

**Meeting:** Planning and Development Committee      **Agenda Item:**

**Date:** 9 December 2021

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Application No: 21/00944/FPM

Location: Garages at Dunn Close, Stevenage.

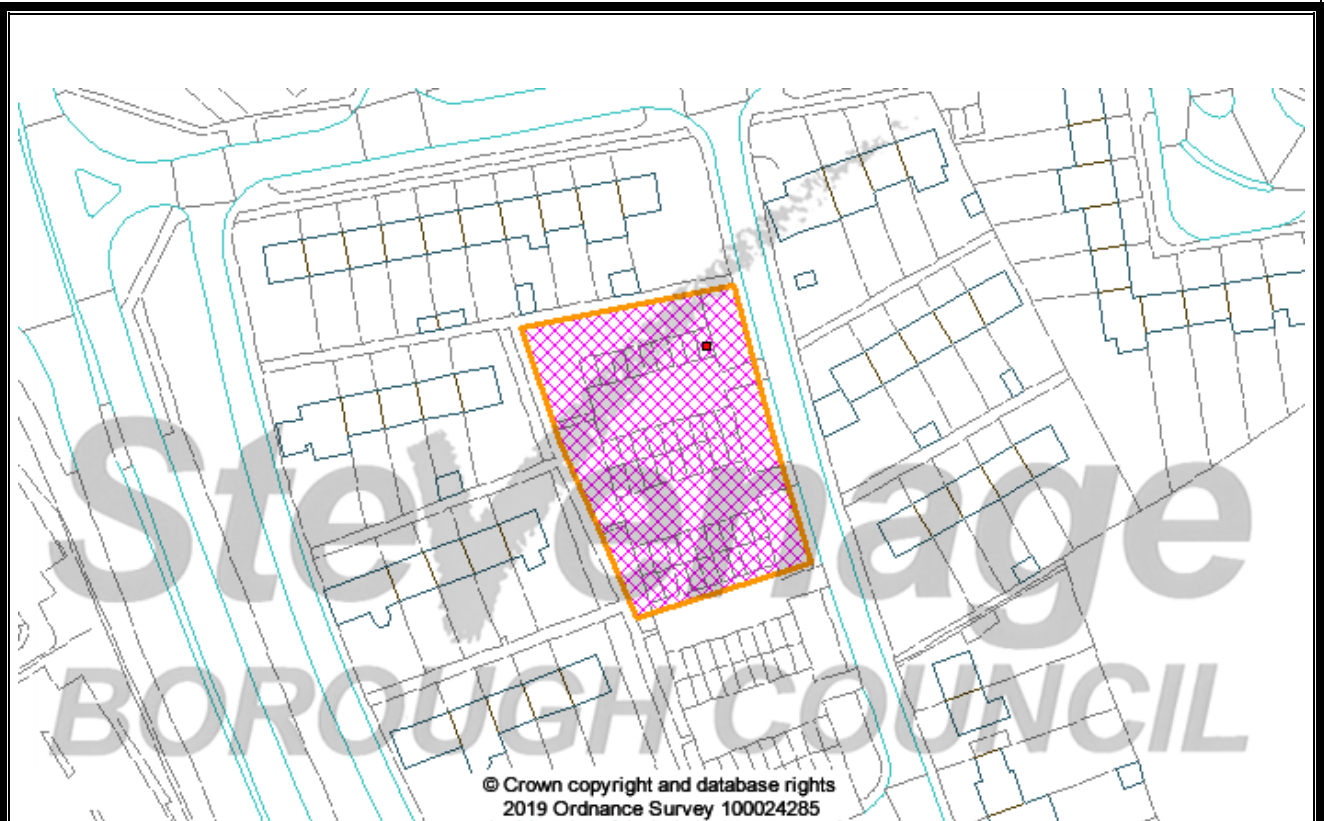
Proposal: Demolition of existing garage blocks and their replacement with a development comprising a two storey supported housing building containing a mix of 21no 1, 2 and 3 person units and associated facilities and a separate two storey terrace comprising 6 x one bedroom class C3 dwellings together with associated amenity areas, car and cycle parking bin store.

Drawing Nos.: 14020-P010-N; 14020-SK005-A; 14020-P011-D; 21128-MA-XX-DR-D-0500 – P01.

Applicant: Stevenage Borough Council

Date Valid: 26 August 2021

Recommendation: GRANT PLANNING PERMISSION.



Plan for information purposes only

## **1. SITE DESCRIPTION**

- 1.1 The application site is located on the western side of Dunn Close which is a spur road off Elder Way. Prior to demolition earlier this year, the site comprised 45 no. single-storey pre-fabricated garages with pitched roofs set across 3 blocks. The garage blocks were constructed of a stock brick with the roofs finished in perforated sheet metal cladding with the garages themselves consisting of metal up and over doors.
- 1.2 Immediately adjoining the southern boundary of the application site are two further garage blocks comprising 36 no. single-storey garages. These blocks architecturally reflect the garage blocks which are the subject of this planning application. The surrounding area comprises predominantly two-storey terraced dwellinghouses set within regimented building lines. These properties are constructed from stock red brick with their respective dual pitched roofs finished in bold roll concrete inter-locking tiles.

## **2. RELEVANT PLANNING HISTORY**

- 2.1 Prior approval application 21/00644/PADEMO sought approval for the demolition of the garage compound. Prior approval was required and refused in July 2021. The application was refused on the following ground:

*The application has provided insufficient information to allow the Local Planning Authority to assess the method of demolition to ensure the works would not cause unnecessary nuisance and disturbance to nearby residents and in terms of removal of materials and demolition methods. The proposal therefore fails to accord with Class B, Part 11, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended).*

- 2.2 Prior approval application 21/00781/PADEMO sought prior approval for the demolition of the garage compound. It was determined prior approval was not required with the decision issued in August 2021. The garages have now been demolished and the site levelled.

## **3. THE APPLICATION**

- 3.1 This application seeks planning permission for the erection of sheltered living accommodation (Use Class Sui Generis) comprising 21 no. 1, 2 and 3 person units and associated facilities. The residential block would measure approximately 17.40m in length, span 31.59m in width with an eaves height of approximately 5.04m with an overall height of approximately 9.00m.
- 3.2 The block would comprise 2 no. gable-end projecting wings with the roof set down approximately 2.03m from the main ridgeline. There would also be two main entrances on the principal elevation with mono-pitched canopies over the main entrance. The fenestration detailing would be symmetrical and uniform with brick mould detailing above the ground floor windows and doors.
- 3.3 The residential units would be split across two floors with the 1, 2 and 3 person units pepper potted across each floor. The units would generally be open plan with respect to the bedrooms, living rooms, dining rooms and kitchens with separate bathroom. The building would also comprise a communal laundry room, communal kitchen/diner across both floors along with the provision of a meeting room and offices.
- 3.4 The proposal also comprises the erection of a separate two-storey 6no. one bedroom, 1 person terrace of flats (Use Class C3). The proposed terrace would measure approximately 8.77m in length, span 17.47m in width with an eaves height of approximately 4.74m with an overall height of approximately 7.94m. The principal elevation of the dwellings would comprise light weight pitched roof canopies over the main entrance to each dwelling. The

fenestration detailing would be similar to the main residential block. The residential units within the terrace would be split across two floors with each property comprising a bedroom, bathroom and open plan kitchen, diner and living rooms.

3.5 The development would comprise 13 no. parking spaces, including 2 no. disabled bays which would be located at the front of the development. There would also be the provision of a bin store, cycle parking and shared private amenity space for future residents of the development.

3.6 This application comes before the Council's Planning and Development Committee as the application is a Major residential development. In addition, the applicant is Stevenage Borough Council and there have been a significant number of representations received against the proposed development.

#### **4. PUBLIC REPRESENTATIONS**

4.1 Following notification of the application via letter, the erection of site notice and being publicised in the local press, three representations against the application have been received. In addition to this, a 51 signature petition in objection to the proposed development was also lodged. A summary of the representations received are as follows:-

- Existing issues with anti-social behaviour and crime;
- Insufficient parking for local residents since the removal of the garages;
- Insufficient replacement parking for local residents;
- The Council is not listening to local residents and has already a decision on the application;
- The development will create additional issues around crime and with anti-social behaviour issues being generated by this development;
- Local residents do not support the proposed development;
- Residents who have commented on the Council's initial consultation do not live in the area;
- The proposed development is causing fear and anxiety with local residents;
- The Council has failed to maintain the garages despite residents paying monthly rates to the Council;
- Residents having to sell due to the concerns around the proposed development;
- The Council should have gone forward with the original housing development which most residents would have supported;
- The existing garages are of a sufficient size to park a car;
- Persons who used the garages for storage were offered smaller garages;
- There has been conflicting information from the Council in terms of staffing of the site and CCTV;
- The petition has been signed by one person in each household;
- Residents do not feel the Council is listening to their concerns;
- The Council should not go ahead with this development;
- The development is out of character with the area;
- Do not consider the Council has thoroughly assessed the appropriateness of the site and how the development would meet the needs of future residents and that the town centre is a more appropriate location;
- The site should be provided for five 3 bedroom terrace houses and additional parking as originally included in the Stevenage Borough Local Plan;
- The scheme will damage the close knit community;
- Insufficient parking being proposed;
- The site would be better suited as a green space for children's play along with a nature reserve to encourage wildlife.

4.2 The aforementioned is not a verbatim of the objections which have been raised. Full copies of the petition and representations received can be viewed on the Council's website.

## **5. CONSULTATIONS**

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

5.1.1 Subject to the imposition of conditions, it is not considered that the proposed development would have an unreasonable impact on the safety and operation of the adjoining highways and consequently do not have any objections on highway grounds.

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

5.2.1 The County Council as the Lead Local Flood Authority (LLFA) have reviewed the Flood Risk Assessment & Sustainable Drainage Strategy prepared by Markides Associates dated 24 June 2021 reference 21182-MA-XX-XX-RP-D-DS01 Revision P02.

5.2.2 The LLFA understand it is proposed to drain the site via rain gardens and two attenuation tanks before discharge to the Thames Water surface water sewer under Dunn Close at 2 l/s. 83 m<sup>3</sup> of attenuation storage is proposed in the attenuation tanks. However, the information provided to date does not provide a suitable basis for an assessment to be made of the flood risks arising from the proposed development. We therefore object to the grant of planning permission and recommend refusal on this basis for the following reasons. Details of how surface water arising from a development is to be managed is required under the NPPF for all Major Planning Applications as amended within the NPPG from the 6 April 2015.

5.2.3 Therefore, for the LLFA to be able to advise the Local Planning Authority that there is no flood risk from surface water an application for full planning permission should include the following:

1. Clarification of discharge rate and Thames Water agreement.
2. Clarification of car park drainage.
3. Confirmation of half drain down times.

#### Overcoming the LLFA objection

5.2.4 The LLFA are pleased the indicative drainage strategy indicates it is proposed to discharge at 2 l/s. However, the text within the main FRADS body indicates a discharge rate of 2.3 l/s. We note that the Thames Water pre-planning enquiry considers a rate of 2.0 l/s, therefore the applicant should confirm the final discharge rate from the site. If it is proposed to discharge at 2.3 l/s, updated agreement from Thames Water will be required. Please note that as LLFA, we would prefer a rate of 2.0 l/s.

5.2.5 At present no drainage details are proposed for the car parking areas. The applicant should demonstrate how runoff generated on the car park and bin store will be managed including provision of robust SuDS management and treatment before discharging to the sewer at greenfield runoff rates. The LLFA would expect the use of SuDS such as permeable paving to provide SuDS management and treatment.

5.2.6 The applicant has provided network calculations up to and including the 1 in 100 year + 40% climate change storm, however we note that half drain down times are not provided. Please could the applicant clarify the half drain down times for the attenuation tanks.

