

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

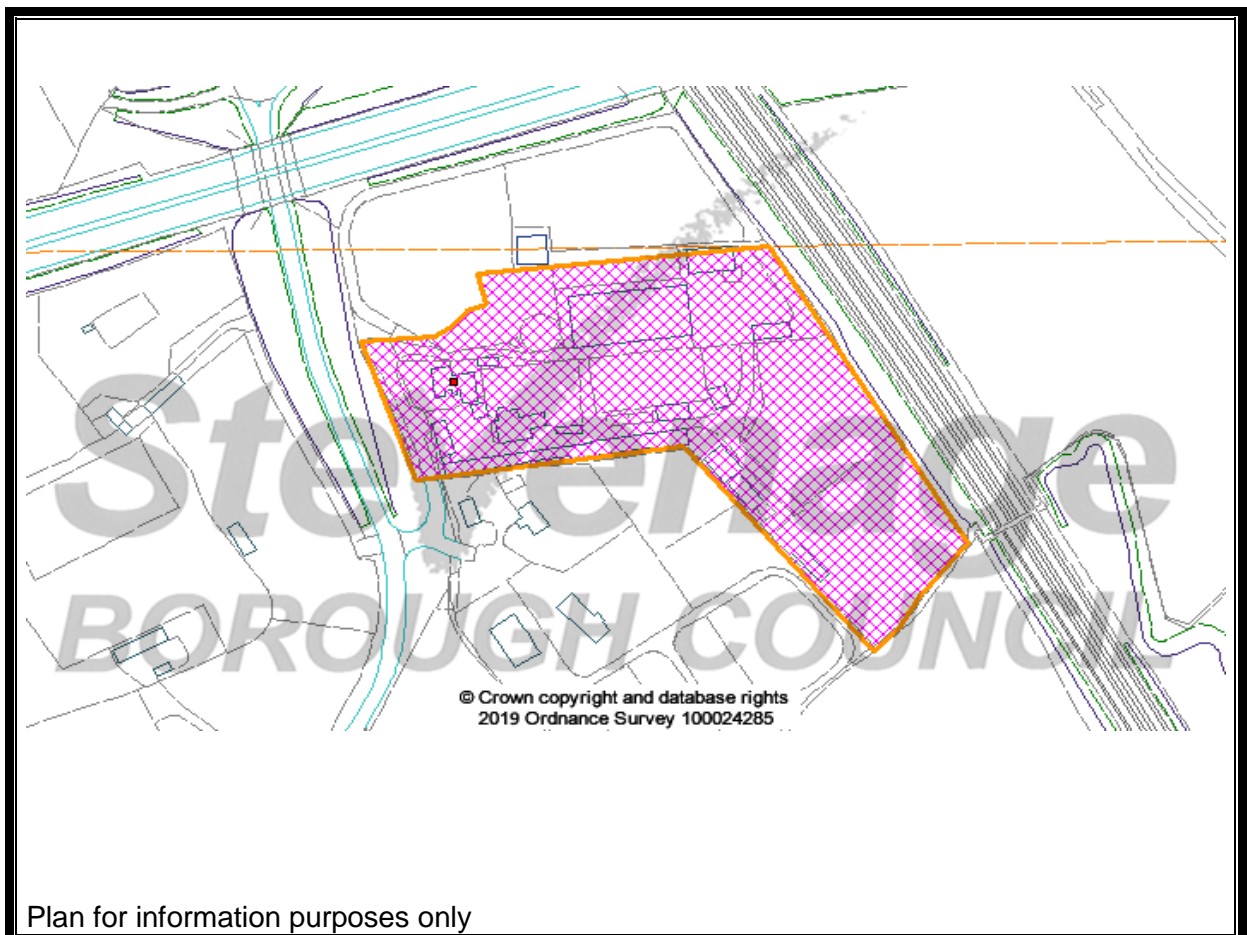
Date: Thursday 9 December 2021

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Application No :	21/00971/FPM
Location :	Courtlands, Todds Green, Stevenage, Herts, SG1 2JE
Proposal :	Redevelopment of existing riding stables to provide 11no. three bedroom and 6no. four bedroom dwellings with associated access road, parking, landscaping, footpath connections, infiltration basin and pump station
Drawing Nos.:	FIG D_3 PUMPING STATION LAYOUT; 14043_P027C LOCATION PLAN; 14043_P030R SITE PLAN; 14043_P031K HOUSE TYPES; 14043_P037B SITE AREAS; 14043_P038A SITE SECTIONS; ID-200-PLAN - EXISTING SITE PLAN; 14043_P035C House Type 2; 14043_P034D House Type 1;
Applicant :	EHP Land and Development
Date Valid:	2 September 2021
Recommendation :	GRANT PLANNING PERMISSION



1. SITE DESCRIPTION

- 1.1 The application site is currently in use as riding stables and a riding school. The site comprises a number of old buildings, some single storey, some two storey, all of varying sizes, materials, colours and degree of wear and tear. There are two small dwellings within the site which have been used by the owners of the riding school. Large areas of the site are covered with hardstanding or are bare un-landscaped areas.
- 1.2 To the north of the site is an extensive grassed paddock area with a large overhead power line, with the A602 highway beyond. There are a limited number of small trees within the site although the western site boundary with Old Chantry Lane is heavily landscaped with a dense mature tree belt and to the south of the site is the extensive area of St. Margaret's Wood. To the east of the site is the East Coast Mainline railway. To the south-west of the site is Chantry Farm which is a mixture of residential and commercial enterprises and the residential site of The Lodge. Further outside the site boundary to the south is the main hamlet of Todds Green which comprises a mixture of residential premises, along with farmsteads and stables; to the north of the A602 is the village of Little Wymondley. The remaining surrounding area is rolling agricultural fields.
- 1.3 The site is accessed from the main highway of Chantry Lane via the small access road of Old Chantry Lane which also serves The Lodge and Chantry Farm.
- 1.4 The Riding School and associated stabling and ancillary buildings, operates from many buildings within the site. Most of these buildings are confined towards the north of the site, with a linear run projecting to the south adjacent to the western boundary of the site. Most buildings are single storey in form, though many have a massing and height of a two-storey structure. The largest individual building is the indoor riding arena building which is located on the highest part of the site. The arena has a purely functional prefabricated form with a gabled ended grey sheeted exterior. There are two main runs of stable and associated buildings running east/west close to the mutual boundary with The Lodge and Chantry Farm.
- 1.5 Footpath "Stevenage 085" runs east/west within the site close to the southern boundary. For reasons unclear, that footpath is presently not accessible from outside of the site. An informal footpath runs east/west beyond the south boundary which is that route presently used by those traversing the area. The proposal will reintroduce the ability to access the alignment of footpath 085 with the off-site pathway and provide links to and through the site via two new links.

2. RELEVANT PLANNING HISTORY

- 2.1 08/00308/FP Demolition of 1no dwelling and erection of 1no. five bedroom and 2no. four bedroom detached dwellings. Withdrawn 06.06.2008.
- 2.2 14/00307/CLEU Certificate of lawfulness for permanent use of land for the stationing of two residential caravans. Lawful Development Certificate Granted 11.09.2014.
- 2.3 15/00476/FP Retention of 2no. storage barns for equipment and feed. Permission granted 13.11.2015.
- 2.4 18/00072/FP Demolition of existing dwellinghouse and erection of 1 no. four bedroom detached dwellinghouse. Permission granted 11.04.2018.
- 2.5 18/00444/FP Proposed replacement of 1 no. four bedroom detached dwelling house. Permission granted 17.09.2018.

- 2.6 18/00637/COND Discharge of conditions 3 (materials): 8 (Boundary treatments); 11 (landscaping); and 13 (climate change) attached to planning permission reference number 18/00444/FP. Conditions discharged 03.12.2018.
- 2.7 18/00756/FP Variation of condition 1 (Plans) attached to planning permission reference number 18/00444/FP for the relocation and replacement with a larger mobile home. Permission granted 07.02.2019.
- 2.8 19/00698/FP Erection of 1no. 3 bedroom bungalow. Permission refused 23.01.2020. The reasons for refusal were as follows:
1. The erection of the bungalow represents inappropriate development which is harmful to the openness of the Green Belt. The applicant has failed to adequately demonstrate a case of very special circumstances to outweigh the harm caused to the Green Belt contrary to paragraphs 143, 144 and 145 of the National Planning Policy Framework (2019) and Policies GB1, GB2 and SP10 of the Stevenage Local Plan 2011-2031 (adopted 2019).
 2. The proposed development would have a harmful impact on the visual amenities of the wider rural countryside including the Green Belt. Consequently, the proposed development is contrary to Policies GB2, SP8 and GD1 of the Stevenage Borough Local Plan 2011-2031 (2019), the Council's supplementary planning document Stevenage Design Guide SPD (2009), the National Planning Policy Framework (2019) and the National Planning Practice Guidance (2014).
- 2.9 20/00142/FP Proposed detached dwelling to replace existing mobile home. Permission granted 30.04.2020.
- 2.10 20/00247/COND Discharge of condition 11 (landscaping) and 13 (climate change) attached to planning permission reference number 20/00142/FP. Conditions discharged 29.06.2020.
- 2.11 20/00307/NMA Non Material Amendment to alter window and doors including colour change of frames and external cladding attached to planning permission 20/00142/FP. Non-Material Amendment agreed 29.06.2020.
- 2.12 20/00308/NMA Non Material Amendment to change colour of external cladding and change of window and door frame colour attached to planning permission 18/00072/FP. Non-Material Amendment agreed 29.06.2020.

3. THE CURRENT APPLICATION

- 3.1. The application before the Council seeks planning permission for demolition of all buildings on site and the erection of 11no. three bedroom and 6no. four bedroom dwellings with associated access road, parking, landscaping, footpath connections, infiltration basin and pump station.
- 3.2. The application site is located within Green Belt and as the application is classified as a major housing scheme on a site not allocated for housing in the Local Plan, it is considered a departure from the development plan.
- 3.3. The application comes before the planning and development committee as it is a major residential scheme.

4. PUBLIC REPRESENTATIONS

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

The Coach House, Todds Green

Firstly I believe the development will be an improvement to the existing site even in its present form. However 4 or 5 bedroom housing would be more in keeping to how Todds Green is being developed as an upmarket area. In addition, I would make a stipulation with the developer to include upgrading the existing public footpath that runs down adjacent to the site to the railway bridge.

North East Herts Swift Group Hillside, Patmore Heath Albury, Herts

We would support the comments by Mr Matt Dodds on behalf of Herts & Middx Wildlife Trust and ask that in the interests of enhancing biodiversity swift and bat bricks are secured by a suitably worded condition if this development proceeds.

Courtlands, Old Chantry Lane

Customer made comments in support of the application – please note no comments were attached

Todds End, Todds Green

Welcome the proposal for new housing. Would like to see terraced houses of 2 bedrooms so we can buy and let them to friends and staff; or it would be beneficial to have 4bed executive housing for Stevenage. Trees on boundary with A602 should be protected.

Briars, Todds Green

Another application for greedy people; Green belt should remain to protect Todds Green

Thornboro, Todds Green

We live in North Herts yet SBC get to decide what happens here and destroy the identity of Todds Green; developing Green Belt should be illegal as its morally abhorrent; SBC are too keen to destroy all the Green Belt; 133 houses being built nearby along with traffic from two industrial sites is bad enough.

Chantry Farm, Todds Green

No objection, it would improve the area considerably especially if the old buildings are removed.

5. CONSULTATIONS

5.1 Hertfordshire County Council Highways

- 5.1.1 Hertfordshire County Council (HCC) as Highway Authority's has considered that the proposal would not have an unreasonable impact on the safety and operation of the adjoining highways subject to the inclusion of highway informatives and conditions. The applicant will need to enter into a section 278 of the Highways Act 1980 agreement to address the footway provision and carriageway works joining to the adjacent local access road.
- 5.1.2 There is one point for vehicle access from Chantry Lane, via a simple priority junction 5.0 metres wide complete with a minimum 8.0 metres kerbs radius to the south side of the

carriageway, which would support two-way traffic, taking into account the passing of parked cars by waste collection vehicles and indiscriminate parking on the access road. In view of the geometry of the horizontal alignment of the road layout and estimated approaching speed of traffic, visibility splays of 2.4m by 43m are considered acceptable from the existing junction of Chantry Lane with vehicle to vehicle inter-visibility visibility splays along the adjacent footway/verge. No planning condition is required for this as the level of visibility conforms to the stopping sight distance (SSD) criteria of Manual for Streets (MfS). The applicant is advised that except for the footway improvement works, all new highways associated with this development will remain un-adopted unless a justification can be put forward to show a wider public benefit. The developer should therefore put in place a permanent arrangement for long term maintenance.

- 5.1.3 A swept path analysis has been submitted demonstrating that a large vehicle can manoeuvre and turn around within the site access road. This ensures compliance with the guidelines contained in 'MfS', 'Roads in Hertfordshire; A Design Guide' and 'Building Regulations 2010: Fire Safety Approved Document B Vol 1 – Dwellinghouses'. The Personal Injury Collision data for the latest five-year period within the Transport Assessment do not reveal any reoccurring problems or patterns at the nearby local road network.
- 5.1.4 Cycle rack provision should be in accordance with the adopted Stevenage's standards and should be in the form of lit, lockable and weather resistant cycle lockers or stores and be sited away from bin stores. In addition, some lockable cycle parking in the form of 'Sheffield' style parking loops conveniently located with natural surveillance of the dwellings should also be provided for visitors. Policy 1 of the Local Transport Plan (LTP)4 and Para 14.3 of the Roads in Hertfordshire Guidance requires that provision for the adequate and secure parking of powered two wheelers as described in Traffic Advisory Leaflet 02/02 'Motorcycle Parking' and the Institute of Highway Engineers (IHIE) 'Guidelines for Motorcycling'. Parking for powered two wheelers should be protected from the elements and provide a means for securing the vehicle such as rails, hoops or posts. While individual bays are not generally marked out a footprint of 2.0m x 0.8m should be allowed for each vehicle.
- 5.1.5 The public right of way is located within the vicinity of the site, that includes footpath 'Stevenage 086' that connects Old Chantry Lane to the footpath on the northern side of Stevenage Road and connects to footpath 'Stevenage 085', which borders the site to the south and connects to the Corey's Mill Interchange (c.500m walk). Footways are provided along Stevenage Road and are continuous between footpath 'Stevenage 086' and Fishers Green/Symonds Green and Corton Close bus stop (c.1.1km), to the south. As part of these proposals and in order to connect the site to the existing footway network, it is proposed to provide a footway link from the site access south, to Stevenage Road. A planning condition addressing this improvement work has been recommended.
- 5.1.6 The Transport Assessment includes a TRICS (7.7.4) database of the development. It is based on the 17 dwellings as '03- Residential, A – Houses Privately Owned' within 'edge of town centre' and 'free-standing' locations. The proposal will generate approximately 8 two-way movements during the morning peak travelling period (0800 – 0900) and 9 two-way movements during the evening peak travelling period (1700 –1800) the total proposal will generate a daily total of 83 two-way movements through the day. The Highways Authority raises no concerns with this level of trip generation.
- 5.1.7 Concerns by HCC over the impact of the construction traffic travelling to the site have resulted in a planning condition being recommended to prepare a Construction Traffic Management Plan. Also, to maintain highway safety along the adjacent highway for site access for construction purposes serving the new development must be complete to base course level for the first 10 metres prior to any building construction to the new development commencing on site.

