from Class A1 (shops) will be granted where satisfactory on or off-site provision is made to replace a loss of uses(s). Additionally, it can be demonstrated that there is no longer a need for a particular facility or that alternate facilities are available locally, and the particular facility, or any reasonable replacement is not, and will not, be viable on that site. Furthermore, the proposal provides overriding benefits against other objectives or policies in the plan, or it can be demonstrated that a unit has been unsuccessfully marketed for its existing use, or has remained vacant over a considerable period of time.
- 7.5.3 The proposed development would involve the demolition of the existing parade of shops which comprises of 4 no. units. However, the proposed development seeks to replace the 4 no. retail units within building A1 at ground floor level. Consequently, the proposed development would provide an adequate re-provision of retail as part of the redevelopment of the small neighbourhood centre/parade of shops in accordance with the Council's aforementioned policies.

## **7.6 Community facilities**

- 7.6.1 Looking now at the loss of community facilities and re-development of the small neighbourhood centre, paragraph 92 of the NPPF (2018) states that to deliver social, recreational and cultural facilities and services and community needs, planning decisions should guard against the unnecessary loss of valued facilities and services. This is supported by Policy SC1 of the adopted Local Plan (2004) and Policy HC4 of the Emerging Local Plan (2016). Policy SC4 of the adopted Local Plan (2004) states that in major new residential developments, the provision of social and community facilities commensurate with the scale of development will be sought. Account will be taken of the level of existing services and an assessment made of the level of new services required as a result of the proposed development.
- 7.6.2 The proposed development seeks planning permission for the demolition of the existing community centre in order to facilitate the construction of the independent living block. Therefore, in line with the aforementioned an acceptable replacement facility has to be provided in order to support the local community and the new development unless its loss can be justified. In this regard, the Council has received an application for a community centre on land bordered by the A602, Hertford Road and Blenheim Way (Planning reference:- 18/00400/FP). If planning permission were to be granted for this community centre, then the aforementioned site would provide the replacement facility which would provide a continued service to the local community.

## **7.7 Affordable Housing and Financial Contributions**

- 7.7.1 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 on these sites should be affordable. In regards to the proposed development, whilst the proposal seeks to provide 169 new dwelling units, there are 48 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 121 dwellinghouse units. Taking this into consideration, there is a requirement to provide 31 affordable housing units. Policy HO7 continues that planning permission will be refused where these targets are not at least achieved unless:-

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

7.7.2 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.

7.7.3 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.

7.7.4 The proposed development seeks to provide 118 affordable units which equates to 70% of 169 units. However, based on the new number of units, this equates to an affordable housing provision of 96%. In addition, it is important to note that this application has been brought forward in conjunction with the Walpole Court application. The proposed Walpole Court application seeks planning permission for the provision of 60 dwellings (Planning Reference: 18/00399/FPM). This application is to be considered elsewhere in the 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 proposed development under this application. It is considered that the affordable housing provision for the Walpole Court application provided within this planning application for The Bragbury Centre, can be secured by way of a S106 agreement and jointly exceeds Policy requirements.

7.7.5 In terms of overall mix of affordable housing, the proposed scheme would comprise of 100% affordable/social rented units. These units would not be more than 80% of market rent value in accordance with the definition of affordable housing in the NPPF (2018). In regards to the 10% provision of other affordable home ownership as required under paragraph 64 of the NPPF, as the development is a "build to rent" scheme with the majority of the development being exclusively for affordable housing, an exemption to the 10% requirement under the NPPF can be applied in this instance.

7.7.6 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:-

<b>Stevenage Borough Council</b>	<b>Financial Contribution</b>
Open outdoor space	£5,715.85
Children's play space	£6,333.78
Gardening Club	£4,500.00
Greenspace and Ecological Improvements	£25,000.00
Community or Ecological Amenity Infrastructure	£85,000.00
<b>Total</b>	<b>£126,549.63</b>
<b>Hertfordshire County Council</b>	
Primary Education	£88,690.00
Secondary Education	£32,706.00
Library	£10,184.00
Youth Services	£841.00
Sustainable Transport	£26,000
<b>Total</b>	<b>£158,421</b>
<b>Overall total</b>	<b>£284,970.63</b>

7.7.7 In addition to the above, Hertfordshire County Council has also sought the provision of a fire hydrant within the development. Moreover, there is also a requirement to provide CCTV cameras as sought by the Council's CCTV Section. Following negotiations with the applicant, they have agreed to pay the aforementioned financial contributions and obligations and to provide a fire hydrant and CCTV cameras 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.

## **7.8 Impact on the Character and Appearance of the Area**

7.8.1 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.

7.8.2 Paragraph 130 of the NPPF states that "permission should be refused for development of poor design that fail to make 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.

- 7.8.3 The proposed development would seek to demolish the existing sheltered living accommodation at Asquith Court along with various residential properties, the existing community centre and shopping parade. This is in order to facilitate the construction of 2 no. residential apartment blocks, 1 no. independent living block and 15 dwellinghouses. Dealing with the first residential block of apartments (Block A1), this would be one of two principal buildings on the site, and as such, it has been positioned on the most prominent location of the site in the northern section fronting onto Hertford Road, The building is to be a maximum of five storeys, which as detailed in paragraph 3.3, would have an r-shaped footprint with the building spanning a maximum width of approximately 52m and depth of approximately 44m respectively. In terms of overall height, the building would be approximately 17.6m tall.
- 7.8.4 With regards to the independent living apartment development (Block A2), this would be the second of the two principal buildings on the site located immediately to the west of Block A1. The building is to be a maximum of five storeys, which as detailed in paragraph 3.3, this building would have a horseshoe footprint with the building spanning a maximum width of approximately 67m with a maximum depth of approximately 39m. In terms of height, the building at its tallest would be five storeys down to four storeys with an overall height of 17.6m.
- 7.8.5 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 need 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 Walpole Court Scheme (Planning reference:- 18/00399/FPM) which would also comprise a building which would be five storeys in height.
- 7.8.6 In respect of architectural appearance and design, the materials which would be used in the construction of the Block A1, comprises a mixture of buff brick and blue engineering brick along with zinc cladding. The fenestration detailing would comprise of aluminium timber composite finished in grey with the apartments on the roof also comprising of curtain wall glazing. Serving the majority of the flats are recessed balconies which comprise of metal railings which help to break up the visual mass of the development as well providing an element of verticality and modulation to the building. The building would also have a strong relief in the built form it has a modulated roofline with the stepping down from five storeys to three storeys. The building also utilises its corner position as it would comprise a curved frontage which is reflected in Block A2 which helps to create gateway into the neighbourhood centre.
- 7.8.7 The building would also have projecting brickwork which help to frame the external elevations of the building along with the use of a white framed box on the north-eastern elevation of the building which would be constructed from Petrarch Alabaster Riven Slate (Stone composite panelling). There would also be a similar feature on the southern elevation of the building, however, part of the box projects out from the building and cantilevers over a pedestrianised walkway. These box features would be broken via the use of recessed balconies. At ground floor level, there would be curtain wall glazing which would from the shop frontage for the new retail units.
- 7.8.8 Turning to Block A2, this would be the most prominent of the two buildings and not only does it front onto Hertford Road, it is located on the junction of Watton Road. Therefore, the proposed building would be dual aspect in this instance. In terms of architectural appearance, the building would be constructed from contrasting materials which would reflect the materials which would be utilised in the construction of Block A1. This building would also have a strong relief in its built form with the use of recessed and external balconies in order to give the building an element of verticality. On the principal elevation of

