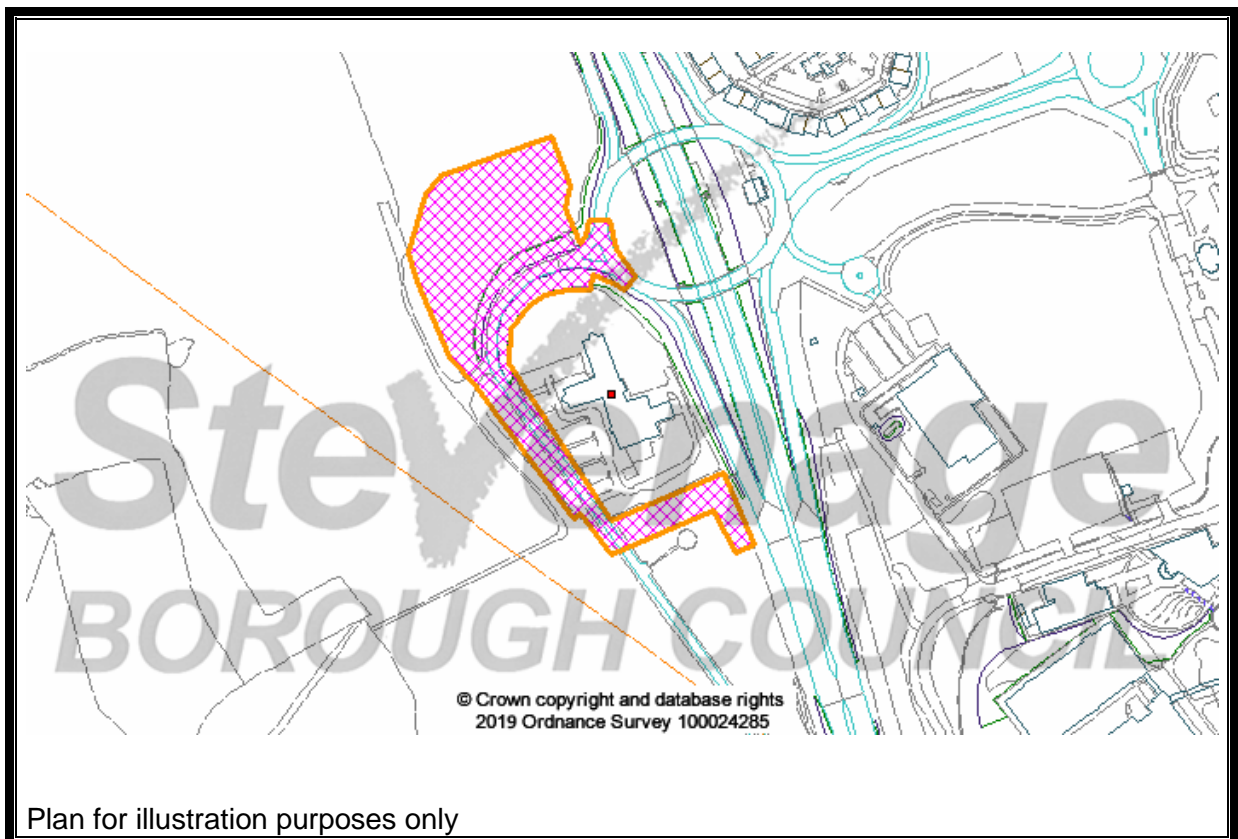


Meeting:	Planning and Development Committee	Agenda Item:
Date:	Thursday 9 December 2021	
Author:	Linda Sparrow	01438 242837
Lead Officer:	Zayd Al-Jawad	01438 242257
Contact Officer:	Linda Sparrow	01438 242837

Application No :	21/00536/FPM
Location :	Land To The North West Of Junction 7 Of The A1(M)
Proposal :	Erection of electric vehicle charging station with ancillary retail unit, associated electrical infrastructure, car parking and landscaping
Drawing Nos.:	05-899-301-C; BOW-A0-ZZ-DR-A-0100; BOW-A0-ZZ-DR-A-0101; BOW-A0-ZZ-DR-A-0102; 8306-BOW-A0-ZZ-DR-A-0103; 8306-BOW-A0-ZZ-DR-A-0104; 8306-BOW-A0-ZZ-DR-A-0105; 8306-BOW-A0-ZZ-DR-A-0200; 8306-BOW-A0-ZZ-DR-A-0201; 8306-BOW-A0-ZZ-DR-A-0300; 8306-BOW-A0-ZZ-DR-A-0301; 8306-BOW-A0-ZZ-DR-A-0700; D02-01; 21/3746/E63/EX01; 21/3746/E63/EX02;
Applicant :	GRIDSERVE Sustainable Energy Ltd
Date Valid:	11 May 2021
Recommendation :	GRANT PLANNING PERMISSION



1. SITE DESCRIPTION

- 1.1 The site is situated to the north west of Junction 7 of the A1(M), to the south and west of Stevenage, and in particular the extensive commercial areas to the east of the motorway. The western spur of the junction also provides access to the Knebworth House via a privately owned and privately-maintained road through the Knebworth Estate.
- 1.2 The site is made up of open countryside with the site lying within the Metropolitan Green Belt. To the west and north of the site is an ancient semi-natural woodland (which is also a Site of Special Scientific Interest) and to the east is the A1(M) and beyond this is the urban area of Stevenage. To the south of the development site is the Novotel complex which comprises of single storey up to four storey buildings. There is also the wider landscape of Knebworth Park which forms part of Knebworth House estate.

2. RELEVANT PLANNING HISTORY

- 2.1 None relevant

3. THE CURRENT APPLICATION

- 3.1 The application before the Council seeks planning permission for the erection of an electric vehicle charging station with ancillary retail unit, associated electrical infrastructure, car parking and landscaping.
- 3.2 The facilities being provided on this site comprise the following:
 - 24 no. Higher powered charging (DC) units (175 – 350kW). Two of which will be accessible spaces.
 - 6 no. lower powered charging (AC) units (22kW). One of which will be an accessible space
 - 3 no. Higher powered charging (DC) units (175-350kW) for future HGV use.
 - 8 no. branded charging units.
 - 31 no. parking spaces for staff and customer use, two of which will be accessible spaces. Some of these spaces will also be available for future additional charging units should demand dictate.
 - An air and water bay of suitable depth and length for accessible use.
 - A vehicle queueing lane for 7 vehicles.
 - 6 no. covered cycle hoops for 12 bicycles.
 - A motor-cycle bay with security anchor point.
 - An external seating / picnic area for customer use.
 - An infiltration pond in line with the surface water drainage strategy.
 - A retail storage area including refuse storage set back from the main access route with dedicated service vehicle bay.
 - Extensive landscaping with perimeter screening to the western and northern boundaries of the site is proposed.
 - Weather canopies over the central charging area.
- 3.3 The application site is located within Green Belt and as the application is classified as a major development, on a site not allocated for such uses in the Local Plan, it is considered a departure from the Development Plan.
- 3.4 The application comes before the Planning and Development Committee as it is a major commercial scheme.

4. PUBLIC REPRESENTATIONS

4.1. The application was publicised by way of neighbour notification letters, a press notice and site notices. As the proposed development would be a departure from the adopted Local Plan, a further site notice and press notice has been issued. Any additional representations which are made and are materially different to the representations which have been received to date, will be reported to the planning committee.

4.2 Seven representations were received from the addresses below:

- 35 Julian's Road
- 92 Briardale
- 9 Kennet Way
- Flay 90, Skyline House, Swingate
- 80 Torquay Crescent
- 55 Grenville Way
- 225 Cleveland Way

4.3 Summaries of the comments received are outlined below:

- GridServe's Essex location is an excellent example of what is needed in Stevenage
- Will give local residents opportunity to own and drive an EV without the requirement to charge at home
- Please bring this to fruition
- Valuable addition to local infrastructure
- Useful for residents without a driveway
- Design is modern and environmentally friendly
- Commitment to use only renewably generated electricity and use of battery storage are additional benefits
- Fantastic opportunity for Stevenage to be a leading Town for EV's.
- Concerns raised by Highways England about traffic shows how little they understand EV's and how they are charged
- Much needed facility in the area.

5. CONSULTATIONS

5.1 Hertfordshire County Council Highways

5.1.1 Hertfordshire County Council as Highway Authority has considered that the proposal would not have an unreasonable impact on the safety and operation of the adjoining highways and consequently would have no objections on highway grounds subject to the recommended planning conditions and highway informative.

- Vehicle Access - sufficient width and capacity to accommodate the traffic generated by the new development; will enable traffic to enter/leave large events at Knebworth Estate; horizontal geometry of new road layout has sufficient capacity to accommodate two-way traffic and complies with Roads in Hertfordshire Highway Design Guide.
- Emergency Vehicles – within the required 45m to all parts of the building from the access road; will accommodate large fire appliances.
- Traffic Generation - The proposed development is not expected to contribute to a significant increase in vehicle movements, given the distance to the nearest junctions of the A1(M) the new trips anticipated from local areas would be from the A602 Broadhall Way arm of the Junction 7 of the A1(M).
- Local Highway Network – primary distributor road has sufficient capacity to accommodate site traffic.
- Sustainability – the development is not a significant development that needs to provide cycle ways and pedestrian links.

5.1.2 Hertfordshire County Council as Highway Authority has considered that the proposal would not have an unreasonable impact on the safety and operation of the adjoining highways and consequently would have no objections on highway grounds subject to the above recommended planning conditions and highway informative.

5.2 Herts & Middlesex Wildlife Trust

5.2.1 Objection – the ecological report is a preliminary assessment and therefore unacceptable for this type of application. Further reports are required and the Biodiversity Net Gain of 10% has not been proven.

Amended comments received 9 July 2021

5.2.2 Happy with the updated report, the mitigation measures detailed in the report can be conditioned in the decision.

5.3 Cadent Gas Network/National Grid

5.3.1 There is apparatus in the vicinity of the site which may be affected by the development. Plant Protection will need informing of the decision of the application as soon as possible. The developer will need to contact them to discuss works prior to commencement if permission is granted. Cadent have identified operational gas apparatus within the application site boundary. This may include a legal interest (easements or wayleaves) in the land which restricts activity in proximity to Cadent assets in private land. The Applicant must ensure that proposed works do not infringe on Cadent's legal rights and any details of such restrictions should be obtained from the landowner in the first instance. If buildings or structures are proposed directly above the gas apparatus then development should only take place following a diversion of this apparatus. The Applicant should contact Cadent's Plant Protection Team at the earliest opportunity to discuss proposed diversions of apparatus to avoid any unnecessary delays. If any construction traffic is likely to cross a Cadent pipeline then the Applicant must contact Cadent's Plant Protection Team to see if any protection measures are required.

