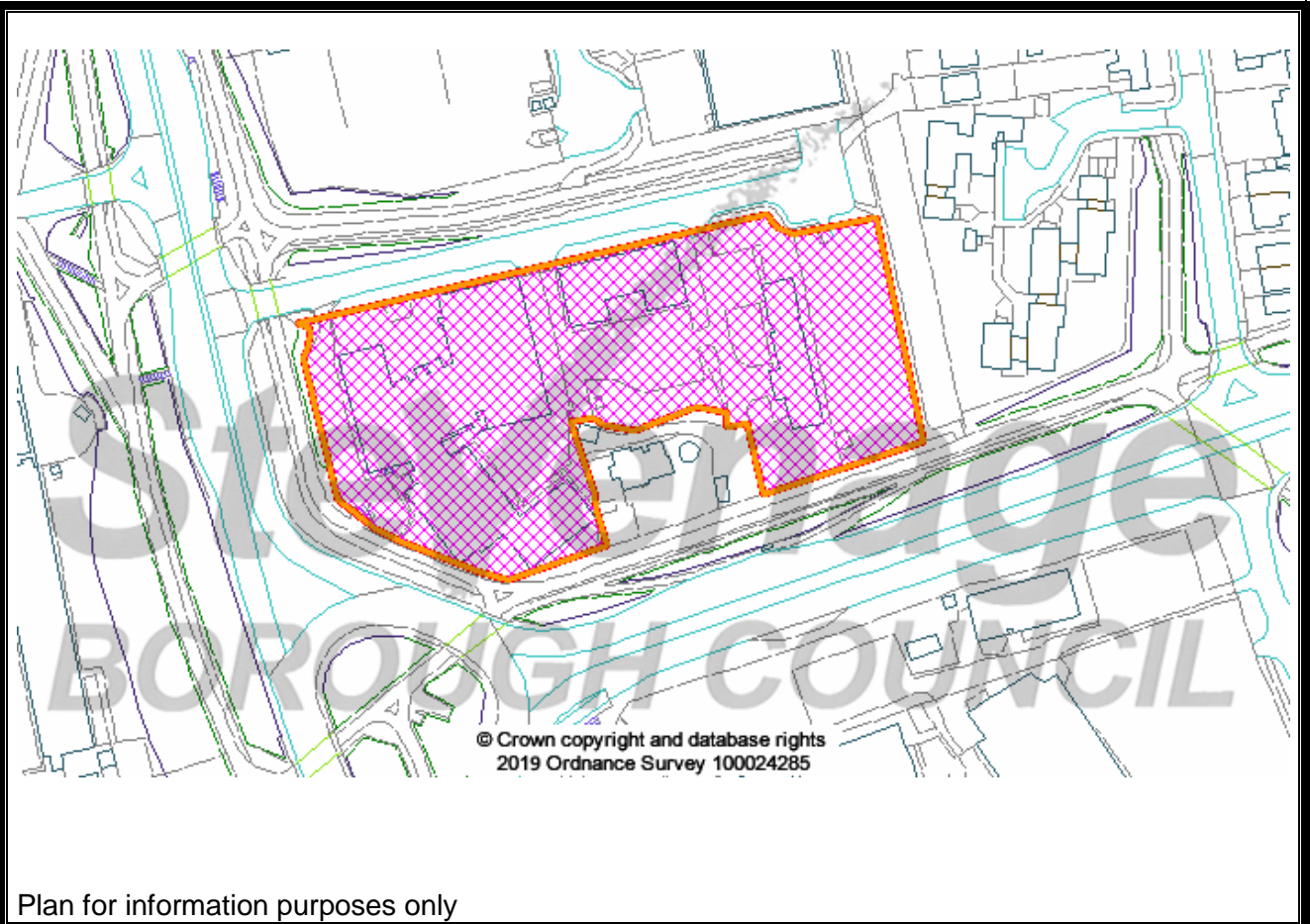


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| Meeting: | Planning and Development Committee | Agenda Item: |
| Date: | 9 August 2022 | |
| Author: | James Chettleburgh | 01438 242266 |
| Lead Officer: | Zayd Al-Jawad | 01438 242257 |
| Contact Officer: | James Chettleburgh | 01438 242266 |

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|-----------------|--|
| Application No: | 19/00062/OPM |
| Location: | Land at Maxwell Road, Stevenage. |
| Proposal: | Outline application (with all matters reserved except access) for the demolition of existing buildings and replacement with buildings to accommodate new office and residential floorspace (Class E and Class C3), with associated landscaping, car parking and ancillary works. |
| Drawing Nos.: | 2521-PL101; 2521-PL02; 8180606/6101C; 2521-PL202A; 2521-PL203A; 2521-PL204A; 2521-PL205A. |
| Applicant: | TTL Chiltern Property Limited |
| Date Valid: | 04 February 2019 |
| Recommendation: | GRANT OUTLINE PLANNING PERMISSION. |



1. SITE DESCRIPTION

- 1.1 The application site is located off Maxwell Road which is a spur road off Gunnels Wood Road (A602) and lies within a designated Employment Area. The site comprises a two-storey, utilitarian style, modulated office building with a flat roof known as Serviceline. This building is constructed from a stock red brick with vertically aligned metal windows. To the west of the Serviceline Building is the Furniture Industry Research Association (FIRA) building which is considered to be a non-designated heritage asset. This building has a distinctive roof design with an irregular cranked floor plan which comprises the central hall, workshops and laboratory areas which radiate out from the core. The building has a clearly defined entrance feature which comprises a projecting porch with brick side walls with a low level glass roof over a vestibule (lobby). This vestibule has been enclosed by double-leaf softwood doors with narrow glazed panels.
- 1.2 Located at the eastern part of the development site is Walton Lodge Veterinary Surgery. The veterinary surgery is a part single-storey, part two-storey building with a flat roof and is constructed from red brick. The fenestration detailing of this building comprises symmetrical and evenly spaced metal windows with associated panels.
- 1.3 To the north of the application site lies Cockerell Close. This road consists of a number of trade and commercial premises along with a warehouse and builders merchants. To the south of the application site is Broomin Green Farm which is a Grade II Listed Building in residential use. To the east of the application site beyond the tree belt is Mozart Court, off Fairview Road which is a residential care home. To the west of the site beyond Gunnels Wood Road dual carriageway is the modern Fujitsu office complex. The surrounding area, which forms part of the Gunnels Wood Road Employment Area, comprises a mixture of offices, warehouses, light industrial units and other commercial premises.

2. RELEVANT PLANNING HISTORY

- 2.1 Planning application 2/0166/50 sought permission for an industrial area development – Part 1. This application was granted permission in July 1950.
- 2.2 Planning application 2/0221/70 sought permission for an extension to provide research and ancillary space and additional parking area. This application was granted permission in December 1970.
- 2.3 Planning application 2/0167/74 sought permission for a single-storey extension to form laboratories and offices. This application was granted permission in August 1974.
- 2.4 Planning application 2/0283/77 sought permission for a car park and new access. This application was granted permission in December 1977.
- 2.5 Planning application 2/0019/78 sought permission for a single-storey training centre. This application was granted permission in February 1978.
- 2.6 Planning application 2/0020/78 sought permission for a multi-purpose building for research. This application was granted in February 1978.
- 2.7 Planning application 2/0122/78 sought permission for the erection of a multi-purpose two-storey building for research (Phase 1). This application was granted in May 1978.
- 2.8 Planning application 2/0263/78 sought permission for a two-storey building for research purposes. This application was granted in July 1979.
- 2.9 Planning application 2/0238/81 sought permission for a change of use from warehouse to light industry. This application was granted in October 1981.

- 2.10 Outline application 2/0432/85 sought permission for Phase 2, two-storey multi-purpose building and associated car parking facilities. This application was granted in February 1986.
- 2.11 Planning application 2/0068/96 sought permission for a flue and lattice support structure. This application was approved in May 1996.
- 2.12 Planning application 01/00488/FP sought permission for a change of use of premises from factory to veterinary hospital. This application was granted in November 2001.
- 2.13 Planning application 17/00303/OPM sought outline permission for the demolition of the existing buildings and replacement with 64 no. two bed flats and 64 no. one bedroom flats, two storey extension to retained "Serviceline Building" to facilitate conversion to 8 no. two bed flats and 24 no. one bed flats, erection of 3 no. 4 bed houses and associated access arrangements. This application was withdrawn in September 2018.
- 2.14 Prior approval application 17/00318/CPA sought a change of use of office building (Use Class B1(a)) to Residential Dwellings (Use Class C3), comprising 12 no. one bedroom flats and 4 no. two bedroom flats. Prior Approval was required and Refused in July 2017.

3. THE APPLICATION AS ORIGINALLY SUBMITTED

- 3.1 The application as originally submitted to the Council for determination was in outline form with all matters reserved, except for access, sought permission for the demolition of the existing Serviceline building, the FIRA building and the veterinary and for the erection of up to 88 new dwellings and up to 12,733 sq.m of office floorspace (Use Class B1(a)), creation of new internal roads, private car parking, landscaping, open space and ancillary works. The proposed development of 88 dwellings was for a density of approximately 69 dwellings per hectare. The development included 248 parking spaces (58 spaces for the residential development and 190 spaces for the office development). The proposed development excluded the Grade II listed Broom Green Farmhouse as this property sits outside of the application site and therefore, is to be retained.
- 3.2 This application was granted planning permission by the Council as Local Planning Authority on the 31st March 2020. However, a Judicial Review (JR) was lodged against this permission by Lady Norma Somers of Broomin Green Farm, Stevenage (The Claimant). The Claimant contended that in granting Planning Permission, the Council erred in law in:
 - (a) Deferring consideration of the acceptability of the proposed development by reason of its sunlight and daylight effects on the Claimant's and other properties to the reserved matters stage, when those effects should have been considered in the decision sanctioning the principle of the development;
 - (b) Misinterpreting and thereby misapplying Policies EC4 and HO5 of the Stevenage Borough Local Plan (2019).
- 3.3 Following the advice of Counsel, the Council had agreed it had erred in law on the Claimants Ground 1, sunlight and daylight effects of the development. However, the Council did not agree it erred in law on Ground 2, misinterpretation of planning policy. The decision was, therefore, subject to a Consent Order which was then confirmed by Hon. Mr Justice Holgate which ordered that the application for permission for Judicial Review be granted and the Council's decision of 31 March 2020 is quashed with respect to Ground 1 only. The order was issued by the Court on the 19 May 2020.
- 3.4 Given the quashing of its earlier grant of planning permission, the Council is now required to re-determine the planning application afresh. As part of the de novo reconsideration, the Council needs to take into consideration the grounds of the quashing order. Consequently,

this application has been referred back to the Planning and Development Committee for its decision.

