

STEVENAGE BOROUGH COUNCIL
PLANNING AND DEVELOPMENT COMMITTEE
MINUTES

Date: Thursday, 14 July 2022

Time: 6.30pm

Place: Council Chamber

Present: Councillors: Michael Downing (Chair), Adrian Brown (Vice-Chair), Julie Ashley-Wren, Teresa Callaghan, Matt Creasey, Graham Lawrence CC, Mrs Joan Lloyd, Maureen McKay, Adam Mitchell CC, Claire Parris, Graham Snell and Anne Wells

Start / End Start Time: 6.30pm
Time: End Time: 8.18pm

1 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were submitted on behalf of Councillors Sandra Barr and Chris Howells.

There were no declarations of interest.

2 MINUTES - 22 JUNE 2022

It was **RESOLVED** that the minutes of the Planning and Development Committee held on 22 June 2022 be approved as a correct record and signed by the Chair.

3 21/00719/FP - CLARE'S LITTLE BEARS PLAYGROUP, STANMORE HALL, STANMORE ROAD, STEVENAGE

The Committee consider a report in respect of application 21/00719/FP seeking permission for the erection of single storey extensions to front, side and rear, dormer roof extensions, construction of mezzanine floor and partial replacement of boundary fence (Amended description) at Clare's Little Bears Playgroup, Stanmore Hall, Stanmore Road, Stevenage.

The Assistant Director (Planning & Regulation) gave a presentation in respect of this application.

The Committee was addressed by the applicant, Clare Cole, in support of the application. Members were informed that the Playgroup had been founded in 2016 and currently had a "Good" OFSTED rating. The children had access to all areas of the site (indoors and outdoors). The proposal was to expand the premises to provide break out rooms for focussed learning, currently held in the less than ideal outhouse in the garden area.

Clare explained that the internal improvements would include upgrading toilets. Any

hiring out of the facility would be for events not involving the sale or consumption of alcohol. The facility would continue to be open for 45 weeks of the year, with provision for a holiday club subject to demand. The majority of parents lived in the local area and walked their children to the premises. She considered that the majority of traffic in the vicinity of the site at peak times was primarily associated with dropping off/collecting at the nearby Letchmore School. The proposed roof terrace/balcony would be a break out area for staff

Clare stated that the proposals aimed to improve the functionality of the building, and she hoped that she had demonstrated that the children were at the forefront of the Playgroup's plans for the future.

The Committee was then addressed by Andy Whitmore, a resident of an adjoining property, in objection to the proposal. Mr Whitmore stated that he was also speaking on behalf of some fellow objectors. He was concerned with the impact on his privacy of the dormer windows on the north side of the extension. He commented that these were 3m from the boundary of his property and would result in overlooking. The daylight in his rear garden would also be affected by the scheme.

Mr Whitmore noted that the proposed balcony/terrace had been screened from his property, but that the screen was not a structural addition to the plans. Furthermore, there was nothing in place to prevent that space being used for social gatherings.

Mr Whitmore referred to two trees on his property adjacent to the boundary with the Playgroup building whose roots could be impacted by the development works. He also expressed concerns about the increase in traffic/parking on already congested roads that could result should the extension be approved. He felt that his property was already impacted by the activity on the site, and he considered that this would only worsen should the application be granted permission.

The Assistant Director (Planning & Regulation) advised that the site was well-established for use by the Playgroup. No increase in staffing was proposed, just a small increase in the number of children that could be accommodated.

The objector's concerns regarding overlooking had been alleviated by the screening of the terrace/balcony area, and there would be no first floor windows facing towards the adjoining property. In view of the distance between the building and properties on the opposite side of Basils Road, the first floor level south facing windows were considered acceptable.

In terms of traffic/parking, the Assistant Director (Planning & Regulation) commented that the Highway Authority had raised no objection to the application.

The Assistant Director (Planning & Regulation) confirmed that it would be possible to add a condition restricting the hours of use of the balcony/terrace, as well an informative regarding protection of the roots of the trees in the neighbouring property during the construction works.

The Assistant Director (Planning & Regulation) summarised by stating that he was of the view that the proposed additions would not have an adverse impact upon the character and appearance of the area, as their scale and character would match the

original property, subject to a condition requiring the use of appropriate materials. An acceptable relationship with neighbouring properties would be maintained and additional measures relating to noise could be secured through condition. There were no concerns with regard to highway safety and the lack of any additional parking provision in this location was not considered to be detrimental such that a refusal of permission was warranted. There would be no loss of trees and the small amount of hedging to be removed was not considered harmful. Therefore, the proposal would accord with relevant Development Plans and provisions of the NPPF.

