

STEVENAGE BOROUGH COUNCIL

**PLANNING AND DEVELOPMENT COMMITTEE  
MINUTES**

Date: Tuesday, 4 December 2018

Time: 6.30pm

Place: Council Chamber, Daneshill House, Danestrete

**Present:** Councillors: David Cullen (Chair), Maureen McKay (Vice-Chair), Lloyd Briscoe, Michael Downing, James Fraser, Michelle Gardner, Jody Hanafin, Liz Harrington, Graham Lawrence, John Lloyd and Graham Snell.

**Start / End**      Start Time:    6.30pm  
**Time:**            End Time:      9.05pm

**1      APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST**

Apologies for absence were received from Councillors Doug Bainbridge and Lizzy Kelly.

There were no declarations of interest.

**2      MINUTES - 6 NOVEMBER 2018**

It was **RESOLVED** that the minutes of the Planning and Development Committee held on 6 November 2018 be approved as a correct record and signed by the Chair.

**3      18/00400/FP - LAND LOCATED BETWEEN BLENHEIM WAY, THE A602 AND  
HERTFORD ROAD, STEVENAGE**

The Committee considered an application for the proposed development of a new community centre, cycle path running through the site, associated parking and landscaping.

The application was before the Committee for determination as the applicant and landowner was Stevenage Borough Council.

The Principal Planning Officer gave an introduction to the Committee. The main issues for consideration in the determination of the application were its acceptability in land use policy terms, the impact of the character and appearance of the area on both existing neighbouring amenities and future residential amenity; the effect of the proposals on the highway network the adequacy of parking provision and flood risk.

Officers advised that whilst the development did result in the loss of an area of principal open space, the overall benefits of the development would outweigh the harm in this instance. The Committee was informed that the proposal sought to deliver a development which was well designed and of high quality and would create

a landmark form of development on what was a key gateway site.

Members were also informed that the proposed development would not have a detrimental impact on the safety and operation of the public highway and there would be sufficient off-street parking in line with the Council's standards.

In response to a question, Officers advised that the pro-active statement within the report was there as a Government requirement.

It was **RESOLVED** that planning permission be GRANTED subject to the following conditions:-

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:
- 2 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 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 have 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.
- 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. 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.
- 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.
- 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.
- 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.

- 8 A watching brief must be kept during initial site preparation works to identify any potentially contaminated materials likely to be present. In the event contamination is found during site clearance and/or construction phase of the development, undertake an appropriate investigation and provide a remediation strategy which is to be submitted to and approved in writing by the Local Planning Authority. This investigation and assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site. Moreover, it must include:
- (i) a survey of the extent, scale and nature of contamination;
  - (ii) an assessment of the potential risks to:
    - human health,
    - property (existing or proposed) including buildings, crops, livestock, pets,
    - woodland and service lines and pipes,
    - adjoining land,
    - groundwaters and surface waters,
    - ecological systems.
- 9 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 8, 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.
- 10 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.
- 11 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.

- 12 No development, above slab level, shall take until full details of the cycle parking facilities for visitors and staff has been submitted to and approved in writing by the Local Planning Authority. The cycle parking areas shall thereafter be installed in accordance with the approved details.
- 13 Prior to the first use of the development hereby permitted the approved refuse/recycle stores shall be constructed in accordance with the details submitted with this planning application and shall be permanently retained in that form.
- 14 No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure and the programme for the works) has been submitted to and approved in writing by the local planning authority. Any piling must be undertaken in accordance with the terms of the approved piling method statement.
- 15 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.
- 16 No development, including site clearance, shall commence until the trees as specified on drawing number 9580 TPP 01 Rev B (Arboricultural Impact Assessment, prepared by Aspect Arboriculture, Report reference 9580\_AIA.001 Rev A 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 drawing number 9580 TPP 01 Rev B shall be undertaken in accordance with the details specified in the Arboricultural Impact Assessment.
- 17 Within the areas to be fenced off in accordance with condition 16, there shall be no alteration to the ground levels and they shall be kept clear of vehicles, materials, surplus soils, temporary buildings and machinery.
- 18 No development shall take place, above slab level, until details of a CCTV system has been submitted to and approved in writing by the Local Planning Authority. The approved CCTV system shall be installed in accordance with the approved details prior to the first occupation of the development and retained thereafter.
- 19 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.