4. PUBLIC REPRESENTATIONS ON THE ORIGINAL APPLICATION

4.1 The original planning application had been publicised by way of a site notice and neighbouring properties have been notified about the application via a letter. The application was also published in the local press. In addition, neighbouring properties have also been notified via letters on the amended parameter plans. Objections have been received from Philbeck House, Maxwell Road and Broomin Green Farm, Maxwell Road which are both residential properties. A summary of the objections received is as follows:-

- Loss of privacy to the private garden area;
- The proximity of the residential blocks will cause direct overlooking of habitable rooms;
- The development would result in a loss of sunlight to neighbouring properties;
- The development would generate security issues for neighbouring properties;
- The development would generate high levels of traffic on Maxwell Road and on Gunnels Wood Road which already has a high level of traffic due to developments such as Costco;
- Public who visit Costco are already parking in local residential streets and dangerously crossing the dual carriageway;
- Maxwell Road was never meant to be a busy residential road;
- The traffic along Gunnels Wood Road already affects many routes to other parts of Stevenage;
- The development has insufficient off-street parking;
- The development would prejudice ease of access to Broomin Green Farm;
- The development could generate anti-social behaviour in the area;
- The office development would affect the peace and tranquillity of Broomin Green Farm;
- There is question as to whether there is an actual need for the offices due to the level of vacant offices in the town;
- The proposal is overdevelopment of the site;
- The development would result in a loss of established businesses;
- The development would generate unacceptable noise levels on the occupiers of Broomin Green Farm;
- A number of buildings in the town have already been converted to flats, there surely is a need for houses for families;
- Stevenage should be for families and not be made into a commuting town;
- The development is out of character with the area in terms of building heights;
- There is a lack of an access road onto Gunnels Wood Road;
- The development would have a detrimental impact upon local wildlife;
- The travel plan submitted is unrealistic and its very likely the development would be car dependent;
- The developer is merely trying to make a profit and not catering for families in Stevenage;
- Providing homes for families would more likely contribute to Stevenage and its wealth instead of providing for commuters.

4.2 Please note that the aforementioned is not a verbatim record of the comments which have been received. A full copy of the comments can be viewed on the Council's website.

5. CONSULTATIONS ON THE ORIGINAL APPLICATION

5.1 **Hertfordshire County Council as Highways Authority**

- 5.1.1 The Transport Assessment submitted as part of this planning application and covering highway and traffic issues has been carefully considered to establish the likely impact of the proposal on the highway network. It is considered that the total peak traffic generation of traffic would reduce in comparison with the existing uses on site. In addition, whilst the development is located off a local access road, this road is a spur off Gunnels Wood Road which is a main distributor road. However, it is not considered that the traffic generation of the proposed development would have a significant impact on the local highway network.
- 5.1.2 In regards to the proposed vehicle access points off Maxwell Road, the access roads have been designed in accordance with Manual for Streets. Consequently, it is determined that the proposal would not have an unreasonable impact on the safety and operation of the adjoining highway subject to the provision of a financial contribution, conditions and informatives to be attached to any planning permission.

5.2 Hertfordshire County Council Growth and Infrastructure Unit

- 5.2.1 Following an assessment of the proposed development for 88 units, it is recommended financial contributions should be secured in accordance with HCC Toolkit towards youth services, library services as well as primary and secondary education. In addition to this, it is recommended that fire hydrant provision should be provided as part of the development. As such, fire hydrant provision should be secured as part of any S106 Legal Agreement.

5.3 Hertfordshire County Council as Lead Local Flood Authority

- 5.3.1 The County Council as the Lead Local Flood Authority (LLFA) consider the proposed drainage scheme to be acceptable. The drainage strategy is based on an attenuation and restricted discharge system via a Hydrobrake at 2.5l/s which is very close to the greenfield run-off rate for the site. However, as the application is in outline, the applicant will need to confirm full details regarding the attenuation features to be provided and SuDS management features on site. Therefore, it is recommended a number of conditions are imposed if planning permission were to be granted to secure the finalised drainage scheme for the development.

5.4 Hertfordshire County Council Archaeology

- 5.4.1 The proposed development lies adjacent to an Area of Archaeological Significance, as identified in the Local Plan. This concerns the 17th century farmhouse and considerably shrunken historic hamlet of Broomin Green in Stevenage.
- 5.4.2 The farmhouse is much modernised, but retains two timber-framed 17th century sections, and is Grade II listed. The hamlet, however, is recorded in documents from as early as 1248, where it is noted as the home of John de la Brome. It appears that there has been a small settlement in this corner of the ancient parish of Stevenage since the medieval period. The Desk Based Assessment (DBA) concludes that the development site is located, at least partially, on the site of the former hamlet.
- 5.4.3 Finds from the prehistoric period are also known to be found in this part of Stevenage, from hand axes dating to the Palaeolithic period to coins from the late Iron Age. In addition, there is also potential for prehistoric remains to be present in the area as well.
- 5.4.4 Some, not all, of the structures appear to have basements. However, it is unclear as to the degree that these buildings and possible basements, have led to the potential removal of archaeological layers. Notwithstanding, many of the new structures will be in the footprint of the old. However, as stated by the DBA, development would also be taking place in the areas that were former car parks and greens areas. As such, archaeology may also be preserved beneath the existing structures that do not have basements.

5.4.5 It is therefore considered that the position of development is such that it should be regarded as likely to have an impact on heritage assets of archaeological interest. Therefore, if the Council is minded to grant consent, a number of conditions should be imposed to any permission issued. The suggested conditions are considered both reasonable and necessary to provide proper consideration for the likely archaeological implications of the development. In addition, the recommendations closely follow the requirements of paragraph 199 (**now para. 205**) of the NPPF as well as the relevant guidance in National Planning Practice Guidance.

5.5 Hertfordshire County Council Minerals and Waste

5.5.1 The Council needs to be aware of the Policies in regards to waste management of the site, including the re-use of unavoidable waste where possible and the use of recycled materials where appropriate to the developments construction. Furthermore, Waste Policy 12: Sustainable Design, Construction and Demolition require all relevant construction projects to be supported by a Site Waste Management Plan (SWMP). This aims to reduce the amount of waste produced on site and should contain information including types of waste removed from the site and where the waste is taken to.

5.6 Council's Conservation Advisor.

5.6.1 The site comprises a number of buildings in office/commercial use, a veterinary surgery and areas of parking all accessed from Maxwell Road. The south-west corner of the site is set down from the road which rises up to the roundabout over cycle-ways / footpaths below and is on the corner of Gunnels Wood Road and Fairlands Way. The buildings are generally tall single storey or two-storey in height.

5.6.2 Whilst the area is generally characterised by industrial / office buildings, adjacent to the site, and surrounded by it on 3 sides is the Grade II listed Broomin Green Farmhouse (a designated heritage asset). Prior to the New Town development of Stevenage, this building was part of Broomin Green Farm and lay isolated a little way to the east of the town. The farmhouse dates to the 17th century (partly rebuilt) and is of timber frame construction with plastered infill and a steep gabled clay tile roof which is a noticeable element within the street scene from Fairlands Way. At present the roof of the Furniture Industry Research Association (FIRA) building, the nearest building to the farmhouse is lower than the ridge of the farmhouse. Despite the industrial nature of its current setting the buildings on the application site are lower than, or of a similar height to the farmhouse and it sits reasonably comfortably in this context.

5.6.3 The application site contains the FIRA Laboratory; located in the south-west corner of the site facing the roundabout. The building was designed by Howell, Killick, Partridge and Amis, the celebrated architects' practice who designed a number of architecturally important buildings throughout this period (several of which are now statutory listed). The FIRA Laboratory was put forward for statutory listing however Historic England recommended it was not added to the statutory list as, unfortunately, the alterations that have occurred to the building since its construction have diminished its significance. None the less, the FIRA and its concrete sign to the site frontage are clearly still of architectural merit and the FIRA Laboratory should be considered a 'non-designated heritage asset'.

5.6.4 The development entails demolition of all the buildings on the site (FIRA Laboratory building, Serviceline building and Veterinary Surgery). The new development on the site would take the form of:

- A large office block on the corner of Fairlands Way and extending along the Gunnelswood Road frontage of the site, this has a 2-storey plinth and 6-storeys above.

- Four blocks of residential units are proposed, ranging from between 2 – 7 storeys.