5.2.7 For further advice on what we expect to be contained within the FRA to support a planning application, please refer to our Developers Guide and Checklist on our surface water drainage webpage:

<https://www.hertfordshire.gov.uk/services/recycling-waste-and-environment/water/surface-water-drainage/surface-water-drainage.aspx>

5.2.8 This link also includes HCC's policies on SuDS in Hertfordshire.

Informative to the LPA

5.2.9 Please note that the applicant may require build over permissions from Thames Water for the construction of the car parking spaces and bin store in the east of the site.

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

5.3.1 Hertfordshire County Council Growth (HCC) and Infrastructure Unit (GIU) do not have any comments to make in relation to financial contributions required by the toolkit, as this development is situated within the Borough Council's CIL Zone and does not fall within any of the CIL REG 123 exclusions. Notwithstanding this, HCC GIU reserve the right to seek Community Infrastructure Levy Contributions as outlined in the Councils Reg 123 list through the appropriate channels.

### **5.4 Council's Environmental Health Section**

5.4.1 If planning permission is to be granted, then it is recommended conditions are imposed covering the following:

- Contaminated Land;
- Noise; and
- Dust emissions.

### **5.5 Police Crime Prevention Design Advisor**

5.5.1 Following a meeting with the project team, the Police Crime Prevention Design Advisor is pleased to see the concerns raised have been addressed and the development will seek to achieve the Police preferred minimum security standard that is Secured by Design (SBD). In accordance with recommendations, changes are being made to the construction of the fence at the rear and the sides of the property to ensure that a blind rat run is not made of the existing footpath at the rear of the property.

5.5.2 In addition, a gate will not be fitted to the front aspect of the dwellings, thereby securing the rear amenity garden. As a result of this, in addition to several issues which were discussed, the Police Crime Prevention Design Advisor is now in a position to fully support the application.

### **5.6 Thames Water**

5.6.1 With regard to surface water drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Management of surface water from new developments should follow Policy SI 13 Sustainable drainage of the London Plan 2021. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required.

- 5.6.2 There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way.
- 5.6.3 Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses. We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation.
- 5.6.4 Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would recommend the imposition of an informative attached to the planning permission:
- 5.6.5 Thames Water would advise that with regard to the waste water network and sewage treatment works infrastructure capacity, Thames Water would not have any objection to the above planning application, based on the information provided.

## **5.7 Affinity Water**

- 5.7.1 Following a review of the development, there are no comments to make.

## **5.8 Herts and Middlesex Wildlife Trust**

- 5.8.1 The ecological report is acceptable and no further comments to add.

## **5.9 Cadent Gas**

- 5.9.1 There is no objection to the proposal from a planning perspective. However, there is gas infrastructure within the area of the development which needs to be considered. Therefore, if the Council is minded to grant planning permission, an appropriate informative should be imposed.

## **5.10 Council's Planning Policy Section**

- 5.10.1 No comments to make.

## **5.11 Council's Waste Section**

- 5.11.1 Looking at the bin store design it is hard to tell exactly what they have allowed for. It looks like x 4 1100ltr bins which in theory should be okay but the Waste Section suggest the provision 5. 6x smaller bins will not be sufficient. The Waste Section assumes based on dwelling numbers (not persons) they will need at least 5x 360ltr bins for each material type i.e. plastic/cans and Fibre (total 10) plus at least a couple for glass. Please note with pending legislation Waste Services will need to collect food weekly from 2023/24. At a guess, this would require at least 2 x 240ltr bins. Access to collect needs to be suitable for a refuse truck to be able to get to the bin store and of course is able to manoeuvre (spec attached).

## **5.12 NHS England**

5.12.1 No comments.

## **5.13 Council's Arboricultural Manager**

5.13.1 Following a review of the application, it can be confirmed there are no objections from an arboriculture view point.

## **5.14 Hertfordshire County Council's Minerals and Waste**

5.14.1 Hertfordshire County Council as Minerals and Waste Authority are writing in response to a recent consultation on the planning application for Dunn Close as it raises issues in connection with waste matters. Should the Borough Council be minded to permit this application, a number of detailed matters should be given careful consideration.

5.14.2 Government policy seeks to ensure that all planning authorities take responsibility for waste management. This is reflected in the County Council's adopted waste planning documents. In particular, the waste planning documents seek to promote the sustainable management of waste in the county and encourage Districts and Boroughs to have regard to the potential for minimising waste generated by development.

5.14.3 The NPPF recognises waste as a strategic issue and specific national policy is set out in the *National Planning Policy for Waste (October 2014)* which states the following:

*'When determining planning applications for non-waste development, local planning authorities should, to the extent appropriate to their responsibilities, ensure that:*

- *the likely impact of proposed, non- waste related development on existing waste management facilities, and on sites and areas allocated for waste hierarchy and/or the efficient operation of such facilities;*
- *new, non-waste development makes sufficient provision for waste management and promotes good design to secure the integration of waste management facilities with the rest of the development and, in less developed areas, with the local landscape. This includes providing adequate storage facilities at residential premises, for example by ensuring that there is sufficient and discrete provision for bins, to facilitate a high quality, comprehensive and frequent household collection service;*
- *the handling of waste arising from the construction and operation of development maximises reuse/recovery opportunities, and minimises off-site disposal.'*

5.14.4 This includes encouraging re-use of unavoidable waste where possible and the use of recycled materials where appropriate to the construction. In particular, you are referred to the following policies of the adopted Hertfordshire County Council Waste Core Strategy and Development Management Policies Development Plan Document 2012:

- Policy 1: Strategy for the Provision for Waste Management Facilities. This is in regards to the penultimate paragraph of the policy;
- Policy 2: Waste Prevention and Reduction: &
- Policy 12: Sustainable Design, Construction and Demolition.

In determining the planning application, the Borough Council is urged to pay due regard to these policies and ensure their objectives are met. Many of the policy requirements can be met through the imposition of planning conditions.

5.14.5 Waste Policy 12: Sustainable Design, Construction and Demolition requires all relevant construction projects to be supported by a Site Waste Management Plan (SWMP). This aims to reduce the amount of waste produced on site and should contain information including types of waste removed from the site and where that waste is being taken to. Good practice templates for producing SWMPs can be found at: <http://www.smartwaste.co.uk/> or <http://www.wrap.org.uk/category/sector/waste-management>.

5.14.6 SWMPs should be passed onto the Waste Planning Authority to collate the data. The county council as Waste Planning Authority would be happy to assess any SWMP that is submitted as part of this development either at this stage or as a requirement by condition, and provide comment to the Borough Council.

## **5.15 UK Power Networks**

5.15.1 No comments.

## **5.16 Hertfordshire County Council's Fire and Rescue Service (Water Officer)**

5.16.1 There is a hydrant at the entrance to where the proposed southern site entrance would be, which covers the development. Therefore, Hertfordshire County Council (HCC) Fire and Rescue would not seek any further hydrants in this area.

## **5.17 Council's Garages Section**

5.17.1 The Garages at Dunn Close have been demolished due to low demand and high instances of antisocial behaviour as well as instances of fly tipping. All garage users that required an alternative garage were able to be relocated in to other vacant stock in the local vicinity or closer to their home address elsewhere in the town. The garage team have no objection to these proposals.

## **5.18 Pre-application Consultation by SBC Housing Development (the Applicant)**

5.18.1 Prior to the submission of the planning application, the Housing Development team conducted substantial consultation with residents in the Dunn Close area, community groups and ward members. This included:

- Delivering letters to residents inviting them to view and comment on our proposals (approx. 75 letters delivered)
- Launching an online survey
- Inviting residents to one of two of our in-person consultation events where they'd have the opportunity to speak to officers
- Inviting residents to our in-person feedback session which focused on the survey results
- Inviting residents to one of our two virtual feedback session via Zoom
- Responding to queries sent to the housing development inbox
- Responding to telephone enquiries

5.18.2 In-person consultation events were held at the Stevenage Arts Centre, located on the Roaring Meg Retail Park. The turn-out was as follows:

- Session 1 – 3 attendees
- Session 2 – 6 attendees
- Session 3 (feedback session) – 10 attendees



5.18.3 A summary of the consultation responses received can be found in **Appendix 1** at the end of this report.

## **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.

6.2.2 Since November 2018, housing delivery has been measured against the Housing Delivery Test (HDT) as set out by the Government planning policy and guidance. The results of the HDT dictate whether a local planning authority should be subject to consequences to help increase their housing delivery. Where an authority's HDT score is less than 85% of its housing requirement, the Council must incorporate a 20% buffer into its housing supply calculations in line with paragraph 73 of the NPPF. Where an authority's score is below 75%, the Council will be subject to the HDT's most severe penalty and must apply the presumption in favour of sustainable development. The latest HDT results, published by the Ministry of Housing Communities and Local Government (MHCLG) (**now the Department for Levelling Up, Housing and Communities**) in January 2021, identifies that Stevenage only delivered 64% of its housing requirement. This is significantly below the 75% target and renders the adopted Local Plan housing policies as out of date. Consequently, Stevenage Borough Council must apply the presumption in favour of sustainable development in its decision making and give great weight towards the need to deliver housing.

6.2.3 The Council therefore, has to prepare an Action Plan to show how the Council is responding to the challenge of ensuring more homes are delivered in the Borough. It will have to be prepared in accordance with Planning Practice Guidance and analyse the reasons for under-delivery of new homes against the Government's requirements. It also has to set out clear actions on how to improve housing delivery. Consequently, Stevenage Borough Council is considering its position in relation to preparing an action plan to enhance housing supply on deliverable sites.

6.2.4 In terms of 5 year land supply, the Council has recently published the Five Year Land Supply Update (August 2021) which reveals that Stevenage has a 5.85 year supply of housing A copy of the statement is found on:  
<https://www.stevenage.gov.uk/documents/planning-policy/monitoring/five-year-housing-land-supply-position-statement-august-2021.pdf>

6.2.5 The Council will also be commencing preliminary work into a potential review of its Local Plan, last adopted in May 2019. This is to ensure the policies within the Local Plan are up to date in accordance with the NPPF as well as ensuring the Council is delivering a sufficient supply of housing and employment.

### **6.3 Planning Practice Guidance**

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

### **6.4 Adopted Local Plan (2019)**

6.4.1 The policies set out below are relevant in the determination of this application:

Policy SP1: Presumption in favour of sustainable development;  
Policy SP2: Sustainable development in Stevenage;  
Policy SP5: Infrastructure;  
Policy SP6: Sustainable transport;  
Policy SP7: High quality homes;  
Policy SP8: Good design;  
Policy SP11: Climate change, flooding and pollution;  
Policy SP12: Green infrastructure and the natural environment;  
Policy 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 HO1: Housing allocations;  
Policy HO5: Windfall sites;  
Policy HO7: Affordable housing targets;  
Policy HO8: Affordable housing tenure, mix and design;  
Policy HO9: House types and sizes;  
Policy HO10: Sheltered and supported housing;  
Policy HO11: Accessible and adaptable housing;  
Policy GD1: High quality design;  
Policy FP1: Climate change;  
Policy FP2: Flood risk in Flood Zone 1;  
Policy FP5: Contaminated land;  
Policy FP7: Pollution;  
Policy FP8: Pollution sensitive uses;  
Policy NH5: Trees and woodland.

### **6.5 Supplementary Planning Documents**

Parking Provision Supplementary Planning Document October 2020  
Stevenage Design Guide Supplementary Planning Document January 2009.  
The Impact on Biodiversity SPD 2021  
Developer Contributions SPD 2021

## **6.6 Community Infrastructure Levy**

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 this application are its acceptability in land use policy terms, affordable housing and planning obligations, visual impact of the development, impact upon neighbouring amenities, impact upon future amenities of residents, parking provision, highway implications, development and flood risk, impact on the environment, trees and landscaping and ecology.