the building is a centrally positioned stair core feature which would be five storeys in height which is broken up by a large area of glazing which is framed with the use of stone composite panels. On the rear elevation, there would also be a box feature which would be similar in design to the box features on Block A1. The roof of the building also comprises an outdoor terrace with a cantilevered roof feature positioned over part of the outdoor terrace.

- 7.8.9 In regards to residential block A4, this would be located to the east of block A1 and would front onto Stirling Close. This building would have a staggered footprint with a maximum depth of approximately 14.5m and a maximum width of approximately 10.1m. In terms of height the apartment block, which comprises of a saw tooth roof, would have a maximum height of three storeys with an approximate height of 11m. Given this, the building would not be too dissimilar in height to the existing three-storey flat block which is located to the north of Asquith Court. The proposed residential apartment block would be constructed from contrasting buff brick at ground and first floor level with the second floor and the roof finished in zinc cladding. The fenestration detailing of the development comprises of aluminium timber composite windows and doors.
- 7.8.10 Looking at the proposed dwellinghouses, which form part of zone A4, these would be located off of Stirling Close. This part of the development would comprise a terrace of 6 no. dwellings, a terrace of 3 no. dwellings and 4 no. semi-detached dwellings. In regards to the terrace of 6 no. dwellings (Types 1 to 3), these would measure approximately 8.5m in length and span 6m in width. In terms of height, these properties would have an eaves height of approximately 4.9m with an overall height of 7.9m. In regards to one of the pair of semi-detached properties (Type 4), these would measure approximately 10.20m in length, span 5.85m in width with a similar eaves and ridge height. In relation to the terrace of 3 no. dwellings (Types 5 and 6), these would measure approximately 10m in length and span 5.85m. Finally, with respect to the last pair of semi-detached properties (Type 7), these would measure approximately 9.51m in length and span 6.39m in width. All of the dwellings would comprise of a saw tooth style roof with an eaves height of 4.8m with an overall height of approximately 7.8m. Given their overall size, scale and layout, they would not be too dissimilar to the existing residential developments which define this area.
- 7.8.11 With respect to the 2 no. two bedroomed semi-detached properties (A5) which are located to the rear of numbers 152 to 164 Blenheim Way, these properties would be located on the junction of Blenheim Way and Watton Road. The properties would measure approximately 8.51m in length, span 5.85m in width with an eaves height of approximately 4.62m with an overall height of approximately 9.20m. Again, these dwellinghouses would not be too dissimilar to the overall size, scale and layout of development in the area such as along Blenheim Way and Cragside
- 7.8.12 In regards to external appearance, the dwellinghouses would be constructed from a stock buff brick with the gable-end roof clad in zinc. The fenestration detailing comprises aluminium timber composite windows and doors with a zinc clad box style porch feature on the principal elevation. Therefore, there would be an element of uniformity in the use of high quality material across the development site.
- 7.8.13 Having regards to the aforementioned, whilst the scheme introduces taller buildings into this part of town, it is considered that the scale and form of the development, including the proposed dwellinghouses, would enhance the visual amenities of this part of Stevenage through the delivery of a contemporary modern, high quality residential development. In addition, the development would also deliver two landmark buildings which also form a gateway into the new neighbourhood centre which will define this part of Bragbury End. Therefore, it is considered that the proposed development would not have a detrimental impact on the visual amenities of the wider street scene.



## 7.9 Impact upon Neighbouring Amenity

### Privacy and outlook

- 7.9.1 Chapter 5 of the Design Guide SPD (2009) it 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 that should be achieved of the new buildings and/or disposition of windows to mitigate against overlooking.
- 7.9.2 Taking these standards into consideration, the tables below show the separation distances between the proposed development and existing dwellings.

Table 1:- Separation distances between residential Block A1 and existing dwellings.

<b>Separation distances between residential Block A1 and existing dwellings</b>			
<b>House number</b>	<b>Street</b>	<b>Separation distance between development and private rear garden (Metres)</b>	<b>Separation distance between development and existing dwellinghouse (Metres)</b>
22	Petworth Close	37	47
24	Petworth Close	28	43
26	Petworth Close	23	38
28	Petworth Close	22	36
30	Petworth Close	22	35
32	Petworth Close	24	37
34	Petworth Close	25	38
25	Petworth Close	26	40
62	Stirling Close	N/a – Front garden	48
64	Stirling Close	N/a – Front garden	48
66	Stirling Close	N/a – Front garden	48
68	Stirling Close	N/a – Front garden	46

- 7.9.3 Looking at the impact on the properties in Petworth Close, it is noted that the front elevation of the proposed development would overlook the private rear gardens and rearward facing elevations of numbers 22 to 34 Petworth Close. Given this, the table of separation as set out in Chapter 5, page 61 of the Design Guide SPD, provides no standards between the front elevations of proposed new dwellings over 2 storey's and existing rear elevations of 2 storey dwellinghouses. Notwithstanding this, a professional judgement still has to be made as to whether or not the development would harm the outlook and privacy of the properties in Petworth Close.
- 7.9.4 As noted in table 1, the separation distance between the development and the rear gardens of properties in Petworth Close is between 22m to 37m. In terms of separation between the development and the rear elevations of the properties in the aforementioned Close, this is between 35m to 47m. However, the proposed development itself does not as such directly overlook the private garden areas of the properties in Petworth Close. This is because between the proposed development and the properties in Petworth Close is Hertford Road. Running along the northern edge of Hertford Road and the rear garden areas of the properties in Petworth Close comprises a belt of mature trees. In addition, on the application side of the development site is also a belt of trees which are positioned on the highway verge.