- 5.6.5 In relation to the office block, the way it curves to address Gunnelswood Road is the most successful part of its design. Following on from initial concerns raised, the southern part of the office block has been reduced in height and the east flank of the southern part of the office block features further stepping at 4th and 6th floor, breaking up this flank elevation to some degree which is an improvement on the initial proposed plans. The core of the northern office block has been remodelled and the upper floor stepped in to reduce its bulk.
- 5.6.6 Despite these changes the scale bulk and massing of the office block is still considered to detract from the setting of Broomin Green Farmhouse, causing some harm to its significance. The residential development on the site is in smaller blocks however cumulatively the level of development does not seem all that sympathetic to the setting of the listed building.
- 5.6.7 The visual impact of the new development is illustrated on the site elevations (page 19 and 20) of the Design and Access Statement and on viewpoints 2a and 3 within the Landscape Visual Impact Assessment (LVIA). There is also a concern that the high level of development on the site this may, in time, put pressure to remove or heavily reduce the planting to the edges of the site, increasing the prominence and visual impact of the new development locally.
- 5.6.8 In relation to the demolition of the FIRA Laboratory building (considered to be a non-designated heritage asset), NPPF para. 197 (**now Para. 200**) states:
- ‘The effect of an application on the significance of a non-designated heritage asset should be taken into account. In weighing applications that affect directly or indirectly non-designated heritage assets, a balanced judgement will be required having regard to the scale of harm or loss and the significance of the heritage asset.’*
- 5.6.9 Under the proposed redevelopment of the site, the scale of harm or loss will be absolute, if the demolition of the FIRA Laboratory is allowed it should be subject to a Level 3 Historic Building Recording which should be archived appropriately.
- 5.6.10 With reference to the impact upon the setting (and significance) of the Grade II listed Broomin Green Farmhouse:
- Setting is defined in the National Planning Policy Framework (NPPF) as "The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of the asset, may affect the ability to appreciate that significance or may be neutral."
- 5.6.11 The setting itself of a listed building is not designated. Every heritage asset, whether designated or not has a setting. Its importance, and therefore the degree of protection it is offered in planning decisions, depends entirely on the contribution it makes to the significance of the heritage asset or its appreciation.
- 5.6.12 Paragraph 193 of the NPPF (**now para.199**) states that: *‘When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.’*
- 5.6.13 Paragraph 194 (**now para.200**) continues: *Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction or development within its setting) should require clear and convincing justification.’*

- 5.6.14 Paragraph 200 (**now para.206**) recommends local authorities look for opportunities for new development within the setting of heritage assets ‘to enhance or better reveal their significance.’ The development will not entail any direct physical alteration to the listed building or its immediate plot. It is recognised that the setting of the Grade II listed Broomin Green Farmhouse has changed significantly since the mid-20th century with the development of the Gunnelswood Road industrial area and the surrounding road network.
- 5.6.15 It is acknowledged the changes made to the design, scale and massing of the office development during the application process have slightly reduced the level of harmful impact upon the setting of the farmhouse. However the redevelopment of the site as proposed (in particular the scale, bulk, mass and overbearing nature of the proposed office development and the cumulative impact of development on the site), is considered to have an adverse impact upon the setting of the farmhouse (compared to its existing setting), thereby causing ‘less than substantial harm’ to its significance.
- 5.6.16 The NPPF (para. 196) (**now para. 202**) advises that: *‘Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal..’*
- 5.6.17 In reaching a decision on this application Stevenage Borough Council should balance the ‘less than substantial harm’ against any ‘public benefits’ the proposal may result in. If the application is approved, conditions including a Level 3 Historic Building Recording / full landscaping details and details / samples of external construction materials should be applied.

5.7 Council’s Environmental Health Section

- 5.7.1 From a commercial perspective, it is recommended if planning permission was to be granted, the following conditions should be imposed:-
- Watching brief for initial site preparation in regards to land contamination;
 - Restriction on the hours of construction (including no playing of audible music/radio);
 - Management of construction operations in terms of noise, dust, smoke, lighting;
 - Control of any plant and equipment which could generate a nuisance.

- 5.7.2 In terms of noise, the Environmental Health Section has advised that they are unable to make further comments until a full BS4142:2014 (as amended) assessment of the commercial noise sources has been completed. It has to be appreciated that the Council has to be satisfied about the level of impact from the adjacent noise sources on future occupiers and that appropriate mitigation measures have been put in place to protect residents and ensure they are able to enjoy a reasonable internal and external acoustic environment without the likelihood of noise complaints arising in the future. Presently, based on the limited assessment of commercial noise you have undertaken so far, we cannot be satisfied of this. It is important not only for the future residents and the existing businesses, but also for the local authority who may be faced with investing resources into investigating and taking action if complaints were to arise. For this reason, the application will be required to provide a comprehensive assessment of the commercial noise.

5.8 Council’s Arboricultural Manager

- 5.8.1 In order to reduce the impact of the development, it is recommended the following works to trees outside the site boundary will have to be carried out, at the cost of developer, before the commencement of the construction works. The works which have been suggested to the relevant trees are as follows:-

1. Removal of 2 no. Poplar Trees in the North East corner of Block 1;

2. 30% reduction of first row of trees on the Eastern boundary by Blocks 1 and 2;
3. 30% reduction of the two Lime trees by the South Eastern corner of the site;
4. 30% overall reductions on the two groups of Maple trees on the northern boundary near Block 4 and Office Block;
5. Removal (including stump grinding) of the two Maple trees on the North side by the sub-station.

5.9 Council's Parks and Amenities Section

- 5.9.1 The development falls outside the catchment area for any existing play area within the town. The nearest play facilities are at Meadway Playing Field and/or King George V Playing Field. Due to the industrialised nature of the site, it would not be suitable to construct a play area within the development.
- 5.9.2 Therefore, financial contributions will be sought towards Children's Play and Outdoor Sport. The monies would be utilised to improve either Meadway Playing Field and/or King George V Playing Field. The section also seeks further clarification in regards to public open space. In terms of landscaping, there are very limited details which have been provided. Therefore, to be able to comment, full details, plans and specifications for landscaping should be provided.
- 5.9.3 The Council's Parks and Amenities Section would not look to adopt the maintenance of the on-site open space due to its self-contained and isolated nature.

5.10.1 Council's Traffic and Enforcement Manager

- 5.10.1 There is no mention in the Transport Assessment of cycle parking. This should meet the Council's Standards. In terms of car parking, there would be a lower number of car parking spaces on the grounds on the sites accessibility in line with the Council's Standards. Therefore, it is recommended the developer provides additional cycle parking spaces in place of the un-provided car parking at a ratio of 1:1 to help realise the site's potential for sustainable travel.
- 5.10.2 At paragraph 2.17 of the Transport Assessment, it states that further pedestrian/cycle connections could be provided, subject to agreement with the Council. This is supported as it would help realise the site's potential for sustainable travel.
- 5.10.3 In regards to Maxwell Road, it is subject (as detailed in the Transport Assessment) to a single yellow line to prevent commuter parking. It is also subject to an overnight and weekend ban on parking by commercial vehicles of more than 5 tonnes/seating of more than 12 passengers. Therefore, provision should be made for a S106 contribution to fund the extension of these controls into the new street upon its adoption in order to protect residents from the issues that led these controls to be introduced in the first instance.
- 5.10.4 The introduction of further controls would also serve to support the site's sustainable travel by deterring residents from keeping excess vehicles that they would then have to store on the carriageway.

5.11 Police Crime Prevention Design Officer

- 5.11.1 Following a review of the redesigned office block, the Police Crime Prevention Design Service is disappointed that the applicant has not consulted the Design Service. In addition, they have not addressed some of the points which have been raised with regards to Secured by Design. This requirement should cover the whole of the development and not just the residential aspect. As such, they encourage the applicant to achieve the Police preferred minimum security standard.

5.12 Historic England

5.12.1 On the basis of the information made available to date, Historic England do not wish to offer any comments. It is suggested the Council seeks the views of their specialist conservation and archaeological advisers, as relevant.

5.13 Environment Agency

5.13.1 The proposed development is considered to be acceptable subject to conditions being imposed. The presence of the electricity sub-station and the current use of the site as a furniture industry research facility (with the associated materials and chemical laboratories), present a risk of contamination that could be mobilised during construction to pollute controlled waters. Controlled waters are particularly sensitive in this location given that the proposed development is located:-

- Within Source Protection Zone 1;
- Within 120 metres of an abstraction borehole used for the supply of water for human consumption;
- Upon a Secondary A Aquifer within the Glacio-fluvial deposits overlying the Principal Chalk Aquifer (Holywell Nodular Chalk Formation and the New Pit Chalk Formation).

5.13.2 The area is designated as Source Protection Zone 1 as significant groundwater source used for potable water supplies usable for human consumption and may be at particular risk from polluting activities on or below the land surface arising from the proposed development. The conditions recommended to be imposed if permission were to be granted are as follows:-

- Submission of a remediation strategy;
- Submission of a verification report in regards to remediation;
- Long term monitoring in respect to contamination;
- Remediation Strategy to be submitted if previously unidentified contamination is found;
- Control of SUDs infiltration of surface water into the ground;
- Piling; and
- Decommissioning of investigative boreholes.

5.14 Thames Water

5.14.1 In regards to Foul Water sewage network infrastructure capacity, there is no objection to the proposed development. With regards to surface water drainage, it is advised that if the developer follows the sequential approach to the disposal of surface water, there is no objection. Where the developer proposes to discharge to a public sewer, prior approval will be required from Thames Water.

5.15 NHS East and North Hertfordshire Clinical Commissioning Group

5.15.1 No S106 monies will be sought for this development.

5.16 20th Century Society

5.16.1 No comment.

5.17 Herts and Middlesex Wildlife Trust

5.17.1 No comment.

5.18 UK Power Networks

5.18.1 No comment.

6. THE AMENDED APPLICATION

6.1 Following the making of the Quashing Order by the High Court, the outline application has been amended. The amended application seeks outline permission (with all matters reserved except access) for the demolition of existing buildings and replacement with buildings to accommodate new commercial and residential floorspace (Class E and Class C3), with associated landscaping, car parking and ancillary works. The application entails the demolition of the FIRA building, veterinary surgery and Serviceline office building. The residential area would be served by approximately 53 parking spaces.

6.2 The scheme would comprise up to 80 dwelling units with a mixture one and two bedrooms, including 25% of the units being for affordable housing. These units would be spread across 4 separate blocks which would range between two and seven stories in height. With respect to the proposed commercial building, this would be a standalone building with up to 11,059 sq.m in commercial floor area. This is a reduction of 1,654 sq.m on the original application proposal. The building would have a maximum height of seven stories and would be served by approximately 177 parking spaces.

