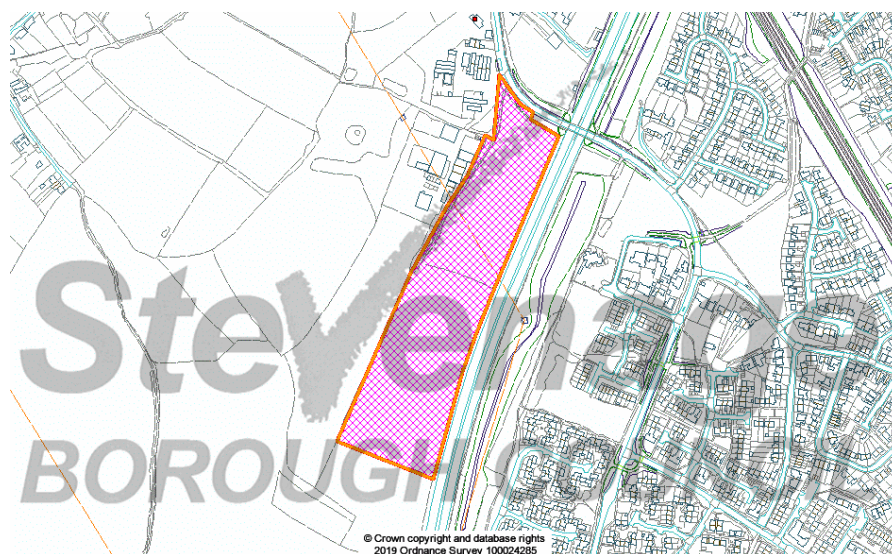


<b>Meeting:</b>	<b>Planning and Development Committee</b>	<b>Agenda Item:</b>
<b>Date:</b>	<b>13<sup>th</sup> July 2020</b>	
<b>Author:</b>	<b>James Chettleburgh</b>	01438 242266
<b>Lead Officer:</b>	<b>Zayd Al-Jawad</b>	01438 242257
<b>Contact Officer:</b>	<b>James Chettleburgh</b>	01438 242266

Application No:	19/00123/FPM
Location:	Land to west of A1(M) and south of Stevenage Road, Todds Green, Stevenage.
Proposal:	Erection of 133 dwellings with associated landscaping, open space provision and access.
Drawing Nos.:	SO01D; SO02 A; SO03; SK01 G; SK02; SK03 D; SK04 D; SK05 D; SK06 D; SK06.1; SK06.2; SK07 A; SK07.1; SK08; SK20 B; SK21 B; SK22 A; SK23 A; SK24 B; SK25 B; SK26 C; SK27 C; SK28 C; SK29 A; SK30 B; SK31 B; SK32 B; SK33 B; SK34 B; SK35 C; SK36 C; SK37 C; SK38 B; SK39 C; SK40 C; SK41 A; SK42 A; SK43 A; SK44 C; SK45 C; SK46 C; SK47 C; SK48 C; SK49 B; SK50 B; SK51 C; SK52 C; SK53 A; SK54 A; SK55 A; SK56 A; SK57 A; SK58 A; SK59 A; SK60 A; SK61; SK62; SK63; SK64 A; SK65 A; SK66 A; SK67; SK68; SK69 A; SK70; SK71 B; SK72 C; SK73 C; SK74 C; SK75 C; SK76 C; SK77; SK78; SK79; SK80; SK81; SK82; SK83; SK84; SK85; SK86; SK87; SK88; SK100; SK101; SK102; SK103; SK104; SK105; SK200A; SK201A; SK202A; SK203B; SK204B; SK205.1A; SK205.2A; SK206B; SK207B; SK208B; SK209A; SK210A; SK211B; SK212B; SK213.1A; SK213.2A; SK214A; SK215B; SK216B; LC 00331 01 G.
Applicant:	Taylor Wimpey UK Ltd
Date Valid:	26 February 2019
Recommendation:	GRANT PLANNING PERMISSION.



Plan for information purposes only

## **1. SITE DESCRIPTION**

- 1.1 The application site is located in the north-western area of the Borough of Stevenage to the west of the A1(M) motorway and to the south of Fishers Green in Todds Green. The site is allocated in the adopted Local Plan (2019) as a West of Stevenage Safeguarded Corridor (Policy IT2) and it is a rectangular parcel of land which is approximately 5.6 hectares in area. It comprises of agricultural fields which are punctuated by mature hedgerows, trees and vegetation. The land is set down from Stevenage Road and Fishers Green due to the sloping and undulating topography of the application site and the surrounding area. The site also straddles the border with North Hertfordshire District Council.
- 1.2 To the west of the application site is Shangri-La farm which comprises a mixture of commercial and light industrial premises along with agricultural fields and paddocks. To the east, beyond the A1(M) motorway is the main urban area of Stevenage including Fishers Green Common. To the north and north-west beyond Fishers Green and Stevenage Road is the hamlet of Todds Green. The hamlet of Todds Green comprises a mixture of detached and semi-detached properties which are of varying architectural styles and designs along with farms, agricultural holdings and stables.

## **2. RELEVANT PLANNING HISTORY**

- 2.1 Planning application 01/00506/OP sought outline permission for the development of approximately 3,600 dwellings and business premises, shops and other uses, leisure, social and community facilities, open space and landscaping and provision of infrastructure, highways and public transport. This application was withdrawn in August 2013.
- 2.2 Planning application 01/00423/OP sought outline permission for the development of approximately 5,000 dwellings and business premises (B1 and B2); shops (A1, A2 and A3), leisure, social and community facilities (D1 and D2); open space and landscaping, provision of infrastructure, highways. This application was refused by the Secretary of State in October 2005.