5.4 Thames Water

5.4.1 Waste – there are public sewers on the site so the developer is advised to contact Thames to discuss.

5.4.2 Surface Water – if the developer follows the sequential approach to the discharge of water then there is no objection. Thames approval will be needed to discharge to a public sewer.

5.4.3 Waste Water and Sewage Treatment – no objections.

5.5 Highways England

5.5.1 AECOM have assessed the transport assessment and raised a number of concerns including collision patterns, trip generations for the amenity hub building, trips leaving the site due to site being at capacity, staff & ancillary trips, traffic flow data sources, traffic flow from A602, evidence to support trip assignments for new trips, confirmation of no committed developments nearby that would influence data, concerns regarding the LinSig model.

Amended comments received 9 September 2021

5.5.2 No objections

5.6 Hertfordshire County Council as Lead Local Flood Authority

5.6.1 As the site is greenfield it is expected that the drainage scheme would prioritise above ground features. Areas of hardstanding do not appear to be actively drained. It is noted that infiltration is the proposed discharge method for surface water discharge from the development and that an infiltration rate of 1×10^{-5} m/s has been assumed based on the Loamy Sand / Sandy Loam soil type. We would however expect at this stage the applicant to conduct infiltration testing to confirm that infiltration is a feasible method of disposal of surface water runoff. We note that due to surface water from the access road (motorway roundabout) being taken into the drainage system we would expect that the additional pollution indices for motorways are included in the treatment assessment. We would advise an updated treatment train assessment should be provided. We note that there is an area of the site towards the south east that has a high risk of surface water flooding we would expect this flood risk to be managed within the drainage system to reduce the risk of surface water flooding. The applicant should justify why a below ground features like the cellular soakaway has been proposed as well as an above ground feature. Technical clarification around why solely above ground features cannot be utilised should be submitted. We would expect the application to provide evidence that infiltration is a feasible method of surface water discharge by conducting Infiltration testing to BRE Digest 365 Standards. We would expect the applicant to actively drain all areas of hardstanding for the proposed development.

Amended comments received 23 September 2021:

5.6.2 We note that the applicant has not clarified as to why a solely above ground feature drainage scheme cannot be utilised for the site. We would expect the applicant to provide this information. The applicant should undertake further infiltration testing compliant with BRE Digest 365 Standards to confirm that infiltration is a viable method of surface water discharge for the site. If infiltration is shown not to be viable, an alternative surface water discharge mechanism will need to be proposed. We acknowledge that the additional pollution from the motorway has been included within the treatment indices calculations. We understand however that the treatment for surface water runoff is still reliant on below ground separators. We would expect the applicant to evidence that the below ground treatment is the only viable method of treatment for the site. Mechanical methods of treatment require a rigorous maintenance regime and the applicant should explore on surface treatment such as filter drains, filter trenches, filter strips, swales etc.

Amended Comments received 22 November 2021

5.6.3 We note that the additional infiltration testing is not compliant with BRE Digest 365 Standards and a number of the infiltration results have been extrapolated after being left overnight. The LLFA do not accept extrapolated rates to be accurate of the infiltration rates for the site. The applicant could explore other surface water discharge methods as currently shallow infiltration cannot be evidenced to be a viable method of surface water discharge. Deep-bore infiltration could be explored as a means of surface water discharge. Without the evidence to confirm that infiltration is feasible the proposed development has no method of surface water discharge. And therefore, the layout and management of surface water treatment cannot be agreed until the discharge method is confirmed.

5.7 Hertfordshire County Council Archaeology

5.7.1 Recent archaeological excavations adjacent to the north of the site (at Norton Green) have uncovered Roman and medieval settlement activity of some density. Given the agricultural use of the land, it is likely that any archaeological remains present within the site may be well preserved. Any such remains present would be impacted upon by the development. I

consider that the proposed development should be regarded as likely to have an impact on heritage assets of archaeological interest. Request conditions to be imposed.

5.8 Natural England

5.8.1 This application has triggered one or more Impact Risk Zones, indicating that impacts to statutory designated nature conservation sites (European sites or Sites of Special Scientific Interest) are likely. The designated site which could be impacted by this proposal is Knebworth Woods SSSI which is designated for its woodland interest. We strongly advise the retention of ancient woodland and veteran trees *within* the application site as they have important roles to perform as local landscape features and possibly as visual screening, as wildlife habitats for woodland species (including NERC Act s41 priority species such as stag beetle) and ecological corridors for mobile species. Depending on the configuration of the proposed development, they may also act as buffers to the designated site.

5.8.2 Larger sites have more options for green infrastructure in general, but we suggest that woodland/veteran trees within the application site are designed into an ecological network / local landscaping which includes connections to other wooded habitat and transitions to semi-natural habitats, such as long grassland.

5.9 SBC Arboricultural and Conservation Manager

5.9.1 I visited the site and can confirm that, whilst I do not object to this proposal in general, I would have hoped that Oak tree T13 is kept and protected rather than removed. In my view, this Oak tree is one of the most valuable trees on site from an amenity, conservation and historical viewpoints.

5.10 SBC Environmental Health

5.10.1 I currently have no objections with regard to air quality, nor noise. If I see something that looks like it might cause an issue, I'll get back to you.

5.11 Herts Police Crime Prevention Design Advisor

5.11.1 Thank you for inviting me to comment on this application. I have previously commented on this at the pre-app stage back in 2019. I am disappointed that my original comments seem to have been ignored or forgotten.

5.11.2 I have substantive concerns regarding the paragraph 3.26 of the Planning Statement regarding the pedestrian and cycle access to the site. The motorway slip roads actually form part of the motorway network -it is illegal for both pedestrians and cyclists to use the motorway network. Besides which this is a very busy junction and the increase of pedestrian and cyclists would increase the chances of incidents involving them and other road users. Please note that during large events at Knebworth Park the junction has to be closed for public safety to allow for pedestrians to cross to and from the Park. Having discussed this issue with our Traffic management office we would both recommend a separate crossing facility that is segregated from the roundabout.

5.11.3 I note that the proposal has what appears to be a new roundabout at the entrance; this appears to be sited on the current roundabout. I have substantive to fundamental concerns regarding this as the traffic flow is shown to be two way instead of the current single flow. If this is made two way this will lead to increased conflict between all users and their vehicles.

5.11.4 I note that the proposed cycle storage will use 'Sheffield Hoops'. From a security point of view, I would prefer to see cycle racks that are third party certified to Sold Secure level gold or the Police preferred minimum security standard that is Secured by Design.

5.11.5 As stated earlier I originally commented on this at the pre-app stage. I have attached a copy of them as they are still relevant;

- Page three the final point reference existing charging provision. This is an emerging issue, still in the early stages, but we are aware that there is a rise in complaints where the highway and footpaths are being obstructed so that vehicles can be recharged.
- Page seven - given the apparent modular design of the main building I would encourage the client to seek to achieve the Police minimum security standard for the building that is Secured by Design national Build Approval. This would mean that wherever this was built then it would have already achieved SBD 'silver' accreditation for the physical security of the building. This can also assist where BREEAM accreditation is required. Any lighting should not include the use of bollard style lighting as this is ineffective and very prone to damage, especially where vehicles are concerned. I would suggest that LED style lighting together with directional luminaires should be used to reduce light pollution. (The Lighting Engineer may wish to look at mesoscopic style lighting for this site). The provision for E-Bike charging could cause issues due to the junction being part of the motorway and there being no provision for footpaths or cycleway.
- If this progresses I would need to see further information regarding both formal and natural surveillance of this site - in order to help addressing any crime opportunities.

5.11.6 I note that within the lighting proposals the applicant intends to use bollard lighting I have substantive concerns for this as stated above. In addition, it would be very difficult to achieve accreditation to BS 5489:2020 using such lighting. Given the concerns raised here the Police Crime Prevention design Service are not in a position to support this application in its current form.

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

6.3 Planning Practice Guidance

- 6.3.1 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 SP5: Infrastructure;
Policy SP6: Sustainable Transport;
Policy SP8: Good Design;
Policy SP10: Green Belt;
Policy SP11: Climate Change, Flooding and Pollution;
Policy SP12: Green infrastructure and the natural environment;
Policy SP13: The Historic Environment;
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 GB1: Green Belt;
Policy FP1: Climate Change;
Policy FP2: Flood risk in Flood Zone 1;
Policy FP5: Contaminated land;
Policy FP7: Pollution;
Policy NH2: Wildlife Sites;
Policy NH5: Trees and woodland;

6.5 Supplementary Planning Documents

Parking Provision Supplementary Planning Document October 2020
Stevenage Design Guide Supplementary Planning Document January 2009
Developer Contributions Supplementary Planning Document (March 2021)
Impact of Biodiversity on Developments Supplementary Planning Document (March 2021)

6.6 Community Infrastructure Levy Charging Schedule

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

7. APPRAISAL

- 7.1.1 The main issues for consideration in the determination of the application are its acceptability in land use policy terms in the Green Belt, Impact on visual amenity of the Green Belt, Impact on amenities, archaeology, parking provision, means of access and highway safety, trees and landscaping, impact on the environment, development and flood risk and ecology and protected species.
- 7.1.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that all planning applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

7.2 Policy Considerations

Sustainable Development

- 7.2.1 The NPPF (2021) states at paragraph 7 that the purpose of the planning system is to contribute to the achievement of sustainable development. The NPPF (2021) also stipulates that decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area. In addition, the Framework also sets out that sustainable development needs to be pursued in a positive way and at the heart of the framework is a "presumption in favour of sustainable development".
- 7.2.2 Policy SP2 of the Local Plan provides that planning permission will be granted where proposals demonstrate, how amongst other matters they will:
- Regenerate areas of the town that are under performing;
 - Make good use of land and maximise opportunities for brownfield redevelopment in the town;
 - Improve quality of life and make sure that residents share in the benefits of regeneration;
 - Promote journeys by bus;
 - Make high quality buildings and spaces that respect and improve their surroundings; and
 - Support facilities that encourage people to live, work and spend leisure time in Stevenage.
- 7.2.3 Looking at the site itself in terms of its allocation in the Local Plan, it is an open space within the Green Belt and not allocated for development. The proposed development is seeking to erect an electric vehicle (EV) charging station with associated infrastructure and a building containing open rest areas, meeting rooms, a café and toilets.
- 7.2.4 With regards to sustainability, the test is to determine if the development would result in such harm as a result of its scale, form and location that it cannot reasonably be considered to constitute sustainable development regarding Section 2 of the NPPF (2021).
- 7.2.5 The Government's Road to Zero paper (2018) included details of the intention to ban the sales of new petrol and diesel vehicles by 2040. The Government expects electric vehicles (EV) to be at the forefront of the transition to zero emission transport and this will require a charging infrastructure network that is easy to use, affordable and readily accessible. A widespread public charging network is vital for drivers who do high mileage, travel long distances or who do not have access to charging points at home or work.
- 7.2.6 In order to combat "range anxiety" (the fear of having insufficient power to reach your destination or the next charging infrastructure), the Government acknowledges the importance of increasing the provision of charging points on the strategic and major road network. Research commissioned by the Committee on Climate Change (2018) concluded that an additional 710 rapid chargers and over 24,000 public top-up chargers are required by 2030. Highways England have a target of having a charging point every 20 miles on the Strategic Road Network by 2020.
- 7.2.7 The Ten Point Plan for a Green Industrial Revolution published in November 2020 brought forward the ban of sales of new petrol, diesel and most hybrid vehicles to 2030. Transforming the existing charging network is critical to achieving the Governments targets and increase ownership of EVs.
- 7.2.8 In light of this, the A1 and A1(M) provides a key network which connects London to Edinburgh. The road has a high volume of traffic, including freight and is therefore important to the economy. The proposed siting of the EV charging station adjacent to this important

highway network is therefore logical. The site is approximately halfway between South Mimms Services and Baldock Services.

