

**PLANNING AND DEVELOPMENT COMMITTEE
MINUTES**

Date: Tuesday, 26 May 2020

Time: 6.30pm

Place: Virtual - via Zoom

Present: Councillors: Simon Speller (Chair), Maureen McKay (Vice Chair), Michelle Gardner, Doug Bainbridge, Sandra Barr, Jody Hanafin, Graham Lawrence, John Lloyd, Sarah-Jane McDonough and Graham Snell

Start / End Time: Start Time: 6.30pm
End Time: 7.45pm

1 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were received from Councillor Liz Harrington and Lizzy Kelly.

There were no declarations of interest.

At this juncture, the Chair thanked Councillor Dave Cullen for his service and work on the Committee over many years. He also congratulated Councillor Michelle Gardner, previous Vice-Chair on her election as Deputy Mayor and welcomed Councillor Maureen McKay to her new role as Vice-Chair of the Committee.

2 MINUTES - 3 MARCH 2020

It was **RESOLVED** that the Minutes of the meeting of the Planning and Development Committee held on 3 March 2020 be approved as a correct record and signed by the Chair.

3 PLOT 2000, ARLINGTON BUSINESS PARK, GUNNELLS WOOD ROAD, STEVENAGE

The Committee considered an application for the erection of business and household storage facility (Use Class B8) associated car parking, delivery areas and associated ancillary works.

The application was before the Committee for determination as it was a major commercial development.

The Principal Development 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, Community Infrastructure Levy (CIL), impact on visual amenity, impact on amenities, parking provision, means of access and highway safety, trees and landscaping, impact on the environment and development and

flood risk.

In relation to Land Use Policy Considerations, officers advised that the proposed development represented an appropriate use of the site in accordance with the adopted Local Plan and would help to support many small and medium enterprises and provide uplift in employment floorspace. It would also create an acceptable level of employment provision on the site.

In terms of CIL the Committee was advised that for this type of development the rating for the scheme was £0.

Officers advised that it was considered that the proposed development would deliver a modern, well designed building and bring back into use a vacant area of land and help invigorate this part of the employment area and would form a landmark on the junction of Broadhall Way and Gunnels Wood Road.

It was noted that that the proposed development was predominantly a self-storage facility for households and commercial premises with only 4 full time equivalent members of staff working at the building at any one time. The applicant had provided evidence to confirm that at other similar existing stores on average 5 vehicles would be visiting the site and as such it was considered that there was sufficient parking as well as cycle parking available to serve the development. The Principal Officer also advised the Committee that the proposed removal of trees on site was acceptable as confirmed by the Arboricultural Manager and a suitable landscaping strategy would be provided. Officers also advised the Committee that the proposed drainage strategy was deemed to be acceptable.

In response to a question, Officers advised that there would be an acceptable landscaping scheme to compensate for the loss of some trees on the site but that those trees did have limited amenity value.

It was **RESOLVED:**

That planning application reference 19/00673/FPM be Granted Planning Permission subject to the following conditions:-

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:
PL01B; PL02A; PL05C; PL10B; PL11B; PL12C; PL16C; PL20C; PL21B;
PL30B; PL31B; PL90C; 19-44-01 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 take place until samples of the materials to be used in the construction of the hardsurfacing areas, including roads, footpaths and car parking areas, hereby permitted have been submitted to and approved in writing by the local planning authority. The external surfaces of the development shall be carried out in accordance with the approved details. Furthermore, all hard surfacing comprised in the details

of shall be carried out within three months of the first occupation of the building(s) or the completion of the development, whichever is the sooner.

- 4 The external surfaces of the building hereby permitted shall be constructed in accordance with the details specified in the application submission.
- 5 Prior to the commencement of development (including site clearance) a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the works of construction of the development shall be carried out in accordance with the approved statement and Hertfordshire County Council's specifications. The Construction Management Plan shall address the following:-
 - (i) Details of construction phasing programme (including any pre-construction or enabling works);
 - (ii) Hours of construction operations including times of deliveries and removal of waste;
 - (iii) Demolition and construction works between the hours of 0730 and 1800 on Mondays to Fridays and between the hours 0830 and 1300 on Saturdays only.
 - (iv) 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;
 - (v) Access and protection arrangements around the site for pedestrians, cyclists and other road users;
 - (vi) Details of the provisions for temporary car parking during construction which shall be provided prior to the commencement of construction activities;
 - (vii) The location of construction traffic routes to and from the site, details of their signing, monitoring and enforcement measures;
 - (viii) Screening and hoarding;
 - (ix) End of day tidying procedures;
 - (x) Siting and details of wheel washing facilities;
 - (xii) Cleaning of site entrances, site tracks and adjacent to public highway;
 - (xiii) Control measures to manage noise and dust;
 - (xiv) Details of consultation and compliant management with local businesses and neighbours;