## **3. THE CURRENT APPLICATION**

- 3.1 The application before the Council seeks planning permission for the erection of 133 dwellings comprising a mixture of the following:-
- 34 no. two bedroom flats;
  - 6 no. two bedroom houses;
  - 51 no. three bedroom houses; and
  - 42 no. four bedroom houses.
- 3.2 This application also comprises the erection of a gas governor, pumping station and electricity substation. It also seeks permission for the creation of a new vehicular access road off Fishers Green with a bus loop, a Local Equipped Area for Play (LEAP), Local Area of Play (LAP), countryside green and areas of open space.
- 3.3 This application was originally determined by the Planning and Development Committee on 16 December 2019. The application was granted by the Committee subject to the completion of a S.106 legal agreement. Unfortunately, due to the global pandemic of Covid-19 and the eventual lockdown, the legal agreement could not be completed before the 1<sup>st</sup> April 2020 which is when the Council adopted a Community Infrastructure Levy (CIL). Consequently, this application is being

referred back to Planning Committee as the financial obligations to be secured as part of the legal agreement have changed.

- 3.4 A copy of the Planning Committee Report for 16 December 2019 is attached as appendix one. This report covers the previously discussed matters which remain for consideration. This current report before the Planning and Development Committee deals with the changes since that consideration was made by the Committee itself back in December 2019.

## **4. PUBLIC REPRESENTATIONS**

- 4.1 No additional public representations have been received since the previous determination of the application.

## **5. CONSULTATIONS**

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

- 5.1.1 The Growth and Infrastructure Unit are in agreement to the revised S106 obligations and CIL liability for this development.

## **6. RELEVANT PLANNING POLICIES**

### **6.1 Background to the development plan**

- 6.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that the decision on the planning application should be in accordance with the development plan unless material considerations indicate otherwise. For Stevenage the statutory development plan comprises:

- The Stevenage Borough Council Local Plan 2011-2031
- Hertfordshire Waste Development Framework 2012 and Hertfordshire Waste Site Allocations Development Plan Document (adopted 2012 and 2014); and
- Hertfordshire Minerals Local Plan 2002 – 2016 (adopted 2007).

### **6.2 Central Government Advice**

- 6.2.1 A revised National Planning Policy Framework (NPPF) was published in February 2019. This largely reordered the policy substance of the earlier 2012 version of the NPPF albeit with some revisions to policy. The Council are content that the policies in the Local Plan are in conformity with the revised NPPF and that the Local Plan should be considered up to date for the purpose of determining planning applications. The NPPF provides that proposals which accord with an up to date development plan should be approved without delay (para.11) and that where a planning application conflicts with an up to date development plan, permission should not usually be granted (para.12). This indicates the weight which should be given to an up to date development plan, reflecting the requirements of section 38(6) of the 2004 Act. The NPPF and the PPG, with which Members are fully familiar, are both material considerations to be taken into account in determining this application.

### **6.3 Adopted Local Plan**

Policy SP1: Presumption in favour of sustainable development;  
Policy SP2: Sustainable development in Stevenage;  
Policy SP5: Infrastructure;

Policy SP6: Sustainable transport;  
 Policy SP7: High quality homes;  
 Policy SP8: Good design;  
 Policy SP11: Climate change, flooding and pollution;  
 Policy SP12: Green infrastructure and the natural environment;  
 Policy SP13: The historic environment;  
 Policy IT2: West of Stevenage safeguarded corridors;  
 Policy IT3: Infrastructure;  
 Policy IT4: Transport assessments and travel plans;  
 Policy IT5: Parking and access;  
 Policy IT6: Sustainable transport;  
 Policy IT7: New and improved links for pedestrians and cyclists;  
 Policy HO5: Windfall sites;  
 Policy HO7: Affordable housing targets;  
 Policy HO8: Affordable housing tenure, mix and design;  
 Policy HO9: House types and sizes;  
 Policy HO11: Accessible and adaptable housing;  
 Policy GD1: High quality design;  
 Policy HC8: Sports facilities in new developments;  
 Policy FP1: Climate change;  
 Policy FP2: Flood risk in Flood Zone 1;  
 Policy FP5: Contaminated land;  
 Policy FP7: Pollution;  
 Policy FP8: Pollution sensitive uses;  
 Policy NH5: Trees and woodland;  
 Policy NH6: General protection for open space;  
 Policy NH7: Open space standards.

#### **6.4 Supplementary Planning Documents**

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

#### **6.5 Community Infrastructure Levy Charging Schedule**

- 6.5.1 Stevenage Borough Council adopted a Community Infrastructure Levy Charging Schedule in 2020. This allows the Council to collect a levy to fund infrastructure projects based on the type, location and floorspace of a development.

### **7. APPRAISAL**

- 7.1 The main changes that are for consideration in the determination of this application are planning obligations and community infrastructure levy liability. All other matters remain the same and is detailed in the previous report which can be found in appendix one.
- 7.2 The application is identical to that one which was determined by the Planning and Development Committee in 16th December 2019. There have been no changes to planning policy, save for the introduction of the Community Infrastructure Levy in the intervening period. Therefore, it is not the intentions of this report to revisit the planning issues which were previously debated by the Planning and Development Committee in December 2019.