- 7.2.9 It is considered that there would be, in the most part, two main types of users for development. The first being those already on the A1(M), passing through to another destination who use the site to re-charge their vehicle before going on their way. The second would be those with a destination in and around Stevenage, for work or pleasure, who require re-charging their vehicle before returning home. Both groups of users would already be on the local highway network and neither would result in new trips. It is most likely that local homeowners would be more likely to charge their vehicles whilst on existing shopping or work trips rather than make a dedicated trip for the sole purpose of charging their vehicle. As such, it is not considered that the proposed development would become a destination in its own right.
- 7.2.10 Using available information, it is estimated that there are 19 charging points across the town, of which 12 are provided by the Council in public car parks. The proposed development would provide 41 charging points and it is not considered that this amount would preclude other local businesses, or indeed the Council, from providing further points in the town. The number of charging points proposed supports the Government's strategy in the Road to Zero paper and the Ten Point Plan and would make a significant contribution to the charging network in an area which is currently under-supplied.
- 7.2.11 On the basis of the aforementioned points, it is considered that the development constitutes sustainable development in terms of location and scale. It would support local employment, albeit in small numbers, and support those living and working in the area whilst also helping support local businesses, such as Knebworth House, attract visitors from further afield.
- 7.2.12 The proposed development would help reduce the numbers of petrol and diesel vehicles on the road, thereby cutting emissions and reducing pollution. Accordingly, the proposed development would make a positive contribution to the economic, social and environmental aspects of sustainable development as per Section 2 of the NPPF (2021).

Green Belt Policy

- 7.2.13 The NPPF (2021) sets out the government's approach to protecting the Green Belt. Paragraph 138 of the NPPF sets out the five purposes of the Green Belt which are:-
- a) to check the unrestricted sprawl of large built-up areas;
 - b) to prevent neighbouring towns merging into one another;
 - c) to assist in safeguarding the countryside from encroachment;
 - d) to preserve the setting and special character of historic towns; and
 - e) to assist in urban regeneration, by encouraging the recycling of derelict
 - f) and other urban land.

Paragraphs 147 and 148 of the framework stipulate that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 148 goes on to state that "very special circumstances" will not exist unless the potential harm to the Green Belt by way of inappropriateness and any other harm resulting from the proposal are clearly outweighed by other considerations. Paragraph 150 goes on to advise that certain forms of development are not inappropriate in the Green Belt, namely local transport infrastructure. However, under paragraph 151, some elements of renewable energy projects will be inappropriate development and the developer will need to demonstrate very special circumstances to justify the location.

- 7.2.14 Policy GB1 of the Local Plan (2019) sets out the areas of designated Green Belt on the proposals map which the application site forms part of.

- 7.2.15 The key test here is to determine whether the harm to the openness of the Green Belt by way of the infrastructure and buildings, would be outweighed by other considerations, and therefore, whether very special circumstances exist.
- 7.2.16 In 2015, a review of the Green Belt areas in the Town was carried out on behalf of the Council by Amec Foster Wheeler (AFW). This review concluded that the Green Belt within which the proposed development would be located, makes only a limited contribution to the five purposes of the Green Belt as set out in paragraph 138 of the NPPF.
- 7.2.17 The proposed development is located within “Segment W7” of the Green Belt. This segment only performed highly in relation to purpose (c) of paragraph 138 of the NPPF – that is “to assist in safeguarding the countryside from encroachment”. The AFW review concluded that Segment W7 was “visually enclosed and strongly bounded by Newton Wood..... the release of this parcel will not compromise the wider purpose of the Green Belt”.
- 7.2.18 The AFW review also stated that:
“...Segment W7 to the south is more complex, being dominated by Newton Wood and having towards its eastern extent similar functions to Segments W3 and W6, but with a clear parcel of land adjacent to Junction 7 of the A1(M). This has partly been developed for hotel use and has irregular boundaries defined by Newton Wood. The Green Belt functions of some of easterly areas of Segment W7 are not clear.”
In this regard, the proposed site lies within the eastern area of the segment and the review questions whether this section of the site performs its role and function as Green Belt.
- 7.2.19 The AFW review ultimately concludes that this parcel of land makes a limited contribution to the Green Belt when assessed against the five criteria listed in point 7.2.13 above and therefore functions poorly in the overall context of the Green Belt.
- 7.2.20 The proposed development would not result in an increase in urban sprawl; it acts a stand-alone independent development and the remaining areas of Green Belt, woodland and the SSSI have a greater impact and ability to prevent urban sprawl and protect the Knebworth Estate from inappropriate encroachment.
- 7.2.21 The proposed development limits the extent of buildings, to maximise site openness; the largest building, the amenity hub, would be on the eastern boundary, with only low level enclosures and the relatively open canopy over the charging points across the remainder of the site. Large areas of the site will comprise soft landscaping. A total of 4,121sqm of soft landscaping will be provided, compared with 830sqm of building. In this regard, it is not considered that the proposed development would have an overly detrimental impact on the openness of the Green Belt. However, by definition it is still considered inappropriate as defined in the NPPF. Consequently, the applicant has submitted a case of very special circumstances to demonstrate that the overall benefits of the development outweigh the level of harm caused to the Green Belt’s openness. This is considered in more detail in the following sections of the report below.
- 7.2.22 As outlined previously in this report, the primary benefit of the development is that it makes a significant contribution to the Governments Road to Zero strategy and the Council’s target of net zero emissions by 2030. The applicant is developing and building large scale hybrid solar and battery projects across the UK. The hybrid projects generate electricity that is contractually sent to their electric forecourts, which will include the application site if the Council is minded to grant planning permission. This ensures that they can provide certified and guaranteed 100% renewable energy to the proposed site.
- 7.2.23 In addition to the above, the Metropolitan Green Belt covers vast areas around the A1(M), especially within Hertfordshire, which limits the provision of alternative sites. The proposed site is in close proximity to a point of connection to the national power grid which makes it

one of very few possible sites, especially given the need for this type of development to be located in an easily accessible position from the main highway network, on routes with high traffic volume. The scheme would also provide additional employment as well as contribute to the local economy.

7.2.24 Lastly, the proceeds from the development would be used by Knebworth Estate for the purposes of securing the future conservation of the Listed Knebworth House and its grounds. The income from the lease of the land to the applicant will contribute to the preservation and maintenance of the estate, including the house, surrounding park, roadways, amenities, avenues and woodland to the benefit of visitors and the environment.

7.2.25 In conclusion, the Council is satisfied that the applicant has provided sufficient evidence to demonstrate that a case of very special circumstances exist and that the benefits of the development significantly outweigh any harm to the Green Belt.

7.3 Design, Layout and Impact on Visual Amenity

7.3.1 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”.

7.3.2 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.

7.3.3 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”.

7.3.4 Paragraph 134 of the NPPF states that “Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes”. Local Plan Policies SP8 ‘Good Design’ and GD1 ‘High Quality Design’ also seek to ensure new development achieves the highest standards of design. Policy GD1 sets out generic design requirements that will be applied to all development.

7.3.5 The Council’s Design Guide SPD (2009) sets out that a high quality environment is essential for providing a good quality of life for residents. A well-designed and managed space not only provides a visually attractive environment, but can also help to ensure that a place is easy to move around and within, is safe and secure, and is useful for all members of the community.

7.3.6 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.

7.3.7 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.

7.3.8 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.

7.3.9 This section of the report will deal with the aforementioned characteristics excluding nature and movement. With regards to nature, this will be dealt with in Sections 7.8 (Trees and Landscaping) and 7.11 (Ecology and Protected Species) of this report. In relation to movement, this will be dealt with in Section 7.7 (Means of access and highway safety) of the report.

7.3.10 The site is made up of open countryside with the site lying within the Metropolitan Green Belt. To the west and north of the site is an ancient semi-natural woodland (which is also a SSSI) and to the east is the A1(M) and beyond this is the urban area of Stevenage. To the south of the development site is the Novotel complex which comprises of single storey up to four storey buildings. There is also the wider landscape of Knebworth Park which forms part of Knebworth House estate.

7.3.11 The layout of the site has developed in response to several factors; the need for the building to be located as close to the A1(M) as possible for maximum visibility for passing traffic; the available point of access onto the site; and the necessary traffic flow around the site for safe customer use. There is a main circulatory road from which the site facilities are accessed with the forecourt charging area centrally located and in front of the main building. The facilities being provided on this site comprise the following:

- 24 no. Higher powered charging (DC) units (175 – 350kW). Two of which will be accessible spaces.

- 6 no. lower powered charging (AC) units (22kW). One of which will be an accessible space
- 3 no. Higher powered charging (DC) units (175-350kW) for future HGV use.
- 8 no. branded charging units.
- 31 no. parking spaces for staff and customer use, two of which will be accessible spaces. Some of these spaces will also be available for future additional charging units should demand dictate.
- An air and water bay of suitable depth and length for accessible use.
- A vehicle queueing lane for 7 vehicles.
- 6 no. covered cycle hoops for 12 bicycles.
- A motor-cycle bay with security anchor point.
- An external seating / picnic area for customer use.
- An infiltration pond in line with the surface water drainage strategy.
- A retail storage area including refuse storage set back from the main access route with dedicated service vehicle bay.
- Extensive landscaping with perimeter screening to the western and northern boundaries of the site is proposed.
- Weather canopies over the central charging area.

