

STEVENAGE BOROUGH COUNCIL
PLANNING AND DEVELOPMENT COMMITTEE
MINUTES

Date: Tuesday, 2 November 2021

Time: 6.30pm

Place: Council Chamber

Present: Councillors: Simon Speller (Chair), Maureen McKay (Vice-Chair), Doug Bainbridge, Myla Arceno, Adrian Brown, Teresa Callaghan, Michael Downing, Jody Hanafin, Graham Lawrence, Adam Mitchell CC, Graham Snell and Tom Wren.

Start / End Start Time: 6.30pm
Time: End Time: 9.52pm

1 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were submitted on behalf of Councillors Matt Creasey and Mrs Joan Lloyd.

There were no declarations of interest.

2 MINUTES - 5 OCTOBER 2021

It was **RESOLVED** that the Minutes of the meeting of the Planning and Development Committee held on 5 October 2021 be approved as a correct record and signed by the Chair, subject to the addition of the name of Councillor Graham Lawrence to those Members who had submitted their apologies for absence for the meeting.

3 21/01025/ENF - 7 BOXFIELD GREEN, STEVENAGE

The Principal Planning Officer reminded the Members that this item had been deferred at the meeting of the Committee held on 5 October 2021 to allow additional time for the owners of 7 Boxfield Green to prepare for this meeting, and to allow officers time to negotiate with the owners to see whether the planning issues raised could be resolved.

The Principal Planning Officer advised that further information had been provided by the owners of 7 Boxfield Green. The eastern rooflight facing 8 Boxfield Green had been removed, and officers considered that the rooflight facing the Whiteway (although unauthorised) was not considered to cause a loss of privacy to the properties on the opposite side of the Whiteway due to the distance of separation. However, even with a potential change of colour to the unauthorised dormer cheeks to more closely match the colour of the roof tiles, officers maintained that the cheeks were visually unacceptable, creating development that was out of keeping and incongruous in the street scene. They were still recommending that enforcement action be authorised to secure removal of the cheeks.

The Chair invited Mr Duffett, an objector to the application and occupier of 8 Boxfield Green, to address the Committee. Mr Duffett raised the following issues:

- in 2014, the first planning application had been submitted and refused for a two storey extension to 7 Boxfield Green;
- since then there had many several other applications, including for dormer windows in the roof;
- he considered that the current dormer windows/cheeks were incongruous in the street scene and not in keeping with the neighbourhood;
- as a result of the current bulk of the roof of No. 7 caused by the dormers, there was a loss of sunlight in his garden, and he felt his property had been devalued;
- he considered the whole site to be overdeveloped, and supported the officer recommendation for enforcement action to remedy the situation.

The Chair thanked Mr Duffett for his presentation and invited Mr Burrage, a further objector to the application and occupier of 9 Boxfield Green, to address the Committee. Mr Burrage raised the following issues:

- he referred to a series of photographs he had supplied showing No. 7 before and after the extension and dormer windows/cheeks;
- a major concern was the patio doors on the first floor of the property which overlooked a number of bedrooms, toilet and back garden of his property, thereby resulting in a loss of privacy, which had affected the value of his property;
- the white dormer checks appeared top heavy and were not in keeping with the street scene;
- the form of the letters of support to the look of No. 7 were very similar in content and were not provided by residents living close to the property; and
- he referred to a resident of the Whiteway, who had not been consulted on the matter, but who felt that the velux window facing the Whiteway affected her privacy.

The Chair thanked Mr Burrage for his presentation, and invited Mr Barron and Ms Allen, the owners of 7 Boxfield Green, to address the Committee. They raised the following issues:

- they asserted that they had received all the necessary permissions (both planning permission and Permitted Development). They further asserted that the Planning Department had advised that they could be implemented as a “whole build”, and that they were never advised that the dormer window element was a fall back option;
- the privacy issue worked both ways and they intended to plant trees alongside the boundary with No. 9 to mitigate the overlooking effect of the first floor patio doors/Juliet balcony;
- some trees had been removed from No. 8, but these were taken down after the No. 7’s extension had been built;
- this was first time they had heard of the objection from a property across the road in the Whiteway;

- they had received letters of support from others asking for details of the architect/builder who had designed/built the extension;
- they had supplied photographs of other roof extensions in the area which far exceeded the scale of those of their own property;
- since the 5 October 2021 Committee meeting, they had endeavoured on several occasions to contact the Planning Department. They had eventually received a response stating that the Juliet balcony was acceptable and that the patio doors would need to be obscure glazed. A further e-mail from Planning acknowledged that the velux window facing No. 8 had been removed, but stating that the dormers cheeks element of the property was unacceptable, and therefore that it was still proposed to recommend enforcement action for their removal.

