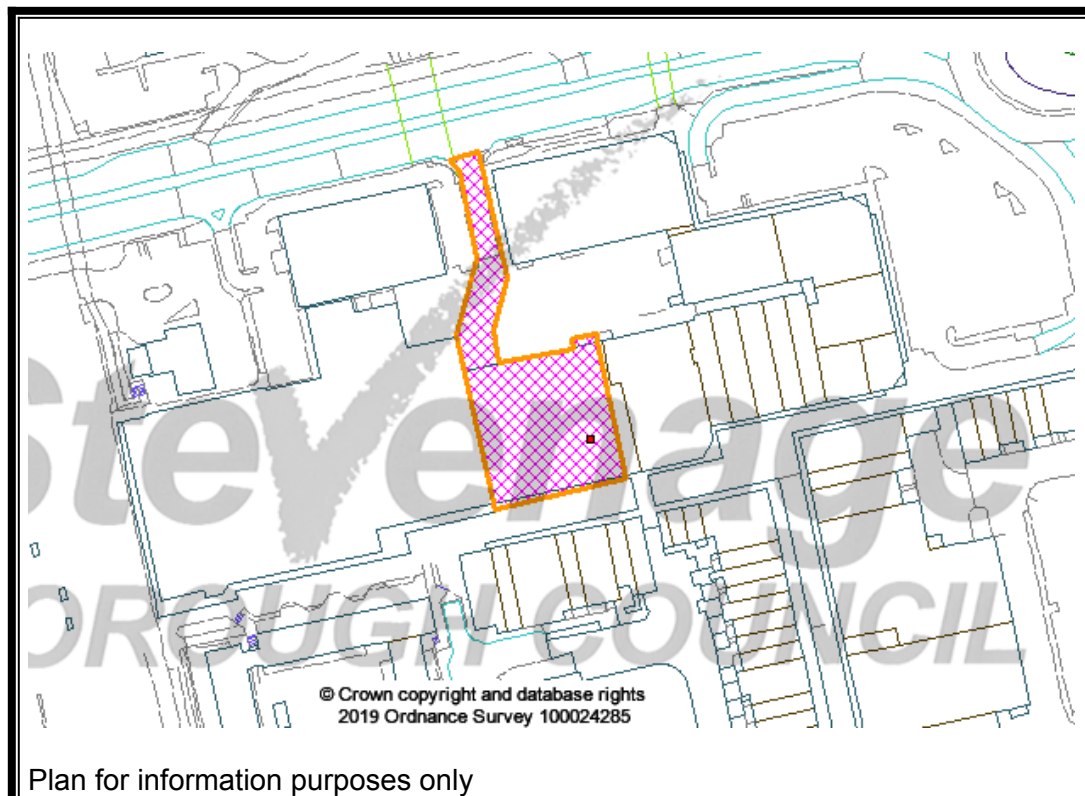


Meeting: Planning and Development Committee
Agenda Item:
Date: 7 October 2020
Author: Rebecca Elliott 01438 242836
Lead Officer: Zayd Al-Jawad 01438 242257
Contact Officer: Rebecca Elliott 01438 242836

Application No:	19/00647/FPM
Location:	Former BHS Store, 7 The Forum, Stevenage
Proposal:	Partial demolition and redevelopment of existing former BHS store to create 11 storey building comprising of 1no ground floor commercial unit, 129no. 1 bed, 120no. 2 bed and 1no. studio apartments with associated infrastructure including amenity space, car parking, bicycle storage, refuse storage and plant rooms.
Drawing Nos.:	2773 100 Rev M; 2773 500 Rev L; 2773 600 Rev L; 2773 601 Rev L; 2773 602 Rev L; 2773 603 Rev L; 2773 604 Rev L; 2773 700 Rev L; 2773 701 Rev L; 2773 702 Rev L; 2773 703 Rev L; 2773 704 Rev L; 2773 705 Rev L; 2773 800 Rev L; TFR 01
Applicant:	Glide Investments Ltd
Date Valid:	12 November 2019
Recommendation:	GRANT PLANNING PERMISSION



1. SITE DESCRIPTION

- 1.1 The application site is the former BHS store located within The Forum to the north of the town centre. Bounded to the south by The Forum which is a pedestrianised west to east connection. The northern boundary adjoins the service yard for the Forum and Fairlands Way beyond this. Tesco have a superstore adjoining the site to the west, with retail shops to the east and south, both external and internally accessed through the Westgate Shopping Centre. The Ibis hotel is located on the southern and opposite side of the Forum, measuring seven storeys high.
- 1.2 The site lies adjacent the Northgate Major Opportunity Area for the town centre and forms Primary retail frontage along the Forum. The three storey building is typical of its age with linear portrait concrete detailing on the elevations and a flat roof. The ground floor is curtailed with glazing providing the main frontage for the former BHS store with multiple openings along the frontage. Service access is to the rear and within a shared service yard and accessed off Fairlands Way.

2. RELEVANT PLANNING HISTORY

- 2.1 None relevant

3. THE CURRENT APPLICATION

- 3.1 The current application seeks planning permission for the partial demolition and construction of an eleven storey building providing A1 Retail at ground floor and 250no. flats consisting of 120no. two bedroom, 129no. one bedroom and 1no. studio flat. The application includes associated access, parking, landscaped podium and other related matters.
- 3.2 The application comes before the Planning and Development Committee as this application is classed as Major development.

3. PUBLIC REPRESENTATIONS

- 4.1 The application has been publicised by neighbour letters, the posting of two site notices – one on the western end of The Forum and one on the eastern end of the building and The Forum, and an advertisement has been placed in the local newspaper. Five third party observations have been received, two supporting and three objecting. The supporting contributors did not expand on their reasons to support. The objections raised in summary (copies of all comments are available in full on the Council's website) are –
- Possible short term rentals such as AirBnB and associated anti-social behaviour such as stolen parcels/post, stolen bikes/prams, entrance doors left open for the general public to gain access, homeless access;
 - Commercial use – possible late night uses such as bars/cubs;
 - Noise assessment carried out during September. July/August would be preferable to take account of longer days and lower flying aircraft;
 - Trains – capacities high as Stevenage is no longer a start station, are additional trains to be provided?;
 - 11 storeys not desirable, an eyesore, will limit daylight/sunlight to public areas;
 - The town does not need more high rise flats;
 - No affordable housing provision;
 - Insufficient parking;
 - Infrastructure can't cope, doctors, schools and roads already congested.

