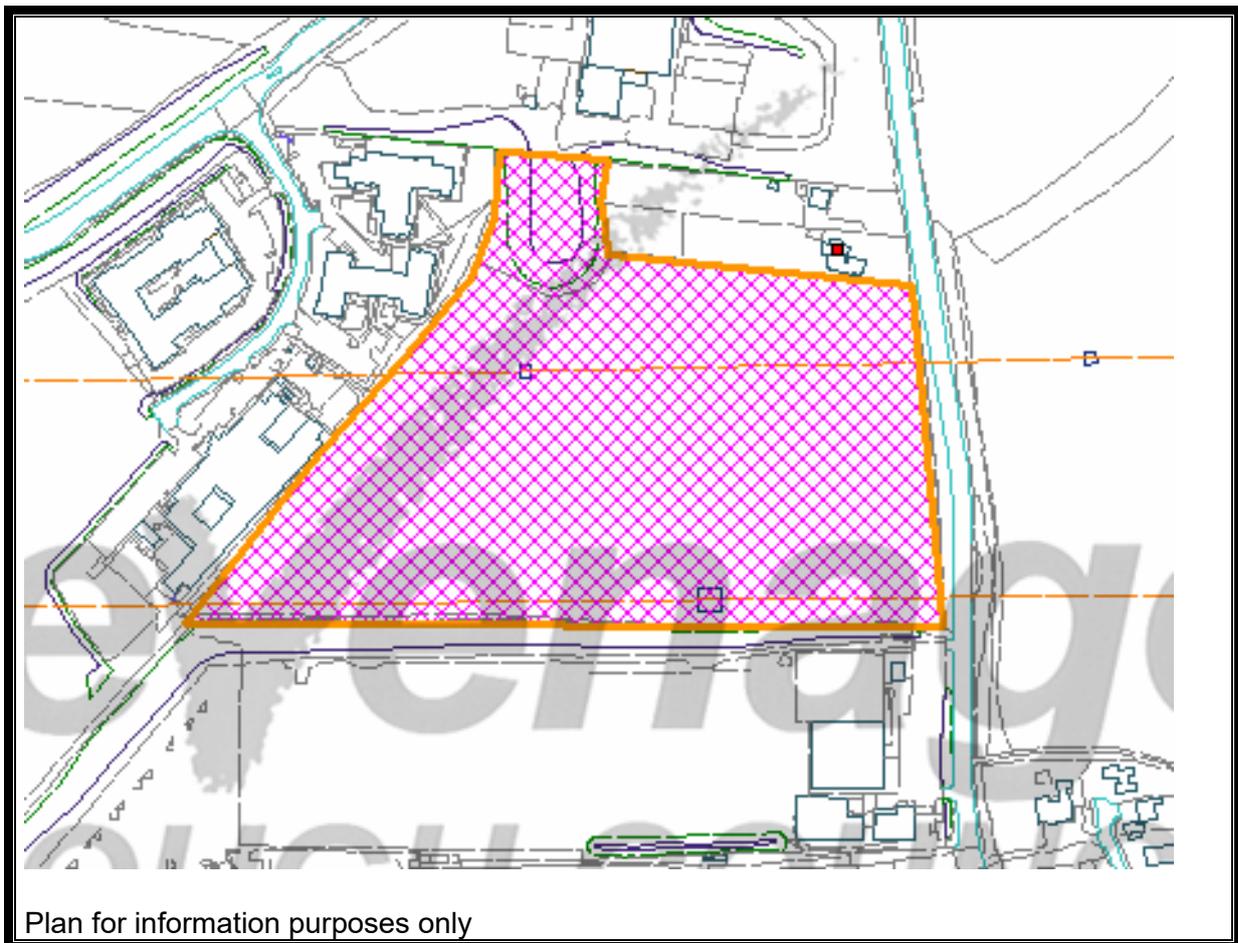


Meeting:	Planning and Development Committee	Agenda Item:
Date:	2 November 2021	
Author:	Rebecca Elliott	01438 242836
Lead Officer:	Zayd Al-Jawad	01438 242257
Contact Officer:	Rebecca Elliott	01438 242836

Application No:	21/00529/FPM
Location:	Land West of North Road, Stevenage.
Proposal:	Development for use classes E (g) (iii), B2, B8 and associated works to include servicing, access, landscaping, means of enclosure and associated works.
Drawing Nos.:	4594-CA-00-00-DR-A-00060; 4594-CA-00-00-DR-A-00001; 31536-RG-LD-DWG-01G GA-01-00; 31536-RG-LD-DWG-01G GA-01-01; 31536-RG-LD-DWG-01G GA-01-02; 31536-RG-LD-DWG-01G GA-01-03; 31536-RG-LD-DWG-01G GA-01-04; 20-024-EX-001 P6; 4594-CA-00-00-DR-A-00061_PL5; 4-CA-00-00-DR-A-00062_PL3; 4594-CA-00-00-DR-A-00063_PL2; 4594-CA-00-00-DR-A-00065_PL2; 4594-CA-00-00-DR-A-00066; 4594-CA-00-GF-DR-A-00106_PL2; 4594-CA-00-GF-DR-A-00116_PL2; 4594-CA-00-GL-DR-A-00101_PL2; 4594-CA-00-RL-DR-A-00100_PL2; 4594-CA-00-RL-DR-A-00105_PL2; 4594-CA-00-RL-DR-A-00115_PL2; 4594-CA-00-XX-DR-A-00200_PL2; 4594-CA-00-XX-DR-A-00205_PL2; 4594-CA-00-XX-DR-A-00215_PL2; 4594-CA-00-XX-DR-A-00350_PL3; 4594-CA-00-XX-DR-A-00352; 4594-CA-00-ZZ-DR-A-00102; 4594-CA-00-ZZ-DR-A-00107_PL2; 4594-CA-00-ZZ-DR-A-00117_PL2; 4594-CA-00-ZZ-DR-A-00150_PL2; 4594-CA-00-ZZ-DR-A-00151_PL2; 4594-CA-00-ZZ-DR-A-00155_PL2; 4594-CA-00-ZZ-DR-A-00156_PL2; 4594-CA-00-ZZ-DR-A-00166_PL2; 4594-CA-00-ZZ-DR-A-00165_PL2; 4594-CA-00-XX-DR-A-00351; 4594-CA-00-XX-DR-A-00300.
Applicant:	New Road Stevenage Investment LLP
Date Valid:	7 May 2021
Recommendation:	GRANT PLANNING PERMISSION.



1. SITE DESCRIPTION

- 1.1 The site is located on the western side of North Road, as the northern end of the Borough. The site is bounded to the south by Stevenage Rugby Club, to the east by North Road and beyond that the HO3 North Stevenage allocated housing site, to the north by Foxholm a residential property and Stevenage Garden Centre, and to the west by Cygnet Hospital and associated hospital buildings. Running along the south of the site is Bridleway 103 of the Hertfordshire Rights of Way linking North Road with Coreys Mill. The site has varying gradients across it ranging from 89.0 metres Above Ordnance Datum (mAOD) to 102.5m AOD, generally falling from east to west. Further constraints include overhead power lines and two pylons within the site and Ash Brook, which runs along the western boundary, being a Flood Zone 3 area by the brook.
- 1.2 The area is currently semi-rural in character, with the site being formed of an open field with landscaped screening along the eastern boundary fronting North Road and northern boundary separating the site from the residential neighbouring property Foxholm. North Road extending north from the roundabout junction at Chancellors Road is characterised by large residential dwellings and two/three storey hospital buildings and the Stevenage Sports and Rugby Club buildings. Frontages include green hedges, in particular along the eastern side of the road along the frontage of the HO3 site.

2. RELEVANT PLANNING HISTORY

- 2.1 The site has no historic planning records.

3. THE CURRENT APPLICATION

- 3.1 The application seeks planning permission for the redevelopment of and erection of 3no. Commercial warehouses for use classes E(g)(iii) (Industrial Processes), B2 (General Industrial) and B8 (Warehouse and Distribution) use with associated access, parking, landscaping, drainage, and acoustic enclosures. The warehousing would equate to a GEA (Gross External Area) of 19,125 sq.m.
- 3.2 The site would be accessed by a new access constructed in the north eastern corner of the site and as part of the new four arm junction approved in principle through the HO3 North of Stevenage planning application. A new footway would be provided along the western side of North Road and front of the site.
- 3.3 The application is being considered at Planning and Development Committee as it is a major application.

4. PUBLIC REPRESENTATIONS

- 4.1 The application has been publicised by neighbour letter, the placement of four site notices and an advert in the local paper. There have been 3 responses, 2 objecting, 1 supporting and 1 commenting.
- 4.2 Objections –
- Significant concern of the development having adverse impacts upon the use and enjoyment of Foxholm;
 - Commercial use of this size would be more suitably located in the Stevenage industrial area which has easier access to the motorway and would have no 24/7 operational restriction;
 - Located on a green field site between the hospital and a planned housing development makes no sense and adds more traffic and pollution;
 - North Road is already congested with an increased risk of accidents;
 - Higher volumes of HGVs and smaller distribution vehicles will increase risks to cyclists and pedestrians;
 - Notorious accident black spot between North Road and the Graveley Road which will make this junction even worse with turning HGV's.
- 4.3 Comment –
- The proposal is a sensible use of this parcel of land. Concerned as a regular user of Bridleway 103 that there is insufficient width for pedestrians, cyclists and horses to all use the bridleway. Furthermore, are horses expected to use the same surface as pedestrians and cyclists?
- 4.5 Please note the above is not a verbatim copy of the representations which have been received. A full copy of all representations which have been received regarding this application can be viewed on the Council's website.

5. CONSULTATIONS

5.1 Hertfordshire County Council as Highways Authority

5.1.1 Motorised Vehicle Access

- 5.1.1.1 The allocated employment site EC1/4 is located to the west of North Road and is opposite the allocated housing site (HO3, SBC Ref 17/00862/OPM) on the eastern side of North Road which has recently been approved at planning committee. Motorised vehicle access to the

Iceni promoted site will be via the western arm of a new signalised junction which will form the northern access to the site HO3 on the eastern side (BM1-OC-V1-DR-C-0034 Rev P02 associated with the HO3 application). The application in support of the HO3 site demonstrated that this junction will operate safely, will facilitate travel and will operate within capacity.

5.1.1.2 A swept path analysis (SPA) assessment has been undertaken by Iceni demonstrating that the appropriate vehicle can successfully navigate within the EC1/4 site. A similar SPA has also been undertaken for the access demonstrating that vehicles accessing the site do not interfere substantially with traffic on North Road.

5.1.1.3 Highways are satisfied with the proposed shared junction arrangement (subject to the provision of SPA for the access). It is also noted that in the event that the shared access does not come forward before the development of EC1/4 that the applicant is committed to delivering the shared site access and the footway/cycleway link on North Road.

