

STEVENAGE BOROUGH COUNCIL
PLANNING AND DEVELOPMENT COMMITTEE
MINUTES

Date: Tuesday, 15 March 2022

Time: 6.30pm

Place: Council Chamber

Present: Councillors: Simon Speller (Chair), Myla Arceno, Adrian Brown, Matt Creasey, Michael Downing, Jody Hanafin, Graham Lawrence CC, Mrs Joan Lloyd, Adam Mitchell CC and Graham Snell.

Start / End Start Time: 6.30pm

Time: End Time: 8.02pm

1 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were received from Councillors Doug Bainbridge, Tom Wren, Maureen Mckay and Teresa Callaghan.

There were no declarations of interest.

2 MINUTES - 16 DECEMBER 2021 (CONCLUDED ON 21 DECEMBER 2021) AND 10 FEBRUARY 2022

It was **RESOLVED** that the minutes of the Planning and Development Committee meetings held on Thursday 16 December 2021 and Thursday 10 February 2022 be approved as a correct record and signed by the Chair.

3 20/00790/FP & 20/00791/FP - 107A-109A HIGH STREET, STEVENAGE

Application No:	20/00790/FP & 20/00791/FP
Location	107A-109A High Street, Stevenage.
Proposal	Retrospective planning permission to retain Flats 6 and 7 as two bedroom units
Applicant:	Mr S Orlinski
Recommendation:	Refuse planning permission and serve an enforcement notice

The Development Manager presented a retrospective planning permission to retain flat 6 and 7 as two bedroom units. The application site was situated to the rear of a courtyard of flat conversions behind the original building fronting the High Street. The application site was located in the Conservation Area surrounded by listed buildings. During the presentation, the Development Manager displayed maps, plans

and photographs to demonstrate the location and character of the site.

The Committee initially received the retrospective application on 10 February 2022, and was deferred to allow the applicant the opportunity to provide additional plans requested by the Officer.

The Development Manager explained that following the deferral a floor plan had been provided showing the eaves line for all floor space under 1.5m. The 1.5m height was specified in the space standards, with any space measuring under 1.5m in height not being accounted in the room sizes and total unit size. The plans provided by the applicant's agent did not fully show eaves restrictions in Flat B within the living/kitchen space.

The measurement taken by officers showed that both properties were below the total required minimum floor area for a 2 bedroom 3 person flat, with Flat A significantly below the threshold. Therefore, officers had some concerns about the functional spaces in terms of technical living spaces.

Members debated the application, taking into account the Officer report and Officer presentation. Members supported the officer recommendation for refusal, as set out in the report, and agreed that development failed to provide an acceptable standard of living for future occupiers. The Committee also agreed to the authorisation of enforcement action.

It was **RESOLVED**:

1. That applications 20/00790/FP and 20/00791/FP be REFUSED planning permission for the following reason:

The proposed development fails to demonstrate that the provision of two bedrooms would meet the minimum space standards for bedroom sizes as required under the Technical Standards and if approved the development would fail to provide an acceptable standard of living for its future occupiers. The proposal does not accord with Policy GD1 of the Stevenage Borough Local Plan 2011-2031 (2019), Nationally Described Space Standards (2015)(as amended), National Planning Policy Framework (2021) and National Planning Practice Guidance (2014).

2. That an Enforcement Notice be issued and served by the Assistant Director of Planning and Regulation, subject to the Borough Solicitor being satisfied, requiring within four months of the date of the Enforcement Notice the removal of all internal alterations that have taken place in flats 6 and 7 at 107A - 109A – High Street, Stevenage to provide two bedrooms, in order to ensure the development was completed in accordance with the approved plans of application ref: 17/00305/FP. The precise terms of the Enforcement Notice, including all time periods, to be delegated to the Assistant Director of Planning and Regulation.
3. That, subject to the Borough Solicitor being satisfied with the evidence, the Assistant Director of Planning and Regulation be authorised to take all steps

necessary, including prosecution or any other litigation/works in default to secure compliance with the Enforcement Notice.