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 Land Use Policy Considerations**

#### Compliance with the Council's Housing Policies

7.2.1 The NPPF states at paragraph 7 that the purpose of the planning system is to contribute to the achievement of sustainable development. The NPPF also stipulates that decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area. In addition, the Framework also sets out that sustainable development needs to be pursued in a positive way and at the heart of the framework is a "presumption on favour of sustainable development". Paragraph 62 of the NPPF (2021) requires that the planning system should deliver, inter alia, a mix of housing particularly in terms of tenure and price to support a wide variety of households in all areas. Paragraph 69 of the Framework sets out that small and medium sites can make an important contribution to meeting housing requirements in an area, and this includes supporting the development of windfall sites.

7.2.2 Paragraph 119 of the NPPF stipulates that planning policies and decisions should promote the effective use of land in meeting the need for homes such as through the use of brownfield sites (previously developed land) and the development of underutilised land.

7.2.3 It is noted that part of the site is allocated in the Stevenage Borough Local Plan 2011-2031 (2019) as a housing site under Policy HO1(4) for the provision of five dwellings. However, the remainder of the site falls outside of the allocation in the Local Plan and would therefore, be classed as windfall. Policy HO5 of the adopted Local Plan (2019) deals with windfall housing sites and states that permission will be granted where: the site is on previously developed land or is a small, underused urban site; there is good access to local facilities; there will be no detrimental impact on the environment and the surrounding properties; proposals will not prejudice the Council's ability to deliver residential development on allocated sites; and, the proposed development would not overburden existing infrastructure.

7.2.4 Taking the above issues in turn, the northern part of the development proposal which predominantly falls within the allocation comprises the proposed sheltered living residential block (Use Class Sui Generis). This would be contrary to the Local Plan (2019) designation for 5 dwelling units. However, the sheltered living accommodation is required for emergency and temporary accommodation, especially since the Covid-19 pandemic has exacerbated

the need for such development with a significant number of people currently housed in B&Bs and hotels at significant expense to the Council.

- 7.2.5 In addition to the above, it is of note that the Stevenage and North Hertfordshire Strategic Housing Market Assessment (SHMA) includes a projection that there will be increasing demand for supported housing needs during the Local Plan period. The SHMA uses the Homes and Communities Agency Vulnerable and Older People Needs Estimation Toolkit to estimate an increased need between 2011 and 2031 for people with: alcohol misuse, learning disabilities, mental health problems, offenders, moderate physical/sensory disabilities, serious physical/sensory disabilities, refugees, rough sleepers and single homeless with support needs totalling 190 dwellings over the plan period. The Local Plan evidence base has therefore identified that there will be an increasing demand for supported living accommodation.
- 7.2.6 Given the above, the proposed development does conflict with Policy HO1(4) because the proposal does not accord with this policy. Therefore, an assessment has to be undertaken as to whether the benefits of the proposed development outweigh the policy conflict and this is considered in further detail in the following section of the report.
- 7.2.7 Turning specifically to the development which falls on land outside of the Local Plan designation, the application site is identified as being predominantly previously developed land with a small area of structural open space on the western side of the site. The site is currently vacant, previously occupied by hardstanding and garages and thus accords with the definition of previously developed land set out in Annex 2 of the NPPF. The NPPF states that previously developed land is land which is or was occupied by a permanent structure, including the curtilage of the developed land and any associated fixed surface infrastructure. The NPPF also advises that a key objective is that local planning authorities should continue to make effective use of land by re-using land that has been previously developed. As such, the proposed development, where it is to be built on the PDL area of the site, is in accordance with adopted Local Plan (2019) Policy HO5 criterion a. The area which is defined as structural open space will be considered in more detail in the following sections of this report.
- 7.2.8 Criterion b. of Policy HO5 also requires that there is access to local facilities and that residential proposals include opportunities to access alternative forms of travel to private motorised transport. In terms of pedestrian access, this would be taken off the existing footpath which leads to Elder Way. In terms of accessibility, the site is highly accessible by foot and whilst there is no immediate cycle access to the site, it does lie within 90m from established cycle network which runs up to junction of Elder Way and Monkswood Way. The site is also approximately 188m from the nearest bus stop on Elder Way and 140m from the bus stop on Monkswood Way. The site is also 385m from the neighbourhood centre on Elder Way and 375m from the Asda Superstore. In addition, the site is also within 1.3km of the railway station. Consequently, the site is identified as being within a highly sustainable location.
- 7.2.9 Turning to the impact of the development on existing infrastructure, due to the nature of the proposed development, it would not place additional pressure on existing infrastructure such as education and healthcare facilities, as these properties will support people who already reside within Stevenage. Furthermore, the scheme seeks to deliver 6 no. 1 bedroom affordable units so would not be classed as family sized units. Consequently, the proposed development which forms part of the windfall site would be in accordance with Policy HO5 of the adopted Local Plan (2019).

- 7.2.10 Paragraph 74 of the NPPF stipulates that strategic policies should include a trajectory illustrating the expected rate of housing delivery over the plan period, and all plans should consider whether it is appropriate to set out the anticipated rate of development for specific sites. Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old. The supply of specific deliverable sites should in addition include a buffer (moved forward from later in the plan period) of:
- a) 5% to ensure choice and competition in the market for land; or
  - b) 10% where the local planning authority wishes to demonstrate a five year supply of deliverable sites through an annual position statement or recently adopted plan, to account for any fluctuations in the market during that year; or
  - c) 20% where there has been significant under delivery of housing over the previous three years, to improve the prospect of achieving the planned supply.
- 7.2.11 Turning to Five Year Housing Land Supply, the Council issued an Update Housing Land Supply Document in August 2021. This document was produced following the Appeal Decision for Land West of Lytton Way (APP/K1935/W/20/3255692). It sets out that the Council can demonstrate a Housing Land Supply of 5.85 years for the period 1 April 2021 to 31 March 2026, using the Liverpool methodology and guidance from the NPPF and Planning Practice Guidance (PPG). Given this position, whilst the Council has failed to meet its Housing Delivery Test, this document demonstrates that the proposal is not fundamental in the Council's ability to meet its 5 year land supply, even when incorporating the 20% buffer.
- 7.2.12 Notwithstanding the above, since November 2018, housing delivery has been measured against the Housing Delivery Test (HDT) as set out by Government planning policy and guidance. The results of the HDT dictate whether a local planning authority should be subject to consequences to help increase their housing delivery. Where an authority's HDT score is less than 85% of its housing requirement, the Council must incorporate a 20% buffer into its housing supply calculations in line with paragraph 74 of the NPPF. Where an authority's score is below 75%, the Council will be subject to the HDT's most severe penalty and must apply the presumption in favour of sustainable development.
- 7.2.13 The latest HDT results, published by MHCLG in January 2021, identify that Stevenage only delivered 64% of its housing requirement. This is significantly below the 75% target and as set out in paragraph 9.2.2 of this report, renders the adopted Local Plan housing policies as out of date. Consequently, Stevenage Borough Council must apply the presumption in favour of sustainable development in its decision making and, in substance, give great weight to the need to deliver housing. It is important to note that the presumption in favour of sustainable development as outlined in the NPPF kicks in if the Council fails either 5 year land supply, or the Housing Delivery Test (footnote 8 of Para. 11 of the NPPF). Therefore, whilst it can be demonstrated there is a 5 year land supply, the Council failed to meet its HDT requirement.
- 7.2.14 Given the aforementioned, as the Council has failed to meet the Government's Policy requirement in relation to supporting the delivery of housing in line with HDT, in accordance with the NPPF, as the presumption in favour of sustainable development kicks in, the Council must approve applications for housing development unless its impacts clearly outweigh the benefits.
- 7.2.15 In respect to Policy HO9 (House types and sizes) of the adopted Local Plan (2019), as the proposed development seeks to deliver smaller accommodation, it would be in accordance with this policy as it would help to balance the structural imbalances in the existing housing

stock, i.e. due to the lack of smaller properties in the Borough as identified in the Local Plans supporting evidence base.

- 7.2.16 In regards to affordable housing, the Council's evidence base has demonstrated that since the start of the Local Plan period, delivery of affordable housing has been limited to 282 units, an average of 31 units per annum. This evidence does demonstrate that there has been a significant under provision of affordable housing delivery within the Borough. Therefore, where such development seeks to increase the level of affordable housing within the Borough, this is considered to be a significant benefit. A detailed assessment of the proposed development's proposed affordable housing provision is detailed in Section 10.3 of this report.
- 7.2.17 In assessing the loss of open green space which forms part of the application site to the west and to the rear of the former garage blocks, Policy NH6 stipulates that for development of any existing, unallocated open spaces, development would be permitted where:
- A) the loss of the open space is justified having regard to:
    - i) the quality and accessibility of the open space;
    - ii) the existence, or otherwise, or any interventions to improve the quality or access;
    - iii) whether the open space is serving its function and purpose; and
    - iv) whether alternative space(s) remain available for community use, and
  - B) Reasonable compensatory provision is made.
- 7.2.18 The application site is, in part, formed of grassed amenity spaces which are located to the front, side and rear of where the garage blocks used to be sited prior to their demolition. The space forms part of a larger collection of open spaces surrounding the application site, acting as a buffer between the highway and residential properties to the west and north of the garages. The area of green space to be incorporated into the application site is small compared to the total area of green space in this location. The remaining space would continue to provide a break between the site and built form, with the area to the west of the site being utilised as amenity space for future residents. As such, it is considered the loss of this small area of open space would not harm the function or amenity of the remaining space of which it is part and is therefore acceptable.
- 7.2.19 Taking the aforementioned assessment into consideration, it can be concluded that the proposed development would not accord with Policy HO1 of the adopted Local Plan (2019). This is because the northern part of the development proposal which falls within the site allocation comprises the sheltered housing block (Use Class Sui Generis) and not the delivery of the five Use Class C3 residential dwellings as identified by this policy. However, the proposed development does seek to deliver 21 no. 1, 2 and 3 person supported emergency and temporary living accommodation. The evidence base which also supports the Local Plan (2019) includes a projection that there will be increasing demand for supported housing needs during the Local Plan period (see paragraph 7.2.5). As such, this development would help to meet this growing demand.
- 7.2.20 In addition, policy HO10 of the adopted Local Plan (2019) states that planning permission for sheltered and supported housing schemes will be granted where:
- a. The site is well served by public transport;
  - b. There is good access to local services and facilities such as neighbourhood centres;

c. Appropriate levels of amenity space and parking for residents, visitors and staff are provided; and

d. The proposal is appropriately located.

7.2.21 Taking the above into consideration, the scheme is identified as being in a sustainable location with access to local services and facilities (see paragraph 7.2.8). In addition, there would be appropriate levels of amenity space (see paragraph 7.6.2) and sufficient parking (see Section 7.11) and is deemed to be appropriately located within a residential area of the town. The development would also deliver much needed housing, especially affordable housing due to the shortfall in housing delivery (including affordable housing) in the Borough as identified in paragraphs 7.2.13 to 7.2.15 and paragraph 7.2.17 of this report.

7.2.22 Given the aforementioned assessment, it is acknowledged that there would be a conflict with Policy HO1 of the adopted Local Plan (2019). However, it can be concluded that the development would deliver significant public benefits which would outweigh the policy conflict in this instance. In addition, the site is identified to be in a sustainable location within Stevenage with development being delivered on previously developed land in accordance with Policy HO5. Moreover, whilst the proposal would result in the loss of a small area of structural open space, this space would form part of the private amenity space which would serve the development. Furthermore, it does not form any public function and there would still be sufficient public open space within the surrounding area. In addition, the overall benefits of this development would outweigh any harm caused by the loss of this small area of structural open space.

7.2.23 Consideration of the effects of the development on the character of the area and neighbouring amenities, and the ability of the site to provide good living conditions for future residents as well as impact on the environment, biodiversity and infrastructure will be considered in the following sections of this report.

### **7.3 Affordable housing and planning obligations**

7.3.1 Policy HO7 of the adopted Local Plan (2019) stipulates that planning permission would be granted for residential development which would maximise affordable housing provision. Taking this into consideration, there is a requirement to provide 25% of new homes to be affordable on previously developed sites. In this regard, there would be a requirement to provide 6.75 (rounded up to 7) affordable units.