5.2 Herts Fire and Rescue Service Water Officer

5.2.1 The application will require a condition for the provision of fire hydrants, to be provided and installed by the developer at no cost to the county or Fire and Rescue Services. This is to ensure the site has adequate supplies of water in the event of an emergency.

5.3 Sport England

5.3.1 The proposed development does not fall within either our statutory remit (Statutory Instrument 2015/595), or non-statutory remit (National Planning Policy Guidance (PPG) Par. 003 Ref. ID: 37-003-20140306), therefore Sport England has not provided a detailed response in this case, but would wish to give the following advice to aid the assessment of this application. If the proposal involves the loss of any sports facility then full consideration should be given to whether the proposal meets Par. 97 of NPPF, is in accordance with local policies to protect social infrastructure and any approved Playing Pitch Strategy or Built Sports Facility Strategy that the local authority has in place.

5.3.2 If the proposal involves the provision of additional housing (then it will generate additional demand for sport. If existing sports facilities do not have the capacity to absorb the additional demand, then new and/or improved sports facilities should be secured and delivered in accordance with any approved local policy for social infrastructure, and priorities set out in any Playing Pitch Strategy or Built Sports Facility Strategy that the local authority has in place. In line with the Government's NPPF (including Section 8) and PPG (Health and wellbeing section), consideration should also be given to how any new development, especially for new housing, will provide opportunities for people to lead healthy lifestyles and create healthy communities. Sport England's Active Design guidance can be used to help with this when developing or assessing a proposal. Active Design provides ten principles to help ensure the design and layout of development encourages and promotes participation in sport and physical activity.

5.4 HCC Growth and Infrastructure Unit

5.4.1 Hertfordshire County Council's Growth & Infrastructure Unit do not have any comments to make in relation to financial contributions required by the Toolkit, as this development is situated within your CIL zone and does not fall within any of the CIL Reg123 exclusions.

Amended comments received 27.09.2021

5.4.2 I note my colleague has already sent our CIL consultation response to you. I am the officer dealing with the North Hertfordshire District Council application, reference 21/02576/FP. I have had a discussion with the NHDC case officer and as the access is the only part of the site that is within their boundary we are currently of the opinion that we will not be seeking planning obligations and reserve the right to seek Community Infrastructure Levy contributions towards the provision of infrastructure.

5.5 Thames Water

Waste Comments

5.5.1 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. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991.

Surface Water Drainage:

- 5.5.2 Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection.

Water Comments:

- 5.5.3 With regard to water supply, this comes within the area covered by the Affinity Water Company.

5.6 Herts & Middlesex Wildlife Trust

- 5.6.1 In accordance with the recommendations in the ecological report and to secure an enhancement to biodiversity in accordance with NPPF, integrated bat and bird boxes and hedgehog highways should be conditioned as part of the decision.

5.7 Natural England

- 5.7.1 No comments to make on this application. The lack of comment from Natural England does not imply that there are no impacts on the natural environment, but only that the application is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes. It is for the local planning authority to determine whether or not this application is consistent with national and local policies on the natural environment.

5.8 SBC Traffic and Parking Enforcement Manager

- 5.8.1 If the new street is to be adopted the Council would need to take this into account whereas if it remains private then parking management would remain a matter for the owners.

5.9 SBC Arboricultural and Conservation Manager

- 5.9.1 No comments Received.

5.10 SBC Environmental Health

- 5.10.1 Construction activities by their nature can be noisy and intrusive for neighbouring occupiers, particularly in terms of noise, vibration and air quality (dust). Noise and vibration can arise from piling operations, groundworks and excavation and plant and machinery and their associated activities. Early morning deliveries can also give rise to disturbance if not properly controlled and managed. Dust from site operations can also be an issue, particularly during periods of sustained dry weather. Public Protection expect developers to control the impact from the construction phase of their development by implementing suitable mitigation measures and following best practices in accordance with BS5228:2009 Part 1 (Noise) and Part 2 (Vibration), where appropriate, Environmental Health also seeks to ensure that the environmental impacts of construction works are suitably controlled through their powers under Part III of the Environmental Protection Act 1990 (Statutory Nuisances) and Section 60 of the Control of Pollution Act 1974. Due to the proximity of existing occupied premises I recommend a Construction Management Plan and hours of work condition.
- 5.10.2 The proposed residential development will potentially be adversely affected by railway noise and road traffic noise from the A1(M) and A602. There is also a dog training ground to the West of the site (North Hertfordshire District Council, which currently has a temporary permission until May 2022; no complaints have been received regarding this site to date).
- 5.10.3 Environmental Health have reviewed the submitted "Noise and Vibration Impact Assessment, Land at Courtlands Riding Stables", Report reference J 04467R1 dated 7/9/2021 by Sound Planning Ltd. Appropriate Design Criteria have been selected for both noise and vibration

and monitoring undertaken. Noise modelling has been used to determine noise levels across site. Noise mitigation measures were found to be required, specifically enhanced glazing, mechanical ventilation and a 2 metre high close boarded fence, (minimum mass 10 kg/sq m). Additional information has been provided via email - Drawings reference 14043-P034- D and P035-C (These emails state that triple glazed glazing will be implemented, in conjunction with openable windows, which satisfy my concerns). A condition requiring the scheme is completed in accordance with this report is recommended.

5.11 Affinity Water

5.11.1 You should be aware that the proposed development site is located within an Environment Agency defined groundwater Source Protection Zone (SPZ) corresponding to our Pumping Station (WYMO). This is a public water supply, comprising a number of Chalk abstraction boreholes, operated by Affinity Water Ltd. We require the submission of an intrusive ground investigation to aid our assessment of the application due to the points raised below:

- Former use as a stables and the potential for slurry run-off to have infused and drained to the ground.
- With regards the infiltration basin, historic borehole records indicate groundwater at 4.2m below ground level which leaves very little room for filtration of any pollutants.

5.11.2 We would also like to identify that the use of the downstream defender within the drainage strategy to manage any potential pollution will depend on maintenance, if any further information can be provided on this. I have discussed with our teams hydrogeologists who have decided this would be ok to be conditioned, but I would like to reiterate the importance of a ground investigation being carried out and Affinity being notified prior to any excavations, should this application be granted permission.

Amended comments received 21.10.2021

5.11.3 The applicant subsequently provided a Phase I and Phase II site investigation report and details of the downstream defender which concluded there was no risk to groundwater. Affinity were re-consulted and responded that they are now satisfied with the information provided.

5.12 Network Rail

5.12.1 Following assessment of the details provided to support the above application, Network Rail has no objection in principle to the development, but below are some requirements which must be met, especially with the proximity of the development to high voltage overhead line equipment.

5.12.2 Due to the proximity of the proposed development to the operational railway boundary, it will be imperative that the developer liaise with our Asset Protection Team prior to any work taking place on site to ensure that the development can be undertaken safely and without impact to operational railway safety. It is imperative that drainage associated with the site does not impact on or cause damage to adjacent railway assets. Surface water must flow away from the railway, there must be no ponding of water adjacent to the boundary and any attenuation scheme within 30m of the railway boundary must be approved by Network Rail in advance. There must be no connection to existing railway drainage assets without prior agreement with Network Rail. It is imperative that planting and landscaping schemes near the railway boundary do not impact on operational railway safety. Where trees and shrubs are to be planted adjacent to boundary, they should be positioned at a minimum distance greater than their height at maturity from the boundary. Certain broad leaf deciduous species should not be planted adjacent to the railway boundary.

5.12.3 Any hedge planted adjacent to the railway boundary fencing for screening purposes should be placed so that when fully grown it does not damage the fencing, provide a means of

scaling it, or prevent Network Rail from maintaining its boundary fencing. Where lighting is to be erected adjacent to the operational railway, the potential for train drivers to be dazzled must be eliminated. In addition, the location and colour of lights must not give rise to the potential for confusion with the signalling arrangements on the railway. The Developer should be aware that any development for residential or noise sensitive use adjacent to an operational railway may result in neighbour issues arising. Consequently, every endeavour should be made by the developer to provide adequate soundproofing for each dwelling. Please note that in a worst-case scenario there could be trains running 24 hours a day and the soundproofing should take this into account.

5.13 Wymondley Parish Council

5.13.1 The Parish Council considered this application and object on the grounds the applications together amount to inappropriate development in the Green Belt and are therefore contrary to:

- paragraphs 143 to 145 of the National Planning Policy Framework; and
- Policy GB1 of the adopted Wymondley Parish Neighbourhood Plan 2015 to 2031 which states " Development proposals impacting on Wymondley Parish must comply with Government Green Belt policy; primary consideration will be given to effective use of brown-field sites, which are not of high environmental value. Development proposals should not impact negatively on Wymondley Parish - particularly in terms of visual impact on the openness of the Green Belt landscape and its important contribution to the character of our villages/hamlets."

5.14 Hertfordshire County Council as Lead Local Flood Authority

5.14.1 We have reviewed the Flood Risk Assessment & Sustainable Drainage Strategy prepared by Fernbrook Consulting Engineers dated September 2021 reference 21100-FCE-XX-XX-DR-D-0001 Revision P02. We would also advise the LPA that we engaged with the applicant as part of our Surface Water Advisory Service, and provided an advice note on 12 April 2021. 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:

5.14.2 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. 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. Confirmation of feasible discharge mechanism.
2. Justification of SuDS selection.
3. Clarification of drainage strategy.

5.14.3 As per our pre-application advice dated 12 April 2021, we are pleased infiltration is proposed on site via the infiltration basin. We note that the applicant has provided some recommended wording for requiring infiltration testing as part of a condition. For a full planning application where infiltration is proposed as the primary method of drainage, this is unacceptable in principle. Evidence of on-site BRE Digest 365 infiltration tests should be provided, including indication of groundwater levels, from the outset. This was recommended in our advice letter dated 12 April 2021. As such, at this stage we unfortunately do not consider discharge via infiltration as per Option 1 feasible. Consequently, the calculations submitted in support of Option 1 are not valid and should be updated following infiltration testing on site.

5.14.4 We note that an alternative discharge to the Anglian Water foul sewer has been proposed in the event that infiltration is not feasible. We would consider a discharge to a foul sewer a substantially less sustainable strategy and would not be comfortable conditioning infiltration tests on the basis of a discharge to a foul water sewer at this stage. In addition, we note that

the Anglian Water correspondence in Appendix C states “a surface water connection to an Anglian Water owned foul sewer is not permitted”. While we acknowledge it is proposed to connect to the AW sewer via a combined sewer, at this stage the applicant has not provided evidence of agreement in principle from Anglian Water. As such, a feasible discharge mechanism has not been provided.

- 5.14.5 We are pleased that a swale is proposed to serve part of the access road with permeable paving draining driveways. However, we note that part of the access road is still proposed to drain directly via road gullies to the infiltration basin. As per our pre-application advice, the site is in Source Protection Zone 2 therefore we require robust SuDS management and treatment. We acknowledge a downstream defender and sediment forebay are proposed, however at this stage we would note that, as the road is indicated to remain private (as per email from Progress Planning dated 13 September 2021), that it may be feasible to implement permeable paving for the access road itself to provide source control and SuDS management and treatment throughout the site. Moreover, an additional section of swale may be feasible between the highway and the infiltration basin.
- 5.14.6 Please note that we would prefer for SuDS management and treatment to be provided through the use of above-ground SuDS, such as permeable paving, swales and filter drains. If features such as the above are not feasible, we would require robust technical justification before we would consider below ground features such as downstream defenders or similar.
- 5.14.7 Please could the applicant clarify how the access road/path in the southeast of the site is to be drained (the road/path near manhole S11) including the area around the foul pump station and the footpath to the east.
- 5.14.8 We understand this is a cross-boundary application and note that we have also been consulted on this site by North Hertfordshire District Council under planning reference 21/02576/FP. The same information has been submitted in support of both applications therefore our response to NHDC will contain the same comments.

5.15 North Hertfordshire District Council

- 5.15.1 No comments received.

5.16 UK Power Networks

- 5.16.1 No comments received.

5.17 National Grid

- 5.17.1 No comments received.

5.18 Herts Police Crime Prevention Design Advisor

- 5.18.1 I am disappointed that this application makes no reference to any form of addressing issues that may arise due to crime, disorder and the fear of crime. This is contrary to both Local & national planning policies. In fact, the applicant’s Design and Access Statement (DAS) completely ignores Section 8 of the National Planning Policy Framework (NPPF) about promoting healthy and safe communities. In particular paragraph 92.b. I also have material concerns that this application does not address paragraph 92.c of the NPPF in that it appears essential to be a car owner or driver to live at this location as the nearest bus stop is quoted, in the DAS, as being over 900m from the site. That would be a lot asking any family to do their weekly shop and use public transport to get to and from this site.