## 7.2 Affordable housing and planning obligations

- 7.2.1 Policy HO7 of the adopted Local Plan (2019) stipulates that planning permission would be granted for residential development which would maximise affordable housing provision. Taking this into consideration, there is a requirement to provide 30% of new homes to be affordable on previously developed sites. In this regard, there would be a requirement to provide 40 affordable units.
- 7.2.2 Turning to affordable housing tenure, mix and design, Policy HO8 states that planning permission would be granted where those dwellings:
- Are provided by the developer on site with at least 70% of the units being for rent and the remainder consisting of other tenures which is to be agreed with the Council's Housing team;
  - Meets the requirements of Policy HO9 (House types and sizes);
  - Are physically indistinguishable from other types of homes and are distributed across the site to avoid over-concentration in particular; and
  - Will remain at an affordable price for future eligible households.
- 7.2.3 In addition to the above, paragraph 64 of the NPPF (2019) stipulates that for major developments involving the provision for housing, planning decisions should expect at least 10% of the homes to be made available for affordable home ownership (this includes shared ownership, equity loans, other low cost homes which are 20% below local market value and rent to buy). However, the aforementioned 10% requirement is part of the overall affordable housing contribution for the site.
- 7.2.4 The applicant has confirmed that the development would comprise of 30% affordable units. As such, the development would be policy compliant in this instance. With respect to the exact location of the affordable units, the affordable housing tenure mix, size of the units, this has been agreed with the Council's Housing Development Section.
- 7.2.5 In addition to affordable housing, financial contributions are also required in accordance with the Hertfordshire County Council tool kit and contributions to Stevenage Borough Council for commuted payments. Based on the number of units proposed, the following contributions would be sought and the table below provides a comparison of what would have been secured solely by S106 and the updated position now that CiL has been introduced.

<b>Stevenage Borough Council</b>	<b>Financial Contribution – December 2019</b>	<b>Financial Contribution – Post CIL adoption.</b>
Open outdoor sport	£8,892.18	No longer being secured
Biodiversity improvements	£10,800.00	£10,800.00
Biodiversity maintenance – 20 years	£68,176.75	£68,176.75
Total (based on current figures provided)	£87,868.93	£78,976.75
<b>Hertfordshire County Council</b>		
Secondary Education – towards the delivery of a new secondary free school at the	£726,138.00 (reduced down from original request of	No longer being secured

former Barnwell East Secondary School.	£1,773,188.00).	
Primary Education - towards the expansion of Mossbury Primary School.	£353,777.00	No longer being secured
Nursery Education (Early Years) - originally towards the new provision at Bunyan Baptist Church.	£48,436.00 (Project confirmed by HCC as no longer available so no obligations were sought).	Not being sought.
Library Services - towards the enhancement of the adult non-fiction area and IT area of Stevenage Central Library	£23,163.00	No longer being secured
Youth Services – towards providing kitchen facility with the café at Bowes Lyon Youth Centre.	£6,018.00	No longer being secured
Sustainable Transport – financial contributions towards the continuation of the bus service.	£510,000.00	£510,000.00
Travel Plan Contribution	£6,000.00	£6,000.00
Total	£1,625,096	£516,000
<b>NHS England and East &amp; North Herts CCG</b>		
GMS GP provision.	£94,078.84	£94,078.84
Acute, mental health and community costs.	£344,595.00 (This was not considered to be CIL compliant - £0.00) – See assessment below.	Not considered CIL compliant.
Total	£94,078.84	£94,078.84
<b>Overall Total</b>	<b>£1,807,043.77</b>	<b>£689,055.59</b>
<b>NOTE:-</b> All financial obligations would be index linked.		

- 7.2.6 In addition, to the above, there would be a requirement to secure fire hydrants on the application site. Following negotiations with the applicant, they have agreed to pay the necessary financial contributions sought by the Council.
- 7.2.7 However, as advised in the Planning Committee Report for 16<sup>th</sup> December 2019, the applicant still does not agree to the financial contribution sought by the NHS in terms of the acute, mental health and community contribution which has been requested. Dealing firstly with the NHS contribution, whilst the applicant does not dispute there is a need to support and finance these fundamental services; the financial contribution which have been sought do not accord with Regulation 122 of the Community Infrastructure Levy (CIL) 2010 (as amended). For reference, Regulation 122 states:-

*A planning obligation may only constitute a reason for granting planning permission for the development if the obligation is –*

- (a) *necessary to make the development acceptable in planning terms;*
- (b) *directly related to the development; and*
- (c) *fairly and reasonably related in scale and kind to the development.*

- 7.2.8 The main area of contention is around the “*Fairly and reasonably related in scale and kind to the development*” test. In this regard, the NHS has not provided a formula to demonstrate how they arrived at the financial contribution they have sought. This is a requirement in order for the applicant to establish whether or not what is being sought by the NHS is “reasonable”. To date, the NHS has not been willing to provide the developer with the formula on how they have calculated the contribution they have sought for acute, mental health and community costs.
- 7.2.9 Further to the above, the financial contribution needs to be necessary such as funding a key piece of infrastructure or developing services to support the development. As such, a request to use monies to refurbish toilets and updating communal spaces is not considered to be necessary to make the development acceptable in planning terms. In addition, they have not provided any justifications or identified any particular projects towards mental health and community healthcare, e.g. seeking monies towards new capacity at Lister Hospital or Stevenage Hub.
- 7.2.10 Given the aforementioned, the financial contribution towards acute, mental health and community costs do not accord with the three tests set under Regulation 122. Therefore, as outlined in the previous committee report, the Council cannot require the developer to contribute towards the aforementioned financial obligations in this instance as to do so would be contrary to the CIL Regulations.

### 7.3 Community Infrastructure Levy

- 7.3.1 As indicated above, the Council adopted CIL on 1 April 2020 and the CIL Charging Schedule specifies a payment for new floorspace in line with the following rates (plus appropriate indexation):

Development Type	CIL Rate (£ per square metre)	
	Zone 1: Stevenage Central, Stevenage West Urban Extension and North of Stevenage Extension	Zone 2: Everywhere else
Residential		
Market housing	£40/m <sup>2</sup>	£100/m <sup>2</sup>
Sheltered housing	£100/m <sup>2</sup>	
Extra care housing	£40/m <sup>2</sup>	
Retail development	£60/m <sup>2</sup>	
All other development	£0/m <sup>2</sup>	

- 7.3.2 CIL is a non-negotiable charge. The exact charge will be determined by the Council's CIL officer after an application has been granted in accordance with the CIL Charging Schedule and the Community Infrastructure Levy Regulations 2010 (as amended). Opportunities for relief or exemption from the CIL charge exist give an example of what these exemptions might be and will be taken into account in the calculation of the final CIL charge.
- 7.3.3 CIL replaces the need for S106 agreements to specify financial and/or land contributions for non-site-specific infrastructure projects. This allows infrastructure to

be planned on a borough-wide scale rather than on a site-by-site basis as mitigation against the impacts of individual proposals. A CIL Form 1: Additional Information has been submitted along with the application. Following an assessment of the proposed development, the CIL liability for this development would be £1,452,896.00 (This is calculated utilising the gross internal floor area which is generated by the proposed development and then this floor area is charged at £100 per sq.m). Even when you apply the exemptions (if agreed by the Council) on the affordable housing floorspace, the liability for this development would still be £1,130,989.00. The CIL charge for the development will be index linked based on when the development is commenced on-site. A CIL liability notice would be issued once planning permission is granted (subject to the Planning and Development Committee approving this application).