5.1.2 Pedestrian / Cycle Access

5.1.2.1 Iceni on the drawing (05030 P8) and Landscape Masterplan (RG-LD-01-00 Rev G) indicate that the EC1/4 development will construct the 3.5m shared foot/cycle way shown as to 'be provided by future development' in the drawing (BM1-OC-V1-ZZ-DR-C-0034 Rev P02). Whilst a 5m wide cycle and footway is required to meet LTN 1/20 (Cycle Infrastructure Design) the reduction is considered acceptable in this case.

5.1.2.2 The shared foot/cycle way does not connect directly to significant pedestrian desire lines towards the existing North Road bus stops and Stevenage Town Centre. Whilst the development is well placed to avail of existing sustainable travel networks, a clear strategy as to its connection to it by foot and cycle must be presented to make the site compliant with the policies laid out in HCC's Local Transport Plan (LTP) 4.

5.1.2.3 PROW (Public Rights of Way) STEVENAGE 103 runs along the southern border of the proposal site and will be resurfaced to facilitate sustainable travel connections to the A602 Hitchin Road and the local superstore. Connections are made to the PROW via footpaths which front Unit B and the southwestern corner of the site. A 4m wide corridor with a 3m wide paved surface is only achievable as opposed to the 6m requested corridor and the reduced standard is accepted.

5.1.3 Public Transport

5.1.3.1 The nearest bus stops to the site are 200m north of the site on the North Road (serving northbound patronage) and there is also a bus stop 330m south of the site on North Road (serving southbound patronage) and both are served by the number 55 service. However, there is not a pedestrian connection to the closest northbound bus stop on the western side of North Road. A footway connection to the northbound bus stop just north of the site whilst desirable, is unlikely to be a standard and Iceni recommends use of the northbound bus stop south of the site. This bus stop is at least 560m walk from the centre of the site and will involve pedestrians crossing North Road twice to access the bus stop. In the interest of promoting sustainable travel in line with LTP4 this is unacceptable, and the footway must be extended to remove the need to cross the road twice.

5.1.4 Site Layout and Servicing

5.1.4.1 It has been demonstrated that the appropriate vehicle can manoeuvre within the site and Hertfordshire County Council (HCC) consider that the layout also allows for safe pedestrian movement. However, as indicated, it must be shown that vehicles accessing the site do not

interfere substantially with traffic on North Road and a Servicing and Delivery Plan needs to be agreed with HCC.

5.1.5 Construction

5.1.5.1 No details of a Construction Management Plan are presented and it must be produced to the Construction Logistics and Community Safety (CLOCs) and agreed with HCC Highways prior to commencement.

5.1.6 Car / Cycle Parking

5.1.6.1 Car parking will be provided below the maximum permissible levels by the SBC parking standards SPD. Disabled car parking is also to be provided initially according to the SPD. It is also noted that subject to the use of the industrial units loading bays may be converted to additional car parking. HCC Highways are satisfied by the use of the standards and this approach.

5.1.6.2 Short and long term cycle parking shall be provided as per correspondence with SBC and the SPD. HCC Highways are satisfied with the provision. Furthermore, the spacing between cycle racks has been increased from 800mm to the required 1.2m. Therefore HCC Highways consider this provision appropriate.

5.1.7 Electric Vehicles (EV's)

5.1.7.1 The revised July 2021 TS proposes 48 active charging points or EV's. HCC Highways considers this revised provision for EV's acceptable.

5.1.8 Travel Plan

5.1.8.1 HCC's sustainable movement team consider the revised Framework Travel Plan (FTP) submitted by Icenl (July 2021) is broadly acceptable. However, it must contain the physical improvements to the pedestrian and bus user provision indicated above and it needs to make clear that an evaluation and support fee (secured by S106)(£6,000 index linked) requires to be made to HCC.

5.1.9 Trip Generation / mode Split / Traffic Impact

5.1.9.1 HCC Highways are satisfied as to the development traffic impact which demonstrated that the signalised access junction operated satisfactorily. In 2031 the practical reserve capacity (PRC) remaining is 1.5% during the AM peak and 4.1% during the PM peak considering development from the allocated sites HO3, EC1/4 and HO1/11. Where North Road North (southbound) is the busiest arm with a Degree of Saturation (DoS) of 88.7%, correspondingly the busiest approach in the PM peak is North Road South (northbound) with a DoS of 86.5%.

5.1.10 Contributions

5.1.10.1 Based on the recently adopted developer's contribution guidance HCC would expect based on a business park use a developer contribution of £372,626 and based on an industrial units use HCC calculates £202,138. HCC Highways therefore, would seek a CIL contribution of £281,000 which would be allocated to projects within HCC's emerging North Central Growth and Transport Plan and improvements to public transport and as per the latest guidance which would be index linked to January 2019.

5.2 Hertfordshire County Council Lead Local Flood Authority

- 5.2.1 We have reviewed the Site Specific Flood Risk Assessment prepared by Sweco Consulting Engineers Ltd reference 66202061-SWE-ZZ-XX-RP-C-0001 Revision 3, dated 28 July 2021 and letter prepared by Sweco Consulting Engineers Ltd reference 66202061-SWE-ZZ_XX-CO-C-0001-P03 dated 28 July 2021. We understand it is proposed to provide attenuation and discharge via infiltration through infiltration basins, several geocellular tanks and through permeable paving subbase. No discharge is proposed to the ordinary watercourse Ash Brook on the west of the site. A minimum attenuation volume of 2914.80 m³ is required to manage up to and including the 1 in 100 year + 40% climate change storm.
- 5.2.2 We are very pleased with many of the updates to the strategy included in the latest submission, such as roadside swales and filter drains for the access road, as well as inclusion of a large rain garden area and other small rain gardens across the site.
- 5.2.3 We would advise the LPA that a surface water pipe appears to be proposed under Warehouse B. We would consider this unacceptable in principle; therefore this should be clarified/relocated by way of condition. Therefore, we recommend conditions to secure the principles of the design.

5.3 Environment Agency

- 5.3.1 The submitted modelling has demonstrated that the proposed buildings are situated outside the 1 in 100 year climate change event, therefore, we are now in a position to remove our previous objection.

5.4 Highways England

- 5.4.1 Holding Direction in place until 19 November 2021.

5.5 Environmental Health

5.5.1 Construction Phase

- 5.5.1.1 Construction activities by their nature can be noisy and intrusive for neighbouring occupiers, particularly in terms of noise, vibration and air quality (dust). Noise and vibration can arise from piling operations, groundworks and excavation and plant and machinery and their associated activities. Early morning deliveries can also give rise to disturbance if not properly controlled and managed. Dust from site operations can also be an issue, particularly during periods of sustained dry weather. Public Protection expect developers to control the impact from the construction phase of their development by implementing suitable mitigation measures and following best practices in accordance with BS5228:2009 Part 1 (Noise) and Part 2 (Vibration), where appropriate, Environmental Health also seeks to ensure that the environmental impacts of construction works are suitably controlled through their powers under Part III of the Environmental Protection Act 1990 (Statutory Nuisances) and Section 60 of the Control of Pollution Act 1974. Due to the proximity of existing occupied premises (Cygnet Hospital and Foxholm House), a Construction Management Plan Condition is recommended.

5.5.2 Noise

- 5.5.2.1 There are various noise sources associated with the proposed development which may impact nearby residents. These include the warehouses (potentially in use 24 hours), associated servicing and delivery bays, plant noise, substation and traffic noise. I have reviewed the submitted "Noise Impact Assessment, North Road, Stevenage", Report reference 66202764-SWE-ZZ-XX-RP-YA-0001 Revision C02 dated 3 August 2021 by Sweco. Appropriate Design Criteria have been selected and noise monitoring undertaken. Noise modelling has been used to determine noise levels across site.

5.5.2.3 Noise mitigation measures were found to be required. Specifically, extensive noise barriers :- to the Western boundary, 5 metre high adjacent to Cygnet Hospital, 4 metre high adjacent to Victoria Court and 2.5 metre high adjacent to Elizabeth Court; to the North west boundary, a 4.5 metre high barrier adjacent to Foxholm. The location of the proposed fences is detailed in Figure 3; the precise Technical details, including the sound insulation value of the proposed absorptive timber panels of the acoustic fence have not been provided in the submitted Drawings. A condition is advised. Plant noise was also considered. Apart from the substation details of proposed plant are not known at this time.

5.5.3 Light Nuisance

5.5.3.1 Light can cause nuisance, especially given the development is to be used 24 hours a day. It is advised a condition be imposed approving details.

5.5.4 Land Contamination

5.5.4.1 I have reviewed the Tier 2 Geo-environmental Assessment. Appropriate intrusive testing has been undertaken. The majority of the site does not pose a contamination risk. The earth mound in the North West of the site was found to contain rubble, builders waste etc. Due to its size it was not possible to fully investigate the mound at this time. Section 14 of the Report covers Remediation. It is proposed to reuse the material on site, subject to further testing. Section 15.5 suggests further investigation; I include a Recommendation detail in respect of undiscovered contamination.

5.5.5 Air Quality

5.5.5.1 I have reviewed the air quality assessment. The construction phase is determined to have negligible impact; dust issues will be controlled by the construction management plan. During the operational phase, the impact on air quality is deemed to be negligible; this takes into the Travel Plan and Section 6.2 of the assessment where 20% of parking spaces (54 in total) will have access to an active EV charging point.

5.6 Hertfordshire and Middlesex Wildlife Trust

5.6.1 I have checked the metric and the report and I am largely satisfied with most of it. There are two main areas of contention, onsite habitat creation unit score and cost of offset.

1. The submitted Biodiversity metric tab Onsite habitat creation lines 18-21 claim that the created other neutral grassland will achieve a good condition. The SBC Biodiversity and development SPD makes it clear in Appendix 4 Table 2 that newly created grassland can only achieve moderate condition. When this is adjusted, the table generates a shortfall of 3.3 habitat units. I have attached the adjusted Biodiversity metric. I had some difficulty adjusting the original so copied onto a new spreadsheet which was more manageable.
2. The most valuable habitat to be lost is scrub/ruderal vegetation. It is therefore appropriate to create scrub as the offset habitat. When this is entered into the Stevenage Financial Cost Calculator this generates a cost of £20,853, based on creating 4.3 habitat units of scrub on 0.46ha of amenity grassland. The figures for habitat creation and maintenance contained in the SBC Biodiversity and Development SPD are average habitat creation figures at the time of production of the SPD and subject to update, so are indicative only. The cost of all offsets cannot be given and depends on a number of factors, most significantly size of offset. The bigger the offset the cheaper it is. A more precise breakdown of costs is given below based on 2021 quotes for habitat creation and maintenance.

5.7 Cadent Gas / National Grid

- 5.7.1 No objections to the proposal which is in close proximity to a High Voltage Transmission Overhead line.