- 5.18.2 I also have substantive concerns regarding the proposed cycle storage as being “Each dwelling will have cycle storage within the integral garages”. Given the current size of most

vehicles these days there would be little room to store the cycle and retrieve it without moving the vehicle first – in order to minimise the chance of damaging the vehicle. This is then not a feasible means of cycle storage. I also have substantive concerns regarding the waste bins storage. The DAS just states that “All bins are located within a short pull from the Pathways edge.” My concern is that these do not appear to be in any form of secure store and could lead to them being used to commit crime and also be used as climbing aids.

- 5.18.3 In order to mitigate my concerns and to address the lack of crime prevention detail I would strongly recommend that the application should contact the Hertfordshire Constabulary’s Crime Prevention Design Service (CPDS) with a view to seeking to achieve accreditation to the Police preferred minimum security standard that is Secured by Design (SBD). – note that the DAS states that as part of this application a financial contribution is being made towards the proposed housing scheme in Dunn Close (this particular scheme is being fully supported by the CPDS as the council are seeking to achieve full SBD accreditation for the development, as such they are working with the local Crime Prevention Design Advisor (CPDA) in order to achieve this.
- 5.18.4 In light of the points raised above the CPDS are not in a position to support this application in its current form. Should the applicant choose to engage with the local CPDA with a view to achieving SBD accreditation then this position could change

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

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

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

Policy SP1: Presumption in Favour of Sustainable Development

Policy SP2: Sustainable Development in Stevenage

Policy SP5: Infrastructure

Policy SP6: Sustainable Transport

Policy SP7: High Quality Homes

Policy SP8: Good Design

Policy SP10: Green Belt

Policy SP11: Climate Change, Flooding and Pollution

Policy SP12: Green Infrastructure and natural environment

Policy IT4: Transport Assessments and Travel Plans

Policy IT5: Parking and Access

Policy HO1: Housing Allocations

Policy HO5: Windfall Sites

Policy HO6: Redevelopment of Existing Homes

Policy HO7: Affordable Housing Targets

Policy HO8: Affordable Housing Tenure, Mix and Density

Policy HO9: House Types and Sizes

Policy HO11: Accessible and Adaptable Housing

Policy GD1: High Quality Design

Policy GB1: Green Belt

Policy GB2: Green Belt Settlements

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 NH2: Wildlife sites
Policy NH5: Trees and Woodland
Policy NH7: Open Space Standards

6.5 Supplementary Planning Documents

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

6.6 Community Infrastructure Levy Charging Schedule

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

7. APPRAISAL

- 7.1.1 The main issues for consideration in the determination of the application are its acceptability in land use policy terms including the principle of development in the Green Belt, loss of the riding school, the intensification of the use of the site, Impact on visual amenity of the Green Belt, Impact on amenities, parking provision, means of access and highway safety, trees and landscaping, impact on the environment, development and flood risk and ecology and protected species.

- 7.1.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that all planning applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

7.2 Policy Considerations

- 7.2.1 The NPPF (2021) states at paragraph 7 that the purpose of the planning system is to contribute to the achievement of sustainable development. The NPPF also stipulates that decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area. In addition, the Framework also sets out that sustainable development needs to be pursued in a positive way and at the heart of the framework is a "presumption in favour of sustainable development".

- 7.2.2 Paragraph 62 of the NPPF requires that the planning system should deliver, inter alia, a mix of housing particularly in terms of tenure and price to support a wide variety of households in all areas. Paragraph 68 of the NPPF sets out that small and medium sites can make an important contribution to meeting housing requirements in an area, and this includes supporting the development of windfall sites.

- 7.2.3 Paragraph 68 of the NPPF states that planning policies should identify a supply of specific deliverable sites for years one to five of the plan period, and specific deliverable sites or broad locations for growth, for years 6 to 10 and where possible, for years 11 to 15. Paragraph 73 of the same document states that "Local Planning Authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of

five years' worth of housing against their housing requirement set out in adopted strategic policies".

- 7.2.4 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.
- 7.2.5 Paragraph 74 of the NPPF stipulates 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 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.
- 7.2.6 Dealing firstly with 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.
- 7.2.7 With respect to housing delivery 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 in to its housing supply calculations in accordance 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.
- 7.2.8 The latest HDT results, published by the MHCLG 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. Notwithstanding this, paragraph 11 of the NPPF states that policies in the NPPF which protect areas of importance (such as Green Belt) are material considerations and permission should not therefore be granted if the proposal would harm protected areas.
- 7.2.9 Accordingly, as the Council has failed to meet its HDT, this application for new housing will assist the Council in meeting its housing delivery targets, and in meeting its affordable housing delivery targets. The following sections of this report will balance this presumption in favour of sustainable developments against the impacts of development.

Principal of Development in the Green Belt

- 7.2.10 The NPPF sets out the government's approach to protecting the Green Belt. Chapter 13 recognises the great importance of the Green Belt noting the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The essential characteristics of Green Belts are their openness and their permanence. For proposals affecting the Green Belt, inappropriate development is identified as being harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 148 states that "very special circumstances" will not exist unless the potential harm to the Green Belt by way of inappropriateness and any other harm resulting from the proposal are clearly outweighed by other considerations. Paragraph 149 goes on to advise that local planning authorities should regard the construction of new buildings as inappropriate unless the proposal meets one of a limited number of specific exceptions. The most pertinent of these in relation to the proposal is subsection (g):
- g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
 - not have a greater impact on the openness of the Green Belt than the existing development; or
 - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.
- 7.2.11 The second element of 149(g) therefore applies; the development would re-use previously developed land and deliver 6no. affordable housing units (35% of total units). The assessment therefore turns to whether or not the development would cause substantial harm to the openness of the Green Belt, noting that a lower level of harm would be deemed acceptable per the limitations of paragraph 149(g). This assessment can be made on both a spatial and visual basis, taking account of the quantifiable development as well as its visual impact on Green Belt openness.
- 7.2.12 Whilst there is a presumption in favour of sustainable development, this is balanced against the consideration of the proposal being inappropriate development in the Green Belt and whether it would comply with any of the defined exceptions to inappropriate development within the NPPF. As this report will go on to show, the development is considered to be compliant with Paragraph 149(g) and therefore there would be no requirement to demonstrate very special circumstances.
- 7.2.13 The application site is located within the Metropolitan Green Belt with no statutory designations for landscape character or quality covering the site. Proposals within the Green Belt are assessed against the guidance set out in Section 13 of the NPPF in addition to the Council's own Green Belt policies. Policy GB1 of the Local Plan (2019) sets out the areas of designated Green Belt on the proposals map which the application site forms part of. Policy GB2 of the same document stipulates that planning permission for small scale infillings, conversions within or adjacent to areas such as Norton Green and Todd's Green, will be permitted subject to the following criteria:-
- a) The development is previously developed land or it does not create more than 5 additional dwellings;
 - b) The development will be sympathetic to its surrounding environment (including the adjacent countryside) and will not negatively impact upon the character and appearance of the area;
 - c) The development reflects surrounding properties in terms of size, scale and design; and
 - d) No features essential to the character of the area will be adversely affected.
- 7.2.14 Further to the above, Policy GB2 goes on to state that the partial or complete redevelopment of previously developed land, even if it goes beyond the strict definition of infilling, will also be permitted in Norton Green and Todds Green subject to conditions b) to

d) being met.. The development is classified as major development within the Green Belt, therefore regard must be had to points b) and d). The proposal seeks to deliver 17 dwellings which exceeds the 5 dwellings stated in a) but it is previously developed land as also required by criterion a) of Policy GB2.

7.2.15 The surrounding character of Todds Green is an area heavily defined by large, detached aspirational dwellings and it is considered that the proposed development of 17 detached aspirational dwellings is in keeping with, and sympathetic to, the surrounding character.

7.2.16 For the purpose of clarity, the definition of previously-developed land, as stated within the NPPF (2021) is "land which is or was occupied by a permanent structure including the curtilage of the developed land and any associated fixed surface infrastructure".

7.2.17 As identified under Policy GB2 (Green Belt Settlements) it can be argued that the site falls within the "defined village of Todds Green" which is washed over by Green Belt. The supporting text to this policy states that there are exceptions to building in the Green Belt, which includes limited infilling in villages and the partial or complete redevelopment of brownfield sites. Furthermore, this supporting text identifies Todds Green as one of the broad locations where aspirational homes would be appropriate. Policy HO9 of the Local Plan (2019) states that aspirational houses are low density detached dwellings with four bedrooms and two bathrooms, sited on larger plots with a built footprint in excess of 100sqm and has a rear garden area of at least 200sqm. Whilst 11 of the dwellings only contain 3 bedrooms, they meet the remaining requirements of size and garden size to be considered larger than standard housing and therefore would be more aspirational.

Amount

7.2.18 In terms of the quantifiable amount of development proposed, figures have been provided on the existing and proposed building footprints, hardstanding and soft landscaping areas including gardens and wild meadow, which are detailed below:

	Existing sq.m	Proposed sq.m	Difference sq.m	Change as %
Footprint	2,542.25	1,400	-1,142.25	-45%
Floor Space	2,542.25	2,802.045	+260	+10%
Hardstanding/Road	4,578.00	3,016	-1,562	-34%
Soft Landscaping	No information	12,041	n/a	n/a
Other*	No information	1,461	n/a	n/a

* pump compound, access track to pumps, linking path to railway bridge

7.2.19 As can be seen from these figures, the proposed footprint of the development would be substantially smaller than the existing buildings occupy. Whilst the proposed dwellings would be 2.5 storey in height compared to the predominantly single storey existing buildings, the increase in floor space generated is only 10%. Overall, the development would see a substantial decrease in the number of buildings across the site, resulting in a more open site, and the resultant 2.5 storey dwellings would not substantially increase the overall volume of built form on the site.

7.2.20 Whilst the scheme would see an increase in volume of built form, the site layout has been designed to consolidate this built form as much as possible by clustering the dwellings where the existing built form is sited. This goes some way in keeping the sprawl of built form to a minimum and reducing visual impact on Green Belt openness. An increase of approximately 11% volume is not significant and from a purely quantitative perspective could not be considered to result in substantial harm. However, the impact of volume increase is also relevant to the visual assessment of Green Belt openness, which shall be assessed shortly.

7.2.21 The scheme would also see a significant reduction in the total amount of hard standing and the existing footprint of built form within the site. Some of this hard standing would be given over to residential gardens, and a large wild flower meadow would be created at the northern end of the site. This overall reduction is considered to be a positive intervention that would not therefore result in substantial harm.

Intensification of Use

7.2.22 In terms of intensification of use, the existing use as a commercial equestrian stables is considered to result in a moderate amount of movements to and from the site with limited intensity of activities.

7.2.23 The proposed scheme would see an intensification of use, with 17 dwellings resulting in an estimated 83 two-way movements per day as stated in the submitted Transport Statement. The Transport Assessment calculates that the existing use generates 51 two-way movements per day. The proposal is therefore likely to result in a daily increase of 32 two-way vehicle trips with a perceived intensity of use as a result. This would give rise to a moderate amount of harm to the Green Belt.

Visual Impact on the Green Belt

7.2.24 The assessment now turns to the visual impact on Green Belt openness, with particular regard to the increased volume and impact on views through the site. Assessments of impact on Green Belt openness are a matter of planning judgement.

7.2.25 As previously noted, there would be approximately 11% increase in built form. The proposed dwellings would be arranged around the new residential road. This new road would curve through the site roughly north of the siting of the majority of the existing buildings, whilst 10 of the proposed dwellings would occupy the site of the majority of the existing buildings. The largest building at the north of the site would be replaced with an extensive open area of wild flower meadow.

7.2.26 Plots 1-10 would therefore be sited where there is existing volume of built form, though it is acknowledged that the smaller outbuildings are of single storey height and the replacement 2.5 storey dwellings would be taller. It is also noted that plots 11-17 would be sited on areas where there is no existing volume of built form.

7.2.27 In terms of impact on views, views through the site from Chantry Lane are very limited due to the dense tree belt that runs along the road to the west of the site and that the site is located behind the dwelling known as The Lodge and the mixed use residential and commercial site of Chantry Farm. This tree belt falls outside of the red line plan so is not within the ownership of the applicant and would not therefore be removed as part of the development. Views of the dwellings would likely be possible from The Lodge and Chantry Farm although their boundaries appear to be bounded with dense, tall hedging.

7.2.28 The site would also be visible from the public right of way to the south of the site, leading to Halfpenny Bridge over the mainline railway which runs along the eastern boundary of the site. In this regard, the layout of the site has been designed to allow views through the site towards the wild meadow at the north of the site along the new road. The dwellings have been placed either side of the road so that views from this public vantage point are mostly unobstructed.

7.2.29 As previously noted, the site layout goes some way in arranging the built form around the existing buildings, and dwellings would largely be sited on the existing footprint of hard standing. There would be some sprawl of built form on the eastern side of the site due to the siting of plots 11-17, where there are no existing structures. The greatest impact on views through the site would therefore be in this location, whereby the proposed dwellings

would obstruct some views looking north from the public footpath and result in moderate harm to Green Belt openness on part of the site.

- 7.2.30 Having duly considered the quantum of development, intensification of use and visual impact on openness, moderate harm has been identified. The increase in volume is considered to be minor, and there would be a considerable reduction in hard standing and footprint across the site with a substantial amount of landscaping proposed, including the re-landscaping of a large area to the north with a wildflower meadow. The visual impact on Green Belt openness from the public footpath is therefore the main point of concern.
- 7.2.31 As required by Paragraph 149(g) and Policy GB2 of the Local Plan, development would not be inappropriate in the Green Belt when it would not cause substantial harm to the openness of the Green Belt, where development would re-use previously developed land and contribute to meeting an identified affordable housing need. A lower level of harm is therefore acceptable.
- 7.2.32 Taking all the aforementioned into account, it is not considered that the proposed intensification of use and impact on visual openness would result in substantial harm when weighed against the benefits of reduced hard standing, reduced footprint and the positive landscaping interventions proposed. Having regard for the aforementioned assessment of the proposal, the creation of 17 dwellings, which whilst exceeding the 5 dwelling quota under Policy GB2(a), it would accord with that policy in that the development would be on previously developed land. In addition, it has been found to be an acceptable level of infill development which will have a less than substantial impact on the Green Belt. Further it would assist the Council in meeting its HDT and affordable housing targets. Therefore, the development is considered to comply with exception 149(g) and Policy GB2 of the Local Plan and would be acceptable development within the Green Belt.