The Chair thanked Mr Barron and Ms Allen for their presentation.

Members asked a number of questions of the Principal Planning Officer. In response to these questions, together with the issues raised by the public speakers, she commented as follows:

- she had no written record of the Planning Department advising the owners of No. 7 that they either could or could not implement both the planning permission and Permitted Development at the same time as “one build”;
- Class B additions to roofspaces required dormer windows to be set back at least 20cm from the roof edge;
- the submitted plans for the non-material amendment application did show lines that alluded to a box dormer, but did not contain any wording specifying it as such, and so the approval related only to the other clearly specified elements of the plans;
- in terms of consultation for the planning application, it was confirmed that the owners of properties physically adjoining No. 7 would have been sent a letter from the Planning Department. A Site Notice had been displayed near the Bus Stop on the Whiteway, but no residents of the Whiteway would have been sent a consultation letter; and
- it was re-iterated that no minor adjustment to the dormer cheeks, such as a change in colour, would be sufficient to overcome her recommendation that enforcement action should be authorised for their removal.

Having heard the evidence presented by both the owners of 7 Boxfield Green; the local objectors; and the officer report, presentation and answers to questions, the Committee agreed to authorise the commencement of enforcement action to secure the removal of the unauthorised dormer cheeks at 7 Boxfield Green.

It was **RESOLVED**:

1. That an Enforcement Notice be issued and served by the Assistant Director of Planning and Regulation and subject to an appointed solicitor by the Council being satisfied as to the evidence, requiring the removal of the dormer window construction, namely the white render dormer walls and associated internal structure supporting this, and re-instating the original roof slope profile with tiles of a matching material. The precise terms of the Enforcement Notice, including all time periods, to be delegated to the Assistant Director of Planning and

Regulation.

2. That, subject to an appointed solicitor by the Council being satisfied as to the evidence, the Assistant Director of Planning and Regulation be authorised to take all steps necessary, including prosecution or any other litigation/works in default to secure compliance with the Enforcement Notice.
3. That in the event of any appeal against the Enforcement Notice, the Assistant Director of Planning and Regulation be authorised to take any action required to defend the Enforcement Notice and any appeal against the refusal of planning permission.

4 21/00357/FP - 37 FELLOWES WAY, STEVENAGE

Application No:	21/00357/FP
Location	37 Fellowes Way, Stevenage
Proposal	Part change of use of ground floor of the main house to use as a dance studio
Applicant:	Mrs Kimberly Clark
Recommendation:	GRANT PLANNING PERMISSION

The Principal Planning Officer reminded Members that this item had been deferred at the meeting of the Committee held on 5 October 2021 to enable the applicant to attend the next Committee meeting.

The Principal Planning Officer advised that the property had been used, without planning permission, for dance classes at various times throughout the Covid pandemic, partly due to the closure of a number of larger venues. This unauthorised activity had ceased and the applicant was now applying for a much reduced timetable at the property for organised dance classes.

The Principal Planning Officer confirmed that both SBC Environmental Health and HCC Highways had raised no concerns regarding the application. In recommending that the application be granted permission, she stated that a number of recommended conditions had been drafted as a result of Case Law and appeals regarding similar change of use applications.

In response to a Member question in respect of monitoring of conditions, officers explained that they would rely on any intelligence from neighbouring properties regarding alleged breaches of conditions. If noise nuisance was alleged, the SBC Environmental Health Team would be requested to monitor the premises. Log Books could also be kept by neighbours to record instances of excessive noise emanating from the property. The Principal Planning Officer commented that, if approved, the permission would be temporary for one year in the first instance to enable monitoring of the site and the situation to be re-assessed with any appropriate evidence at the conclusion of the one year period.