5.8 Hertfordshire County Council Fire and Rescue

- 5.8.1 This application will require the installation of fire hydrants, at no cost to HCC. This is to ensure water supplies are available at all times in the event of fire. Currently there are no hydrants on the site, or that would cover the whole site sufficiently.

5.9 Police Crime Prevention Officer

- 5.9.1 No concerns with the proposed layout. It has been discussed that the development meet the Police preferred minimum security standard that is Secured by Design and I would encourage the applicant to seek clarification from the PCPO about how to achieve this. The PCPO service has no concerns and so support this application.

5.10 North Herts District Council

- 5.10.1 NHDC raises no objections in principle to the proposed development. We would request that you consider the cumulative impact on traffic and highway safety on North Road and the surrounding road network of the current application when considered in conjunction with the nearby potential housing sites. Please also consider impact of noise from the proposed industrial and storage or distribution uses on future residents of these potential housing sites. Also, Bridleway 103 runs along the southern boundary of this application site. This Bridleway should be retained and will need sensitive/integration, to retain its viable use.

5.11 Stevenage Borough Council Business Relationship Manager

- 5.11.1 Thank you for consulting the Business Relationship Manager with regard to the above planning application. I am fully supportive of the application which meets a number of key Economic Growth aims for Stevenage.
- 5.11.2 The development will unlock an existing employment site allocated under the Local Plan and therefore go towards safeguarding existing employment space. It will also provide new employment space to support and encourage further investment and growth into Stevenage. The site has been available for development for a few years and it would be good to see the site being built out to support growth and investment opportunities. It also complements existing employment space in the well-established Gunnels Wood Employment area in Stevenage for existing businesses aiming to support growth plans.
- 5.11.3 It will also support additional industrial employment space which is currently in short supply in Stevenage and Hertfordshire and go towards increasing productivity levels and growth of the wider economy. The Advanced Manufacturing and Engineering sector and the life Sciences sector, coupled with Research and Development activities are essential components of the local enterprise and innovation economy, with a number of knowledge based global companies and their supply chain based in Stevenage. The development will allow for additional space and opportunities in the area and build a strong, responsive and competitive economy for Stevenage, ensuring there is suitable land to support growth and innovation.
- 5.11.4 The development will support Stevenage's dynamic knowledge economy, by continuing to creating an environment that encourages innovation and growth. Stevenage is a global leader in Aerospace and Defence and Biopharmaceutical Research and Development and part of the Golden Triangle for life sciences, with key linkages to London, Cambridge and Oxford and together with additional employment space this would be a catalyst to enable further opportunities in these sectors.

- 5.11.5 The development will also boost the local economy and support post Covid recovery by ensuring there is a supply of employment space to furnish inward investment enquiries. It will also go towards supporting business retention and growth of local businesses. Future investment at the site will support existing businesses in the town to increase their supply chain activities by providing services and products to potential investors to the site, to ensure sustainability and survival of their business.
- 5.11.6 The development will increase the number of opportunities for local people to enter the labour market, supporting the growth of the areas current skills base, including opportunities to develop current and future STEM skills needs, ensuring Stevenage supports a highly skilled workforce. The development will also create a number of indirect employment opportunities through construction at the site, securing future employment opportunities for the town and creating a diverse array of jobs for a future workforce. It will also provide a sustainable location in supporting local people with jobs locally and reduce the levels of net commuting and meet the jobs needs for people who move to the town as a result of the regeneration and future development planned for the area.
- 5.11.7 It will support Stevenage's ambitions in becoming an even better place to live, work and play, as well as attracting further investment. It will also continue to promote Stevenage as a business destination and raise its profile nationally and on a global arena. The development supports the interconnectedness of Stevenage and will assist Stevenage to make the most of its connectivity to London, Cambridge and Oxford, as well as playing to its sector strengths to leverage further investment into the area.

5.12 Stevenage Borough Council Parks and Amenities

- 5.12.1 Provision of the biodiversity offset can be provided along the Sound Barrier increasing Fishers Green Wood.

5.13 Stevenage Borough Council Planning Policy

- 5.13.1 This application is in line with Policy EC1 in the Local Plan and as such, we have no further comments on this application. Obviously, it should also meet the requirements of the other policies in the Local Plan and also the SPD's that are adopted and support policies in the Local Plan.

5.14 Stevenage Borough Council Highways / Engineering

- 5.14.1 From the site plans for the proposed industrial/warehousing development, I assume its service road will be outside of the general public benefit for HCC to adopt as public asset. Therefore there are indications that the developer is prepared to introduce and agree a set of mitigating measures with HCC DM section for accessing the site via the adopted highway of North Road. Therefore, there are any major pertaining 'highway' matters for SBC to consider (apart from relevant CIL contributions).

5.15 Thames Water

- 5.15.1 With regard to foul water sewage network infrastructure capacity, Thames Water would not have any objection based on the information provided. With regard to surface water drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection.

5.16 Affinity Water

- 5.16.1 No comments received.

5.17 Anglian Water

5.17.1 No comments received.

5.18 HCC Minerals and Waste

5.18.1 Please see my letter which includes standard wording re waste management and the need to prepare a SWMP. I've had a look at the site and can see that it is allocated in your Local Plan for employment uses.

5.18.2 I note that the area directly to the north of the site was put forward to the Waste Planning Authority in response to the Call for Sites exercise we carried out a few years ago for our emerging Waste Local Plan. The site submission was called 'Retail Site, North Stevenage' and was submitted to us by Stevenage Borough Council. The site was submitted as a potential relocation option for the Stevenage Recycling Centre on Gunnels Wood Road.

5.18.3 We decided not to take forward any sites into our emerging Waste Local Plan and I am also aware that there are now potentially plans to expand the Recycling Centre on Gunnels Wood Road and leave it where it is as oppose to relocating it.

5.19 SBC Arboricultural Manager

5.20.1 I've looked into this application and can confirm that I have no objection, in principle from an arboriculture view point. However, I have been unable to find details of the proposed tree planting as part of the landscaping team. Our policy states that such large developments should have a minimum of 30% canopy coverage at maturity. Therefore I would like to see how this is proposed to be achieved.

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 July 2021. This largely reordered the policy substance of the earlier 2012 and 2019 versions 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

The PPG contains guidance supplementing the NPPF and with which Members are fully familiar. The PPG is a material consideration to be taken into account together with the National Design Guide (2019) which has the same status as the PPG.

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

Policy SP1: Presumption in Favour of Sustainable Development;
Policy SP2: Sustainable Development in Stevenage;
Policy SP3: A Strong, Competitive Economy;
Policy SP5: Infrastructure;
Policy SP6: Sustainable Transport;
Policy SP8: Good Design;
Policy SP11: Climate Change, Flooding and Pollution;
Policy SP12: Green Infrastructure and the natural environment
Policy EC1: Allocated Sites for Employment Development;
Policy IT1: Strategic Development Access Points;
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 GD1: High Quality Design;
Policy FP1: Climate Change;
Policy FP2: Flood Risk in Flood Zone 1;
Policy FP3: Flood Risk in Flood Zone 2 and 3;
Policy FP7: Pollution
Policy NH5: Trees and Woodland

6.5 Supplementary Planning Documents

Parking Provision and Sustainable Transport SPD (2020)
Developer Contributions SPD (March 2021)
Impact of Development on Biodiversity SPD (March 2021)

6.6 Community Infrastructure Levy (CIL)

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. As the proposal would fall within planning use class E – commercial, business and service use, which is the same use class as retail, this proposal would be CIL liable at £60/m². However, it is recognised that the building would not be in a retail use and therefore would be liable for CIL at £0m² as 'other development' under the CIL charging schedule. In order to exempt the applicant from paying the higher rate of CIL, the use of the building would need to be restricted in accordance with the respective employment uses sought under class E (g)(iii), B2 and B8 of the Town and County Planning (Use Classes) (Amendment) (England) Regulations 2020. This can be done by way of a planning condition, should planning permission be granted.

7. APPRAISAL

7.1 The main issues for consideration in the determination of this application are its acceptability in land use policy terms, CIL and S106, design, layout and impact on the character and

appearance of the area, impact on the amenity of neighbouring properties, impact on the highway network, access, parking, drainage and flooding, trees, landscaping and biodiversity, noise, air quality and contamination.

7.2 Land Use Policy Considerations

- 7.2.1 The National Planning Policy Framework (NPPF)(July 2021) is clear in its aim to build a strong and competitive economy. Paragraph 81 states that Local Authorities should do this by creating conditions, in which businesses can invest, expand and adapt, with significant weight being given to the need to support economic growth and productivity.
- 7.2.2 The Stevenage Borough Local Plan 2011-2031 (2019) clearly sets out the need for new and additional employment uses within the Borough, with the main Gunnels Wood and Pin Green Employment areas having little room for any further significant expansion. The site is allocated in the Local Plan under Policy EC1/4 for the provision of new employment uses. These are identified as use classes B1(c), B2 and / or B8 with a target provision of 20,000 square metres of floorspace. In line with the new use classes, B1(c) has been replaced within the Class E use classes, specifically with class E(G)(iii) for industrial processes.
- 7.2.3 Policy EC1/4 does state that the provision should meet or exceed the target floorspace provision. The proposal would result in a Gross External Floorspace (GEA) of 19,125 sq.m and a Gross Internal Floorspace (GIA) of 18,534 sq.m. This would be 1,466 sq.m below the threshold stated in the policy. Paragraph 6.4 of the Local Plan does state that this site should provide a range of non-office employment uses and should be brought forward early in the plan period. It also recognises the need to have regard to the constraints on site.
- 7.2.4 The proposal has followed pre-application dialogue with the Council, following which the proposed GIA has increased to take account of a larger unit (Unit B) instead of the originally proposed two units in this location. This follows enquiries from prospective tenants of the units. It is the intentions of the developers to bring the site forward immediately. Therefore, in considering the slight reduction in floorspace proposed, taking account of the site constraints, and timeframes for bringing the site forward, the reduction is considered acceptable on balance.
- 7.2.5 The site as allocated in the Local Plan will provide E(g)(iii), B2 and B8 employment uses, and is therefore considered to accord with the policy and is considered acceptable in principle.

7.3 CIL and S106

- 7.3.1 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	

As a major development the scheme would be liable for CIL. However, no payment is considered to be required as the proposal falls in to the all other development category which has a rate of £0 per square metre of floorspace.

- 7.3.2 In March of this year the Council adopted their Developer Contributions SPD to set out the Council's approach to the use of S106 agreements to secure developer contributions from new developments. One of the requirements of the SPD seeks developers of major sites to enter into a S106 to provide a Local Employment Strategy, attempting to employ local residents and provide apprenticeship opportunities. Where this is not possible to provide a financial contribution in lieu of not achieving either or both targets set out in the SPD.
- 7.3.3 The application will require the developer to enter in to a S106 agreement to cover , Biodiversity net gain, local employment and apprenticeships, Travel Plan monitoring and a S278 agreement under the Highways Act (1980) for highway works associated with the development. The developer has agreed to these elements and they are discussed in more detail later in this report.