Assessment in accordance with the Council's Housing Policies

- 7.2.33 Turning to the adopted Local Plan (2019), the site is unallocated and is therefore, regarded as a 'windfall site'. Policy HO5 (windfall sites) stipulates that proposals should not prejudice the Council's ability to deliver residential development on allocated sites, do not overburden existing infrastructure and are on previously developed land or small underused urban sites.
- 7.2.34 As previously stated above, the siting of the proposed dwellings will be on the footprints of the existing buildings and consequently it is considered that the development constitutes development of previously developed, brownfield land. It is important to note that the Council is unable to meet its Housing Delivery Test requirement under the NPPF as set out above and as such there is a presumption in favour of sustainable development towards the requirement to deliver additional housing where great weight must be given.
- 7.2.35 Residential developments on windfall sites must have a good level of access to local facilities. The site is approximately 1.5km to the Sainsbury's supermarket on Hitchin Road. Three secondary schools and two primary schools are within 2km of the site. The historic Old Town is within a 10 minute vehicle journey/30 minute walk and provides a host of facilities for future residents. At present there are no bus routes linking the village of Todds Green with Stevenage town centre, and the closest bus stop is over 1km away at the Lister Hospital. As such, the application site is considered to have a poor level of access to alternative forms of transport to the motor car and only a reasonable level of access to local facilities and education sites. Therefore, the site is not considered to be in a highly sustainable location.
- 7.2.36 Criterion (c) of Policy HO5 states that there should be no detrimental effect on the environment and the surrounding or adjoining properties. This issue will be assessed in

detail in the following sections considering the impact on the character and appearance of the Green Belt and wider area and the impact on neighbouring amenity.

- 7.2.37 Finally, criterion (d) of Policy HO5 of the Local Plan requires proposals not to prejudice the Council's ability to deliver residential development on allocated sites. The site is not located near any allocated housing sites. In this regard, the development is not considered to be contrary to the aforementioned policy.
- 7.2.38 Policy SP2 (Sustainable Developments) states permission will only be granted where proposals can meet a number of criteria. Included in these criteria are the following:
- Deliver homes or jobs that make a positive contribution towards the targets in the Local Plan;
 - Make good use of land and maximise opportunities for brownfield redevelopment within the town;
 - Regenerate areas of the town that are under performing;
 - Provide a mix of homes for all sectors of the community;
 - Improve quality of life and make sure that residents share in the benefits of regeneration;
 - Promote journeys by bus, train, bike and foot and reduce the need to travel;
 - Make high quality buildings and spaces that respect and improve their surroundings;
 - Produce places and spaces that enable people to live a healthy lifestyle; and
 - Protect and improve important open spaces, wildlife sites and habitats
- 7.2.39 Looking at the site itself in terms of its allocation in the Local Plan, it is a brownfield site in use as a riding stables and riding school within the Green Belt and not allocated for development. The proposed development is seeking to erect 11no. three bedroom and 6no. four bedroom detached dwellings with associated access road, car parking, landscaping, footpath connections, infiltration basin and pump station.
- 7.2.40 The proposal fails to meet some of these aforementioned criterion of Policies HO5 and SP2 as the site is not located near to a bus route or the Stevenage train station; the main facilities and services of Stevenage are some distance away; and there are no primary facilities within the village of Todds Green so that future occupiers would likely travel into Stevenage via car.
- 7.2.41 However, under planning permission reference number 19/00123/FPM (Land West of the A1(M) at Todds Green) which was approved in September 2020, the developer of that site agreed to a financial contribution in their legal agreement to provide a new bus stop at their development which would allow Arriva services 8 and 9 to extend into the outer Todds Green area. Whilst the exact location of the new bus stop is not presently known, it will be approximately 600m-800m from the application site which is considerably closer than the present closest stop at around 1km.
- 7.2.42 There are two public Rights of Way close to the site – “Stevenage 086” connects Old Chantry Lane to the footpath on the northern side of Stevenage Road and also connects to “Stevenage 085” which borders the site to the south and connects to the large roundabout at Corey’s Mill/Junction 8 of the A1(M). The applicant has included a new footpath link within the site which will connect to these Rights of Way and thus improve cycle and pedestrian access to the site to encourage a modal shift away from the motor vehicle. Each dwelling will have cycle storage facilities in the garages.
- 7.2.43 Accordingly, whilst the existing site could not generally be categorised as being in a sustainable location for non-car modes of transport at present, the improvements to be made together with the new bus stop to be provided by another nearby development, it is considered, on balance, that the site will become more sustainable after completion than at present and would therefore be acceptable in this regard.

- 7.2.44 Further, the owner of the riding stables has confirmed that they will soon cease trading. In this regard, the site is considered a brownfield site and previously developed land, which, through the redevelopment under consideration would regenerate an underperforming area and make good use of, and maximise the use of, a brownfield site. The provision of 17 homes would assist in the meeting of the Local Plan housing targets. Further, the site would provide an off-site contribution of 6 affordable housing units at Dunn Close.
- 7.2.45 Policy SP7 identifies that there is a need to provide 7,600 new homes within Stevenage and this policy allocates 1,950 new homes to be provided elsewhere in the Borough. Taking this into consideration, the proposed development would support the Council's ambition in delivering a number of homes which fall outside the designated sites. Setting aside the impact upon the character an appearance of the area and the amenities of the adjoining properties, which are considered elsewhere in this report, the application is considered to be acceptable in land use policy terms.
- 7.2.46 In respect to Policy HO9 (House types and sizes) of the adopted Local Plan (2019), this seeks to provide a more even mix of housing supply with both smaller dwellings and larger aspirational dwellings. As the proposed development seeks to deliver larger aspirational 3 bed and 4 bed detached dwellings it would accord with this policy.

Loss of the Riding School

- 7.2.47 Paragraph 98 of the NPPF outlines that access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities. Paragraph 98 of the NPPF states that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:
- a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
 - b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
 - c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use
- 7.2.48 The proposed development will result in the loss of an existing riding school. Policy HC6 (Existing Leisure and Cultural Facilities) seeks to protect leisure and cultural facilities in the Town. However, riding schools are not included in the Council commissioned Sports Facility Assessment (2014) and therefore not protected by this policy. Further, information provided by the owner of the riding school demonstrates there are other riding schools nearby.
- 7.2.49 Given that the existing use is not protected by any Local Plan policies, and that the current owners have provided a statement on their closure due to newer, larger equestrian businesses in the area which they struggle to compete with, the applicant has advised there is no policy basis for undertaking an Equestrian Needs Assessment. It is the officer's belief that this stance is acceptable as it is reasonable to assume that the existing business will cease trading whether this current proposed is granted planning permission or not. Accordingly it is not considered that the failure of the development to proceed will ultimately impact on the existing use.
- 7.2.50 In conclusion, whilst the proposal has been found to currently fail to accord with Policies HO5 and SP2 as it is not considered to be in a sustainable location for non-car modes of transport with adequate access to local facilities, the improvements to be made to pedestrian and cycle links and the proposed new bus stop at a nearby development would significantly improve this situation.
- 7.2.51 Further to the above, and having account of everything discussed in the preceding paragraphs of this report, the proposal is not considered to amount to substantial harm to

the Green Belt and is acceptable under Policy GB2 and would accord with Policies SP7 to deliver new housing, HO8 to deliver affordable housing and HO9 to deliver larger aspirational housing. The proposed development of 17 larger aspirational dwellings would make good use of an existing brownfield site and would help deliver 6 affordable housing units on a Council deliverable site at Dunn Close. As the development is wholly on previously developed brownfield land and has been considered an acceptable level of infilling of the village of Todds Green, very special circumstances do not need to be justified and the benefits of the development through construction jobs and future housing would outweigh the moderate harm to the Green Belt.

7.2.52 In addition to the aforementioned, the failure of the Council to meet its HDT and the subsequent presumption in favour of sustainable development is a key material consideration in the assessment of this application. This policy position tilts the planning balance in favour of the application. The provision of 17 aspirational dwellings would have a great economic benefit during the construction phase, and future occupiers would be likely to contribute to local services and facilities, which, as the scheme is for 17 dwellings, and provision of 6 affordable housing units off-site, these benefits would be fairly reasonable and further weigh in favour of the development. Finally, the benefits of the development from a reduction in the amount of hardstanding and footprint across the site together with the substantial amount of landscaping proposed, including an extensive wild flower meadow result in a conclusion that the proposed development is acceptable in land use policy terms and would have a less than substantial impact on the Green Belt.

7.3 Affordable Housing Provision and S106 Contributions

7.3.1 Chapter 5 of the NPPF outlines the need for affordable housing (AH) and paragraph 65 suggests a minimum of 10% AH on any major development site. Policy HO7 of the Local Plan stipulates a target level of 25% on previously developed sites. Based on 17 dwellings at this site, this would equate to 4.25 units, rounded up to 5. However, the applicant is providing a 35% provision of 6 units.

7.3.2 Policy HO8 of the Local Plan stipulates that of the 25% AH provision, at least 70% should be for rent and the remaining a tenure agreed with the Council's Housing team. The application informs that no Affordable Housing is proposed on site. However, the Council has the application site under an options agreement. Therefore, the affordable housing requirement arising from this site (6 affordable units) could potentially provide off-site affordable housing units at Dunn Close (21/00944/FPM). Given this, and in the event the Council does purchase the application site, the commuted sum payment for this development would fall away and with the site intrinsically linked to Dunn Close. However, if the Council does not purchase the application site, then the affordable housing obligation, i.e. a financial obligation in lieu, would remain.

7.3.3 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. At the time of writing this report, the trigger points are suggested to be as follows:

- Not to occupy more than 6 dwellings at the Courtlands site until a minimum of 3 dwellings at the Dunn Close site are fit and ready for occupation; and
- Not to occupy more than 12 dwellings at the Courtlands site until a minimum of 6 dwellings on the Dunn Close site are fit and ready for occupation.

7.3.4 As the site is located within the Green Belt, in order to meet the requirements of Policy GB2, it has been necessary to design the site with fewer but larger aspirational dwellings to reflect the character of Todds Green village. To this end, it would not be appropriate to include smaller affordable housing units. This is considered an acceptable argument and the provision of 6 units exceeds the full 25% AH housing requirement off-site.

- 7.3.5 As mentioned in point 7.3.2 above, it is understood that the Council are seeking to purchase this site with a view to the sale of the dwellings paying for the build out of the Dunn Close scheme. It is therefore proposed that the AH will be secured through a S106 legal agreement which will be tied in with the legal agreement for Dunn Close. Where the Council acquires this site and opts for off-site delivery, the section 106 agreement restricts occupation of the units on the application site, until affordable housing units have been provided at Dunn Close. The section 106 agreement for Dunn Close would secure the use of those units as affordable housing in perpetuity.
- 7.3.6 In the scenario that the Council do not procure this site, the legal agreement will have a fall-back position of securing the equivalent value of 6 units (£350,000.00) as a financial contribution.
- 7.3.7 Financial contributions are also required in line with the Developer Contributions Supplementary Planning Documents (2021). In this regard, only a contribution to be made towards the Local Training Fund if target employment of Stevenage residents is not met as follows:
- £4,000 per number of targeted jobs not filled by Stevenage residents;
 - £2,000 per number of targeted apprenticeships not filled by Stevenage residents or students; and
 - £250 per apprenticeship position as an administrative fee towards the brokerage system to fill apprenticeship positions;
 - If a major development could not provide suitable apprenticeship opportunities due to the quick construction of the development project, and the resultant lack of suitable opportunity to provide apprenticeships, they should pay a lesser fee of £1,000 per number of targeted apprenticeships not created rather than the £2,000 fee.
- 7.3.8 These targets do not add a requirement for additional jobs that would add a financial burden to the developer or contractor. The targets merely add a requirement that a portion of the jobs will be targeted to local residents. The in-lieu payments do not add a significant financial burden to the developer or contractor and will only be required if the developer or contractor does not meet the employment targets.
- 7.3.9 The Developer Contributions SPD (2021) also has a requirement for fees to be paid to cover the monitoring of legal agreements. This covers requesting payments, ensuring transfer and/or expenditure of money and keeping/publishing records of contributions in line with regulations. The Council will seek 2.5% of the value of contributions being monitored with a minimum fee of £750.00 and a cap of £25,000.00. This is considered a fair cost that will reflect the value of the legal agreement and will not affect the viability of a scheme being delivered.
- 7.3.10 The applicant has agreed to pay all monies sought through the signing of a S106 legal agreement.

7.4 Design, Layout and Impact on Visual Amenity

- 7.4.1 In terms of design, Paragraph 130 of the NPPF (2019) stipulates that planning decisions should ensure development functions well and adds to the overall quality of the area, not just in the short term but over the lifetime of the development. It also sets out that development should be visually attractive as a result of good architecture, layout and appropriate and effective landscaping is sympathetic to local character and history, including the surrounding built environment and landscape setting. Paragraph 134 of the NPPF states that “Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design..”.
- 7.4.2 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.

- 7.4.3 Policy HO5: windfall sites require residential development on unallocated site 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 whereby it seeks 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.
- 7.4.4 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.
- 7.4.5 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.
- 7.4.6 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.
- 7.4.7 As detailed under Section 1 of this report, the application site is currently in use as riding stables and a riding school. The site comprises a number of old buildings, some single storey, some two storey, all of varying sizes, materials, colours and degree of wear and tear. Large areas of the site are covered with hardstanding or are bare un-landscaped areas. To the north of the site is an extensive grassed paddock area with a large overhead power pylon with the A602 highway beyond. There are a limited number of small trees within the site although the western site boundary with Old Chantry Lane is heavily landscaped with a dense mature tree belt and to the south of the site is the extensive area of St. Margaret's Wood. To the east of the site is the East Coast Mainline railway. To the

south-west of the site is Chantry Farm which is a mixture of residential and commercial enterprises and the residential site of The Lodge. Further outside the site boundary to the south is the main hamlet of Todds Green which comprises a mixture of residential premises, along with farmsteads and stables; to the north of the A602 is the village of Little Wymondley. The remaining surrounding area is rolling agricultural fields.

