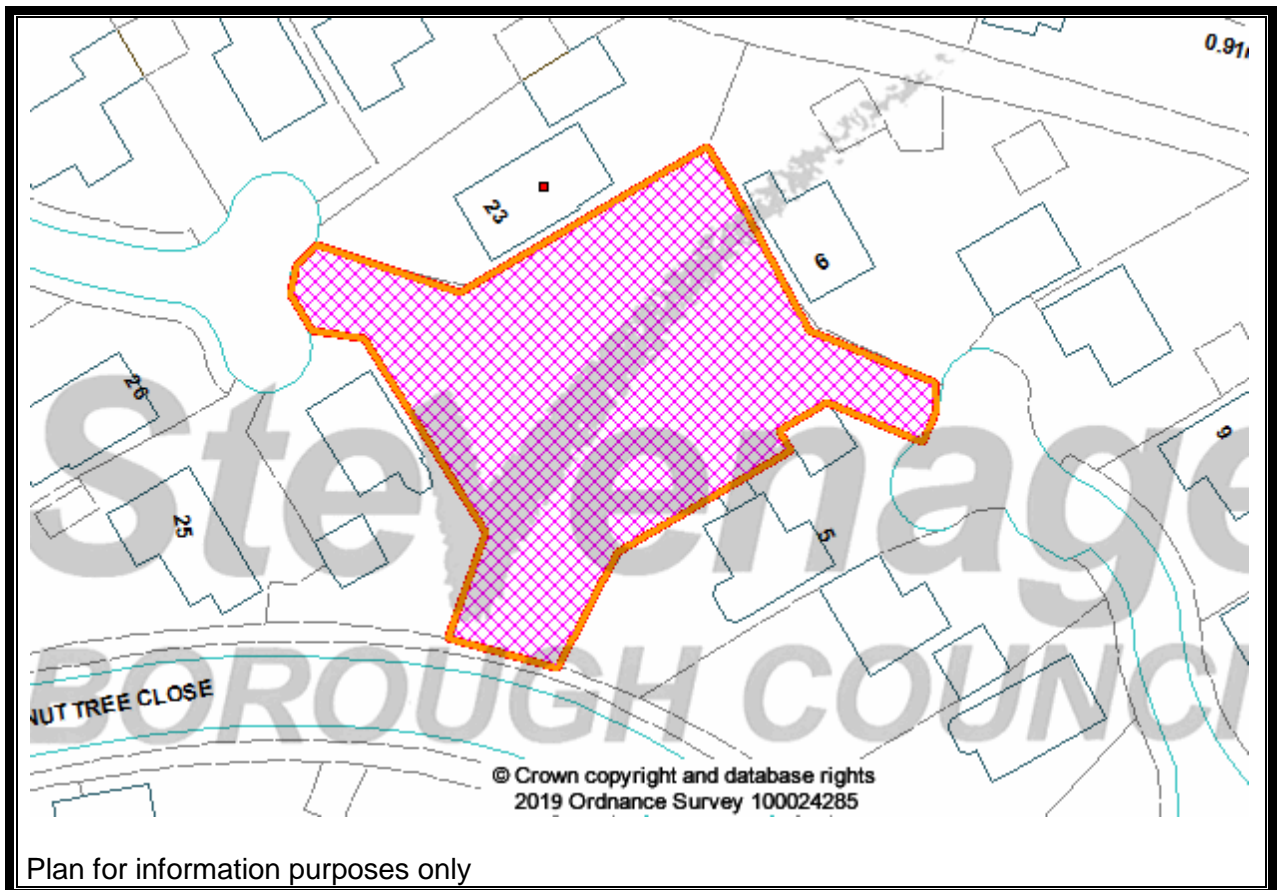

Meeting:	Planning and Development Committee	Agenda Item:
Date:	9 December 2021	
Author:	Rebecca Elliott	01438 242836
Lead Officer:	Zayd Al-Jawad	01438 242257
Contact Officer:	Rebecca Elliott	01438 242836

Application No:	21/00057/FP
Location:	Land at Watercress Close, Coopers Close and Walnut Tree Close, Stevenage.
Proposal:	Erection of two detached dwelling houses including new site access from Watercress Close and 560sqm of publicly accessible open space to the south of the site.
Drawing Nos.:	1802-P-01-0000-ZXX; 1802-P-01-0003-ZXX-06; 1802-P-01-0100-Z00-04; 1802-P-01-0101-Z00-04; 1802-P-01-0102-Z00-04; 1802-P-01-0103-Z00-04; 1802-P-01-0110-Z00-04; 1802-P-01-0111-Z00-05; 1802-P-01-0112-Z00-04; 1802-P-01-0113-Z00-05; 1802-P-01-0120-Z00-04; 1802-P-01-0121-Z00-04; 1802-P-01-0002-ZXX-07; 1802-P-01-0001-ZXX-08; AVAL/91326/VS/001-C.
Applicant:	SER Homes Ltd
Date Valid:	1 February 2021
Recommendation:	GRANT PLANNING PERMISSION.



1. SITE DESCRIPTION

- 1.1 The application site is a diamond shaped area of open space in private ownership which is located between and at the end of the cul-de-sacs of residential roads Coopers Close and Watercress Close. To the south, the site is bounded by Walnut Tree Close. The open space has small spurs at the western, eastern and southern corners providing pedestrian access from each road and is predominantly laid to grass with landscaping banks located along the boundaries with those residential properties that abut the site.

2. RELEVANT PLANNING HISTORY

- 2.1 19/00002/FP sought planning permission for the erection of 3 detached dwellings with associated access and car parking. The application was withdrawn following an officer recommendation to refuse.
- 2.2 An Enforcement Notice was served on the owner of the site for the unauthorised erection of 2m high hoarding enclosing the open space between all three connecting roads (ref: 20/00102/ENFAPL). The notice was appealed and the appeal dismissed as the Inspector found the hoarding to be permitted development, and the land private and thus able to be closed off.

3. THE CURRENT APPLICATION

- 3.1 The application seeks planning permission for the erection of two detached four bedroom dwellings with associated detached single garages, landscaping, driveway and access. The proposal also includes the provision of an area of publically accessible open space to the north east of the site and dwellings.

3.2 The dwellings would be accessed off of the existing turning circle of the cul-de-sac at the south eastern end of Watercress Close. Pedestrian access to the open space would be provided along the boundary with No.24 Watercress Close, with the existing accesses from Coopers Close and Walnut Tree Close retained.

3.3 The application has been referred to the Planning and Development Committee for its decision because of its contentious nature and level of objection. The referral has been agreed with the Assistant Director of Planning and Regulation and the Chair of the committee.