- 7.9.5 Taking into consideration of the above, despite the overall height of the development, there is a sufficient separation distance between the developments at the properties in Petworth Close to ensure their privacy is retained. In addition, the trees which are located on Highway land are unlikely to be removed so provide an extra layer of protection to the residents in the aforementioned Close. Furthermore, the balconies serving the development have been recessed into the building fabric with the respective habitable windows being set back around 2m from the outer edge of the building. This further helps to improve the level of privacy to the occupiers in Petworth Close. Therefore, the overall separation distance, despite the Council not having a specific standard for side to rear elevations in the Design Guide SPD (as referenced in paragraph 7.9.3), is considered to be acceptable in this instanced
- 7.9.6 Turning to the impact on the properties in Stirling Close, the properties the most likely to be affected by Block A1 are numbers 62 to 68. Taking this into consideration, it is noted that the front elevation of the aforementioned properties look onto the side elevation of the proposed block. Therefore, there is the potential that the development could impact on these properties in Stirling Close. However, the Council does not have a front to side distance standard in the Design Guide. Therefore, an assessment has to made as to whether or not there is a suitable separation distance in order to protect the outlook and privacy of the properties in Stirling Close.
- 7.9.7 As set out in table 1 above, there would be a separation distance of between 46 to 48m between the development and numbers 62 to 68 Stirling Close. It is noted that on the side elevation of the building, there would be balconies and windows serving habitable rooms such as bedrooms and living rooms. However, due to the separation distance combined with the fact the development would overlook a surface car park and the fact that the existing block of flats is located 45m from the aforementioned property and consists of external balconies, the level of impact in terms of privacy would be no worse than the current situation.
- 7.9.8 In regards to impact on outlook, due to the overall separation distanced specifies in table 1 combined with the overall layout of the immediate area to Block A1, it would not appear overbearing or harm the outlook of the properties set out above.
- 7.9.9 Looking at the impact of Block A2 in terms of outlook and privacy, table 2 below sets out the separation distances between this part of the development and nearby residential properties.

Table 2: Separation distances between residential Block A2 and existing dwellings.

<b>Separation distances between residential Block A2 and existing dwellings.</b>			
<b>House number</b>	<b>Street</b>	<b>Separation distance between development and private rear garden (Metres)</b>	<b>Separation distance between development and existing dwelling (Metres)</b>
22	Petworth Close	30	42
24	Petworth Close	31	46
26	Petworth Close	35	49
28	Petworth Close	42	54
30	Petworth Close	50	61
32	Petworth Close	62	72
34	Petworth Close	71	80
25	Petworth Close	90	96
52	Hampton Close	N/a - Flat	52
56	Hampton Close	N/a- Flat	51
3, 4, 7, 8, 11 and 12	Balmoral Close	N/a - Flats	40
13	Balmoral Close	32	45
146, 158, 166	Blenheim Way	N/a - Flats	16
152, 156, 164	Blenheim Way	N/a - Flats	20
Walpole Court	Blenheim Way	Located to rear so not affected	32

- 7.9.10 In assessing the impact at the impact on the properties in Petworth Close, as is the case for Block A1, the front elevation of Block A2 faces onto the rear private gardens and rear elevations of the properties. It is considered that the level of impact on these properties in Petworth Close would be as Block A1 due to the separation distances combined with the fact that existing matures trees already provide a level of natural screening. In addition, the balconies have been designed to reflect those in Block A1 being recessed. With respect to the proposed roof terrace, this is set back over 2m from the edge of the roof and there would be raised planters around this terrace. This ensures that there is no direct overlooking of the private garden areas of properties in Petworth Close from the roof of the building. Furthermore, due to the separation distances and overall layout of the area between the development and the aforementioned properties, it would not harm the outlook or appear overbearing to the occupiers of these properties.
- 7.9.11 Turning to the impact on the properties in Hampton Close, there is a large separation distance between the development and the occupiers of the properties listed in table 2. In addition, between the development and the properties in Hampton Close is Hertford Road which helps to form the separation gap. Given this, the development would not have a detrimental impact on these properties.
- 7.9.12 With respect to the impact on the properties in Balmoral Close, it is considered that there would be a significant separation distance (between 40 to 45 metres as set out in table 2) between the development and the properties on the aforementioned close. In addition, there is a mature tree and vegetation belt which runs on both sides of Watton Road which help to provide a natural screen. Consequently, the proposed development is unlikely to have an impact on these properties in Balmoral Close in terms of privacy and outlook.