7.4.8 The application proposes 11no. three bedroom and 6no. four bedroom detached aspirational dwellings with an extensive area of wild flower meadow to the north of the site. The submitted site layout plan (14043-P030-R) indicates a good level of trees and soft landscaping to be retained around the site, and a pump station at the south of the site to be enclosed with fencing.

7.4.9 The site would comprise a central road through the centre of site from west to east and then north to south with the dwellings arranged along this road on the southern and eastern side.

7.4.10 There are four different housing plans proposed although all the 3 bed dwellings would have an internal floorspace of 153sqm and the 4 bed dwellings would be 185sqm. Concerns were raised at pre-application stage with regard to the number of dwellings (25 units) and the mix of 2, 3 and 4 bed dwellings with a mix of terraced, semi-detached and detached. It was felt that this would represent an over development of the site and the smaller terraced houses would not respect the larger detached style of the adjacent village of Todds Green. Subsequently, following advice from officers, the scheme has been put forward for 17no. larger detached aspirational houses. The dwellings are all 2.5 storey in height which is considered an acceptable height in relation to the surrounding areas.

7.4.11 In terms of materials, the following table sets out the details as submitted. The dwellings will be constructed with either Multi-Red facing brick or Multi-Brown facing brick with a combination of clay terracotta roof tiles to the main dwelling and Natural Blue Slate to other roof areas.

	House Types 1a and 1c	House Type 1b	House Type 2a	House Type 2b
Main Roof	Clay terracotta tiles	Blue slate	Clay terracotta tiles	Blue slate
Additional Roofs	Blue slate	Render to dormers	Blue slate	Render to dormers
Walls	Multi-brown facing brick with black horizontal cladding with areas of painted render	Multi-red facing brick with Oyster White horizontal cladding	Multi-brown facing brick with black horizontal cladding	Multi-red facing brick with Oyster White horizontal cladding and areas of white painted render
Windows	White uPVC	White uPVC	White uPVC	White uPVC
Doors	Light wood	Black	Light wood	Black
Rainwater Goods	Black	Black	Black	Black

7.4.12 House types 1a, 1b and 1c are the three bedroom units and all have similar internal layouts with a large separate living room at the front of the property and a family room/kitchen at the rear with patio doors into the garden. All have an attached single garage with an office space over which is accessed from the first floor of the house. At first floor there are two double bedrooms each with en-suites and a small landing area to access the main master bedroom on the second floor which also has its own en-suite.

7.4.13 House types 2a and 2b are the four bedroom units and have the same internal layout of a large living room at the front of the property with a staggered open plan kitchen and family room at the rear with patio doors opening to the rear garden. All have an attached single

garage with an office space over which is accessed from the first floor of the house. At first floor there are two double bedrooms, one with en-suite bathroom, and a single bedroom. There is also a separate bathroom and a small landing area to the second floor which contains the master bedroom with en-suite bathroom.

- 7.4.14 All house types have the same ridge height of 9m and both house types 2a and 2b have the same ridge height of 8.2m high on the two storey side element. House types 1a, 1b, 1c and 2b all have a dual pitched roof with a gable fronted element to the rear elevation whilst house type 2a has a cross-gable roof design to the main element and dual pitched roof to the two storey side element. All garage roofs are 6.9m high to the ridge with a dual pitched roof and contain one dormer to each of the front and rear elevations.
- 7.4.15 House type 1a has two flat roof dormers to the front roof slope and one flat roof dormer to the front and rear of the garage; house type 1b has two dual pitched dormers to the front elevation and one each to the front and rear of the garage; house types 1c and 2b have one central dual pitched dormer to the front roof slope and one each to the front and rear of the garage and house type 2a only has dual pitched dormers to the garage. Whilst some of the dormer windows are not set down from the main ridge, they have been kept relatively small and, where there are two, they have been vertically aligned with the fenestrations and where there is only one, this has been centrally positioned in the roof slope. Consequently, these windows have been designed to appear proportionate in scale and form within the roof slope and as such, not appear overly dominant in the street scene. At the rear, a single centrally positioned window at second floor would serve either the bathrooms or bedroom depending on internal layout between plots.
- 7.4.16 It is noted that there is diversity in the style and architectural form of the dwellings in the vicinity of the proposal site within Todds Green. The proposed dwellings would be of dark and light facing brick, terracotta clay and blue slate roof tiles and horizontal cladding with rendered elements, incorporating materials that are sympathetic to the history of the site as an agricultural/equestrian usage. Furthermore, the area retains no uniform character in terms of design or materiality and therefore the design of the proposed dwellings would respond well to the rural and agrarian character of the site. Therefore, it is considered that the proposed materiality and design of the dwellings would not appear out of keeping with the immediate surroundings.
- 7.4.17 Given the aforementioned, the overall building heights and variation of architectural detailing on the residential properties combined with the pepper potting of the various properties across the development site would help to add variety and interest in the street scene. In terms of site layout, the residential properties are set out in a linear form following the internal access road with a front-to-front orientation, thereby keeping all rear gardens relatively secluded and private. The properties are well-spaced in large plots as required to be classified as aspirational housing. The property frontages are relatively small, to maximise the rear garden size within in plot. The frontages are shown to be a combination of hardstanding for car parking and soft landscaping which is an acceptable residential public realm.
- 7.4.18 The development has been designed with a clear and legible street network which is highly permeable for pedestrians and cyclists. As the dwellings have their primary frontages orientated towards the road, this helps to clearly define the main streetscape of the development. The buildings have also been orientated to have active frontages and no dead spaces, in order to create a safe pedestrian scaled environment. The public spaces would also be overlooked by residential properties in order to increase natural surveillance.
- 7.4.19 The submitted site layout plan indicates that the existing vegetation on the site will be retained, whilst the main hedgerow landscaping to the front of the site is outside of the applicants ownership so will not be altered, maintaining the screening of the site from Old Chantry Lane. The retained landscaping would be maintained as part of the development

in order to enhance its overall structure. This is crucial in order to minimise the impact of the development on the Green Belt. Full landscaping details will be secured by way of conditions to ensure the development creates an attractive street frontage by softening the appearance of the development as a whole.

- 7.4.20 In terms of the impact on the longer views from Todds Green, the site is well screened by surrounding landscaping and being set back behind Chantry Farm. It is fully appreciated that the development would urbanise an area of established equestrian usage. The extensive wild flower meadow at the north of the site will help off-set the urbanisation and as discussed previously, the built footprint is lower than as existing.
- 7.4.21 Turning to the proposed bin stores, garages, and pump station, these structures are of a limited size and scale against the backdrop of the built form of the development. In addition, these parts of the development have been designed to reflect the overall visual appearance of the dwellings so as to not appear out of character. As such, these elements would have an acceptable appearance as viewed from the public realm.
- 7.4.22 Given the aforementioned assessment, it is considered that the proposed development, combined with its overall benefits, would not substantially harm the longer views from Todds Green or the Green Belt. The development has been designed to a high standard, a clearly defined street layout and high quality areas of green infrastructure. The dwellings themselves, due to the variation of architectural design and being pepper potted across the development with varying widths, helps to add variety and interest into the architectural form.

7.5 Impact on Amenities of Neighbouring Properties

- 7.5.1 In regards to the impact of the proposed development on the nearest residential properties within Todds Green, the nearest property to the development site are the newly constructed Todds Manor and The Little Burrow which are sited off the main access road of Old Chantry Lane and will be opposite plot 1. They will have a front to front orientation and Todds Manor, the closest of the two, will be approximately 22m from the dwelling in Plot 1. The Little Burrow is positioned further back and would be approximately 37m away with the same front to front separation distance. The adopted Design Guide (2009) does not have a minimum separation distance for front to front orientations, however, 22m and 37m are considered an acceptable distance such that it is unlikely there would be an adverse impact from overlooking.
- 7.5.2 The only other two residential dwellings in the vicinity are The Lodge and Chantry Farm, which again are sited off the same access road of Old Chantry Lane. The Lodge is sited to the south of plots 1-4 and these plots would have their rear elevation facing the side of The Lodge and its rear garden. The separation distances range from 30m with Plot 1 to 40m with Plot 4. Further, plots 5-8 would face over the rear garden of this neighbouring property, although their views would be over the extended curtilage of Chantry Farm which wraps around the rear of The Lodge. Plots 5-8 range between 53m and 78m from the property. The Design Guide (2009) requires a minimum back to side separation distance of 15m and a minimum back to back separation distance of 25m. In this regard, it is considered that the proposed dwellings are sited a sufficient distance from this property such that there would be no loss of privacy or detriment incurred from overlooking.
- 7.5.3 Chantry Farm is sited to the rear of plots 8-10 and would have a back to back orientation. These plots range from 81m to 85m from the rear of the property which again is considered a suitable distance such that no detrimental impact would occur to privacy or from overlooking.
- 7.5.4 With regards to impacts from construction noise, vibration and air quality, in order to reduce the level of impact on the amenities of the nearest residential properties, a condition would

be imposed to restrict the hours of construction on-site. In addition, a condition would be imposed requiring the applicant to provide a detailed Construction Management Plan. This will need to set out what mitigation measures will be put in place to control noise levels from various construction activities, mechanisms to deal with vibrations, air quality and dust, light and odour. Therefore, with this condition in place, the Council's Environmental Health Section does not raise any concerns with the proposed development in terms of impact on existing residents.

7.6 Impact upon the future amenity of residents

Private Amenity Spaces

- 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. Looking at private amenity space, there is a requirement to provide a private garden area of a minimum of 50sqm with a minimum depth of 10m. Under Policy HO9, to qualify as aspirational, the private amenity spaces should be at least 200sq.m.
- 7.6.2 Following an assessment of the proposed development, all of the dwellinghouses across the site would have sufficient private garden areas in accordance with the Council's Guidance as all plots exceed the Council's requirements in terms of both area and length. The depths range between 11m and 23m and the overall sizes range between 250sqm and 370sqm.

Privacy and Outlook

- 7.6.3 Looking at privacy and outlook, Chapter 5 of the Council's Design Guide SPD (2009) sets out that privacy and outlook are important aspects of residential environments. Therefore, the position of dwellings, and the arrangement of rooms and windows, should not create significant overlooking of other dwellings windows or private garden areas, nor should they lead to any overbearing impacts. In this regard, all dwellings have been orientated to face the new road and there would only be angled overlooking between properties which are side by side and no direct overlooking of private amenity spaces.
- 7.6.4 Plots 7-17 would front each other either side of the new road, between 15m and 25m apart. There is no minimum front to front separation distance in the Design Guide. The first and second floors have a mixture of bedrooms and bathrooms at the front of each dwelling whilst the ground floors are living rooms. Whilst the bathrooms would have obscure glazing for privacy, the bedrooms and living rooms would not. However, given the separation distances, it is not considered that there would be a degree of overlooking between properties to such a level that would result in unacceptable harm to privacy.
- 7.6.5 In relation to the provision of public open space, it is noted that the development would provide an extensive wild flower meadow at the north of the site and there would be general open space at the south of the site where the new footpath links are to be created. The Planning statement submitted with the application advises that the meadow will be accessible to the public / residents but is fenced off with only a maintenance access and pedestrian gate provided. This enhancement will assist integrate the proposal into its locale and act as a natural buffer between the dwellings and the paddocks/fields to the north of the site. Smaller communal areas are provided towards the southern end of the site.

Living Standards

- 7.6.6 With regard to the requirements for new residential properties to meet Nationally Described Space Standards as defined by Policy GD1 of the adopted Local Plan (2019), all of the proposed dwellings meet the overall gross internal floor area for three and four bedroom dwellings. The bedrooms in the three bed dwellings all meet the requirements of bedroom

sizes; however in the four bedroom dwellings, the 4th bedroom measures 3.17m long by 2.285m wide with an area of 7.25sqm. The standards state that “in order to provide one bed space, a single bedroom has a floor area of at least 7.5m² and is at least 2.15m wide”, so whilst these bedrooms are 0.25sqm short on floor area, they do exceed the minimum width requirement. As such, on balance, these 4th bedrooms are considered to be acceptable. The internal floorspace measurements are as follows:

	Bedrooms	Persons	Minimum Floorspace	Proposed Floorspace
House Types 1a, 1b and 1c	3	5	99sqm	153.346sqm
House Types 2a and 2b	4	5	103sqm	185.874sqm

Noise Impacts

- 7.6.7 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. Taking this policy into consideration, it is appreciated the application site does lie in close proximity to existing commercial and industrial premises which currently operate in the immediate area, including Chantry Farm, Shangri-La Farm, The Dog Pack Day Camp and Poly Textiles Ltd. In addition, the site is also bordered by the East Coast Mainline railway to the east of the site. As such, the noise generated from these noise emitting sources could have a detrimental impact on the amenities of future occupiers of the development.
- 7.6.8 The submitted Noise and Vibration Impact Assessment confirms there are 186 train movements between 07:00 and 23:00 and 44 train movements between 23:00 and 07:00. The existing noise climate within the proposed amenity areas for plots 11-17 is 63 dB LAeq; this exceeds the upper guideline value by 8 dB LAeq. The erection of a 2m high acoustic fence along the rear boundaries of plots 11-17 would have a noise reduction of 10dB and will equate to a garden noise level of 53dB which is within the acceptable parameters. The report also makes recommendations for appropriate glazing and ventilation in order to create an appropriate level of protection to future noise sensitive receptors.
- 7.6.9 The report concluded that the calculated levels of vibration are below the acceptable range allowances and therefore no mitigation measures are required in this regard.
- 7.6.10 Given the aforementioned, and following consultation with the Council’s Environmental Health Section and Noise Consultant, they have advised that the Noise and Vibration Impact Assessment which has been submitted is considered to be acceptable. They have recommended a number of conditions be imposed on any grant of permission. This is to ensure that the amenities of future residents are protected from nearby noise sources.