4. CONSULTATIONS

5.1 Police Crime Prevention Officer (PCPO)

- 5.1.1 It would appear that the proposal may not be completed in accordance with 'Secured by Design'. The Police Crime Prevention Design Service whilst disappointed with this decision and not looking to object to the application, are not in a position to fully support the application.

5.2 Hertfordshire County Council Public Health

- 5.2.1 In terms of the development design scheme and proposed layout there are some points for consideration below.

- Encourage early adoption of active travel behaviours;
- Affordable housing provision;
- Noise mitigation to tackle impact on night-time noise and mental health;
- Encourage use of stairwells instead of lifts;
- Outdoor play;
- Overshadowing of proposed amenity area;
- Parking provision and enforcement of displacement in restricted areas;
- Electric Vehicle charging points.

5.3 Hertfordshire County Council Highways

- 5.3.1 The County Council as Highway Authority consider the development to be in accordance with National and Local policies. Therefore, the Highway Authority's formal recommendation is that there are no objections to the development proposal subject to the recommended conditions and highway informatives.

5.4 Lead Local Flood Authority

- 5.4.1 Following numerous negotiations the LLFA have reviewed the latest information submitted in support of the application and recommend that conditions be imposed should planning permission be granted. It is proposed the building will remain, therefore there will not be an increase in the impermeable area of the site. It is proposed to continue to discharge via gravity and outfall via the existing drainage systems on site. A green/blue roof is proposed in order to reduce run-off rates and provide biodiversity benefits. The service yard and access road immediately north of the site are within the submitted red line however are stated to be outside of the site's ownership boundary in the FRA.

5.5 Environmental Health

- 5.5.1 Following submission of a revised Noise Impact Assessment (NIA) the findings have shown that noise levels to the northern elevation of the northern block could be unacceptable during night time hours. The NIA proposes mitigation measures that should be controlled by condition, including mechanical ventilation and acoustic screening. Officers advise the imposition of conditions on any grant of permission to overcome the concerns raised.

5.6 Hertfordshire County Council Waste and Minerals

- 5.6.1 A Site Waste Management Plan (SWMP) should be provided up front or as required by condition to collate information on and set out management strategies for waste arising during demolition and construction so that building materials from recycled and secondary sources can be used within the development. The total volumes of waste during enabling works (demolition) and construction works should also be summarised.

5.7 Hertfordshire County Council Growth and Infrastructure

- 5.7.1 Following an assessment of the proposed development for 250 units HCC have requested a financial contribution towards the proposed town centre primary school at a figure of £417,683.

5.8 Affinity Water

- 5.8.1 The proposed development site is located close near an Environment Agency defined groundwater Source Protection Zone (SPZ) corresponding to Broomin Green pumping station. This is a public water supply, comprising a number of Chalk abstraction boreholes operated by Affinity Water Ltd.
- 5.8.2 We object to this application because we are concerned that it has the potential to impact adversely the public water supply. If you are minded to approve the application, it is essential that appropriate conditions are imposed to protect the public water supply, which would need to address the following points –
1. British Research Standards and Best Management Practices;
 2. Ground investigation;
 3. Turbidity;
 4. Contaminated land;
 5. Infiltration;
 6. Drainage.

5.9 Thames Water

- 5.9.1 With regard to surface water drainage, if the developer follows the sequential approach we would not raise an objection. Where the developer proposes to discharge to a public sewer, prior approval from Thames water will be needed. With regard to foul water sewerage network infrastructure capacity we would not have an objection to the application based on the information submitted.

5.10 Parks and Amenities

- 5.10.1 Given the proposed private and contained nature of the amenity spaces, Stevenage Direct Services (SDS) would not look to adopt the maintenance of the landscaping. The design of the proposed landscaped amenity spaces must show consideration with regards to the challenges of the location, and given the limited amount of 'greening' provided in the proposals, the developer must like to consider opportunities for vertical planting and green roofing. The proposed height of the development may provide opportunity to include suitable features in the design for supporting wildlife. This could include options for swift and/or peregrine nest boxes.

5.11 Sport England

- 5.11.1 The proposed development does not fall within either our statutory remit or non-statutory remit; therefore Sport England has not provided a detailed response in this case.

5.12 NHS England and East and North Herts NHS CCG

- 5.12.1 Both NHS parties have been consulted on the application but no responses have been received and thus no funding for NHS services in particular GP surgeries have been requested.

5.13 SBC Traffic and Parking Enforcement Manager

- 5.13.1 In respect of the traffic and parking implications of the development questions are raised as to whether cycle access should be provided to the rear service yard to encourage more users,

and due to the lobby exiting on to a cycling restricted area of the town centre; is separate cycle parking for the retail element to be provided; and is meeting the cycling standards sufficient given the town centre location? Furthermore, the provision should allow for non-standard bikes such as recumbents, cargo cycles and tricycles.

- 5.13.2 Given the low level of residential parking provision proposed, a financial contribution should be sought towards the costs of providing a car club in the locality to help residents who may need the occasional use of a vehicle to transition from full-time car ownership. All car parking spaces provided should be equipped with e-car charging facilities.

6. RELEVANT PLANNING POLICIES

- 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 Planning Practice Guidance

- 6.3.1 National Design Guide (2019).

6.4 Stevenage Borough Local Plan 2011-2031 (Adopted 2019)

- SP1 Presumption in Favour of Sustainable Development
- SP2 Sustainable Development in Stevenage
- SP4 A vital town centre
- SP5 Infrastructure
- SP6 Sustainable Transport
- SP7 High Quality Homes
- SP8 Good Design
- SP11 Climate Change, Flooding and Pollution
- TC1 Town Centre
- TC6 Northgate Major Opportunity Area
- TC8 Town Centre Shopping Area
- IT4 Transport Assessments and Travel Plans
- IT5 Parking and Access
- HO5 Windfall Sites

- HO7 Affordable Housing Targets
- HO8 Affordable Housing Tenure, Mix and Density
- HO9 House Types and Sizes
- HO11 Accessible and Adaptable Housing
- GD1 High Quality Design
- FP1 Climate Change
- FP2 Flood risk in Flood Zone 1
- FP5 Contaminated Land
- FP7 Pollution
- FP8 Pollution Sensitive Uses
- NH7 Open Space Standards

6.5 Supplementary Planning Documents

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

6.6 Community Infrastructure Levy Charging Schedule

- 6.6.1 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 issues for consideration are the acceptability in land use policy terms, affordable housing and S106, design and layout, impact on the character and visual amenity of the area, impact on neighbour amenity, impact on amenity of occupiers, highways implications, parking provision, and other matters including waste, drainage and climate change.