- 20 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.
- 21 Prior to the first occupation of the development hereby permitted, the parking areas as shown on drawing number 16059.03.wd2.01 G shall be surfaced (in either a porous material or provision shall be made for surface water drainage) and marked out accordingly and shall not thereafter be used for any purpose other than the parking of vehicles for the development hereby approved.
- 22 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.

- 23 The development hereby permitted shall not be occupied until the proposed access have been constructed as identified on drawing number 16059.03.wd2.01 G and the existing cycle track has 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.
- 24 Prior to the first occupation of the development hereby permitted, the proposed shared cycle track and pedestrian footway as detailed on drawing number 16059.03.wd2.01 G shall be constructed out in accordance with the approved in line with current specifications and to the satisfaction of the Local Planning Authority. The shared cycle track and pedestrian footway shall thereafter be maintained and retained accordingly.
- 25 Before the vehicle access is first brought into use, vehicle-to-vehicle visibility splays of 2.4 metres by 43 metres in both directions shall be provided and permanently maintained, within which, there shall be no obstruction to visibility between 600mm to 2m above the carriage level. These measurements shall be taken from the intersection of the centre line of the permitted access with the edge of the carriageway of the highway respectively into the application site and from the intersection point along the edge of the carriageway.
- 26 Prior to the first use of the development hereby permitted, the raised pedestrian crossing, 1.5m by 1.5m pedestrian visibility splay shall be provided and permanently maintained to each side. These visibility splays shall be measured from the point where the edges of the pedestrian crossing crosses the highway boundary, 1.5m into the site and 1.5m along the highway boundary, forming a triangular visibility, within which, there shall be no obstructions to visibility between 600mm to 2m above the carriage level.
- 27 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.

## **INFORMATIVE**

### **Thames Water**

A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Thames Water expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by

emailing [wwqriskmanagement@thameswater.co.uk](mailto:wwqriskmanagement@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 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.

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.

#### **4 18/00398/FPM - THE BRAGBURY CENTRE, BLENHEIM WAY, STEVENAGE**

The Committee considered an application for the 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 4 no. retail units across various blocks.

The Principal Planning Officer gave an introduction to the Committee. He advised that the main issues for consideration in the determination of the application were 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.

The Chair invited Mr Rands, an objector to address the Committee. Mr Rand's objections related to the distance of the houses to the flats in Blenheim Way which would be below the 12m separation contrary to building regulations. Mr Rand also expressed concern that he would be able to look directly down from his balcony into the gardens of the proposed new houses. He also suggested that the Hertford Road through road should be upgraded to an A road.

The Chair then invited Mr Smith, also an objector, to address the Committee. Mr Smith's main objection was that the proposal was an overdevelopment of the site contrary to the Local Plan, and that there was inadequate public transport to serve the development. Mr Smith was also of the view that the development would generate an unacceptable level of overshadowing due to its size and result in substantial losses of light and privacy. Mr Smith advised that in his opinion no regard had been had by the Council on the objections and concerns received.

The Chair then asked Mr Ash Ahmed Assistant Director Housing Development, Stevenage Borough Council and applicant to respond. Mr Ahmed advised that the application was for a more structured and formal housing and retail offer than what was currently provided on the site. Private and affordable housing would be included within the scheme.

The Chair thanked Mr Rand, Mr Smith and Mr Ahmed and invited the Principal Planning Officer to continue with his presentation.