7.3.2 Turning to affordable housing tenure, mix and design, Policy HO7 states that planning permission will be granted where those dwellings:

- a. Are provided by the developer on site with at least 70% of the units being for rent and the remainder consisting of other tenures which is to be agreed with the Council's Housing team;
- b. Meets the requirements of Policy HO9 (House types and sizes);
- c. Are physically indistinguishable from other types of homes and are distributed across the site to avoid over-concentration in particular; and
- d. Will remain at an affordable price for future eligible households.

7.3.3 In addition to the above, paragraph 65 of the NPPF (2021) stipulates that for major developments involving the provision for housing, planning decisions should expect at least 10% of the total number of homes to be made available for affordable home ownership (this includes affordable housing for rent, starter homes, discounted market sales housing and other routes including shared ownership, equity loans and other low cost homes (at a cost

to at least 20% below market value)). However, the 10% requirement is part of the overall affordable housing contribution for the site.

7.3.4 The proposed development is seeking to deliver 21 no. emergency and temporary sheltered living accommodation. As such, there would not be a policy requirement to deliver affordable housing in this instance in relation to these units. The use of these units would be secured as supported housing.

7.3.5 Separately, the proposed development seeks to deliver 6 no. 1 bedroom affordable units. Taking this requirement into consideration, the proposed Courtlands Development (21/00971/FPM) is potentially linked to the Dunn Close application in terms of delivering the 6 no. affordable units. This is because the Council has the Courtlands site under an options agreement. Therefore, the affordable housing requirement arising from Courtlands (6 affordable units) could potentially go towards the delivery of the proposed affordable housing units at Dunn Close. Given this, and in the event the Council does purchase the Courtlands development site, the commuted sum payment for this development would fall away with the site intrinsically linked to Dunn Close.

7.3.6 However, if the Council does not purchase the Courtlands development site, then the affordable housing obligation for the Courtlands development, i.e. a financial obligation in lieu, would remain. The triggers for dealing with how the affordable housing would be delivered, either through a financial contribution in-lieu or towards the delivery of the development at Dunn Close, would be secured as part of a S.106 legal agreement.

7.3.7 Turning to the recently adopted Developer Contributions SPD (2021), this SPD introduces a new requirement that developers of major development when signing an agreement with the Council, will need to:

- Attempt to fill 5% to 10% of construction jobs on-site associated with the development with Stevenage Residents;
- Attempt to fill 1 apprenticeship position per 10 construction jobs on-site with a Stevenage Resident or Student (cap requirement of 10 apprenticeships);
- Report whether or not these requirements are met; and
- Provide a financial contribution in lieu of not achieving either or both targets.

The applicant has agreed to the requirement to include a Construction Training Plan as part of the S.106 agreement.

7.3.8 In terms of monitoring, the Council Developer Contributions SPD set out that the Council will seek a monitoring fee of 2.5% of the value of the contributions being monitored. The fee would be capped at £25,000.00. The monitoring fee itself would be secured as part of any S.106 legal agreement.

7.3.9 Turning to the areas of open space on the site, including areas of highway which are not to be formally adopted by the Council or Hertfordshire County Council, it is recommended that the Legal Agreement secures the provision of a Management Company. This is to ensure that the areas of un-adopted open space and highways which form part of the development are properly managed and maintained during the lifetime of the development.

## **7.4 Visual impact of the development**

7.4.1 Paragraph 126 of the NPPF states that “The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve”. It goes on to state that “good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities”.



- 7.4.2 Paragraph 130 of the NPPF sets out a number of requirements for new development, including that development:
- will function well and add to the overall quality of an area;
  - is visually attractive as a result of good architecture; layout and appropriate and effective landscaping;
  - is sympathetic to local character and history;
  - establishes or maintains a strong sense of place;
  - optimises the potential of the site to accommodate and sustain an appropriate amount and mix of development;
  - creates places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.
- 7.4.3 Paragraph 131 of the NPPF places great importance on the role of trees in helping to shape quality, well designed places “Trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change”.
- 7.4.4 Paragraph 132 of the NPPF states that applicants “should work closely with those affected by their proposals to evolve designs that take into account of the views of the community. Applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot”.
- 7.4.5 Policy SP8 of the adopted Local Plan (2019) requires new development to achieve the highest standards of design and sustainability which can deliver substantial improvements to the image and quality of the town’s built fabric. Policy GD1 of the Local Plan generally requires all forms of development to meet a high standard of design which includes form of built development, elevational treatment and materials along with how the development would integrate with the urban fabric, its relationship between buildings, landscape design and relevant aspects of sustainable design.
- 7.4.6 Policy HO5: windfall sites require residential development on unallocated sites to not have a detrimental impact on the environment and on surrounding properties. The Council’s Design Guide SPD 2009 generally reflects the aforementioned policies requiring development to respect surrounding buildings in terms of scale, massing, height and design. As such, it encourages good design as it can enhance the appearance of places.
- 7.4.7 The National Design Guide (2019) which was published by National Government is a material consideration in the determination of planning applications. It sets out that Buildings are an important component of places and proposals for built development are a focus of the development management system. However, good design involves careful attention to other important components of places. These include:
- the context for places and buildings;
  - hard and soft landscape;
  - technical infrastructure – transport, utilities, services such as drainage; and
  - social infrastructure – social, commercial, leisure uses and activities.
- 7.4.8 A well-designed place is unlikely to be achieved by focusing only on the appearance, materials and detailing of buildings. It comes about through making the right choices at all levels, including:
- the layout;
  - the form and scale of buildings;
  - their appearance;
  - landscape;
  - materials; and

- their detailing.

7.4.9 The Guide further iterates that all developments are made up of these components put together in a particular way. As such, the choices made in the design process contribute towards achieving the ten characteristics and shape the character of a place. For reference, these ten characteristics are as follows:-

- Context – enhances the surroundings;
- Identity – attractive and distinctive;
- Built form – a coherent pattern of built form;
- Movement – accessible and easy to move around;
- Nature – enhanced and optimised;
- Public spaces – safe, social and inclusive;
- Uses – mixed and integrated;
- Homes and buildings – functional, healthy and sustainable;
- Resources – efficient and resilient;
- Lifespan – made to last.

7.4.10 Paragraph 40 of the National Design Guide states that well-designed places are:

- Based on a sound understanding of the features of the site and the surrounding context, using baseline studies as a starting point for design;
- Integrated into their surroundings so they relate well to them;
- Influenced by and influence their context positively; and
- Responsive to local history, culture and heritage.

7.4.11 This part of the application has been assessed against the key policy criteria on good design, as well as how the scheme meets the four key objectives in the National Design Guide on what is considered as a well-designed place. The proposed development would comprise the construction of 21 no. 1, 2 and 3 person units and associated facilities across two buildings. Building one which is the residential block of apartments would measure approximately 17.40m in length, span 31.59m in width with an eaves height of approximately 5.04m with an overall height of approximately 9.00m.

7.4.12 The main residential block would comprise 2 no. gable-end projecting wings with the roof of these wings set down approximately 2.03m from the main ridgeline. These, along with the staggered footprint on the rear elevation of the building, would help to break up its overall built form and mass. There would also be two main entrances on the principal elevation with mono-pitched canopies over the main entrance.

7.4.13 Building two comprises the erection of a separate two-storey 6no. one bedroom, 1 person terrace of maisonettes. The proposed terrace would measure approximately 8.77m in length, span 17.47m in width with an eaves height of approximately 4.74m with an overall height of approximately 7.94m. The principal elevation of the dwellings would comprise light weight pitched roof canopies over the main entrance to each dwelling.

7.4.14 The materials used in the construction of the two buildings would comprise a stock buff stock multi in a stretcher bond with the respective roofs clad in concrete tiles finished in grey. The elevations would also comprise 50mm recess with sailing course to add a textured element to the facades. The main building would comprise the installation of roof mounted PV panels on the rear (western facing) roof slope. The fenestration detailing across both buildings which would be symmetrical and uniform and would comprise uPVC windows and doors (finished in grey) with the ground floor detailing comprising a brick header course. The two no. gable-end wings on the main block would be finished in fibre cement cladding.

- 7.4.15 In regards to the fascias, soffits, gutters and downpipes which would be installed on the new buildings, these would be uPVC finished in either black or grey. There would also be the installation of metal vents and louvres finished in grey. In terms of site layout, the proposed buildings would be set approximately 14m back from the main highway and positioned between 0.8m to 3.82m from the sites northern and southern boundaries. The buildings would also be set between 6.46m to 10.12m from the sites western boundary. There would also be a gap of 1m between the two buildings.
- 7.4.16 Turning to the proposed bin-store which would be located adjacent to the parking areas serving the development, this would measure approximately 3.50m in length and span 6.02m in width. The store itself would be enclosed by hit and miss boarding with an overall height of 1.8m. The proposed octagon shaped pergola / cycle shelter located to the rear of the site with an overall height of 3.15m would also be constructed from timber. The bin store and pergola/secure cycle store would be finished in dark green. However, it is noted the bin store would need to increase in size based on recent comments from the Council's Waste Section. It is considered that there is more than sufficient space at the front of the site to accommodate an enlarged bin store. Notwithstanding this, final details of the bin store would be secured by the imposition of a condition of any permission issued.
- 7.4.17 Taking the aforementioned into consideration, the proposed development in terms of its architectural appearance, has been designed to reflect the architectural style of properties within the estate but with the use of brick detailing and contrasting materials, fenestration finish and the finished appearance of the soffits and rainwater goods, would give the development a clean, modern appearance which would add character to the estate which is generally uniform in style, finish and appearance.
- 7.4.18 In terms of layout and spacing, the individual components of the development would allow for sufficient breathing space around the built form to ensure it does not appear overbearing when viewed from the public realm. In terms of building heights, the proposed terraced units have been designed to reflect the heights of the traditional terraced built form of the estate to allow for continuity. In terms of the main block, it is noted that this has a taller building height than the surrounding area. However, the area does comprise taller buildings such as Shaftesbury Court to the north-west as well as to the north-east on Elder Way in relation to the neighbourhood centre and the residential development at Twin Foxes. It also creates variety and interest into the built form when viewed with the wider streetscape.
- 7.4.19 Overall, the proposed development would have a high quality finish and has been designed to assimilate itself with the wider estate with the careful use of materials and finishes to give the building some architectural interest. The use of projecting and recessed feature would help to modulate the built form, especially the larger of the two buildings in order to break the overall mass and scale of the built-form. The proposed development is therefore, considered acceptable in accordance with the policies on design in the adopted Local Plan (2019), the Design Guide SPD (2009), the NPPF (2021) and PPG.