7.2 Acceptability in Land Use Policy Terms

- 7.2.1 The NPPF states at paragraph 7 that the purpose of the planning system is to contribute to the achievement of sustainable development. The NPPF also stipulates that decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area. In addition, the Framework also sets out that sustainable development needs to be pursued in a positive way and at the heart of the framework is a "presumption in favour of sustainable development".
- 7.2.2 The existing building was formerly occupied by the company British Home Stores (BHS) until 2016 when the company collapsed and all stores were closed by August of 2016. The store has sat empty since. The application has been submitted with a Retail Impact Assessment (RIA) to support the reduction in overall A1 retail floorspace, given the existing gross floor area of the store. The RIA goes in to detail the collapse of BHS and as a comparison the collapse of Woolworths in 2008. The comparison details the uptake in store occupancy following each collapse. Looking at a three year window only 42% of BHS stores were occupied by 2019, whilst following the collapse of Woolworths 60% of its estate was occupied within two years, and 85% by four years. The biggest uptake was by medium-sized businesses such as Poundland.
- 7.2.3 The biggest difference identified between the two situations is the now, lack of medium sized businesses and retailers to fill such stores. Most of the viable retailers already have sites in Stevenage, including Primark, Next, Wilkos and Poundland. The uptake is therefore much slower. Added to this is the nationwide decline of the high street retail sector, with Stevenage highlighted as having excess retail floorspace.

- 7.2.4 The proposal would therefore, see a reduction in retail floorspace of 6480 square metres with a 520 square metre unit proposed. However, it is noted that some of the existing floorspace would consist of staff only areas not accessible to members of the public. Paragraph 85 of the NPPF 2019 states that decisions should support the role of the town centre by taking a positive approach to their growth, management and adaptation.
- 7.2.5 The evidence provided in the RIA is supported by the need to adapt the town centre, even more so given today's retail climate and economic downturns. The proposal would still provide some A1 retail space at a size more appropriate for the market, with no large retail brands coming forward since the site's closure in 2016. This is further supported by the closure of M&S and the erection of Debenhams purpose built flagship store on the Roaring Meg retail park.
- 7.2.6 Paragraph 85 continues by stating that LPA's should recognise that residential development can play an important role in ensuring the vitality of centres and that residential development should be encouraged on the appropriate sites. The erection of ten storeys equalling 250 residential units above the retained ground floor introduces residential to this northern end of the town centre, with nearby residential development located at the Queensway development to the south east being undertaken by Reef Estates.
- 7.2.7 Located due east of and adjoining the Policy TC6 Northgate Major Opportunity Area, the high rise residential and retained retail uses are in accordance with the vision for this part of the town centre. This is because this policy seeks the delivery of high-density Class C3 residential units.
- 7.2.8 Looking more closely at the residential element, Paragraph 61 of the NPPF 2019 requires that the planning system should deliver, inter alia, a mix of housing particularly in terms of tenure and price to support a wide variety of households in all areas. Paragraph 68 of the NPPF sets out that small and medium sites can make an important contribution to meeting housing requirements in an area, and this includes supporting the development of windfall sites.
- 7.2.9 Paragraph 67 of the NPPF (2019) states that planning policies should identify a supply of specific deliverable sites for years one to five of the plan period, and specific deliverable sites or broad locations for growth, for years 6 to 10 and where possible, for years 11 to 15. Paragraph 73 of the same document states that "Local Planning Authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies".
- 7.2.10 Paragraph 117 of the NPPF stipulates that planning policies and decisions should promote the effective use of land in meeting the need for homes such as through the use of brownfield sites (previously developed land) and the development of underutilised land.
- 7.2.11 Turning to the adopted Local Plan (2019), as the site is not designated for residential development it would be classed as a windfall site. Taking this into consideration, Policy SP7 (High quality homes) states that the Council needs to provide 7600 new homes over the local plan period of which 1,950 homes would be provided through windfall sites. Turning to the specific policy on windfall development sites, (Policy HO5 of the Local Plan), this outlines a set of criteria that must be met for a development to be considered acceptable. These criteria state that permission will be granted where: the site is on previously developed land or is a small, underused urban site; there is good access to local facilities; there will be no detrimental impact on the environment and the surrounding properties; proposals will not prejudice the Council's ability to deliver residential development on allocated sites; and, the proposed development would not overburden existing infrastructure.

- 7.2.12 The proposal consists of the creation of 250 flats, a mixture of one and two bedrooms. The site is tightly confined by neighbouring properties with the building footprint forming the red line. The land is, therefore, considered to be previously developed and an underused site for the purposes of policy HO5. Furthermore, the proposal does not see the loss of public amenity space, and is in a good sustainable location being in close proximity to the bus station, proposed new bus interchange, train station and cycle network.
- 7.2.13 With respect to the five year land supply of deliverable housing, local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirements, but the supply of specific deliverable sites should in addition include a buffer (moved forward from later in the plan period) of:-
- a) 5% to ensure choice and competition in the market; or
 - b) 10% where the local planning authority wishes to demonstrate a five year supply of deliverable sites through an annual position statement or recently adopted plan, to account for any fluctuations in the market during that year; or
 - c) 20% where there has been significant under delivery of housing over the previous three years, to improve the prospect of achieving the planned supply.
- 7.2.14 The most up to date housing supply figures indicate that the Council is able to meet its requirements to provide a 5 year land supply as defined in the adopted Local Plan. The fact that the Council can meet its 5 year land supply of housing is thus a material consideration in the assessment of this application. However, as set out above, as the application site is considered to be a 'windfall' site, it will help to meet the Council's overall housing need over the local plan period in this instance.
- 7.2.15 In respect to Policy HO9 (House types and sizes) of the Adopted Local Plan (2019), as the proposed development seeks to deliver a mixture of one and two bedroom flat units, it would be in accordance with this policy as it would add to the overall mix of housing which is required to meet the objectively assessed need over the local plan period.
- 7.2.16 The impact of the proposal on the local environment and surrounding properties, and local infrastructure will be addressed later in this report. Based on the above it is concluded that the proposal is acceptable in land use policy terms.

7.3 Affordable Housing Provision and S106 Contributions

- 7.3.1 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 25% of new homes to be affordable on previously developed sites. In this regard, there would be a requirement to provide 76 affordable units.
- 7.3.2 Turning to affordable housing tenure, mix and design, Policy HO8 states that planning permission would be granted where those dwellings:
- a. Are provided by the developer on site with at least 70% of the units being for rent and the remainder consisting of other tenures which is to be agreed with the Council's Housing team;
 - b. Meets the requirements of Policy HO9 (House types and sizes);
 - c. Are physically indistinguishable from other types of homes and are distributed across the site to avoid over-concentration in particular; and
 - d. Will remain at an affordable price for future eligible households.