The Committee was advised that the principle of residential development had been established as being acceptable on this partial windfall site. In terms of land use, the site was considered to be in a sustainable location and would constitute a sustainable form of development. The fact that the Council was currently unable to provide a five year supply of deliverable housing sites was also a strong material consideration that significantly weighed in favour of the application. Kenilworth Close was also designated for residential development in the Emerging Local Plan.

It was advised that whilst the proposed development did result in a substantial reduction of open space, the proposed financial contributions would help to mitigate the impact of the loss of the open space. Although the scheme introduced taller buildings into the area, it was 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 contemporary modern high quality residential development. Officers were of the view that 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.

The Committee was advised that Herts County Council as Highways Authority considered the proposed access arrangements to be acceptable subject to a condition relating to the safety and operation of the highway during the construction phase. The proposal would also have adequate off-street parking in line with the Council's adopted standards as well as an appropriate level of cycle parking provision.

In response to a question regarding the provision of public transport, officers advised that any requests for funding to improve the provision of public transport would have to be made by the County Council following their own assessment.

In relation to the retail offer, the proposed development sought to replace the 4 no. retail units with units at the ground floor level within building A1.



Officers advised that an additional contribution as part of the S106 agreement would be made towards improvements at the Poplars Surgery.

It was **RESOLVED** 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;
- A financial contribution towards improvements of the Poplars Surgery

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.

- 2 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 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.
- 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.

- 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.
- 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.
- 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.
- 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.
- 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.
- 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.
- 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.

- 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.
- 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.
- 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.
- 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.
- 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.
- 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.
- 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.
- 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 (L<sub>Amax,F</sub>) on more than ten occasions during any typical night (23:00 – 07:00) within bedrooms.
- 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.

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.

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 geo-cellular 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.

- 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
- 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.
- 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.
- 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.
- 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.
- 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.

- 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.
- 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.

## **INFORMATIVE**

### **Environmental Health**

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

### **Thames Water**

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

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.

## **5 18/00399/FPM - WALPOLE COURT, BLENHEIM WAY, STEVENAGE**

The Committee considered an application for the demolition of the existing Walpole Court sheltered scheme and associated parking and the construction of 51 no. apartments and 9 no. dwellinghouses.

The application was before the Committee for determination as the applicant and landowner was Stevenage Borough Council.



The Development Manager gave an introduction to the Committee. He advised that the main issues for consideration in the determination of the application were the land use policy considerations, compliance with the Council's Housing Policies, affordable housing and financial contributions, impact on the character and appearance of the area, impact on neighbouring amenity, future residential amenity, impact on the highway network, parking provision, trees and soft landscaping, impact on ecology and development and flood risk.

The Chair then invited Mr Smith, an objector, to address the Committee. Mr Smith advised that his main objections were similar to the previous application. His concerns were that the block was excessive in height, the high density of the scheme and insufficient off-street parking with inadequate public transport serving the development. He was also concerned that the consultation with residents had not been carried out extensively enough.

The Chair then invited Mr Ahmed, Assistant Director Housing Development Stevenage Borough Council and applicant to respond. Mr Ahmed advised that a number of consultation events had been held including a 2 day event. 600 leaflets had been delivered and an online survey undertaken.

The Chair thanked Mr Smith and Mr Ahmed and invited the Principal Planning Officer to continue with his presentation.

The Committee was advised that as the site was considered to be in a sustainable location, would constitute a sustainable form of development and the fact that the Council was currently unable to provide a five year supply of deliverable housing sites were strong material considerations that significantly weighed in favour of the application.

It was noted that whilst the scheme introduced a taller building into this part of the town, it was considered that the scale and form of the development, including the proposed town houses would enhance the visual amenity through the delivery of a contemporary modern, high quality residential development.

Members noted that in terms of the effect on daylight, sunlight, overshadowing, privacy and outlook officers had concluded that the levels would be acceptable for future residents in line with the Council's Design Guide SPD.