7.4 Design, Layout and impact on the character and appearance of the area

Policy background

- 7.4.1 Paragraph 126 of the NPPF states that "The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve". It goes on to state that "good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities".
- 7.4.2 Paragraph 130 of the NPPF sets out a number of requirements for new development, including that development:
- will function well and add to the overall quality of an area;
 - is visually attractive as a result of good architecture; layout and appropriate and effective landscaping;
 - is sympathetic to local character and history;
 - establishes or maintains a strong sense of place;
 - optimises the potential of the site to accommodate and sustain an appropriate amount and mix of development;
 - creates places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.
- 7.4.3 Paragraph 131 of the NPPF places great importance on the role of trees in helping to shape quality, well designed places "Trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change".
- 7.4.4 Paragraph 132 of the NPPF states that applicants "should work closely with those affected by their proposals to evolve designs that take into account of the views of the community. Applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot".
- 7.4.5 Policy SP8 of the adopted Local Plan (2019) requires new development to achieve the highest standards of design and sustainability which can deliver substantial improvements to the image and quality of the town's built fabric. Policy GD1 of the Local Plan generally requires all forms of development to meet a high standard of design which includes form of built development, elevational treatment and materials along with how the development would integrate with the urban fabric, its relationship between buildings, landscape design and relevant aspects of sustainable design.

- 7.4.6 The National Design Guide (2019) which was published by National Government is a material consideration in the determination of planning applications. It sets out that Buildings are an important component of places and proposals for built development are a focus of the development management system. However, good design involves careful attention to other important components of places. These include:
- the context for places and buildings;
 - hard and soft landscape;
 - technical infrastructure – transport, utilities, services such as drainage; and
 - social infrastructure – social, commercial, leisure uses and activities.
- 7.4.7 A well-designed place is unlikely to be achieved by focusing only on the appearance, materials and detailing of buildings. It comes about through making the right choices at all levels, including:
- the layout;
 - the form and scale of buildings;
 - their appearance;
 - landscape;
 - materials; and
 - their detailing.
- 7.4.8 The Guide further iterates that all developments are made up of these components put together in a particular way. As such, the choices made in the design process contribute towards achieving the ten characteristics and shape the character of a place. For reference, these ten characteristics are as follows:-
- Context – enhances the surroundings;
 - Identity – attractive and distinctive;
 - Built form – a coherent pattern of built form;
 - Movement – accessible and easy to move around;
 - Nature – enhanced and optimised;
 - Public spaces – safe, social and inclusive;
 - Uses – mixed and integrated;
 - Homes and buildings – functional, healthy and sustainable;
 - Resources – efficient and resilient;
 - Lifespan – made to last.
- 7.4.9 The proposed site layout includes a single vehicle access to the north of the eastern boundary, coinciding with the approved in principle four arm junction of the HO3 site. The western arm of the proposed traffic light controlled junction has been designed to allow for access to the application site. From here the access road travels west and then performs a 'c' shape around the outside of the buildings, which are centrally located, with service yard access to unit B from the south. This arrangement has been led by the overhead powerlines running east to west across the site, under which built development cannot take place.
- 7.4.10 The three warehouse type buildings are of varying sizes and range from 15m in height for the largest unit B, to 12m for unit A and 10m for unit C. Unit A faces North Road with first floor office space located in the north eastern corner of the building. Car parking is located to the north of the building, with a service yard to the south. Unit B is the largest of the three units, sited to the rear and west of Unit A. Car parking is provided to the south west of the western side elevation, with first floor office accommodation shown in the south western corner of the building overlooking the parking. The service yard is again proposed to the south. Unit C, the smallest unit is located to the north of the site, with parking to the east and a service yard to the north.

- 7.4.11 As identified, the site has several constraints that have shaped the layout evolution. The provision of the two bigger units centrally west to east through the site, with the smaller unit C to the north is acceptable and with the siting of unit A being the only unit in close proximity of the highway reduces the impact of the development visually when travelling along North Road both northwards and southwards. The building positions have been largely dictated by the overhead powerlines crossing the site, as well as the area of Flood Zone 3 in the south west corner of the site.
- 7.4.12 The design is simple in its basis, rectangular and square formed warehouse buildings with shallow dual-pitched rounded roof forms. Glazed curtain walling and micro-ribbed composite insulated panels (colour - anthracite grey gloss) are proposed at the respective office areas on a single corner of each unit. The elevations would be finished in a mixture of half round profiled steel twin-skin cladding fixed horizontally (colour sirius metallic, a light grey) and trapezoidal profiled steel twin-skin cladding fixed vertically in the same colour. The service bays would have the same anthracite gloss cladding surrounding them. The roof would be completed in curved profile steel roofing in colour Merlin Grey, with roof lights covering 15% of the total roofscape, along with solar PV panels proposed as well.
- 7.4.13 The proposal, in terms of design, is considered to be acceptable, with high quality materials proposed for the warehouse buildings. The proposal incorporates a mixture of two types of cladding with horizontal and vertical finishes which will add variety and interest to otherwise ordinary warehousing units. Examples of developments completed by the developer have a similar high quality finish.
- 7.4.14 The layout of the site, excluding the units and associated car parks, include SuDS basins and a large area of green open space with landscaping in the south western corner. This will provide outside areas for users of the site to access. Furthermore, this corner of the site would also provide further pedestrian and cyclist connections to the upgraded bridleway along the southern boundary.
- 7.4.15 Looking to the northern boundary of the site which is bounded by the residential property 'Foxholm', the proposed site plan shows increased areas of landscaping with built form and car parking kept away from the immediate shared boundary. The car park to unit C is located at the far end of the residential curtilage of the property, some 82m from the rear elevation of the dwelling.
- 7.4.16 The development proposes a green barrier around the extent of the site such that landscaping can be provided to lessen the visual intrusion of this type of warehouse development.
- 7.4.17 In conclusion, the design and layout of the development is considered to be acceptable and accords with Policies SP8 and GD1 of the Local Plan as well as the policies contained in the NPPF (2021) and the PPG.
- 7.4.18 Sited to the very north of the Borough, the area is characterised by a mixture of residential, commercial and health uses, as well as open fields. However, both the site in question and land to the east of North Road and known as 'HO3 North of Stevenage' are allocated in the Local Plan for built development. Therefore, the characteristics of the area are set to change significantly over the next few years. Consequently, the introduction of large warehouse type buildings in this area, whilst out of keeping currently, would not give harm to the wider area. The allocation holds significant weight for development of this site with large B use class buildings.
- 7.4.19 The eastern elevation of unit A faces on to North Road, at a length of 63m and set back 14m (north) and 22m (south) of the highway edge. There is existing landscaping on highway land to the front of the site, and additional planting is proposed between the building and highway land for the length of the building fronting North Road. Unit's B and C will not be readily

visible from North Road because of the siting of Unit A and their positioning on lower gradients given the change in ground levels. The submitted landscape sections plan shows the proposed levels changes and height differences between the buildings. Consequently, the visual impact of unit A being viewed from North Road, whilst imposing in contrast to the existing field, is not considered to be harmful to the character and appearance of the area when considering the wider development planned along North Road.

- 7.4.20 The proposal requires the construction of acoustic fencing along the northern and western boundaries to mitigate against noise arising from the proposed uses. These range from 4.5m in height along the north of the site and 5m along the western side of the site. To the north the fence is set approximately 6m off the boundary with Foxholm where it sits perpendicular with North Road. The fence runs horizontally for a distance of approximately 47m before extending north for approximately 8m up to the edge of the existing landscaping adjoining Foxholm, where it then extends for approximately 27m westerly following the hedge line. The fence has been set at a right angle to provide sufficient distance from Foxholm. The impact of the fencing on the amenities of the dwelling is discussed in section 7.5 of this report.
- 7.4.21 Visually, the fence will be visible when driving northbound along North Road given the openness of the proposed site access. Landscaping is proposed within the land immediately south of this fence, including climbing plants to soften the visual impact of the fence. The visual impact of the fence in close proximity to North Road is considered to be outweighed by the overall appearance of the development in this setting, and also by the strategic need for the development to come forward on this constrained site.
- 7.4.22 To the west of the site, the 5m high acoustic fencing is not widely visible from North Road or the highway serving Cynget Hospital. Views will be evident for users of the bridleway when travelling east or west. However, further landscaping is proposed here, and given the setting within which the acoustic fence will be set, the visual impact is not considered to be harmful such that a refusal is warranted.
- 7.4.23 The characteristics and appearance of North Road will change with the provision of EC1/4 and HO3 through SBC and also NH1 as part of North Herts District Council allocated sites. Therefore, it is important the developments are of a high quality and designed such that the impact is not harmful. The proposed development includes highway works along North Road which are required to make the development acceptable. As well as the proposed access, in conjunction with HO3 approved in principle highway works, the scheme proposes the addition of a 3.5m wide footway along the frontage of the site. This replicates that being provided as part of the HO3 site.
- 7.4.24 Initial comments from the local highway authority advised that a footway of at least 5m was required under their current policies to provide adequate cycle and pedestrian shared access. However, officers have negotiated a reduction to the proposed 3.5m width on the basis that the additional space needed to create a 5m wide footway would eradicate most of the landscaping to the front of the site, as well as impacting on the amount of landscaping being proposed along the sites eastern boundary. Furthermore, due to ground level differences some form of retaining wall would be likely between the footway and unit A which would further impact the scheme visually. It is considered the provision of a high quality development with suitable levels of landscaping outweigh the request for an additional 1.5m of tarmacked surface in addition to the existing footway and highway works due along this stretch of North Road.
- 7.4.25 Therefore, whilst it is noted the development will have a significant impact on the existing characteristics of the area, the design, layout and landscaping have all been carefully designed having regard to the constraints of the site and whilst protecting neighbouring properties. The provision of employment uses on this allocated site will require a level of development as proposed, and thus the impact on the area visually is considered to be acceptable on balance.