4. That in the event of any appeal against the Enforcement Notice, the Assistant Director of Planning and Regulation be authorised to take any action required to defend the Enforcement Notice and any appeal against the refusal of planning permission.

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21/01002/FPM - UNIT 11 THE FORUM CENTRE

Application No:	21/01002/FPM
Location	Office Outlet, 11 The Forum Stevenage.
Proposal	Demolition of existing outlet store (Use Class E) and construction of a part 9 storey, and part 13 storey building comprising 224 no. build to rent dwellings consisting of 162 no. 1 bedroom, 50 no. 2 bedroom and 12 no. 3 bedroom units; 161 sq.m of Use Class E and Use Class F floorspace; ground floor parking area, cycle storage facilities, associated plant and equipment, landscaping and ancillary works, comprising both residential and commercial / ancillary residential floorspace along with associated landscaping and public realm enhancements refuse storage, and cycle and car parking.
Applicant:	Stevenage Property Ltd
Recommendation:	Grant planning permission

The Committee received an application seeking permission for Demolition of existing outlet store (Class E) and construction of a part 9 storey, and part 13 storey building comprising 224 no. 2 bedroom and 12 no.3 bedroom units with associated plans for parking area, cycle storage facilities, associated plant and equipment, landscaping and ancillary works, comprising both residential and commercial/ ancillary residential floorspace along with associated landscaping and public realm enhancement refuse storage, and cycle and car parking. During the presentation, the Assistant Director for Planning and Regulation displayed maps, plans and photographs to demonstrate the location and character of the site.

The Assistant Director for Planning and Regulation explained that the site was located within the Town Centre and forms part of the northerly edge of the town. The area was characterised by a variety of building heights and predominantly retail uses. It was a major development application.

The key issues for the Committee to consider were the layout and impact on the character and appearance of the area, impact on the amenity of neighbouring properties, amenities of future occupiers, noise, impact on the highway network, access parking, drainage and flooding, trees, landscaping, biodiversity, air quality and contamination.

The Council had received 4 letters of objection. These were all summarised within the Officer report.

The report addressed in detail all the key issues and Officer opinion was that:

- The proposed development would fit within the context of the town regeneration plans. The application was for residential with few commercial spaces.
- The application was for a high quality design with internally accessible lobbies and lounges.
- The proposed application had a number of strategies to reduce operational emissions, and would provide a minimal amount of car parking appropriate to its sustainable location within the Town Centre.
- The Lead Local Flood Authority (LLFA) had yet to respond to the applicant's clarification after they initially objected to the application. If permission granted, it would be in consultation with the LLFA.
- The application if granted would address gaps in housing provision within Stevenage.
- The applicant was also expected to meet the conditions set by the Affinity Water.
- Environmental Health had a number concerns, but responses were made to most of these concerns. There was a disagreement in methodology and the applicant suggested a different methodology to that advised by Environmental Health.
- In terms of the affordable housing, the developer had agreed for about 10 percent affordable housing which equals to 22 houses.
- The Highway Authority and the National Grid Plant did not have any objection on the application.

Officer recommendation was therefore that planning permission be granted for the reasons detailed within the Officer report.

The applicant's agents Richard Quelch and Craig Sheach spoke in support of the application. They stated that the application was for a modern commercial space for people to live and would enhance the public realm by soft and hard landscaping. The plan also included sustainability and reduction in CO2 emission.

The Assistant Director for Planning and Regulation clarified that the site would not be used for leisure as one of the objector raised concern.

The Key issues in the determination of the application were outlined in the Officer report.

Members debated the application, taking into account the Officer report, Officer Presentation and statements from the applicant's agent. Member raised concerns about car parking spaces including the disabled spaces and pedestrians' access to the site.

The Assistant Director for Planning and Regulations advised Members that access

could be achieved to the north view the underpass and bridge connecting to Ditchmore Lane, and to the east via the second underpass under Fairlands Way. Furthermore, access could be gained via the Tesco Site. In terms of the disabled car parking spaces, he explained that he would negotiate the siting and position of disabled car parking spaces with the applicant's agent.