All charging spaces have an overall width of 3 metres and are 5 metres deep with a safe walkway zone to the rear of the space and pedestrian walkway at the head of the space. There will be a total of 5 accessible spaces provided.

7.3.12 The amenity building will be located on the eastern side of the site and will form the main focal point. The ground floor will contain a café, retail space, office space, communal circulation areas, toilet facilities and back of house storage areas. The first floor will comprise of mostly communal circulation areas with a hot food area, gym/exercise area and further toilet facilities. Over the two floors, the internal floorspace amounts to 729.7sqm. The building would measure between 7.5m and 10.5m high; it would be 20m wide across its front (western) and rear (eastern) elevations and 23m deep on the northern and southern side elevations.

7.3.13 With respect to visual appearance, the ancillary building would be constructed from contrasting, high quality and resilient materials which would comprise the following:-

- Kingspan panelling in colour: Altaris Copper Metallic;
- Euro cladding in colour: Dark Grey (Ral 7016);
- Kingspan panelling in colour: Light Grey (RAL 7035);
- Kingspan panelling in colour: Dark Grey (RAL 7016);
- Louvres in colour: Light Grey (RAL 7035);
- Curtain walling in colour: Dark Grey (RAL 7016);
- Living green walls

7.3.14 The building has a broadly square footprint with strong angled walls and a flat roof. It is of a contemporary design which uses expansive areas of glazing and copper coloured panelling with a modern architectural form to create the focal point of the site. Living green walls will be added to the north and south elevations to help integrate the building into the surrounding landscape. The development site aims to be a cutting edge facility and the design of the amenity building reflects this.

7.3.15 The nearby Gunnels Wood Employment area offers a range of building styles, heights and materials. The closest building to the site is the Novotel complex to the south which is a hotel varying between single storey and four storeys high. Whilst the ground levels are such that the development would be set lower than the highway network of Gunnels Wood Road and Broadhall Way, the building would be seen in the context of the neighbouring employment area and adjacent Novotel complex and it is considered that the building's design would complement and sit well within its surroundings in this regard.

- 7.3.16 The canopied charging area will be the predominant feature of the site due to its size. Its appearance is broadly similar to that of a traditional petrol filling station albeit with two long slimline canopies with solar PV panels running parallel to each other in an east-west horizontal position across the centre of the site. The canopies will stand 4.5m high and will be white in colour. The visual appearance of the canopies is considered acceptable and being lower than the amenity building, they would not be seen from the Gunnels Wood employment area or the adjacent A1(M).
- 7.3.17 The associated infrastructure required to operate the site will be contained within compounds on the north and west of the site. These compounds will be enclosed behind 3m high timber fencing with soft landscaping to the public frontages. Whilst the fences are high, this is necessary for site safety and it is considered that the growth of the soft landscaping over time will ensure there is minimal visual impact in the long-term.
- 7.3.18 Extensive landscaping is proposed to the perimeter of the site which will be discussed later in this report. In terms of the visual impact of the development as a whole, the development will be sited on ground level similar to that of the A1(M) and lower than all the other surrounding highway networks and employment areas. The existing and proposed landscaping, which consists of a large number of trees, will act as a natural screen to the site in order that it does not appear over dominant from short and long distance views.
- 7.3.19 In addition to the above, the proposal also comprises engineering works to the access road off the A1(M) junction 7 roundabout in order to create a new access into the site. This access will be on the south-western corner of the site. The existing hardsurfaced access road will require widening and a small roundabout to facilitate the new access. It is not considered that this additional hardsurfacing would result in undue harm to the visual amenities of the area given the extensive new landscaping which would be planted adjacent to this widened access road.
- 7.3.20 It is considered that the scale and design of the proposed development is acceptable in this location with a strong articulated design with the use of high quality materials on the façade.
- 7.3.21 Given the aforementioned assessment, it can be deduced that the proposal would deliver a high quality development. It would appear in keeping with the massing and scale of existing development in the area and would help to facilitate the Governments Road to Zero strategy and the Council's target of net zero emissions by 2030.

7.4 Impact on Amenities

- 7.4.1 In terms of impact on amenities, due to the siting and position of the proposed development, the nearest residential development is Norton Green, of which the closest property, Norton Green Farm, is approximately 800m to the north and separated from the application site by large areas of dense woodland. Given this, it is not considered likely that there would be harmful levels of noise during the construction and operation phases to impact these residential neighbours.
- 7.4.2 The site lies to the west of the Gunnels Wood Employment Area, separated by the A1(M). This established employment area has a number of different uses and building types. Glaxo SmithKline is located to the south-east beyond the A1(M) and the Novotel hotel complex is due south.
- 7.4.3 The offices located within the Arlington complex to the east are approximately 130m from the application site boundary, separated by the A1(M), which is considered sufficient distance such that they would not be affected by the proposed development.

- 7.4.4 Novotel hotel complex is the closest building to the application site. The southern site boundary of the application site is approximately 40m from the northern elevation of the hotel and the charging structures and amenity building would be approximately 110m from the northern elevation of the hotel. The submitted Noise Impact Assessment (page 14) confirms that the projected level of noise generated from the proposed development would be up to 16dB lower than the current noise levels exhibited from the adjacent A1(M). Further, due to ground level changes, the proposed development would be sited much lower than the hotel and with good levels of natural landscaping; it is not therefore considered that there would be privacy or overlooking issues between the two premises. As such, it is not considered that the proposed development would have a harmful impact on the amenities of the occupiers of this neighbouring hotel.
- 7.4.5 Knebworth House is located approximately 1600m to the south-west of the site and will have no view of the proposed development due to distance and the extensive natural landscaping which lies between the two sites.
- 7.4.6 Taking the above into consideration and the established noise environment which already exists, the Council's Environmental Health Section has not raised any concerns in terms of noise when consulted on this particular planning application. In addition, noise during the construction phase can be managed via the imposition of suitable conditions.

7.5 Archaeology

- 7.5.1 The NPPF paragraph 194 states that *"In determining applications....Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation"*.
- 7.5.2 Paragraph 195 notes *"Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal"*.
- 7.5.3 As part of the application, archaeological reports were submitted relating to the historic environment. This included an archaeological desk based assessment (DBA). This assessment concluded that the site has a low potential for archaeological remains of all periods to be present within the Site, based on existing information. Due to the proximity of the Six Hills Roman Barrows some 1km to the north of the Site, which are thought to be of early Roman date and likely to have been associated with a Roman settlement in the area that has not yet been identified, it is considered that if later prehistoric (Iron Age) or Roman finds were present within the Site then their archaeological importance would be slightly elevated.
- 7.5.4 Hertfordshire County Council's Historic Environment Advisor, advises that recent archaeological excavations adjacent to the north of the site (at Norton Green) have uncovered Roman and medieval settlement activity of some density. Given the agricultural use of the land, it is likely that any archaeological remains present within the site may be well preserved. Any such remains present would be impacted upon by the development. However, they raise no objection to the development subject to the imposition of conditions requiring an Archaeological Written Scheme of Investigation to be submitted and approved.

7.6 Parking Provision

- 7.6.1 Policy IT5 of the Local Plan (2019) states that planning permission will be granted where proposals comply with the parking standards set out in the plan.
- 7.6.2 The Council's Parking Standards SPD (2020) sets out the maximum level of parking requirements for petrol filling stations which this development could be matched against in terms of the type of service offered. In this regard, there is a requirement for 3 parking spaces per 4 employees plus 3 parking spaces for waiting per row of bays. The submitted application states that there will be 5 employees so the required number of spaces would be 6; there are two bays of charging units so an additional 6 spaces would be required for waiting, giving a total requirement of 12 spaces. The proposal has 31 spaces, two of which would be accessible spaces. In this regard, the car parking provision is considered acceptable.
- 7.6.3 In terms of cycle parking, there is no defined requirement for the type of proposed development. Given that the objective of the site is to provide motor vehicle charging, and given its location, it is not considered that there would be visitors to the site arriving by bicycle. It is possible that staff may cycle to work, of which the site will employ 5 staff. The development has 6 cycle racks, accommodating 12 bicycles. In this regard, the cycle provision on site is considered satisfactory.
- 7.6.4 There is a small retail/café area included in the plans for the convenience of users and whilst a retail use would normally generate a parking requirement, this facility is to be used by those who will be waiting while their vehicle charges. As such, it will not be a stand-alone destination for cycle and pedestrian travel. In addition, it would help to create a sustainable transport charging hub.

7.7 Highway Safety

- 7.7.1 Whilst Policy IT6 of the Local Plan sets out a number of new and improved sustainable transport schemes which focus on non-car modes of transport, the provision of an electric vehicle charging station will allow car users to switch to a more sustainable electric vehicle to the benefit of the environment.
- 7.7.2 The plans and Transport Assessment submitted with the application identify that vehicular access to the site would be taken from the existing access road to Knebworth Park and Novotel off Junction 7 of the A1(M). In order not to interfere with or prioritise traffic flow already using this private estate road, it is intended to install a roundabout at the south west corner of the proposed development site where the levels difference between the proposed site and the existing access road are at their lowest. In addition, a new section of wider access road approaching this new roundabout is also proposed so as not to restrict traffic travelling to the Knebworth Estate or the Novotel Hotel.
- 7.7.3 On entering the site, vehicles will be directed around a one-way road system to access the various charging facilities on the site. The width of the main circulation road is 6 metres to allow for all vehicle types to drive through the site. Allowance has been made for future HGV charging on this site. A vehicle queuing area is also provided for customers waiting to access the main centrally located vehicle charging forecourt.
- 7.7.4 Service vehicles will enter the site using the same access road. A dedicated service bay is to be provided off the main internal circulatory road for retail deliveries and refuse collections.
- 7.7.5 With regards to the safety of road users, Bryan and Hall Transport Consultants produced a technical note to address concerns raised by Highways England. This note advises that during the study period, 5 accidents occurred within the study area, none of which involved pedestrians or cyclists. There were no accidents involving the turning movements at

Junction 7, and all accidents were spread over a wider area and not clustered in any one location.