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 Car Parking Standards SPD (2021) sets out the maximum amount of off-street parking for residential development based on the number of bedrooms. The proposed development would comprise the following accommodation schedule:

- 11no. three bedroom dwellings (2 parking spaces) (11 x 2 = 22);
- 7no. four bedroom dwellings (2.5 parking spaces) (7x 2.5 =17.5)

This gives a total requirement for 39.5 spaces, rounded up to 40.

- 7.7.2 Taking into consideration of the above, there would be a requirement to provide 40 off-street parking spaces. Given the application site is not located within a residential accessibility zone the Council would seek the maximum number of car parking spaces to serve the development in this instance. In terms of parking provision specifically, in order to count as a parking space, they would need to measure 2.4m by 4.8m. In relation to garages, these would need to measure internally 3m by 6m in order to be counted as a parking space.
- 7.7.3 Following an assessment of the proposed development, all dwellings have a single garage and 2 marked spaces, so 3 spaces in total which gives a total provision of 51 spaces. Whilst this is technically an over-provision across the site as a whole, each individual house complies with the standards as a standalone assessment. In this regard, the proposed development broadly aligns with the requirements of the SPD and Policy IT5 of the Local Plan.
- 7.7.4 In regards to the parking bays and garages themselves,, these would all comply with the standards set out in the Council's adopted Parking Standards SPD (2021) as set out in paragraph 7.6.2. As such, all of the designated parking bays for the residential properties would be of a sufficient size to park a motor-vehicle in this instance.
- 7.7.5 The Parking Standards SPD (2021) states that all new car parking should be designed to fulfil a Passive Electrical Vehicle Charging Point standard. This will mean that the underlying infrastructure is provided for connection to the electricity network but it will need to be activated through the installation of a charge point to be used in the future as technologies evolve and uptake increases. The submitted plans do not provide details of this requirement so it is considered acceptable to impose a condition requiring this standard to be met. Further, this SPD requires that at least 20% of all spaces are fitted with an active charging point at point of completion of the development. As no details have been provided at this stage, a condition would be imposed on any decision issued to ensure this is implemented.
- 7.7.6 Turning to visitor parking provision, the Council's Parking Standards SPD (2021) sets out that there is a requirement to provide 0.25 parking spaces per dwelling. This would equate to a requirement of 4 (rounded down from 4.25) parking spaces. The proposed development is seeking to provide visitor parking spaces in two bays on the northern side of the new road, adjacent to the wild flower meadow. Having measured these bays on the submitted site plan, it is our calculation that they can accommodate 3 spaces in one and 4 spaces in the other, so a total of 7 spaces. Whilst this is an over provision, given the edge of town location of the site, this is considered acceptable in this instance.
- 7.7.7 In regards to cycle parking, the Council's Parking Standards SPD stipulates that 3 long-term cycle parking spaces should be provided per three or four bed unit. Given the garage sizes and the plot sizes, it is considered that there is an acceptable level of space at each dwelling to provide secure, lockable cycle storage.
- 7.7.8 Given the aforementioned assessment, there would be sufficient off-street parking to serve the development. In addition, there would be sufficient secure cycle parking provision across the development site in accordance with the Council's Standards.

7.8 Highway Safety

- 7.8.1 The site is accessed from a single entrance point on the western side of the site from Chantry Lane which is designated as a local access road with a 30mph speed limit. The access is a simple priority junction approximately 5m wide with 8m kerb radius which supports two-way traffic and allows for the passing of waste collection vehicles.

- 7.8.2 Hertfordshire County Council (HCC) as Highways Authority have confirmed that the existing vehicle visibility of the junction, at 2.4m by 43m, is acceptable and conforms with the stopping sight distance criteria in Manual for Streets (MfS) and no alterations or planning conditions are necessary in this regard.
- 7.8.3 The applicant has confirmed that the new road within the site would not be adopted by HCC Highways and would be under private management. Stevenage Borough Council (SBC) Highways Engineers have confirmed this is acceptable and raise no objections. They advise that as the road would remain private there would be no requirements to 'police' this road in terms of highway or parking infringements post completion.
- 7.8.4 In relation to vehicle manoeuvrability, the applicant has provided a swept path analysis as part of their Transport Assessment. The plans depicting the swept path analysis display that tracking is accommodated within the site for refuse vehicles, emergency vehicles (ambulance and fire tender) and the average motor car. In terms of accessibility for emergency vehicles, the proposal is within the statutory building regulation distance of 45 metres to all parts of the building from the new road. HCC Highways have studied this swept path analysis and have raised no concerns.
- 7.8.5 With respect to Public Rights of Way (PROW), there are a number of footpath routes within the vicinity of the site; "Stevenage 086" connects Old Chantry Lane to the footpath on the northern side of Stevenage Road and also connects to "Stevenage 085" which borders the site to the south and itself connects to the Corey's Mill interchange at Junction 8 of the A1(M).
- 7.8.6 The proposed development does not seek to alter or impede these existing PROW but does make provision for a new connection at the south of the site to improve pedestrian and cycle access to the site. As such, HCC Highways has recommended an informative be attached if permission were to be granted. This informative will require the applicant to liaise with the County Council's Rights of Way Section to ensure that the routes remain unobstructed, are safe to use (including during the construction phase) and are not deteriorated as a result of development. Any adverse effects to the routes will need to be made good by the applicant and agreed by the County Council.
- 7.8.7 Looking at traffic generation, the applicant's transport consultant has produced a transport assessment which monitored existing site traffic generation using the TRICS (Trip Rate Information Computer System) (7.7.4) database. The site has been classified within TRICS as "07-Leisure-J-Equstrian Centres" within edge of town and freestanding locations in terms of residential development. The outcome of the modelling through TRICS is as follows:

	Existing Two-way trips	Proposed two-way trips	Net Traffic Gain
Morning Peak 0800 - 0900	3	8	5
Evening Peak 1700 - 1800	3	9	6
Daily Total	51	83	32

- 7.8.8 HCC Highways have assessed this data and advise that this increase in trip generation would not have an unreasonable impact on the safety and operation of the adjoining highways and therefore raise no concerns or objections in this regard.
- 7.8.9 At present it is acknowledged that the site is not considered to be in a highly sustainable location. However, the new footpath link will improve pedestrian and cycle routes and under planning permission reference number 19/00123/FPM that developer entered into a section 106 legal agreement to provide a new bus stop outside their site which is

approximately 800m from the site under consideration. Additionally the developer of this nearby site has also agreed to enter a section 278 agreement of the Highways Act 1980 to provide a toucan crossing and footpath widening across the bridge in Fishers Green. These improvements will encourage a modal shift away from the private motor vehicle and increase the sustainability of the development.

- 7.8.10 Turning to construction traffic and associated activities, to ensure these do not prejudice the safety and operation of the highway network, conditions would be imposed if permission were to be granted. These conditions would require the applicant to provide a suitable access road for construction traffic as well as submit a Construction Management Plan. The details of this Management Plan will need to be agreed by the Highways Authority prior to the commencement of development works on site.
- 7.8.11 In summary, subject to the imposition of conditions, the proposed development as advised by Hertfordshire County Council would not have a detrimental impact on the safety and operation of the highway network.

7.9 Trees and Landscaping

- 7.9.1 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.
- 7.9.2 The development contains 26 small to medium individual and groups of trees and some perimeter hedging. The submitted Arboricultural Impact Assessment (AIA) advises that the overall quality of the trees on site is modest and most are self-seeded or have a poor overall form. Many of the trees are also in close proximity to buildings and have therefore failed to thrive. Using the industry standard BS 5837:2012, ("Trees in Relation to Design, Demolition and Construction - Recommendations" which details the steps that should be taken to ensure that trees are appropriately and successfully retained when development takes place) three trees have been classified Category B and the remaining trees as Category C.
- Category B - trees of moderate quality with an estimated remaining life expectancy of at least 20 years.
 - Category C - trees of low quality with an estimated remaining life expectancy of at least 10 to 20 years, or young trees with a stem diameter below 150mm
- 7.9.3 It is proposed to remove 21 trees, all of which are Category C trees. These trees are all located within the built footprint of the development or located within close proximity to the proposed development such that their long term survival would not be sustainable. Following consultation with the Council's Arboricultural Manager, he has not raised any concerns at the time of writing this report.
- 7.9.4 As the site is adjacent to the East Coast Mainline railway, Network Rail were consulted and advised that it is imperative that planting and landscaping schemes near the railway boundary do not impact on operational railway safety. Certain broad leaf deciduous species should not be planted adjacent to the railway boundary. Any hedge planted adjacent to the railway boundary fencing for screening purposes should be placed so that when fully grown it does not damage the fencing, provide a means of scaling it, or prevent Network Rail from maintaining its boundary fencing. The list of species that are acceptable and unacceptable for planting in proximity to the railway boundary as directed by Network Rail will be added as an informative if planning permission is granted.
- 7.9.5 To the north of the site, and in order to compensate for the trees to be removed, it is proposed to plant an extensive wild flower meadow as shown on the submitted site layout plan 14043-P030-R, which will greatly enhance the visual amenities of the site and the

Green belt and will act as buffer between the site and the retained paddock area and A602 beyond.

- 7.9.6 Whilst the application has not been accompanied by a detailed landscaping strategy, this would be conditioned should permission be granted. In this regard, the Arboricultural Manager, and Network Rail, would be fully consulted to ensure a satisfactory appearance is achieved to enhance the visual amenities of the Green Belt with no detriment to the adjacent Network Rail owned mainline railway.
- 7.9.7 Subject to the submission of a detailed landscaping strategy, the proposed tree works and landscaping scheme are considered acceptable at this time given the trees to be removed are not of significant value. The replacement planting will need to include tree planting along the new road and soft landscaping to dwelling frontages to contribute to creating a verdant setting that would be appropriate in its Green Belt setting. To ensure a satisfactory outcome, suitably worded conditions for the landscaping strategy and future management plans will be imposed on any decision issued if planning permission is granted.

7.10 Ecology, Biodiversity and Protected Species

- 7.10.1 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
- 7.10.2 The application site is identified as brownfield land and currently comprises of equestrian buildings with associated hardstanding, bare ground and some grazed fields, some trees and shrubs, conifer hedges, hedgerows and scrub. The applicant has undertaken a Preliminary Ecological Study to assess the habitats present within the site and to assess the potential for the site to support protected and notable species.
- 7.10.3 The survey comprised a desk top study from Hertfordshire Biological Records Centre and from the multi-agency Geographical Information for the Countryside (MAGIC) along with Ordnance Survey and Aerial imagery. A field survey was also undertaken along with a Bat Survey and Great Crested Newt Survey.
- 7.10.4 The survey concluded that all areas identified were of low ecological value and the buildings provide unsuitable roosting places for bats. No rare or uncommon wild plant species were identified; the grazed grassland habitats support only common and widespread ruderal species that are typical of disturbed, bare ground. Overall, the site is considered to be poor for invertebrates, as due to the dominance of buildings, hard-standing and disturbed bare ground habitats. There are no specific habitat features, such as wetland, woodland or dead wood, that could offer habitats to invertebrates. There are no ponds or standing waterbodies within the site or close to the site boundaries to provide

habitats for amphibians. The site is not considered to offer suitable habitat to reptiles. Swallows and house sparrows are present and are nesting within the site. Active swallow nests were noted within the stables and house sparrows are suspected to have nested within Building 10 and/or Building 12. A family of young house sparrows were seen on and around these buildings. The grassland habitats are unsuitable for ground-nesting species such as the skylark. No bats or evidence of bats were found during the survey. All of the buildings have been assessed as having negligible bat roost potential as the majority of the buildings have no loft space, and are of simple construction, with no obvious features that bats may use for shelter. No evidence of badgers was noted during the survey. The site is considered to offer poor habitat to hedgehogs, although the garden, hedgerow and areas of scrub may offer some shelter to this species.

- 7.10.5 The proposed development will not result in any impacts on habitats of 'principal importance' and the majority of the habitats (buildings, hard-standing, bare ground and improved grassland) are considered to be of negligible or low ecological value. Loss of the existing garden, some semi-mature trees and scrub is unlikely to result in any ecological impacts beyond the site level.
- 7.10.6 Herts and Middlesex Wildlife Trust have assessed the application and the submitted ecological report and raised no concerns. They requested that, in accordance with the recommendations in the ecological report and to secure an enhancement to biodiversity in accordance with NPPF (2021), integrated bat and bird boxes and hedgehog highways should be conditioned as part of the decision.
- 7.10.7 The Government's release of the Environment Bill foretold of a future legal requirement which will be placed on developers to provide a 10% net gain in biodiversity as part of any development; this has been adopted into the Council's Biodiversity SPD (2021).
- 7.10.8 A Biodiversity Impact Assessment was conducted, using the Biodiversity Metric 3.0. The Biodiversity Metric 3.0 updates and replaces the beta Biodiversity Metric 2.0 (JP029) published in 2019. Biodiversity Metric 3.0 is a biodiversity accounting tool that can be used for the purposes of calculating biodiversity net gain. The calculation ascertains whether the proposals achieve a net gain in biodiversity, calculated as biodiversity units and percentage biodiversity units.
- 7.10.9 The result of the calculation is a net gain in biodiversity, both for habitats and hedgerows. The total net unit change in habitats is +2.13 habitat units and +0.51 hedgerow units whilst the total net % change is +97.61% habitat units and +233.83% hedgerow units. Given these figures, the proposals deliver significant biodiversity net gain and are therefore acceptable in this regard as the requirements of chapter 15 of the NPPF (2021) and the Council's Biodiversity SPD (2021) are considered to be met.