Members were advised that consultation had been undertaken with HCC as Highways Authority who had confirmed that the proposed access arrangements were acceptable but that a condition should be imposed to ensure the safety and operation of the highway would not be detrimentally affected during the construction phase.

Members again expressed concern regarding the lack of public transport provision in the area. Officers reiterated that they had to be guided by the County Council in this respect.

It was **RESOLVED:**

That planning permission be **GRANTED** subject to the applicant having first entered into and completed a S106 legal agreement to secure/provide financial contributions towards:-

- Primary and Secondary Education;
- Libraries and Youth Facilities;
- The improvement of open outdoor space and children's play space;
- Provision of a fire hydrant;
- Securing the off-site provision of affordable housing.

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

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:  
  
16059.02.SU1.01; 16059.02.SU1.02; 16059.02.SU.1.03; 16059.02.wd2.01 B; 16059.02.A6.wd2.01 A; 16059.02.A6.wd2.101; 16059.02.A3.wd2.102; 16059.02.A3.wd2.101; 16059.02.A3.wd2.06; 16059.02.A3.wd2.05; 16059.02.A6.wd2.02; 16059.02.A3.wd2.04; 16059.02.A3.wd2.03; 16059.02.A3.wd2.02; 16059.02.A3.wd2.01.
- 2 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 3 No development, above slab level, shall commence until a schedule and sample of the materials to be used in the construction of the external surfaces of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.
- 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.
- 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.

- 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.
- 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.
- 8 No removal of trees, scrubs or hedges shall be carried out on site between 1st March and 31st August inclusive in any year, unless searched before by a suitably qualified ornithologist.
- 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.
- 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.
- 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.
- 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.
- 13 Prior to the first occupation of the dwellinghouses hereby permitted, the parking areas as shown on drawing number 16059.02.wd2.01 B shall be surfaced (in either a porous material or provision shall be made for surface water drainage to be dealt with within the application site) and marked out accordingly and shall not thereafter be used for any purpose other than the parking of vehicles for the development hereby approved.

- 14 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revising, revoking and re-enacting that Order with or without modification), no internal or external alterations shall take place to any garage, which would preclude its use for housing motor vehicles without the prior written approval of the Local Planning Authority.
- 15 Prior to the commencement of development, a Construction Management Plan/Method Statement shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the construction of the development shall only be carried out in accordance with the approved statement. The Construction Management Plan/Method Statement shall address the following matters:-
- (i) Details of construction phasing programme (including any pre-construction demolition or enabling works);
  - (ii) Hours of 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.
- 16 The development hereby permitted shall not be occupied until the proposed accesses have been constructed as identified on drawing number 16059.02.wd2.01 B the existing accesses have been closed and the existing footway has been reinstated to the current specification of Hertfordshire County Council and to the Local Planning Authority's satisfaction.

- 17 No development shall take place until a detailed Site Waste Management Plan (SWMP) to detail how waste materials generated as a result of the proposed demolition and/or construction methods shall be disposed of, and detail the level and type of soil to be imported to the site as part of the development has been submitted to and approved in writing by the Local Planning Authority.
- 18 Prior to the first occupation of the dwellings hereby permitted the approved secure cycle parking areas and public cycle parking shall be constructed in accordance with the approved details submitted with this planning application and shall be permanently retained in that form.
- 19 Prior to the first occupation of the dwellings hereby permitted the approved refuse and recycle stores shall be constructed in accordance with the details submitted with this application and shall be permanently retained in the form.
- 20 The design of windows and ventilators to each dwelling shall achieve an acoustic performance which shall ensure that, when windows are closed, the following noise levels are not exceeded:
  - (i) An average of 35 decibels (dB) (LAeq) during the daytime (07:00 – 23:00) within bedrooms and living rooms
  - (ii) An average of 40 dB (LAeq) during the daytime (07:00 – 23:00) within dining rooms
  - (iii) An average of 30 dB (LAeq) during the night (23:00 – 07:00) within bedrooms
  - (iv) A maximum of 45 dB (L<sub>Amax,F</sub>) on more than ten occasions during any typical night (23:00 – 07:00) within bedrooms.
- 21 The windows on the first and second floor level serving the landing area of plot 9 on the eastern elevation shall be obscurely glazed (at level 3 or above of the Pilkington Scale of Obscurity) and fixed shut at 1.7m as measured from finished floor level.
- 22 The windows on the first and second floor level serving the en-suite bathrooms serving the apartment on the southern elevation of the building facing onto the townhouse in plot 1 shall be obscurely glazed (at level 3 or above of the Pilkington Scale of Obscurity) and fixed shut at 1.7m as measured from finished floor level.
- 23 No development shall take place, above slab level, until details of Electric Vehicle Charging Points have been submitted to and approved in writing by the Local Planning Authority. The approved Electric Vehicle Charge Points shall be installed in accordance with the approved details and thereafter permanently retained.
- 24 The development permitted by this planning permission shall be carried out in accordance with the approved submitted Surface Water drainage Strategy Rev. final v2.0, dated November 2018, prepared by JBA, and the following mitigation measures detailed within the FRA:

1. Implementing an appropriate drainage strategy based on infiltration, using appropriate SuDS measures as shown on drawing No. 2017s6007-001 Rev.P01, No.2017s6007-002 Rev. P01 and No.2017s6007-003 Rev.P01.
2. Providing attenuation to ensure no increase in surface water run off volumes for all rainfall events up to and including the 1 in 100 year + 40% to climate change.

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

- 25 No development shall take place until a detailed surface water drainage scheme for the site based on the approved drainage strategy and sustainable drainage principles, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run off generated up to and including 1 in 100 year + climate change critical storm will not exceed the run off from the existing site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the following approved details before the development is completed:

1. Infiltration tests in line with the BRE 365 methodology in the exact location of the geo-cellular soakaway, in a representative site where single soakaways are proposed to be installed and in a representative site where permeable pavement is being proposed. Infiltration tests to be carried out at the depth of the base of the proposed infiltration features and information regarding the strata layers should be included.
2. Updated detailed surface water calculations and modelling presented solely for the Site A (S), including detailed design calculation and modelling for SuDS features proposed for Site A (S) (single soakaways and the tanked permeable pavement) for all rainfall events up to and including the 1 in 100 years + climate change. Half drain times to be included.
3. Updated clearly labelled drainage layout plan showing pipe networks. This plan should show any pipe 'node numbers' that have been referred to in network calculations and it should also show invert and cover levels of manholes.
4. Provision of details of all proposed SuDS features, including their size, volume, depth and any inlet and outlet features including any connecting pipe runs, node numbers and all corresponding calculations/modelling.
5. Exceedance flow paths for surface water for events greater than the 1 in 100 year + climate change, including extent and depth of the flooded areas shown on the modelling.

- 26 Upon completion of the drainage works a management and maintenance plan

for the SuDS features and drainage network must be submitted to and approved in writing by the Local Planning Authority. The scheme shall also include:

1. Final confirmation of management and maintenance requirements
2. Provision of complete set of as built drawings for both site drainage
- 27 Upon completion of the development a final management and maintenance plan must be supported by a full set of as-built drawings, a post construction location plan of the SuDS components cross-referenced with a maintenance diagram to secure the operation of the scheme throughout its lifetime.
- 28 No development shall take place until a site investigation of the nature and extent of contamination has been carried out in accordance with a methodology which has previously been submitted to and approved in writing by the local planning authority. The results of the site investigation shall be made available to the local planning authority before any development begins. If any significant contamination is found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the local planning authority. The site shall be remediated in accordance with the approved measures before the properties are occupied.

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

- 29 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 30, which is subject to the approval of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 31.
- 30 A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historic environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in

relation to the intended use of the land after remediation.