In reply to Members' questions, the Assistant Director (Planning & Regulation) commented as follows:

- the wall of the single-storey side extension would form part of the boundary with the neighbouring property. The remainder of the boundary would be hedging/fencing;
- the first floor dormer windows would face Basils Road, with the toilet window being obscure glazed;
- the rooflights in the ground floor side extension were to allow light in and would not overlook any part of the adjoining property; and
- the ratio between the numbers of staff and children was controlled by OFSTED.

In supporting the recommended grant of planning permission, the Committee agreed to an additional condition (No. 9) concerning a restriction on the hours of use of the roof terrace/balcony, together with an additional informative (No. 4) regarding the protection of tree roots adjacent to the site.

It was **RESOLVED** that application 21/00719/FP be granted planning permission, subject to the following conditions, and including an additional Condition concerning use of the roof terrace/balcony, and an additional Informative (No. 4) concerning the protection of tree roots during the construction works:

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:
6779(P)010, 6779(P)011, 6779(P)100, 6779(P)-101 Rev. A, 6779(P)102, 6779(P)103, 6779(P)104 Rev. A, 6779(P)105 Rev. A, 6779(P)106 Rev. A, 6779(P)200 Rev. A, 6779(P)201 Rev. A, 6779(P)202 Rev. A, 6779(P)203 Rev. A, 6779(P)300 Rev. A, (P)301

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 demolition, construction or maintenance activities audible at the boundary and no deliveries of construction and demolition materials shall be undertaken

outside the hours 07:30 hours to 18:00 hours Mondays to Fridays, 08:00 hours to 13.00 hours on Saturdays and shall not operate on a Sunday or Bank Holiday, unless otherwise agreed in writing with the Local Planning Authority.

REASON: To ensure the demolition of the existing buildings and the construction and maintenance of the development does not prejudice the amenities of occupiers of nearby premises due to noise pollution.

4. No development above slab level shall take place until details/samples of the materials to be used in the construction of the external surfaces of the extensions, dormer windows, balcony and canopy hereby permitted have been submitted to and agreed in writing by the Local Planning Authority.

REASON: To ensure the development has an acceptable appearance and is of a high quality.

5. The development hereby approved shall not be brought into use until the screening treatment to the western edge of the roof terrace, as indicated on drawing ref. 6779-(P)105 Rev. A, has been provided and shall be maintained at a height no less than 1.7m throughout the lifetime of the development, unless otherwise agreed in writing with the Local Planning Authority.

REASON: To safeguard the privacy of the occupiers of adjoining properties.

6. The development hereby approved shall not be brought into use until a Noise Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan shall include measures the providers shall introduce and carry out in order to control noise levels at the property. The development shall thereafter be carried out in accordance with the approved details.

REASON: To safeguard the amenities of the occupiers of adjoining properties against noise.

7. Notwithstanding the details submitted, the development shall not be brought into use until details of all boundary treatments have been submitted to and approved in writing by the Local Planning Authority. Details shall include the use of solid treatments, including acoustic treatments behind the retained hedging along the eastern and southern boundaries. The development shall thereafter be carried out in accordance with the approved details prior to first use and shall remain in-situ in this form for the length of time the use is operating.

REASON: To safeguard the amenities of the occupiers of adjoining properties against noise.

8. Prior to first use of the development hereby permitted the existing vehicular access adjacent of the double gates shall be permanently closed, and the footway shall be reinstated to the satisfaction of the Local Planning Authority.

REASON: To ensure construction of a satisfactory development and in the interest of highway safety and amenity.

9. The first floor terrace/balcony hereby approved shall not be available for use after 19:00 hours Monday to Friday and at no time on Saturdays, Sundays and Bank/Public Holidays.

REASON: In the interests of protecting the amenity of neighbouring residential properties.

Informatives

1. 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).

2. 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.

3 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.

4. Care shall be given during the excavation and construction phase of this development hereby permitted to ensure that these works do not cause harm to any roots within the root protection area of trees adjacent the application site.

4 21/01302/FPH - 22 GROVE ROAD, STEVENAGE

The Committee considered a report in respect of application 21/01302/FPH seeking planning permission for a part single-storey, part two-storey rear extension and front porch at 22 Grove Road, Stevenage.