In reply to a further question regarding whether or not the length of the dropped

kerbs for the parking area were sufficient, the Principal Planning Officer stated that this had been assessed by HCC Highways and found to be acceptable.

The Committee supported the recommendation that planning permission be granted.

It was **RESOLVED** that application 21/00357/FP be GRANTED planning permission, subject to the following conditions and with any amendments to those conditions being 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:
2121 P001; 2121 P004.
- 2 The use hereby approved shall be for a limited period of one year only from the date of implementation, expiring on or before that date after which time the use hereby permitted shall be discontinued, unless otherwise agreed in writing by the Local Planning Authority, in the form of an application.
- 3 The use hereby permitted shall operate only between the hours of 16:00-20:00 Monday to Thursday and 12:00-16:00 on Saturday.
- 4 Between the permitted hours of use set out in condition 3, no more than 8 students in total shall attend the dance studio daily, with no more than 3 students in total per class. A record shall be kept of all students referred to in this condition by listing the student's name and their arrival/departure times and mode of arrival/departure. The record shall be kept and made available for inspection on request.
- 5 During the permitted hours of use set out in condition 3, the two parking spaces indicated on drawing 2121 P004 shall be kept permanently available for the parking of cars in association with the use of the dance studio.
- 6 There shall be an interval of at least fifteen minutes between the end of one class and the start of another class.
- 7 The converted annexe shall only be used for dance classes or as part of the Property's living accommodation and for no other purpose.
- 8 There shall be no more than 1 dance teacher operating from the dance studio per day.
- 9 Noise and music from the dance studio shall not be audible from the boundaries of the site at any time during the hours of use as set out in condition 3.

INFORMATIVE

Hertfordshire County Council as Highways Authority.

AN1) Storage of materials: The applicant is advised that the storage of materials

associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence.

Further information is available via the website

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047.

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

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> telephoning 0300 1234047.#

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.

Building Regulations

To obtain advice regarding current Building Regulations please contact Hertfordshire Building Control Ltd. by emailing us at buildingcontrol@hertfordshirebc.co.uk or phoning us on 01438 879990. To make a building regulations application please apply through our website portal at <https://www.hertfordshirebc.co.uk/contact-us/> payment can be made online or by phoning the above number after the application has been uploaded. Please phone Hertfordshire Building Control for fees guidance on 01438 879990. Hertfordshire Building Control can also be contacted by post at Hertfordshire Building control Ltd., 4th Floor, Campus West, Welwyn Garden City, Hertfordshire, AL8 6BX. Once a building regulations application has been deposited with relevant drawings and fee building work may commence. You will be advised in their acknowledgement letter of the work stages we need to inspect but in most instances these are usually:

- Excavation for foundations;
- Damp proof course;
- Concrete oversite Insulation;
- Drains (when laid or tested);
- Floor and Roof construction;
- Work relating to fire safety;
- Work affecting access and facilities for disabled people;
- Completion.

Please phone Hertfordshire Building Control on 01438 879990 before 10.00am to ensure a same day inspection (Mon - Fri).

5 **21/00529/FPM - LAND WEST OF NORTH ROAD**

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.
Applicant:	New Road Stevenage Investment LLP
Recommendation:	GRANT PLANNING PERMISSION

The Principal Planning Officer advised that late letters of representation from Highways England and SBC Environmental Health had been circulated to Members.

The Principal Planning Officer stated that this was a major application for employment use on allocated Site EC14 in the Local Plan (with approval for up to 20,000sqm of employment space). The access to the site would be from a four-armed junction with North Road and the new HO3 (“Forster Country”) site. This junction had been fully assessed and modelled to allow it to be allocated for both sites, and the assessment had concluded that it would not result in a detrimental impact on traffic flows. The assessment had been provided to Highways England.

The Principal Planning Officer commented that the application proposed the construction of 18,534sqm of employment space in three buildings, together with associated parking provision and an area in the south-west corner of the site a large area of green open space for outside use by employees. In mitigation to the occupiers of premises adjacent to the site, the application proposed the construction of acoustic barriers along the boundaries with Cygnet Hospital, Elizabeth Court, Victoria Court and Foxholm.