7.5 Impact on the Amenity of Neighbouring Properties

Noise

- 7.5.1 The proposed E(g)(iii), B2 and B8 uses are to operate 24 hours a day 7 days a week. Unit's A and B would provide either/or B2 and B8 uses, or a mixture of, with unit C proposed to provide one of, or, a mixture of all three uses. There are various noise sources associated with the proposed development in addition to the hours of use, including associated servicing and delivery bays, plant noise, substation and traffic noise. Consequently given the sites proximity to the Cygnet Hospital site to the west and residential properties to the north it is evident there is likely to be some level of disturbance created. Further, the site is bounded by allocated housing sites to the south and east of North Road which must also be considered.
- 7.5.2 The application has been accompanied by a Noise Impact Assessment (NIA) reference 66202764-SWE-ZZ-XX-RP-YA-0001 Revision C02 dated 3 August 2021 by Sweco which has been assessed by the Council's Environmental Health department through an external consultant. Appropriate Design Criteria have been selected and noise monitoring undertaken as part of the NIA. Noise modelling has been used to determine noise levels across the site and noise mitigation measures were found to be required. These have been proposed to be noise barriers in the form of acoustic fences. To the western boundary 5m high fencing adjacent to Cygnet Hospital, 4m high adjacent Victoria Court and 2.5m high adjacent Elizabeth Court; and to the north east boundary 4.5m high fencing adjacent Foxholm.
- 7.5.3 The EH consultant does not raise any objections or concerns that the proposed mitigation measures will not provide the required level of mitigation. The exact technical details of the fencing are not known and it is advised a condition be imposed to any permission seeking further details of the acoustic fencing to be installed, including their exact sound insulation value.
- 7.5.4 Looking more at plant and machinery and the substation shown on the site layout plan located north of the northern access arm, exact details of this plant is not known at this time. Given the need for this type of equipment, it is considered necessary to impose a condition ensuring noise levels arising from the plant do not exceed existing background levels as identified in the NIA. This will ensure the development does not cause any unacceptable disturbance.

Outlook

- 7.5.5 As mentioned previously in this report the proposed acoustic fencing, as a means of noise mitigation, will reach between 2.5m and 5m in height. The taller of the fencing is to be sited adjacent the boundary with Cygnet Hospital to the west, and along the northern boundary with Foxholm.
- 7.5.6 The application has been supported by visuals showing the likely appearance of the 5m high fencing when viewed from Cygnet Hospital. The hospital building, a 2/3 storey building is sited 1.2m off the boundary which is established with an approximately 3m high wire fence, attached to the building with metal overbars. Immediately adjacent the hospital fencing is Ash Brook. The brook requires a set no-build channel to protect its flooding capabilities, and the acoustic fencing is then set approximately 7m beyond this, a total of approximately 11.5m from the boundary line.
- 7.5.7 By virtue of the curvature of the access road, toward the northern end of the Cygnet Hospital building the acoustic fence would come to within 7.6m of the building, retaining a 3m easement to the brook. The plans show significant landscaping along the fencing, including planting that will trail up the fence to provide a green barrier when viewed from the hospital. Whilst 5m high fencing is significant, the proposals have sought to retain a good separation

distance from the hospital building. It is accepted that the fencing will cause a loss of outlook from this building; however, when weighed against the other merits of the application, it is considered the loss is not of sufficient harm to the users of the hospital building such that a refusal is warranted.

7.5.8 Similarly, the fencing proposed adjacent Victoria Court and Elizabeth Court, at lower heights of 4m and 2.5m respectively is sited an appropriate distance from the buildings such that the impact is not considered to be of such harm to warrant a refusal.

7.5.9 Turning then to the impact on Foxholm which is located due north of the site, a 4.5m high acoustic fence is proposed as previously discussed. The fencing has been deliberately set off the boundary running parallel to the dwelling to a point approximately 3m off the rear elevation where it continues along the rear garden for a length of approximately 26.5m at a distance of approximately 3.3m off the boundary. There is an existing mature hedge running the length of the boundary between the two sites with some trees interspersed toward the end of the garden. Notwithstanding this, the 4.5m high fencing will be visible above this hedging.

7.5.10 There are several reasons why the fencing has been proposed as it is along this boundary –

i) the site access has been dictated by the HO3 housing site opposite so the access road and subsequent traffic can't go elsewhere;

ii) lowering the fence height would have a significant impact from a noise perspective which was balanced against height. The further from the boundary the fence is located the less effective it is in terms of mitigation and thus it would need to be taller which would have negative implications for the landscape and visual appearance of the development.

iii) the fencing will be green wall acoustic fences and planted with climbers to create the softer appearance than the traditional timber acoustic fence often associated with industrial uses.

7.5.11 It is acknowledged that the fencing will have an adverse impact on the occupiers of Foxholm in respect of outlook. However, in considering the proposed landscaping provision along this boundary and the fencing, the dictated access arrangements, further constraints on site dictating the layout, and the strategic allocation of this site, the balance of factors is such that a better arrangement is unlikely to be found in this case. Therefore, the level of harm is outweighed by the further considerations, and as such the 4.5m high fencing is deemed acceptable in this location.

Construction

7.5.12 Construction activities by their nature can be noisy and intrusive for neighbouring occupiers, particularly in terms of noise, vibration and air quality (dust). Noise and vibration can arise from piling operations, groundworks and excavation and plant and machinery and their associated activities. Early morning deliveries can also give rise to disturbance if not properly controlled and managed. Dust from site operations can also be an issue, particularly during periods of sustained dry weather. Public Protection expect developers to control the impact from the construction phase of their development by implementing suitable mitigation measures and following best practices in accordance with BS5228:2009 Part 1 (Noise) and Part 2 (Vibration), where appropriate, Environmental Health also seeks to ensure that the environmental impacts of construction works are suitably controlled through their powers under Part III of the Environmental Protection Act 1990 (Statutory Nuisances) and Section 60 of the Control of Pollution Act 1974. Due to the proximity of existing occupied premises it is considered reasonable that a Construction Management Plan condition be imposed to agree details pertaining to the issues above.

Light Nuisance

- 7.5.13 The application has been supported by the submission of a lighting assessment and light spillage plan which can be controlled by imposition of conditions to ensure the development is completed in accordance with the lighting details and to control any changes, or increases in light sources.

7.6 Impact on the Highway Network and Access

- 7.6.1 The site is proposed to be accessed from a four arm traffic light controlled junction, located to the north east of the eastern boundary, utilising the western arm of the junction. The siting of the access has been dictated by the approved in principle access for the Council's HO3 allocated housing site to the east of North Road. The junction has therefore been fully assessed as part of the HO3 application reference 17/00862/OPM and this application demonstrated that this junction will operate safely, will facilitate active travel and will operate within capacity. The local highway authority raises no objections to the proposed access arrangements, noting that in the event the shared access does not come forward before the development of EC1/4 that the applicant is committed to delivering the shared site access.
- 7.6.2 The proposal makes provision for new and/or improved pedestrian and cycle connections along the frontage of the site with a 3.5m wide shared footway, and a 4m wide (3m surfaced) upgraded connection along the bridleway to the south of the site, for the entirety of the southern boundary. Both these arrangements, whilst not fully complying with the local highways authority adopted policies have been considered acceptable by highway officers and planning officers in this case given the wider implications for the site layout and development quality.
- 7.6.3 It has been identified by the local highway authority that the development should provide better connections to the nearby northbound bus stops on the western side of North Road. The northern bus stop in close proximity of the site is located just north of the vehicular access in to Foxholm. The southern bus stop is located south of the land associated with the Rugby and Sports Club. Currently there are no footway links between these bus stops. The development will bring forward pedestrian and cycle access in the form of the 3.5m wide footway along the frontage of the site on the western side of North Road.
- 7.6.4 Extending this footway to the northern bus stop is problematic as the available highway land reduces to approximately 1.1m which is not sufficient for purpose. Additional land can only be gained by undertaking a Compulsory Purchase Order which is not favourable. Connecting to the southern bus stop would entail removal of substantial greenery and mature landscaping which will have visual implications for this stretch of North Road.
- 7.6.5 As a possible solution, discussions are ongoing with the local highway authority as to a re-location of the northern bus stop to along the frontage of the site, and between the two proposed junctions associated with the HO3 site. The transport consultants have provided a drawing and information to this extent and this is being assessed by highways officers. It is anticipated a response will be available to present to members at the committee meeting.
- 7.6.6 If the re-location of the bus stop is not possible then the provision of a southern connection will be pursued and covered by the S106 and S278 works. The loss of landscaping along the western side of North Road is regrettable but the benefits to providing a satisfactory connection between the site and the southern bus stop and footway outweighs the impact on the visual appearance of the road.
- 7.6.7 With regard to the proposed internal road layout as part of this planning submission, swept path drawings have been submitted and tests along with the main access. It has been demonstrated that the appropriate vehicle can manoeuvre within the site and HCC consider that the layout also allows for safe pedestrian movement. Furthermore, the Transport

Assessment is considered to appropriately demonstrate that the development would not have any undue impact on the highway network in terms of trip generation. It is noted in the highway authority's response that the numbers put forward by Icenl (the Transport Consultant) are particularly low, accounting for an 'Industrial Estate' use, whereas previous junction assessments on the junction (provided as part of HO3) were based on a 'Business Park' use. The figures presented are therefore misleading as to the potential scale of development.

- 7.6.8 None-the-less, regardless of the exact use of the employment site the 'worst case' trip generation has been considered within previous junction assessments as part of the HO3 development application, which considered the current EC1/4 site, HO3 and the NHDC allocated site. Therefore, HCC Highways are satisfied as to the development traffic impact which demonstrated that the signalised access junction operated satisfactorily. In 2031 the practical reserve capacity (PRC) remaining is 1.5% during the AM peak and 4.1% during the PM peak considering development from the allocated sites HO3, EC1/4 and HO1/11. Where North Road North (southbound) is the busiest arm with a Degree of Saturation (DoS) of 88.7%, correspondingly the busiest approach in the PM peak is North Road South (northbound) with a DoS of 86.5%.
- 7.6.9 In terms of highway safety, a review has been undertaken of the personal injury collisions that have occurred on the local road network near the site. This is included in the TA and related to the period of Dec 2015 to Dec 2020. There was a total of 5 collisions as 'serious', with 31 classified as 'slight' and no fatalities. The information held by HCC informed that none of the 5 serious collisions suggested at highways issues with each incident occurring as a result of driver error.
- 7.6.10 The application has been supported by a Travel Plan (TP) for the proposed development. The Plan sets overall outcomes, targets and indicators for the development aimed at –
- Influencing travel behaviours of employees;
 - Generating fewer single-occupancy car trips than would otherwise be the case by encouraging a modal shift in travel;
 - Reducing the number of short-trip car journeys;
 - Reduction in overall mileage;
 - Helping improve the health of employees; and
 - Accommodating those journeys that need to be made by car.
- The TP has been assessed by the Highways Sustainability Team and has been found broadly acceptable subject to further detail relating to bus stop connections, which as discussed above is being negotiated with the local highways authority. Agreed in principle the by HCC the TP will be funded by a £6,000 fee to be secured by S106 to allow for evaluation and monitoring once the Plan is implemented.
- 7.6.11 As indicated previously, and within the TA, the applicant has provided a series of proposed mitigation measures which include improved pedestrian and cycle facilities on North Road and PROW 103, together with improvements to bus stop connections and the implementation of a Travel Plan. These are considered adequate to mitigate the impact of the development.
- 7.6.12 Highways England has been consulted on the application and have placed a hold on their response until November 19th due to resource issues. Their response is anticipated to deal with the implications of additional traffic in this area affecting the wider highway network and in particular junction 8 of the A1(M). If comments are received prior to the meeting an update will be provided, otherwise it is anticipated members will agree to delegate powers being granted to the Assistant Director of Planning and Regulation to impose any conditions advised on any response provided after the committee meeting. A decision will not be issued until the S106 associated with the development has been signed, which will occur after the holding direction date provided by Highways England. Therefore, their comments will be fully considered prior to a decision being issued.