- 7.7.6 In order to ascertain the potential use of the ancillary facilities on site by non-charging trips, surveys have been undertaken at the Braintree GridServe site (the only operational site by GridServe in the UK). Based on the surveys undertaken, during July 2021, 11 ancillary trips were made to the site during peak morning and evening hours. In comparison, the accompanying Transport Assessment with the application predicts 54 non-charging visits during peak hours. This higher use prediction is a 'worst case scenario' when in reality it is unlikely to be realised in practice given the experience of the established site at Braintree.
- 7.7.7 Further, in relation to this matter, there are other sites within the Gunnels Wood employment area and beyond which would offer similar facilities in closer proximity to the working environment, such as the Starbucks Coffee drive-thru and BP petrol filling station with Spar shop at the junction of Gunnels Wood Road and Broadhall Way. Given this, it is therefore highly unlikely that pedestrians and cyclists would attempt to visit the site when there are more accessible sites for such persons.
- 7.7.8 In relation to the A1(M) mainline, Baldock service station at Junction 10 is located approximately 14km to the north of the site and the South Mimms service station is located approximately 22km to the south of the site. Both of these service stations have the full Motorway Service Offer and as a consequence will be much more attractive to those making a stop for general refreshments on a long journey, than the offering at the proposed site.
- 7.7.9 The submitted Transport Assessment (TA) details the trip generation profile for Junction 7 of the A1(M). A survey was undertaken on 10th December 2019 between 7am and 7pm. It calculates the Degree of Saturation (DoS) of various points – a DoS of 90% represents the maximum acceptable in order to avoid operational issues. Of the 7 areas monitored, the maximum DoS observed at Junction 7 was 55% in the morning and 51.7% in the evening for the southbound off-ramp and 65.2% for the morning and 66.2% for the evening for the northbound off-ramp. Junction 7 is therefore well within its operational capacity and it is not considered that the proposed development would exceed the 90% threshold.
- 7.7.10 The TA sets out a "high use" forecast of 80-140 vehicles per day with 54 trips in and 54 trips out (total trip generation 108 trips) during the morning and evening peak hours. Of these trips, 86 (80%) would be pass-by and 22 (20%) would be new, although overall 94 would be new to Junction 7 even if classified as pass-by. Pass-by trips are those vehicles already on the highway network for another reason that would divert to recharge, whilst new trips would be those who specifically set out to visit the site to recharge their vehicle and who would not otherwise be on the highway network. The 20% new trips figure acknowledges that there may be some trips generated from the residential areas of the town.
- 7.7.11 Highways England reviewed the initial TA and that review flagged three areas of the assessment that required further investigation/clarification by the applicant. The three areas of concern related to a further investigation of road traffic accidents near the site, additional explanation of how the trip rates and trip assignments had been developed and refinements to the LinSig transport model of A1(M) Junction 7. In response to comments on the TA, Bryan and Hall Transport Consultants produced a technical note 'Stevenage Technical Note' 16th August 2021. Highways England has reviewed the note and are content that their previous concerns have been suitably covered. They have no objections to the proposed development.
- 7.7.12 Hertfordshire Highways as highway authority have also assessed the application and have raised no objections subject to suitable conditions and informatives. They are satisfied that the new road layout has sufficient capacity to accommodate two-way traffic. They concur that the proposed development would not result in a significant increase in vehicle

movements that would result in detrimental harm to the operation or safety of the local highway network.

7.7.13 In terms of construction, the Highways Authority recommends the inclusion of a Construction Traffic Management Plan condition be imposed if permission were to be granted. This is to ensure that the development does not prejudice highway safety during the construction phase of development.

7.7.14 In summary, the proposed development can be accommodated on the local highway network and there are overall benefits which will be accrued in terms of sustainable transport. Fundamentally, the development would not prejudice the safety and operation of the highway network and car parking and cycle parking are considered satisfactory.

7.8 Trees, Landscaping and Impact on the Knebworth Woods SSSI

7.8.1 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.

7.8.2 The Site is located on land to the north west of Junction 7 of the A1(M). The site is set down from the elevated junction. On the southern boundary and on the banks that lead down to the site are clumps of hawthorn and small trees that from the highway planting for the junction. The western boundary is defined by a wide hedge with large gaps and mature oak trees. The northern boundary is undefined, and the eastern boundary is defined by the existing highway planting on the adjacent A1(M). Within the site boundary are only a single mature Oak and two smaller mature Hawthorn trees.

7.8.3 The Zone of Theoretical Visibility (ZTV) with buffers represents the approximate zone within which it may be possible to see any part of the site. Within the ZTV there may be some areas from which no views of the Site or development will be possible as a result of intervening landform, vegetation or built form, which may obscure views. Outside the defined ZTV, there would be no perceptible views of the Site or the development would be very difficult to perceive or distinguish. There are a number of receptors within the surrounding landscape, and these are described below:

- From the Public Right of Way (ref no 45) on the edge of Cannocks Wood looking south east towards the site;
- From Public Right of Way (ref no 45) on the edge of Newtons Wood looking east towards the site;
- From Public Right of Way (ref no 45) on the edge of Newtons Wood looking north east towards the site;
- Access Gate layby to Knebworth Estate on the Spur road looking north towards the site;
- Rear Car Park to the adjoining Novotel looking north towards the Site;
- Access Road to Knebworth Estate looking north west towards the site;
- Slip Road off the A1 and the rear windows of the Commercial Units off Whittle Way.

7.8.4 The submitted Landscape Appraisal identifies that these receptor points will have varying degrees of impacts, from slight to moderate to significant in years 1 to 5; however by year 15 all viewpoints will have no significant impact due to the on-site provision of landscaping, outlined in point 7.8.8 below, reaching or near reaching maturity.

7.8.5 In terms of the impact on the visual amenities of the Green belt, the proposed development is set within and bounded by some existing tree and understorey planting. In addition, this will be enhanced by additional tree and understorey planting along the proposed site's boundaries which will restrict views into the site and in visual terms will have a less than substantial harmful impact on the openness of the green belt in the wider landscape.

- 7.8.6 Natural England were consulted as part of the application and they advised there was potential for the site to impact on the nearby Site of Special Scientific Interest (SSSI) and they advise that veteran trees within the site boundary should also be retained. A SSSI is a conservation designation which describes an area of particular interest to science due to the flora, fauna, geological features or physiological features that may be found within it. Whilst they provided statutory guidance on SSSI's and planning applications, they did not request any specific conditions in relation to this application. The Knebworth Woods SSSI is located over 200m from the northern boundary of the site and is separated by an extensive area of grassland. In this regard, it is considered that the SSSI is separated a sufficient distance from the site boundary so as not to be harmed by the construction or future use of the site. Further, the extensive new landscaping would enhance the visual context of the SSSI in its wider views.
- 7.8.7 The existing site plan (8306-BOW-A0-ZZ-DR-A-014) identifies the 3 trees mentioned in point 7.8.2 above. Of these three trees, only one is marked for removal which is the large singular Oak tree in the middle of the site. The two hawthorns at the southern end of the site will be retained. The Council's Arboricultural and Conservation Manager advised that he would have hoped this tree, i.e. the Oak tree, could be retained but otherwise raised no concerns with the development. However, due to its location, it needs to be removed as it stands centrally in the site and would prevent the site being constructed in this location. To move the site further north to retain this tree would result in the site being too close to the Knebworth Woods SSSI and therefore the scheme would likely have unacceptable impacts on this SSSI. Further, moving the site, or reconfiguring it to accommodate this singular tree would have impacts on the site layout, amount of electrical chargers which could be installed and impact on the deliverability of the scheme through highway implications and vehicle manoeuvrability. No Arboricultural Impact Assessment has been provided for the three trees within the site boundary so it is unclear of the category classification of these trees. The loss of any tree should always be avoided where possible but as stated previously, the site cannot be moved to accommodate the retention of the Oak tree so a planning balance must be undertaken to assess the impact of the loss of this single tree. From the access road and hotel complex, views of the Oak are limited by the hedgerow, scrub and hawthorn trees and it cannot be readily seen from the adjacent A1(M). The developer intends to extensively increase the soft landscaping within and around the perimeter of the development, which is discussed in point 7.8.8 below. As such, whilst the loss of this singular tree is unfortunate, it should be borne in mind that it will be replaced by a significant number of new trees and soft landscaping to mitigate its loss. It should also be noted that this Oak tree is not protected by a Tree Preservation Order nor is it within a Conservation Area so could be removed in any case without the need for permission from the Council. Therefore, on balance, the loss of one tree to protect the SSSI, and deliver a key sustainable infrastructure, outweigh the harm of the loss of this one tree.
- 7.8.8 The submitted landscape strategy plan (05-899-301-C) outlines the extensive landscaping which will take place which includes:
- Enhancing existing native hedgerows on the boundaries and extending this to all sides of the site;
 - Erecting deer proof fencing to the north, west and east boundaries;
 - Planting of new trees to the north, south and west boundaries;
 - Areas of low level decorative hedging and turf around the inner areas of the site;
 - Landscaped picnic area to the south of the site
 - Landscaped infiltration basin to the south-west of the site for drainage purposes.
- 7.8.9 Subject to the submission of a detailed landscaping strategy, to include details of the specific planting arrangements, the proposed tree works and landscaping scheme are considered acceptable at this time and will create a verdant setting that would be appropriate in its Green Belt setting. To ensure a satisfactory outcome, suitably worded

conditions for the landscaping strategy and future management plans will be imposed on any decision issued if planning permission is granted.

7.9 Ecology, Biodiversity and Protected Species

- 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 site is identified as open un-maintained grassland which is surrounded by maintained grassland and woodland areas further afield. The applicant has provided an ecological survey to assess the habitats present within the site and to assess the potential for site to support protected and notable species.
- 7.9.3 The survey work undertaken to determine the ecological baseline for the site included a desk study, an extended Phase 1 Habitat Survey, and an environmental DNA survey of all ponds within 500 m of the site boundary not separated from the site by dispersal barriers. The survey comprised a desk top study from Hertfordshire Biological Records Centre and from the multi-agency Geographical Information for the Countryside (MAGIC) along with Ordnance Survey and Aerial imagery. A field survey was also undertaken along with a Bat Survey and Great Crested Newt Survey.
- 7.9.4 The survey concluded that the site is classified as 'species-poor semi-improved neutral grassland. There are three ponds within 500m of the site boundary which all support great crested newts, however all three ponds are located adjacent to high quality habitat in the form of woodland, and separated from the application site by large areas of open, regularly maintained grassland and as such, it is highly unlikely that the great crested newts would be present on the application site, now or in the future. The surrounding scrub habitats are potentially suitable for reptiles who could make their way to the perimeter of the site only. Whilst the grassland and single Oak tree provide opportunities for birds, similar, and better, habitat is readily available in the immediate surrounds of the site. Badgers are likely to commute across the site, however no setts were found within the site or within 30m of the site boundary. The perimeter hedgerow and scrub habitat has potential for use by bats, although the Oak tree within the site was assessed to have low roosting potential and two oak trees on the perimeter (which are to be retained) have moderate roosting potential.
- 7.9.5 A number of construction and future operational use mitigation and enhancement measures have been put forward in the Ecology Appraisal and Herts and Middlesex Wildlife Trust have assessed this information. They have raised no concerns about the proposal in this regards, subject to a suitably worded condition to ensure the mitigation measures are carried out. These mitigations/enhancements include, but not limited to, the following:
- Site clearance works undertaken outside bird nesting season where possible. Where not possible, an experienced ecologist is to check the site first.