## **7.5 Impact upon Neighbouring Amenity**

- 7.5.1 In assessing the impact on neighbouring amenity, the Council's Design Guide sets out standards which should be met to safeguard the privacy and outlook of adjoining properties from new development. In this regard, when assessing developments over 2 storeys in height, the recommended separation distances are as follows:

No of Storeys	Type of Separation	Min. distance (metres)
Between existing and new 2 storey or a mix of 1 and 2 storey dwellings.	Back to Back Back to Side	25m 15m
Between new 2 storeys or a mix of 1 and 2 storey	Back to Back Back to side	20m 12m
Over 2 storeys between existing and new dwellings	Back to Back Back to Side	35m 25m
Between new dwellings over 2 storeys in height.	Back to Back Back to Side	30m 20m

- 7.5.2 Following an assessment of the proposed development, it would accord with the separation distance standards which are set out in the Council's Design Guide SPD. The development does not comprise any windows on its northern elevation, so there is no overlooking of private gardens to numbers 14 to 20 Elder Way. In relation to the properties to the west, the proposed development would be located between 8m to 13m from the private amenity spaces of numbers 9 and 19 Jennings Close. However, in order to help screen these respective amenity spaces, the proposal would comprise tree planting along its western boundary in order to help militate any potential loss of privacy.
- 7.5.3 In regards to the properties located to the east i.e. number 22 Elder Way and numbers 1 and 11 Dunn Close, the scheme would be sited between 21.50m to 23.23m to the private rear garden areas of these properties. Between the residential development and the private garden areas of the aforementioned properties lies surface parking serving the development and the main trafficked highway of Dunn Close. Given the level of separation combined with the presence of parking and the trafficked highway would ensure that there would be no detrimental impact to the overall level of privacy to number 22 Elder Way along with numbers 1 and 11 Dunn Close.
- 7.5.4 In regards to sunlight, daylight and overshadowing, due to the siting, design and scale of the proposed development in context with neighbouring residential properties, it is not considered that the proposed development would cause any harm to the level of sunlight and daylight received by neighbouring properties. In addition, the level of overshadowing created by the development would not be of a sufficient level to warrant refusal of the planning application.
- 7.5.5 Given the aforementioned assessment, the proposal would not have a detrimental impact on the amenities of neighbouring residential properties. As such, the proposal would accord with the policies in the adopted Local Plan (2019), the Council's Design Guide SPD (2009), the NPPF (2021) and PPG. In regards to the impact of noise and light pollution on the amenities of neighbouring residents, these aspects have been considered in detail in section 7.10 of this report.

## 7.6 Impact upon future amenities of residents.

- 7.6.1 In considering a residential scheme of this nature it is also important to ensure that living conditions for any future occupiers are appropriate. In regards to private amenity space for the apartments, there is a requirement to provide 50 sq.m of amenity space for schemes of up to 5 units, plus an additional, 10sq.m for every additional unit above 5. However, the Design Guide SPD (2009) does go onto state that "*upper floor flats rarely have access to garden space*". As such, the guide goes onto state "*it is most desirable, where there is no communal space that effort is made to provide balconies or roof gardens for the occupants of these units*"

- 7.6.2 Based on the number of units proposed, there would be a requirement to provide 270 sq.m of private amenity space. The proposed development would seek to provide approximately 411 sq.m of private amenity space which would exceed the Council's requirements. The private space would be enclosed with access via gated entrances which can only be accessed by future residents of the development.
- 7.6.3 With regard to the requirements for new residential properties to meet Nationally Described Space Standards (NDSS) as defined by Policy GD1 of the adopted Local Plan (2019), for 1 bedroom, 1 person flats, there is a requirement to provide 37/39 sq.m of floorspace. For 1 bedroom 2 person flats, there is a requirement to provide 50 sq.m. However, there are no standards for 1 bedroom, 3 person flats, with the nearest standard being 2 bedroom, 3 person which is 70 sq.m.
- 7.6.4 The one bedroom, 1 person units would be approximately 20 sq.m, the one bedroom 2 person units would be between 23.8sq.m to 24.32 sq.m and the one bedroom 3 person units be 40 sq.m. Given the aforementioned, the proposed units would be well below NDSS requirements. However, it is important to note that this development is for the creation of sheltered living accommodation i.e. temporary and emergency accommodation for people who are homeless. Consequently, this development is not designed to be a place of permanent residence and therefore, it considered that the proposed development in this instance would not be required to meet NDSS requirements.
- 7.6.5 In regards to the proposed 6 no. affordable residential units, these would be 39 sq.m in floor area. This would accord with NDSS standards. Turning to Policy HO11, this requires that for Major Developments, there will be a requirement to provide at least 50% of all new units to be accessible and adaptable dwellings. Whilst the internal arrangements of the flats are not known at this time, it can be demonstrated that these flats will be of a sufficient size where a number of them can be accessible and adaptable. As such, and if the Council is minded to grant planning permission, it will require 50% of all new dwellings to be accessible and adaptable in accordance with Policy HO11.

## **7.7 Parking Provision**

- 7.7.1 Policy IT5 of the adopted Local Plan (2019) states that planning permission will be granted where proposals comply with the parking standards set out in the plan. The Council's Parking Provision and Sustainable Transport SPD (2020) provide requirements for supported living accommodation based on 3 spaces per 4 units for small units (1-2 persons) and one space per unit for family units (3 persons +). The proposal includes the provision of 18 small units and 3 large units requiring a total of 17 car parking spaces. The six 1 bedroom units proposed would have a car parking requirement of 6 spaces (1no. per one bed flat). This equates to a site total of 23 spaces.
- 7.7.2 However, the application site is located within residential accessibility zone 2, where the Council would seek between 50% to 75% of the maximum number of car parking spaces to serve the development. This equates to a total requirement of 7 to 14 car parking spaces. The proposed development would seek to provide 13 parking spaces in accordance with the Council's Parking Standards SPD. In terms of visitor parking, the applicant has confirmed that the majority of the parking areas would not be allocated and, as such, there would not be a requirement to provide visitor parking.
- 7.7.3 Turning to disabled parking, in line with the Council's adopted Standards, 5% of the total number of spaces should be designated for disabled persons. In this regard, there would be a requirement to provide 1 disabled parking bay. The proposal seeks to provide 2 disabled parking bays in line with the Council's standards.
- 7.7.4 In regards to cycle parking, the Council's Parking Standards SPD stipulates for this development, there is the requirement to provide 1 long-term cycle space per 1-bedroom

unit. Taking this requirement into consideration, there would be the provision of informal cycle parking and a cycle store. This would ensure that there is more than sufficient cycle parking to serve the development.

7.7.5 Turning to electric vehicle parking, the Car Parking SPD (2020) now introduces a minimum requirement for electric vehicle parking. The requirements for new developments would need to abide by the following:-

- All new car parking should be designed to fulfil a Passive Electrical Vehicle Charging Point standard (providing the necessary underlying infrastructure);
- The blend of access to charging points provided within new developments;
- A minimum of 20% of new parking on a site to have access to an active EV charging point;
- A flexible approach to the requirement of charging facilities as technology changes.

7.7.6 The applicant has detailed the provision of 2 no. EV charging bays located to the front of the sheltered living accommodation block. This would generally accord with the Council's adopted standards. In regards to the loss of the existing garages, Policy IT8 of the same document stipulates that planning permission resulting in the loss of existing car or cycle parking provision will be granted where the existing spaces are replaced within or adjacent to the development. They must also be within 200 and 80 metres walk respectively of the key attractors, or it can be evidences that the parking is no longer required.

7.7.7 The proposed development would result in the loss of 45 no. garages with no replacement parking being provided. The applicant had undertaken an assessment, prior to the submission of the application, of the garages and their status and identified the following:-

- 4 no. garages were boarded up;
- 30 no. garages were let;
- 1 no. garage was out of management; and
- 10 no. garages were void.

7.7.8 To address the policy considerations with respect to parking, the 30 garage tenants have been decanted to and in proximity to their previous garage on Dunn Close. Details in terms of the decanting of the garages are as follows:-

- 9 no. moved closer to home;
- 5 no. garages were moving them anyway as rent free garages;
- 8 no. in same location; and
- 8 no. terminated tenancy.

7.7.9 Further to the above, the Garage Services Section advised that the garages on Dunn Close were not large enough to fit a standard sized vehicle. The recommended garage size for new garages is 3m, with the garages on Dunn Close at 2.5m. In addition a large number of the garages which were handed over contained a significant amount of rubbish. The evidence provided with the application demonstrates that most of the garages were being used for storage and not parking. However, it is appreciated that some of the garages were being used for the parking of a motor-vehicle.

7.7.10 Based on the evidence provided with the application and in consultation with the Council's Garages Section, it can be concluded that there is no requirement for the applicant to re-provide any replacement parking following the demolition of the garage blocks.

7.7.11 Given the aforementioned assessment, there would be sufficient parking (including cycle parking, disabled parking and EV parking) in accordance with the Council's adopted

Parking Standards. In addition, there is sufficient evidence to demonstrate that the applicant would not be required to deliver replacement parking following demolition of the garages. Therefore, the proposal would be in accordance with policies set out in the adopted Local Plan (2019), the Council's Parking Standards SPD (2020), the NPPF (2021) and PPG.

## **7.8 Highway implications**

- 7.8.1 The proposed development seeks to utilise the existing access points of Dunn Close to serve the off-street parking areas. These access points, however, would be altered in order to serve these new off-street parking spaces. These vehicle cross-overs, as confirmed by Hertfordshire County Council (HCC) as Highways Authority would have suitable vehicle-to-vehicle inter-visibility and pedestrian visibility in accordance with the Department for Transport (DfT) Manual for Streets.
- 7.8.2 In terms of pedestrian access, this would be taken off the existing footpath which leads to Elder Way. In terms of accessibility, the site is highly accessible by foot and whilst there is no immediate cycle access to the site, it does lie within 90m from established cycle network which runs up to junction of Elder Way and Monkswood Way. The site is also approximately 188m from the nearest bus stop on Elder Way and 140m from the bus stop on Monkswood Way. The site is also 385m from the neighbourhood centre on Elder Way and 375m from the Asda Superstore. In addition, the site is also within 1.3km of the railway station. Consequently, the site is identified as being within a highly sustainable location.
- 7.8.3 With regards to waste collection, the bin store has been located within close proximity to the public highway so would be easily accessible for refuse teams. The site can also be easily accessed by emergency vehicles such as fire tenders. In terms of the parking areas, these have been designed to ensure that vehicles can safely manoeuvre within the site and egress onto the highway in a forward gear. Further, the provision of disabled parking, EV parking and cycle parking, also accord with the County Council's Local Transport Plan 4.
- 7.8.4 In relation to traffic generation, due to the limited scale of the proposed development, it would not generate a significant increase in vehicle traffic which likely affects the overall operation of the highway network.
- 7.8.5 Given the aforementioned subject to the imposition of appropriately worded conditions to ensure the development is acceptable in highway terms, it is not considered by HCC Highways that the proposed development would prejudice the safety and operation of the highway network. Therefore, it can be concluded that the proposal would accord with the policies set out in the adopted Local Plan (2019), the County Council's Local Transport Plan 4 (2018), the NPPF (2021) and PPG. Turning to the suggested conditions themselves, if the Council was minded to grant permission these would cover the following:-
- Vehicle access to be an appropriate width and reinstatement of the footway;
  - Securing the provision of DfT Manual for Street visibility splays prior to the first use of the development; and
  - A Construction Management Plan.
- 7.8.6 HCC as Highways Authority have also suggested an informative is imposed relating to highway related works associated with the development being in accordance with HCC Highway requirements.

## 7.9 Development and Flood Risk

- 7.9.1 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 1 in 100 annual probability of flooding, consequently, 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.
- 7.9.2 The application is accompanied by a Flood Risk Assessment and Drainage Strategy prepared by Markides Associates (Document reference:- 21182-MA-XX-RP-D-DS01 dated 24 June 2021). It is set out in this Strategy, due to the sites geology, that the drainage strategy would comprise 85m<sup>3</sup> of attenuation storage through geo-cellular attenuation tanks in the parking area and soft landscaping. The proposed rain gardens would provide inception storage to reduce the risk of flash flooding and provide water quality benefits as surface water filters. The discharge rate of the attenuated water would be 2 litres a second (l/s). In addition, it recommends the finished floor levels on the ground floor by a minimum of 150mm above existing ground to protect from surface water flooding.
- 7.9.3 In regards to water quality management, the runoff areas of the roof represent a very low pollution hazard level. However, any potential pollution from the parking area would be mitigated by the provision of trapped gullies and catch pits in the parking area. The Strategy also provides a detailed management plan, which is detailed as follows:

Maintenance Task	Description	Frequency
<i>Regular Maintenance</i>		
Litter management	Pick up all litter in landscape areas and remove from site	Monthly
Grass maintenance	Mow all grass verges, paths and amenity at 35-50mm with 75mm max. Leaving grass in situ.	As required or monthly
Inlets and outlets	Inspect monthly, remove silt from slab aprons and debris. Strim 1m round for access	Monthly
Hard surfaces	Sweep all paving regularly.	As required
<i>Occasional tasks</i>		
Inspection and control chambers	Annual inspection, remove silt and check free flow	Annually
<i>Remedial work</i>		
Repairs	Inspect drainage system regularly to check for damage or failure. Undertake remedial work as required.	As required

- 7.9.4 Following consultation with Hertfordshire County Council (HCC) as Lead Local Flood Authority (LLFA), they advise that the information provided does not provide a suitable basis for an assessment to be made of the flood risks arising from the development. Consequently, the LLFA raised objection and recommend planning permission is refused. In order for the LLFA to advise that there is no risk from surface water flooding, the application is required to include the following:

- Clarification of discharge rate and Thames Water Agreement;
- Clarification of car park drainage;
- Confirmation of half drain down times.