The Committee made the following points and agreed to the following additional/amended conditions:

- The Assistant Director for Planning and Regulation to negotiate the siting and position of disabled car parking spaces with the applicant's agent;
- Conditions 5 and 6 had additional wording "approval to be in consultation with the LLFA";
- And a new condition 37: No development hereby permitted (including demolition and site clearance) until a finalised Fire Strategy for the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The Fire Strategy shall thereafter be implemented in accordance with the approved details prior to the first occupation of the development hereby permitted.

REASON: - To ensure acceptable fire safety measures are incorporated into the building before first occupation.

It was **RESOLVED** that application 21/01002/FPM be GRANTED planning permission, subject to the signing of a Section 106 Agreement in respect of the following –

- Affordable Housing;
- Primary Education;
- NHS;
- Travel Plan monitoring fees;
- Hertfordshire County Council monitoring fee;
- Stevenage Borough Council monitoring fee;
- Review mechanism for viability;
- Local employment and apprenticeships;
- Residents parking permit restrictions;
- Management Company,

with delegated powers 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 infrastructure as well as secure the planning benefits which this scheme seeks to deliver, and subject to the following conditions, 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 conditions set out below, 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:
PH-20121-100D; PH-20121-200; BL9281-PRP-C00-00-DR-L-2100 REV E; BL9281-PRP-C00-00-DR-L-2101 REV E; BL9281-PRP-C00-00-DR-L-2102 REV E; BL9281-PRP-C00-00-DR-L-2103 REV D; BL9281-PRP-C00-00-DR-L-2104 REV D; BA9281-0001 REV B; BA9281-0002 REV B; BA9281-0003 REV A; BA9281-0004 REV A; BA9281-0005 REV B; BA9281-0010 REV B; BA9281-2100 REV C; BA9281-2101 REV B; BA9281-2012 REV B; BA9281-2103 REV B; BA9281-2104 REV B; BA9281-2105 REV B; BA9281-2106 REV B; BA9281-2107 REV B; BA9281-2108 REV B; BA9281-2109 REV B; BA9281-2110 REV B; BA9281-2111 REV B; BA9281-2112 REV B; BA9281-2113 REV B; BA9281-2200 REV B; BA9281-2201 REV B; BA9281-2202 REV B; BA9281-2203 REV B; BA9281-2204 REV B; BA9281-2205 REV B; BA9281-2300 REV B; BA9281-2301 REV B.

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 No development shall take place (including site clearance) until a detailed Construction Management Plan (CMP) has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The Construction Management Plan shall include details of the following:

- a) Construction vehicle numbers, type, routing;
- b) Access arrangements to site;
- c) Traffic and pedestrian management requirements;
- d) Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas);
- e) Siting and details of wheel washing facilities;
- f) Cleaning of site entrances, site tracks and the adjacent public highway;
- g) Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times;
- h) Provision of sufficient on-site parking prior to commencement of construction activities;
- i) Post construction restoration/reinstatement of the working areas and temporary access to the public highway;
- j) 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;

- k) 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.
- l) Dust control measures during demolition and construction from plant and machinery, and vehicles.

REASON:- In order to protect highway safety and the amenity of other users of the public highway and rights of way, in the interests of amenities of neighbouring properties, to ensure suitable, safe and satisfactory planning and development, in order to reduce the level of waste generated during groundworks and construction phases of development and to recycle all waste materials where possible.

- 4 No development shall take place until full details in the form of scaled plans have been submitted to and approved in writing by the Local planning Authority to illustrate –
 - i) Change of use of the Fairlands Way underpass to pedestrian and cycleway only including bollard arrangements (or similar) to prevent unauthorised motorised vehicles from entering the footway/cycleway and any necessary TRO that may be required.

REASON:- To ensure suitable, safe and satisfactory planning and development of the site.

- 5 No works involving excavations (e.g. piling or the implementation of a geothermal open/closed loop system) shall be carried out until the following has been submitted to and approved in writing by the Local Planning Authority, in consultation with the Local Lead Flood Authority:
 - i) 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.
 - ii) A Risk Assessment identifying both the aquifer and the abstraction point(s) as potential receptor(s) of contamination.
 - iii) A Method Statement detailing the depth and type of excavations (e.g. piling) to be undertaken including mitigation measures (e.g. appropriate piling design) 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. This 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.