4. PUBLIC REPRESENTATIONS

4.1 The application has been publicised by neighbour letter, including additional amended plan consultations, and the erection of three site notices at each of the site entrances off Walnut Tree Close, Watercress Close and Coopers Close. There have been a total of 54 observations received, 49 objections and 5 letters of support. It is noted some letters of support appear to be from made up names and addresses.

4.2 Notwithstanding, the points in support of the application are –

- The site is privately owned;
- Concerned that if left enclosed it could lead to anti-social behaviour and fly-tipping;
- Level of objection is NIMBYism;
- Proposals are in-keeping with the area;
- Locals should have purchased the land when it came up at auction;

4.3 Objections letters have been received from the following addresses –

1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 13, 14, 15, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31 Watercress Close;
2, 3, 4, 5, 6, 7, 9, 10, 11, 17 Coopers Close;
69 Barham Road;
48 Grove Road;
119 Fairview Road;
5 Milestone Close;
61 Conifer Walk;
37 Parishes Mead;
23 Longfield Road;
72 Carters Close;
41 Knights Templars Green;
78 Priestly Road;
Stephen McPartland MP

4.4 The objections raised include the following points –

- Loss of the open space;
- The area was marked as a 'play area' as part of the original estate layout and is shown on the location plan from the original permission;
- Impact on parking and the highway network of the small cul-de-sac in Watercress Close;
- Need for affordable housing;
- Two houses here won't help housing need with 650 being built nearby;
- Development does not blend with the current houses;
- May devalue house prices;
- New access will cause congestion;
- The open space is important to local residents especially following the COVID pandemic where the need for open space has become more prevalent;
- What's to stop developers doing something similar to other small pockets of land in the area;

- Takes away a green space supporting wildlife in the area;
- The open space is a valuable space for children to play safely;
- Both closes have hedgehogs present which roam over this land. The development will prevent them from doing so;
- Flat roof garages are architecturally out of keeping with the area;
- Access to and from properties is constrained at the hammerhead of Watercress Close and the lamp post relocation is not fully addressed;
- The net gain of two houses is not warranted given the new housing proposed on Forster Country and in East Herts;
- No other open spaces in safe walking distance;
- Suffer months of disruption during construction;
- The proposal fails to meet any requirements in Policy NH6 - The open space is anything less than high quality, it is neither a highway verge nor incidental open space;
- The Council should have installed play equipment on this open space in the 1980's but this never happened;
- It was a legal requirement of the Council and provided Council specification to provide a good quality open space;
- Nearby developments (Parishes Mead) did not provide any open space because of this parcel of land being available nearby at the time;
- Adequacy of parking/loading/turning/road access/traffic generation;
- Construction vehicles would cause an obstruction in the area, in particular around the turning head of Watercress Close;
- Loss of light/overshadowing;
- Loss of privacy to gardens;
- Loss of trees;

4.5 The above comments of support and objection are not verbatim of the representations received and copies of the full representations can be viewed on the Council's website.

5. CONSULTATIONS

5.1 Hertfordshire County Council as Highways Authority

5.1.1 Hertfordshire County Council as local highway authority has considered that the proposal would not have an unreasonable impact on the safety and operation of the adjoining highways and consequently have no objections on highway grounds.

5.2 Hertfordshire and Middlesex Wildlife Trust

5.2.1 The ecological information and biodiversity metric supplied are acceptable. The ecological consultant states that in order to demonstrate a net gain to biodiversity, a biodiversity offset of 0.896 habitat units is required. I agree with this. In accordance with the Stevenage Biodiversity Accounting SPD, this can be provided offsite by the developer in a bespoke scheme, or through a broker, or via a biodiversity financial agreement with SBC. If the applicant decides to pursue the financial agreement with SBC this should be secured via a S106 agreement, template wording is available in the SPD. The low quality of the habitats to be offset enables flexibility in the habitats that can be created to offset the impact. HMWT can provide a calculation based on habitat creation and management costs required to deliver this on SBC land for different habitats if required. SBC must be able to host this offset on their land if they enter into this agreement. It must be supported by a biodiversity offsetting management plan as set out in the SPD. In addition to this, a condition should be placed on the decision to secure integrated features for wildlife in the new development.

5.3 Green Spaces Officer

- 5.3.1 We note the revised development proposals which look to retain circa 56% of the land for open space of 'informal green space'. We also welcome the proposals to retain 'walk through' public access to the remaining open space from Watercress, Coopers and Walnut Tree Close. As per my previous comments for planning submission 19/00002/FP, we do have concerns regarding the precedent that may be set by allowing development of this land. There are a number of open spaces within Stevenage that do not fall under the Council's ownership, but function to provide open / green space within an urban environment. Development of the land may trigger landowners to consider development of other open spaces not under SBC ownership which could impact the availability of open space.
- 5.3.2 If this development is considered for approval, consideration must be given for the future protection of the remaining amenity open space, currently under private ownership, from further development or encroachment (e.g. garden extensions). At this stage there is not enough detail to be able to comment fully on the landscaping proposals for the development. We require full plans, drawings and specifications to be submitted to us for comment and approval. We recommend this be controlled via a condition if the development is considered for approval.
- 5.3.3 Currently there is no clear indication from the developer as to who will be responsible for the maintenance of the retained open space. We require details on the proposals to maintain this space. i.e. transfer to the Council to maintain or a management company. Any areas of landscaping proposed to be adopted by the Council shall be subject to payment of the appropriate maintenance sum for the future maintenance & repairs for a minimum 20 year period. Stevenage Direct Services (SDS) can only calculate these sums with full details. All landscaped / planted areas must be designed to be easily accessible for maintenance.

5.4 Hertfordshire Constabulary as the Crime Prevention Design Service

- 5.4.1 Following my original comments that were submitted on the 11th of February 2021 I have been supplied with a revised site plan. I am pleased to say that the new plan addresses most of the concerns I had with the original application. I would like to request that an 'Informative' is added to any grant of Planning Permission in order to address issues regarding the lack of detail in the Design & Access Statement and the Planning Statement regarding issues around crime etc.
- 5.4.2 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.
Reason: 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.
- 5.4.3 Should the applicant contact us with a view to seeking accreditation then we would be able to fully support this development - at present we are not in a position to do so.

5.5 Council's Environmental Health Section

Noise Impacts

- 5.5.1 Noise is a material planning consideration that can have a significant impact not only on the amenity of residential occupiers, but can also have commercial implications for businesses if not suitably considered and controlled at the planning and development stage. It is therefore essential to ensure that any significant noise sources that could have an adverse noise impact on the amenity of residential occupiers or potentially restrict commercial operations are robustly considered and assessed as appropriate. In considering the potential impacts of

noise on the proposed development, Environmental Health Officers will have due regard to relevant policy, standards and guidance, which include:

- The National Planning Policy Framework (NPPF);
- The Noise Policy Statement for England (NPSE);
- Planning Policy Guidance - Noise.
- Pro-PPG Guidance 2017
- BS4142:2014
- BS8233:2014

Please note that this is not an exclusive list and other standards and guidance may be appropriate in given situations.