6.3 The development would seek to utilise the existing access points off Maxwell Road. The proposal also incorporates new pedestrian and cycle access points onto the cycle track which runs along Fairlands Way. There would also be new pedestrian crossing points on Maxwell Road in order to connect the site to the cycle and pedestrian routes located on Maxwell Road.

6.4 The scheme which is currently before the Council does not seek any amendments to the access arrangements as previously determined by the Council. This amended application is accompanied by the following new/additional documents:-

- Amended indicative plans for the proposed development;
- Addendum Planning Statement;
- Updated Noise Impact Assessment;
- A revised Design and Access Statement; and
- Sunlight and Daylight Assessment.

7. PUBLIC REPRESENTATIONS ON THE AMENDED APPLICATION

7.1.1 The amended planning application had been publicised by way of a site notice and neighbouring properties have been notified about the application via a letter. The application was also published in the local press. Details of the representations received are set out in detail below.

Philbeck House (letter dated 27th December 2020) - Objection

7.1.2 The scheme is overdevelopment of the area and Maxwell Road is not designed for the volume of vehicles that the development will bring. In addition, there is insufficient parking to serve the proposed development. Furthermore, due to the level of traffic the scheme would generate, it would be difficult for vehicles to exit onto Gunnels Wood Road.

7.1.3 With respect to the proposed offices, is there a demand for offices when a number of offices in Stevenage have been converted to flats. Further to this, people are working from home

and companies see this as a cost benefit as an effective way of working. Some examples of disused offices in the town are:-

- Old Tax Office – Converted to Flats;
- West Terrace, London Road – Converted to Flats;
- Vista Towers – Converted to Flats;
- Swingate – Converted to Flats;
- Wedgwood Way – Converted to flats.

7.1.4 Moreover, why construct more office floorspace when the Eagle Building (**Icon**) has been empty for a number of years and recently had planning permission for it to be changed to flats. With respect to the flats, why build these multi-storey developments when the majority of Stevenage requires homes. Where are the family builds for Stevenage, families need homes not flats.

7.1.5 If the offices were not built and the flats were replaced with homes, this would relieve the potential traffic issue which would be created by the development. The developers only really care about money and deliver what is not needed for Stevenage residents or is right for the area. Parking and highway safety issues have not been considered at all. In addition, due to the number of residents the development would create, how are the safety aspects of pedestrians and cyclists taken into account where there will be so many vehicles, especially due to the number of routes which surround the site. As such, no thought has been given to this. The developer is building bike sheds but not making it a safe traffic restricted area.

EB7 Limited – Sunlight and Daylight Consultant instructed by owners of Broomin Green Farm, Maxwell Road (letter dated 06 January 2021) – Objection

7.1.6 The owners have substantive concerns about the perceived impact on sunlight and daylight amenity. They seek to ensure that proper consideration is given to the continued use of the 17th Century Grade II Listed Farmhouse. The owners have requested the review of the adequacy of the scope of the assessment (Sunlight and Daylight) carried out by GIA (on behalf of the applicant) and the conclusions set out in this study.

7.1.7 The review undertaken does not include a review of the Technical 3D model used for the GIA assessment. At the time of this letter, GIA has not measured the property but access was arranged and GIA attended to take photographs of the property only. It is noted GIA did try to rearrange access, however, due to the Covid-19 pandemic, access was not possible. Access is important as room layouts, the room use and sill heights will have an effect on the accuracy of the results presented.

7.1.8 In carrying out the assessment, GIA used “Vertex Photogrammetry” for modelling, rather than a more accurate 3D laser scan. When using Photogrammetry, GIA recommended allowing for a 300mm tolerance in the modelling. It is also noted that the relevant windows which have been tested have been placed in the 3D model using brick counting only. However, given the building is predominantly rendered the windows cannot be portrayed accurately.

7.1.9 It is not clear how the owner of Broomin Green Farm and the Council are to rely upon the results when it is clear that the data used to calculate the daylight/sunlight levels is based on a vast number of assumptions.

7.1.10 In terms of modelling, there are inconsistencies in terms of window positioning and heights, which highlights the importance of carrying out a laser scan of the site and neighbouring properties prior to running any calculations to accurately pin point the windows being tested. In addition, the window arrangements are still not correct and do not represent the “actual” scenario. It is important to note that the main room of concern is used as a kitchen / office

area during the day and is an integral room within the dwelling that is used daily for office administration tasks where then owners conduct their business operation from.

- 7.1.11 In addition, given the concerns raised regarding the accuracy of the data set used for this assessment, the impact on the Vertical Sky Component (VSC) is in some doubt in terms of its validity. This is particularly given the centre point of the window can “shift” 300mm i.e. the suggested Photogrammetry tolerance and reliance on the estimated window position based on “brick counting” a rendered elevation.
- 7.1.12 Furthermore, the results for the NSL shown for window F00 R6 are wrong as they incorporate windows that do not existing on the ground floor northern elevation. As such, when treated in isolation (W13), as it meant to be, the NSL will show a significant impact to this room which would be deemed unacceptable in BRE terms.
- 7.1.13 Turning to results, the GIA report mentions a reduction to W13 beyond the BRE target level and attempts to justify this by asserting a northern aspect. This is not true as the window faces west and currently enjoys a 17% APSH in the existing scenario. Given the defined use of the room, retaining the sunlight level is paramount to the beneficial use of the room in question. The proposed sunlight will be reduced down to 12% making the reduction value 29.41%. This is nearly an extra half of the allowed 20% reduction and should therefore, not be permissible in sunlighting terms.
- 7.1.14 It is also noted that no overshadowing assessment has been provided as part of the applicant’s assessment. It is suggested one is provided for the small amenity area to the west. In summary, there are concerns regarding the method used in determining the impact the development would have on Broomin Green Farmhouse. There are also inconsistencies in the placement of windows, namely the inclusion of windows within the northern elevation on the ground floor of the North West section of the farm house. The results, in particular to W13, if tested correctly, should not be acceptable in daylight and daylight terms and the inaccurate data may also have a significant impact on other windows considered for assessment.
- 7.1.15 Therefore, EB7 it is of the opinion that the accuracy of the assessment cannot be relied upon and a laser scan should be undertaken of the site and neighbouring properties prior to carrying out any further testing. It is also noted that this is an outline application in order to determine the form of height for the neighbouring land with a detailed application to follow. It is therefore, considered that the applicant has not been sympathetic towards Broomin Green Farm in respect to daylight and sunlight amenity and the number of assumptions made within the assessment cast doubt over the accuracy over the results presented in the GIA report.

Harrison Grant Solicitors – Instructed by owners of Broomin Green Farm, Maxwell Road (Letter dated 5 February 2021) – Objection

- 7.1.16 Harrison Grant Solicitors have been instructed by the owners of Broomin Green Farmhouse which is a 17th Century farmhouse listed as Grade II. The owners of Broomin Green Farm object to the failure by the Council to require a detailed planning application. This is development of tall buildings affecting the setting of a listed building. Historic England has issued Advice that ‘Submitting a detailed planning application will require the applicant to provide sufficient information to enable to the planning authority to assess the impact and planning merits when taking a decision.
- 7.1.17 Outline applications are only likely to be justified in exceptional cases where the impact on the character and distinctiveness of local areas and on heritage assets can be assessed without knowing the detailed form and finishes of the building. This is likely to be rare.

Therefore, it is irrational to have design as a reserved matter in circumstances where a) there is a listed building at the heart of the site and the application is responding to the setting of the listed building and/or b) policy requires a 'landmark' building on the site.

- 7.1.18 Looking at the proposal in detail in terms of heritage, the owners object to the development as it will overwhelm and dwarf the listed building, there are no other buildings along Gunnels Wood Road that are anywhere near this height. The development fails to preserve the setting of the listed building and causes a high degree of harm to the significance of the heritage asset and is therefore, contrary to Policy SP13, SP2 (o.) and SP2, and SP8.
- 7.1.19 The application site surrounds the Grade II listed farmhouse and gardens on three side, the south west/west, north and east. The Design and Access Statement at 4.0, para 2, states that the scale and massing of the development is informed by requirements to:
- 'Respect the heritage asset of the Grade II listed Broomin Green Farmhouse to ensure that the new development is not overbearing or detrimental to its setting'*.
- 7.1.20 The proposed is considered overbearing and detrimental to the setting of the farmhouse, as found by the Council's own Historic Building Consultant. The Council's Historic Building Consultant stipulates that the current buildings on the application site are 'lower than, or of similar height to the farmhouse and it sits reasonably comfortable in this context'. (The letter of objection also makes further reference to the concerns raised by the Council's Historic Building Consultant – See Section 8.4).
- 7.1.21 The letter of objection also sets out that the development does not comply with Historic England's definition of a high quality scheme at 4.5 of its Advice Note 4 as it does not have a positive relations with heritage assets and their setting, nor is it a successful application or deliver architectural quality to paragraph 4.8. The Council's Consultant on Heritage conclusion sets out that the Council should balance the 'less than substantial harm' against any public benefits of the proposal is not the whole picture. The letter emphasises that the Council has to have special regard to the desirability of preserving the building or its setting give great weight to the harm by virtue of Section 66(1) of the Listed Building Act 1990. Case law has established that the duties to have special regard or special attention in sections 66 and 72 mean that considerable importance and weight should be attached to preserving the listed building or preserving and enhancing the conservation area.
- 7.1.22 Paragraph 22 of the letter sets out details of East Northamptonshire District Council v Secretary of State for Communities and Local Government [2014] EWCA Civ 137 [2015] and advises that it is an error to treat 'Less than Substantial Harm' to the setting of the listed buildings... as a less than substantial objection to the grant of planning permission.
- 7.1.23 The letter of objection also goes into detail regarding the NPPF's policy in relation to designated and undesignated heritage assets. It stresses that paragraph 202 of the NPPF, in this instance must not be taken out of context in relation to "less than substantial harm" (Case Law Referenced in paragraph 24).
- 7.1.24 Objection is also raised to the loss of the non-designated heritage asset, the FIRA laboratory. This, as emphasised in the objection, needs to be taken into account and the loss to be weighed heavily against in the balance.
- 7.1.25 Turning to the aspects of harm to the setting of the Listed Building, the letter sets out that Historic England recommends that a Council will need to examine alternative designs or schemes that might be more suitable in that they deliver public benefits while avoiding harm to the built environment. It is also recommended a site visit for decision makers where proposals are likely to impact on heritage assets to get a direct understanding of the effects.