- New planting and bird boxes to be provided to mitigate for the loss of bird nesting sites.
- Grassland to be cut down in two phases and overseen by an Ecological Clerks of Works to encourage reptiles and amphibians to disperse.
- Storage of materials to be kept on pallets and no excavations left open to fill with rainwater.
- Tree to be felled in bat active season to prevent disturbance of hibernating bats and a licensed bat ecologist to make checks first.
- If no bats found, tree to be felled immediately, however if bats are found then contact with Natural England will be made to seek advice.
- Use of LED lights on site with no UV elements to reduce the attraction of invertebrates to the lights.
- Only lights with a 0% upward light ratio to be used and fitted on the horizontal to avoid excessive up-lighting, back-lighting and light spillage onto boundary trees and hedgerows.
- Lights to feature peak wavelengths higher than 500nm to avoid the component of light most disturbing to bats.
- Perimeter landscaping to be un-lit.
- No excavations to be left uncovered without a means of escape to animals being trapped.
- Planting will aim to enhance the biodiversity value of the site and be of native species, or those of known value to wildlife, sourced from local nurseries to enhance foraging opportunities for local birds and bats, by increasing the invertebrate diversity on-Site.

7.9.6 Given the mitigation and avoidance measures to be put in place no residual effects are anticipated in relation to any of the important faunal ecological features at the site.

7.9.7 The Government's release of the Environment Bill foretold of a future legal requirement which will be placed on developers to provide a 10% net gain in biodiversity as part of any development; this has been adopted into the Council's Biodiversity SPD (2021).

7.9.8 A Biodiversity Impact Assessment was conducted, using the Biodiversity Metric 2.0 (2019). Biodiversity Metric 2.0 is a biodiversity accounting tool that can be used for the purposes of calculating biodiversity net gain. The calculation ascertains whether the proposals achieve a net gain in biodiversity, calculated as biodiversity units and percentage biodiversity units.

7.9.9 The result of the calculation is a net gain in biodiversity. The total net unit change in habitats is +0.49 habitat units whilst the total net % change is +19.70%. Given these figures, the proposals deliver a good level of biodiversity net gain and are therefore acceptable in this regard as the requirements of chapter 15 of the NPPF (2021) and the Council's Biodiversity SPD (2021) are considered to be met.

7.10 Impact on the Environment

Land contamination

7.10.1 The applicant submitted a Geo-environmental assessment report as part of the application submission. This report concludes that the site has been in continuous use as farmland through its history with no buildings ever shown to have present on historical maps. 19 borehole tests were undertaken across the application site and no contamination was found.

7.10.2 Notwithstanding this, if permission was to be granted, a condition should be imposed requiring a watching brief be kept during initial site preparation works to identify any potentially contaminated materials. If any contaminants are identified, then further conditions would require the applicant at that point to submit a remediation strategy which has to be approved by the Council. With these conditions in place, they would ensure that the future

health of residents is not detrimentally affected by potential contaminants on the site. It would also help to protect the wider environment.

Groundwater

7.10.3 The site is not located within an area of groundwater sensitivity or source protection zones. During initial site investigations, groundwater was not encountered, however water, or damp deposits were observed during borehole testing. This was concluded to be due to isolated areas of surface water or collected rainwater in the monitoring well. The existing ditch on the southern boundary was observed to contain water on the second monitoring visit following a week of heavy rainfall. The submitted Flood Risk Assessment (FRA) indicates that the southern area of the site could be at a higher risk from surface flooding.

7.10.4 With regards to drainage, the submitted FRA suggests the following mitigation measures for any potential surface flooding:

- Finished floor levels of amenity hub building to be 1.4m above the area identified as most at risk of flooding;
- Ground levels on site to be set to fall away from the building to the perimeter of the site; and
- Underground drainage systems and external areas to be designed with sufficient capacity to accommodate extreme rainfall events up to a 1 in 100 year return period.

7.10.5 Rainwater Harvesting is incorporated into the scheme to reuse roof water from the main building for toilet flushing. This will reduce the volume of water discharging via infiltration into the ground. The development site will drain to an Infiltration Basin to the southern boundary of the site and an underground cellular attenuation soakaway tank in the north east corner.

7.10.6 Surface water runoff from the external areas within the development will be collected by a mixture of trapped road gullies / linear drainage channels and discharge via a Class 1 Bypass Separator. Prior to discharge to the infiltration basin or underground cellular soakaway, surface water from external areas will also pass through a proprietary treatment system to further remove fine sediments, heavy metals and hydrocarbons. Roof water from the canopies and the overflow from the Rainwater Harvesting tank will also discharge via the proprietary treatment system.

Air quality and air pollution

7.10.7 Policy FP7 of the adopted Local Plan (2019) states that all development proposals should minimise, and where possible, reduce air, water, light and noise pollution. Policy FP8 of the same document stipulates that planning permission for pollution sensitive uses will be granted where they will not be subjected to unacceptably high levels of pollution exposure from either existing, or proposed, pollution generating uses.

7.10.8 Looking at air quality and air pollution specifically, the development is not located within, or in close proximity to, an Air Quality Management Area (AQMA). In terms of the impact of the development on air quality, dealing firstly with the construction phase of development, it is noted there would be a number of activities which will affect local air quality. These include dust emissions and exhaust emissions from plant, machinery and construction traffic.

7.10.9 In order to mitigate the construction phase, the applicant would need to implement a Dust Management Plan which will include the recording of any complaints and to identify causes in order to take action. They will also need to plan the site layout to ensure machinery and dust causing activities are located away from receptors as far as possible. During construction, solid barriers or screens should be erected around dusty activities. If permission were to be granted, a condition would be imposed requiring the applicant to submit a detailed construction management plan. This would look in more detail at the

routing of construction traffic, location and storage of materials along with further details of site hoardings and location of any wheel washing facilities which would be required. This is to ensure that the development does not result in having a detrimental impact on the amenities of nearby residents or commercial/industrial operators. A suitable and appropriate Dust Management Plan will be required as part of the Construction Management Plan.

7.10.10 In terms of air pollution, an air quality assessment has not been carried out. Whilst the site borders the A1(M) to the east of the site, the proposed landscaping measures are considered acceptable to prevent harm to future users by way of air pollution levels. The Council's Environment Health Officers have assessed the application and have not raised any concerns or requested any additional information/reports to be commissioned with regards to air quality, air pollution or noise.

Sustainable Construction and Climate Change

7.10.11 Policy FP1 of the adopted Local Plan (2019) stipulates that planning permission will be granted for development that can incorporate measures to address adaptation to climate change. New developments will be encouraged to include measures such as:

- Ways to ensure development is resilient to likely variations in temperature;
- Reducing water consumption to no more than 110 litres per person per day, including external water use;
- Improving energy performance of buildings;
- Reducing energy consumption through efficiency measures;
- Using or producing renewable or low carbon energy from a local source; and
- Contributing towards reducing flood risk through the use of SuDS or other appropriate measures.

7.10.12 The submitted Design and Access statement details the measures intended to be included as follows:

- Building Management System to ensure air tightness, temperature control and ventilation within the amenity hub building;
- Energy efficient LED lighting;
- Recycled grey water for flushing toilets;
- Solar Photovoltaic panels;
- SuDS drainage solutions including an infiltration pond;
- Use of natural daylighting where possible;

If permission is granted then a suitably worded condition can be imposed to secure these details.

7.11 Development and Flood Risk

7.11.1 The application site is located within Flood Zone 1 within the Environment Agency's flood risk map. Flood Zone 1 is defined as land having less than a 1 in 100 annual probability of flooding; therefore, all developments are generally directed to Flood Zone 1. Notwithstanding this, the application which has been submitted to the Council is classified as a Major, therefore, in line with the Town and Country Planning (General Development Procedure) (England) Order 2015, the applicant has provided a Sustainable Urban Drainage Strategy.

7.11.2 The proposal indicates that surface water will be discharged via ground infiltration soakaway methods, and if these prove unsuitable then discharge to a existing nearby drainage systems would be considered. Rainwater harvesting is incorporated into the scheme to reuse roof water from the main building for toilet flushing which will reduce the amount of

water discharging via infiltration into the ground. The development will drain to an infiltration basin at the southern end of the site and an underground cellular attenuation soakaway tank in the north east corner. Surface water runoff from the external areas within the development will be collected by a mixture of trapped road gullies / linear drainage channels and discharge via a Class 1 Bypass Separator. Prior to discharge to the infiltration basin or underground cellular soakaway, surface water from external areas will also pass through a proprietary treatment system to further remove fine sediments, heavy metals and hydrocarbons. Roof water from the canopies and the overflow from the Rainwater Harvesting tank will also discharge via the proprietary treatment system.

7.11.3 Following consultation with Hertfordshire County Council as Lead Local Flood Authority (LLFA), they considered the proposed drainage scheme to be unacceptable. They sought clarification as to why below ground soakaways were proposed in addition to the above ground features as it is expected that all treatment for the development should be above ground. They requested evidence that infiltration is feasible by conducting infiltration testing to BRE Digest 365 standards and that pollution from the adjacent A1(M) is included in testing indices.

7.11.4 A Phase 2 Geo-environmental assessment and additional FRA was carried out and submitted to the LLFA in August to overcome their concerns. This addendum advised that the infiltration basin would be used as a detention basin to pump surface water at a rate of 2l/s to the eastern drawing system when then discharges to the cellular soakaway. However, the LLFA maintain their objection on the grounds that the tests were not conducted to BRE Digest 365 standards and only 2 instead of 3 tests were conducted. They also note that the issue of above and below ground drainage features has not been clarified. Additionally, they acknowledge the A1(M) pollution has now been included in the treatment indices calculations and raised no specific concerns in this regard but did note that the surface water runoff is reliant on below ground separators and no evidence has been provided in this regards for treatment methods and maintenance.