Contaminated land

- 5.5.2 A watching brief must be kept during initial site preparation works to identify any potentially contaminated materials likely to be present. In the event contamination is found during site clearance and/or construction phase of the development, undertake an appropriate investigation and provide a remediation strategy for Stevenage Borough Council to agree in writing accordingly.

Construction Impacts

- 5.5.3 Construction activities, both on and off site, by their nature can be noisy and intrusive for neighbouring occupiers, particularly in terms of noise, vibration, air quality (dust), smoke, odour and light. Noise and vibration can arise in particular from piling operations, groundworks and excavations and plant & 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.
- 5.5.4 Environmental Health 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.
- 5.5.5 Environmental Health also seek 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. In the latter case, hours of work for noisy construction works are limited to the following times only:
- 7:30am to 6:00pm on Weekdays
 - 8:00am to 1:00pm on Saturdays
 - At no times on Sundays or Public Holidays

Where considered appropriate due to the scale of the development and construction project, the Developer may be required to formulate and implement a Construction Management Plan.

6. RELEVANT PLANNING POLICIES

6.1 Background to the development plan

- 6.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that the decision on the planning application should be in accordance with the development plan unless material considerations indicate otherwise. For Stevenage the statutory development plan comprises:

- The Stevenage Borough Council Local Plan 2011-2031
- Hertfordshire Waste Development Framework 2012 and Hertfordshire Waste Site Allocations Development Plan Document (adopted 2012 and 2014); and
- Hertfordshire Minerals Local Plan 2002 – 2016 (adopted 2007).

6.2 Central Government Advice

- 6.2.1 A revised National Planning Policy Framework (NPPF) was published in July 2021. This largely reordered the policy substance of the earlier 2012 version of the NPPF albeit with some revisions to policy. The Council are content that the policies in the Local Plan are in conformity with the revised NPPF and that the Local Plan should be considered up to date for the purpose of determining planning applications. The NPPF provides that proposals which accord with an up to date development plan should be approved without delay (para.11) and that where a planning application conflicts with an up to date development plan, permission should not usually be granted (para.12). This indicates the weight which should be given to an up to date development plan, reflecting the requirements of section 38(6) of the 2004 Act.
- 6.2.2 Since November 2018, housing delivery has been measured against the Housing Delivery Test (HDT) as set out by the Government planning policy and guidance. The results of the HDT dictate whether a local planning authority should be subject to consequences to help increase their housing delivery. Where an authority's HDT score is less than 85% of its housing requirement, the Council must incorporate a 20% buffer into its housing supply calculations in line with paragraph 73 of the NPPF. Where an authority's score is below 75%, the Council will be subject to the HDT's most severe penalty and must apply the presumption in favour of sustainable development. The latest HDT results, published by the Ministry of Housing Communities and Local Government (MHCLG) (now the Department for Levelling Up, Housing and Communities) in January 2021, identifies that Stevenage only delivered 64% of its housing requirement. This is significantly below the 75% target and renders the adopted Local Plan housing policies as out of date. Consequently, Stevenage Borough Council must apply the presumption in favour of sustainable development in its decision making and give great weight towards the need to deliver housing.
- 6.2.3 The Council therefore, has to prepare an Action Plan to show how the Council is responding to the challenge of ensuring more homes are delivered in the Borough. It will have to be prepared in accordance with Planning Practice Guidance and analyse the reasons for under-delivery of new homes against the Government's requirements. It also has to set out clear actions on how to improve housing delivery. Consequently, Stevenage Borough Council is considering its position in relation to preparing an action plan to enhance housing supply on deliverable sites.
- 6.2.4 In terms of 5 year land supply, the Council has recently published the Five Year Land Supply Update (August 2021) which reveals that Stevenage has a 5.85 year supply of housing. A copy of the statement is found on:
<https://www.stevenage.gov.uk/documents/planning-policy/monitoring/five-year-housing-land-supply-position-statement-august-2021.pdf>
- 6.2.5 The Council will also be commencing preliminary work into a potential review of its Local Plan, last adopted in May 2019. This is to ensure the policies within the Local Plan are up to date in accordance with the NPPF as well as ensuring the Council is delivering a sufficient supply of housing and employment.

6.3 Planning Practice Guidance

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

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

Policy SP1: Presumption in favour of sustainable development;
Policy SP2: Sustainable Development in Stevenage;
Policy SP7: High Quality Homes;
Policy SP8: Good Design;
Policy SP11: Climate Change, Flooding and Pollution;
Policy HO5: Windfall Sites;
Policy HO9: House Types and Sizes
Policy IT5: Parking and Access;
Policy GD1: High Quality Design;
Policy FP1: Climate Change;
Policy NH6: General Protection for Open Space.

6.5 Supplementary Planning Documents

Council's Design Guide SPD (2009);
Parking Provision and Sustainable Transport SPD (2020)
Developer Contributions SPD (2021)
The Impact of Development on Biodiversity SPD (2021).

6.6 Community infrastructure levy

Stevenage Borough Council adopted a Community Infrastructure Levy Charging Schedule in 2020. This allows the Council to collect a levy to fund infrastructure projects based on the type, location and floorspace of a development. The proposal would be liable for CIL at a rate of £100 per square metre based on the site being a Zone 2 site.

7. APPRAISAL

7.1.1 The main issues for consideration are the acceptability of the proposal in land use policy terms both as a windfall housing site and loss of amenity space, design and impact on the character and visual amenity of the area, amenity of future occupiers, amenity of neighbouring properties, highways, access and parking, and other matters.

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

7.2 Land Use Policy Considerations

Windfall Housing Site

7.2.1 The principle of residential development within urban areas is set out in both national and local policy. Paragraph 60 of the National Planning Policy Framework (NPPF) 2021 requires that a sufficient amount and variety of land come forward for housing without unnecessary delay. Furthermore, Paragraph 62 states that the planning system should deliver a mix of housing particularly in terms of size, tenure, type and price to support a wide variety of households in all areas.