- 7.1.26 Based on the above, the objection letter urges the Planning Committee to undertake this site visit. In addition, Historic England further recommends 3D models and Accurate Visual Representations, but these have not been provided as part of the application. The letter also emphasises that Historic England would recommend that due to the profound long term impacts that tall buildings can have on the significance of heritage assets, and the integrity of the historic townscape, it is especially important that the extent and nature of any claimed public benefits are fully and carefully scrutinised.
- 7.1.27 Therefore, the owners of Broomin Green Farm strongly object to the failure by the Council to require a detailed planning application and this should be rectified forthwith.
- 7.1.28 In relation to design, objection is also raised to the poor quality design as demonstrated by the overbearing scale and massing of the buildings, that harm the setting of the heritage asset contrary to policies SP8 and GD1. As set out under policy SP8, paragraph 5.93: Good design is a key aspect of sustainable development. The NPPF is clear that development of a poor design which does not improve the character and quality of any area and the way it functions should be refused.
- 7.1.29 The proposal also fails to make a positive contribution to its location and surrounds contrary to Policy GD1. Therefore, the Council should refuse the planning application. The proposal also fails to meet the criteria of paragraph 40 of the National Design Guide.
- 7.1.30 Objection is also raised to the failure to incorporate landmark architecture in the scheme contrary to Policy EC5. This is because it does not respond to its surroundings in terms of footprint and massing as emphasised by the Council's Historic Building Consultant. It also fails utterly in creating a landmark development at one of the main gateways into the town centre.
- 7.1.31 The requirement for landmark architecture on this site does not permit an application to be submitted in outline, as design is said in national policy to be a combination of the layout (or masterplan), the form and scale of buildings, their appearance, landscape, materials and their detailing. In addition, the letter states "Appearance is the aspect of a building or space within the development which determines the visual impression the building or space makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture. In the case of a space, its landscape also influences its appearance".
- 7.1.32 The letter of objection therefore sets out that the Council must refuse outline planning if it is to comply with its own and national policies on design.
- 7.1.33 Looking at residential amenity, it is considered the proposal would harm amenity contrary to policy GD1. In terms of sunlight and daylights, as detailed in the report by EB7, it is concluded that the accuracy of the assessment by GIA Chartered Surveyors for the applicant cannot be relied upon and laser scan should be undertaken of the site and neighbouring properties prior to further testing. In addition, the application is unsympathetic to the farmhouse in relation to daylight and sunlight. This is also contrary to the Stevenage Design Guide SPD.
- 7.1.34 The balconies and roof gardens will compromise the privacy of the existing farmhouse contrary to Policy GD1 and the Design Guide. This is because they will overlook the farmhouse compromising the privacy of the occupiers. The same applies to the office development. In terms of noise, the use of balconies, roof gardens, cars on the access road, parking of cars in the multi-storey car park, delivery bay and access road next to the farmhouse west elevation, will result in unacceptable levels of noise to the occupiers of the farmhouse as well as future residents of the flats, contrary to Policies FP7 and GD1 as well as the Council's Design Guide.

- 7.1.35 The applicant has also failed to assess properly the existing generator of noise immediately to the north of the application site, Flamingo Produce on Cockerell Close. This is a 24/7 operation with noise constantly generated. The future occupiers of the proposed development will be exposed to this all day, night and at weekends. The Noise Assessment also incorrectly identified the key noise generator as the surrounding roads, with some lower noise levels coming from industrial uses. The road noise drops off at quieter periods but the noise from the industrial uses is 24/7 so will be intrusive and a nuisance to future occupiers.
- 7.1.36 The Council's own Environmental Health Department raised this issue to the Planning Officer where they recommended a full BS4142 assessment of commercial noise is undertaken. The Council's previous officer report recommended this is dealt with by condition. This is clearly contrary to the Council's own policies in not putting competing land uses next to each other. The existing commercial noise will impact the residents of the proposed flats.
- 7.1.37 The development would also generate unacceptable levels of light pollution due to light spill from the offices and flats, having a damaging impact on the living environment. There is also a concern that there has been no air quality assessment given the large amount of traffic in the area, the commercial uses to the north of the application site and potential for further impacts on air quality as a result of the traffic into and out of the application site. A failure to assess this in terms of impact on the owners of Broomin Green Farm and future occupiers of the development is contrary to policies FP5 and FP7 as well as the NPPF.
- 7.1.38 The letter of objection therefore sets out that the application should also be refused as it will have an adverse impact on the amenity of the occupiers at Broomin Green Farm. Furthermore, it is set out in the letter that as the scheme is in outline, the applicant has not been able to demonstrate that the development will not have unacceptable impacts on general amenity, the tranquillity of the wider area, including noise and light pollution, contrary to Policy FP7. Further, the harm to amenity cannot be left to the reserved matters stage as the harm is determined by the physical presence of a building and its spatial relationship with the affected property.
- 7.1.39 In addition, the letter stipulates that by introducing residential use into an employment area, the Council is setting up conflict between the uses contrary to policy SP11 and has failed to assess air quality for existing and future residents contrary to FP5 and the NPPF.
- 7.1.40 The proposal is also contrary to the Council's Employment policies because the residential part of the scheme takes up the majority of the application site. There is also a reduction in the potential for employment floorspace on the proposed residential area (as well as a reduction from the current levels in this part). In addition, the provision of employment floorspace elsewhere does not alter the position on policy compliance, as Policy EC4 does not allow mixed use sites or employment to be confined to part of a site. The office development does not mitigate the harmful effects of the residential scheme, as the Council acknowledges that it still faces a significant shortfall in employment land.
- 7.1.41 The scheme's compliance with the Policy HO5 criteria does not excuse the breach of EC4 by placing residential uses on the Gunnels Wood Employment Area. The breach of EC4 is a reason in itself to refuse planning permission.
- 7.1.42 Turning to access, it is not considered the development is accessible by safe and sustainable means, and will have an adverse impact upon highway safety and not provide safe and effective access to homes and jobs, contrary to policy IT4. This is because access to the office building and residential development will be via a small cul-de-sac with one exit onto Gunnels Wood Road. The overall level of parking, additional vehicles coming to the site such as lorries, delivery vans etc., will have an impact due to Gunnels Wood Road being an extremely busy road, so access to and from Maxwell Road will be very problematic and unsafe.

- 7.1.43 There is a substantive concern that the access to Broomin Green Farm will be compromised by this development. There is also a real concern about access by emergency vehicles. There is also objection to the proposed footpath exiting from the cycle track path right at the entrance to the farmhouse, as this would seriously weaken security.
- 7.1.44 In addition, due the impact of Covid-19 as of 4th January 2021, there are 30 empty offices in Stevenage t let. One of them, the Icon building, is empty (19,000 sq.m) and has been available to let for a number of years. Therefore, it is queried why office accommodation is proposed on the site, particularly in the strong move away from office accommodation that is forecast even following the pandemic, with people working from home and firms downsizing their company requirements.
- 7.1.45 In addition, it appears that the demand for flats has also flat-lined and there is a strong demand for properties with gardens. It is argued that the community of Stevenage agrees there are too many flats, according to local tabloids. As such, why has there been no attempt to deliver low level housing on this site. It is also observed that employment is being lost from the site (the existing company of FIRA on this site) since the industrial building is to be demolished and the company having to relocate. This will possibly be away from Stevenage losing employment in the town. The loss of current jobs on the site does not appear to have been taken into account.
- 7.1.46 Therefore, it is felt that the applicant is not responding to the new realities of the pandemic world we currently find ourselves in. In conclusion, the Council must determine the application against the existing policies in the local plan unless material considerations indicate other in accordance with 38(6) of the Planning and Compulsory Purchase Act 2004. They must balance the benefits against the harm, giving great weight to the heritage harm. The application is not in accordance with the local plan and there no material considerations that indicate otherwise. To summarise the harm, the proposal:-
- Fails to preserve the setting of the listed building and causes a high degree of harm to the significance of the heritage asset, great weight must be given to this harm, this result in a strong presumption against the grant of planning permission;
 - Leads to a loss of the non-designated heritage asset, the FIRA laboratory, which should be weighed heavily in the balance;
 - Fails to incorporate landmark architecture into the scheme;
 - Is a poor quality design, which can be a reason in itself for refusal;
 - Fails to respect and make a positive contribution to its location and surrounds;
 - Does not improve the character and quality of an area and the way it functions;
 - Responds negatively to heritage;
 - Results in an adverse impact on amenity in terms of daylight and sunlight from the bulk of the buildings;
 - The balconies and roof gardens will compromise privacy;
 - The unacceptable noise and light pollution from the development;
 - Serious impediment in terms of access to the farmhouse;
 - Results in an adverse impact on the amenity of future occupiers as a result of commercial noise immediately to the north of the commercial site;
 - Results in competing land uses that are bound to result in conflict and complaint;
 - Results in a reduction of potential for employment floorspace;
 - Results in an adverse impact upon highway safety;
 - Results in unhealthy residential development where the external noise can only be reduced by having sealed windows as opposed to openable windows where residents are able to enjoy a reasonable internal and external acoustic environment without the likelihood of noise complaints arising in the future.

- 7.1.47 The letter concludes that any benefits of the scheme cannot rationally outweigh the harm and will need in any event to be fully and carefully scrutinised by decision makers. In addition, it is not classed as sustainable development and as such, the application should be refused.