7.3.4 With regards to how the CIL monies are spent, the ultimate decision lies with Stevenage Borough Council as the collecting authority. However, Hertfordshire County Council could put forward a bid for monies which could potentially go towards the following:-

- Primary Education;
- Secondary Education;
- Nursery Education;
- Youth Facilities; and
- Libraries

7.3.5 The Council's Parks and Amenities Section could also make a bid for monies which could go towards Open Outdoor Sport Facilities. For reference, the aforementioned i.e. education, youth facilities, libraries and open outdoor sport are not site specific so they cannot be secured under a S.106 legal agreement in accordance with CIL Regs.

## **8. CONCLUSIONS**

8.1 In summary, as set out in the Planning Committee Report for 16<sup>th</sup> December 2019, the principle of development is considered to be acceptable as it would help the Council to meet its housing requirement over the local plan period. In addition, the development would comprise of a spine road which has been designed to ensure that land within North Hertfordshire District Council could potentially be delivered in the future in accordance with Policy IT2. With regards to sustainability, through the provision of new cycle and pedestrian connections and the funding of an expanded bus service, the development would be sustainability connected to the wider urban area of Stevenage.

8.2 In terms of design, the overall quantum of development in terms of scale and size combined with the punctuation of large areas of green open space, creates a development which is semi-rural in character with dwellings being predominantly two stories in height. The retention of a significant green buffer along the western edge of the site along with an extensive level of soft landscaping would create a high quality and liveable streetscape. This would also ensure that the longer views from Todds Green towards the A1(M), whilst affected through the introduction of a residential development, would be mitigated against. In addition, through the use of a green bund, it would also reduce views of the A1(M) and the more urban backdrop of Stevenage which is deemed to be a visual enhancement in this instance. With regards to the dwellinghouses and residential apartment blocks which form the basis of this application, they are considered to be of an appropriate design for this site and have been set out in a legible street pattern through the use of the perimeter block approach.



- 8.3 With regards to impact on residential amenity, due to levels of separation between the application and the residential properties in Todds Green, it is not considered the proposed residential development would harm the amenities of residents in the hamlet of Todds Green. In relation to the amenities of future residents, all of the residential properties across the development would have acceptable living standards in terms of outlook, privacy, sunlight and daylight, private amenity space, internal floorspace standards and impact from noise. Moreover, whilst the development would result in the loss of agricultural land, it is not deemed to land which is of high quality and it is considered that the overall benefits of the development outweigh this loss.
- 8.4 Looking at the impact on the highway network, the development would not prejudice the safety and operation of the highway network and in relation to parking, the level of parking provided is in accordance with the Council's Standards. Issues relating to contamination, impact on the environment, trees, wildlife, surface and surface water drainage can be secured through conditions.
- 8.5 Finally, elements such as affordable housing, open space, children's play and development contributions can be satisfactorily addressed through the signing of a S106 legal agreement and/or through the CiL process. Accordingly, it is recommended that planning permission be granted.

## **9. RECOMMENDATIONS**

- 9.1 That planning permission be GRANTED subject to the applicant having first entered into a S106 agreement to secure/provide contributions towards:-
- The provision of 30% affordable housing;
  - Biodiversity improvement works and maintenance to Fishers Green Common;
  - Sustainable Transport and Infrastructure contribution;
  - Travel Plan contribution;
  - Trees and plants from UK nurseries;
  - Secure the provision and on-going maintenance of the play areas;
  - Secure the provision of a maintenance company for the development;
  - GP Provision;
  - Provision of fire hydrants; and
  - Associated Section 278 Highway Works.

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

- 9.2 The proposal be subject to the following conditions:-

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

SO01D; SO02 A; SO03; SK01 G; SK02; SK03 D; SK04 D; SK05 D; SK06 D; SK06.1; SK06.2; SK07 A; SK07.1; SK08; SK20 B; SK21 B; SK22 A; SK23 A; SK24 B; SK25 B; SK26 C; SK27 C; SK28 C; SK29 A; SK30 B; SK31 B; SK32 B; SK33 B; SK34 B; SK35 C; SK36 C; SK37 C; SK38 B; SK39 C; SK40 C; SK41 A; SK42 A; SK43 A; SK44 C; SK45 C; SK46 C; SK47 C; SK48 C; SK49 B; SK50 B; SK51 C; SK52 C; SK53 A; SK54 A; SK55 A; SK56 A; SK57 A; SK58 A; SK59 A; SK60 A; SK61; SK62; SK63; SK64 A; SK65 A; SK66 A; SK67; SK68; SK69 A; SK70; SK71 B; SK72 C; SK73 C; SK74 C; SK75 C; SK76 C; SK77; SK78; SK79; SK80; SK81;

SK82; SK83; SK84; SK85; SK86; SK87; SK88; SK100; SK101; SK102; SK103; SK104; SK105; SK200A; SK201A; SK202A; SK203B; SK204B; SK205.1A; SK205.2A; SK206B; SK207B; SK208B; SK209A; SK210A; SK211B; SK212B; SK213.1A; SK213.2A; SK214A; SK215B; SK216B; LC 00331 01 G.