The Development Manager gave a presentation on the application. He commented that the plans had been amended to allow for the proposed extension to be stepped back from the boundaries of the adjoining properties. The proposal was acceptable in terms of its impact on the amenity of neighbouring properties, and was in accordance with BRE guidelines in relation to daylight, sunlight and overshadowing.

On behalf of the applicant, the Committee was addressed by Martin Webster (Archer Architects). Mr Webster made the following points:

- the initial brief for the project had been to re-model the ground floor rear extension (including the kitchen and an additional utility room and downstairs toilet) following the demolition of the existing conservatory;
- an additional bedroom would be created at first floor level;
- the extension did not breach the 45 degree line in plan and elevation form from any habitable room window of the neighbouring properties;
- the first floor bathroom window on the east flank of the property would be obscure glazed;
- the ground floor extension was 700mm away from the adjoining boundary in order to protect the roots of a nearby Yew tree;
- the front porch extension related to a minor remodelling of the entrance

- arrangements;
- the application site was not in the Old Town Conservation Area and he considered the design to be acceptable in this location, with all materials to be used matching the existing; and
- as referred to by the Development Manager, daylight modelling had been carried out based on a full year cycle of all four seasons, with the result that any overshadowing to neighbouring gardens caused by the proposed rear extension would be minimal and within acceptable standards.

The Committee was addressed by Mr Slawek Dejneka, a resident of one of the adjoining properties, objecting to the application. Mr Dejneka was of the view that the proposed rear extension exceeded the 45 degree line and should therefore be rejected. The first floor bathroom window overlooked his rear patio which was unacceptable, and would therefore result in a loss of privacy.

Mr Dejneka disputed the results of the tests carried out in relation to loss of daylight, and provided a plan showing how, in his opinion, the 6.5m height of the extension would be overbearing in relation to his property. He also claimed that he had not been consulted regarding the amended plans for the application.

The Committee was then addressed by Himani Lal, a resident of the other adjoining property, also objecting to the application. Himani had lived in her property for over 30 years and was distressed that the applicant and their architect had not met with her to discuss the proposals, in order to consider the possibility of design/aesthetic improvements. Many of the properties in Grove Road had rear extensions, but she felt that a more innovative and co-operative solution could have been found for the one proposed in the application.

Himani commented that the minimal amendments made through submission of the amended plans did not negate her objections to the application. The elevation drawings were back to front and were not drawn accurately. The extension would be massively overbearing and would result in a loss of sunlight to her rear garden. She considered the proposal would also result in an unacceptable loss of privacy and requested that, in its current form, the application should be refused permission.

The Development Manager confirmed that the consultation letter regarding the amended plans had been sent out, and that delivery was reliant on the Royal Mail. He further confirmed that, following advice from the Council's Arboriculture & Conservation Manager, an informative had been added urging care to be taken with the roots of the Yew Tree on the site.

The Development Manager concluded that the proposed development would not have a detrimental impact on the character and appearance of the host application property or the visual amenities of the wider street scene. In addition, the extension would not constitute an unneighbourly or overdominant form of development resulting in an unacceptable level of visual intrusion. Furthermore, the proposed development would not generate an additional level of overshadowing along with impacting upon the level of sunlight and daylight of neighbouring properties to a level at which would be sufficient to warrant refusal. Moreover, the proposal did not require additional off-street parking. The proposed development would therefore

accord with the relevant policies of the adopted Local Plan (2019), the Council's Design Guide SPD (2009), the Council's Parking Standards SPD (2020), the NPPF (2021) and PPG.

In response to Members' questions, the Development Manager stated:

- the results of the daylight/sunlight test undertaken by the applicant were taken on good faith by officers. The Council had no software to verify the results, but officers were content that the process had been carried out in accordance with BRE guidelines;
- there would be a level of harm to the amenity of the adjoining properties, but not of such significance as to warrant a refusal of permission; and
- the objectors had been afforded the opportunity to provide alternative evidence in relation to the loss of daylight/sunlight. Members had been provided with the information provided by the objectors in this regard.

Following a vote, the Committee supported the recommendation to grant planning permission to application 21/01302/FPH.

It was **RESOLVED** that application 21/01302/FPH be granted planning permission, subject to the following conditions:

- 1 The development hereby permitted shall be carried out in general accordance with the following approved plans:
2110-11(P)001; 2110-11(P)002; 2110-11(P)101; 2110-11(P)102A; 2110-11(P)201B; 2110-11(P)202B; Design Proposal: Comparative Orientation Study.