- 6 No development shall take place until details of a Surface Water Drainage Scheme that does not include infiltration has been prepared, submitted to and approved in writing by the local Planning Authority, in consultation with the Local Lead Flood Authority.

REASON:- To provide confirmation that direct infiltration via soakaways will not be used due to potential presence of contaminated land and the risk for contaminants to remobilise causing groundwater pollution potentially impacting public water supply and to prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site and to reduce the risk of flooding to the proposed development and future users.

- 7 No development shall take place until a final design of the drainage scheme for the site based on the principles set out in Condition 6, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is occupied. The scheme shall include:

- Updated surface water drainage calculation and modelling for all rainfall events up to and including the 1 in 100 year plus climate change event, including infiltration options;
- Demonstrate that there is sufficient gradient and self-cleansing velocities along the connecting pipe between the outfall/flow control structure at the attenuation tank and the connection to Thames Water's sewer, in accordance with the Sewers for Adoption guidance;
- Updated full detailed surface water drainage plan showing the proposed discharge point to Thames Water sewer, the location of any proposed SuDS features, the pipe runs, size and node numbers;
- Detailed engineering drawings of the proposed SuDS features including their, size, volume, depth and any inlet and outlet features including any connecting pipe runs, node numbers along with all corresponding detailed calculations/modelling;
- In case of informal flooding within the site this should be shown on a plan including extent and depth;
- Exceedance flow paths for surface water for events greater than the 1 in 100 year + climate change.

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

- 8 Upon completion of the drainage works, a management and maintenance plan for SuDS features and drainage network must be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- Provision of complete set of as built drawings including the final drainage layout for site drainage network;
- Maintenance and operational activities for the lifetime of the development;
- 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.

- 9 No development shall take place until full details of the low and zero carbon technologies to be employed including their siting on or within the development have been submitted to and approved in writing by the Local

Planning Authority. The development shall be constructed in accordance with the measures to address adaptation to climate change as laid out in the Energy Statement and Sustainability Statement and the approved details, to include the following:

- Air to water heat pumps;
- Air to air heat pumps;
- Photovoltaic solar panels;
- Water efficiency measures;
- Brise Soleil sun shades.

These measures shall then be permanently maintained in accordance with the approved details.

REASON:- To ensure the development is adaptable to climate change through provision of energy and water efficiency measures, and to ensure these technologies have an acceptable appearance within the development.

- 10 No development shall take place above slab level until a schedule and samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

REASON:- To ensure the development has a high quality appearance.

- 11 No site clearance or construction work relating to this permission shall be carried out on any Sunday, Public or Bank Holiday nor at any other time, except between the hours of 0730 and 1800 on Mondays to Fridays and between the hours of 0800 and 1300 on Saturdays, unless otherwise agreed in writing by the Local Planning Authority. These times apply to work which is audible at the site boundary.

REASON:- To safeguard the amenities of the occupiers of neighbouring properties.

- 12 No development shall take place above slab level until details of any external lighting including the intensity of illumination and predicted light contours, have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be completed in accordance with the approved details.

REASON:- In order to protect the amenities and operations of neighbouring properties, to ensure any external lighting does not prejudice highway safety and in the interests of light pollution.

- 13 No development shall take place until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority. Soft landscaping details shall include UK sourced and native species for plants and trees. The development shall thereafter be completed in accordance with the approved details.

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

- 14 All planting, seeding and turfing comprised in the approved landscaping details as agreed under condition 12 of this approval shall be carried out in the first planting and seeding seasons following the first occupation of the

development hereby permitted or, the completion of the approved development whichever is the sooner.

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

- 15 All hard surfacing comprised in the approved landscaping details as specified in condition 12 of this approval shall be carried out prior to first occupation of the development hereby permitted or, the completion of the approved development, whichever is the sooner.

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

- 16 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.