7.11.5 The applicant provided a further addendum to their FRA to try and address all the concerns raised by the LLFA. This addendum provided clarification that the existing ground conditions make the disposal of surface water via infiltration only viable in the north-east of the site. Further, the above ground infiltration basin which includes sloped banks and maintenance access cannot be provided in this same north-east corner of the site as it conflicts with the service area for the amenity hub building. The detention basin provides additional attenuation volume for extreme rainfall events. Therefore, the design of the drainage system has provided a compromise of both an above ground detention basin to attenuate 65% of the site which will then be pumped to the below ground cellular soakaway in the north east corner. The addendum also provided results of additional infiltration testing undertaken as requested by the LLFA. However they note that time constraints at their end meant they could not be done to BRE Digest 365 standards. Additional clarification and reasoning were provided relating to the A1(M) surface water run-off.

7.11.6 The LLFA have responded on 22 November 2021 to maintain their objection on the basis that the testing still does not comply with BRE Digest 365 standards. They have requested an alternative drainage strategy as no evidence has been supplied that shallow infiltration is feasible. The applicant has been advised of this latest objection but at the time of writing this report, they have not provided feedback or comments.

7.11.7 If the Council is minded to grant planning permission, combined with the fact that the Council has to determine applications within a reasonable timeframe as detailed in the NPPF and accompanying Planning Practice Guidance, it is recommended to impose a condition that no works should commence on site, including site clearance, until the required infiltration tests, compliant with BRE Digest 365, have been submitted to and approved by the LLFA to ensure an acceptable drainage strategy can be delivered as part of this development.

7.11.8 In addition to the above, should the Council be minded to grant permission, and if the applicant submits revised details as requested by the LLFA prior to the issuing of any decision, that it is recommended that delegated powers are given to the Assistant Director of Planning and Regulatory and the Chairman of the Planning Committee that in the event the LLFA provide comments on the revised strategy with a suggested list of conditions, then these conditions would be imposed accordingly before any planning permission is issued by the Council. However, if the LLFA raise a substantive objection to the amended drainage strategy which has been submitted and this cannot be resolved, then it is recommended that this application is referred back to the Planning and Development Committee for its decision.

Waste Disposal

7.11.9 Thames Water were consulted and raised no concerns. They requested an informative be added to any decision issued to advise the applicant of the need for a permit from Thames Water to discharge into a Thames Water owned sewer.

Surface and Foul Water

7.11.10 If the developer follows the sequential approach to the disposal of surface water then Thames Water has no objections and for foul water they have no objections to the submitted information.

7.12 Community Infrastructure Levy

7.12.1 The Council adopted CIL on 1 April 2020 and the CIL Charging Schedule specifies a payment for new floorspace in line with the following rates (plus appropriate indexation):

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

7.12.2 CIL is a non-negotiable charge. The exact charge will be determined by the Council's CIL officer after an application has been granted in accordance with the CIL Charging Schedule and the Community Infrastructure Levy Regulations 2010 (as amended). Opportunities for relief or exemption from the CIL charge exist and will be taken into account in the calculation of the final CIL charge.

7.12.3 CIL replaces the need for S106 agreements to specify financial and/or land contributions for non-site-specific infrastructure projects. This allows infrastructure to be planned on a borough-wide scale rather than on a site-by-site basis as mitigation against the impacts of individual proposals. A CIL Form 1: Additional Information has been submitted along with the application.

7.12.4 With regards to how the CIL monies are spent, the ultimate decision lies with Stevenage Borough Council and the allocation of funding amount of £75,000 or over will rest with the Planning and Development Committee. Service providers who would not receive contributions through the Section 106 agreement for this development, including but not limited to those at Hertfordshire County Council and Stevenage Borough Council, will be able to bid for funding in due course.

7.13 Equalities Impact Statement

7.13.1 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.

7.13.2 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.

7.13.3 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.

7.13.4 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.

7.13.5 Officers have taken this into account in the assessment of this application and the Committee must be mindful of this duty *inter alia* when determining all applications. The consultation process has served to notify all relevant adjoining parties likely to be impacted by the development. However, additional regard has been given to any potential impact upon the protected characteristics outlined in the Equalities Act 2010 Section 149 and the provisions contained therein. It is considered that due regard has been given to the impact of the scheme on all groups with the protected characteristics schedule.

7.13.6 The proposal seeks to provide 5 disabled parking spaces, of which 3 spaces will also provide charging capabilities, all of which are in close proximity to the amenity hub building and the outdoor picnic area. The site has been designed to be accessible to disabled users with no stepped access to any public areas and a lift inside the amenity hub to reach the first floor. Consequently, the development has been designed in order to be beneficial to all people who use the charging facilities and eliminates any discrimination towards them.

7.14 Other Matters

Crime Prevention

7.14.1 The Herts Police Crime Prevention Design Advisor (PCPDA) has assessed the application and raised some concerns. The first concern was that their advice provided in 2019 under pre-application has not been followed. However, the 2019 pre-application enquiry was submitted by a different applicant; as such the current applicant would not have seen, nor been made aware of, the contents of any discussions for that enquiry.

- 7.14.2 They raised concern about pedestrian and cycle access to the site over the roundabout for junction 7 of the A1(M) as this does not allow for such access. This has been assessed by Highways England and HCC Highways who have not raised substantive concerns and details can be found in point 7.7.7 above. Further, the concerns raised in relation to the access to the site and traffic have been assessed, and approved, by Highways England and HCC Highways with details found in point 7.7.12 above.
- 7.14.3 They also raise concerns relating to the cycle storage not being within secure compounds, but rather 'Sheffield Hoops'. A condition will be imposed on any decision issued to secure details of the final design to ensure they are adequate.
- 7.14.4 In terms of the amenity hub building being designed to meet 'Secured By Design National Build Approval', an informative can be placed on any decision issued to advise the applicant to make contact with PCPDA prior to construction to discuss this in more detail.
- 7.14.5 Lastly, they advise against the use of bollard lighting as it is prone to damage more easily. As an external source of lighting, this would be included in the requirement to seek approval of the final lighting scheme prior to occupation of the site and can be secured by way of a condition.

Waste and Recycling

- 7.14.6 The Design Guide (2009) states, provision should be made within new development for the storage and collection of waste from a site. The current requirements for waste and recycling per household are as follows:-
- Residual Waste - 240 litres;
 - Cans and Plastics - 55 litres;
 - Paper and cardboard - 55 litres;
 - Glass - 20 litres.

The submitted plans show that there is sufficient space adjacent to or behind the garage of each plot to store the required number of receptacles. As such, the development is considered acceptable in this regard.

Retail Impact Assessment

- 7.14.7 Policy TC13 of the Local Plan (2019) requires applications for main town centre uses to be primarily located within the town centre and only in edge-of-town locations if suitable sites are not available. An impact assessment would be required for proposals in excess of 300sqm for main town centre uses.
- 7.14.8 The main component of the proposed development is the charging facilities which are not considered a main town centre use. The amenity hub building is ancillary to the main use and of very limited scale. Whilst the total floorspace of the amenity hub exceeds 700sqm, only 287sqm of this space is allocated for uses which could be considered main town centre uses (office, retail, café and hot food). Accordingly, a retail impact assessment was not required for this application and, given the limited floorspace, would have a negligible impact on the vitality and viability of the town centre.

8. CONCLUSIONS

- 8.1 In principle, the proposed bus interchange has been established as being acceptable as it would create an enhanced public transport hub with improved connections to Stevenage Train Station. The development would also be of a high quality contemporary design and deemed to be a landmark development. It would not have, subject to appropriate conditions, a detrimental impact on the amenities of nearby residential properties. Furthermore, through the imposition of conditions, the development scheme would not have a detrimental impact on items of archaeological significance and would accord with the Council's Parking Standards. Moreover, the proposal would not, subject to conditions, detrimentally impact upon the safety and operation of the highway network.
- 8.2 In addition to the above, the development, whilst resulting in the loss of some established trees on-site, seeks to deliver a high quality landscaping strategy which would compensate for the loss of these trees as well as create an enhanced urban environment and public realm. The development would not have a detrimental impact on the environment, would have an acceptable drainage strategy and through enhancement measures which can be secured by condition, would have a limited impact on local wildlife and biodiversity.
- 8.3 Given the above, it is considered that the proposed development would accord with the policies contained in the adopted Local Plan (2019), the Council's Design Guide SPD (2009), the Council's Parking Standards SPD (2020), the NPPF (2021) and NPPG (2014).

9. RECOMMENDATIONS

- 9.1.1 That planning permission be GRANTED subject to the applicant having first entered into a S106 UU to secure Local employment and apprenticeships the detail of which would be delegated to the Assistant Director of Planning and Regulation in liaison with the Council's appointed solicitor. In addition, the imposition of suitable safeguarding conditions, with authority given to the Assistant Director of Planning and Regulation in consultation with the Chair of Planning Committee, to amend or add to the suggested draft conditions set out in this report, prior to the decision notice being issued, where such amendments or additions would be legally sound and most effectively deliver the development that the Planning Committee has resolved to approve. These suggested conditions are as follows:-
- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:
05-899-301-C; BOW-A0-ZZ-DR-A-0100; BOW-A0-ZZ-DR-A-0101; BOW-A0-ZZ-DR-A-0102; 8306-BOW-A0-ZZ-DR-A-0103; 8306-BOW-A0-ZZ-DR-A-0104; 8306-BOW-A0-ZZ-DR-A-0105; 8306-BOW-A0-ZZ-DR-A-0200; 8306-BOW-A0-ZZ-DR-A-0201; 8306-BOW-A0-ZZ-DR-A-0300; 8306-BOW-A0-ZZ-DR-A-0301; 8306-BOW-A0-ZZ-DR-A-0700; D02-01; 21/3746/E63/EX01; 21/3746/E63/EX02;
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 The materials to be used in the construction of the external surfaces of the buildings, energy storage containers and storage areas hereby permitted shall be as per the approved plans and documents to the satisfaction of the Local Planning Authority. Development shall be carried out in accordance with the approved details.
REASON:- To ensure the development has an acceptable appearance.

4 No development shall take place (including site clearance) until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority in consultation with the highway authority. Thereafter, the construction of the development shall only be carried out in accordance with the approved Plan.