- 7.9.13 In relation to the impact on the properties in Blenheim Way, it is noted that there is a separation distance of between 16m to 20m. Whilst the separation distance at one point is only 16m, the proposed development would only look onto the blank side elevation of the residential block of flats comprising numbers 146 to 164 Blenheim Way. In regards to the impact on the existing development at Walpole Court, there would be over 32m separation distance between the development and the front of this building. This separation distance is more than sufficient to ensure it does not impact upon the outlook or the privacy of the occupiers who reside within Walpole Court.
- 7.9.14 Turning to the proposed dwellinghouses with respect to their impact on numbers 59 to 63 Stirling Close, the front elevation of the semi-detached dwellinghouse would face onto the front elevation of the aforementioned properties. Taking this into consideration, the Council does not have a separation distance standard for front to front relationships. However, there would be between 28m to 30m separation distance between the proposed semi-detached properties and numbers 59 to 63 Stirling Close. Given these dwellinghouses are only two storeys in height, the separation distance combined with their limited height would ensure the privacy and outlook of the aforementioned properties would not be affected by the development.
- 7.9.15 With respect to the impact on numbers 91 to 95 Stirling Close, it is noted that the rear elevation of the terrace of three dwellings and the semi-detached properties back onto the rear garden area of these properties. Taking this layout into consideration, the Council's Design Guide SPD (2009) states that there should be a separation distance between existing and proposed 2 storey dwellings of 25m. The proposed residential dwellings would all have a separation distance of 25m as required under the Council's Design Guide. In addition, all the respective gardens serving the new dwellings would be over 10m which also accords with the advice contained in the Design Guide. Furthermore, due to the level of separation, the proposed development would not harm the outlook or appear overbearing to the aforementioned properties.
- 7.9.16 In relation to the impact on numbers 114 to 116 Blenheim Way, it is noted that the rear walls of these dwellinghouses would face onto the side wall of the proposed semi-detached property. Given this, in line with the Council's Standards, there should be a separation distance of 15m. Following an assessment of the proposal, there would be a separation of 17m which exceeds the Council's requirements. In addition, the proposed dwellinghouses do not comprise of side windows which would overlook the private garden area. Moreover, there would be a gap of around 8m between the flank wall of the proposed dwelling and the rear garden areas of 114 and 116 Blenheim Way. Consequently, the proposed development would not result in a loss of outlook or privacy to the aforementioned properties.
- 7.9.17 With respect to the impact on number 122 Blenheim Way, it has been identified that their rear elevation would face onto the side wall of one of proposed terraced dwellings. It is noted that there would be a separation distance of approximately 14m which is 1m below the Council's Standards. However, the proposed dwellinghouse does not comprise of any side windows so there is no issue in terms of loss of privacy. Furthermore, there would be a separation gap of 4m between the proposed dwellinghouse and the rear garden area of number 122. In addition, the window affected by the development appears to serve a bathroom with the main bedroom window unaffected by the development. Consequently, the proposal would not harm the privacy or the outlook of the occupiers of the aforementioned property.
- 7.9.18 In relation to the impact on the residential units 152 to 164 Blenheim Way, the side elevation of this building would face onto the eastern elevation of one of the proposed semi-detached properties. Given this layout, the Council does not have a side-to-side separation distance standard in terms of outlook and privacy. Notwithstanding this, it is noted that there would only be a separation distance of 13m between the side elevation of the proposed

dwelling and the existing residential block of flats. However, there would no significant loss of outlook as the development would be sited on the existing garage block. Moreover, the proposed houses are only two-storeys in height and positioned where the existing garages are positioned. Moreover, the dwellings have been set away from the communal dry airway and there also appears to be secondary windows which appear to serve the living room. Consequently, it is considered that the development does not harm the outlook as viewed from the existing flats. In addition to this, the proposed dwellings do not comprise of side windows which look onto the habitable rooms of numbers 152 to 164.

- 7.9.19 Given the aforementioned assessment, it is considered that the proposed development would not harm the outlook or the privacy of existing residential properties which lie in close proximity to the development site.

#### Daylight

- 7.9.20 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.
- 7.9.21 Turning to the impact on the residential properties in Petworth Close, it is noted that these properties based on the topographic survey are set down approximately 1.9m from the proposed development site. This is due to the land sloping down on a gentle gradient from south to north. However, despite the change in land levels combined with the development's maximum height of approximately 17m, the proposed development does not subtend 25 degree line as taken from the ground floor habitable window. In addition, the proposed development would not breach the 45 degree line as taken in both plan and elevation form. The reason why there is no impact is because of the separation distance between the development and the properties in Petworth Close as set out in table 1 above.
- 7.9.22 In relation to the impact on numbers 62 to 68 Stirling Close, it is considered that due to the significant separation distance between the development (see table 1) and these properties, the residential block (A1) would not subtend the 25 degree line as taken from the ground floor habitable window. Furthermore, the proposed development because of the separation distance would not breach the 45 degree amenity as drawn in plan and elevation form.
- 7.9.23 With respect to the impact on numbers 91 to 95 Blenheim Way, an assessment was also undertaken in line with the BRE guide. Following this assessment, it has been identified that the proposed development would not breach the 25 degree line as taken from the ground floor habitable room of the aforementioned properties. In addition, an assessment has been made on the rear addition of number 93 and again, the 25 degree line is not subtended by the development. Furthermore, due to the separation distance as set out under table 1, the proposal would not breach the 45 degree amenity line in this instance either. In relation to the impact on numbers 114 and 116 Blenheim Way, whilst it is noted that the rear elevation of these properties face onto the flank wall of the proposed semi-detached properties and there is only a separation distance of 17m, again the proposed development would not subtend the 25 degree line as taken from the ground floor habitable windows.

- 7.9.24 In relation to the impact on number 122 Blenheim Way, whilst it is noted that there would be only be a separation distance of 14m, there is the potential the development could affect the level of daylight which is received at this property. However, following an assessment of the proposal in line with the BRE Guide, it has been determined that the proposed development would not breach the 25 degree line as taken from the ground floor habitable window. In addition, the proposed development would not breach the 45 degree amenity line as taken in plan and elevation form.
- 7.9.25 With respect to the impact on the level of daylight which is received by the existing properties within Walpole Court, it is considered that due to the separation distance of 32m, the proposed development would not subtend the 25 degree line. Consequently, the proposed development would not affect the existing residents who reside within Walpole Court.
- 7.9.26 Turning to the impact on the residential block comprising numbers 146 to 168 Blenheim Way, as there are no main habitable windows on the northern elevation on this block, the level of daylight received at these properties would not be detrimentally affected by the proposed residential Block A2. In relation to the impact on the properties in Balmoral Close and Hampton Close, due to the separation distances between Block A2 and the residential properties in the aforementioned roads as specified in table 2, the level of daylight received by these properties would not be detrimentally affected by the proposed development.
- 7.9.27 In relation to the proposed semi-detached dwellinghouses located to the west of the residential apartment block of 146 to 168 Blenheim Way, due to the limited separation distance of 13m combined with the overall height of development, the proposal could potentially impact on the level of daylight which is received in the ground floor apartment facing the development. Given this, whilst the proposed development does not breach the 45 degree amenity line in elevation form, it would subtend the 25 degree line as set out in the BRE Guide. Given this, a more detailed assessment has to be undertaken to determine whether the level of skylight (vsc) which is received in the ground floor apartment.
- 7.9.28 Taking into consideration the above, any reduction in total daylight has to be calculated finding the vsc at the centre of each window. Following an assessment in line with the BRE guide, it has been determined that the existing vsc for the existing ground floor apartment is 40%. The proposed development would result in a reduction of this vsc to 35.5%. Taking this into consideration, whilst there has been 4.5% reduction in daylight, the overall level of vsc is over the 27% (which is required to have an acceptable level of daylight) as set out under section 2 of the BRE "Site Layout Planning for Daylight and Sunlight – A Guide to Good Practice". Given this, there would be an acceptable level of daylight which is received at this property.
- 7.9.29 Given the aforementioned assessment, the proposed development would not have a detrimental impact on the level of daylight which is currently received by neighbouring residential properties.