Schofield Surveyors (on behalf of the owners of Broomin Green Farm) (Letter dated - 31 August 2021) - Objection

- 7.1.48 The surveyor at eb7 limited has moved to Schofield Surveyors Ltd and continues to represent the owners of Broomin Green Farmhouse. Following a review of the letter by Anstey Horne (see section.8.12 below) who have been advising the Council on the issues of sunlight and daylight amenity Schofield Surveyors responded. The following is a summary based on the information provided in the letter.
- 7.1.49 It is noted that the applicant's assessment has now been updated to account for a laser scan survey. This is because despite requesting several times, GIA did not directly respond to the criticism that they had added windows within the ground floor kitchen/office that simply did not exist. This now seems to have been addressed in the updated assessment.
- 7.1.50 It should be noted that the letter from Anstey Horne states exactly why concerns were originally raised about the accuracy of their assessment as the results show a large No-Sky line reduction of 55.1% which, as the Council will appreciate, is wholly unacceptable in daylighting terms.
- 7.1.51 It should be noted that within the Local Plan under section 10: Policy GD1(e) it states that new development "Does not lead to an adverse impact on the amenity of future occupiers, neighbouring uses of surrounding area". Furthermore, Stevenage Design Guide 2009 SPD 5.2 states "New developments should be designed to ensure that satisfactory levels of sunlight and daylight are provided for the occupants of both existing and proposed dwellings". In addition, the National Design Guide States:

"Para 71...Proposals for tall buildings (and other buildings with significantly larger scale or bulk than their surroundings) require special consideration. This includes....daylight, sunlight and overshadowing. These need to be resolved satisfactorily in relation to the context of local character".

- 7.1.52 Given the above, we are strongly of the opinion that the impact to the kitchen at Broomin Green Farm conflicts with the policy guidelines for daylight and sunlight. Therefore, it is assumed the scheme will be recommended for refusal.

Additional letter dated 22 November 2021

- 7.1.53 It is noted that there is a revised daylight and sunlight report prepared by GIA dated 18th Oct 2021. There is also a further report labelled "daylight and sunlight human visual assessment" undertaken on 8th September 2021, which considers the Average Daylight Factor assessment of the ground floor kitchen/living space only.
- 7.1.54 The consultant advising on behalf of Broomin' Green Farm was not able to verify whether there are any technical inaccuracies without reviewing the 3D modelling used to generate the results presented in the reports. Therefore, this letter only addresses the content of the reports. However, it is assumed that the Council have asked your consultant, Anstey Horne, to conduct a thorough peer review of the 3D modelling used and the results output.
- 7.7.55 In terms of the Daylight and Sunlight report dated 18/10/2021, it is set out in the letter that in section 2.8 of the report, it states that GIA advised that the height of the scheme "could be modified in order to further reduce the daylight and sunlight effects upon Broomin Green Farm". It is understood from the report that the suggested modifications have been reflected

in the recent report and presented “*herein*”. Yet, despite that advice, there does not seem to be any intension to address the likely impact to my client’s kitchen/living space on the ground floor, which is predominantly used most days. In fact, the No-Sky Line results still show a reduction of 55.1%, which is the same as reported in the Anstey Horne letter of 26th July 2021.

7.7.56 Further, in section 7.2 of the report, GIA mention that the commercial elements of the scheme have been “*substantially reduced in height to respect concerns that have been raised by residents of Broomin Green Farm*”. Yet, as advised by the Consultants acting on behalf of Broomin’ Green Farm, see no evidence of this scheme amendment following on from our communication regarding the impact to my client’s kitchen/living space.

7.7.57 The letter then refers to extract taken from both GIA reports where the scheme tested in December 2020 seems to be identical to that what was tested in October 2021, which the Consultant advises clearly has not addressed the concerns raised in my previous correspondence (Copy of the extracts are set out in the letter which can be viewed on the Council’s website).

7.7.58 In the Council’s previous letter to the Council, they reminded the Council of the National Design Guide where it states:

“Para 71...Proposals for tall buildings (and other buildings with significantly larger scale or bulk that their surroundings) require special consideration. This includes daylight, sunlight and overshadowing. These need to be resolved satisfactorily in relation to the context of local character.”

It is the Consultants opinion that the design modifications suggested by GIA have not resolved satisfactorily the daylight and sunlight impact to my client’s kitchen/living space. In addition, and as mentioned in my previous letter, section 3.5 of the GIA report refers to the Local Plan GD1(e) where it states that new development, “*does not lead to an adverse impact on the amenity of future occupiers, neighbouring uses of surrounding area*”.

7.7.59 In addition, and as mentioned in my previous letter, section 3.5 of the GIA report refers to the Local Plan GD1(e) where it states that new development, “*does not lead to an adverse impact on the amenity of future occupiers, neighbouring uses of surrounding area*”. GIA also references in section 3.4 Paragraph 6 of the NPPG which provides the onus on you, as the Local Authority, to assess whether the impact to neighbouring occupiers would be “unreasonable”.

7.7.60 For reasons already explained in my previous communication, we believe that the impact created to the neighbouring occupiers would be considered unreasonable on the basis that all three daylight tests would not be met in the ground floor kitchen/living space.

7.7.61 The pictures, provided by me, and contained in section 5.12 of the GIA report, show that this room is not simply used as a kitchen, rather it also serves as a space where my clients operate and manage their business and spend most of their day. Therefore, any further reduction is likely to enhance the fact that the room may not continue to function as is, which is an unreasonable burden placed upon my clients.

7.7.62 The ADF assessment shows the proposed levels to be 0.2% ADF. The Consultant therefore, find this extremely surprising particularly as the NSL results show that the area of sky that can be seen at the working plane is up to 97% lit in the existing condition. This will then be reduced to 43% lit (55.1% reduction) in the proposed condition. Without access to the 3D modelling, it is very difficult for the Consultant to verify these ADF results accurately, so, again, perhaps the Council could clarify if they have had these results verified by Anstey Horne.

- 7.7.63 Given the loss contained within the ground floor kitchen/living space, the Consultants find it very surprising that the scheme has not been modified to avoid any material daylight/sunlight injury to this room.

Additional letter dated 7 July 2022

- 7.7.64 The content within the previous letters remain relevant. Concerns have continually been raised about the reduction in light to their clients property (Broomin Green Farm) i.e. the ground floor kitchen as a result of the scheme. These concerns have been raised on several occasions and despite this, it seems that efforts are not being made to address this issue to alleviate their clients concerns.
- 7.7.65 It is disappointing to learn that the scheme, as tested in the latest report by GIA, still shows a major impact to the ground floor kitchen area. This is particularly concerning as the scheme appears to show quite significant changes to the main design, all except the main block cornering Gunnels Wood Road and Maxwell Road. It is in fact this block that is causing the issue in relation to light, it cannot be understood why such drastic changes are being made, but, the main issue is not being addressed at the same time.
- 7.7.66 The results still show a 54.4% loss in the no skyline, which was 55.1% in the previous assessment. These changes do not make any difference and the impact should still be classified as a major impact. This is enhanced by the fact that the room in question is not only as a kitchen, but also as an office, which is clearly demonstrated in the photos in the GIA report.
- 7.7.67 To date, officers have not provided their client any comfort that they will address this matter, which is increasingly concerning particularly as such drastic changes have been made to the scheme.

Broomin Green Farm (letter received 13th September 2021) - Objection

- 7.1.68 The Council is thanked for conducting their own Daylight and Sunlight survey. The findings of the survey show a very large reduction of the level of sunlight and daylight received at the property. This is considered to be totally unacceptable to the owners of the property as well as that of the Grade II listed building.
- 7.1.69 The house is considered to already be dark and any further loss of daylight and sunlight would cause damage to the property.
- 7.1.70 The Council is asked to treat this building with respect and of course, its historic presence, so urge the Council to refuse the planning application.

Broomin Green Farm (email dated 19th February 2022) – Objection

- 7.1.71 Officers have given privy information to TTL Chiltern or their agents why there is a delay in the proposed development for a further 6 months without informing Lady Norma Somers which is wrong. It is clear that the FIRA building is up for rent for a further 6 months, and want to know why officers have not informed the owners and what the problems are and why the delay.
- 7.1.72 The proposed development is outrageous, Maxwell Road is 200 yards long a cul-de-sac. They consider forces will say yes it is fine, but, it is a very small road and it will not be able to cope with the intended traffic it will cause so in reality it will not work.
- 7.1.73 The proposed glass building of 7 storeys is beyond comprehension it is clear, when there is an historic redevelopment it must be in keeping with existing building, this is not the case,

also the trend these days are more workers and business people are from home so why I ask.

- 7.1.74 The service road for the office building is metres away from the room we live in, this will result in increased noise for the owners without the problems of Flamingo's 24 hour operation. The owners have been seeking help from Flamingo's noise since 2014 and have written material to Flamingo who are tenants and the landlords, without even the courtesy of a reply, so goodness knows how multiple flats will react to it. All the owners wanted was a wall instead of a fence to offset some of the noise. It was the owners intention to start again with daily sheets for Environmental Health, with a number of complaints raised in the past.
- 7.1.75 The proposed flats with gardens on the roof will take away privacy and it is preposterous. Further, why is the Council thinking about such a large glass building behind the Farmhouse when Stevenage already has a large glass building called the Icon which has been empty for a number of years and which could quite easily be internally converted to small business units.

Broomin Green Farm (email dated 28th February 2022) – Objections

- 7.1.76 The owner apologised to officers regarding FIRA (see paragraph 7.1.71, officers were not aware the building was up for let at the time). However, the owner wanted to understand the delays in getting a decision issued for the project and that officers should be aware of their concerns relating to Flamingo.
- 7.1.77 The vets have vacated, so there is no employment on Maxwell Road. The previous scheme was approved which is not in keeping with a 600 year old / Victorian Grade 2 listed building and officers show know this. It has also been pointed out by the owners lawyers at the very beginning.