The Construction Management Plan shall include the following additional matters;

- 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) the date of start and finish of works on site;
- d) siting, methodology and facilities for wheel cleaning;
- e) site set up and general arrangements for storing plant including cranes, materials, machinery and equipment, temporary offices and other facilities;
- f) cleaning of site entrances, site access roads and the adjacent public highway;
- g) details of provisions for temporary car parking, loading/unloading and vehicle turning areas;
- h) hours of construction operations including times of deliveries and removal of waste;
- i) Demolition and construction works between the hours of 0730 and 1800 on Mondays to Fridays and between the hours of 0800 and 1300 on Saturdays only (These times relate to works which are audible at the boundary)
- j) the estimated number and type of vehicles per day/week;
- k) details of any vehicle holding area;
- l) details of the vehicle call up procedure;
- m) details of any changes to on-street waiting and loading restrictions that will be required;
- n) access and protection arrangements around the site for pedestrians, cyclists and other customers;
- o) coordination with other development projects in the vicinity;
- p) details of measures and training to reduce the danger posed to cyclists by HGVs, including membership of the Freight Operators Recognition Scheme or an approved equivalent;
- q) details of a construction phasing programme;
- r) 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;
- s) details of a Site Waste Management Plan (SWMP) detailing actual waste arising and how waste is managed (i.e. re-used, recycled or sent off site for treatment or disposal) and where it is sent to. Further updates should be provided throughout the life of the development at an interim of two months or sooner should the level of waste be considered significant by the developer; and
- t) mechanisms and control measures to deal with environmental impacts such as noise and vibration, air quality, dust, light and odour.

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

5 Prior to first use of the improved access from Broadhall Way, the new access from Knebworth Park Road and circulation areas hereby permitted, the road layout shall be provided and thereafter retained at the position as identified on Proposed Site Layout with Dimensions drawing number 20/154/002/SKH/004 revision A in accordance with the highway specification to be agreed with Hertfordshire County Council and to the Local Planning Authority's satisfaction. 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 in accordance with Policy 5 of Hertfordshire's Local Transport Plan.

- 6 Prior to first use of the new access hereby permitted, visibility splays shall be provided, as identified on Proposed Mini Roundabout Visibility drawing number 20/154/002/SKH/006 revision A. The splays shall thereafter be maintained at all times free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway.
REASON:- To ensure construction of a satisfactory development and in the interests of highway safety in accordance with Policy 5 of Hertfordshire's Local Transport Plan.
- 7 The gradient of the accesses shall not be steeper than 1 in 20 for the first 15 metres from the edge of the carriageway of the Knebworth Park access road.
REASON:- To ensure a vehicle is level when exiting the access and to safeguard the construction of a satisfactory access, in the interests of highway safety and amenity in accordance with Policy 5 of Hertfordshire's Local Transport Plan.
- 8 Prior to first occupation of the development hereby permitted the car parking spaces as detailed on drawing number 8306-BOW-A0-ZZ-DR-A-0105-P2 shall be surfaced and marked out or completed as applicable, in accordance with the approved plan and thereafter retained for the sole use of parking for the development hereby permitted and the cycle stores and bin stores as detailed on the same drawing shall be fully completed and ready for use in accordance with the approved plan and thereafter retained in that form.
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 and to ensure the provision of cycle parking spaces and adequate waste and recycling storage.
- 9 No development shall take place (including site clearance) until a detailed surface water drainage scheme for the site has been submitted to and approved in writing by the Local Planning Authority. The drainage strategy should demonstrate the surface water run-off generated up to and including 1 in 100 year + climate change critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.
- 1) Detailed infiltration tests conducted to BRE Digest 365 standards and geotechnical investigations to confirm the feasibility of discharge via infiltration and groundwater levels on site.
 - 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) Final post-development network calculations for all storm events up to and including the 1 in 100 year + 40% climate change event with half drain down times.
 - 4) Exceedance flow paths for surface water for events greater than the 1 in 100 year including climate change allowance.
 - 5) 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.
- 10 The development hereby permitted shall be carried out in accordance with the approved surface water drainage assessment in condition 9 and the following mitigation measures:
- 1) Limiting the surface water run-off generated by the critical storm events so that it will not exceed the surface water run-off rate of 2 l/s during the 1 in 100 year event plus 40% climate change event.
 - 2) Providing storage to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event providing a minimum of 227.58m³ (or such storage volume agreed with the LLFA) of storage volume in underground attenuation tank and lined permeable paving cascade.

3) Discharge of surface water from the private network into the Thames Water surface water sewer, or to the ground if infiltration proven feasible.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

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

11 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.

12 The development hereby permitted shall be carried out in accordance with the ecological mitigation and enhancement measures as detailed in the 'Ecological Impact Assessment: July 2021'. This document shall be adhered to at all times during construction, including site clearance works, and during occupation of the development.

REASON:- To ensure protection of the natural environment

13 No development shall take place above slab level until there has been submitted to and approved by the Local Planning Authority a scheme of soft and hard landscaping, details of the treatment of all hard surfaces and the treatment of all boundaries including details of any walls, fences, gates or other means of enclosure. The scheme shall include details of all existing trees and hedgerows on the land and details showing all trees to be removed, or retained, together with details of all new planting to take place including species, size and method of planting. The approved boundary treatments shall be completed before the use hereby permitted is commenced or before the building(s) is occupied.

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

14 All planting, seeding and turfing comprised in the approved landscaping details as specified in condition 13 of this approval shall be carried out in the first planting and seeding seasons following the first use of the site or the completion of the development whichever is the sooner.

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

15 All hard surfacing comprised in the approved landscaping details as specified in condition 13 of this approval shall be carried out prior to the first use of the site or the completion of the development, whichever is the sooner.

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

- 16 Any trees or plants comprised within the approved plans or subsequently approved landscaping scheme, 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.
- 17 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.
- 18 No development, including site clearance, shall commence until the trees shown to be retained on the site, as identified on the approved plans, or subsequently approved landscaping scheme, have been protected by fencing or other means of enclosure in accordance with BS:5837:2012. Such protection shall be maintained until the conclusion of all site and building operations.
REASON:- To ensure that the retained trees are not damaged or otherwise adversely affected during site operations.
- 19 Within the areas to be fenced off in accordance with condition 18, there shall be no stockpiling of any materials or soil, no machinery or other equipment parked or operated, no traffic over the root system, no changes to the soil level, no excavation of trenches, no site huts, no fires lit and no dumping of toxic chemicals will be permitted and no retained trees shall be used for winching purposes.
REASON:- To ensure that the retained trees are not damaged or otherwise adversely affected during site operations.
- 20 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).
- 21 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 22 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 23.
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.

- 22 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.
- 23 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.
- 24 Prior to first occupation of the development hereby permitted the external lighting to the site shall be installed, maintained and operated in accordance with the details on drawing numbers 21/3746/E63/EX01 and 21/3746/E63/EX02. There shall be no other sources of external illumination.
REASON:- To minimise pollution of the environment and to safeguard the amenities of the locality and the appearance of the development.
- 25 No development shall take place until an Archaeological Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of archaeological significance and research questions and:
1) The programme and methodology of site investigation and recording
2) The programme and methodology of site investigation and recording as suggested by the evaluation
3) The programme for post investigation assessment
4) Provision to be made for analysis of the site investigation and recording
5) Provision to be made for publication and dissemination of the analysis and records of the site investigation
6) Provision to be made for archive deposition of the analysis and records of the site investigation www.hertfordshire.gov.uk
7) Nomination of a competent person or persons/organisation to undertake the works set out within the Archaeological Written Scheme of Investigation.
REASON:- To ensure the preservation of potential remains of the site following archaeological investigation.
- 26 The development shall take place/commence in accordance with the programme of archaeological works set out in the Written Scheme of Investigation approved under condition 25.
REASON:- To ensure the preservation of potential remains of the site following archaeological investigation.

- 27 The development shall not be occupied/used until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition 25 and the provision made for analysis and publication where appropriate.
REASON:- To ensure the preservation of potential remains of the site following archaeological investigation.

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

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

INFORMATIVES

- 1 **Thames Water**
A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.
- 2 **Cadent Gas Ltd**
Cadent have identified operational gas apparatus within the application site boundary. This may include a legal interest (easements or wayleaves) in the land which restricts activity in proximity to Cadent assets in private land. The Applicant must ensure that proposed works do not infringe on Cadent's legal rights and any details of such restrictions should be obtained from the landowner in the first instance. If buildings or structures are proposed directly above the gas apparatus then development should only take place following a diversion of this apparatus. The Applicant should contact Cadent's Plant Protection Team at the earliest opportunity to discuss proposed diversions of apparatus to avoid any unnecessary delays. If any construction traffic is likely to cross a Cadent pipeline then the Applicant must contact Cadent's Plant Protection Team to see if any protection measures are required. All developers are required to contact Cadent's Plant Protection Team for approval before carrying out any works on site and ensuring requirements are adhered to. Email: plantprotection@cadentgas.com Tel: 0800 688 588.
- 3 **Herts Highways**
Construction standards for new vehicle access: Where works are required within the public highway to facilitate the new or amended vehicular access, the Highway Authority require the construction of such works to be undertaken to their satisfaction and specification, and by a contractor who is authorised to work in the public highway. If any of the works associated with the construction of the access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) the applicant will be required to bear the cost of such removal or alteration.

Before works commence the applicant will need to apply to the Highway Authority to obtain their permission, requirements and for the work to be carried out on the applicant's behalf. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/dropped-kerbs/dropped-kerbs.aspx> or by telephoning 0300 1234047.

- 4 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.
- 5 **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.

6 **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 .

7 **Building Regulations**

To obtain advice regarding current Building Regulations please contact Hertfordshire Building Control Ltd. by emailing us at building.control@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).

8 Herts Police Crime Prevention Design Advisor

Prior to construction the applicant will contact the Hertfordshire Constabulary CPDS with a view to seeking to achieve accreditation to the Police preferred minimum security standard that is Secured by Design. The reason for this is to ensure that the development is compliant with both National and Local Planning Policies, in addition, this will also demonstrate the discharge of obligations under Approved Document 'Q' - Security of Building Regulations".

10. BACKGROUND DOCUMENTS

1. The application file, forms, plans and supporting documents having the reference number relating to this item.
2. Stevenage Borough Council Supplementary Planning Documents – Parking Provision adopted January 2020, Stevenage Design Guide adopted October 2009, Developer Contributions adopted March 2021, The Impact of Development on Biodiversity adopted 2021.
3. Stevenage Borough Local Plan 2011 – 2031 adopted 2019.
4. Hertfordshire County Council’s Local Transport Plan 4 adopted May 2019.
5. Responses to consultations with statutory undertakers and other interested parties referred to in this report.
6. Central Government advice contained in the National Planning Policy Framework February 2019 and Planning Policy Guidance March 2014.