- 7.6.13 However, the acceptability of the site providing up to 20,000 sq.m of employment uses, including all likely traffic generation was fully considered throughout the Local Plan process, when modelling for the site, HO3 and NH1 would have been undertaken. No objections were raised at this time, and thus given the Local Plan has been found sound by an Inspector and adopted in 2019 there is no justifiable objection to come forward without significantly prejudicing the delivery of three allocated strategic sites.
- 7.6.14 Therefore, subject to the imposition of conditions as identified by the local highway authority, along with S278 works to include the new pedestrian and cycle access along the frontage of the site, upgraded PROW works, new access/junction, and bus stop relocation or connections it is considered the proposal would not have a detrimental impact on the local highway network as confirmed by the local highways authority.
- 7.6.15 Separately, HCC Highways are seeking a financial contribution of £281,000 as a strand 2 contribution towards projects within the County Council's emerging North Central Growth and Transport Plan to mitigate wider cumulative effects of the development. The projects identified in the draft document cover North West Stevenage which will include new cycle connection routes connecting new developments in North Stevenage to the town centre as well as improvements to bus services.
- 7.6.16 The applicant has challenged this as being an unreasonable request by HCC Highways. This is because firstly, through the Section 278 process, the provision of enhanced pedestrian and cycle access into the development site. In addition, the applicant is also looking to upgrade the Public Rights of Way to enhance the sites connection to bus services in the area. With regards to additional funding of bus services, this is not considered as a sustainable solution as it will just forward fund and artificially inflate services, when realistically bus services will increase once there is a clear demand and it is commercially viable. It is also important to note that the residential development in HO3 is seeking to enhance bus provision in this area, make it a viable service in the future. As such, until there is sufficient demand, there is a risk the bus service becomes commercially unviable and withdraws its services.
- 7.6.17 Furthermore, the CIL levy would also be contributing towards cycle and pedestrian improvements as identified in the Council's LCWIP and naturally, the CIL payment for this development is £0 in line with the Council's adopted CIL. Notwithstanding this, the applicant has agreed to continue to engage with the Highways Authority regarding S.106 obligations. As such, an updated position on this aspect will be reported at the Planning Committee.

7.7 Parking

- 7.7.1 The Council's adopted Parking Standards and Sustainable Transport Supplementary Planning Document designates the site in an 'all others area' zone allowing for a 75-100% provision of the required parking provision. Based on the requirements of the 2020 SPD the following provision would be required based on the proposed uses –
B2 – 1 space per 50 sqm;
B8 – 1 space per 75 sqm;
E(g)(iii) – 1 space per 30 sqm.
- 7.7.2 Calculating firstly the provision for the proposed office space proposed, at 1296 sq.m in total for all three units, the number of car parking spaces for this use would be 44. The remaining 17,238 sqm of floorspace when looking at B2 and B8 provision would be between 230 and 345 spaces respectively giving a combined figure of between 274 and 389 car parking spaces. Taking account of the 75% provision allowance, the parameters for parking provision required would be -
75% provision – 206 and 292 spaces
100% provision – 274 and 389 spaces

7.7.3 The SPD makes clear that any provision should not exceed the maximum figure. Given the application is not specifying the exact use per unit and is proposed as a flexible distribution of use class B2 and B8 across the site dependent on future occupiers, there will be some flexibility in the numbers.

7.7.4 Given the figures provided on the site layout plan, current proposals include for –

	Unit A (number of spaces)	Unit B (number of spaces)	Unit C (number of spaces)
HGV	16	23	2
Car	70 (inc. 4 disabled)	137 (inc. 7 disabled)	35 (inc. 3 disabled)
EVCP	14	27	7
Car share	2	3	1
Cycle	24	32	8
Motorcycle	4	5	2

7.7.5 A total of 248 car parking spaces (inclusive of 14 disabled spaces and 6 car share spaces). This sits well within the 75% requirement for uses. The provision has been supported by the submission of the Travel Plan (TP) to support sustainable travel to and from the site. This is considered to be acceptable and is in general accordance with the Council's SPD.

7.7.6 Following on in respect of sustainable transport, in terms of electric cars the newly adopted SPD requires 20% provision of active EVCPs, with the remaining 80% to have at least passive infrastructure provided for future installation. The development proposes to install a total of 48 active EVCPs across the three main car parks for the units, with the remaining spaces being passive. The provision is policy compliant.

7.7.7 The SPD also includes details on the provision of spaces for powered two-wheeler vehicles such as motorbikes and mopeds. The SPD states that developers should be expected to allow for around 5% of the total stock of publicly accessible vehicle parking spaces to be for motorcycle use. The proposal includes the provision of 11 motorcycle spaces which is just under the 5% advisement, but is considered acceptable in this case.

7.7.8 As shown in the table above, the provision of 41 HGV spaces is proposed, spread across the three units, dependant on their size. The following standards should be used as guidance for acceptable service vehicle parking requirements –
 B2 – 1 lorry space per 200 sqm. to 1 lorry space per 1000 sqm. GFA.
 B8 – 1 lorry space per 200 sqm GFA (minimum 1 space) to 1 lorry space minimum plus 1 lorry space per 500 sqm. GFA.
 The provision of 41 spaces as identified on the site plan is considered acceptable given the above figures.

7.7.9 In terms of cycle parking the required provision is broken down as follows –
 B2 & B8 – 1 long term space per 500 sqm / 1 short term space per 1000 sqm;
 E(g)(iii) - 1 long term space per 500 sqm / 1 short term space per 1000 sqm;

7.7.10 A total of 64 cycle parking spaces are proposed across 3 separate cycle stores. This provision is slightly over that required based on the above figures. The overprovision is considered acceptable given the proposals reliance on encouraging non-car modes of travel and its TP.

7.8 Drainage

7.8.1 The proposed development includes the provision of attenuation and discharge via infiltration through infiltration basins, several geocellular tanks and through permeable paving subbase to deal with drainage and flooding. The site is predominantly contained within Flood Zone 1.

However, Ash Brook runs along the western boundary and the south western corner is designated Flood Zone 3 on the Environment Agency's (EA) mapping system.

- 7.8.2 The EA have been consulted on the proposal and following negotiations in respect of the flood profiling they raise no objections to the proposals subject to the inclusion of informatives to the applicant on any permission. These would relate to flood warning and emergency response, risk of floating vehicles, and groundwater protection.
- 7.8.3 The Lead Local Flood Authority (LLFA) have assessed the proposals, and following negotiations have lifted their objection and are proposing the imposition of conditions. It is proposed to discharge via infiltration through a pond, several infiltration crates and through a permeable paving subbase. No discharge is proposed to the ordinary watercourse Ash Brook. Surface water will be attenuated and infiltrated through permeable paving subbase, a pond, swales and cellular infiltration crates, as well as rain gardens.
- 7.8.4 A commercial rain garden is a unique, depressed structure that is developed to capture stormwater and runoff from rooftops, streets, sidewalks, and other impervious surfaces so it can infiltrate the soil to recharge the groundwater.
- 7.8.5 Further to the comments received from the EA and LLFA the drainage details are considered to be acceptable and would ensure the development would not exacerbate local flooding.

7.9 Landscaping and Biodiversity

- 7.9.1 The NPPF and accompanying Planning Practice Guidance requires the Council to achieve measurable net gains in biodiversity at development sites and across the Borough. To achieve a biodiversity net gain, a development must deliver a minimum of 10% net gain post development, when compared with the pre-development baseline. The Council's recently adopted Biodiversity SPD (2021) requires all major and minor applications other than the following exemptions currently suggested by the Government to demonstrate a net gain in biodiversity:
- i. Permitted development;
 - ii. Householder development, including extensions;
 - iii. Nationally significant infrastructure, which falls within scope of the Planning Act 2008;
 - iv. Some brownfield sites with marginal viability and substantial constraints. It is expected that full details to be set out in secondary legislation, but considerations are likely to include where sites contain a high proportion of derelict land and buildings and only a small percentage of the site is undeveloped, land values are significantly lower than average, and the site does not contain any protected habitats; and
 - v. Developments that would not result in measurable loss or degradation of habitat, for instance change of use of or alterations to building
- 7.9.2 The application has been supported by a Ecology and Biodiversity Report which has been assessed by Hertfordshire and Middlesex Wildlife Trust (HMWT) on behalf of the Council. As existing, the field is open with grass and other plants such as thistles and nettles across much of the site. Mature hedging is in place along the northern and eastern boundaries and will be retained. Whilst landscaping is proposed there is a net loss of biodiversity units when calculating the impact using the DEFRA Metric. SBC have recently adopted a Biodiversity SPD which seeks applicants to undergo a metric study for each site to ascertain whether the proposals can provide a net gain of 10% for biodiversity.
- 7.9.3 In this case, given the extent of the buildings and hardstandings, it is not possible to provide the net gain on site. The calculations as agreed by HMWT and the applicant will see a financial contribution of up to £20,853.00 being provided through the S106 agreement, based on creating 4.3 habitat units of scrub on 0.46ha of amenity grassland.

7.9.4 The Council's Green Spaces Officers have confirmed that there is opportunity to carry out works along the Sound Barrier to increase Fishers Green Wood, which is in close proximity to the A1(M) and west/south west of the site, to the extent of the habitat units required to meet the 10% net gain.

7.10 Trees

7.10.1 Policy NH5 of the adopted Local Plan (2019) states that development proposals will be expected to protect and retain individual trees within the development site and should include new planting where appropriate.

7.10.2 The Council's Arboricultural Manager has assessed the application and raises no objections from an arboriculture point of view. There are some trees on the boundary which could potentially be affected by the construction of buildings in the RPA as detailed in the landscape plans. The Arboricultural Impact Assessment (AIA) outlines this and details protection measures to be employed during construction. Relevant conditions to ensure protection of retained trees are recommended to be imposed on any permission issued.

7.10.3 The Arboricultural Manager has advised on the requirement of the Amenity Tree Management Policy for certain percentage of canopy cover on new major sites. The Policy, whilst only taking account of the requirement for residential developments, seeks a 30% canopy cover of a similar size residential site to the application site being considered. Exact canopy coverage percentages have not yet been provided.