- 17 No tree shown on the approved landscaping scheme, shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped within five years of the completion of development without the written approval of the Local Planning Authority.

REASON:- To ensure the protection of those trees which should be retained in the interests of visual amenity.

- 18 No development shall take place above slab level until full details of the cycle parking racks and stands within the cycle parking stores as shown on Drawing number BA9281-2100 Rev C have been submitted to and approved in writing by the Local Planning Authority. Details shall include provision for non-standard cycles such as cargo bikes, three wheelers, scooters and recumbents. The cycle stores shall thereafter be completed and ready for use in accordance with the approved details and thereafter retained for the sole use of cycle parking.

REASON:- To ensure adequate secure and covered cycle parking provision is available at all times to promote sustainable modes of transport.

- 19 No development shall take place above slab level until details of the active Electric Vehicle Charging Points (EVCP) and their siting have been submitted to and approved in writing by the Local Planning Authority. The active EVCPs shall thereafter be installed and ready for use prior to first occupation.

REASON:- To ensure adequate provision of active EVCPs within in the development and for all types of drivers is available at all times to promote sustainable modes of transport.

- 20 No development shall take place above slab level until details of integrated swift boxes have been submitted to and approved in writing by the Local Planning Authority. The details should ensure for at least 40 Habibat or Manthorpe type swift boxes within the brickwork of the building.

REASON:- In the interests of biodiversity and to provide a continued nesting resource for these declining birds.

- 21 No development shall take place above slab level until details of gating across the stair access to the podium deck and safety railings around roof top terraces have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved details.
REASON:- To ensure an acceptable appearance and in the interests of safety for the residents and users of the development.
- 22 Prior to the first occupation/use of the dwellings and development hereby permitted the approved refuse/recycle stores shall be constructed in accordance with the details submitted with this planning application and shall be permanently retained in that form.
REASON:- To ensure that there is sufficient waste storage provision in accordance with the Council's standards is maintained for all dwellings and the development as a whole on site in perpetuity.
- 23 Prior to first occupation of the development a General Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include, but not be limited to, details of –
i) A Management Company for the site;
ii) Waste storage and collection;
iii) Maintenance of all non-private amenity spaces including all furniture and equipment;
iv) Maintenance of all cycle storage areas;
v) Maintenance of all Electric Vehicle Charging Points;
vi) Maintenance of external lighting;
vii) Maintenance of the underpass;
viii) Maintenance of low/zero carbon technologies;
ix) Concierge service;
x) Gated access to the podium.
REASON:- To ensure the facilities associated with the development are kept in a good order and are continually available for use, unless for maintenance purposes, for the convenience and amenity of future residents and users of the development.
- 24 Prior to first occupation or use of the development, details of the proposed play equipment and its layout within the podium deck amenity space shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.
REASON:- In the interests of providing a good area of play provision for future residents of the development.
- 25 Prior to first occupation or before completion of the development whichever is the sooner, the podium deck and roof top garden amenity spaces shall be completed and be ready for use in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.
REASON:- To ensure the external amenity space for residents is made available for use in the interests of the health and wellbeing of the residents.

- 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 26 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 27.
- REASON:-** To ensure that the site does not pose any risk to human health and to ensure that the development does not contribute to unacceptable concentrations of pollution posing a risk to public water supply from previously unidentified contamination sources at the development site and to prevent deterioration of groundwater and/or surface water 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 25, 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 At least 50% of the residential units provided as part of the approved development shall accord with Policy HO11 accessible and adaptable housing, meeting the requirements of Category 2: wheelchair accessible and

adaptable of Approved Document M: access to and use of buildings.

REASON:- To ensure adequate provision of facilities for wheelchair users within the development.