- 31 The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval in writing of the Local Planning Authority.
- 32 No development, above slab level, shall take place until details of all boundary treatment which includes walls, fences or other means of enclosure, including any retaining walls, have been submitted to and approved in writing by the Council as the Local Planning Authority. The boundary treatment, including any retaining wall, shall be constructed in accordance with the approved details. Thereafter, the hereby approved boundary treatment(s) shall be permanently retained and maintained.

## INFORMATIVE

### Environmental Health

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

### Thames Water

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

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.

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

Hertfordshire County Council as Lead Local Flood Authority

The applicant has not carried out ground contamination investigation for this site. Contamination on site can condition the suitability of the entire drainage strategy which is based in infiltration. We therefore recommend the LPA to contact the Environment Agency in respect to this.

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

6 **18/00398/FPM - LAND BORDERED BY ASHDOWN ROAD, MALVERN CLOSE AND HERTFORD ROAD, STEVENAGE**

The Committee considered an application for the construction of 7 no. new dwellings comprising of 2 no. five bed, 2 no. four bed and 3 no. three bed dwellings with associated parking and access.

The application was before the Committee for determination as the applicant and landowner was Stevenage Borough Council.

The Principal Planning Officer gave an introduction to the Committee. The main issues for consideration in the determination of this application were its acceptability in land use policy terms, the impact on the character and appearance of the area, the impact on both existing neighbouring amenities and future residential amenity, the effect on the proposals on the highway network, the adequacy of parking provision and flood risk.

The Chair then invited Ms Joanna Fozzard, an objector, to address the Committee. Ms Fozzard's main objections were that the development would generate additional parking problems in the area; it would have an impact on the road safety in terms of visibility and access and that the development was not in line with the Council's Green Space Strategy in terms of the substantial loss of trees and the impact on wildlife.

The Chair then invited Mr Ahmed, Assistant Director Housing Development Stevenage Borough Council and applicant to respond. Mr Ahmed advised that a full traffic audit had been undertaken which had shown there would be no risk to highway safety from the proposed development. In relation to the green space issues, Mr Ahmed advised that the area of land to the right of Ashdown Road was seen to be the more prominent area of green space.

The Chair thanked Ms Fozzard and Mr Ahmed and invited the Principal Planning Officer to continue with his presentation. The main issues for consideration in the determination of the application were its acceptability in land use policy terms, the impact on the character and appearance of the area, the impact on both existing neighbouring amenities and future residential amenity, the effect of the proposals on the highway network, the adequacy of parking provision and flood risk.

The Committee was advised that as the site was considered to be in a sustainable location, it would constitute a sustainable form of development and the fact that the Council was unable to provide a five year supply of deliverable housing sites, these strong material considerations significantly weighed in favour of the application.

In response to a question, Officers advised that although part of the site was designated as a green link in the original design of Stevenage New Town, as the development was contained within a small area this would ensure that an area of open land including the arboretum along to the west of the site beyond Ashdown Road would maintain the connection with the existing green link. It was noted that the land to the opposite side of Ashdown Road was maintained by the Environment Agency.

In architectural terms, a high quality form of development would be secured for this prominent and readily visible site.

In response to concerns from Members, officers advised that the application site had no vehicular access off Hertford Road, Ashdown Road or Malvern Close. The proposed development would create new vehicular access points to serve the individual properties which had been designed in accordance with the Department for Transport (DfT) Design Guide. Due to the limited number of new properties the increase in traffic generation would be minimal. There would also be sufficient off-street parking to serve the development in line with the Council's car parking standards.

Members raised the matter of potential flooding on the site. Officers advised that whilst it was noted that part of the development site fell within Flood Zone 2 and was at risk from surface water flooding, the development had been designed to ensure that all of the dwellings were positioned outside of the zone.

It was **RESOLVED:**

That planning permission be GRANTED subject to the applicant first entering into a S106 Unilateral Undertaking to secure/provide the following financial contribution:-

- £25,000.00 towards improvements of the arboretum located on Hertford Road.