The Principal Planning Officer concluded that the proposed development of this strategic site with 18,534sqm GIA employment floorspace was acceptable in principle, subject to the signing of a Section 106 Agreement. On balance, the provision of employment use on the site, with associated access, parking, landscaping and mitigation measures, outweighed the small number of concerns expressed in respect of the visual implications of the acoustic fencing and 24 hour

use of the site. Through the imposition of conditions, the impact could be suitably controlled and a much needed provision of employment floorspace brought forward early in the Local Plan period.

The Chair invited Mr Mann, an objector to the application on behalf of the residents of Foxholm, to address the Committee. The points/questions raised by Mr Mann included the following:

- an assertion that the residents of Foxholm had not been consulted about this application or the allocation of the site in the Local Plan;
- they had invested a significant amount into improvements to Foxholm, which would not be realised should they be forced into selling the property;
- they were unaware of the change of access arrangements, as the original plans had been for an access further to the south of North Road, nearer to the Rugby Club access. Foxholm would now be much closer to a very busy four-armed junction;
- highway safety concerns of increased traffic (particularly HGVs), as there had already been an increase in road traffic accidents in the vicinity of the junction of North Road with Graveley Road;
- the apparent disregard to the amenity of occupiers of Foxholm during the construction works and “live” use of the site;
- the proposed 4.5m acoustic barrier may block noise, but would result in a reduction of daylight reaching Foxholm;
- there was no tiering of the site to reduce its impact;
- concerns about pollution during the construction process;
- whilst discussions had been held with Wrenbridge to sell Foxholm in order to mitigate the impact on Mr Mann’s family, the sale of the property was in no way guaranteed;
- they would wish to be consulted before any work commenced on erection of the acoustic barriers, as they felt a 4.5m high barrier was unacceptable; and
- they also wished to be consulted on details regarding the four-armed access arrangements.

At the Chair’s request, the Assistant Director of Planning and Regulation clarified that there would be 2 access points for the NO3 (“Forster Country”) development, one being the four-armed access referred to earlier in the meeting and the other further to the south on North Road. Both the NO3 and EC14 sites were extensively consulted upon as part of the Stevenage Local Plan approval process.

The Chair invited Mr Gareth Pritchard, a Planning Consultant acting on behalf of the applicant, to address the Committee. The points raised by Mr Pritchard included the following:

- the development would provide a high quality commercial space for a site allocated for employment purposes in the Local Plan;
- the plans avoided any form of built form underneath the electricity pylons located on the site;
- the developer had been unable to deliver a more southerly access point to the development, as this would have reduced the floorspace of the buildings

- affecting viability and providing less jobs;
- the developer would endeavour to minimise the noise emanating from the site and its impact on Foxholm. This included the acoustic barrier, which would be set back in the site as far as possible and would be constructed in wire mesh with climbing plants on the side facing Foxholm in order to soften its appearance;
- the officer report balanced the effect of the scheme on the amenity of the residents of Foxholm and the economic growth provided by the development;
- the buildings would be constructed to an environmental standard EPC A+, using net zero carbon construction materials and techniques;
- subject to planning approval, Unit B had already been pre-let and there had been significant interest in Units A and C;
- subject to planning approval, the intention was to commence work on site in early 2022, with completion in early 2023.
- the applicant was prepared to liaise with and consult the owners of Foxholm regarding the construction process as part of the Construction Management and Traffic Plan for the site.

Members asked a number of questions of the Principal Planning Officer. In response to these questions, together with the issues raised by Mr Mann, she commented as follows:

- the HO3 site had been granted outline planning permission, subject to the signing of a Section 106 Agreement (which had yet to be signed). The Reserved Matters application would, in due course, be determined by the Committee. Therefore, development on that site was less imminent than that on EC14, although the developers were committed to providing the junction with North Road;
- there would be a 3.5m wide footpath along the North Road frontage of the site. The Bridleway to the south of the site would be retained at a width of 4m (3m for pedestrians/cyclists and a further 1m for horses);
- the applicant was in negotiation with HCC regarding the location/re-location of the bus stops on North Road;
- regarding the potential for flooding of the south-western green open space area of the site, the Local Lead Flood Authority had raised no objections to the scheme, but had proposed appropriate conditions which were recommended for approval;
- in relation to Paragraph 5.12 of the report, it was confirmed that the new SBC Biodiversity Supplementary Planning Document required developers to provide a financial contribution to the Council to re-provide biodiversity on Council-owned land elsewhere in the Borough. In this case, it would be provided in Fishers Green Wood, an area of land running alongside the A1(M);
- the materials to be used in construction of the three buildings would all be of a grey colour, but would vary in terms of the textures used; and
- the information provided in the Transport statement regarding road traffic accidents had been taken from the HCC database. She re-iterated that the four-armed junction element of the scheme had received no objection from the Highway Authority, although a definitive response was still awaited from Highways England.