7.10.4 However, significant weight has been given to the merits of this case in terms of the use proposed, the constraints of the site and the subsequent layout of the buildings, roads, hardstandings and landscaped areas. It is unlikely a 30% canopy coverage can be achieved. On balance, the provision of the allocated employment use with acceptable mitigation measures, landscaping and access and parking is considered to outweigh need for the canopy coverage in this case.

7.11 Sustainability and Climate Change

7.11.1 The application has been supported by an Energy Strategy to show accordance with Local Plan Policies FP1 and SP11 which encourage new development to include measures such as improving energy performance of buildings, reducing energy consumption through efficiency measures, and using or producing renewable or low carbon energy from a local source.

7.11.2 The Energy Strategy states that the proposed development can achieve carbon and energy reductions through the inclusion of energy efficient measures and low and zero carbon technologies. The Energy Strategy improves upon the Building Regulations Part L2A baseline and achieves a minimum 4no. credits required for a BREEAM (New Construction 2018) Excellent rating.

7.11.3 The Strategy goes on to include the passive design measures and active design measures to be employed to meet the Excellent BREEAM rating. These would include –
Passive design measures –

- Efficient building envelope with enhanced U-values (Is a sum of the thermal resistance of the layers that make up an entire building element i.e. the rate of transfer of heat through built matter);
- Enhanced air permeability to reduce heating demand;
- Glazed facades to provide natural daylighting and reduce reliance on artificial lighting;
- Balanced g-value for translucent elements to ensure optimised internal conditions.

Active design measures –

- High efficiency mechanical ventilation heat recovery (MVHR) systems to serve office areas;
- High efficiency LED lighting;
- Passive infrared (PIR) presence detection and daylight dimming control for lighting.

7.11.4 Furthermore, the scheme will employ the use of Solar Photovoltaics (PVs) on each building, as well as air source heat pumps. The details provided in respect of sustainability and climate change are considered to be acceptable.

7.12 Contaminated Land

7.12.1 Much of the site is not previously developed. However, there is a large mound to the north of the site which is believed to be left over from historic development of the A1(M). Intrusive testing has been undertaken and relevant Geoenvironmental Assessments submitted with the application. These found that the mound contained rubble and builders waste. However, due to its size a full investigation of the mound was not feasible at the time of the investigations.

7.12.2 Remediation of the area has been considered as part of the assessments carried out. It is proposed to reuse the material on site, subject to further testing. It is therefore considered reasonable to impose a condition such that if during works contamination is encountered on site which has not previously been identified, that further contamination assessments shall be undertaken and an appropriate remediation scheme be approved and implemented.

7.13 Air Quality

7.13.1 An Air Quality Assessment and cumulative impact assessment has been carried out to assess the effects of both construction and operation of the proposed development on the application site and surrounding area.

7.13.2 This has concluded that there would be the potential for some temporary effects due to dust emissions during the initial construction phase, most particularly for those existing dwellings located close to the northern boundaries of the application site, but such effects would be mitigated through appropriate controls to be agreed with the LPA. The overall effect would be not significant. Additionally, traffic generated by the proposed development and the cumulative developments are considered to have negligible impacts on concentrations of NO₂, PM₁₀ and PM_{2.5} when the development is completed either singularly or collectively. Again the overall effect would not be significant

7.13.3 The Air Quality Assessment has been assessed by the Council's Environmental Health Section who are satisfied with the approach taken on air quality and consider that while the development will inevitably have an effect on surrounding air quality, this will be minimal, and commensurate with its size and nature.

7.14 Human Rights and Equalities

7.14.1 Consideration has been given to Articles 1 and 8 of the First Protocol of the European Convention on Human Rights. It is not considered that the decision would result in a violation of any person's rights under the Convention.

7.14.2 When considering proposals placed before Members it is important that they are fully aware of and have themselves rigorously considered the equalities implications of the decision that they are taking. Rigorous consideration will ensure that proper appreciation of any potential impact of that decision on the Council's obligations under the Public Sector Equalities Duty. As a minimum this requires decision makers to read and carefully consider the content of any Equalities Impact Assessment (EqIA) produced by officers

7.14.3 The Equalities Act 2010 requires the Council when exercising its functions to have due regard to the need to (a) eliminate discrimination, harassment, victimisation and other conduct prohibited under the Act; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and (c) foster good relations between persons who share protected characteristics under the Equality Act and persons who do not share it. The protected characteristics under the Equality Act are: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion and belief; sex and sexual orientation.

7.14.4 It is not considered the proposed development would impact upon the protected characteristics under the Equality Act. This is because the proposal actively provides disabled parking positioned in the main car parks of each unit, in addition, buildings will have level access for wheel chair users as well as internal lifts, etc.

8. CONCLUSIONS

8.1 In conclusion, it is considered that the proposed development of this strategic site with 18,534 sqm GIA employment floorspace is acceptable in principle. On balance, the provision of employment use on the site, with associated access, parking, landscaping and mitigation measures outweighs the small number of concerns in respect of the visual implications of the acoustic fencing and 24/7 use of the site. Through the imposition of conditions, the impact can be suitably controlled and a much needed provision of employment floorspace brought forward early in the plan period as needed.

9. RECOMMENDATIONS

9.1 That planning permission be GRANTED subject to the signing of a S106 Agreement in respect of the following –

- Biodiversity net gain;
- Local employment and apprenticeships;
- Highways works (S278);
- Travel Plan Monitoring
- Strand 2 highways contributions

And subject to the following conditions, with any amendments to the head of terms and/or conditions listed in this report , and the recommendations of Highways England following cessation of their holding direction be delegated to the Assistant Director of Planning and Regulation:-

1 The development hereby permitted shall be carried out in accordance with the following approved plans:
4594-CA-00-00-DR-A-00060; 4594-CA-00-00-DR-A-00001; 31536-RG-LD-DWG-01G GA-01-00; 31536-RG-LD-DWG-01G GA-01-01; 31536-RG-LD-DWG-01G GA-01-02; 31536-RG-LD-DWG-01G GA-01-03; 31536-RG-LD-DWG-01G GA-01-04; 20-024-EX-001 P6; 4594-CA-00-00-DR-A-00061_PL5; 4-CA-00-00-DR-A-00062_PL3; 4594-CA-00-00-DR-A-00063_PL2; 4594-CA-00-00-DR-A-00065_PL2; 4594-CA-00-00-DR-A-00066; 4594-CA-00-GF-DR-A-00106_PL2; 4594-CA-00-GF-DR-A-00116_PL2; 4594-CA-00-GL-DR-A-00101_PL2; 4594-CA-00-RL-DR-A-00100_PL2; 4594-CA-00-RL-DR-A-00105_PL2; 4594-CA-00-RL-DR-A-00115_PL2; 4594-CA-00-XX-DR-A-00200_PL2; 4594-CA-00-XX-DR-A-00205_PL2; 4594-CA-00-XX-DR-A-00215_PL2; 4594-CA-00-XX-DR-A-00350_PL3; 4594-CA-00-XX-DR-A-00352; 4594-CA-00-ZZ-DR-A-00102; 4594-CA-00-ZZ-DR-A-00107_PL2; 4594-CA-00-ZZ-DR-A-00117_PL2; 4594-CA-00-ZZ-DR-A-00150_PL2; 4594-CA-00-ZZ-DR-A-00151_PL2; 4594-CA-00-ZZ-DR-A-00155_PL2; 4594-CA-00-ZZ-DR-A-00156_PL2; 4594-CA-00-ZZ-DR-A-00166_PL2; 4594-CA-00-ZZ-DR-A-00165_PL2; 4594-CA-00-XX-DR-A-00351; 4594-CA-00-XX-DR-A-00300.

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 (including site clearance) until a detailed Construction Management Plan (CMP) has been submitted to and approved in writing by the Local Planning Authority, including elements of the CLOCS standards. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The Construction Management Plan shall include details of the following:

- a) Map showing the location of construction traffic routes to and from the site, details of their signing, monitoring and enforcement measures;
- b) Access arrangements to the site;
- c) Traffic management requirements
- d) site set up and general arrangements for storing plant including cranes, materials, machinery and equipment, temporary offices and other facilities;
- e) Details of provisions for temporary car parking, loading/unloading and vehicle turning areas;
- f) Details of hoarding;
- g) Control of dust and dirt on the public highway;
- h) Siting and details of wheel washing facilities;
- i) Cleaning of site entrances, site tracks and the adjacent public highway;
- j) Timing of construction activities (including delivery times and removal of waste);
- k) The estimated number and type of vehicles per day/week;
- l) Details of any vehicle holding area;
- m) Details of the vehicle call up procedure;
- n) Access and protection arrangements around the site for pedestrians, cyclists and other customers;
- o) Coordination with other development projects in the vicinity;
- p) Post construction restoration/reinstatement of the working areas and temporary access to the public highway;
- q) 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 width for vehicle movements;
- r) Construction programme and phasing plan.
- s) Details of consultation and complaint management with local businesses and neighbours;

- t) A Site Waste Management Plan (SWMP) including mechanisms to deal with environmental impacts such as air quality and dust control measures, noise and vibration restriction measures, light and odour and predicted and latterly actual waste arisings and how this is to be managed and where it is sent to;
- u) Details of any proposed piling operations, including justification for the proposed piling strategy, a vibration impact assessment and proposed control and mitigation measures.

REASON:- In order to protect highway safety and the amenity of other users of the public highway and rights of way, in the interests of amenities of neighbouring properties, and in order to reduce the level of waste generated during groundworks and construction phases of development and to recycle all waste materials where possible.

- 4 The development permitted by this planning permission shall be carried out in accordance with the approved Site Specific Flood Risk Assessment prepared by Sweco Consulting Engineers Ltd reference 66202061-SWE-ZZ_XX-RP-C-0001 Revision 3, dated 28 July 2021, the Surface Water Drainage Strategy and Water Quality Treatment drawing number 66202061-SWE-ZZ-XX-DR-C-9020 Revision P02 dated 09 September 2021 prepared by Sweco Consulting Engineers Ltd, 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 during the 1 in 100 year event plus 40% for 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 in a minimum of 2914.80 m³ (or such storage volume agreed with the LLFA) of total storage volume in permeable paving, infiltration basins, pond, swales and geocellular tanks.
3. Discharge of surface water from the private drain to ground via infiltration.

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 reduce the risk of flooding to the proposed development and future occupants.

- 5 No development shall take place until a detailed surface water drainage scheme for the site based on the approved drainage strategy and sustainable drainage principles, has been submitted to and approved in writing by the Local Planning Authority. The drainage strategy should demonstrate the surface water run-off generated up to and including 1 in 100 year+ climate change critical storm will not exceed the run-off from the 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. Provision of infiltration tests to BRE Digest 365 standards at the exact locations and depths of all proposed infiltration features.
2. 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.
3. Full, detailed drawings of all works proposed to the ordinary watercourse Ash Brook including any realignment, reprofiling and regrading, etc.
4. Provision of robust SuDS management and treatment.
5. Relocation of surface water pipes from under buildings.
6. Final detailed post-development network calculations for all storm events up to and including the 1 in 100 year + 40% climate change storm with half drain down times no greater than 24 hours. The calculation should consider the worst case infiltration rates.
7. Exceedance flow routes for storm events greater than the 1 in 100 year + 40% climate change storm.