#### Sunlight

- 7.9.30 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.

- 7.9.31 In regards to the impact on numbers 146 to 168 Blenheim Way as well as Walpole Court, the proposed development would be located to the north of these residential dwellings. In addition, the proposed development is located to the north of numbers 112 to 124 Blenheim Way. Given this, the level of sunlight which is currently received by these dwellings would not be affected by the proposed development.
- 7.9.32 Turning to the impact on numbers 22 to 34 Petworth Close and numbers 52 and 56 Hampton Close, whilst it is noted the proposed development is located due south of these properties, given the level of separation identified in tables 1 and 2 between these properties and the proposed development, it has been established that the development would not subtend the 25 degree line as taken from the main living room window.
- 7.9.33 In relation to the impact on numbers 91 to 95 Stirling Close, whilst it is noted that part of the development lies within 90 degrees of due south of ground floor habitable windows, due to the separation distance of 25m from the aforementioned properties to the development, the proposal would not affect the level of sunlight which is currently received by these properties. This is because the development would not subtend the 25 degree line as taken from the living room window. With respect to numbers 65 to 67 Stirling Close, again the separation distance of 28m means the development would not affect the level of sunlight which is currently received by the aforementioned properties.
- 7.9.34 Looking at the impact on numbers 62 to 66 Blenheim Way, as noted in table 1, there would be a separation distance of 48m between these properties and residential Block A1. With respect to the proposed residential block (Block A4) of flats which are located to the south of number 60 Blenheim Way, whilst there is the potential this building could affect the level of sunlight which is received by this property, it is noted the development does not breach the 25 degree line as set out in the BRE Guide. In relation to the properties in Balmoral Close (numbers 3, 7, 8 11 and 12) whilst the proposed residential apartment block (Block A2) is located within 90 degrees south of these properties, due to the separation distance combined with the fact that there is a mature tree belt between these properties and the development, the level of sunlight received at the aforementioned properties would not be affected by the development.
- 7.9.35 With regard to the impact on the residential apartment block which comprises of numbers 152 to 162 Blenheim Way, it is noted that part of the proposed development falls within 90 degrees of due south of the ground floor living room window serving one of the apartments. Therefore, the proposed development could potentially affect the level of sunlight which is currently received to the ground floor apartment. Following an assessment of the proposed development, it is identified that the level of Annual Probable Sunlight Hours (APSH) is 43% which is above the 25% standard set out in the BRE Guide. Following an assessment of the proposed development, whilst it does breach the 25 degree line it does not result in the reduction in any APSH which is currently received by the ground floor apartment. In addition, the apartment would also still receive acceptable levels of sunlight of over 5% APSH during the winter (21 September to 21 March).
- 7.9.36 Given the aforementioned assessment, it can be deduced that the proposed development would not have a detrimental impact on the level of sunlight which is currently received by nearby existing residential properties.

#### Overshadowing

- 7.9.37 As set out in paragraph 7.9.30 of this report, due to the proposed development being located north of these properties, the proposal would not generate an unacceptable level of overshadowing to these properties in this instance. Turning to all of the properties where parts of the development are located within 90 degrees of due south, it is considered that due to the level of separation as identified in section "Privacy and Outlook" between existing properties and all aspects of development, the proposed development would not result in

an unacceptable level of overshadowing to existing properties to warrant refusal of the application.

- 7.9.38 In addition to the above, whilst the proposed pair of semi's positioned adjacent to the residential block of flats (146 to 168 Blenheim Way) which could generate a level of overshadowing to the flats on the lower floors, the proposed development would generate a limited area of overshadowing in the afternoon, however, the level of overshadowing creating is not sufficient to cause undue harm to the occupiers of these flats.
- 7.9.39 Given the aforementioned assessment, the proposed development would not generate an unacceptable level of overshadowing which would harm the amenities of the nearest residential dwellings most likely to be affected by the development.

## **7.10 Future residential amenity**

### Outlook, privacy, sunlight and daylight

- 7.10.1 Turning to the impact on the future occupiers of the development, due to the separation distances specified under Section 7.9, subsection "privacy and outlook", the existing dwellinghouses within the immediate vicinity of the development would not result in a substantial loss of outlook, privacy, sunlight or daylight in this instance.
- 7.10.2 With respect to the overall internal layout of the development, it is noted that the eastern elevation of Block A1 would face onto the western elevation of Block A2. Therefore, there is the potential that the privacy of the future occupiers of the apartments within these respective blocks could be affected. However, there would be a separation distance of 33m between these blocks which would overlook a shared surface car park and green. Given this, whilst the Council does not have a separation distance for side-to-side elevations, it is considered that there would be more than sufficient separation to ensure the privacy of future occupiers of the development would be acceptable.
- 7.10.3 In regards to the separation distance between the proposed terrace of six houses which are located opposite the terrace of three houses and semi-detached properties, it is noted that the front elevation of these properties would look onto each other. Taking this into consideration, the Council does not have a separation distance standard for front-to-front relationship. Notwithstanding this, there would be a separation distance of between 20m to 23m which is more than sufficient to ensure the privacy of the future occupiers of the development would not be harmed.
- 7.10.4 Turning to the proposed semi-detached houses which are positioned opposite numbers 63 to 67 Blenheim Way, it is noted that these dwellinghouses would back onto the rear elevation of the residential block of apartments (Block A4). Given this, the Council's Design Guide SPD (2009) stipulates that there should be a back-to-back separation of 30m. The proposed separation distance between the semi-detached properties and the block of flats would only be 22m. Given this, there would be a shortfall of 8m which is significantly below the Council's adopted standards. However, in order to overcome this shortfall, the rear elevation of part of the residential apartment is set at a splayed angle. This would mean the windows serving the bedroom and lounge would overlook the communal area and not directly onto the private garden areas or habitable rooms of the semi-detached properties. In regards to the northern part of the block, the lounge areas would be dual aspect where one window looks onto a wall and the main window looks out towards the surface car park to the north.
- 7.10.5 Given the aforementioned, whilst there is a shortfall it is considered that the proposed residential block (Block A4) has been carefully designed to ensure that the privacy of the future occupiers of the semi-detached properties would be protected.