**REASON:-** For the avoidance of doubt and in the interests of proper planning.

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

**REASON:-** To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

- 3 No development, above slab level, shall commence until a schedule and sample of the materials to be used in the construction of the external surfaces of the development hereby permitted has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

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

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

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

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

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

- 6 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 a pre-works survey of the vegetation to be removed and surrounding vegetation, is undertaken immediately prior to removal by a suitable qualified, and approved confirmed by the local planning authority.

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

- 7 No development shall take place until a scheme for protecting the proposed dwellings from noise from road traffic has been submitted to and approved in writing by the local planning authority. The scheme shall follow the recommendations identified in the BWB Noise Impact Assessment report (Ref: MCP2136) dated February 2019. None of the dwellings shall be occupied until such a scheme has been implemented in accordance with the approved details, and shown to be effective, and it shall be retained in accordance with those details thereafter.

**REASON:-** To protect the amenity of future occupiers of the development from noise from road traffic sources.

- 8 No properties shall be occupied until confirmation has been provided that either all wastewater network upgrades required to accommodate the additional flows from the development have been completed or a housing and infrastructure phasing plan

has been submitted to and approved in writing by the local planning authority in consultation with Thames Water to allow additional properties to be occupied. Where a housing and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan.

**REASON:-** The development may lead to sewage flooding and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional flows anticipated from the new development. Any necessary reinforcement works will be necessary in order to avoid sewer flooding and/or potential pollution incidents.

- 9 The development permitted by this planning permission shall be carried out in accordance with the Flood Risk Assessment carried out by BWB reference TGS-BWB-ZZ-XX-RP-YE-0001\_FRA dated February 2019; Sustainable Drainage Statement carried out by BWB reference TGS-BWB-ZZ-XX-RP-CD-0001\_SDS dated February 2019 and Technical Note carried out by BWB reference TGS-BWB-ZZ-XX-YE-0002\_TN Revision P02 S2 dated 28 June 2019 and the following mitigation measures:-

1. Limiting the surface water run-off generated by the 1 in 100 year + 40% allowance for climate change event critical storm so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site.
2. Provide attenuation to ensure no increase in surface water run-off for all rainfall events up to and including the 1 in 100 year + 40% allowance climate change event.
3. Implement drainage strategy as indicated on the drainage strategy drawing reference TGS-BWB-XX-ZZ-DR-CD-0004 and TGS-BWB-ZZ-XX-CD-DR-0006 and to include above ground SuDS features.
4. Implemented drainage strategy to include daylighting of northern culvert with online detention basin with low flow channel for existing watercourses with detention basin as indicated on drawing TGS-BWB-XX-ZZ-DR-CD-0004.
5. Implement drainage strategy to incorporate the central watercourse with detention basin indicated on drawing TGS-BWB-ZZ-XX-CD-DR-0006.

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

- 10 The development permitted by this planning permission shall be carried out in accordance with the Flood Risk Assessment carried out by BWB reference TGS-BWB-ZZ-XX-RP-YE-0001\_FRA dated February 2019; Sustainable Drainage Statement carried out by BWB reference TGS-BWB-ZZ-XX-RP-CD-0001\_SDS dated February 2019 and Technical Note carried out by BWB reference TGS-BWB-ZZ-XX-YE-0002\_TN Revision P02 S2 dated 28 June 2019. The scheme shall also include:

1. Detailed engineered drawings of the proposed SuDS features including their location, size, volume, depth and any inlet and outlet features including any connecting pipe runs and all corresponding calculations/modelling to ensure the scheme caters for all rainfall events up to and including the 1 in 100 year + 40% allowance climate change event.

2. Details regarding any areas of informal flooding (events those exceeding 1 in 30 years rainfall event), this should be shown on a plan with estimated extents and depths.
3. Details of final exceedance routes, including those for an event which exceeds to 1:100 + 40% allowance climate change rainfall event.
4. Details relating to the works to be carried out on the ordinary watercourses.

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.

**REASON:-** To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site.

- 11 Upon completion of each phase of the drainage works, a complete set of as built drawings for the site drainage management should 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 and overland flow route management
3. Details of any inspection and sign-off requirements for completed elements of the drainage systems.

**REASON:-** To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

- 12 Prior to the commencement of development, above slab level, a landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by the local planning authority. The content of the LEMP shall deliver the ecological units to achieve no net loss or where possible net gain to biodiversity and include the following:-

- a) Description and evaluation of features to be managed from a landscape and ecological perspective;
- b) Ecological trends and constraints on site that might influence management;
- c) Aims and objectives of management;
- d) Appropriate management options achieving landscape and ecological aims and objectives;
- e) Prescriptions for landscape and ecological management actions;
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five year period) clearly marked on plans;
- g) Details of the body or organisation responsible for implementation of the plan;
- h) Ongoing monitoring and remedial measure. The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery;
- i) Details of species specific measures as identified in the ecological report, definitively stated and marked on plans.

The plan shall also set out (where the results from monitoring show that the conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so

that the development still delivers the fully functioning biodiversity and landscape objectives of the originally approved details.

The landscaping and habitats management scheme shall be implemented in accordance with the approved details.

**REASON:-** In order to improve and enhance biodiversity within the development site and the surrounding so as to offset its impact.

- 13 The bat and bird box strategy as detailed in the approved plans and ecological report shall be fully installed prior to first occupation of dwelling units 16; 18; 21 to 23; 25 to 32 to 41; 46; 48 to 50; 53; 55; 56; 69; 72; 73; 83; 85; 91; 95; 114 to 116; 118 and 124 hereby permitted. The bat and bird boxes shall be retained thereafter.

**REASON:-** In order to enhance roosting opportunities for bats and nesting opportunities for birds.

- 14 Notwithstanding the provisions of Class A of Part 1, Schedule 2 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 and/or bicycles unless permission is granted on an application made to the Local Planning Authority.