- 7.9.5 Details of the overall concerns which have been raised are set out in paragraphs 5.2.4 to 5.2.6. In order to address the concerns raised, a Flood Risk Assessment and Drainage Strategy Addendum were submitted. The addendum sets out that the surface water runoff would be restricted to a maximum of 2l/s for all rainfall events up to the 1 in 100 years plus 40% climate change scenario in line with Thames Water enquiry. In terms of the parking areas, runoff would be conveyed to linear channel drains. In terms of the bin stores and cycle stores, these would be managed via trapped gullies.
- 7.9.6 The provision of permeable paving for the site would not be practicable as a result of the existing Thames Water sewers and respective easements. Space is also required for foul drainage and utilities to serve the new development. In the event Thames Water is required to access the sewer, they would not be obliged to reinstate permeable paving and this would risk the integrity of the system. Consequently, surface water runoff would be treated via linear channel drains with a filter prior to discharging to the Thames Water sewer. In terms of assessing the site's risk to surface water flooding, the drainage strategy sets out the Simple Index Method as detailed below:

**Table 1 Simple Index Method**

Land use	Total suspended solids (TSS)	Metals	Hydrocarbons
<u>Low Pollution Hazard</u> Residential car park	0.5	0.4	0.4
Indicative SuDS mitigation indices for discharges to surface water			
Polypipe Permachannel	0.8	0.4	0.9
Check	+0.3	+0.0	+0.5

- 7.9.7 Based on the above assessment, the use of a Polypipe Permachannel would provide the required level of surface water treatment to runoff entering the public sewer. In terms of half drain down times, these are set out in the table below:

**Table 2 Attenuation Tank results**

	Water Level (m)		Half-drain time – 480 min event (mins)		Maximum volume (m <sup>3</sup> )	
	30 year	100 year + 40% CC	30 year	100 year + 40% CC	30 year	100 year + 40% CC
Tank 1	89.11	89.60	178	393	11.5	27.0
Tank 2	89.09	89.58	219	450	21.3	41.8

- 7.9.8 With the above measures in place, the scheme has been designed to ensure that it does not create any flood risk events on site or to the wider area. At the time of drafting this report, the LLFA were re-consulted on the amended drainage strategy and FRA which sought to address all of the concerns raised. To date, no comments have been provided by the LLFA. Therefore, if the Council was 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 appropriately worded conditions are to be imposed to ensure an acceptable drainage strategy can be delivered as part of this development
- 7.9.9 In addition to the above, it is also 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 do 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.

## **7.10 Impact on the environment**

7.10.1 The application site according to historic OS Maps of the site, sets out that prior to the site being developed out in the 1960s, the site was part of open fields with Monkswood immediately to the south. Prior to their demolition, the site comprised areas of hardstanding and garages and has not been used for any other purposes. Therefore, there would be very low risk of contamination with the potential for hydrocarbons arising from the parking of motor-vehicles on the site.

7.10.2 Following consultation with the Council's Environmental Health Section, they do not raise any concerns from a land contamination perspective subject to the imposition of conditions. The conditions imposed would require a remediation strategy is submitted for approval in the event contaminants are identified during the demolition and construction phase of development. In terms of the potential presence of asbestos, the applicant would require a licenced contractor to be appointed to carefully remove the asbestos and for it to be disposed of at a licenced site. The requirements for handling asbestos is controlled by the Health and Safety Executive (HSE).

### Groundwater

7.10.3 The application site is not located within a Source Protection Zone for potable water. Therefore, no concerns have been raised from Affinity Water or Thames Water in this instance. In addition, there would be no requirement to consult the Environment Agency in this instance.

### Air Quality

7.10.4 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. Looking at air quality and air pollution specifically, The Air Quality Annual Status Report (ASR) 2019 by Stevenage Borough Council identifies that the development site is not located within or in close proximity to an Air Quality Management Area (AQMA). In terms of Air Quality in the nearby area surrounding the development site, the nearest diffusion tubes and their readings in the aforementioned Report are as follows:-

- Tube 1 (Stevenage Town Centre / Bus Station) – 18.5 NO<sub>2</sub> µg/m<sup>3</sup>;
- Tube 3 (Monksview) – 18.1 NO<sub>2</sub> µg/m<sup>3</sup>

The data above shows that the readings do not exceed the NO<sub>2</sub> annual mean objective of 40µg/m<sup>3</sup>. This generally shows that the Air Quality in the area is within national guidelines.

7.10.5 In order to mitigate the construction phase, it is recommended, as advised by the Council's Environmental Health Section a condition is imposed to any permission issued. This condition would require the applicant to submit a Construction Management Plan to detail measures on how to control levels of dust and air pollutions which are generated during the demolition and construction phases of development.

7.10.6 With regards to the operational aspect of the development, due to its limited scale, the proposed development would give rise to a very small rise in NO<sub>2</sub> emissions which in accordance with IAQM/EPUK guidance is identified as having a negligible impact at all receptors in the area. As such, the need for additional mitigation has not been identified as being required. As such, the Council's Environmental Health Section has not raised any concerns with respect to the operational impact the development would have on air quality.

## Noise Pollution

- 7.10.7 With respect to noise, Policy FP8: Pollution Sensitive Uses 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 Dealing firstly with the impact of noise from the construction phase of the development, it is recommended a condition is imposed on any permission issued requiring the submission of a Construction Management Plan (CMP). Through the CMP the hours in which noisy activities take place can be controlled as measures as ensuring relevant mitigation measures are put in place to minimise the impact of noise from construction activities. Moreover, once a CMP has been agreed by the Council, if a breach were to take place, it can enforce the condition accordingly. Consequently, the imposition of such a condition is supported by the Council's Environmental Health Section.
- 7.10.9 With regards to noise which could arise during the operational phase of development, the site would be operated and managed by Stevenage Borough Council. As such, if any complaints arose regarding tenants who would be housed within the development, these would be dealt with by the Borough Council's Housing Teams accordingly.

## Light Pollution

- 7.10.10 In terms of light pollution, Policy FP7: Pollution of the adopted Local Plan (2019) requires all development proposals should minimise, where possible, light pollution. Applications for development where pollution is suspected must contain sufficient information for the application to make a full assessment on impacts. Planning permission will be granted where it can be demonstrated that the development will not have unacceptable impacts on:
- a. the natural environment, general amenity and the tranquillity of the wider area which includes light pollution;
  - b. health and safety of the public; and
  - c. The compliance with statutory environmental quality standards.
- 7.10.11 Turning to the operational side of the development, the applicant has not submitted a detailed lighting strategy. However, to ensure that any external lighting does not prejudice highway safety or cause a substantive nuisance to neighbouring residential properties, a condition should be imposed to any permission issued. Details which would need to be provided as part of an overall lighting strategy should include:-
- Description of the proposed hours of operation, light spillage and column heights;
  - A layout plan of the proposed site showing beam orientation;
  - Details of the proposed equipment design;
  - Details of the expected impact on neighbouring properties and roads;
  - A statement of any proposed measures to mitigate for the possible impact of the development (i.e. planting of trees, hedges and shrubs).
- 7.10.12 In terms of lighting associated with the construction aspect of the proposed development, this can be dealt with as part of a Construction Management Plan. This can be secured by way of condition if the Council is minded to grant planning permission.

## **7.11 Trees and landscaping**

- 7.11.1 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.

- 7.11.2 The application site comprises 2 no. trees. Both trees have been identified in the application submission as being of low ecological value as one is self-seeded and one is ornamental. In order to facilitate the construction of the development, it would appear both trees would need to be removed. These trees are not protected by a Tree Preservation Order (TPO) and the site is not located within a Conservation Area. So these trees have limited amenity value.
- 7.11.3 Given the aforementioned, the Council's Arboricultural Manager does not raise any concerns about the removal of these trees. In order to compensate the removal of these trees and to enhance the overall visual appearance of the development, the site layout plan shows indicative planting of 25 trees. In terms of the types of trees to be planted, these are not specified in the application submission, but the Biodiversity Net Gain report recommends the planting of native species for example Oak, Ash and Field Maple. It also recommends the planting of native shrubs as part of an overall soft landscaping strategy for the site.
- 7.11.4 Given the details of soft landscaping on the submitted plans are indicative, it is recommended that a condition be imposed requiring the submission of a soft landscaping strategy. This is to ensure that suitable tree and shrub planting are provided in order to not only compensate for the trees removed, but to also enhance the site's overall biodiversity and the development's visual appearance in context with the street scene. It is also recommended a condition is imposed requiring details of a landscaping management plan be submitted. This would ensure that the landscaping strategy is maintained during the lifetime of development.
- 7.11.5 In terms of hard landscaping, the applicant has supplied a materials palette with the application submission. The materials detailed are as follows:-
- Footpaths – Concrete paving slabs in natural grey;
  - Parking bays – Permeable block paving in brindle or bracken; and
  - Roadway – Permeable block paving in charcoal.
- 7.11.6 Taking the above into consideration, it is noted that the drainage strategy advises that permeable paving (see paragraph 7.9.6) for the site would not be practicable as a result of the existing Thames Water sewers and respective easements. Therefore, to ensure the hardsurfaced areas have a high quality finish and do not cause issues around the existing Thames Water sewer, it is recommended the landscaping features are also captured, alongside the soft landscaping, as part of an overarching landscaping strategy for the development. This requirement, therefore, can be incorporated into the landscaping condition if the Council is minded to grant planning permission.

## **7.12 Biodiversity, Ecology and Protected species**

- 7.12.1 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

7.12.2 The application site is identified as previously developed land and currently comprises amenity grassland with two trees. The wider environment is generally urban in nature comprising a mixture of residential buildings along with hardstanding, trees and amenity grassland. The application is accompanied by a Biodiversity Net Gain Assessment to assess the potential for the site and adjoining habitats to have species that receive legal protection at either UK and/or European level. The survey comprised a desk top study from Hertfordshire Biological Records Centre and from the multi-agency Geographical Information for the Countryside (MAGIC). A field survey was also undertaken along with a Bat Survey.

7.12.3 The assessment identified that the development would have no adverse impact on habitats of principal importance with the site identified as having negligible ecological value. In terms of species, the surveys identified that there were no foreseeable impacts on amphibians or reptiles with no significant impacts on nesting birds. In addition, the bat survey identified that roosts were absent from the buildings of Dunn Close with no evidence of them using these buildings. Furthermore, there are no foreseeable impacts on other protected species including rare plants or invertebrates.

7.12.4 With regards to biodiversity net gain, the proposed development would comprise the provision of new amenity grassland which would be landscaped with tree and shrub planting. This identified an increase in biodiversity of 41.34% (+0.07 biodiversity units). In terms of tree and shrub planting, it is recommended that native species are provided within the development. The proposal also recommends the installation of bat boxes to be integrated into the built fabric. In addition, it recommended external lighting is carefully designed so as not to cause harm to bat roosting or foraging in the area. It is also recommend that hedgehog highways are delivered along with the installation of bird boxes.

7.12.5 Following consultation with Herts and Middlesex Wildlife Trust, they advise that the details set out in the Ecological Report are acceptable. Consequently, to ensure the biological enhancements are delivered as specified in the accompanying assessment, it is recommended that appropriately worded conditions are imposed to any permission issued. This will ensure the development delivers the identified net gain in biodiversity.