- 7.2.2 Policy HO5 of the Local Plan for 'windfall' housing sites states that permission for unallocated sites will be granted where:
- The site is on previously developed land or is a small, underused urban site;
 - There is good access to local facilities;
 - There will be no detrimental impact on the environment and the surrounding properties;
 - Proposals will not prejudice our ability to deliver residential development on allocated sites; and
 - The proposed development would not overburden existing infrastructure.
- 7.2.3 For the purpose of clarity, the definition of previously-developed land, as stated within the NPPF, is 'that which is or was occupied by a permanent structure including the curtilage of the developed land and any associated fixed surface infrastructure'. The definition then continues on to state which types of land are excluded from this definition which includes land in built-up areas such as private residential gardens.
- 7.2.4 The area of open space, an original design feature of the estate, is not classified as previously developed land or a small underused urban site for the purposes of Policy HO5, thus the proposal fails to meet the initial criterion for a windfall site.
- 7.2.5 The Poplars neighbourhood centre is located to the south west of the site off Gresley Way within approximately 1km. The site is in good proximity of the footpath and cycleway networks along Gresley Way, along with regular buses within 410m of the site. Furthermore, the proposal would not prejudice the Council from delivering its strategic sites.
- 7.2.6 In respect of the impact on the environment and surrounding properties, these issues are addressed later in this response. As identified above the proposal does fail to adhere to adopted policy as the site is not previously developed, but the policy wording does allow for an exception where the environmental impact is acceptable.
- 7.2.7 Policy HO9 requires an appropriate range of market and affordable house types and sizes. The application is not required to provide any affordable housing in line with national and local policy, and thus the dwellings would be private ownership market housing. The four bedroom dwellings are of a size considered in-keeping and appropriate when considering the character of the area. The Local Plan highlights that Stevenage has a high proportion of terraced and three bedroom dwellings, and thus two detached dwellings providing four bedrooms is acceptable in this location.
- 7.2.8 Paragraph 74 of the NPPF stipulates that strategic policies should include a trajectory illustrating the expected rate of housing delivery over the plan period, and all plans should consider whether it is appropriate to set out the anticipated rate of development for specific sites. Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old. The supply of specific deliverable sites should in addition include a buffer (moved forward from later in the plan period) of:
- a) 5% to ensure choice and competition in the market for land; or
 - b) 10% where the local planning authority wishes to demonstrate a five year supply of deliverable sites through an annual position statement or recently adopted plan, to account for any fluctuations in the market during that year; or
 - c) 20% where there has been significant under delivery of housing over the previous three years, to improve the prospect of achieving the planned supply.
- 7.2.9 Turning to Five Year Housing Land Supply, the Council issued an Update Housing Land Supply Document in August 2021. This document was produced following the Appeal Decision for Land West of Lytton Way (APP/K1935/W/20/3255692). It sets out that the

Council can demonstrate a Housing Land Supply of 5.85 years for the period 1 April 2021 to 31 March 2026, using the Liverpool methodology and guidance from the NPPF and Planning Practice Guidance (PPG). Given this position, 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.

- 7.2.10 Notwithstanding the above, 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 74 of the NPPF. Where an authority's score is below 75%, the Council will be subject to the HDT's most severe penalty and must apply the presumption in favour of sustainable development.
- 7.2.11 The latest HDT results, published by MHCLG in January 2021, identify that Stevenage only delivered 64% of its housing requirement. This is significantly below the 75% target and as set out in paragraph 6.2.2 of this report, renders the adopted Local Plan housing policies as out of date. Consequently, Stevenage Borough Council must apply the presumption in favour of sustainable development in its decision making and, in substance, give great weight to the need to deliver housing. It is important to note that the presumption in favour of sustainable development as outlined in the NPPF kicks in if the Council fails either 5 year land supply, or the Housing Delivery Test (footnote 8 of Para. 11 of the NPPF). Therefore, whilst it can be demonstrated there is a 5 year land supply, the Council failed to meet its HDT requirement.
- 7.2.12 Given the aforementioned, as the Council has failed to meet Governments Policy requirement in relation to supporting the delivery of housing in line with HDT, in accordance with the NPPF, as the presumption in favour of sustainable development kicks in, the Council must approve applications for housing development unless its impacts clearly outweigh the benefits. The following sections of this report will, therefore, review the overall impacts this development will have in line with the policies set out in the NPPF and the Local Plan and whether the overall level of harm created by the development outweighs the benefits.

Loss of Open Space

- 7.2.13 The open space is an original design principle of the estate and was annotated on the approved plans of the estate as a play area. However, the space was never transferred to the Council and the original records held by the Council do not include a Section 52 Agreement (now a S106). Until the land was sold at auction the area had been maintained by the Council. However, following the auction several years ago the site is in private ownership and under the Town and Country planning (General Permitted Development) Order 2015 (as amended) Part 2, Class A the three access points to the site were closed off with 2m high hoarding. This was enforced against by the LPA but an appeal to the Planning Inspectorate quashed the notice deeming the development permitted development.
- 7.2.14 Paragraph 119 of the NPPF states that 'planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.' The Council must consider whether the provision of two housing units outweighs the harm of the loss of and impact on the open space.
- 7.2.15 Policy NH6 of the Local Plan for the general protection of open space would allow planning permission of any existing, unallocated open space (or part of any open space) where the loss is justified having regard to
- The quality and accessibility of the open space;
 - The existence, or otherwise, of any interventions to improve quality or access;
 - Whether the open space is serving its function or purpose; and

- Whether alternate space(s) would remain available for community use.
- Furthermore, reasonable compensatory provision should be made in the form of:
- Replacement provision of a similar type, size and quality;
 - The upgrade of other, existing open space; or
 - Exceptionally, a commuted sum to secure open space provision elsewhere.

7.2.16 The Local Plan expands on the policy by suggesting that there is an inevitability that some spaces will come under pressure from development proposals across the life of the plan. Therefore, it is important to ensure that the most valuable open spaces continue to be protected and open spaces only succumb to development where a positive outcome can be demonstrated.

7.2.17 The area of open space is an attractive and well used area of green open space within the estate, and the wider Edmonds Drive area on this eastern side of Stevenage. The Council's Green Spaces officer has previously commented that per 1000 population there should be at least 1.10ha of open space. In the identified Shephall area of the report which covers the Bandle Hill ward, in which the site is located there is only 0.89ha per 1000 population (based on the 2011 census). The shortfall of open space is therefore a material consideration.

7.2.18 Notwithstanding the above, one of the greatest factors in this case is the ownership of the land and its existing enclosure. In private ownership the land has been enclosed with 2m high hoarding under permitted development. Thus, it is not currently being used as open space with the site closed off to members of the public and the maintenance of the land has also ceased with the condition of the land appearing in an overgrown state. The LPA's decision to serve an enforcement notice was largely due to the enclosure of formerly open space. Given the Inspector removed any reference of the loss of access to the open space from the enforcement notice and the notice was subsequently quashed because the hoarding was deemed to be permitted development, the LPA have to give reasonable weight to this decision. Therefore, a planning judgement must be made as to whether the development of the land with two houses and an area of open space made available to the public outweighs leaving the space enclosed without maintenance or access for the foreseeable future.