The Committee was in support of the economic growth opportunities afforded by the application, including the creation of additional jobs associated with the commercial use of the site. However, Members were concerned with the potential impact of the scheme on Foxholm, especially during the construction process, and supported an addition to proposed Condition 3 requiring the applicant's detailed Construction Management and Traffic Plan to include specific reference to a bespoke communication strategy for the occupiers of Foxholm aimed at mitigating the construction impacts on that property.

It was **RESOLVED** that application 21/00529/FPM be GRANTED planning permission, subject to the signing of a Section 106 Agreement in respect of the following:

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

and subject to the following conditions including an amended Condition 3, with any amendments to those conditions and/or Heads of Terms of the S106 Agreement, and the recommendations of Highway England following cessation of their holding direction, being 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.
- 2 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 3 No development shall take place (including site clearance) until a detailed Construction and Traffic Management Plan (CTMP) produced to CLOCS standards, has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried

out in accordance with the approved CTMP. The Construction Management and Traffic 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; and
 - v) A bespoke communication strategy for the occupiers at Foxholm. In particular, contact details for site manager, notice of noisy or disruptive works and air quality mitigation during construction.
- 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.

- 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.

- 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.

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

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

- 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.
- 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.
- 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.
- 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.
- 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.
- 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.
- 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
- 26 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in

writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 27 which is subject to the approval of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 28.

- 27 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.
- 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.
- 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.

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.

6 21/00367/COND - LAND AT SIX HILLS HOUSE, LONDON ROAD, STEVENAGE

Application No:	21/00367/COND
Location	Land at Six Hills House, London Road, Stevenage
Proposal	Discharge of conditions 11 (Construction Method Statement) and 18 (Site Waste Management) attached to planning permission references 16/00482/FPM and 20/00624/FPM
Applicant:	Westgold Developments Ltd
Recommendation:	DISCHARGE PLANNING CONDITIONS

The Development Manager advised that the major issues for consideration in connection with this application were its impact on Six Hills House and the nearby established Wildlife Site, which included the Six Hills mounds classed as a Scheduled Ancient Monument.

The Development Manager stated that the residential development, as approved by the Council as Local Planning Authority, was located at the northern end of the existing Six Hills House site. As a consequence of this, the only way large construction vehicles (e.g. HGV's) could access this part of the site would be through the existing surface car park. Given this car parking area currently served the residents who resided within Six Hills House, this could potentially result in a significant safety issue.

In order to overcome the aforementioned, the Development Manager explained that the applicant was proposing to construct a temporary access road along the existing cycle and pedestrian route which ran along the eastern boundary of the Six Hills House site. This would involve the creation, at the southern end, of a 2.4m wide shared cycle and pedestrian route with the hedge cut back (not removed) in order to create sufficient width. Adjacent to the shared cycle and pedestrian route would be the proposed construction access route which would measure approximately 3.7m in width. Located between the construction vehicle access and the shared cycle/pedestrian route would be the provision of safety hoarding / fencing. This would be to ensure that there was no conflict between pedestrians, cyclists and vehicles. Located between the main site access/proposed site compound and this shared surface area for pedestrians and cyclists, there would be provision of mobile barriers. These mobile barriers would be operated by on-site 'traffic marshals'. The vehicle holding area then widened to 4m and would be enclosed by hoarding, with the shared pedestrian and cycle area widened to 3m and would run to the left hand side of the vehicle holding area. The proposed vehicle access route also comprised a small turning area located centrally. This was in order to allow vehicles to safely manoeuvre on this road and exit onto Kings Road in a forward gear.