REASON: For the avoidance of doubt and in the interests of proper planning.

- 2 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

- 3 The materials to be used in the construction of the external surfaces of the development hereby permitted shall be as specified in the application submission unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure the development has an acceptable appearance.

INFORMATIVES

1 Community Infrastructure Levy

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

implementing CIL on 01 April 2020.

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

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

2 Party Wall etc. Act 1996

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

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

3 Building Regulations

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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).

4 Impact on the Yew Tree

Care shall be given during the excavation and construction phase of this development hereby permitted to ensure that these works do not cause harm to any roots within the root protection area of the Yew Tree.

5 22/00098/FPM - LAND TO THE EAST OF THE A602 AND SOUTH OF GRAVELEY ROAD, STEVENAGE

The Committee considered a report in respect of application 22/00098/FPM seeking planning permission for the erection of a 54-bed building for C2A planning use (in this case use as an NHS Adult Acute Mental Health Unit) with access, car parking, landscaping and associated works on land east of the A602 road and south of Graveley Road, Stevenage.

The Principal Planning Officer gave a presentation on the application and the report. She focussed on the flood attenuation measures that had been submitted as part of the application, particularly in relation to the southern area of the site, including the lower car park.

The Principal Planning Officer concluded that the erection of a 54-bed building for C2A planning use with access, car parking, landscaping and associated works was acceptable, subject to conditions. The proposal, with high quality design and landscaping features, would comply with the relevant land use policies for the area. Furthermore, it would not impact on the amenities of neighbouring properties and would not be in conflict with any environmental or highways policies. She therefore considered that the application was in compliance with the Council's adopted Local Plan (2019), Parking Provision and Sustainable Travel SPD (2020), Stevenage Design Guide SPD (2009), The Impact of Development on Biodiversity SPD (2021), the NPPF (2021) and NPPG (2014).

In response to Members questions and comments, the Principal Planning Officer and Assistant Director (Planning & Regulation):

- acknowledged that the scheme description (ie. C2A Planning use) was non-specific, in that it did not refer directly to its proposed use as an NHSC Adult Acute mental health unit. Officers had used the submitted description for consultation purposes, but agreed to ensure that the description in future similar applications would be more explicit when carrying out consultation;
- confirmed that some very detailed conditions regarding flooding had been recommended, as proposed by the Council's appointed drainage consultant. A detailed Drainage Strategy was required to be submitted prior to the commencement of any works on site;
- stated that, in respect of safety of users, there would be strict security measures within the proposed building. Externally, there would be fencing between the upper and lower parts of the site;
- confirmed that the application site contained no Public Footpaths, although there were a number of them adjacent to the site; and
- commented that there was no audible buzzing sound from the electricity pylons that traversed the site.

The Committee supported the recommended grant of planning permission to application 22/00098/FPM.

It was **RESOLVED** that, subject to the applicant entering into a Unilateral Undertaking to secure/provide financial contributions towards local employment and apprenticeships (the detail of which would be delegated to the Assistant Director: Planning & Regulation in liaison with the Council's appointed solicitor, application 22/00098/FPM be granted planning permission, subject to the following conditions:

- 1 The development hereby permitted shall be carried out in accordance with the approved plans:

EN54-RYD-00-ZZ-DR-A-0100-S2-P4; EN54-RYD-00-ZZ-DR-A-0101; EN54-RYD-00-ZZ-DR-A-1001; EN54-RYD-00-ZZ-DR-A-1120; EN54-RYD-00-ZZ-DR-A-3601; EN54-RYD-00-ZZ-DR-A-3602; EN54-RYD-00-ZZ-DR-A-3603; EN54-RYD-00-ZZ-DR-A-3604; EN54-RYD-00-ZZ-DR-A-3605; EN54-RYD-MB-01-DR-A-3002-S2-P10; EN54-RYD-MB-LG-DR-A-3000-S2-P10; EN54-RYD-MB-RF-DR-A-3040; EN54-RYD-MB-UG-DR-A-3001-S2-P12; EN54-RYD-SW-01-DR-L-2110-S2-P12; EN54-RYD-00-01-DR-L-2113; EN54-RYD-00-LG-DR-L-2111; EN54-RYD-00-UG-DR-L-2112; EN54-CAP-XX-XX-DR-E-6301 P05

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 building works required to implement this permission shall be carried out only between the following times:

0730 to 1800 Mondays to Fridays
0830 to 1300 Saturdays
And not at all on Sundays and Bank Holidays.