7.2.19 The loss of the open space in respect of Policy NH6 is noted, along with the proposal to retain an area of open space within the site, albeit smaller in size. Given the open space has been enclosed and is not useable, significant weight is given to the proposal to ensure some level of space is retained and useable. It is noted there may be some covenants on the land but these are not planning matters and cannot prevent a favourable recommendation being made.

7.2.20 In conclusion of the loss of the open space, it is considered the proposed site layout, providing approximately 560 square metres of open space is an acceptable compromise when weighted against the site being enclosed and inaccessible by the public.

7.3 Design, Layout and Impact upon the Character and Appearance of the Area

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

7.3.2 Paragraph 130 of the NPPF sets out a number of requirements for new development, including that development: • will function well and add to the overall quality of an area; • is visually attractive as a result of good architecture; layout and appropriate and effective landscaping; • is sympathetic to local character and history; • establishes or maintains a

strong sense of place; • optimises the potential of the site to accommodate and sustain an appropriate amount and mix of development; • creates places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

7.3.3 Paragraph 134 of the NPPF states that “Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes”.

7.3.4 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.

7.3.5 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.

7.3.6 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.

7.3.7 This section of the report will deal with the relevant characteristics excluding nature and movement. These aspects will be dealt with in the relevant sections of the committee report. In terms of design policies in the adopted Local Plan (2019), Policy SP8 requires new development to achieve the highest standards of design and sustainability. Policy GD1: High quality design 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.

- 7.3.8 The Council's Design Guide SPD (2009) sets out that a high quality environment is essential for providing a good quality of life for residents. A well-designed and managed space not only provides a visually attractive environment, but can also help to ensure that a place is easy to move around and within, is safe and secure, and is useful for all members of the community.
- 7.3.9 The existing locality is characterised by detached family homes, two storey of a red/orange brick and red/brown tile construction. Roof forms typically include bonnet hips, but there are some examples of a gable and cat slide roof feature, with predominantly dark brown fenestration. Properties typically have detached single or double garages to the side of the dwellings.
- 7.3.10 The proposal would see the introduction of two detached dwellings located off the existing informal access of Watercress Close. A new dropped kerb and driveway would be created, along with an informal footpath access to a retained area of open space. Both dwellings would face north-west, similar to No.24 Watercress Close, towards the side elevation of No.23 Watercress Close. The two storey dwellings would be red brick with red tiled roofs, and a small cat slide element on the front elevation. Fenestration detailing would be finished in dark brown.
- 7.3.11 The dwellings are a similar size to those in the adjoining streets, with a maximum ridge height of 8.3m. The neighbouring properties have ridge heights of between 8.1m and 8.3m so this is not out of character. The proposed dwellings have been positioned to face north-west following other options being rejected when considering separation distances and the impact on neighbouring properties amenity levels. This will be discussed in more detail later in this report.
- 7.3.12 The two dwellings are considered to be in-keeping with the local area, with examples of similar style properties in Watercress Close and Coopers Close. The proposals do not seek therefore, to introduce architectural features that are out of keeping with the wider area. The dwellings will visually be new additions to the street scene, but are not considered to have an adverse impact because of their design and layout.
- 7.3.13 The layout of the dwellings takes in to account their orientation on the site, including providing surveillance over the proposed open space to the rear and south-east. Each dwelling would have a detached single garage designed to meet the Council's minimum internal size measurements for new garages. In terms of plot B the positioning of the garage to the south west creates a greater break in built form at this point with No.24. To the east of the site, the dwelling of plot A is lined up to sit directly next to No.6 Coopers Close.
- 7.3.14 The proposed block plan shows the landscaping along the south eastern boundary with the newly proposed footpath access to the open space, as well as to the frontages of the houses. Sufficient car parking and turning spaces have been provided. The use of high quality materials will ensure the dwellings are made to last, with internal layouts making them accessible.
- 7.3.15 The original layout of the estate saw this small area of open space as an area of green between two cul-de-sacs and providing an area of approximately 1500 square metres, mainly laid to grass but with areas of landscaping along boundaries with residential gardens. The provision of two dwellings will undoubtedly impact the character and appearance of the area, in particular views through from Watercress Close to Coopers Close and vice versa. However, with the use of a material palette similar to the existing dwellings in this area, the impact is not considered to be of sufficient harm to warrant a refusal. Officers must also be mindful of the planning balance over the current enclosure and non-use of the land.

- 7.3.16 Consequently, it is considered the proposal would be in accordance with paragraphs 126, 130, 131, 132 and 134 of the NPPF in respect of design and visual impact, Policies SP8 and GD1 – High Quality Design of the Local Plan (2019) and Stevenage Design Guide (2009).

7.5 Impact upon Neighbouring Amenity

- 7.5.1 The Local Plan and Stevenage Design Guide set out the Council's stance on protecting the amenity of existing and future residents. Measures to protect amenity levels include separation distances, development scale sizes and layouts, and undertaking the BRE light tests as necessary.
- 7.5.2 The proposal has been amended to take account of these matters following initial submission of the plans earlier this year. In particular the positioning and orientation of the dwellings have been amended to take account of separation distances between existing and proposed dwellings, for the benefit of both existing and the proposed occupants. Furthermore, the internal layout has been changed to reflect the positioning of non-habitable rooms on those elevations that would have some interaction with neighbouring properties, this particularly relates to the front elevation and No.23.
- 7.5.3 The proposed dwellings would be sited south east of No.23, which faces south west onto the cul-de-sac of Watercress Close, but with the front door located on the side elevation facing the driveway of the property. The property is long and linear in layout with windows predominantly on the front, rear and south western side elevation, with the side elevation facing on to the open space having minimal openings, albeit two secondary windows at ground floor level and two non-habitable windows at first floor.
- 7.5.4 The block plan submitted shows a distance of between 7.6m and 9.6m from the proposed dwellings to the side elevation of No.23. The shorter distance is as measured from the cat slide projection, and the greater distance from the main two storey element of the proposed dwellings. The layout of the dwellings at first floor level is such that the two windows looking on to No.23 serve bathrooms and thus would not cause a loss of privacy from the gardens of No.23. Furthermore, it is not considered there would be a loss of outlook for No.23 in this respect given the orientation of the dwellings.
- 7.5.5 No.24 Watercress Close sits to the south west of the site, in a similar parallel orientation as No.23. The front of the property faces north east on to the cul-de-sac, with windows predominantly on the front, side and rear of the dwelling. The side elevation facing the open space, like No.23, has minimal openings. Plot B, which is closest to No.24 would be sited approximately 10.4m from the side elevation of the existing house, with the garage approximately 4.5m away. The area between No.24 and the proposed garage of plot B being retained for access to the open space proposed to the east of the site.
- 7.5.6 The proposed single garage would have a dual-pitch roof that slopes away from the boundary with No.24, with an eaves height of 2.7m and ridge height of 4.5m. The garage would project beyond the existing rear elevation of No.24 (excluding the conservatory) by approximately 2.7m. Given the proximity of the garage and dwelling from the boundary, as well as the distance beyond the rear elevation, the dwelling and garage at plot B would pass the BRE light tests, and is not considered to cause an adverse impact on the outlook of No.24.
- 7.5.7 The proposed first floor plan of plot B does show Bedroom 4 having a window in the side elevation. This would be at a position such that it overlooks the side elevation of No.24, after its views across the proposed single garage. It is considered the views of the garage and boundary treatments would be of such prominence that wider views to the garden of No.24 would be minimal and thus no loss of privacy is considered adverse in this case.