Broomin Green Farm (email dated 6th March 2022) – Objection

- 7.1.78 A question was raised about TTL Chiltern putting their property up for rent for 6 months when a planning application is almost finished. The objection refers to Icon being vacant and that officers advised that it was up to the owners whether or not they wanted the building occupied. It was put to officers that the owners did want the building occupied as there is a to let sign for a number of years, no commercial business would lose the amount of income they have lost. The reason is no one wanted it which supports the owners argument of a 7 storey building being proposed without reason.
- 7.7.79 Officers had not mentioned that along with the noise from Flamingo, the proposed service road for the office building is a few metres from the living/office/kitchen space and this is going to attract a significant amount of noise from the daily operation of the offices. In addition, the application shows over 200 cars and Maxwell Road will not be able to cope.

Broomin Green Farm (email dated 12th July 2022) – Objection

- 7.1.80 The proposed office block behind the farmhouse is still taking away sunlight and daylight in the kitchen / office / living room. It is mentioned in the Carter Jonas Report that Broomin Green Farm may need extra light, this is outrageous and object strongly to this suggestion, particularly with current cost of energy.
- 7.1.81 The location of the office block and associated service road are in a few metres of the rooms set out above. This will result in considerable noise being generated from the service road, including parking, detrimentally affecting the owners of Broomin Green Farm.

- 7.1.82 Maxwell Road is 200 yards long and the proposed amount of vehicles beats all comprehension, have the Highways Authority looked at Gunnels Wood Road since Costco has been built. The owners consider the amount of traffic is not safe for such a small road. The application is also an overdevelopment of the site and not in keeping of the current use and will have an adverse effect and local facilities and the highway network.
- 7.1.83 Consideration needs to be given to the 24 hour operation of Flamingo, which is also busy at night to ensure early morning deliveries. It is noted that the noise report was done in March 2022 which is a winter month, therefore, the A/C would probably not be used so obviously less noise in March than the warmer months.
- 7.1.84 In summary, the development is not suitable for such a small road and small area.

54 Stanley Road - Objection

- 7.1.85 This is a historic and iconic building in Stevenage. Such buildings are being allowed to be demolished with alarming rate, making the ones that are left all the more important. The former FIRA building is very distinctive and is a key landmark of Stevenage. It is an icon of the town. It must be preserved and not simply demolished.
- 7.1.86 Please note that the aforementioned are not a verbatim copy of the comments received on this application. In addition, some of the points raised by the objectors about their personal circumstances (including concerns about officer correspondence) have not been set out detail in the Committee Report. However, a fully copy of all representations received can be viewed on the Council's website.

8. CONSULTATION ON THE AMENDED APPLICATION

8.1 Hertfordshire County Council Growth and Infrastructure Unit

Comments dated 23rd November 2021

- 8.1.1 Since the response was provided to the original application Hertfordshire County Council has updated its pupil yield model (the Hertfordshire Demographic Model). Therefore, the below is an update to the previous response sent for the application. As a result of the revised pupil yield modelling, the primary education forms of entry (FE) likely to arise for this application has been revised to 0.06FE.
- 8.1.2 Based on the information provided to date on the housing mix, type and tenure (as indicatively provided as part of this outline application), a proportional financial contribution towards a new 2FE primary school in Stevenage Town Centre is sought from this development (indexation to be applied as 1Q 2020, BCIS, All in TPI). The County Council has confirmed that there is insufficient primary education capacity in the area. Given this, the County Council is seeking a proportional primary education contribution from this development.
- 8.1.3 Hertfordshire County Council's strategy for mitigating the impact of development in and around Stevenage's town centre is to seek proportional financial contributions from new developments in Stevenage's town centre and the surrounding area towards the new Primary School. This is to be located on the site in Stevenage Town Centre depicted within the SG1 planning application on the current Southgate Car Park and surrounding garage blocks. The new school will provide the necessary capacity to mitigate the new demand for primary school places arising from this development and the surrounding area. The school will be a 2FE primary school with nursery provision.
- 8.1.4 Based on the Department for Education (DfE) scorecard costs the total cost for a new build 2FE primary school, together with nursery provision, is £9,228,600 (indexation to be applied

as 1Q2020 BCIS, All in TPI). Inputting the indicative development mix provided into the Hertfordshire Demographic Model results in a primary education contribution of £256,711 being sought from this development (indexation to be applied as of 1Q2020, BCIS All in TPI).

8.1.5 Given that the education mitigation project is off-site it is also reasonable to expect the development to contribute to land costs, which for this site are £1,597.00

8.1.6 Consequently, the total level of primary education contributions which are sought from the development are £256,711 + £1,597 = £258,308 (indexation to be applied as 1Q2020 BCIS, All in TPI). Hertfordshire County Council has also confirmed that the remaining previous obligations sought for this development, namely mitigation towards the youth service library service and secondary education provision, would now need to be sought through CIL.

The triggers for payment of the primary education contribution are as follows:

- 50% prior to commencement of development
- 50% prior to occupation of the 45th dwelling.

8.1.7 **Monitoring Fees** – HCC will charge monitoring fees. These will be based on the number of triggers within each legal agreement with each distinct trigger point attracting a charge of **£340** (adjusted for inflation against July 2021 RPI). For further information on monitoring fees please see section 5.5 of the [Guide to Developer Infrastructure Contributions](#).

Updated comments received 25 July 2022 (based on amended plans)

8.1.8 HCC has generated the below table for the development land at Maxwell Road. This table is to be used within the legal agreement for the purposes of calculating future primary education S.106 financial contributions once the development mix has been confirmed.

| Primary (New School) | | | | | | | |
|----------------------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|
| Market & Others | | | | | | | |
| HOUSES | | | | FLATS | | | |
| 1 | 2 | 3 | 4+ | 1 | 2 | 3 | 4+ |
| £1,902.15 | £3,759.30 | £6,066.89 | £7,406.32 | £1,655.78 | £3,723.57 | £3,510.69 | £4,055.75 |

| Primary (New School) | | | | | | | |
|----------------------|-----------|------------|------------|-----------|------------|-----------|------------|
| Social Rent | | | | | | | |
| HOUSES | | | | FLATS | | | |
| 1 | 2 | 3 | 4+ | 1 | 2 | 3 | 4+ |
| £699.58 | £8,577.46 | £11,839.71 | £14,441.45 | £1,573.37 | £10,065.58 | £9,493.15 | £10,536.69 |

8.1.9 Using the indicative development mix proposed (based on the information provided (Intermediate rent units being placed into the market column as the table above requires)):

| FLATS | | |
|--------------------|----------------|-----------------------------|
| Number of bedrooms | A) Open Market | B) Affordable (Social Rent) |
| 1 | 19 | 10 |
| 2 | 46 | 5 |
| 3 | | |
| 4+ | | |
| Total | 65 | 15 |

8.1.10 An indicative revised primary education financial contribution of £268,806 (index linked to BCIS 1Q2020) is generated. Hertfordshire County Council has also confirmed they also require a monitoring as set out under paragraph 8.1.7.

8.2 Hertfordshire County Council Highways

8.2.1 Notice is given under article 22 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission. This is subject to the following conditions (Full details of these can be viewed on the Council's website against HCC Highways consultee comments):

- Detailed plans to be submitted on cycleways, footways, roadways, car parking along with detailed cross-section of the site;
- Details to be submitted on visibility splays for strategic accesses;
- Details of cycle parking / showers and lockers to be submitted;
- Details of pedestrian crossing gradients;
- Details of internal visibility;
- Submission of detailed plans relating to parking and turning;
- Details of hard surfacing areas;
- Closure of the existing vehicular access on Maxwell Road;
- Bus Stop improvements;
- Traffic Regulation Order for parking and waiting restrictions;
- Provision of Keep clear markings;
- Improvements to walking and cycling;
- Bus stop improvements;
- Informal, on street parking area in Maxwell Road (Improvements or removal);
- Construction Traffic Management Plan; and
- Travel Plan.

8.2.2 In addition, Hertfordshire County Council as Highways Authority seeks a £6,000 contribution towards travel plan monitoring. Further to this, the highways authority sets out that discussions should be held with car club operators with respect to the possibility of providing a car club vehicle on the site. It is widely accepted that the provision of a car club vehicle can reduce the level of car ownership of a site and can reduce overall car usage, whilst still providing a vehicle for occasions when such use is necessary. It is therefore considered that one of visitor parking bays on the site could reasonably be converted to a car club bay by way of by way of appropriate markings / signage. The aforementioned requirements will need to be secured as part of any S.106 agreement.

8.2.3 The Highways Authority also recommend a number of informatives should be imposed to any planning permission issued.

Comments

8.2.4 The applicant seeks planning permission for the following development:

Outline application (with all matters reserved except access) for the demolition of existing buildings and replacement with buildings to accommodate new office and residential floorspace (Class B1 and Class C3), with associated landscaping, car parking and ancillary works. Land At Maxwell Road Stevenage Herts

- 8.2.5 The Highway Authority note the previous responses to planning applications for this site and reference should be made to these comments. The Addendum Planning Statement, dated June 2022 lists the proposed amendments in paragraph 1.6 of the document.

“As a result of the changes to the illustrative layout the quantum of residential development has reduced from 88 dwellings to 80 dwellings, 25% of which will be provided as affordable housing¹. The illustrative mix comprises 29 one bedroom flats and 51 two bedroom flats. However, the final mix will be determined at reserved matters stage.”

- 8.2.6 The Highway Authority note also the submission with this application an updated Design and Access Statement and drawing number PL202 Rev A, Illustrative Site Layout. Relevant sections of a previous response are reproduced below as it is considered that these comments remain pertinent and explain in more detail the reasons for the recommended planning conditions. Some changes have been made where appropriate.