The hours specified relate to activities which are audible at the site boundary.

REASON: To satisfactorily protect the residential amenities of nearby occupiers and the operation of adjoining businesses.

- 4 No development shall commence until a Construction Traffic Management Plan 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 Traffic Management Plan shall include details of:
- a. Construction vehicle numbers, type, routing;
 - b. Access arrangements to the site;
 - c. Traffic 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.

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

- 5 Prior to first occupation of the development hereby permitted, details of the proposed pedestrian / emergency vehicle access onto the A602 Hitchin Road shall be submitted to and agreed in writing with the Local Planning Authority, in consultation with Hertfordshire County Council as Highway Authority. The access shall only be used for pedestrian, emergency vehicle and maintenance use thereafter.

REASON: To ensure the development does not prejudice the safety and operation of the highway.

- 6 Prior to first occupation of the development hereby permitted, pedestrian dropped kerbs and tactile paving shall be provided over the Victoria Court access on approach to the site.

REASON: In order to deliver sustainable transport objectives including

improving pedestrian access to the site.

- 7 Prior to the first occupation of the development hereby permitted full details of the secure and covered cycle parking stores shall be submitted to and approved in writing by the Local Planning Authority. Details shall also include how the stores are to be managed and maintained. 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.

- 8 The Travel Plan as submitted with this planning application shall be implemented, monitored and reviewed in accordance with the agreed travel plan targets to the satisfaction of the Local Planning Authority.

REASON: In order to deliver sustainable transport objectives including a reduction in car journeys and increased use of public transport, walking and cycling.

- 9 The parking, turning and servicing areas shown on drawing number EN54-RYD-SW-01-DR-L-2110-S2-P12 shall be provided, marked out and hard surfaced ready for use prior to the first occupation of the development and shall be retained in that form and kept available for those purposes thereafter.

REASON: To ensure that adequate parking and servicing facilities are available within the site and that there is no detriment to the safety of adjoining highways.

- 10 No above ground 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.

- 11 Prior to the commencement of the development the developer shall carry out a noise assessment in accordance with relevant guidance and standards and a scheme for sound insulation and noise control measures shall be submitted for the Council's written approval.

Once implemented, the scheme of measures shall be maintained in accordance with the approved details.

REASON: To protect the amenities of future residents and in accordance with Local Plan Policy FP7.

- 12 No development shall take place (including site clearance) until a comprehensive study into the options for daylighting Ash Brook and the creation of an accompanying flood storage area has been submitted to and

approved in writing by the Local Planning Authority. The study shall be prepared in accordance with relevant good practice guidance and based on (but not limited to) the following principles:

- a) An approach which seeks to maximise the range of benefits, betterment and opportunities associated with daylighting of Ash Brook and the creation of an associated flood storage area. Daylighting opportunities should include benefits to biodiversity and water quality.
- b) Inclusion of a formal flood storage area in the location currently identified for floodplain compensation, including indicative design of embankments, flow control structures and spillways.
- c) A comprehensive baseline understanding of the existing Hitchin Culvert to allow informed decisions to be taken, identifying relevant constraints and opportunities, including watercourse survey cross sections, numerous photographs of the culvert and surrounds as it passes through the site, and key elevations of sections of the culvert which would remain.
- d) Indicative design drawings and layout plans for a range of feasibility design options (including indicative elevations, cross sections and outfall and headwall structures) for selection to take forward to detailed design (the next stage is to confirm the details of the agreed design only).
- e) Hydraulic modelling to support the assessment of feasibility design options identified. Both the baseline and with-development modelling will need to be subject to independent external technical review to ensure suitable assurance of the options is undertaken.
- f) An approach developed in consultation with relevant stakeholders, including but not limited to Stevenage Borough Council, the Lead Local Flood Authority, the Environment Agency and, if necessary/appropriate, the statutory undertaker for sewerage (foul and surface water).

REASON: To realise betterment with respect to biodiversity, water quality and flood risk associated with naturalised watercourses.

- 13 Prior to occupation, a final detailed design for the selected option agreed under condition 12 for daylighting of Ash Brook and the creation of an accompanying flood storage area should be submitted to and approved in writing by the Local Planning Authority. The Ash Brook daylighting and floodplain storage scheme should be constructed within 6 months of occupation of the development.