## **7.13 Other Matters**

### Sustainable construction and climate change

7.13.1 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.

7.13.2 The application is supported with the following information:-

- Draft Energy Performance Certificate;
- BRUKL Output – Compliance with Building Regulations Part L 2013;
- Energy Statement prepared by Energy Test.

7.13.3 The proposed development would utilise a fabric first approach with the provision of cavity wall insulation, roof insulation, part wall insulation as well as floor insulation. The buildings would be heated by a community heating system via Air Source Heat Pumps with heating emitted through underfloor heating. Domestic hot water will also be heated using this system with the provision of water storage systems. The development would also comprise Waste Water Heat Recovery System which will be installed for each shower/bathroom.

7.13.4 There would also be a mixture of ventilation systems which include mechanical ventilation heat recovery for all showers and bathrooms, intermittent fans for kitchen areas, office and WC as well as the use of non-mechanical natural ventilation. The scheme would also comprise Solar PV panels which would provide electricity throughout the development. With the overall measures in place, heating and cooling demand is reduced by 20.32%, primary energy is reduced by 18.86% and total CO<sub>2</sub> emissions are reduced by 33.67%. Turning to the reduction in water consumptions, measures would include Dual flush toilets, aerated taps, smaller baths and water butts to reduce water consumption to 110 litres per person, per day.

7.13.5 Turning to sustainable construction, Hertfordshire County Council as Minerals and Waste Authority recommended the applicant submit a SWMP (Strategic Waste Management Plan). This is to ensure that materials used in construction are properly recycled where possible. It is recommended that if planning permission were to be granted, a condition could be imposed requiring the applicant to submit a SWMP prior to the commencement of development.

7.13.6 Given the above, and subject to conditions, it would ensure the development is designed in order to be adaptable to climate change as well as ensure a suitable waste management plan is provided.

#### Waste and Recycling

7.13.7 The Design Guide (2009) states, provision should be made within new development for the storage and collection of waste from a site. The submitted plans indicate that there would be sufficient refuse facilities for 4 no. 1100 litre bins. However, following correspondence with the Council's Waste Section, they recommend the store would need to provide sufficient space for at least 5 no. 1100 litre bins to ensure there is sufficient capacity to manage general waste and recycling requirements. Given this, it is recommended a condition is imposed to any permission issued. This condition would require the applicant to submit details of a bin store which is of sufficient size to accommodate the general waste and recycling requirements of this development.

#### Crime Prevention/anti-social behaviour/security

7.13.8 In regards to crime prevention, it is noted that despite the concerns raised by local residents, the Police Crime Prevention Design Advisor considers the development would be acceptable subject to the implementation of Secure by Design measures. The applicant has sought to engage with the Crime Prevention Design Advisor during the course of the application and improvements have been made to enable them to support the scheme. Such matters would also form part of any future Building Regulations approval under Part

Q. Notwithstanding this, an informative can be imposed to any decision issued to require the applicant to continue to engage with the Police Crime Prevention Advisor in regards to Designing out Crime.

### Community Infrastructure Levy

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

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

7.13.10 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.

7.13.11 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.

### Equality, Diversity and Human Rights

7.13.12 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.

7.13.13 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.

7.13.14 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.

7.13.15 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.

- 7.13.16 In terms of inclusive access, the scheme has been designed to be DDA (Disability Discrimination Act) compliant. In addition, in accordance with Policy HO11: Accessible and Adaptable Housing of the adopted Local Plan (2019), as this is a major scheme at least 50% of all new dwellings will need to be category 2: accessible and adaptable dwellings. Whilst this would be secured via condition, the applicant has provided details to demonstrate that 50% of the units will meet Accessible and Adaptable Housing Standards.
- 7.13.17 The scheme also seeks to deliver the necessary disabled parking provision in accordance with the Council's adopted Parking Standards SPD (2020). The bays will meet the relevant size standards and have been located in an appropriate location in close proximity to the entrance of the main residential building.

## **8. CONCLUSIONS**

- 8.1 In summary, it is acknowledged that there would be a conflict with Policy HO1 of the adopted Local Plan (2019). However, it can be concluded that the development would deliver significant public benefits which would outweigh the policy conflict in this instance. This is because the sheltered living accommodation and affordable housing would meet an identified shortfall and need as supported by the evidence base in the Local Plan. Furthermore, as the Council has failed the HDT, great weight must be given to the delivery of housing, which is deemed to meet Paragraphs 8 and 11 of the NPPF in terms of sustainable development. In addition to this, the site is identified to be in a sustainable location within Stevenage with development being delivered on previously developed land in accordance with Policy HO5. Moreover, whilst the proposal would result in the loss of a small area of structural open space, this space would form part of the private amenity space serving the development. Furthermore, it does not form any public function and there would still be sufficient public open space within the surrounding area. In addition, the overall benefits of this development would outweigh any harm caused by the loss of this small area of structural open space.
- 8.2 The scheme would, subject to conditions, not have a detrimental impact on the character and appearance of the area and it would not harm the amenities of neighbouring residential properties. Furthermore, the scheme would have acceptable living standards, would have sufficient off-street parking and would not prejudice highway safety. In terms of drainage, whilst concerns have been raised by HCC as LLFA, it is considered that appropriately worded conditions can be imposed to ensure an acceptable drainage strategy can be delivered on-site. The development would not have a detrimental impact on the environment and a suitable landscaping strategy can be delivered to compensate for the loss of the existing trees. In addition, the scheme would deliver biodiversity net gain and would be adaptable to climate change. The scheme would also comprise sufficient general waste and recycle storage.
- 8.3 Given the aforementioned, whilst there is a policy conflict with Policy HO1, the development would on balance; accord with the majority of the policies in the adopted Local Plan (2019) as well as the Council's adopted Supplementary Planning Documents. It would accord with the policies set out in the NPPF (2021) and PPG. In addition, it has been identified in the overall planning balance, that the overall benefits of the scheme outweigh the policy conflict identified. Therefore, it is recommended that planning permission be granted.



## 9. RECOMMENDATIONS

9.1 That outline planning permission be GRANTED subject to the applicant having first entered into a S106 Unilateral Undertaking to secure/provide contributions towards:-

- Affordable Housing linked to Courtlands;
- Securing the provision of the supported housing units in perpetuity
- Apprenticeships and construction jobs;
- Management Company to manage areas of un-adopted open space and highways;
- S.106 monitoring fee.

9.2 The detail of which would be delegated to the Assistant Director of Planning and Regulation in liaison with the Council's appointed solicitor, as well as 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:

14020-P010-N; 14020-SK005-A; 14020-P011-D; 21128-MA-XX-DR-D-0500 – P01

**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 external elevations of the development hereby permitted shall be as follows:-

- Roof finish – Concrete roof tiles/Stonewold grey;
- Facing brickwork – Yellow multi/stretcher bond;
- PV panels – Black/dark blue roof mounted panels;
- Fascias, soffits, gutters and downpipes – Black or Anthracite uPVC;
- Recess brick work detailing – 50mm recess with sailing course / buff multi;
- Solider Course around window heads;
- Windows and doors – uPVC anthracite grey;
- Vent/louvre – Metal anthracite grey.

Unless otherwise agreed in writing by the Local Planning Authority.

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

4 Notwithstanding the details set out in the application submission, no development shall take place above slab level until details of a hard and soft landscaping strategy and boundary treatment shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the following:

1. Details of all new planting to take place including species, size, quantity, location and method of planting;
2. Details of all boundary treatments including type, size, positions, heights and materials;
3. Details of any street furniture;
4. Details of tree pit designs and root protection measures (if required);
5. Details of all hardsurfacing areas to include type, size and materials.

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

- 5 All hard surfacing comprised in the approved landscaping details as specified in condition 4 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.

- 6 All planting, seeding and turfing comprised in the approved landscaping details as specified in condition 4 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. In addition, the boundary treatment as approved shall also be installed prior to first occupation of the development hereby permitted.

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

- 7 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.

- 8 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.

- 9 No development shall take place above slab level until, a landscape management plan, including long term objective goals, management responsibilities (other than private domestic gardens and/or amenity areas) shall be submitted to and approved in writing by the Local Planning Authority. The landscape management and maintenance plan should be fully coordinated with the ecological management requirements and should include clearly defined details for monitoring of all landscape areas by suitably trained and qualified personnel. The development shall thereafter be carried out in accordance with the approved management plan.

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

- 10 Prior to the first occupation of the development hereby permitted the main vehicular accesses shall be provided 4.8 metres wide and thereafter both accesses shall be retained at the positions shown on the approved drawing number 14020-P010-M and any disused existing accesses have been reinstated to footway construction to the current specification of 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 (adopted 2018).

- 11 Before the reconfigured accesses are first brought into use vehicle to vehicle visibility splays of 2.4 metres by 43 metres in a both directions shall be provided and permanently maintained. Within which there shall be no obstruction to visibility between 600 mm and 2.0 metres above the footway level. These measurements shall be taken from the intersection of the centre line of the permitted access with the edge of the carriageway of the highway respectively into the application site and from the intersection point along the edge of the 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 (adopted 2018).

- 12 Prior to the first use of the development hereby permitted 0.65 metre x 0.65 metre pedestrian visibility splays shall be provided and permanently maintained each side of the access. They shall be measured from the point where the edges of the access way cross the highway boundary, 0.65 metres into the site and 0.65 metres along the highway boundary therefore forming a triangular visibility splay. Within which, there shall be no obstruction to visibility between 0.6 metres and 2.0 metres above the carriageway.

**REASON:-** To ensure construction of a satisfactory development and in the interests of highway pedestrian safety in accordance with Policies 5 and 7 of Hertfordshire's Local Transport.

- 13 No development shall take place 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 details of:

- a. Construction vehicle numbers, type, routing;
- b. Traffic management requirements;
- c. Construction and storage compounds (including areas designated for car parking);
- d. Siting and details of wheel washing facilities;
- e. Cleaning of site entrances, site tracks and the adjacent public highway;
- f. Timing of construction activities to avoid school pick up/drop off times;
- g. Provision of sufficient on-site parking prior to commencement of construction activities;
- h. Post construction restoration/reinstatement of the working areas and temporary access to the public highway;
- i. Demolition and construction works relating to this permission shall not be carried out on any Sunday or Bank Holiday, nor before 07.30 hours or after 18.00 hours on any weekdays, nor on any Saturday before 08.00 hours or after 13.00 hours. These times apply to work which is audible at the site boundary;
- j. Details of a Dust Management Plan to ensure emissions are controlled throughout the construction and demolition phases so as to prevent nuisance to the occupiers of neighbouring premises.

**REASON:-** In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan.

- 14 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 15 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 16.

**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.

- 15 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.

- 16 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 14, 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.

- 17 Prior to first occupation of the development hereby permitted details of external lighting to the site shall be submitted to the Local Planning Authority and approved in writing. There shall be no other sources of external illumination.

**REASON:-** To minimise pollution of the environment and to safeguard the safety of the adjacent highway network.

- 18 The dwellings hereby permitted shall not be occupied until the cycle parking areas as detailed in the application submitted have been implemented accordingly. The cycle parking areas shall be retained and maintained accordingly during the lifetime of the development.

**REASON:-** To ensure that adequate cycle parking is provided in accordance with the Council's adopted supplementary planning documents.

- 19 Prior to the first occupation of the development hereby permitted the car parking spaces (including EV charging facilities) as detailed on Drawing number 14020-P010-N 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.

**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.

- 20 Prior to first occupation of the development hereby permitted, the energy efficiency measures as detailed in the Energy Statement prepared by Energy Test (dated: 26/07/2021) shall be implemented in accordance with the details as specified. In addition, water efficiency measures such as the use of dual flush toilets, aerated taps, smaller baths and water butts to reduce water consumption to 110 litres per person, per day shall also be implemented as part of this development. All measures to ensure the development is adaptable to climate change shall 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.