8. 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.

6 Upon completion of the drainage works for the site in accordance with the timing, phasing arrangements, a management and maintenance plan for SuDS features and drainage network must be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

1. Provision of complete set of as built drawings for site drainage.
2. Maintenance and operational activities.
3. Arrangements for adoption and any other measures to secure the operations of the scheme throughout its lifetime.

REASON:- To prevent the increased risk of flooding, both on and off site.

7 Prior to occupation of the development an updated Travel Plan(s) shall be submitted to and approved in writing by the Local Planning Authority to take account of individual occupiers of the units as necessary. No part of the development shall be occupied until implementation of the approved Travel Plan. 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.

8 Prior to the approved development hereby permitted first being brought into use, details of the acoustic fencing including the sound insulation values shall be submitted to and approved in writing by the Local Planning Authority. The details shall be in accordance with the "Noise Impact Assessment, North Road, Stevenage", Report reference 66202764-SWE-ZZ-XX-RP-YA-0001 Revision C02 dated 3 August 2021 by Sweco. The development shall thereafter be implemented in accordance with the approved details, and shown to be effective, and shall be retained in accordance with those details thereafter.

REASON:- To safeguard the amenities of nearby noise sensitive properties.

9 Prior to first use of each static plant or machinery, a scheme shall be submitted to and approved in writing by the Local Planning Authority, to demonstrate that the cumulative sound rating level of all fixed plant within the Development shall not exceed the current typical background sound levels at any time at the nearby noise sensitive receptors as specified in Table 14 Target Sound Criteria, of Report reference 66202764-SWE-ZZ-XX-RP-YA-0001 Revision C02. All plant, machinery and equipment installed or operated in connection with the carrying out of this permission shall be so enclosed and/or attenuated that noise resulting from its operation shall not exceed the existing background level inclusive of any penalty for tonal, impulsive or other distinctive acoustic characteristics when measured or calculated according to the provisions of BS4142:2014+A 2019.

REASON:- To safeguard the amenities of nearby noise sensitive properties.

10 Prior to the first occupation / use of individual units within the development a plan agreeing the appropriate Servicing and Delivery arrangements for the each unit shall be submitted to and approved in writing by the Local Planning Authority. Subsequent occupiers of the building are required to also update the Servicing and Delivery Plan for their unit.

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

11 The buildings hereby approved shall be constructed in accordance with the materials and finishes as set out in Drawing numbers 4594-CA-00-XX-DR-A-00200_PL2, 4594-CA-00-XX-DR-A-00205_PL2 AND 4594-CA-00-XX-DR-A-00215_PL2 to the satisfaction of and unless otherwise agreed in writing by the Local Planning Authority.

REASON:- To ensure the development has an acceptable appearance.

- 12 No site clearance 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 0800 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.
- 13 The development hereby approved shall be carried out in accordance with the External LED Lighting Assessment Report July 2021 Revision P4 and associated drawing number 20-024-EX-001 P6 External Lighting Layout, unless otherwise agreed in writing by the Local Planning Authority. No alterations or changes to the approved lighting shall be made without written agreement from the Local Planning Authority, following submission of further details.
REASON:- To protect the amenities of nearby properties and in the interests of light pollution.
- 14 Prior to the first occupation of the development hereby permitted the vehicular access from North Road shall be provided and thereafter retained at the position shown on Drawing number 4594-CA-00-00-DR-A-00061 PL5 in accordance with the highway specification. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or 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.
- 15 Prior to the first occupation of the development hereby permitted the service yards and car parking areas as detailed on Drawing number 4594-CA-00-00-DR-A-00061_PL5 shall be surfaced and marked out or completed as applicable, in accordance with the approved plan and thereafter retained for the sole use of servicing and parking for the development hereby permitted.
REASON:- To ensure adequate off-street parking provision is available at all times so that the development does not prejudice the free flow of traffic or the conditions of general safety.
- 16 Prior to the first occupation of the development hereby permitted the secure and covered cycle car parking stores and bin stores as detailed on Drawing numbers 4594-CA-00-00-DR-A-00061_PL5; 4594-CA-00-00-DR-A-00062_PL3; 4594-CA-00-00-DR-A-00063_PL2; 4594-CA-00-00-DR-A-00065_PL2 and 4594-CA-00-XX-DR-A-00350_PL3 shall be fully completed and ready for use in accordance with the approved plan and thereafter retained for the sole use of cycle parking and bin storage for the development hereby permitted.
REASON:- To ensure adequate secure and covered cycle parking provision is available at all times to promote sustainable modes of transport in support of the approved Travel Plan and adequate waste and recycling storage is provided.
- 17 Prior to the first occupation of the development hereby permitted the passive infrastructure and active Electric Vehicle Charging Points (EVCP) shall be installed and ready for use, in accordance with the approved plan Drawing Number 4594-CA-00-00-DR-A-00061_PL5 and thereafter retained for the sole use of electric car charging for the development hereby permitted.
REASON:- To ensure adequate EVCP provision is available at all times to promote sustainable modes of transport in support of the approved Travel Plan.
- 18 The development hereby approved shall be constructed in accordance with the measures to address adaptation to climate change as laid out in the Design and Access Statement to include the following:
- a) Building Management System to ensure air tightness, temperature control and ventilation within the amenity hub building;
 - b) Energy efficient LED lighting;
 - c) Recycled grey water for flushing toilets;

- d) Solar Photovoltaic panels;
- e) SuDS drainage solutions including an infiltration pond;
- f) Use of natural daylighting where possible;

These measures shall then be 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.

- 19 The development shall be carried out in accordance with the scheme of soft and hard landscaping, including all hard surfacing, rain garden features, retained, felled and new trees and shrubs as detailed on Drawing numbers 31536-RG-LD-DWG-01G GA-01-00; 31536-RG-LD-DWG-01G GA-01-01; 31536-RG-LD-DWG-01G GA-01-02; 31536-RG-LD-DWG-01G GA-01-03; 31536-RG-LD-DWG-01G GA-01-04.

REASON:- To ensure a satisfactory appearance for the development.

- 20 All planting, seeding and turfing comprised in the approved landscaping details as specified in condition 19 of this approval shall be carried out in the first planting and seeding seasons following the first occupation of the development hereby permitted or, the completion of the approved development whichever is the sooner.

REASON:- To ensure a satisfactory appearance for the development.

- 21 All hard surfacing comprised in the approved landscaping details as specified in condition 19 of this approval shall be carried out prior to first occupation of the development hereby permitted or, the completion of the approved development, whichever is the sooner.

REASON:- To ensure a satisfactory appearance for the development.

- 22 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.

- 23 No tree shown retained on the approved plans, or subsequently approved landscaping scheme, shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped within five years of the completion of development without the written approval of the Local Planning Authority.

REASON:- To ensure the protection of those trees which should be retained in the interests of visual amenity.

- 24 All areas of hedges, scrub or similar vegetation where birds may nest which are to be removed as part of the development, are to be cleared outside the bird-nesting season (March - August inclusive) or if clearance during the bird nesting season cannot be reasonably be avoided, a suitably qualified ecologist will check the areas to be removed immediately prior to clearance and advise whether nesting birds are present. If active nests are recorded, no vegetation clearance or other works that may disturb active nests shall proceed until all young have fledged the nest.

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

- 25 Following removal of the identified trees in the Arboricultural Impact Assessment (AIA) and before any development commences, including any site clearance, all retained trees identified in the AIA shall be protected in accordance with the details as approved in the AIA and detailed on the Tree Protection Plan 10918 TPP 01 Rev C contained therein. The protection measures shall be maintained until the conclusion of all site and building operations remain in place, unless otherwise agreed by the Local Planning Authority

REASON:- To ensure that the retained tree(s) are not damaged or otherwise adversely affected during site operations.

- 26 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 27 which is subject to the approval of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 28.
REASON:- To ensure that the site does not pose any risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is completed.
- 27 In the event that contamination is found at any time when carrying out the approved development that was not previously identified, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historic environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.
REASON:- To prevent harm to human health and pollution of the water environment in accordance with Government policy set out in the National Planning Policy Framework.
- 28 In the event that contamination is found at any time when carrying out the approved development that was not previously identified, as required under condition 21, the approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval in writing of the Local Planning Authority.
REASON:- To prevent harm to human health and pollution of the water environment in accordance with Government policy set out in the National Planning Policy Framework.
- 29 Notwithstanding the provisions of Article 3 of the Town and Country Planning Use Classes Order 1987 (as amended), and Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any Orders revoking or re-enacting these Orders) this permission shall only permit the use of the premises as Class E(g)(iii), B2 and B8 and for no other use or purpose, including any use or purpose within the same use Class.
REASON:- To enable the Local Planning Authority to fully consider the effects of any development normally permitted by these Orders to safeguard the provision of employment uses as required under Policy EC1/4 of the Local plan and to safeguard the amenities of the locality.

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 lead 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

1 **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.

2 **Hertfordshire County Council as Highways Authority**

The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/businessanddeveloper-information/development-management/highways-developmentmanagement.aspx> or by telephoning 0300 1234047.

3 **Hertfordshire County Council as Highways Authority**

Parking and Storage of materials: The applicant is advised that all areas for parking, storage, and delivery 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> or by telephoning 0300 1234047.

4 **Hertfordshire County Council as Highways Authority**

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: <http://www.hertfordshire.gov.uk/services/transtreets/highways/> or by telephoning 0300 1234047.

5 **Hertfordshire County Council as Highways Authority**

Debris and deposits on the highway: It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made up carriageway, or any or other debris on a highway to the interruption of any highway user. 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 and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.

6 **Hertfordshire County Council as Highways Authority**

Avoidance of surface water discharge onto the highway: The applicant is advised that the Highway Authority has powers under section 163 of the Highways Act 1980, to take appropriate steps where deemed necessary (serving notice to the occupier of premises adjoining a highway) to prevent water from the roof or other part of the premises falling upon persons using the highway, or to prevent so far as is reasonably practicable, surface water from the premises flowing on to, or over the footway of the highway.

10. 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 to 2031 adopted 2019.
3. Stevenage Borough Council Supplementary Planning Documents – Parking Provision adopted October 2020, Developer Contributions adopted March 2021, Impact of Development on Biodiversity adopted March 2021.
4. Responses to consultations with statutory undertakers and other interested parties referred to in this report.
5. Hertfordshire County Council's Local Transport Plan 4 adopted May 2018
6. Central Government advice contained in the National Planning Policy Framework July 2021 and Planning Policy Guidance March 2014.