REASON: To ensure sustainable and suitable design of naturalised watercourses and flood storage features.

- 14 No development shall take place (including site clearance) until a final detailed design for the drainage scheme for the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be based on the following principles:

- a) Discharging surface water run-off generated by the 1 in 100 year + 40%

climate change critical storm by gravity and by infiltration, or if infiltration is proven not possible in specific parts of the site, by limiting the surface water run off to the QBAR greenfield run-off rate or less, in accordance with an agreement from the relevant body to whom discharges would occur.

- b) Providing attenuation on-site for all rainfall events up to and including the 1 in 100 year + 40% climate change event.
- c) Permeable paving in car parking areas;
- d) Demonstration that any 'allowable' flooding at the ground surface would be: contained within areas suitable for such a use (i.e. outside of buildings and away from key access points) for all events (including exceedance events); and also within the site boundaries to a maximum flood depth of up to 100mm during the 100 year plus 40% climate change storm events.

The scheme shall also provide the following:

- a) Evidence that flexibility in delivery of infiltration (depth and extent) is possible in case any variation in soakage rates is later identified;
- b) Evidence of further infiltration testing, carried out in accordance with BRE Digest 365, at the location and proposed depth of any infiltration measure(s);
- c) Green roofs (wherever possible);
- d) Appropriate treatment before discharge;
- e) Evidence of agreement (of principle and rates) from the relevant body or bodies to whom discharges would occur (where applicable);
- f) Updated surface water drainage calculations and modelling where appropriate for all rainfall events up to and including the 1 in 100 year plus climate change event;
- g) An updated detailed surface water drainage plan where appropriate, showing all proposed discharge points, SuDS features and pipe runs (with sizes);
- h) Detailed engineered drawings of the proposed SuDS features including their size, volume, depth and any inlet and outlet features, including any connecting pipe runs along, with all corresponding detailed calculations/modelling;
- i) Updated proposals to address flood risks associated with exceedance events, for events greater than the 1 in 100 year plus climate change event.

The approved drainage scheme shall be implemented in full prior to the beneficial occupation of the development to which this permission relates and shall be permanently retained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.

REASON: To adhere to the hierarchy of drainage options, as set out in paragraph 080 of the Planning Practice Guidance; to maximise the use of SuDS in the interests of mitigating the risk of flooding to the site itself and downstream; to prevent pollutants entering the public water supply and nearby watercourses; and to maximise the sustainability of the development.

- 15 Prior to occupation, a management and maintenance plan for the approved SuDS features and drainage network must be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:
- a) Provision of a complete set of as built drawings, including the final drainage layout for the site drainage network;
 - b) Maintenance and operational activities;
 - c) Arrangements for adoption; and,
 - d) Any other measures necessary to secure the operation of the scheme throughout its lifetime.

The approved plan shall be fully implemented from the date of approval and thereafter for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.

REASON: To maximise the use of SuDS in the interests of mitigating the risk of flooding to the site itself and downstream; to prevent pollutants entering the public water supply and nearby watercourses; and to maximise the sustainability of the development.

- 16 Development shall not commence until a landscape and ecological management plan (LEMP) has been submitted to, and approved in writing by, the local planning authority. The content of the LEMP shall ensure the delivery of the agreed number of habitat units identified in the NE biodiversity Metric as a minimum (6.79 habitat units) to achieve a biodiversity net gain. The LEMP must include the following:
- a) Description and evaluation of features to be managed.
 - b) Aims and objectives of management.
 - c) Appropriate management options for achieving target condition for habitats as described in the approved metric.
 - d) Prescriptions for management actions, only definitive measures are acceptable.
 - e) Preparation of an annual work schedule (including a 30 year work plan capable of being rolled forward in perpetuity), clearly marked on plans.
 - f) Details of the body or organisation responsible for implementation of the plan.
 - g) Ongoing monitoring plan and remedial measures to ensure habitat condition targets in the approved metric are met.
 - h) Details of species selected to achieve target habitat conditions as identified in approved metric, definitively stated and marked on plans.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management bod(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the

originally approved scheme.'

REASON: To achieve a measurable biodiversity net gain in accordance with NPPF.

- 17 Prior to the commencement of the development, details of biodiversity enhancement measures in the ecological report, consisting of 10 integrated bat cavity boxes, 15 integrated swift boxes, shall be submitted to and approved in writing by the local planning authority. The approved measures shall be incorporated into the scheme, be fully constructed prior to occupation of the approved development and retained as such thereafter.