- 7.3.3 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.
- 7.3.4 The application does not propose to provide any affordable housing (AH) and this has been supported by the submission of a Viability Report. The Viability Report states that the scheme would be 'borderline unviable' as a fully private development, with a 13.84% profit where it provides zero affordable housing and zero financial contributions through CIL or S106.
- 7.3.5 The Viability Report has been independently assessed on behalf of the Council. The assessment has found that the development would be viable with a profit of 16.3% whilst also providing 15% affordable units, 29no. affordable rent and 12no. intermediate units. The applicant has provided argument for an in-lieu financial contribution being paid as opposed to on-site AH provision. The Council's policies allow for this and in this case an in-lieu contribution is considered acceptable. Using the conclusions of the Viability Assessment by Aspinall Verdi (the Council's appointed advisors), the 100% private scheme calculated a surplus of £2,610,383, which would cover the cost of the 15% provision advised in the Viability Assessment only.
- 7.3.6 Following the Council's adoption of CIL, the proposal would be CIL liable with an estimated cost of £739,000. Furthermore, because the site is a town centre location it would be required to provide financial contributions (in addition to CIL) towards the proposed town centre primary school as part of the wider town centre regeneration. Hertfordshire County Council as the local education authority have assessed the proposal and advised that with a revised pupil yield the scheme would be liable for £417,683 towards the new primary school.
- 7.3.7 In addition, given the sustainable location of the development and the reliance of the development on entering in to a Travel Plan, the local highways authority have sought £6,000 for the monitoring of the TP, along with £138,823 towards Package 1 works including connecting new development in north Stevenage to the town centre and Gunnels Wood employment area; improvements to Stevenage rail station including improved cycle parking facilities and a new bus station; north-south high quality bus corridors.
- 7.3.8 In considering the tests for Regulation 122 of the CIL Regulations 2010 the Local Planning Authority do not consider the financial sums requested by the local highway authority to meet all the tests. The site is clearly in a very sustainable location as the highways officer has noted in their comments, and with established pedestrian and cycle networks in close proximity of the development it is not considered the proposed financial requirements are reasonable. The Local Highway Authority can bid for monies provided as part of the CIL pot to cover the requested highway works.
- 7.3.9 The payment of the CIL requirement has been considered as part of the viability and can be fulfilled up to a cost of £739,240 as assessed in the Viability Assessment. As a result the LPA have negotiated that the £2.6 million surplus be used to cover the Town Centre Primary School requirement, Travel Plan monitoring cost, and then a financial contribution for AH to the remaining value of the surplus monies. This would equate to approximately 34 units at 13.6% of affordable housing. The applicant has agreed the findings of the Viability Assessment by Aspinall Verdi and as such has agreed to the financial obligations as set out above, to be agreed through the signing of a S106 Agreement.
- 7.3.10 HCC Growth and Infrastructure team advised on the Primary School requirement, but also advised that the flats should look to install a water sprinkler system. Given the tragic

circumstances with Grenfell this provision can be suitably included as a requirement of the S106.

7.4 Design and Layout

- 7.4.1 The proposed development would see the demolition of the upper two floors of the existing BHS store, retaining the ground floor only. Above this it is proposed to build ten storey's comprising of two blocks, north and south, with an inter-connecting wing. At first floor level above the retail and services area would be a platform forming an outside amenity area with landscaping. The outer elevations would be screened by a grid framework consisting of six linear portrait sections of staggered height up to the eighth floor. Floors nine and ten would not be covered by the grid and would be recessed, stepped back from the main elevation.
- 7.4.2 The fenestration would include full height glazing on each floor with balconies provided on the outer elevations of each block. At ground floor the retail frontage and residential lobby frontage would be fully glazed with a contemporary feel and in-keeping with ground floor town centre shop fronts. The palette of materials includes Portland Stone colour fibreboard for the grid work and side elevation up to floor 8; light grey fibreboard on the elevations on floors nine and ten; textured grey fibreboard to add detailing to each elevation; aluminium glazing as the predominant fenestration material; structural glazing on the ground floor frontage Opaque glazing is proposed on the elevations at the bottom of each glazing panel and to service areas; expanded metal on the rear elevation to the service and parking areas; and gold balcony balustrade on the outer southern and northern elevations and internal corner units for the balconies. A condition would be imposed seeking full details / samples of the proposed materials to ensure they are Building Regs compatible in particular in respect of fire resistance.
- 7.4.3 At ground floor level the development would retain 520 square metres of retail floor space, with associated internal bin storage, cycle parking and WC facilities. The retail element would be positioned towards the western side of the frontage facing The Forum, with a smaller area of the front ground floor elevation providing access to a lobby for residents. Towards the rear of the ground floor is a small parking area for 15no. vehicles, with access for delivery vehicles and motorcycle parking. Separate cycle parking is provided in a room to the east of the ground floor and would provide 274 normal bike spaces (137 double stacked), 4 smaller spots (for e.g. e-scooters) and 6 larger non-standard bike spaces (for e.g. trikes, cargo bikes, recumbents). A plant room is located centrally with bin storage in the north eastern corner with lift access from the rear service yard. Residential access is via stairwells on the western side of the building, front and rear, and lift and stair access from the main lobby.
- 7.4.4 Each residential floor consists of 25 flats, 12 two bed and 13 one bed, except for the first floor which has a studio flat sited in the link block and 12 one bed flats. The two bedroom units are located on the outer elevations facing south overlooking The Forum on the southern block and facing north over Fairlands Way on the northern block. The one bedroom units would face inwards towards the opposite respective block, with some corner units and a single unit on each floor of the link block.
- 7.4.5 The layout and unit numbers have been amended following negotiations to reduce the total number of flats from 277 to 250. This followed concerns over habitable living conditions for the corner units in respect of outlook and light levels. This is discussed further in section 7.7. The revisions have addressed the concerns and would result in an acceptable layout and unit displacement over each floor.

7.5 Impact on the Character and Appearance of the Area

- 7.5.1 The design and materials promote a modern development, with some design elements reflecting the Park Place development, where they have been deemed to enhance the character and appearance of the area. In considering the existing BHS building which is a

typical dark grey concrete block of its time, the proposal is considered to be an enhancement on the existing street scene.