- 30 The approved development shall provide 161 square metres of commercial floor space as shown on Drawing number: BA9281-2100 Rev C, unless otherwise agreed in writing by the Local Planning Authority.
REASON:- In the interests of retaining a commercial use at the site, and based on the assessment being made with a commercial element available.
- 31 Prior to occupation or first use of the development a Lighting and Artwork Strategy for the underpass shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.
REASON:- To ensure adequate lighting and a safe environment within the underpass and in the interests of a high quality finished development.
- 32 No plant or equipment shall be affixed to any external face of a building or added to the roof of the building unless otherwise agreed in writing by the Local Planning Authority.
REASON:- In the interests of amenity
- 33 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no external telecommunications equipment or infrastructure shall be erected to any build development within the development site, other than those expressly authorised by this permission.
REASON:- To retain the high quality external design promoted by this development.
- 34 No development hereby permitted shall commence (excluding demolition and site clearance) until a report identifying the residential premises within the development that require mitigation of external noise levels and detailing the mitigation required to achieve satisfactory noise levels within those premises (and to their private balcony and amenity areas, where relevant) has first been submitted to the Local Planning Authority in writing to be agreed. The development shall be carried out in accordance with the report so agreed and shall be retained as such thereafter.
REASON:- To ensure that potential adverse noise impacts to residential premises within the development are mitigated and to ensure a high standard of amenity for future occupiers.
- 35 Unless otherwise agreed in writing by the Local Planning Authority, the individual and cumulative rating level of noise emitted from plant and/or fixed machinery at the development hereby approved shall be no greater than the existing background noise levels. The noise levels shall be determined at the façade of the nearest residential property. The measurements and assessments shall be made in accordance with British Standards 4142' Method for rating industrial noise affecting mixed residential and industrial

areas. Before any plant is used, measurements of the noise from the plant must be taken and a report / impact assessment demonstrating that the plant (as installed) meets the design requirements, shall be submitted to and approved in writing by the Local Planning Authority.

REASON:- To ensure that the development achieves a high standard of amenity for future occupiers of this development and the neighbouring buildings.

- 36 Prior to the commencement of any superstructure works, a ventilation and summer cooling scheme for the proposed dwellings shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall enable appropriate noise levels to be achieved whilst ventilation is provided at the minimum whole building rate as described in The Building Regulations Approved document F. The scheme shall also ensure that the thermal comfort criteria defined in the Chartered Institute of Building Engineers (CIBSE) Environmental Guide (2015) is achieved. The residential use of the relevant properties shall not commence until the approved ventilation scheme has been installed in full accordance with the approved scheme.

REASON:- To protect the amenity of future residents of the development.

- 37 No development hereby permitted (including demolition and site clearance) until a finalised Fire Strategy for the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The Fire Strategy shall thereafter be implemented in accordance with the approved details prior to the first occupation of the development hereby permitted.

REASON: - To ensure acceptable fire safety measures are incorporated into the building before first occupation.

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

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

INFORMATIVE

1 Community Infrastructure Levy

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

This application may be liable for CIL payments and you are advised to contact the CIL Team for clarification with regard to this. If your development is CIL liable, even if you are granted an exemption from the levy, please be advised that it is a requirement under Regulation 67 of The Community

Infrastructure Levy Regulations 2010 (as amended) that CIL Form 6 (Commencement Notice) must be completed, returned and acknowledged by Stevenage Borough Council before building works start. Failure to do so will mean you risk losing the right to payment by instalments and a surcharge will be imposed. NB, please note that a Commencement Notice is not required for residential extensions if relief has been granted.

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

2 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 Police Crime Prevention Design Advice

The proposed development should achieve Secured By Design (SBD) accreditation in order for it to comply with current Building Regulations. The Police Crime Prevention Design Advisor by telephone on 01707 355227 or email mark.montgomery@herts.pnn.police.uk

7 Environmental Health (Pest Control)

Construction sites may cause the disturbance of rats and other vermin. Developers have a duty to manage the treatment of rats, vermin and pests on the site. Where suitable controls are not in place Prevention of Damage by Pest Act 1949 and nuisance and public health legislation will be used.

5 **INFORMATION REPORT - DELEGATED DECISIONS**

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

6 **INFORMATION REPORT - APPEALS/CALLED IN APPLICATIONS**

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

7 **URGENT PART I BUSINESS**

None.

8 **EXCLUSION OF THE PRESS AND PUBLIC**

Not required.

9 **URGENT PART II BUSINESS**

None.

CHAIR