The Development Manager commented that, following extensive negotiations, Hertfordshire County Council as Highway Authority had advised that they considered the Construction Management Plan and updated temporary vehicle access layout plans to be acceptable. As such, the proposal would accord with the relevant policies set out in the NPPF (2021).

The Chair invited Ms Jennifer Gildea, an objector to the application and resident of Six Hills House, to address the Committee. The points/questions raised by Ms Gildea included the following:

- in relation to the cladding of the existing Six Hills House building, all of the leaseholders in the building were affected by the Grenfell Tower situation, being unable to sell their properties due to the presence on non-compliant cladding materials (although a £1.2M grant had been earmarked for the carrying out of remediation works). Her concern was that, should these remediation works commence, how would this work alongside the construction programme for the current application?;
- what would be the responsibilities of the applicant to make good after the temporary access road had been removed?;
- the hours of construction proposed were 8am to 6pm Monday to Friday and 8am to 1pm on Saturdays, although Paragraph 7.1.19 of the report referred to possible night-time road closures outside of these times, which implied further disruption for residents;

- would pedestrian access be restricted due to the vehicle turning area?; and
- how would the turning area function effectively and safely should the cladding works to Six Hills House be taking place at the same time?.

The Chair thanked Ms Gildea for her presentation.

The Development Manager referred to a supplementary agenda tabled at the meeting detailing the late comments of the HCC Archaeology Team on the application. He recommended that, given these late comments, delegated powers be given to the Assistant Director of Planning and Regulation, in conjunction with the Chair of the Committee, to agree the outstanding issues to be resolved between the applicant and HCC Archaeology before any decision was issued by the Council as Local Planning Authority.

Members asked a number of further questions of the Development Manager. In response to these questions, together with those asked by Ms Gildea, he commented as follows:

- the logistics of managing two adjoining sites should the Six Hills House cladding works coincide with works regarding the current application would need to be managed through liaison between the various contractors on site, in order to minimise potential conflict;
- the contractor, in consultation with the Highway Authority, would be required to make good any damage caused to the highway and/or cycle track before leaving the site;
- the need for possible road closures outside the hours of construction would be managed by HCC and would be for reasons such as the transporting of a crane onto the site. Residents would be advised of such road closures;
- the turning area would be fenced off to prevent vehicles encroaching onto the adjacent historic Common area;
- a Breach of Condition Notice would be served should the developer fail to comply with the approved conditions;
- because the construction access arrangements were temporary, there was no requirement to seek the approval of a Planning Inspector to allow the contractor to build on Common land;
- Historic England had initial concerns about the impact of the application on the historic common area, but no longer had any objections due to the temporary nature of the construction access works;
- the construction method for the turning circle on part of the historic common would not involve excavating below the surface, but would comprise a less penetrative method involving the laying down of metal grates which could be safely removed at the end of the scheme without damaging the ground; and
- the Council's own Conservation & Historic Advisor had been consulted on the application and had raised no objections.

The Committee voted on the application and permission was granted with 6 votes for the application and 5 votes against.

It was **RESOLVED** that conditions 11 (Construction Method Statement) and 18 (Site

Waste Management) attached to planning permissions 16/00482/FPM and 20/00624/FPM are hereby discharged, subject to the development being carried out in accordance with the approved details, and that delegated powers be given to the Assistant Director of Planning and Regulation, in conjunction with the Chair of the Planning and Development Committee, to agree the outstanding issues to be resolved between the applicant and HCC Archaeology before any decision is issued by the Council as Local Planning Authority.

7 INFORMATION REPORT - DELEGATED DECISIONS

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

8 INFORMATION REPORT - APPEALS/CALLED IN APPLICATIONS

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

9 URGENT PART I BUSINESS

Climate Change

The Chair advised that a good proportion of the membership of the Committee was similar to that of the Environment & Economy Select Committee. Therefore, in order to prevent duplication of effort, he and the Chair of the Environment & Economy Select Committee had agreed that work on a review of the Council's Climate Change Strategy would be led by that Select Committee.

10 EXCLUSION OF THE PRESS AND PUBLIC

Not required.

11 URGENT PART II BUSINESS

None.

CHAIR