- 7.5.8 To the east of the site is No.5 Coopers Close, a similarly designed house to the proposals with a cat slide feature with pitched dormer above. The property faces on to the cul-de-sac of Coopers Close with the detached double garage close to the boundary with the open space. There are no windows on the side elevation facing on to the site. The proposed dwellings would be sited approximately 17.5m from the side elevation of No.5. The proposed rear gardens would be 7m deep, with the open space area proposed approximately 7.5m in width from boundary fence to boundary fence. This is an acceptable back to side separation distance, such that the proposal would not result in a loss of privacy to the garden of No.5.
- 7.5.9 The final boundary of the site, to the north east, is with No.6 Coopers Close. This property sits parallel with the site the same as No's 23 and 24 Watercress Close. Plot A is the closest dwelling and it is sited such that it would be approximately 3.4m from the side elevation of No.6, and would sit at its front elevation, in line with the main two storey element of the rear elevation of No.6. The cat slide projection of the proposed dwelling would project beyond this point, but not beyond the single storey element of No.6, and it is also set approximately 7.3m off the boundary so would not impact on the amenity of No.6.
- 7.5.10 In conclusion therefore, the proposals would not cause an unacceptable or adverse impact on the existing amenities of the four adjoining properties, in accordance with the Council's adopted Policy GD1 of the Local Plan and Chapter 5 of the Stevenage Design Guide.

7.6 Amenity of Future Occupiers

- 7.6.1 It is important to ensure existing residents are not adversely affected by new development, but the amenities of any future occupants of the development must also be protected in terms of privacy, outlook and standards of living.
- 7.6.2 As discussed above in section 7.5 of the report, the proposed dwelling are sited and or a layout and orientation such that they would have an acceptable level of privacy and outlook.
- 7.6.3 The Local Plan sets out that the Council has adopted the National Living Standards in terms of ensuring properties have a good internal living space and bedroom sizes. Each four bedroom dwelling would have a total internal floorspace of approximately 142 square metres. The bedroom sizes are measured as –
Bedroom 1 – 12.8m
Bedroom 2 – 11.6m
Bedroom 3 – 11.6m
Bedroom 4 – 7.5m (taking account of the eaves height of the cat slide)
- 7.6.4 All four bedrooms meet the required sizes as a double or single room, and the total internal space exceeds the requirements for a four bedroom 7 person two storey house. The property also proposes adequate storage areas as required by the technical standards.
- 7.6.5 Turning then to the external space at the property, the Council's design guide seeks gardens to be 10m in length and 50 square metres in area. These size parameters take account of privacy levels and adequate external amenity space. Both proposed dwellings have gardens of approximately 125 square metres, albeit only 7m in depth. The garden depths have been dictated by the provision of an area of open space within the site. Given this area of open space assists in maintaining a good separation distance from the proposed dwellings and No.5 Coopers Close to the rear, the overall size of each garden at 150% the size of the Council requirement is considered acceptable in this case. The size and shape of the garden is considered sufficient to allow for full use of the area without feeling hemmed in.

7.7 Impact on the highway network

- 7.7.1 The proposed development seeks to create a new access off the cul-de-sac head of Watercress Close, between No's 23 and 24. This would require the relocation of a single

lamppost, which would be decided by Hertfordshire County Council as part of any Section 278 Highways Act (1980) agreement. The proposed vehicle access would include a 4.5m wide dropped kerb and driveway up to the frontage of the houses.

- 7.7.2 The plans have been amended to take account of initial comments from the local highway authority. The latest plans have been assessed and the local highway authority has no objections, and subject to the imposition of a condition and informatives does not wish to restrict the grant of permission.
- 7.7.3 The location and vehicular to vehicular visibility from the existing access is considered to be acceptable and in accordance with Manual for Streets and Roads in Hertfordshire – A Design Guide. The nature of the site puts the proposals/access within 45 metres from the public highway as required for emergency vehicles. Furthermore, the proposals are in line with Manual for Streets in terms of kerbside collection of refuse and bin storage.
- 7.7.4 Hertfordshire County Council as local highway authority has considered that the proposal would not have an unreasonable impact on the safety and operation of the adjoining highways and consequently have no objections on highway grounds.

7.8 Parking Provision

- 7.8.1 Policy IT5 of the adopted Local Plan (2020) states that planning permission will be granted where proposals comply with the parking standards set out in the plan.
- 7.8.2 The Council's Car Parking Standards SPD (2020) sets out the maximum number of parking spaces which would be required to support the proposed development. Each four bedroom dwelling would require three parking spaces, with a single visitor space required. The proposal includes three spaces per dwelling, with one space provided in a single garage. The garage is of an internal size that accords with the SPD requirement of 3m by 6m to allow for storage and adequate cycle parking in line with the design SPD. A designated visitor bay is not shown on the plans, but both properties have sufficient space to allow for a visitor to park.

Electric Vehicle Charging

- 7.8.3 The Council's Parking SPD sets out the Council's ambition to improve local air quality, reduce carbon dioxide emissions and noise pollutants and cheaper travel. As such, the Council is looking to support the transition of Electric Vehicle use of 25% by 2031. The SPD requires at least a 20% provision of active EVCP on any new development, with the remaining 80% being passive infrastructure.
- 7.8.4 The proposed block plan identifies the placement of EVCP at the front of the garages of both properties, providing a 100% provision in excess of the SPD requirements. A suitably worded condition can be imposed to ensure these are provided before the development is occupied.

7.9 Landscaping and Biodiversity

- 7.9.1 In line with the newly adopted Biodiversity SPD (2021) the application has been supported by a Biodiversity report. The ecological information and biodiversity metric supplied have been assessed by Hertfordshire and Middlesex Wildlife Trust on behalf of the Council and are acceptable. The report states that in order to demonstrate a net gain to biodiversity, a biodiversity offset of 0.896 habitat units is required, which is accepted. In accordance with the SPD, this can be provided offsite by the developer in a bespoke scheme, or through a broker, or via a biodiversity financial agreement with SBC. The applicant has advised that they are willing to pursue the financial agreement with SBC and this can be secured via a S106 agreement.