- 7.5.2 The additional height created would be approximately 16.7m, with the existing three storey building measuring 18.7m at its highest. Overall, the proposed development would measure 35.4m in height. Due to the openness of the town centre from the north, Fairlands Way and the King George recreation ground beyond, the proposal will have an impact on the character and appearance of the area and town centre skyline. However, it is noted that the Local Plan has various areas of major opportunity (MOA) set out for the wider town centre regeneration. Most of these involve high rise buildings, particularly for residential use. In particular Policy HO6 for the Northgate MOA sits immediately adjacent the site and includes the existing Tesco superstore and its car park, the IBIS hotel and surrounding properties and existing Skyline and Brickdale House flats. The policy states that this area should seek to provide high rise residential units. Whilst the BHS site is outside this policy allocation, the provision of high rise development is acceptable in principle. The design and scale is considered acceptable in comparison to the current and neighbouring concrete buildings, and new developments on Queensway and at Park Place and its addition in to the landscape would not harm the character and appearance of the area.

7.6 Amenity of Neighbouring Properties

- 7.6.1 In assessing the impact of the proposal on the amenity of neighbouring properties, the nearest residential properties are located west to south west at Brickdale House and the Skyline development. These buildings are sited some 40m from the nearest corner of the site. This is considered sufficiently distant that the proposal would not adversely impact the occupiers of these flats. The orientation of the buildings and sun path are such that the development would not cause overshadowing or a reduction in light.
- 7.6.2 Due south of the site is the IBIS hotel which occupies the six floors above ground floor level with a variety of retail units and the hotel reception at ground floor level. The northerly facing elevation of the IBIS is approximately 15m from the front elevation of the proposed development. The Council's separation distances as stated in the Stevenage Design Guide are set out for back to back and back to side development, between both new and existing development and entirely new development. The situation here is quite different from a normal dwelling to dwelling relationship, as the facing IBIS building is a hotel and not a permanent residential unit. Additionally, the proposed southerly facing elevation is technically the front elevation which is not covered by the Design Guide.
- 7.6.3 Notwithstanding the above, in this case, the fact the nearby seven storey building is a hotel means that whilst people would be occupying the hotel rooms this would normally be for a temporary period and they would likely be spending a limited amount of time during the day, with a higher occupation rate at night,. Taking this into account and the fact this is a town centre location where the Council's aspirations are to create high rise living, a 15m distance is considered acceptable in this instance.
- 7.6.4 One objection raised by a resident in the Skyline development was the possible use of the commercial element for noise sensitive uses such as bars and clubs during night time hours. The application form submitted clearly states a retained A1 retail use and this could be conditioned. However, it is of note that as of 1st September 2020 it is the Government's plan to merge use class groups and this would place retail in the same Use Class E as existing A3 Restaurants. However, drinking establishments (previously Use Class A4) would now be classed as "Sui Generis" so such proposals would always require planning permission from the Council. Given the site is located in the town centre and it is the drive of the town centre regeneration to diversify the uses within the town and create areas which function after normal retail hours, such uses should not automatically be restricted. Whilst matters pertaining to noise and smells should be appropriate in respect of proximity to noise sensitive uses, these would be considered separately under the Environmental Health legislation.

7.7 Amenity of Future Occupiers

- 7.7.1 The adopted local plan outlines prescribed space standards for new dwellings, which are nationally prescribed standards, as set out in the Department for Communities and Local Government document 'Technical housing standards - nationally described space standards' 2015.
- 7.7.2 The minimum internal sizes of the proposed units have been annotated on the proposed floor plans. Each two bedroom unit would be 68 square metres, the one bedroom units would range from 39 to 50 square metres depending on their location within the building and the single studio unit would measure 33 square metres. The two bedroom units would be approximately 2 square metres under the required 70 square metres each. The one bedroom units would meet and exceed the standards, with the studio falling below by 4 square metres. The layout has already been amended following negotiations which have seen these sizes increase. Whilst they do not all meet the standards, the deficit is not considered sufficient to warrant a refusal in this case.
- 7.7.3 Room size standards for bedrooms are also considered in the technical standards, determining how many persons the unit can accommodate and also in terms of acceptable living environments. These standards state that a double bedroom should be 11.5 square metres minimum with a minimum width of 2.75m and that where a second (or more) bedroom(s) is proposed it should have a minimum of 7.5 square metres and width of 2.15m. A second double should be at least 2.55m wide with the same 11.5 square metres minimum floor space. The bedroom sizes as measured exceed the sizes stated above.
- 7.7.4 The Stevenage Design Guide recommends that where possible external amenity space should be provided. The proposal includes a podium area above the ground floor creating two external communal garden areas for residents. Concern was raised that because of the building's orientation and height that a lack of sunlight may restrict the use of the areas. An amended landscaping plan has been submitted showing a more acceptable proposal for these areas. The total area would measure 466 square metres. The Council's guidance suggests 10 square metres per unit which would be 250 square metres, with the proposal clearly exceeding this. In addition some units have terraces or balconies and given the town centre location there are large areas of public open space in close proximity such as King George Playing Fields and the Town Centre Gardens.. The external amenity space provision is therefore considered acceptable.
- 7.7.5 The Council's separation distances for back to back relationships between new developments are slightly lower than where existing properties have to be considered. The proposed two block layout would be policy compliant and would provide an acceptable level of privacy and outlook for the future occupiers of these properties.
- 7.7.6 The application has been supported by an Internal Daylight Analysis Report to consider the orientation of the buildings, their height and likely impact on daylight levels for the proposed flats in particular those on the northern elevations of the two blocks, but also those within the 'internal' elevations of the two blocks and mainly at the lower level. The report was undertaken in line with the British Research Establishments guidance "Site layout planning for daylight and sunlight: A guide to good practice" Second Edition (2011) and other relevant British Standards.

- 7.7.7 The report takes into consideration the Average Daylight Factor (ADF) in kitchens, living/dining rooms and bedrooms (habitable rooms only). The results conclude that 87.6% of the rooms meet or exceed the BRE recommendation which is considered a high rate given the size of the development. The report includes measures to be undertaken internally to increase light perception including light walls, ceiling and floor coverings. Furthermore, the removal of balconies on these elevations has assisted this high percentage, removing an otherwise additional obstruction to openings at the below floor. The level of daylight to be enjoyed throughout the development is therefore considered acceptable.
- 7.7.8 Given the location of the proposed residential units in the town centre there will be likely noise nuisance as a consequence of the neighbouring uses. In particular the northern elevation of the northern block overlooks the existing service yard serving the Forum shops, former Staples store and Tesco to the west. The application has been accompanied with a Noise Impact Assessment which has been assessed by the Council's Environmental Health Officers. The impact of the noise associated with the service yard and in particular Tesco deliveries and home delivery service, there is a likelihood that noise levels during night time hours could be unacceptable.
- 7.7.9 The NIA advises on mitigation measures that can be implemented to reduce the overall impact and provide an acceptable living standard for proposed occupiers of the development. These include acoustic screening to all plant and machinery, including those close to the boundary with the site, high level glazing and mechanical ventilation. The EH officer has recommended conditions be imposed to ensure the mitigation measures are adhered to provide an acceptable noise level.