7.10.6 With respect to sunlight and daylight, the BRE Guide does not set out standards for between new developments. However, a professional judgement has to be made to ensure that all of the residential properties within the development would have an acceptable level of sunlight and daylight. Following an assessment of the proposal, based on the separation distances specified above combined with the fact that the larger parts of the developments (Blocks A1 and A2) are located at the northern end of the site, the level of sunlight and daylight which would be received within all parts of the new development would be acceptable in this instance.

Private amenity space

7.10.7 Dealing with the dwellinghouses, 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 3 below.

Table 3:- Size of private garden areas per plot.

<b>Dwelling house number</b>	<b>plot</b>	<b>House type</b>	<b>Area of private garden (sq.m)</b>	<b>Length of private garden (metres)</b>
A4-1		Terrace	53	9
A4-2		Terrace	53	9
A4-3		Terrace	53	9
A4-4		Terrace	53	9
A4-5		Terrace	53	9
A4-6		Terrace	53	9
A4-7		Semi-detached	77	15
A4-8		Semi-detached	93	15
A4-9		Terrace	92	15
A4-10		Terrace	75	14
A4-11		Terrace	75	14
A4-12		Semi-detached	96	12
A4-13		Semi-detached	100	12
A5-1		Semi-detached	66	8
A5-2		Semi-detached	69	8

7.10.8 Taking into consideration the above, whilst the private garden areas of plots A4-1 to A4-6 as well as plots A5-1 and A5-2 do not meet the Council's Standard in terms of depth, there 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.

7.10.9 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.

7.10.10 Taking the above standard into consideration, there would be a requirement to provide the following amount of communal space:-

- Residential Block A1 = 570 sq.m;
- Residential Block A2 = 880 sq.m; and

- Residential Block A4 = 90 sq.m

- 7.10.11 In addition, 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 so as to afford privacy to the occupant. In regards to Block A1, there would not be a private communal garden area to serve the residential apartments. Notwithstanding this, each apartment has a private balcony area. These balcony areas combined would provide approximately 400 sq.m of private amenity space. Whilst it is noted there is a shortfall, the future occupiers of the development would have access to the area of open space located within the centre of the development. In addition, there would be access to the nearby open space within Blenheim Way to the east of the development site.
- 7.10.12 Turning to Block A2, there would be a communal garden area of 225 sq.m which is below the Council's communal space standards. However, as per Block A1, the majority of flats are served by a balcony and there is also an outdoor terrace on the roof measuring 182 sq.m in area. Given this, the balconies, outdoor terrace and communal lawn would combined provide 1,073 sq.m of communal amenity space which would exceed the Council's requirements in this instance. In relation to Block A4, this would have a private communal garden area of 150 sq.m. Given this, the communal space provided for this block would exceed the Council's requirements.
- 7.10.13 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 Walpole Court development to enhance the children's play and open space provision at Blenheim Way.
- 7.10.14 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

- 7.10.15 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 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

- 7.10.16 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.
- 7.10.17 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.

- 7.10.18 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.
- 7.10.19 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

- 7.10.20 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 as Local Planning Authority for its approval prior to it first being installed.

### **7.11 Impact on the Highway Network.**

- 7.11.1 The application site is currently accessed via Hertford Road (un-numbered classified C Road), Kenilworth Close and Stirling Close which are unclassified local access roads. These roads are restricted to a speed limit of 30 mph. The proposed residential apartments block (Block A1) as well as the retail units would be serviced from Stirling Close where there would be a reconfigured access road. This access road would also serve the proposed new dwellinghouses.
- 7.11.2 In regards to the public car park serving the retail units, this would be accessed off Hertford Road via the existing access point. This access point would not be altered but the existing surface car park would be re-configured in order to facilitate the construction of the proposed development. Turning to residential apartment Block A2, this would be accessed off Kenilworth Close which is positioned to the south.
- 7.11.3 With respect to the proposed semi-detached dwellings which are located at the south-western end of the development site, these properties would be accessed via a new vehicle cross-over from Blenheim Way. The proposed vehicular access to this part of the development would be 5.5m in width.
- 7.11.4 With regards 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), Road in Hertfordshire Design Guide. In terms of 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.
- 7.11.5 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 development's associated roads would accommodate the swept path of larger vehicles.

- 7.11.6 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 traffic generation, 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.
- 7.11.7 It is anticipated that the proposal would generate between 08:00-09:00 AM Peak 85 arrivals and 187 departures which generates a two trip of 202 vehicle movements. With respect to peak traffic between 17:00-18:00 PM Peak, there would be 127 arrivals and 110 departures which generates a two way trip of 238 in Total. Taking this into consideration, it equates to 3 vehicle movements per minute in the AM Peak and 4 vehicle movements in the PM peak. 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.
- 7.11.8 In order to assess future traffic growth on these junctions based on the survey data from 2018 up to a future year of 2023, 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.
- 7.11.9 Following consultation with HCC as Highways Authority, they consider the proposed access arrangement to be acceptable. In addition, 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.

## **7.12 Parking provision**

### Residential parking

- 7.12.1 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 and 2 spaces for a three bedroom unit. In regards to the independent living block (sheltered housing), the Parking Standards SPD sets out a requirement to provide between 0.5 space to 1 space per unit. Taking these standards into consideration there would be a requirement to provide 113 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.
- 7.12.2 The proposed development across the whole site (excluding the parking for the retail units) amounts to 158 parking spaces. In terms of parking breakdown, there would be 68 unallocated parking spaces which would serve the residential block A1. In relation to the independent living/sheltered housing block (A2), there would be a provision of 47 parking spaces as well as 1 parking space for a minibus. Turning to the proposed dwellinghouses and residential block of apartments (Block A4), there would be 34 parking spaces plus 6

parking spaces for visitors which accords with the Council's Standards. With respect to the standalone semi-detached properties positioned on the south-western corner of the site located near the junction of Watton Road and Blenheim Way, there would be 4 parking spaces to serve these properties. This amount of parking would be sufficient for these two properties being 2 bedroom dwellings.