- 7.9.2 In addition to this, HMWT advise that a condition should be placed on the decision to secure integrated features for wildlife in the new development which is considered reasonable.
- 7.9.3 In respect of landscaping, the proposals will see the removal of some existing landscaping along the north-west and south west boundaries. Details of proposed landscaping will be secured by condition to ensure species are native where applicable, with a good plant size and planting mix. It is considered an acceptable landscaping scheme can be implemented on site to enhance the development and appearance of the local area.

7.10 Other Matters

Sustainable construction and climate change

- 7.10.1 Policy FP1 of the adopted Local Plan (2019) stipulates that planning permission will be granted for development that can incorporate measures to address adaptation to climate change. New developments will be encouraged to include measures such as:
- Ways to ensure development is resilient to likely variations in temperature;
 - Reducing water consumption to no more than 110 litres per person per day, including external water use;
 - Improving energy performance of buildings;
 - Reducing energy consumption through efficiency measures;
 - Using or producing renewable or low carbon energy from a local source; and
 - Contributing towards reducing flood risk through the use of SuDS or other appropriate measures.
- 7.01.2 The application has not proposed any specific measures to address climate change, but it is considered reasonable in this case to seek further details to be agreed by the imposition of a condition on any approval granted.

Refuse and Waste Provision

- 7.10.3 The proposal shows adequate bin storage areas for both properties and these are within sufficient drag distance from the public highway for acceptable refuse collection from Council operatives.

Access

- 7.10.4 The owner of No.23 Watercress Close has raised a query regarding the proposed vehicular access claiming it would cross land in their ownership. The title deed for both No.23 and the application site have been provided and viewed. It is officer opinion that the two red lines would not cross, but because of the red line of the title deed for the application site, there would be a small triangle of land that would appear to be outside the ownership of both parties. This appears to be where the query has arisen from as the two red lines do not follow the same line. However, given the two red lines compared it does not appear the access would impinge on private land not in the ownership of the applicant.

Impact on property values

- 7.10.5 Concerns have been raised about the impact that the development would have on property values. However, despite the concerns raised, it has long been established through planning case law that in the assessment of planning applications, it is the conventional tests of impact on planning policies and amenity harm to neighbouring uses or the character of an area as a whole that are the deciding issues and not any possible consequential effects on nearby property values.

Community Infrastructure Levy

- 7.10.6 The proposed development would be CIL liable in accordance with the Regulations. However, as set out in the Council's adopted CIL Charging Schedule (2020), as the development is seeking to deliver new private dwellings, it would have a £100 per square metre rate, as shown on the below table.

Development Type	CIL rate (per square metre)	
	Zone 1: Stevenage Central, Stevenage West urban extension and North of Stevenage Extension	Zone 2: Everywhere else
Residential		
Market Housing	£40/m ²	£100/m ²
Sheltered housing ⁽¹⁾	£100/m ²	
Extracare housing ⁽²⁾	£40/m ²	
Retail development	£60/m ²	
All other development ⁽³⁾	£0/m ²	

- 7.10.7 CIL is a non-negotiable charge. The exact charge will be determined by the Council's CIL officer after an application has been granted in accordance with the CIL Charging Schedule and the Community Infrastructure Levy Regulations 2010 (as amended). Opportunities for relief or exemption from the CIL charge exist and will be taken into account in the calculation of the final CIL charge.
- 7.10.8 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. A CIL liability notice would be issued once planning permission is granted (subject to the Planning and Development Committee approving this application).

Human Right and Equalities

- 7.10.9 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.
- 7.10.10 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.
- 7.10.11 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.
- 7.10.12 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.

- 7.10.13 The proposed development would include step free access across the site, with sufficient space in all parking spaces for access to those in wheel chairs. Access to the proposed retained open space would be of sufficient width to allow wheelchairs and mobility scooters. No formal paths have been proposed to retain the green feel of the area, and to retain the informal use of the existing open space.

Crime Prevention

- 7.10.14 The proposals have been viewed by the Police Crime Prevention Service who initially raised substantive concerns. However, the amended plans have taken account of these comments, and subject to the applicant agreeing to engage with the officer to meet Secured by Design standards, the Crime Prevention Officer has no objections.

8. CONCLUSIONS

- 8.1 In summary, the principle of developing this area of privately owned open space is acceptable. This is taking account of the Council's current position with the HDT and a presumption in favour of sustainable development. The loss of the open space has been carefully weighed against, a provision of a smaller area of open space against the complete enclosure of the land through permitted development. The provision of housing on site, which is considered to preserve the character and appearance of the area, whilst maintaining an area of open space is acceptable on balance. The design, layout and parking provisions are acceptable, and the amenity levels of both existing and proposed residents is considered acceptable in line with the Council's adopted policies and SPD.
- 8.3 Given the above, the proposed development accords with the Policies contained within the adopted Local Plan (2019), the Council's Supplementary Planning Documents, the NPPF (2021) and NPPG (2014).

9. RECOMMENDATIONS

- 9.1 That planning permission be GRANTED subject to the signing of a S106 Agreement in respect of the following –
- Biodiversity net gain;
 - Highways works (S278);

With delegated powers be given to the Assistant Director of Planning and Regulation in consultation with the Chair of Planning Committee to negotiate and secure the financial and non-financial obligations detailed above (including triggers where appropriate) as part of the Section 106 Agreement in order to mitigate the developments on biodiversity and to secure the necessary highway related works. 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.

1 The development hereby permitted shall be carried out in accordance with the following approved plans:
1802-P-01-0000-ZXX; 1802-P-01-0003-ZXX-06; 1802-P-01-0100-Z00-04; 1802-P-01-0101-Z00-04; 1802-P-01-0102-Z00-04; 1802-P-01-0103-Z00-04; 1802-P-01-0110-Z00-04; 1802-P-01-0111-Z00-05; 1802-P-01-0112-Z00-04; 1802-P-01-0113-Z00-05; 1802-P-01-0120-Z00-04; 1802-P-01-0121-Z00-04; 1802-P-01-0002-ZXX-07; 1802-P-01-0001-ZXX-08; AVAL/91326/VS/001-C.

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 development hereby permitted shall be constructed in accordance with the materials and finishes as set out in the application submission.

REASON:- To ensure the finished appearance of the development enhances the visual amenities of the area.