REASON: To conserve and enhance biodiversity in accordance with NPPF.

- 18 If reptiles are found to be present on site following the results of the presence/absence survey, an appropriate mitigation strategy for reptiles shall be submitted to and approved in writing by the Local Planning Authority in consultation with Herts and Middlesex Wildlife Trust. The mitigation measures shall thereafter be put in place in accordance with the approved detail.

REASON: To conserve and enhance biodiversity in accordance with NPPF.

- 19 Prior to the commencement of development an Arboricultural Impact Assessment, Tree Protection Plan and Method Statement shall be submitted to and approved in writing by the Local Planning Authority. The identified tree protection measures shall be implemented in accordance with the approved details prior to the commencement of development and shall remain in place until the development has been completed.

REASON: To ensure that the retained tree(s) are not damaged or otherwise adversely affected during site operations.

- 20 No tree shown retained on the approved plans, or subsequently approved Tree Protection Plan and Method Statement, shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped within five years of the completion of development without the written approval of the Local Planning Authority.

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

- 21 If any retained tree referred to in condition 21 is removed, uprooted or destroyed or dies within 5 years of the completion of development, a replacement tree should be planted in the same place and that tree shall be of such a size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

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

- 22 The measures to address adaptation to climate change as set out within the BREEAM Pre-Assessment prepared by Method Consulting shall 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.

- 23 The external lighting shall be implemented in accordance with the recommendations within the External Lighting Report and associated External Lighting Layout Drawing EN54-CAP-XX-XX-DR-E-6301 Rev 02, prepared by Capita and permanently maintained in accordance with the approved details.

REASON: To ensure a satisfactory appearance for the development and to prevent light pollution.

- 24 The development hereby permitted shall be completed in accordance with the external materials specified within the Design and Access Statement by Ryder as approved.

REASON: To ensure a satisfactory appearance for the development.

- 25 All hard and soft landscaping shall be carried out in accordance with the approved details as set out in drawing number EN54-RYD-SW-01-DR-L-2110-S2-P12 to a reasonable standard in accordance with the relevant British Standards or other recognised Codes of Good Practice.

REASON: To ensure a satisfactory appearance for the development.

- 26 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the completion of the development.

REASON: To ensure a satisfactory appearance for the development.

- 27 No development shall take place within the proposed development site until the applicant, or their agents, or their successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation, which has been submitted to the planning authority and approved in writing. This condition will only be considered to be discharged when the planning authority has received and approved an archaeological report of all the required archaeological works, and if appropriate, a commitment to publication has been made.

REASON: To provide for the likely archaeological implications of this development proposal.

INFORMATIVES

- 1 Cadent Gas Ltd own and operate the gas infrastructure within the area of your

development. There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist. If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus. The applicant should apply online to have apparatus diverted in advance of any works, by visiting cadentgas.com/diversions. Prior to carrying out works, including the construction of access points, please register on www.linesearchbeforeudig.co.uk to submit details of the planned works for review, ensuring requirements are adhered to.

2 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.

3 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-roadsand-pavements.aspx> or by telephoning 0300 1234047.

4 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-roadsand-pavements.aspx>

[pavements/highways-roads-and-pavements.aspx](https://www.hertfordshire.gov.uk/services/highwaysroadsandpavements.aspx) telephoning 0300 1234047.

- 5 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/highwaysroadsandpavements/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047.

- 6 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).

6 INFORMATION REPORT - DELEGATED DECISIONS

The Committee considered a report in respect of Delegated Planning Decisions.

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

7 INFORMATION REPORT - APPEALS/CALLED IN APPLICATIONS

The Committee considered a report in respect of Appeals/Called-in applications.

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

8 URGENT PART I BUSINESS

Special Planning & Development Committee meeting – 26 July 2022

The Chair reminded Members that a Special meeting of the Committee had been arranged to take place on 26 July 2022 in order to consider an application for the Barnwell East Development (new Michaela School).

The Development Manager advised that the reason why the application needed to be determined urgently was that Department of Education funding for the project had strict timescales, and that any delay could jeopardise this funding and timeframes for delivery of the scheme.

9 EXCLUSION OF THE PRESS AND PUBLIC

Not required.

10 URGENT PART II BUSINESS

None.

CHAIR