- 7.12.3 Turning to visitor parking, in line with the Council's Parking Standards SPD (2009), there is a requirement to provide 0.5 spaces per dwelling unit. This would equate to a requirement to provide an additional 85 parking spaces. However, as set out in paragraph 2.15 of the SPD, where a significant portion of the parking is to be unallocated, as is the situation with this development, additional visitor parking may not be required. However, as a large portion of the parking will be communal, it is recommended that 5% of the total number of spaces should be designated for disabled. This equates to a requirement of 6 spaces across the development. Taking this into consideration, there would appear to be the provision of 5 spaces which is a shortfall of 1 parking space. Notwithstanding this, if members were minded to grant planning permission a condition could be imposed to any permission issued to require some of the parking bays to be quasi-disabled bays. This is to ensure that there would be sufficient parking provision for people with disabilities.

#### Retail

- 7.12.4 The Council's Parking Standards SPD (2009) states that for retail units, 1 space per 30m<sup>2</sup> of gross floor area should be provided for small shops. The proposed development would comprise of 4 no. retail units with a total floorspace of 1137.5 sq.m. Given this, there would be a requirement to provide 38 parking spaces. However, as the application site is within non-residential accessibility zone 4, a degree of constraint can be applied to the maximum level of parking to be applied for new development. In this regard, a requirement of between 75% to 100% of the maximum number of parking spaces would be required to serve the retail units. This would equate to a requirement of between 28 car parking spaces to 38 car parking spaces.
- 7.12.5 The proposed development would comprise of 17 parking spaces in the shared car park positioned to the front of the retail units. In addition, there would be 5 staff parking spaces located within the rear service yard. This would equate to total of 22 parking spaces which would mean there is a shortfall of 5 parking spaces. Notwithstanding this, the residential part of the development has sufficient parking capacity to absorb the additional parking requirement for the shops as these spaces would be unallocated. In addition, being a neighbourhood centre, these retail units would be within walking distance to a number of residential properties and as such, there would be a proportion of linked trips.
- 7.12.6 Turning to disabled parking provision, in regards to shopping and recreation, there is a requirement to provide 3 bays or 6% of total capacity, whichever is the greater. The proposed development would seek to provide 2 disabled parking spaces in the main car park plus an additional disabled parking bay for staff within the rear service yard. Taking this into consideration, there would be sufficient parking provision for disabled persons. In terms of powered two-wheels, there is a requirement to provide around 5% of total stock of publicly accessible vehicle parking for motorcycle use. Taking this standard into consideration, a motorcycle parking space has been provided in the surface car park serving the retail units. Given this, there would be sufficient motorcycle parking in line with the Council's Standards.

#### Cycle parking

- 7.12.7 In relation to bicycles, for residential development, there is a requirement to provide 1 cycle space per dwelling unit. This would equate to a requirement of 81 spaces. Turning to the independent living (sheltered living) block, there is a requirement to provide 1 short term space per 3 units plus 1 long term space per 5 units. This would equate to a requirement of

30 short-term spaces and 18 long-term spaces. In relation to retail (Use Class A1), there is a requirement to provide 1 short term space per 150m<sup>2</sup> of gross floor area plus 1 long term space per maximum space per maximum staff on site at any one time. Taking these standards into consideration, it is not known what level of staff will be working within these units. However, as a minimum there should be a provision of 8 cycle spaces.

- 7.12.8 Dealing with residential Block A1, there is a secure cycle store positioned to the rear of the building. In addition, there is an area of short term cycle parking provided via a Sheffield Stand also positioned to the rear of the building. In addition, the applicant is providing 3 sets of Sheffield stands to be positioned adjacent to Block A1. These would serve the retail units. There is also the provision of an additional short-term Sheffield stand located to the south of the retail units/Block A1.
- 7.12.9 With respect to Block A2, there is a secure cycle store located to the rear of the building. In addition, there are two no. Sheffield Stands in close proximity to this building for short-term parking. In relation to residential Block A4, there would be a secure cycle store within the communal garden area. In relation to the proposed dwellinghouses, each property would comprise of a shed which can be utilised to store a bicycle.

#### Replacement parking

- 7.12.10 Part of the proposed development would involve the demolition of six Council garages in order to facilitate the construction of the proposed development. In order to compensate for the loss of these garages, the proposal would comprise of 6 replacement parking space which would be located adjacent to Walpole Court. Therefore, sufficient replacement parking would be provided to compensate for the loss of the existing garages.
- 7.12.11 Given the aforementioned, there would be sufficient cycle parking to serve the development in accordance with the Council's Car Parking Standards SPD (2009). 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.

### **7.13 Trees and Soft Landscaping**

- 7.13.1 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 31 category B (Trees of moderate quality) and 35 category C (Trees of low quality) and 3 category C hedges. The trees to be removed comprise a mixture of Red Oak, Winter Cherry, Ash, Corsican Pine, Rowan, Swedish Whitebeam, Norway Maple, Willow and Lime. The proposal also seeks the removal of 4 category U (Trees unsuitable for retention) trees.
- 7.13.2 In addition to the above, the proposed development would encroach on the root protection area of a number of trees which are to be retained. Given this, the applicants Arboricultural Impact Assessment (prepared by Aspect Arboriculture, report reference:- 9575\_AIA.001 dated October2018) 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.
- 7.13.3 Further to the works within the root protection areas and the removal of a number of trees, there would also be a requirement to undertake crown reduction, pollarding and selective pruning of trees in and around the development site. 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.

- 7.13.4 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 suitable condition be imposed. This condition will require the applicant to provide details of a landscaping scheme with replacement tree planting to be submitted to the Council for its approval.

## **7.14 Impact on Ecology**

- 7.14.1 The application site is identified as previously developed land and predominantly comprises of residential buildings, amenity grassland and scattered trees and managed scattered low hedgerows and associated hardstanding areas 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 to ascertain whether or not the site has and adjoining habitats to species that receive legal protection at either UK and/or European level. The survey comprised a desk top study of records from the multi-agency geographic information for the countryside, Herts Environmental Records Centre (HERC) and ordnance survey maps. A Phase 1 habitat survey was also undertaken by the Ecologists.
- 7.14.2 The survey identified that there are no habitats of high value to legally protected 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.
- 7.14.3 In addition, the scattered trees along the southern boundary and around the edges of the site are considered suitable nesting habitats for breeding birds during the breeding season. Given birds are protected under the Wildlife and Countryside Act 1981, 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.
- 7.14.4 Turning to the ecological value of the development site, 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 7.14.2 and 7.14.3 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.

## **7.15 Development and Flood Risk**

- 7.15.1 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 addition, as set out in the aforementioned section, Thames Water has not raised any concerns with respect of the development in terms of impact on sewerage infrastructure.

## **7.16 Other Matters**

### Refuse and recycling

7.16.1 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.