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

- 15 Prior to the commencement of development (including site clearance) a Construction Management Plan/Method Statement for the construction phases shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the works of construction of the development shall only be carried out in accordance with the approved statement and Hertfordshire County Council's specifications. The Demolition/Construction Management Plan/Method Statement shall address the following matters:-

- (i) Details of construction phasing programme (including any pre-construction enabling works);
- (ii) Hours of operations including times of deliveries and removal of waste which should avoid school pick up/drop off times;
- (iii) Demolition and construction works between the hours of 0730 and 1800 on Mondays to Fridays and between the hours of 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) Construction and storage compounds (including areas designated for car parking);
- (xi) Siting and details of wheel washing facilities;
- (xii) Cleaning of site entrances, site tracks and the adjacent public highway;
- (xiii) Control measures to manage noise and dust;
- (xiv) Disposal of surplus materials;
- (xv) Post construction restoration/reinstatement of the working areas and access to the public highway.
- (xvi) Details of the access and highways works from Fishers Green to accommodate construction traffic.
- (xvii) Details of consultation and compliant management with local businesses and neighbours.
- (xviii) Mechanisms to deal with environmental impacts such as noise and vibration, air quality and dust, light and odour;
- (xix) Details of any proposed piling operations, including justification for the proposed piling strategy, a vibration impact assessment and proposed control and mitigation measures;
- (xx) 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.

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

- 16 In the event contamination is found during site clearance and/or construction phase of the development, the applicant must 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.

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.

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

- 17 A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historic environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.  
**REASON:-** To prevent harm to human health and pollution of the water environment in accordance with Government policy set out in the National Planning Policy Framework.
- 18 The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval in writing of the Local Planning Authority.  
**REASON:-** To prevent harm to human health and pollution of the water environment in accordance with Government policy set out in the National Planning Policy Framework.
- 19 Prior to the first occupation of dwelling units 1 to 9; 25 to 32; 33 to 41 and 126 to 133 hereby permitted the approved refuse and recycle stores shall be constructed in accordance with the details submitted with this application and shall be permanently retained in the form.  
**REASON:-** To ensure that there is sufficient refuse/recycle provision in accordance with the Council's standards and maintained for all dwellings and the development as a whole in perpetuity.
- 20 Prior to the first occupation of dwelling units 1 to 9; 25 to 32; 33 to 41 and 126 to 133; hereby permitted the approved secure cycle parking areas and public cycle parking shall be constructed in accordance with the approved details submitted with this planning application and shall be permanently retained in that form thereafter.  
**REASON:-** To ensure that there is sufficient cycle parking provision in accordance with the Council's adopted standards is maintained for all dwellings and the development as a whole on site in perpetuity.
- 21 No external lighting shall be installed on site unless details of such lighting, including the intensity of illumination and predicted light contours, have first been submitted to, and approved in writing the Local Planning Authority prior to first occupation of the development. Any external lighting shall accord with the details so approved.  
**REASON:-** In order to protect the amenities and operations of neighbouring properties and to ensure any external lighting does not prejudice highway safety. In addition, to ensure the development does not have a detrimental impact on foraging bats.
- 22 The landscaping scheme as detailed in the approved drawings shall be implemented in the first available planting season prior to the first occupation of the buildings or the completion of the development, whichever is the sooner.  
**REASON:-** To ensure a satisfactory appearance for the development.

- 23 Any trees or plants comprised within the scheme of landscaping, which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless otherwise agreed in writing by the Local Planning Authority.  
**REASON:-** To ensure a satisfactory appearance for the development.
- 24 No development, including site clearance, shall commence until the trees as specified in the Arboricultural Impact Assessment, prepared by BWB (dated February 2019) to be retained on the site have been protected by fencing in accordance with the vertical tree protection fencing detailed in the Arboricultural Impact Assessment. In addition, all works which are to be undertaken within the Root Protection Areas of trees which are to be retained as specified on the aforementioned drawings shall be undertaken in accordance with the details specified in the Arboricultural Impact Assessment.  
**REASON:-** To ensure that the retained trees are not damaged or otherwise adversely affected during site operations.
- 25 Within the areas to be fenced off in accordance with condition 24, there shall be no alteration to the ground levels and they shall be kept clear of vehicles, materials, surplus soils, temporary buildings and machinery.  
**REASON:-** To ensure that the retained trees are not damaged or otherwise adversely affected during site operations.
- 26 Prior to the first occupation of the dwellings hereby permitted, the measures to ensure the development is adaptable to climate changes as detailed in the Energy Statement (prepared by energist dated 15<sup>th</sup> February 2019) shall have been installed and implemented across the whole development in accordance with the approved details.  
**REASON:-** To ensure that the development is adaptable to climate change.
- 27 Prior to the commencement of development hereby permitted, the vehicular accesses shall be provided and thereafter retained at the position shown on the approved in principle drawing number General Arrangement drawing number 17 941 – SK01 revision G. The principal access road shall be provided 6.75 metres wide [except for some minor traffic calming features shown on the drawing] complete with 10.0 metres radius kerbs. Thereafter, the internal access roads connected to the principal access road shall be provided at least 5.5 metres wide completed with 8.0 metres radius kerbs to the specification of Hertfordshire County Council from the date of this permission and to the Local Planning Authority's satisfaction. Arrangement shall be made for surface water drainage intercepted and disposed of separately so that it does not discharge from on onto the highway carriageway.  
**REASON:-** To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway.
- 28 No development shall take place until full details (in the form of scaled plans and written specifications) to illustrate the following:-
- i) roads;
  - ii) footways;
  - iii) cycleways;
  - iv) visibility splays;
  - v) access arrangements;
  - vi) parking provision in accordance with adopted standards;
  - vii) bus stops;
  - viii) turning area.