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:

17010.SU1.01 A; 17010.SU1.02 A; 17010.wd2.01 E; 17010.wd2.10 D; 17010.wd2.11 D; 17010.wd2.12 D; 17010.wd2.13 D; 17010.wd2.14 D; 17010.wd2.101 D; 17010.wd2.102 D; 17010.wd2.103 D; 17010.wd2.104 D; 17010.wd2.105 D, 17010.wd2.201 C, 17010.wd2.202 C.

- 2 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 3 No development, above slab level, shall commence until a schedule and sample of the materials to be used in the construction of the external surfaces of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.
- 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.
- 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.
- 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.

- 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.
- 8 A watching brief must be kept during initial site preparation works to identify any potentially contaminated materials likely to be present. In the event contamination is found during site clearance and/or construction phase of the development, undertake an appropriate investigation and provide a remediation strategy which is to be submitted to and approved in writing by the Local Planning Authority. This investigation and assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site. Moreover, it must include:
  - (i) a survey of the extent, scale and nature of contamination;
  - (ii) an assessment of the potential risks to:
    - human health,
    - property (existing or proposed) including buildings, crops, livestock, pets,
    - woodland and service lines and pipes,
    - adjoining land,
    - groundwaters and surface waters,
    - ecological systems.
- 9 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 8, 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.
- 10 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.

- 11 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.
- 12 No removal of trees, scrubs or hedges shall be carried out on site between 1st March and 31st August inclusive in any year, unless searched before by a suitably qualified ornithologist.
- 13 No development, including site clearance, shall commence until the trees as specified on drawing number 9628 TPP 01 (Arboricultural Impact Assessment, prepared by Aspect Arboriculture, Report reference 9628\_AIA.001 dated September 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 drawing number 9628 TPP 01 shall be undertaken in accordance with the details specified in the Arboricultural Impact Assessment.
- 14 Within the areas to be fenced off in accordance with condition 13, there shall be no alteration to the ground levels and they shall be kept clear of vehicles, materials, surplus soils, temporary buildings and machinery.
- 15 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.
- 16 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.
- 17 Prior to the first occupation of the dwellinghouses hereby permitted, the parking areas as shown on drawing number 17010.wd2.01 E shall be surfaced (in either a porous material or provision shall be made for suitable surface water drainage within the development 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.
- 18 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revising,

revoking and re-enacting that Order with or without modification), no internal or external alterations shall take place to any garage, which would preclude its use for housing motor vehicles without the prior written approval of the Local Planning Authority.

- 19 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revising, revoking and re-enacting that Order with or without modification), there shall be no installation of dormer windows to the dwellinghouses hereby permitted.
- 20 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revising, revoking and re-enacting that Order with or without modification) there shall be no additional hardsurfacing areas laid out or constructed in the front garden areas of plots 5 to 7.
- 21 The window to be installed on the eastern elevation at first floor level of plot 7 which serves bedroom 1 shall be obscurely glazed (at level 3 or above of the Pilkington Scale of Obscurity) and fixed shut at 1.7m as measured from finished floor level.
- 22 The windows to be installed on the eastern elevation at first floor level of plots 5 and 6 which serve bedroom 2 and the en-suite bathroom shall be obscurely glazed (at level 3 or above of the Pilkington Scale of Obscurity) and fixed shut at 1.7m as measured from finished floor level.
- 23 The window to be installed on the northern elevation at first floor level of plot 4 which serves the bathroom shall be obscurely glazed (at level 3 or above of the Pilkington Scale of Obscurity) and fixed shut at 1.7m as measured from finished floor level.
- 24 The window to be installed on the northern elevation at first floor level of plot 2 which serves a bathroom shall be obscurely glazed (at level 3 or above of the Pilkington Scale of Obscurity) and fixed shut at 1.7m as measured from finished floor level.
- 25 The window to be installed on the northern elevation at first floor level of plot 1 which serves a bathroom shall be obscurely glazed (at level 3 or above of the Pilkington Scale of Obscurity) and fixed shut at 1.7m as measured from finished floor level.
- 26 No development shall take place, above slab level, until details of measures which help to reduce energy and water consumption to ensure the development is adaptable to climate change, have been submitted to and approved in writing by the local planning authority. The measures shall thereafter be installed in accordance with the approved details.
- 27 Before the accesses are first brought into use, vehicle-to-vehicle visibility splays of 2.4 metres by 43 metres in both directions shall be provided and permanently maintained, within which there shall be no obstruction to visibility