- 21 No development shall take place within the development hereby permitted until a detailed Site Waste Management Plan (SWMP) has been submitted to and approved in writing by the Local Planning Authority. The SWMP shall detail how waste materials generated as a result of the proposed demolition and/or construction works will be disposed of, and the level and type of soil to be imported to the site as part of the development.

**REASON:-** In order to reduce the level of waste generated during the demolition and construction phases of development and to recycle all waste materials where possible.

- 22 The development hereby permitted shall be carried out in accordance with the approved Flood Risk Assessment and Drainage Strategy prepared by Markides Associates (Document reference:- 21182-MA-XX-RP-D-DS01 dated 24 June 2021) and Drainage Strategy Addendum dated 26<sup>th</sup> October 2021, with the following mitigation measures delivered:

- 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 85m<sup>3</sup> (or such storage volume agreed with the LLFA) of storage volume in attenuation storage within a geo-cellular underground tank, permeable paving and rain gardens to provide inception storage with surface water runoff treated through a linear channel drain with a filter for water quality.
- 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.

- 23 No development shall take place (excluding demolition and site clearance) until a detailed surface water drainage scheme for the site based on the approved drainage strategy and sustainable drainage principles, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including 1 in 100 year + climate change critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

- 1) 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.

- 24 Upon completion of the drainage works for the site and in accordance with the timing/phasing arrangement, a management and maintenance plan for the SuDS features and drainage network must be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:
1. Provision of a complete set of as built drawings for site drainage.
  2. Maintenance and operational activities.
  3. Arrangements for adoption and any other measures to secure the operation of the scheme throughout its lifetime.
- REASON:-** To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.
- 25 No development shall take place above slab level until a scheme for the provision of integrated bird and bat boxes along with details of a hedgehog highway and features for invertebrates as set out in the Biodiversity Net Gain Assessment prepared by Windrush Ecology dated June 2021, shall be submitted to and approved in writing by the Local Planning Authority. The ecological enhancement measures as detailed in this condition shall be implemented in accordance with the approved details and thereafter, permanently retained accordingly.
- REASON:-** In order to provide biodiversity net-gain and ecological enhancements on the development site.
- 26 At least 50% of the residential units are Category 2: Accessible and Adaptable dwellings.
- REASON:-** To ensure the development will meet the increase in demand for accessible and adaptable units for elderly and disabled residents in accordance with Policy HO11 of the Stevenage Borough Local Plan 2011 – 2031 (adopted 2019).
- 27 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 & Countryside Act 1981 (as amended).
- 28 Notwithstanding the details specified in the application submission, prior to the construction of the general waste and recycle store associated with the development hereby permitted, details of this store shall be submitted to and approved in writing by the Local Planning Authority. The bin store shall thereafter, be constructed in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.
- REASON:-** To ensure the general waste and recycle store is of a sufficient size to accommodate the number of bins which are required for this development. In addition, to ensure the proposed bin store has an acceptable appearance.

### **Pro-active Statement**

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

## INFORMATIVES

### 1 Cadent Gas

Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist. If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus.

The applicant should apply online to have apparatus diverted in advance of any works, by visiting [cadentgas.com/diversions](https://cadentgas.com/diversions)

Prior to carrying out works, including the construction of access points, please register on [www.linesearchbeforeudig.co.uk](https://www.linesearchbeforeudig.co.uk) to submit details of the planned works for review, ensuring requirements are adhered to.

Cadent may have a Deed of Easement on the pipeline, which provides us with a right of access for a number of functions and prevents change to existing ground levels, storage of materials. It also prevents the erection of permanent/temporary buildings, or structures. If necessary Cadent will take action to legally enforce the terms of the easement. This letter does not constitute any formal agreement or consent for any propose development work either generally or related to Cadent's easements or other rights, or any planning or building regulations applications.

Cadent Gas Ltd or their agents, servants or contractors do not accept any liability for any losses arising under or in connection with this information. This limit on liability applies to all and any claims in contract, tort (including negligence), misrepresentation (excluding fraudulent misrepresentation), breach of statutory duty or otherwise. This limit on liability does not exclude or restrict liability where prohibited by the law nor does it supersede the express terms of any related agreements.

If you need any further information or have any questions about the outcome, please contact us at [plantprotection@cadentgas.com](mailto:plantprotection@cadentgas.com) or on 0800 688 588 quoting your reference at the top of this letter (LinesearchbeforeUdig ref: 23184756).

### 2 Hertfordshire County Council Highways

HCC recommends inclusion of the following highway informatives to ensure that any works within the public highway are carried out in accordance with the provisions of the Highway Act 1980: New or amended vehicle crossover access (section 184): Where works are required within the public highway to facilitate a 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 County Council website at:

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/dropped-kerbs/dropped-kerbs.aspx>

or by telephoning 0300 1234047.

### **3 Community Infrastructure Levy**

Stevenage Borough Council adopted a Community Infrastructure Levy (CIL) Charging Schedule at Full Council on 27 January 2020 and started implementing CIL on 01 April 2020.

This application may be liable for CIL payments and you are advised to contact the CIL Team for clarification with regard to this. If your development is CIL liable, even if you are granted an exemption from the levy, please be advised that it is a requirement under Regulation 67 of The Community Infrastructure Levy Regulations 2010 (as amended) that CIL Form 6 (Commencement Notice) must be completed, returned and acknowledged by Stevenage Borough Council before building works start. Failure to do so will mean you risk losing the right to payment by instalments and a surcharge will be imposed. NB, please note that a Commencement Notice is not required for residential extensions if relief has been granted.

Stevenage's adopted CIL Charging Schedule and further details of CIL can be found on the Council's webpages at [www.stevenage.gov.uk/CIL](http://www.stevenage.gov.uk/CIL) or by contacting the Council's CIL Team at [CIL@Stevenage.gov.uk](mailto:CIL@Stevenage.gov.uk).

### **4 Party Wall etc. Act 1996**

Any work that affects a party wall, including foundations dug within 3.0m of a neighbouring building, may be controllable under the Act and may require approval from the adjoining owner(s). Party Wall Act matters are always civil matters and it is neither Stevenage Borough Council's nor Hertfordshire Building Control Ltd's remit to control or enforce Party Wall act matters. Please refer to the Government's explanatory booklet The Party Wall etc. Act 1996, a copy of which is available online at

<https://www.gov.uk/government/publications/the-party-wall-etc-act-1996-revised-explanatory-booklet>

### **5 Building Regulations**

To obtain advice regarding current Building Regulations please contact Hertfordshire Building Control Ltd. by emailing us at [building.control@hertfordshirebc.co.uk](mailto: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).

## **6 Police Crime Prevention Design Service**

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”.

## **7 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](mailto:trade.effluent@thameswater.co.uk).

Application forms should be completed on line via [www.thameswater.co.uk](http://www.thameswater.co.uk). Please refer to the Wholesale; Business customers; Groundwater discharges section.

## **13. 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 October 2020, Stevenage Design Guide adopted October 2009, The impact of Development on Biodiversity adopted March 2021, Stevenage Borough Council Developer Contributions adopted March 2021.
3. Stevenage Borough Local Plan 2011-2031 adopted 2019.
4. Hertfordshire County Council’s Local Transport Plan 4 adopted May 2018.
5. Responses to consultations with statutory undertakers and other interested parties referred to in this report.
6. Central Government advice contained in the National Planning Policy Framework July 2021 and Planning Policy Guidance March 2014.

## Appendix 1 – Dunn Close

### Consultation Work by SBC Housing Development

Prior to the submission of a planning application, the Housing Development team conducted substantial consultation with residents in the Dunn Close area, community groups and ward members. This included:

1. Delivering letters to residents inviting them to view and comment on our proposals (approx. 75 letters delivered)
2. Launching an online survey
3. Inviting residents to one of two of our in-person consultation events where they'd have the opportunity to speak to officers
4. Inviting residents to our in-person feedback session which focused on the survey results
5. Inviting residents to one of our two virtual feedback session via Zoom
6. Responding to queries sent to the housing development inbox
7. Responding to telephone enquiries

Our In-person consultation events were held at the Stevenage Arts Centre, located on the Roaring Meg Retail Park. The turn-out was as follows:

- Session 1 – 3 attendees
- Session 2 – 6 attendees
- Session 3 (feedback session) – 10 attendees

We worked with Built-ID to launch an online survey called 'Give my View'. Using sponsored ads, Built-ID advertised the survey via social media platforms such as Facebook and Instagram. The survey was available online for 30 days and the results were as follows:

- Over 6,600 users clicked on our survey link through Facebook/Instagram
- 1008 people voted in our survey
- 72% of which were Stevenage residents
- 61% of voters were supportive of the scheme
- 26% of voters weren't sure if they were supportive of the scheme
- 13% of voters weren't supportive of the scheme

Our survey included a feedback box for users to ask any further questions. The majority of questions were on how the scheme would be managed once tenanted. These questioned were answered by our colleagues in the Providing Homes team.

The Q&As below were more planning and design related:

<b>How will you make the nearby footpaths safe at night?</b>	As the nearby footpaths are fairly light currently, we have proposed external lighting on the north elevation. To the west (rear elevation), we propose palisade fencing to allow light to come through and keep the area as open as possible.
<b>Will there be any garden space?</b>	The current designs show a substantial amount of

	amenity space to the rear of the building. The design shows a smoking shelter, a laundry drying area and various areas suitable for planting.
<b>What design changes have been made already?</b>	The project team have already made numerous changes to the size, height and layout of the proposed scheme. We are currently working from version 13 of the architect plans but welcome further design suggestions from residents as part of our consultation period.
<b>What design features make the scheme environmentally sustainable?</b>	The building design proposes maximising the performance of the components and materials that make up the building fabric itself whilst eliminating the use of gas as an energy source. Some of our proposed sustainable design features include: <ul style="list-style-type: none"> <li>• Air source heat pumps</li> <li>• Photovoltaic panels</li> <li>• Solar thermal</li> <li>• Triple glazed windows</li> </ul>
<b>How many parking spaces will be provided?</b>	There will be a total of 13 car parking spaces. Seven of these will be for the main block and six for the self-contained apartment block. As per planning requirements, some spaces will be suitable for disabled users and some for electric vehicle users.
<b>What has the Council done about parking issues in the area previously?</b>	Recognising that a provision for car parking is an important issue for residents, the Council's garage team has worked to market empty garages and look to undertake a programme of improvements to increase the appeal of garages where it is economically viable to do so. In some cases this has led to an uptake in the use of garages.  Despite these efforts, Stevenage Borough Council has no powers to restrict the number of vehicles that residents own, nor where people park on the public highway where there are no restrictions in place. The Engineering Services team maintain a list of streets that suffer the most parking congestion and these streets are assessed, scored and ranked.
<b>What will be the impact on parking from removing 45 garages?</b>	Due to the size of the current garages, they are not large enough to fit a standard sized vehicle in so there should not be a significant impact on parking. The recommended garage size for new garages is 3m wide, with Dunn close garages being as little as 2.5m wide. All garage users have been decanted to nearby garages on Bulwer Link or garage rows further down on Dunn Close.

<b>Is the scheme wheelchair user-friendly?</b>	Our design proposals include two disabled access rooms with wet rooms, wider door openings and in close proximity to the main entrance and other communal areas.
<b>Where will the workmen park during the project?</b>	<p>A full parking management plan will be produced by our contractor before works commence.</p> <p>Workmen will be encouraged to use sustainable methods of transport where possible or share vehicles with colleagues.</p> <p>The impact on car parking spaces in the area however, will not be affected by workers as they will be asked to park within the site perimeter.</p>
<b>How will delivery lorries fit down the road?</b>	<p>A traffic management plan will be produced by our contractor before works commence.</p> <p>We will closely with our contractor to ensure deliveries are made at an appropriate point in the day, ensuring peak times are avoided.</p>