7.8 Landscaping

- 7.8.1 The proposed landscaping plan shows an amended arrangement to the external amenity spaces to include areas of hard landscaping, seating and arboricultural features. Raised beds are to be planted with a good variety of plants that would work well with the setting given its location between the northern and southern blocks, creating a more useable space.

7.9 Highways and Parking

- 7.9.1 The local highways authority have undertaken extensive negotiations with the applicant and their consultants to reach an acceptable proposal in terms of access arrangements, deliveries, turning points and parking provision, including cycles.
- 7.9.2 No changes are proposed to the vehicular access from Fairlands Way, which is provided via ramp and shared with nearby uses. There is a private service yard/road that would be used to service the building. The highway network that surrounds the development carries a significant amount of traffic, particularly in peak periods. Site observations and traffic data submitted within the Transport Statement (TS) reveals that neither the AM nor PM travelling peak periods would be significantly constrained by the proposal. The data within the TS reveal that the traffic generated by the new development would not have a significant impact on the town centre or adjacent highway network.
- 7.9.3 It would be expected that occupiers of the units would use online shopping and thus a swept path analysis has been prepared to test the service access road and to demonstrate that the provision of two home delivery bays can be appropriately accessed and used.
- 7.9.4 Provision has been made for on-site bin-refuse stores within 30m of each unit and within 25m of the bin collection point. The access yard can accommodate manoeuvring space for waste collection vehicles and the proposed residential units meet the requirements for waste storage and collection contained in the Manual for Streets.

- 7.9.5 The site is located within the town centre and is fully served by public transport. The nearest bus stop is located approximately 100m towards the north of the proposed development, with the newly approved bus interchange approximately 300m south west. Stevenage railway station is further west and approximately 500m away with direct links to London and Cambridge. The site is therefore considered to be in a highly sustainable location.
- 7.9.6 The proposal includes 15no. car parking spaces, 6no. motorcycle parking spaces, 2no. delivery vehicle bays and 274 normal cycle spaces (137 double stacked), 4 smaller spots (for e.g. e-scooters) and 6 larger non-standard cycle spaces (for e.g. trikes, cargo bikes, recumbents).
- 7.9.7 The Council's current adopted parking standards require 1 space per one bedroom dwelling and 1.5 spaces per two bedroom dwelling. Visitor spaces are calculated at 0.5 spaces per dwelling proposed. On this basis the proposal would equate to 435 parking spaces. However, in addition to these requirements the standards have residential zoning areas depending on the sustainability of the location. The application site is located in Zone 1 which can allow for a 25-50% reduction in standards. This would see a total of between 109 and 218 spaces.
- 7.9.8 Furthermore, paragraphs 2.22 and 2.23 look specifically at town centre locations and advise that 'Car free developments will only be permitted in those locations that have high accessibility by non-car modes and are within easy walking distance of shops and services'. Additionally, the document encourages shared use of public parking facilities to maximise housing density and minimise land occupied by parking. Given the town centre and sustainable location there is an argument for the significantly reduced parking provision. Furthermore, an increase in parking would significantly alter, to its detriment, the design and quality of the proposal.
- 7.9.9 Consideration must also be given to the Council's draft parking standards document (2020) which is due for adoption shortly. This document has been altered from the 2012 adopted standards to suggest car free developments in the town centre Zone 1. On balance therefore, it is considered the proposed parking provision is acceptable in this case. It is proposed to impose a condition relating to Electric Vehicle charging points be provided at all 15 spaces with a minimum of fast charging being available.
- 7.9.10 Objections have been raised about the lack of parking and the impact on neighbouring roads. Given the sustainable location of the site access to non-car modes of transport are more readily available. The application has been supported by a Travel Plan which has been assessed and agreed with Herts County Council Highways and will be monitored by the same. Furthermore, through the S106 agreement there will be a restriction on occupiers of the residential units being able to apply for parking permits for nearby roads. This will then be a restriction on the sale of any unit to make future owners aware. As part of the TP and monitoring fee the local highway authority have requested a sustainable voucher scheme of £50 per flat and discounted car club access to discourage car ownership.
- 7.9.11 Looking then at cycle parking provision, the scheme has been amended following the comments raised by the Traffic and Enforcement Parking Manager and HCC Highways to include non-standard spaces, a greater number of spaces, separate retail spaces, and access to the parking area and rear service yard. The provision of 274 standard spaces and 10 non-standard spaces exceeds the current standards and is considered acceptable. Full details of the type of fixtures will be required through imposition of a condition.

7.10 Waste

- 7.10.1 The proposed site plan shows the provision of bin storage areas for both the commercial use and residential flats. The commercial bins would be accessed via a service entrance off the rear of the building on the western side of the rear elevation. The residential bins would be accessed off the eastern end of the elevation with a separate lift available for access to the

lower service yard. The applicant proposes to have the bin collections privately managed as part of the management company for the development. The Council's Waste team have been consulted and they did raise concerns about collections as proposed as they would not accord with current Council collection standards. The use of private collections is considered acceptable for a flatted development as this can be managed by the proposed management company for the flats. Furthermore, it is considered reasonable to condition further details of a waste management strategy to ensure this would happen effectively.

- 7.10.2 The proposed works would see the partial demolition of the existing building prior to construction works. It has been requested by HCC Minerals and Waste team that a Site Waste Management Plan be submitted and approved prior to decision or imposed as a condition to ensure materials created from the demolition are appropriately removed and where possible reused as part of the scheme.

7.11 Drainage

- 7.11.1 The application site is located within Flood Zone 1 within the Environment Agency's flood risk map. Flood Zone 1 is defined as land having a 0.1% chance of flooding from seas or rivers which is typically less than 1 in 1000 annual probability of flooding. Therefore, all developments are generally directed to Flood Zone 1.

- 7.11.2 The site is located near an Environment Agency defined groundwater Source Protection Zone (SPZ) corresponding to Broomin Green Pumping Station. This is a public water supply, comprising a number of chalk extraction boreholes, operated by Affinity Water. Objections have been raised by Affinity Water because of the possible impact on this water supply. However, they have suggested a number of conditions that could be imposed to overcome their concerns. It is considered reasonable to impose conditions to sufficiently deal with the concerns of Affinity Water.