7.16.2 As part of the proposal the applicant has identified 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

7.16.3 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.

7.16.4 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 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 being drained from the building into the local sewer network.

- 7.16.5 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.
- 7.16.6 Turning to sustainable construction, 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 is 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.
- 7.16.7 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

- 7.16.8 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 are the deciding issues and not any possible consequential effects on nearby property values.

#### Consultation Process

- 7.16.9 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.
- 7.16.10 In line with the 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.
- 7.16.11 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

- 7.16.12 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

- 7.16.13 Some concerns have been raised by residents that the proposed development in relation to 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 generate 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

- 7.16.14 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 although part of it is allocated in the Emerging Local Plan, it does not stipulate the need for a doctors surgery. The land where a GP surgery is suggested is a large scale residential development which 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.

#### Electric Vehicle Charging Points

- 7.16.15 Comments from local 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.

#### Building Regulations

- 7.16.16 It is noted that concerns have been raised that due to the siting of a pair of semi-detached properties and their proximity to a balcony, the proposed development would be in contravention of Building Regulations. It is considered that this is not a material planning consideration and any issues in regards to Building Regulations would have to be dealt with separately from this planning application.

#### Loss of drying area serving the flats

- 7.16.17 Concerns have been raised that the proposed development would result in the loss of a drying area which serves the residential flats in Blenheim Way. It can be confirmed that the proposed development does not seek to remove this drying area and it would be retained as part of this development.

### Proposal will set a precedent for similar developments

- 7.16.18 Concerns have been raised by a number of residents that if planning permission were to be granted it could set a precedent for development of other courts in the area. Despite the concerns raised, the Council can only consider the application before it and has to determine it on its own merits based on current planning legislation and law. Consequently, if any future applications were to be made for similar developments in the area, then such applications would have to be assessed on their own merits accordingly.

### Fire Safety

- 7.16.19 In regards to fire safety, some residents have raised concerns that future owner/occupiers of the flatted parts of the development are at risk due to recent events. Whilst this concern is fully appreciated, any matters regarding the fire safety of a building is a matter which is dealt with under Building Regulations. However, as you will note from the Highways Implications section of this report, Hertfordshire County Council as Highways Authority have considered that the layout of the development is acceptable for access and manoeuvrability for fire appliances. In addition, all parts of the development would be accessible in the event of a fire. Moreover, the County Council has also required the provision of a fire hydrant which would be secured as part of a S106 legal agreement.

### UK Power Networks objection

- 7.16.20 It is noted that UK Power Networks has raised objection to the planning application as a Party Wall etc. Act 1996 Notice has not been served by the applicant. However, matters regarding Party Walls fall outside the scope of planning legislation and law as it is a civil matter. Therefore, it is down to the applicant to submit the requisite notice on UK Power Networks under the Party Wall Act, at the relevant time.

## **8. CONCLUSIONS**

- 8.1 In summary, the principle of residential development has been established as being acceptable on this partial windfall site whilst it also delivers on the Council's aspiration to redevelop the Kenilworth Close Neighbourhood Centre as allocated in the Emerging Local Plan. 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 and Emerging Local 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;
- A financial contribution towards sustainable transport;
- The improvement of outdoor sport facilities and children's play space;
- Provision of a fire hydrant;
- Securing on-site provision of affordable housing;
- A financial contribution towards gardening club;
- A financial contribution towards Greenspace and Ecological Improvements;
- A financial contribution towards Community or Ecological Amenity Infrastructure
- Secure provision of CCTV cameras.

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:

16059.01.SU1.01; 16059.01.SU1.02; 16059.01.SU1.03; 16059.01.wd2.01 B;  
16059.01.wd2.101 A; 16059.01.A1.wd2.01 B; 16059.wd2.02 A; 16059.01.wd2.03 A;  
16059.01.wd2.04 A; 16059.01.wd2.05 A; 16059.01.A1.wd2.06; 16059.01.A2.wd2.01 A;  
16059.01.A2.wd2.02 A; 16059.01.A2.wd2.03 A; 16059.01.A2.wd2.04 A;  
16059.01.A2.wd2.05 A; 16059.01.A2.06 A; 16059.01.A4.wd2.01 A; 16059.01.A4.wd2.02;  
16059.01.A4.wd2.03 A; 16059.01.A4.wd2.04 A; 16059.01.A4.wd2.05 A;  
16059.01.A5.wd2.01 A; 16059.01.A1.wd2.101 A; 16059.01.A1.wd2.102 A;  
16059.01.A2.wd2.101 A; 16059.01.A2.wd2.102 A; 16059.01.A2.103 A;  
16059.01.A4.wd2.101; 16059.01.A4.wd2.102 A; 16059.01.A4.wd2.103 A;  
16059.01.A4.wd2.104 A; 16059.01.A5.wd2.101 A.

**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 has been 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 1<sup>st</sup> March and 31<sup>st</sup> 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 16059.01.wd2.01 B shall be surfaced (in either a porous material or provision shall be made for surface water drainage to be contained within the 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 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.

- 15 The development hereby permitted shall not be occupied until the proposed accesses have been constructed as identified on drawing number 16059.01.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.
- 16 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.
- 17 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 thereafter.  
**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.
- 18 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.
- 19 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.
- 20 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 Council as 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.
- 21 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.

- 22 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 (N), including detailed design calculation and modelling for SuDS features proposed for Site A (N) (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.

- 23 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.

- 24 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.

- 25 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.

- 26 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 27, 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 28.

**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.

- 27 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.

- 28 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.

- 29 Prior to the first occupation of the ground floor retail units as detailed on drawing numbers 16059.01.wd2.01 B and 16059.01.A1.wd2.01 B, a scheme for the installation of equipment to control the emission of fumes and smell from these premises and/or for the installation of any external plant and equipment such as air conditioning units and refrigeration units shall be submitted to and approved in writing by the Local Planning Authority and the approved scheme shall be implemented prior to the first occupation of these units. All equipment installed as part of the scheme shall thereafter be operated and maintained in accordance with the manufacturer's instructions.

**REASON:-** To protect the amenities of the occupiers of adjoining properties and the development.

- 30 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 [wwriskmanagement@thameswater.co.uk](mailto:wwriskmanagement@thameswater.co.uk). Application forms should be completed on line via [www.thameswater.co.uk/wastewaterquality](http://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](mailto: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](mailto: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.