- (xv) Mechanisms to deal with environmental impacts such as noise and vibration, air quality and dust, light and odour;
 - (xvi) Details of any proposed piling operations, including justification for the proposed piling strategy, a vibration impact assessment and proposed control and mitigation measures;
 - (xvii) Details of a Site Waste Management Plan (SWMP) detailing actual waste arising and how waste is managed (i.e. re-used, recycled or sent off-site for treatment or disposal) and where it is sent to. Further updated should be provided throughout the life of the development at an interim of two months or sooner should the level of waste be considered significant by the developer.
- 6 No part of the development hereby permitted shall be occupied until the relevant access and car parking areas have been fully constructed, surfaced and permanently marked out. The car parking areas so provided shall be maintained as a permanent ancillary to the development and shall be used for no other purpose at any time.
- 7 No development including site clearance shall commence until 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 environment has been submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remediation options, and proposal of the preferred option(s), and a 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.
- 8 Piling using penetrative methods shall not be carried other than with the written consent of the local planning authority. The development shall be carried out in accordance with the approved details.
- 9 A scheme for managing any borehole installed for the investigation of soils, groundwater or geotechnical purposes shall be submitted to and approved in writing by the local planning authority. The scheme shall provide details of how redundant boreholes are to be decommissioned and how any boreholes that need to be retained, post-development, for monitoring purposes will be secured, protected and inspected. The scheme as approved shall be implemented prior to the occupation of the permitted development.
- 10 The development permitted by this planning permission shall be carried out in accordance with the approved surface water drainage strategy carried out by Bradbrook Consulting, reference 19-003/300 dated March 2019 the following mitigation measures detailed within the strategy:

1. Limiting the surface water run-off generated by the critical storm events so that it will not exceed the surface water run-off rate of 2 l/s during the 1 in 100 year event plus 40% of climate change event.
2. Providing storage to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event providing a minimum of 356m³ (or such storage volume agreed with the LLFA) of total storage volume in attenuation tanks.
3. Discharge of surface water from the private drain into the Thames Water sewer network.

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.

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

1. A detailed drainage plan including the location and provided volume of all SuDS features, pipe runs and discharge points. If areas are to be designated for informal flooding these should also be shown on a detailed site plan.
2. Exceedance flow paths for surface water for events greater than the 1 in 100 year including climate change allowance.
3. Detailed engineered drawings of the proposed SuDS features including cross section drawings, their size, volume, depth and any inlet and outlet features including any connecting pipe runs.
4. Final detailed management plan to include arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its lifetime.

The scheme shall be fully implemented and subsequently maintained, 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.

- 12 The secure cycle storage facilities as detailed in the application submission shall be installed in accordance with the approved details.

- 13 The soft landscaping shall be carried out in accordance with drawing numbers

PL 05 C and 19-44-01 C unless otherwise agreed in writing by the Local Planning Authority.

- 14 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the first occupation of the building(s) or the completion of the development whichever is the sooner.
- 15 No tree shown on the approved soft landscaping plan numbers PL 05 C and 19-44-01 C shall be cut down, uprooted or destroyed, nor shall any retained tree detailed on the aforementioned drawings be topped or lopped within five years of the completion of development without the written approval of the Local Planning Authority.
- 16 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.
- 17 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.
- 18 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.
- 19 Prior to the first occupation of the development hereby permitted, details of Electric Vehicle Charging Points to include provision of 10% of the car parking spaces to be designated for plug-in Electric Vehicles 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.
- 20 Notwithstanding the details shown in this application the treatment of all boundaries including details of any walls, fences, gates or other means of enclosure shall be submitted to and approved in writing prior to the erection of the boundary treatment in question. The approved boundary treatments shall be completed before the use of the hereby permitted development commences.
- 21 The cycle parking provision and refuse facilities as detailed in the application submission shall be completed in accordance with the approved details before the use of the hereby permitted development commences.

INFORMATIVES

Hertfordshire Highways

Prior to commencement of the development the applicant shall contact <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx> 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.