- 7.11.3 The Lead Local Flood Authority have assessed the application and following an initial holding objection have recommended the imposition of conditions following extensive negotiations.

7.12 Climate Change

- 7.12.1 Policy SP11 of the adopted Local Plan specifies the Council's position on climate change and energy conservation. Much of this can be addressed through building techniques and the materials proposed. However, it is recommended that a condition be imposed to any grant of permission to secure this.

7.13 Other Matters

Community Infrastructure Levy

- 7.13.1 The Council adopted the Community Infrastructure Levy (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 ²	£100/m ²
Sheltered housing	£100/m ²	
Extra care housing	£40/m ²	
Retail development	£60/m ²	
All other development	£0/m ²	

7.13.2 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.

7.13.3 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. Following an assessment of the proposed development, the CIL liability for this development would be an estimated £739,000 (GIA x £40)(taken from Aspinal Verdi's Viability Assessment). The CIL charge for the development will be index linked based on when the development is commenced on-site.

7.13.4 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;
- Libraries
- Potential sustainable transport measures identified in the Local Plan.

7.13.5 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.

Police Crime Prevention

7.13.6 The Crime Prevention Officer has made comment that the scheme has not confirmed it will completed following 'Secured by Design' standards, but they are not in a position to object on this basis. Whilst the applicant will be urged to fully consider these standards, such matters can be dealt with under Building Regulations, and this wouldn't be a reason to refuse the application.

8 CONCLUSIONS

- 8.1 It is considered that the redevelopment of the former BHS site is acceptable. The windfall site would see the retention of a retail use with proposed residential in accordance with Policy HO5. The viability of the scheme has been robustly assessed by an independent consultant on the Council's behalf and an acceptable contribution towards primary education as requested by HCC and a reduced level of 13.6% affordable housing is considered an acceptable level in light of the viability conclusions. The design and layout of the proposed development, including bin storage and landscaping, is acceptable. Access and parking arrangements are considered acceptable given the sustainability of the site, and the level and type of cycle parking exceeds the Council's current standards. Other matters including drainage are acceptable and where applicable can be appropriately controlled through imposition of conditions.

9 RECOMMENDATION

- 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 Affordable Housing;
- Primary Education;
- Travel Plan Monitoring;
- Water Sprinkler System
- Parking Permit Restrictions

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: 2773 100 Rev M; 2773 500 Rev L; 2773 600 Rev L; 2773 601 Rev L; 2773 602 Rev L; 2773 603 Rev L; 2773 604 Rev L; 2773 700 Rev L; 2773 701 Rev L; 2773 702 Rev L; 2773 703 Rev L; 2773 704 Rev L; 2773 705 Rev L; 2773 800 Rev L; TFR 01.
REASON:- For the avoidance of doubt and in the interests of proper planning.
2. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON:- To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).
3. No development shall take place above the existing ground floor ceiling level until samples of the materials to be used in the construction of the external surfaces of the buildings 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.
REASON:- To ensure the development has an acceptable appearance and to protect the visual amenities of the area.
4. The first floor external communal platform areas shall be completed in accordance with the landscaping details as approved on Drawing No.TFR 01 and provided for use prior to first occupation or completion of the development, whichever is the sooner.
REASON:- To ensure the development provides a high quality external amenity area for future residents.

- 5 Any trees or plants comprised within the scheme of landscaping, which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless otherwise agreed in writing by the Local Planning Authority.
REASON:- To ensure the development provides a high quality external amenity area for future residents.
- 6 Prior to first occupation of the development hereby permitted, the proposed parking and turning areas as shown on Drawing No. 19030.ATR.02 Proposed Home Delivery Bays swept path analysis shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
REASON:- To ensure construction of a satisfactory development and to ensure the approved level of parking is provided.
- 7 Prior to first occupation of the development hereby permitted, the details of the siting, type and specification (minimum fast charging) of the EVCPs for every parking space, the energy sources and the strategy/management plan for supply and maintenance of the EVCPs shall be submitted to and approved in writing by the Local Planning Authority. All EVCPs shall be installed in accordance with the approved details prior to occupation of each of the units and permanently maintained and retained.
REASON:- To ensure construction of a satisfactory development and to promote sustainable development.
- 8 Prior to the first occupation of the development hereby permitted, a scheme for the parking of cycles including details of the design, level and siting of the proposed parking in accordance with Drawing No. 2773 600 Rev L, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented before the development is first occupied or brought into use and thereafter retained for this purpose.
REASON:- To ensure the provision of adequate cycle parking that meets the needs of occupiers of the proposed development and in the interests of encouraging the use of sustainable modes of transport.
- 9 No part of the development shall be occupied prior to the implementation of the approved Proposed Residential Led Development at Former BHS store Stevenage Travel Plan May 2020 (Revision 3). Those parts of the approved Travel Plan that are identified therein as being capable of implementation after occupation shall be implemented in accordance with the timetable contained therein and shall continue to be implemented as long as any part of the development is occupied.
REASON:- To ensure that sustainable travel options associated with the development are promoted and maximised.
- 10 No development shall commence until a Construction Management Plan (or Construction Method Statement) has been 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 Plan. The Construction Management Plan / Statement shall include details of:
- (i) Details of demolition and construction phasing programme;
 - (ii) Access arrangements to the site;
 - (iii) Traffic management requirements;
 - (iv) Post construction restoration / reinstatement of the working areas and temporary access to the public highway;

- (v) Where works cannot be contained wholly within the site, a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road / footpath width for vehicle / pedestrian movement.
- (vi) Hours of operations including times of deliveries and removal of waste which should avoid school pick up/drop off times;
- (vii) 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.
- (viii) 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;
- (ix) Access and protection arrangements around the site for pedestrians, cyclists and other road users;
- (x) Details of the provisions for temporary car parking during construction which shall be provided prior to the commencement of construction activities;
- (xi) The location of construction traffic routes to and from the site, details of their signing, monitoring and enforcement measures;
- (xii) Screening and hoarding;
- (xiii) End of day tidying procedures;
- (xiv) Construction and storage compounds (including areas designated for car parking);
- (xv) Siting and details of wheel washing facilities;
- (xvi) Cleaning of site entrances, site tracks and the adjacent public highway;
- (xvii) Control measures to manage noise and dust;
- (xviii) Disposal of surplus materials;
- (xix) Post construction restoration/reinstatement of the working areas and access to the public highway.
- (xx) Details of the access and highways works to accommodate construction traffic.
- (xxi) Details of consultation and complaint management with local businesses and neighbours.
- (xxii) Mechanisms to deal with environmental impacts such as noise and vibration, air quality and dust, light and odour;
- (xxiii) Details of any proposed piling operations, including justification for the proposed piling strategy, a vibration impact assessment and proposed control and mitigation measures;
- (xxiv) 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:- In order to protect highway safety and the amenity of other users of the public highway and rights of way.