Have been submitted to and approved in writing by the Local Planning Authority. The details for i) to viii) shall thereafter be constructed in accordance with the approved details.

**REASON:-** To ensure suitable, safe and satisfactory planning and development of the site.

- 29 No development shall take place until a Servicing and Delivery Plan has been submitted to and approved in writing by the Local Planning Authority. The Servicing and Delivery Plan shall contain the delivery and servicing requirements, waste collection points for the proposed development, a scheme for coordinating deliveries and servicing for the proposed development, areas within the development site that will be used for loading and manoeuvring of delivery and servicing vehicles, and circulation route and constructed in accordance with the approved details. Thereafter, the route shall be maintained in accordance with those approved details.

**REASON:-** In the interests of maintaining highway efficiency and safety.

- 30 The provision of infrastructure both within the development site and on the wider routes that the proposed public transport service will travel to facilitate the delivery of the public transport strategy, shall comprise of, but is not limited to the following:-

- 1) high quality bus stop facilities to include raised height kerbs and shelters;
- 2) real time information signs at key stops.

Details of future locations of all bus stops within the development site shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development works. The bus stops will need to be clearly marked out on-site during construction of the internal road to ensure visibility for future residents and the wider community.

**REASON:-** To ensure proper management of the development layout in the interests of highway safety and efficiency.

- 31 Upon first occupation of any dwelling, the provision of two vouchers per dwelling entitling the residents to 12 months free bus travel within the area travelling to Stevenage Town Centre covered by a PlusBus season ticket will be made available. Residents will be able to apply for the vouchers via a scheme to be outlined in the Travel Plan to be approved. The vouchers are to be valid for exchange during the first six months following the occupation of the respective dwelling unit.

**REASON:-** To ensure management of a modal shift and encourage use of sustainable modes of travel within Stevenage.

- 32 A network of footways/cycleways linking all areas of the development with the railway station, bus station and Stevenage Town Centre, which shall include a toucan crossing along Fishers Green in an appropriate location close to the new junction, shall be provided prior to occupation of any dwelling. The route shall be detailed and identified on a drawing showing appropriate hard surfacing, illustrated with a minimum width of 2.0 metres where possible or shared use provision with a cycleway with a minimum width of 3.0 metre shall be submitted to, prior to the commencement of development above slab level, and approved in writing by the Local Planning Authority. The network of footways/cycleways shall be implemented in accordance with the approved details and retained thereafter.

**REASON:-** To ensure management of a modal shift and encourage use of sustainable modes of travel within Stevenage.

- 33 Prior to the occupation of any dwellings, full details shall be submitted to and approved in writing by the Local Planning Authority of the proposed arrangements for the future management and maintenance of the proposed streets within the development. Following the provision of such streets in accordance with the

approved details, the streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time an agreement has been entered into under Section 38 of the Highways Act 1980 or a Private Management and Maintenance Company has been established in accordance with the approved details.

**REASON:-** To ensure satisfactory development of the site and to ensure the estate roads are managed and maintained thereafter, to a suitable and safe standard.

- 34 Prior to the commencement of the development, visibility splays measuring 2.4 metres x 53 metres to the north west and 2.4 metres x 54 metres to the south east shall be provided to each side of the main access onto Fishers Green and the visibility splays shall thereafter be maintained at all times free from any obstructions between 600mm and 2.0 metres above the level of the adjacent highway carriageway.

**REASON:-** To ensure construction of a satisfactory development and in the interests of highway safety.

- 35 Prior to the first occupation of the development hereby permitted, visibility splays measuring 2.4 metres x 43 metres shall be provided each side of each access where it meets the highway and such splays shall thereafter be maintained at all times free from any obstructions between 600mm and 2.0 metres above the level of the adjacent highway carriageway.

**REASON:-** To ensure construction of a satisfactory development and in the interests of highway safety.

- 36 Prior to the commencement of each phase of the development, details of all materials to be used for hardsurfaced areas, including roads, associated drainage details, driveways and car parking areas shall be submitted to and approved in writing by the Local Planning Authority. Each phase of the development shall be carried out in accordance with the approved details.

**REASON:-** To ensure that internal roads, drainage and parking areas are to highway standards and requirements set by Hertfordshire County Council as Highways Authority.

- 37 Prior to the first occupation of the development hereby permitted, the gradient of the main access road shall not be steeper than 1 in 50 for the first 12m thereafter the main access and internal access roads shall not be steeper than 1 in 20.

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

- 38 No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the local planning authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.

**REASON:-** To ensure that the development does not contribute to, is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants.

- 39 Piling or any other foundation design using penetrative methods shall not be permitted within the development other than with the express consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant risk to groundwater. The development shall be carried out in accordance with the approved details.

**REASON:-** To protect groundwater environment, including groundwater. Some piling techniques can cause preferential pathways for contaminants to migrate to groundwater and cause pollution. A piling risk assessment should be submitted with consideration of the EA guidance. Given the site's location in SPZ2 we will also

require a groundwater monitoring programme during any piling work at the site. This groundwater monitoring programme should incorporate mitigation measures to be adopted design should piling works be noted to be adversely impacting on groundwater quality beneath the site.

- 40 A scheme for managing any borehole installed within the development 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 with be secured, protected and inspected. The scheme as approved shall be implemented prior to the occupation of the Residential Development Plot.

**REASON:-** To ensure that the development does not contribute to, is not put at unacceptable levels of water pollution caused by mobilise contaminants. This is in line with paragraph 170 of the National Planning Policy Framework and adopted local plan policy FP5: Contaminated land.

- 41 Notwithstanding the provisions of Classes B and C of Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revising, revoking or re-enacting that Order with or without modification) no loft conversions including dormer windows / roof extensions, or roof lights and openings shall be constructed on the dwellinghouse(s) hereby permitted unless permission is granted on an application made to the Local Planning Authority.