7.11 Impact on the Environment

Contaminated Land

- 7.11.1 The application site currently comprises an equestrian centre with stables, storage units, menagerie and other associated buildings. Therefore, the potential risk for contaminants being identified on the site is very low. However, there is always the potential that contaminants could have found a pathway into the application site.
- 7.11.2 Given the above, if permission was to be granted, a condition should be imposed requiring a watching brief be kept during initial site preparation works to identify any potentially contaminated materials likely to be present. If any contaminants are identified, then further conditions would require the applicant at that point to submit a remediation strategy which has to be approved by the Council. With these conditions in place, they would ensure that

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

Groundwater

7.11.3 The site is an area of groundwater sensitivity, being partly within Source Protection Zone 2 (SPZ 2). Therefore, it is recommended that the requirements of the NPPF and Planning Practice Guidance are followed. This means that all risks to ground water and surface waters from contamination need to be identified so that appropriate remedial action can be taken. Therefore, the applicant would be expected to prepare reports and risk assessments in line with the Environment Agency Guidance. In addition, as advised by the Environment Agency, in order to protect groundwater quality from further deterioration:

- No infiltration-based sustainable drainage systems should be constructed on land affected by contamination, as contaminants can remobilise and cause ground pollution;
- Piling, or any other foundation designs using penetrative methods, should not cause preferential pathways for contaminants to migrate to groundwater and cause pollution;
- Decommission of investigative boreholes to ensure that redundant boreholes are safe and secure, and do not cause groundwater pollution or loss of water supplies, in line with paragraph 170 of the National Planning Policy Framework.

7.11.4 With regards to drainage, the applicant has confirmed in their Flood Risk and Drainage Assessments that the proposed development will seek to infiltrate surface water run-off to the chalk bedrock and a new infiltration basin at the southern end of the site. The base of this infiltration basin will be a minimum of 1m above existing groundwater levels. However, in order to protect ground water from any future infiltration drainage systems, a condition would be imposed to any permission issued.

7.11.5 In the event that infiltration is unfeasible, the alternative drainage strategy is to discharge to the Anglian Water sewer on Chantry Lane. This would involve attenuating surface water into the infiltration basin prior to pumping to the existing outfall. Anglian Water were consulted and required additional information on the proposed downstream defender and to request a condition be imposed to seek an intrusive ground investigation. The applicants subsequently provided the downstream defender information and Phase I and Phase II Environmental Reports. Anglian Water assessed this information and confirmed they were satisfied with the reports and raised no concerns.

Air Quality and Pollution

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

7.11.7 Looking at air quality and air pollution specifically, the development is not located within, or in close proximity to, an Air Quality Management Area (AQMA) with the nearest AQMA being located in the district of North Hertfordshire. However, this AQMA is over 3.5km from the application site. In terms of the impact of the development on air quality, dealing firstly with the construction phase of development, it is noted there would be a number of activities which will affect local air quality. These include dust emissions and exhaust emissions from plant, machinery and construction traffic.

7.11.8 In order to mitigate the construction phase, the applicant would need to implement a Dust Management Plan which will include the recording of any complaints and to identify causes

in order to take action. They will also need to plan the site layout to ensure machinery and dust causing activities are located away from receptors as far as possible. During construction, solid barriers or screens should be erected around dusty activities. If permission were to be granted, a condition would be imposed requiring the applicant to submit a detailed construction management plan. This would look in more detail at the routing of construction traffic, location and storage of materials along with further details of site hoardings and location of any wheel washing facilities which would be required. This is to ensure that the development does not result in having a detrimental impact on the amenities of nearby residents or commercial/industrial operators. A condition will be imposed on any decision issued should permission be granted to ensure a suitable and appropriate Dust Management Plan is submitted and approved.

7.11.9 In terms of air pollution, an air quality assessment has not been carried out, however the site is rural in nature with no extensive commercial activities in close proximity. Whilst the site borders the railway line and the A602 highway runs to the north of the site, the proposed landscaping measures are considered acceptable to prevent harm to future occupiers by way of air pollution levels. The Council's Environment Health Officers have assessed the application and have not raised any concerns or requested any additional information/reports to be commissioned.

Sustainable Construction and Climate Change

7.11.10 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.

7.11.11 Whilst no details have been included with the submission of the application, a condition can be used to seek full details of both climate change adaptation measures and energy efficiency details.

7.12 Flood Risk and Drainage Strategy

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

7.12.2 The proposal includes two options for drainage. Option 1 proposes to drain the access road through road gullies to a conveyance swale for part of the access road while the remainder will drain direct to the surface water network. Permeable paving is proposed on driveways/parking areas. A downstream defender is proposed before the infiltration basin with sediment fore bays. The basin will comprise 440m³ of storage. Option 2 proposes the same principles up to the basin where it will instead be an attenuation basin, and a surface water pump after the basin will discharge at 2l/s back up the access road to an existing

combined sewer near the access to the site. This combined sewer will discharge to the Anglian Water foul water sewer between manholes AWMH 9700 and AWMH 9801.

- 7.12.3 Following consultation with Hertfordshire County Council as Lead Local Flood Authority (LLFA), they consider the proposed drainage scheme to be unacceptable. They have advised that infiltration as a primary method of drainage is unacceptable in principle and evidence of on-site BRE Digest 365 Infiltration tests are required, including indication of groundwater levels. They require additional infiltration tests to be carried out.
- 7.12.4 They further advise that the alternative strategy of discharging to Anglian Water sewers is less sustainable and note that Anglian Water noted "a surface water connection to an Anglian Water owned foul sewer is not permitted". However, it should be noted that Anglian Water have assessed the application and the additional Phase I and Phase II Environment Reports and downstream defender information and raised no concerns about this proposed option.
- 7.12.5 At this time, the LLFA advise that a feasible discharge mechanism has not been provided and they would prefer an above ground SuDS management and treatment strategy in place through permeable paving, swale and filter drains. It should be noted that swales and permeable paving have been included in the proposed development.
- 7.12.6 The LLFA comments were received around the same time as the Phase I and Phase II reports were submitted so they were contacted to determine if these additional reports had been taken into account. The officer confirmed that Phase I had but not Phase II although they advised that the Phase II report did not appear to include information regarding infiltration tests.
- 7.12.7 The applicant has advised that additional on-site tests are to be carried out on site w/c 22 November 2021. Once the new information has been received this will be sent back to the LLFA for further consideration.
- 7.12.8 As members are aware, the LLFA are currently under extreme pressures and response times are currently delayed. At the time of drafting this report, the LLFA were re-consulted on the amended drainage strategy and Flood Risk Assessment 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 appropriate worded conditions are to be imposed to ensure an acceptable drainage strategy can be delivered as part of this development
- 7.12.9 In addition to the above, it is also recommended that delegated powers are given to the Assistant Director of Planning and Regulatory in conjunction with 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.
- Waste Disposal
- 7.12.10 Thames Water were consulted and raised no concerns. They requested an informative be added to any decision issued to advise the applicant of the need for a permit from Thames Water to discharge into a Thames Water owned sewer.

Surface and Foul Water

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

7.13 CIL

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

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

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

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

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

7.14 Equalities Impact Statement

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

7.14.2 When considering proposals placed before Members it is important that they are fully aware of and have themselves rigorously considered the equalities implications of the decision that they are taking.

7.14.3 Rigorous consideration will ensure that proper appreciation of any potential impact of that decision on the Council's obligations under the Public Sector Equalities Duty. As a

minimum this requires decision makers to read and carefully consider the content of any Equalities Impact Assessment (EqIA) produced by officers.

- 7.14.4 The Equalities Act 2010 requires the Council when exercising its functions to have due regard to the need to (a) eliminate discrimination, harassment, victimisation and other conduct prohibited under the Act; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and (c) foster good relations between persons who share protected characteristics under the Equality Act and persons who do not share it. The protected characteristics under the Equality Act are: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion and belief; sex and sexual orientation.
- 7.14.5 It is not considered that the loss of the riding stables and riding school would have an adverse impact on any of the aforementioned protected characteristics or persons as there are other equestrian services available in the area to meet their needs.
- 7.14.6 In terms of inclusive access, in accordance with Policy HO11 (Accessible and Adaptable Housing) of the 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. A condition will be imposed on any decision granting planning permission to ensure this is delivered.

7.15 Other Matters

Crime Prevention

- 7.15.1 The Herts Police Crime Prevention Design Advisor (PCPDA) has assessed the application and has raised concerns that the applicant has not made any reference to the NPPF in relation to promoting healthy and safe communities as the development appears to be car reliant. As has been discussed previously in this report, it is the Council's belief that the applicant has made efforts to address the sustainability of the site by way of improving access to the public rights of way. Further, the new bus route and bus stop being provided by another developer in the vicinity will improve the sustainability. Additionally, HCC Highways raised no substantive concerns about the pedestrian and bicycle access at the site.
- 7.15.2 The PCPDA also raised concerns about the bicycle storage being within the garage and not a freestanding secure unit within the garden. In this regard, it is the Council's response that new garages are requested to be 6m long in order to accommodate the parking of a vehicle and additional storage in line with the Council's Parking Provision SPD (2020) and HCC's Manual for Streets. However, a condition will be imposed on the decision if permission is granted to request full details of the cycle storage.
- 7.15.3 Concerns were also raised regarding the location of waste and recycle bins and that no details have been provided to show these receptacles will be stored within secure units. As above, this can be secured by way of a condition.

Waste and Recycling

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

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

8. CONCLUSIONS

- 8.1 In summary, the principle of development is considered to be acceptable as it would help the Council to meet its housing requirement over the local plan period. It is not considered that the proposed intensification of use and impact on visual openness would result in substantial harm when weighed against the benefits of reduced hard standing, reduced footprint and the positive landscaping interventions proposed. Having regard for the aforementioned assessment of the proposal, the creation of 17 dwellings, which whilst exceeding the 5 dwelling quota under Policy GB2(a), it would accord with that policy in that the development would be on previously developed land. In addition, it has been found to be an acceptable level of infill development which will have a less than substantial impact on the Green Belt. Further it would assist the Council in meeting its HDT and affordable housing targets. Therefore, the development is considered to comply with exception 149(g) and Policy GB2 of the Local Plan and would be acceptable development within the Green Belt.
- 8.2 In addition to the aforementioned, the failure of the Council to meet its HDT and the subsequent presumption in favour of sustainable development is a key material consideration in the assessment of this application. This policy position tilts the planning balance in favour of the application. The provision of 17 aspirational dwellings would have a great economic benefit during the construction phase, and future occupiers would be likely to contribute to local services and facilities, which, as the scheme is for 17 dwellings, and provision of 6 affordable housing units off-site (or a financial contribution in lieu for 6 units within Stevenage if the Council do not purchase the site), these benefits would be fairly reasonable and further weigh in favour of the development. Finally, the benefits of the development from a reduction in the amount of hardstanding and footprint across the site together with the substantial amount of landscaping proposed, including an extensive wild flower meadow result in a conclusion that the proposed development is acceptable in land use policy terms and would have a less than substantial impact on the Green Belt.
- 8.3 With regards to sustainability, whilst the existing site could not generally be categorised as being in a sustainable location for non-car modes of transport at present, the improvements to be made together with the new bus stop to be provided by another nearby development, it is considered, on balance, that the site will become more sustainable after completion than at present and would therefore be acceptable in this regard. Further, the owner of the riding stables has confirmed that they will soon cease trading. In this regard, the site is considered a brownfield site and previously developed land, which, through the redevelopment under consideration would regenerate an underperforming area and make good use of, and maximise the use of, a brownfield site as encouraged under the NPPF.
- 8.4 In terms of design, the overall building heights and variation of architectural detailing on the residential properties combined with the pepper potting of the various properties across the development site would help to add variety and interest in the street scene. It is considered that the proposed development, combined with its overall benefits, would not substantially harm the longer views from Todds Green or the Green Belt. The development has been designed to a high standard, a clearly defined street layout and high quality areas of green infrastructure. The dwellings themselves, due to the variation of architectural design and being pepper potted across the development with varying widths, helps to add variety and interest into the architectural form.
- 8.5 With regards to impact on residential amenity, due to levels of separation between the application and the residential properties in Todds Green, it is not considered the proposal residential development would harm the amenities of residents in the hamlet of Todds

Green. In relation to the amenities of future residents, all of the residential properties across the development would have acceptable living standards in terms of outlook, privacy, sunlight and daylight, private amenity space, internal floorspace standards and impact from noise. Moreover, whilst the development would result in the loss of the riding school and equestrian usage, it is not deemed to land which is of high quality and it is considered that the overall benefits of the development outweigh this loss.

- 8.6 Looking at the impact on the highway network, the development would not prejudice the safety and operation of the highway network and in relation to parking, the level of parking provided is broadly in accordance with the Council's Standards. Finally, issues relating to contamination, impact on the environment, trees, wildlife, surface water drainage, affordable housing, and development contributions can be satisfactorily addressed through conditions or a S106 legal agreement. Accordingly, it is recommended that planning permission be granted.

9. RECOMMENDATIONS

- 9.1 That planning permission be GRANTED subject to the applicant having first entered into a S.106 agreement to secure/provide contributions towards:-

- A financial contribution in lieu towards the provision of affordable with the Borough of Stevenage, or, in the event the Council purchases the application site, the development would deliver six affordable housing units at Dunn Close;
- Local Training Fund (if no local residents employed in the construction phase);
- Highway works
- Section 106 Monitoring fees.

- 9.2 The final detail of which would be delegated to the Assistant Director of Planning and Regulation in liaison with the Council's appointed solicitor. In addition, the imposition of suitable safeguarding conditions, with authority given to the Assistant Director of Planning and Regulation in consultation with the Chair of Planning Committee, to amend or add to the suggested draft conditions set out in this report, prior to the decision notice being issued, where such amendments or additions would be legally sound and most effectively deliver the development that the Planning Committee has resolved to approve.

- 9.3 That the proposal be subject to the following conditions:-

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: FIG D_3 PUMPING STATION LAYOUT; 14043_P027C LOCATION PLAN; 14043_P030R SITE PLAN; 14043_P031K HOUSE TYPES; 14043_P037B SITE AREAS; 14043_P038A SITE SECTIONS; ID-200-PLAN - EXISTING SITE PLAN; 14043_P035C House Type 2; 14043_P034D House Type 1;
REASON:- For the avoidance of doubt and in the interests of proper planning.
- 2 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON:- To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).
- 3 The materials to be used in the construction of the external surfaces of the dwellings hereby permitted shall be as per the approved plans and documents to the satisfaction of the Local Planning Authority unless otherwise agreed in writing by the Local Planning Authority.