between 600mm and 2m above the carriage level. These measurements shall be taken from the intersection of the centre line of the permitted access with the edge of the carriageway of the highway respectively into the application site and from the intersection point along the edge of the carriageway.

- 28 Before the driveways to the proposed dwellings are first brought into use, 0.65m x 0.65m pedestrian visibility splays shall be provided and permanently maintained to each side. These visibility splays shall be measured from the point where the edges of the access way cross the highway boundary, 0.65m into the site and 0.65m along the highway boundary, therefore, forming a triangular visibility splay, within which, there shall be no obstruction to visibility between 600mm and 2m above the carriage level.
- 29 Prior to the first occupation of the development hereby permitted, the proposed accesses shall be constructed as identified on drawing number 17010.wd2.01 E and the existing verge has been reinstated to current and to the Local Planning Authority's satisfaction.
- 30 The gradient of accesses shall not be steeper than 1 in 20 for the first 5 metres from the back edge of the adjacent footway.
- 31 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.
- 32 No development shall take place, including site clearance, until an Ecological Working Method Statement setting how reptiles which may be present on site are protected has been submitted to and approved in writing by the Local Planning Authority. The Ecological Method Statement shall thereafter be strictly adhered to during the clearance phase of the development.
- 33 No development shall take place, until geotechnical surveys have been conducted to demonstrate that infiltration SuDS can be installed on-site with the finalised geotechnical report being submitted to and approved in writing by the Local Planning Authority.
- 34 No trees shall be removed/pruned until (in line with the Bat Conservation Trust Good Practice Guidelines (2016)) all features with the potential to support roosting bats (T1 and T2 of the Phase 1 Habitat Plan, 2592,EC,DS,001, Rev 0) have been checked by a suitably qualified arboriculturalist to confirm absence of roosting bats prior to felling/pruning activities.

In the event that bat roosts are found in the vegetation (including trees) before or during removal works, work must stop immediately and contractors should contact a licenced ecologist. If bats are found, all work must stop and contact with the local Natural England office will be made. No works likely to affect bats should continue until Natural England have been consulted, and it may then be necessary to obtain a European Protected Species Licence.

## INFORMATIVE

### Hertfordshire County Council as Highways Authority

Construction standards for works within the highway: The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website. <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx>



or by telephoning 0300 1234047.

Prior to commencement of the development the applicant is advised to contact HCC on 0300 1234 047 to arrange a site visit to agree a condition survey (video or photographic) of the surrounding areas of public highway network and the road network 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. Considering the structural stability of the carriageway along the Ashdown Road and other construction routes that which may be used. Herts County Council may require an Officer presence during movements of the larger loads, or videoing of the movements may be considered.

#### Flood Risk

In line with Appendix A of Stevenage Borough Council's Strategic Flood Risk Assessment (2016), it is recommended that all future owner/occupiers of the development are signed up to the flood risk alert system. This is to ensure that in the event of a flood from Stevenage Brook residents can safely exit the site accordingly.

#### 7 **INFORMATION REPORT - DELEGATED DECISIONS**

It was **RESOLVED** that the report be noted.

#### 8 **URGENT PART I BUSINESS**

None.

#### 9 **EXCLUSION OF THE PRESS AND PUBLIC**

Not required.

#### 10 **URGENT PART II BUSINESS**

None.

#### **CHAIR**