Thames Water

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

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

Environment Agency

The developer should follow the risk management framework provided in CLR11, Model Procedures of Land Contamination, when dealing with land affected by contamination. The applicant should refer to the following sources of information and advice in dealing with land affected by contamination, especially with respect to protection of the groundwater beneath the site:

- Gov.UK – The Environment Agency's approach to Groundwater protection (2017), Technical Guidance Paper, including CLR 11 and GPLC and use MCERTS accredited methods for testing soils at the site;
- NPPF – Land affected by contamination;
- BS5930:2015 Code of practice for site investigations;
- BS10175:2011 A2:2017 Code of practice for investigation of potentially contaminated sites;
- BS ISO 5667-22:2010 Water quality, sampling, Guidance on the design and installation of groundwater monitoring points;
- BS ISO 5667-11:2009 Water quality, sampling, Guidance on sampling of

groundwater's (A minimum of 3 groundwater monitoring boreholes are required to establish the groundwater levels, flow patterns and groundwater quality, more monitoring locations may be required to establish the conceptual model).

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.

Community Infrastructure Levy

Stevenage Borough Council adopted a Community Infrastructure Levy (CIL) Charging Schedule at Full Council on 27 January 2020 and started implementing CIL on 01 April 2020.

This application may be liable for CIL payments and you are advised to contact the CIL Team for clarification with regard to this. If your development is CIL liable, even if you are granted an exemption from the levy, please be advised that it is a requirement under Regulation 67 of The Community Infrastructure Levy Regulations 2010 (as amended) that CIL Form 6 (Commencement Notice) must be completed, returned and acknowledged by Stevenage Borough Council before building works start. Failure to do so will mean you risk losing the right to payment by instalments and a surcharge will be imposed. NB. please note that a Commencement Notice is not required for residential extensions if relief has been granted.

Stevenage's adopted CIL Charging Schedule and further details of CIL can be found on the Council's webpages at www.stevenage.gov.uk/CIL or by contacting the Council's CIL Team at CIL@Stevenage.gov.uk.

4 UNIT 2 MONKSWOOD RETAIL PARK, MONKSWOOD WAY, STEVENAGE

The Committee considered an application for the modification of Clause 7 (goods restriction) of Section 106 Agreement (dated 30.11.93) approved under planning permission number 02/0231/93/FP.

The Principal Development Officer gave an introduction to the Committee. He advised that the main issue for consideration in the determination of this application was whether the proposed modification of Clause 7 attached to the S106 agreement of planning permission 2/0231/93 was acceptable in accordance with the retail, highways and parking policies set out in the NPPF and the adopted Local Plan.

The Committee was advised that the proposed modification had been sufficiently supported by an acceptable 'Sequential Test' which demonstrated that there were no sequentially suitable sites within the town centre and it would not have a negative impact on the vitality and viability of the town centre. In addition it would ensure that a vacant retail unit would be brought back into use and provide additional employment for the area and not prejudice highway safety.

In response to a question, the proposed retail unit would allow The Food Warehouse

(TFW) (operated by Iceland Foods Ltd) to take out a long term lease of the premises. The TFW format was targeted at providing bulk food shopping opportunities. The existing Iceland store located in the town centre was to be retained, the ideology being that the two stores would complement each other. The applicant had indicated that it was hoped that TFW would be open before Christmas 2020.

It was **RESOLVED** that the variation to Clause 7a (goods restriction) of the S106 agreement to delegate authority to the Assistant Director of Planning and Regulation in conjunction with the Council's appointed Solicitor, to agree the precise wording of the variation, including the personal clause, to the S106 agreement be approved.

5 **SHEPHALBURY PARK, BROADHALL WAY, STEVENAGE, HERTS**

The Committee considered an application for the erection of 1 no. 6m high flagpole.

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

The Principal Development Officer gave an introduction to the Committee. He advised that the current application sought advertisement consent for the proposed erection of 1 no. 6m high flagpole constructed from fibreglass. The flag would be cloth with white lettering on a green background and would read 'Green Flag Award' and include the green flag symbol of two figures and a tree.

It was **RESOLVED**:

That **ADVERTISEMENT CONSENT BE GRANTED** subject to the following conditions:

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

'Location of Flag' and 'Flag Details'
2. This consent shall be for a limited period only, expiring five years after the date of this notice and on or before that date the advertisements shall be removed and the buildings/land restored to its former condition.
3. (A) No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitles to grant permission.

(B) No advertisement shall be sited or displayed so as to:-
 - i) Endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
 - ii) Obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or

iii) Hinder the operation of any device used for the purpose of security of surveillance or for measuring speed of any vehicle.

(C) Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

(D) Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

(E) Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

6 INFORMATION REPORT - DELEGATED DECISIONS

Noted.

7 INFORMATION REPORT - APPEALS / CALLED IN APPLICATIONS

Noted.

8 URGENT PART I BUSINESS

None.

9 EXCLUSION OF THE PRESS AND PUBLIC

Not required.

10 URGENT PART II BUSINESS

None.

CHAIR