**REASON:-** To enable the Local Planning Authority to fully consider the effects of development normally permitted by that Order to safeguard the amenities of the neighbouring properties from overlooking/loss of privacy and to ensure sufficient parking is available.

### **Pro-active Statement**

Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant at the pre-application stage and during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the National Planning Policy Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

### **INFORMATIVE**

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

Any works taking place within and/or over the culvert or within 3m of the top of the bank of the ordinary watercourse will require prior written consent from Hertfordshire County Council regardless of any planning permission. Any works proposed to be carried out that may affect the flow within an ordinary watercourse will require the prior written consent from the Lead Local Flood Authority under Section 23 of the Land Drainage Act 1991. This includes any permanent and or temporary works regardless of any planning permission.

#### **Hertfordshire County Council as Highways Authority**

AN1. Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be

sought from the Highway Authority before construction works commence. Further information is available via the website:

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>

AN2. Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>

AN3. Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>

AN4. 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 38 and 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 noted below:

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>

#### AN5. Rights of Way

Before commencement of the proposed development, the applicant shall contact Hertfordshire County Council's Rights of Way Service <http://www.hertfordshire.gov.uk/services/envplan/countrysideaccess/row/>

(Tel: 0300 123 4047, email at [row@hertfordshire.gov.uk](mailto:row@hertfordshire.gov.uk)) to obtain their requirements for the ongoing maintenance of the surface of the Public Right of Way that routes through the site along the proposed development.

Reason: To ensure the surface of the Public Right of Way does not deteriorate as a result of an increase in vehicle movements using the access, in the interests of pedestrian safety on a Public Right of Way.

The Public Right of Way should remain unobstructed by vehicles, machinery, materials, tools and any other aspects of the construction during works.

The safety of the public using the route and any other routes to be used by construction traffic should be a paramount concern during works, safe passage past the site should be maintained at all times.

The condition of the route should not deteriorate as a result of these works. Any adverse effects to the surface from traffic, machinery or materials (especially overflows of cement & concrete) should be made good by the applicant to the satisfaction of this Authority.

All materials should be removed at the end of the construction and not left on the Highway or Highway verges.

If the above conditions cannot reasonably be achieved, then a Temporary Traffic Regulation Order would be required to close the affected route and divert users for any periods necessary to allow works to proceed. A fee would be payable to Hertfordshire County Council for such an order.

Reason: To ensure the surface of the Public Right of Way does not deteriorate as a result of an increase in vehicle movements using the access, in the interests of pedestrian safety on a Public Right of Way.

### **Arboricultural Impact**

Although the Arboricultural Impact Assessment mentions the need for an arboriculturalist if any large roots are encountered, it is suggested the whole section of the fence near the tree line should be supervised. Also, as this type of work could potentially weaken the root system and therefore, the trees stability, it is also suggested a Highways England inspector would want to be aware of this matter. This also applies to the aerial part of the tree as considerable amount of their crowns would have to be cut back to accommodate the installation of the high fence.

### **Cadent Gas**

#### **Affected Apparatus**

The apparatus that has been identified as being in the vicinity of your proposed works is:

Low or Medium pressure (below 2 bar) gas pipes and associated equipment. (As a result it is highly likely that there are gas services and associated apparatus in the vicinity).

#### **Requirements**

##### **BEFORE carrying out any work you must:**

Carefully read these requirements including the attached guidance documents and maps showing the location of apparatus.

Contact the landowner and ensure any proposed works in private land do not infringe Cadent and/or National Grid's legal rights (i.e. easements or wayleaves). If the works are in the road or footpath the relevant local authority should be contacted.

Ensure that all persons, including direct labour and contractors, working for you on or near Cadent and/or National Grid's apparatus follow the requirements of the HSE Guidance Notes HSG47 – 'Avoiding Danger from Underground Services' and GS6 – 'Avoidance of danger from overhead electric power lines'. This guidance can be downloaded free of charge at <http://www.hse.gov.uk>

In line with the above guidance, verify and establish the actual position of mains, pipes, cables, services and other apparatus on site before any activities are undertaken.

## **GUIDANCE**

Excavating Safely - Avoiding injury when working near gas pipes:

<https://www.nationalgrid.com/sites/default/files/documents/24410-Excavating%20Safely%20Leaflet%20Gas.pdf>

## **Standard Guidance**

Essential Guidance document:

<http://www2.nationalgrid.com/WorkArea/DownloadAsset.aspx?id=8589934982>

General Guidance document:

<http://www2.nationalgrid.com/WorkArea/DownloadAsset.aspx?id=35103>

Excavating Safely in the vicinity of gas pipes guidance (Credit card):

<https://www.nationalgrid.com/sites/default/files/documents/24413-Excavating%20Safely%20Credit%20Card%20Gas.pdf>

Excavating Safely in the vicinity of electricity cables guidance (Credit card):

<https://www.nationalgrid.com/sites/default/files/documents/24414ExcavatingSafelyCreditCardElectricity.pdf>

## **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](http://www.stevenage.gov.uk/CIL) or by contacting the Council's CIL Team at [CIL@Stevenage.gov.uk](mailto:CIL@Stevenage.gov.uk).

## **10. BACKGROUND DOCUMENTS**

1. The application file, forms, plans and supporting documents having the reference number relating to this item.
2. Stevenage Borough Council Supplementary Planning Documents – Parking Provision adopted January 2012 and Stevenage Design Guide adopted October 2009.

3. Stevenage Borough Local Plan 2011-2031 adopted 2019.
4. Hertfordshire County Council's Local Transport Plan 4 adopted May 2018.
5. Responses to consultations with statutory undertakers and other interested parties referred to in this report.
6. Central Government advice contained in the National Planning Policy Framework February 2019 and Planning Policy Guidance March 2014.
7. Planning Committee Report 16<sup>th</sup> December 2019.
8. Community Infrastructure Levy 2010 (as amended).