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

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

The Construction Management Plan shall include the following additional matters;

- 1) Construction vehicle numbers, type, routing;
- 2) Access arrangements to the site;
- 3) Traffic management requirements;
- 4) Construction and storage compounds (including areas designated for car parking, loading/unloading and turning areas);
- 5) Siting and details of wheel washing facilities;
- 6) Cleaning of site entrances, site tracks and the adjacent public highway;
- 7) Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times;
- 8) Provision of sufficient on-site parking prior to commencement of construction activities;
- 9) Post construction restoration/reinstatement of the working areas and temporary access to the public highway;
- 10) where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements.
- 11) Demolition and construction works between the hours of 0730 and 1800 on Mondays to Fridays and between the hours of 0800 and 1300 on Saturdays only (These times relate to works which are audible at the boundary)
- 12) hours of construction operations including times of deliveries and removal of waste;

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

- 5 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.

- 6 Prior to the first occupation of the development hereby permitted the vehicular access shall be provided 5.0 m wide complete with a minimum 8.0 m radius kerb to the southern side of the carriageway and thereafter retained at the position shown on the approved drawing number 14043-P030-R and include a pedestrian link from the development to the existing footway network as shown on drawing 5565 / 002 revision A 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.

- 7 Prior to the first occupation of the development hereby permitted, details of secure cycle parking provision and bin storage shall be submitted to and approved in writing by the Local Planning Authority. The secure cycle parking facility shall thereafter be implemented in accordance with the approved details.

REASON:- To ensure there is sufficient secure cycle parking provision in order to encourage a mode shift from the private car.

- 8 Prior to the first occupation of the development hereby permitted the car parking spaces as detailed on Drawing number 14043-P030-R 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.
- 9 No development above slab level shall take place until details of the [siting, type and specification of Electric Vehicle Charging Points (EVCPs), the energy sources and the strategy/management plan for supply and maintenance of the EVCPs] shall be submitted to and approved in writing by the Local Planning Authority. All EVCPs shall be installed in accordance with the approved details prior to occupation of each of the units and permanently maintained, and retained, unless otherwise agreed in writing by the Local Planning Authority.
REASON:- In order to provide facilities to charge electric vehicles and to help reduce the impact of vehicle emissions on the local environment.
- 10 No development shall take place (including demolition and site clearance) until a detailed surface water drainage scheme for the site has been submitted to and approved in writing by the Local Planning Authority. The drainage strategy should demonstrate the surface water run-off generated up to and including 1 in 100 year + climate change critical storm will not exceed the run-off from the existing 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.
- 11 The development hereby permitted shall be carried out in accordance with the approved surface water drainage assessment in condition 10 and the following mitigation measures:
- 1) Limiting the surface water run-off generated by the critical storm events so that it will not exceed the surface water run-off rate of 2 l/s during the 1 in 100 year event plus 40% climate change event.
 - 2) Providing storage to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event providing a minimum of 440m³ (or such storage volume agreed with the LLFA) of storage volume in attenuation storage within a basin, swales and permeable paving to provide inception storage and water quality benefits.
 - 3) Discharge of surface water from the private network into the Anglian 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.

12 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.

13 No development above slab level shall take place until details of measures to address adaptation to climate change and energy efficiency in line with Policy FP1 of the Stevenage Local Plan (2019) and which should exceed the relevant Building Control Regulations have been submitted to and approved in writing by the Local Planning Authority. These measures shall then be implemented and permanently maintained in accordance with the approved details.

REASON:- To ensure the development is adaptable to climate change through provision of energy and water efficiency measures.

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

REASON:- To ensure protection of the natural environment

15 No development shall take place above slab level until details of the 9 integrated swift boxes, 8 integrated bat boxes and hedgehog highways are submitted to and approved in writing by the local planning authority. These features must be integrated into the brickwork of the development and located in the most appropriate locations to ensure occupation. They shall be fully installed prior to occupation and retained as such thereafter.

Reason:- To conserve and enhance biodiversity in accordance with NPPF

16 No development shall take place above slab level until there has been submitted to and approved by the Local Planning Authority a scheme of soft and hard landscaping and details of the treatment of all hard surfaces and boundaries. The scheme shall include details of the following:

1. All existing trees and hedgerows on the land and details showing all trees to be removed, or retained;
2. Details of all new planting to take place including species, size, quantity, location and method of planting;
3. Details of all boundary treatments including type, size, positions, heights and materials;
4. Details of any street furniture
5. Details of tree pit designs and root protection measures;
6. Details of all hardsurfacing areas to include type, size and materials;
7. Details of the wild flower meadow

Soft landscaping details will need to take into consideration Network Rail's acceptable and unacceptable planting (see Informative No.8).

REASON:- To ensure a satisfactory appearance for the development

- 17 All planting, seeding and turfing comprised in the approved landscaping details as specified in condition 16 of this approval shall be carried out in the first planting and seeding seasons following the first use of the site or the completion of the development whichever is the sooner.
REASON:- To ensure a satisfactory appearance for the development.
- 18 All hard surfacing and boundary treatments comprised in the approved landscaping details as specified in condition 16 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.
- 19 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.
- 20 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.
- 21 No development (excluding site clearance) shall take place 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.
- 22 No development, including site clearance, shall commence until the trees shown to be retained on the site, as identified on the approved plans, or subsequently approved landscaping scheme, have been protected by fencing or other means of enclosure in accordance with BS:5837:2012. Such protection shall be maintained until the conclusion of all site and building operations.
REASON:- To ensure that the retained trees are not damaged or otherwise adversely affected during site operations.
- 23 Within the areas to be fenced off in accordance with condition 20, there shall be no stockpiling of any materials or soil, no machinery or other equipment parked or operated, no traffic over the root system, no changes to the soil level, no excavation of trenches, no site huts, no fires lit and no dumping of toxic chemicals will be permitted and no retained trees shall be used for winching purposes.
REASON:- To ensure that the retained trees are not damaged or otherwise adversely affected during site operations.

- 24 All areas of hedges, scrub or similar vegetation where birds may nest which are to be removed as part of the development, are to be cleared outside the bird-nesting season (March - August inclusive) or if clearance during the bird nesting season cannot be reasonably be avoided, a suitably qualified ecologist will check the areas to be removed immediately prior to clearance and advise whether nesting birds are present. If active nests are recorded, no vegetation clearance or other works that may disturb active nests shall proceed until all young have fledged the nest.
REASON:- Nesting birds are protected from disturbance under the Wildlife and Countryside Act 1981 (As amended).
- 25 No development shall take place above slab level until there has been submitted to and approved in writing by the Local Planning Authority in conjunction with Network Rail, details of the treatment of all boundaries including details of any walls, fences, gates or other means of enclosure. The approved boundary treatments shall be completed before the dwellings are occupied.
REASON:- To ensure a satisfactory standard of development in the interests of amenity and that it has an acceptable appearance.
- 26 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 25 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 26.
REASON:- To ensure that the site does not pose any risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is completed.
- 27 In the event that contamination is found at any time when carrying out the approved development that was not previously identified, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historic environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.
REASON:- To prevent harm to human health and pollution of the water environment in accordance with Government policy set out in the National Planning Policy Framework.
- 28 In the event that contamination is found at any time when carrying out the approved development that was not previously identified, as required under condition 24, the approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval in writing of the Local Planning Authority.
REASON:- To prevent harm to human health and pollution of the water environment in accordance with Government policy set out in the National Planning Policy Framework.

- 29 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 in conjunction with Network Rail. There shall be no other sources of external illumination.
REASON:- To minimise pollution of the environment and to safeguard the safety of the adjacent Network Rail mainline railway.
- 30 On completion, the dwellings shall meet the following criteria, either:
- i. with windows open for ventilation or
 - ii. with windows closed and with mechanical purge and background ventilation, sufficient to comply with the current Building Regulations.

		Noise Level (dB)
Daytime Noise (07:00 - 23:00)	Inside living areas	< 35 LAeq, (16 hours)
Night-time Noise (23:00 - 07:00)	Inside bedrooms	< 30 LAeq, (8 hours) < 45 LAmax, Fast

Where mechanical purge ventilation is required to achieve the above standards with windows closed, this shall be designed so as to ensure that the ventilation system itself does not produce unacceptable levels of noise within each dwelling. All schemes for ventilation shall comply with the current edition of Approved Document F to the Building Regulations.

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

- 31 Prior to the approved development hereby permitted first being brought into use, details of the acoustic fencing including the sound insulation values shall be submitted to and approved in writing by the Local Planning Authority. The details shall be in accordance with the "Noise and Vibration Impact Assessment, Land at Courtlands Riding Stables", Report reference J04467R1, dated 7th September 2021 by Sound Planning Ltd. The development shall thereafter be implemented in accordance with the approved details, and shown to be effective, and shall be retained in accordance with those details thereafter.
REASON:- To safeguard the amenities of nearby noise sensitive properties.
- 32 All windows within the dwellings hereby approved shall be glazed with triple glazing as shown on drawings 14043-P034-D and 14043-P035-C and shall be retained in that form thereafter.
REASON:- To safeguard the amenities of the occupiers of the approved dwellings.
- 33 No development shall take place above slab level until a scheme for the provision of adequate water supplies and fire hydrants, necessary for firefighting purposes at the site, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the scheme has been implemented in accordance with the approved details.
REASON:- To ensure adequate water infrastructure provision is made on site for the local fire service to discharge its statutory firefighting duties.
- 34 No works involving excavations shall be carried until the following has been submitted to and approved in writing by the Local Planning Authority in consultation with Affinity Water:
1. An Intrusive Ground Investigation to identify the current state of the site and appropriate techniques to avoid displacing any shallow contamination to a greater depth.

2. A Risk Assessment identifying both the aquifer and the abstraction point(s) as potential receptor(s) of contamination.
3. A Method Statement detailing the depth and type of excavations to be undertaken including mitigation measures to prevent and/or minimise any potential migration of pollutants to public water supply. Any excavations must be undertaken in accordance with the terms of the approved method statement.

REASON:- To avoid displacing any shallow contamination to a greater depth and to prevent and/or minimise any potential migration of pollutants to a public water supply abstraction which can cause critical abstractions to switch off resulting in the immediate need for water to be sourced from another location, which incurs significant costs and risks of loss of supply during periods of high demand.

- 35 Development shall not commence until a construction methodology has been submitted to and approved in writing by the Local Authority. The construction methodology shall demonstrate consultation with the Asset Protection Project Manager at Network Rail. The development shall thereafter be carried out in accordance with the approved construction methodology unless otherwise agreed in writing by the Local Planning Authority.

REASON:-

- 36 The dwellings hereby permitted shall not be occupied until the proposed accesses for vehicles, pedestrians and cyclists have been constructed as detailed on the approved drawings, the existing footway/verge has been reinstated and the new footway link from the site access south, to Stevenage Road has been completed to the current specification of Hertfordshire County Council and to the Local Planning Authority's satisfaction.

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

- 37 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).

PRO-ACTIVE STATEMENT

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

INFORMATIVES

1 Community Infrastructure Levy

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

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

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

2 **Building Regulations**

To obtain advice regarding current Building Regulations please contact Hertfordshire Building Control Ltd. by emailing us at building.control@hertfordshirebc.co.uk or phoning us on 01438 879990.

To make a building regulations application please apply through our website portal at <https://www.hertfordshirebc.co.uk/contact-us/> payment can be made online or by phoning the above number after the application has been uploaded. Please phone Hertfordshire Building Control for fees guidance on 01438 879990.

Hertfordshire Building Control can also be contacted by post at Hertfordshire Building Control Ltd, 4th Floor, Campus West, Welwyn Garden City, Hertfordshire, AL8 6BX.

Once a building regulations application has been deposited with relevant drawings and fee building work may commence. You will be advised in their acknowledgement letter of the work stages we need to inspect but in most instances these are usually:

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

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

3 **Hertfordshire County Council as Highways Authority**

Parking and Storage of materials: The applicant is advised that all areas for parking, storage, and delivery of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx> or by telephoning 0300 1234047.

- 4 **Hertfordshire County Council as Highways Authority**
Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website:
<http://www.hertfordshire.gov.uk/services/transtreets/highways/> or by telephoning 0300 1234047.
- 5 **Hertfordshire County Council as Highways Authority**
Debris and deposits on the highway: It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made up carriageway, or any or other debris on a highway to the interruption of any highway user. Section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.
- 6 **Hertfordshire County Council as Highways Authority**
The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/businessanddeveloper-information/development-management/highways-developmentmanagement.aspx> or by telephoning 0300 1234047.
- 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. Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.
- 8 **Network Rail**
It is imperative that planting and landscaping schemes near the railway boundary do not impact on operational railway safety. Where trees and shrubs are to be planted adjacent to boundary, they should be position at a minimum distance greater than their height at maturity from the boundary. Certain broad leaf deciduous species should not be planted adjacent to the railway boundary. Any hedge planted adjacent to the railway boundary fencing for screening purposes should be placed so that when fully grown it does not damage the fencing, provide a means of scaling it, or prevent Network Rail from maintaining its boundary fencing. Below is a list of species that are acceptable and unacceptable for planting in proximity to the railway boundary;
Acceptable:

Birch (Betula), Crab Apple (Malus Sylvestris), Field Maple (Acer Campestre), Bird Cherry (Prunus Padus), Wild Pear (Pyrus Communis), Fir Trees - Pines (Pinus), Hawthorn (Cretaeagus), Mountain Ash -Whitebeams (Sorbus), False Acacia (Robinia), Willow Shrubs (Shrubby Salix), Thuja Plicatat "Zebrina".

Not Acceptable:

Acer (Acer pseudoplatanus), Aspen - Poplar (Populus), Small-leaved Lime (Tilia Cordata), Sycamore -Norway Maple (Acer), Horse Chestnut (Aesculus Hippocastanum), Sweet Chestnut (Castanea Sativa), Ash (Fraxinus excelsior), Black poplar (Populus nigra var, betulifolia), Lombardy Poplar (Populus nigra var, italica), Large-leaved lime (Tilia platyphyllos), Common lime (Tilia x europea).

9 **Herts Police Crime Prevention Design Advisor**

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

10. **BACKGROUND DOCUMENTS**

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