4 Notwithstanding the details specified in the application submission, no landscaping works shall commence until a scheme of soft and hard landscaping and details of the treatment of all hard surfaces has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of all new planting to take place including species, size and method of planting as well as details of landscape management (including long term design objectives, management responsibilities and maintenance responsibilities for all landscape areas). The approved soft landscaping scheme shall be implemented within the first available planting season following the first occupation of the buildings or the completion of the development whichever is the sooner. The hard landscaping shall be provided before first occupation of the respective dwellings.

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

5 Any trees or plants comprised within the scheme of landscaping, which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless otherwise agreed in writing by the Local Planning Authority.

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

6 No removal of trees, scrub or hedges, shall be carried out on site between the 1st March and 31st August inclusive in any year, unless searched beforehand by a suitably qualified ornithologist.

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

7 No development shall take place until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan shall include details of –

- a) Map showing the location of construction traffic routes to and from the site, details of their signing, monitoring and enforcement measures;
- b) Access arrangements to the site;
- c) Traffic management requirements;
- d) Site set up and general arrangements for storing plant, materials, machinery and equipment, temporary offices and other facilities as applicable;
- e) Details of provisions for temporary car parking, loading/unloading and vehicle turning areas;
- f) Details of any hoarding;
- g) Control of dust and dirt on the public highway;
- h) Siting and details of wheel washing facilities;

- i) Cleaning of site entrances, site tracks and the adjacent public highway;
- j) Timing of construction activities (including delivery times and removal of waste);
- k) The estimated number and type of vehicles per day/week;
- l) Details of any vehicle holding area;
- m) Details of the vehicle call up procedure;
- n) Access and protection arrangements around the site for pedestrians, cyclists and other customers;
- p) Post construction restoration/reinstatement of the working areas and temporary access to the public highway;
- q) Details of consultation and complaint management with neighbours;
- r) A Site Waste Management Plan (SWMP) including mechanisms to deal with environmental impacts such as air quality and dust control measures, noise and vibration restriction measures, light and odour and predicted and latterly actual waste arisings and how this is to be managed and where it is sent to;
- s) Details of any proposed piling operations, including justification for the proposed piling strategy, a vibration impact assessment and proposed control and mitigation measures.

8 No development (excluding any demolition or site clearance works) shall take place 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.

9 Notwithstanding the details shown in this application the treatment of all boundaries including details of any walls, fences, gates or other means of enclosure, to include suitable access for hedgehogs, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The approved boundary treatments shall be completed before the use hereby permitted is commenced or 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.

10 No development shall commence until details of the model, and location of 2 integrated bat boxes and 2 integrated swift boxes has been supplied to and approved by the LPA. They shall be fully installed prior to occupation and retained as such thereafter.

REASON:- To conserve and enhance biodiversity.

11 No development above slab level shall take place until a detailed scheme of the open space provision, management and maintenance of, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the location, dimensions/size and layout of the open space (be reference to a plan), its regular maintenance of and how the space will be managed to ensure its continued availability to the public. The open space shall thereafter be provided and maintained in full accordance with the approved details.

REASON:- To ensure the open space provision in accordance with the approved plans and to ensure its future usability by members of the public.

12 The area of open space as identified on the approved block plan and in accordance with condition 11 shall be used only for the provision of publically available open space and for no other means, at any time.

REASON:- To protect the provision of public open space at the site which has been given significant weight in approving the permission.

- 13 No development shall take place above slab level until details of measures to address adaptation to climate change 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 No external lighting shall be installed on site unless details of such lighting, including the intensity of illumination and predicted light contours, have first been submitted to, and approved in writing the Local Planning Authority prior to first occupation of the development. Any external lighting shall accord with the details so approved.
REASON:- In order to protect the amenities and operations of neighbouring properties and to ensure any external lighting does not prejudice highway safety.
- 15 No demolition or construction work relating to this permission shall be carried out on any Sunday, Public or Bank Holiday nor at any other time, except between the hours of 0730 and 1800 on Mondays to Fridays and between the hours of 0800 and 1300 on Saturdays, unless otherwise agreed in writing by the Local Planning Authority. These times apply to work which is audible at the site boundary.
REASON: - To safeguard the amenities of the occupiers of neighbouring properties.
- 16 Prior to first occupation of the development hereby permitted the vehicular access shall be completed and thereafter retained as shown on drawing number AVAL/91326/VS/001 Rev C in accordance with details/specification to be submitted to and approved in writing by the Local Planning Authority. Prior to use appropriate arrangements shall be made for surface water to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway. The discharge of this condition requires a Section 278 (highway works agreement) to be entered in to.
REASON:- To ensure satisfactory access in to the site and avoid carriage of extraneous material or surface water from or onto the highway.
- 17 Prior to first occupation of the development the proposed parking arrangements, in the form of driveways and garages shall be provided and made available for use in accordance with the approved block plan, and shall thereafter be used for no other purpose than the parking of vehicles in perpetuity.
REASON:- To ensure the development has an acceptable level of parking provision and to prevent vehicles from parking on the local highway network.
- 18 Prior to first occupation of the development the Electric Vehicle Charging Points as shown on the proposed block plan shall be provided as active charging points at both dwellings.
REASON:- To ensure adequate provision of charging points to promote sustainable modes of transport.

Pro-active Statement

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.

INFORMATIVE

Hertfordshire County Council as Highways Authority.

AN1) Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence.

Further information is available via the website

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

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

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

AN3) Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and 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 are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website

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

Community Infrastructure Levy

Stevenage Borough Council adopted a Community Infrastructure Levy (CIL) Charging Schedule at Full Council on 27 January 2020 and started implementing CIL on 01 April 2020. This application may be liable for CIL payments and you are advised to contact the CIL Team for clarification with regard to this. If your development is CIL liable, even if you are granted an exemption from the levy, please be advised that it is a requirement under Regulation 67 of The Community Infrastructure Levy Regulations 2010 (as amended) that CIL Form 6 (Commencement Notice) must be completed, returned and acknowledged by Stevenage Borough Council before building works start. Failure to do so will mean you risk losing the right to payment by instalments and a surcharge will be imposed. NB, please note that a Commencement Notice is not required for residential extensions if relief has been granted. Stevenage's adopted CIL Charging Schedule and further details of CIL can be found on the Council's webpages at www.stevenage.gov.uk/CIL or by contacting the Council's CIL Team at CIL@Stevenage.gov.uk.

Building Regulations

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

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

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

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 Local Plan 2011 to 2031 adopted 2019.
3. Stevenage Borough Council Supplementary Planning Documents – Parking Provision adopted October 2020, Developer Contributions adopted March 2021.
4. Responses to consultations with statutory undertakers and other interested parties referred to in this report.
5. Hertfordshire County Council's Local Transport Plan 4 adopted May 2018
6. Central Government advice contained in the National Planning Policy Framework July 2021 and Planning Policy Guidance March 2014.