- 11 Prior to first occupation of the development hereby permitted, details of the means for securing motorcycles in the ground floor car park (such as rails, hoops or posts) shall be submitted to and approved in writing by the Local planning Authority.

REASON:- To ensure the provision of secure motorcycle spaces.

- 12 No part of the development hereby permitted shall be occupied until signs have been erected within the Site to advise users to not cross the service yard and advise of the alternative route around The Forum.

REASON:- To ensure safe pedestrian movement within the ground floor of the development.

- 13 No development, including site clearance or demolition works, shall take place until a scheme for protecting the proposed dwellings from noise from transport and adjacent commercial noise sources has been submitted to and approved in writing by the local planning authority. The

scheme shall follow the recommendations identified in the Syntegra Noise Impact Assessment report (Ref:19-5771 Rev.A) dated February 2020. 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 hereby approved

- 14 Prior to any hereby permitted commercial use commencing, a scheme shall be submitted for approval to the Local Planning Authority to demonstrate that the rating level of sound emitted from any external fixed plant and/or machinery associated with the development shall not exceed the typical background sound level at any sound sensitive premises. All measurements shall be made in accordance with BS4142:2014 (as amended).

REASON:- To protect the amenity of future occupiers of the development hereby approved

- 15 No development, including site clearance or demolition works, shall commence until a methodology for the screening or enclosure of plant and machinery to be used during the construction period shall be submitted to and approved by the Local Planning authority before works are commenced. The siting of plant and machinery shall be away from noise sensitive areas wherever possible. Vehicles and machines in intermittent use shall be shut down in the intervening periods between works.

REASON:- In order to protect the amenities and operations of neighbouring properties.

- 16 Prior to the first occupation/use of the dwellings and 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.

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

- 17 Prior to commencement of works above slab level, details of any external lighting, including the intensity of illumination and predicted light contours, shall be submitted to and approved in writing by the Local Planning Authority. 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.

- 18 All construction works and the operation of the proposed development site shall be done in accordance with the relevant British Standards and Best Management Practices.

REASON:- To ensure the development significantly reduces the risk of groundwater pollution.

- 19 Any works involving excavations below the chalk groundwater table (for example piling or the implementation of a geothermal open/closed loop system) shall be avoided. If these are necessary, no such works shall take place until a Ground Investigation Report has first been submitted to and approved in writing by the Local Planning Authority. The details shall include how the works shall identify appropriate techniques and strategies to avoid displacing any shallow contamination to a greater depth and to prevent the generation of turbidity which could impact the chalk aquifer. Mitigation measures should be included. The ground investigation shall thereafter take place in accordance with the approved details.

REASON:- To ensure the development significantly reduces the risk of groundwater pollution.

- 20 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 21, 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 22.

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.

- 21 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.

- 22 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.

- 23 The development permitted by this planning permission shall be carried out in accordance with the approved surface water drainage assessment carried out by Syntegra Group Ltd, reference 19-5771, dated November 2019, the Indicative Drainage Strategy prepared by Syntegra Group, drawing number 6001 Revision B, dated June 2020 and the following mitigation measures detailed within the FRA:

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 5.28 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 224 cubic metres (or such storage volume agreed with the LLFA_ of total storage volume in permeable paved area.

3. Discharge of surface water from the site network into the private surface water sewer and subsequent 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.

REASON:- To prevent flooding by ensuring the satisfactory disposal and storage of surface water from the site, and to reduce the risk of flooding to the proposed development and future occupants.

- 24 No development shall take place until a detailed surface water drainage scheme for the site based on the approved drainage strategy and sustainable drainage principle, 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 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. 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.
 2. Final detailed network calculations including half drain down times for all storm events up to and including the 1 in 100 year + 40% climate change storm.
 3. Indication of exceedance flood paths in the event of extreme storm events in excess of the 1 in 100 year + 40% climate change storm.
 4. Final detailed management plan to include arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its lifetime.
REASON:- To prevent the increased risk of flooding, both on and off site.
- 25 In accordance with conditions 24 and 25 the onsite drainage system shall incorporate an oil/water interceptor which shall act to prevent petrol/oil being discharged from the parking areas associated with the development into the surface and groundwater network.
REASON:- To prevent harm to human health and pollution of the water environment in accordance with Government policy set out in the National Planning Policy Framework.
- 26 No development above the existing ground floor ceiling level shall take place until details of measures to address adaptation to climate change and energy efficiency have been submitted to and approved in writing by the Local Planning Authority. These measures shall then be implemented and permanently maintained in accordance with the approved details.
REASON:- To ensure the development is adaptable to climate change through provision of energy and water efficiency measures.
- 27 Prior to first occupation or completion of the development, whichever is the sooner, details of the provision of a Peregrine Falcon box/shelter within the development shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Herts and Middlesex Wildlife Trust. The development shall thereafter be carried out in accordance with the approved details and shall be retained in perpetuity.
REASON:- In the interests of supporting local wildlife.
- 28 No development shall take place until a Waste Strategy Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan shall include details of how the refuse of the commercial and residential uses shall be collected and include appropriate resilience measures should the lift access fail to work.
REASON:- To ensure the private management of the waste collection is acceptable.

INFORMATIVES

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.

Highways -

Prior to commencement of the development the applicant is advised to contact 0300 1234 047 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, or videoing of the movements may be considered.

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/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047.

The developer should enter into a Section 106 Agreement removing the residents' ability to apply for or obtain a parking permit in the surrounding Stevenage residents only parking zones. £6,000 Travel Plan monitoring fee together with sustainable vouchers of £50 per flat and discounted car club access at both phases (not just phase 2) would need to be included in the S106 to lower and discourage car ownership.

The Council has acted Pro-Actively for the following reason:-

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.

BACKGROUND DOCUMENTS

1. The application file, forms, plans and supporting documents having the reference number relating to this item.
2. Stevenage Borough Local Plan 2011-2031.
3. Stevenage Borough Council Supplementary Planning Documents – Parking Provision adopted January 2012; Stevenage Design Guide 2009.
4. Hertfordshire County Council Local Transport Plan LTP4 2018-2031
5. Central Government advice contained in the National Planning Policy Framework February 2019 and the National Planning Practice Guidance 2014, as amended.
6. Responses to consultations with statutory undertakers referred to in this report.
7. Responses to third party consultations referred to in this report.