Site Description

- 8.2.7 The site's current use is as 3,456sqm office and 472sqm veterinary clinic. The site is located along Maxwell Road that is designated as a local access road that is subject to a speed limit restricted to 30 mph that is offset from the A1072 Gunnels Wood Road that is designate as a Main Distributor Road that is subject to a speed limit restricted to 40 mph.

Analysis - Pedestrians

- 8.2.8 Two pedestrian crossings in the form of dropped kerbs with tactile paving are proposed over Maxwell Road to the development site, which is welcome. Para 5.6 of the TA states that a public footpath is located adjacent to the eastern boundary, providing pedestrian access to Fairlands Way to the south, yet there is no direct access provided from within the site, particularly for those in Block 2 and 3 to use it. The path doesn't have tactile paving/dropped kerb where it joins with Maxwell Road. It is also bounded by property fencing on both sides; the proposed development by providing hedgerow along its length makes it even more of an unpleasant environment for pedestrians. Widening the path to 3m will however upgrade it to a shared pedestrian/cycle facility and provide a vital cycle/pedestrian link between the Maxwell Road cycle way and the cycleway along Fairlands Road. This should be considered by the applicant as part of the scheme since it falls within the access matters.
- 8.2.9 There are no dropped kerbs/tactiles provided towards the Cavendish Road southbound bus stop. A new footway along the site's northern boundary between two pedestrian crossing facilities in Maxwell Road should also be provided together with resurfacing works to the existing footway. Although the Transport Assessment (TA) under para 5.13 claims that the Stevenage Railway Station is located within a walking distance, no further details are provided on how accessible the route is, walking time, surface, lighting, dropped kerbs/tactile provision, etc. No details are also provided on how residents will access local schools, surgeries, shops, etc. Whilst the Highway Authority has undertaken its own site visit and is familiar with the area, this information should have been provided. Comments within this response also detail the improvements that should be made towards improving accessibility to/from the proposed development site.
- 8.2.10 Perpendicular parking spaces along the access road, on the western side of the residential access have been removed and replaced by two parallel bays, this is welcome. Pedestrian/cycle links between the site and the existing cycle track to the south should be

also be better designed. It is considered that all access points to/from the existing cycle route to the south of the site are designed (or upgraded), to a minimum of 3m. Also, there is no safe/defined route for staff and visitors between the bus stop in Fairlands Way and the entrance to the building; the route from the main entrance requires walking behind perpendicular parking, service area, etc.

- 8.2.11 Similarly, pedestrian access between the closest bus stop in Fairlands Way to each individual Block requires walking in the carriageway behind perpendicular parking (Block 4), across the car park area (Block 1 and 2), a longer way around the cycle store, etc. Some of the footways, especially those leading to the cycle stores are still narrow and should be widened to 2m to allow for easier access (to be secured by a reserved matters application).
- 8.2.12 The proposal does little to actively support new residents (especially those with disabilities / sight issues) to travel sustainably, which fails Policy 1 of the LTP4. As the application aims to agree/secure the details of access with all other matters to be reserved by condition, the Highway Authority requests that pedestrian and cycle access arrangements are improved as part of this submission.

Vehicle Access and site layout

- 8.2.13 The proposals show reduction in the number of vehicle access points from four to two in Maxwell Road, which from a road safety perspective represents an improvement. The informal, on street vehicle parking area to the north of the turning head in Maxwell Road may no longer be required and should ideally be removed or improved by converting it into cycleway/footway in support of Policy 1 of the LTP4. The works should take into account the dropped kerb vehicle access from it. The required dimensions of the new turning head should be confirmed by tracking of the largest vehicle likely to use it.
- 8.2.14 The 88 flats (now 80 flats) and the Broomin Green Farm (not part of the proposals) are now shown be served via a 5.5m wide access road, which would support two-way traffic, taking into account the passing of parked cars by waste collection vehicles and indiscriminate parking on the access road. The offices are shown to be served by a 6m wide road. An 8.0 metres kerbs radius is now shown. The tracking of a refuse vehicle (less than 12.2m) confirms that any vehicles parked on the opposite side of the road would create obstruction and result in a refuse vehicle tracking too closely to any vehicles parked at the roadside. For that reason double yellow lines should be introduced on either side of the access and on the opposite side of the two access points.
- 8.2.15 In view of the geometry of the horizontal alignment of the road layout and estimated approaching speed of traffic visibility splays of 2.4 metres by 43 metres are considered acceptable. Any landscaping located near the junctions should be kept clear of the visibility splay. This should be secured by a planning condition. Vehicle to vehicle inter-visibility within the development access roads should be shown to conform to the stopping sight distance (SSD) criteria of Manual for Streets (to be secured by a planning condition).
- 8.2.16 The applicant is advised that all new highway associated with this development will remain un-adopted unless a justification can be put forward to show a wider public benefit. The developer should therefore put in place a permanent arrangement for long term maintenance. In this respect it is becoming increasingly common that developers operate a management company to administer and maintain common areas not taken over by public bodies. This approach has been adopted in other parts of the county and is usually secured by planning condition and/or obligation.

Road Safety Audit

- 8.2.17 A Stage 1 Road Safety Audit (RSA) has been submitted and is acceptable. No issues are raised.

Road Safety

- 8.2.18 The applicant has obtained and reviewed Personal Injury Collision data for the latest five-year period within the TA. This covers the period between 2012 and 2017. The collision statistics do not reveal any reoccurring problems or patterns at the nearby local road network.

Emergency Vehicle Access

- 8.2.19 It is noted that there are turning head areas within the site that may accommodate a fire tender. HCC as Highway Authority would recommend that the applicant consult with Herts Fire and Rescue to ensure that the proposals are acceptable or a sprinkler system is installed.

Car Parking Provision

- 8.2.20 The proposed development would provide approx. 251 car parking spaces (inclusive of 3 disabled spaces for flats and 10 for the office, electric car parking spaces are not confirmed). Residential car parking has been reduced from 59 to 53 spaces for this revised application (as noted within the Addendum Planning Statement).
- 8.2.21 The number of parking should comply with the Stevenage's Parking Provision Supplementary Planning Document 2012 (**This is a typo, it has been clarified that reference is made to the 2020 version of the parking standards**) and the Roads in Hertfordshire: Highway Design Guide 3rd Edition, Section 4 – Design Standards and Advice, Chapter 9 – Vehicle Parking Facilities, para 9.3 Dimensions for car-parking spaces and manoeuvring areas.
- 8.2.22 The details of vehicle parking provision are shown in Appendix F of the TAA plan ref Illustrative Proposed Site Layout PL103 rev1 (now shown on updated plan PL202 Rev A). The parking bays dimensions appear to meet the adopted standard for on plot parking. However, this should be supported by vehicle tracking of a large car. There is a high probability that the remote parking proposed in the south-eastern corner of the site will result in residents parking their vehicles on the access roads, closer to their flats, causing an obstruction and preventing emergency vehicles reaching their destination and service vehicles such as Waste Collecting Vehicles from gaining access.
- 8.2.23 It is inevitable that residents that do not have individual parking spaces will not park in the prescribed areas and will park outside their homes, resulting in pedestrian access areas being also obstructed. Whilst some residents parking may occur onto Maxwell Road when parking controls in the evening no longer apply, residents should be made aware of minimal parking provisions and the parking spaces should be managed appropriately. Therefore, a Car Parking Management Plan (CPMP) is recommended to ensure that the parking at the site is managed such that residents are made aware of the parking situation on site and that the limited parking provisions are monitored and managed proactively.
- 8.2.24 Additionally, the LPA may consider entering into a legal agreement with the developer to create a controlled parking zone whereby residents of the proposed development would not be able to apply for resident's parking permit. However, it is ultimately the decision of the LPA to determine the suitability of the car parking provision.
- 8.2.25 HCC would recommend that also consideration be given to inclusion of electric vehicle charging point (passive and / or active) provision (to be secured by a planning condition). HCC would also recommend that the LPA consider the provision of spaces that are suitable for car club usage (preferably equipped to allow electric charging), and if considered fitting, a contribution via a Section 106 agreement to bring a car club on board to the site and/or offering an initial subsidy or credits to residents/workplace users etc.

Car Parking Layout

- 8.2.26 The details of the location and geometries of car parking facilities should be secured by reserved matters. The car park will need to be designed in accordance with guidance set out in the Roads in Hertfordshire. Swept path assessments will be required for the car parking layout to ensure that the layout is safe and appropriate for a large car.

Cycle Parking

- 8.2.27 The provision of well-located, safe and secure cycle parking for residents, staff and visitors is a key factor in encouraging people to cycle as an alternative to using the private car. In accordance with the adopted Stevenage's standards a minimum of:

- 24 visitors spaces (1 short-stay space per 500m²gfa) should be provided for staff and 1 long stay space per 10 staff (staff numbers should be confirmed);

- More than 88 long stay cycle parking spaces for residents (now 80 spaces) (in accordance with the Stevenage's Parking SPD a higher level of provision will be encouraged, particularly within the accessibility zones, where lower levels of car ownership are considered to be likely). Long stay cycle parking should be in the form of lit, lockable and weather resistant cycle lockers or stores and be sited away from bin stores. In addition, some cycle parking in the form of 'Sheffield' style parking loops conveniently located with natural surveillance should also be provided for visitors.

- 8.2.28 In accordance with the same standards provision of showers and changing facilities is also important if staff cycling is to be encouraged. The details of cycle parking and shower and changing facilities for B1 use (**Now Class E**) should be secured by a planning condition (and numbers updated as appropriate).

Motorcycle parking

- 8.2.29 Policy 1 of the LTP4 and Para 14.3 of the Roads in Hertfordshire Guidance requires that provision for the adequate and secure parking of powered two wheelers as described in Traffic Advisory Leaflet 02/02 'Motorcycle Parking' and the Institute of Highway Engineers (IHIE) 'Guidelines for Motorcycling'. Parking for powered two wheelers should be protected from the elements and provide a means for securing the vehicle such as rails, hoops or posts. While individual bays are not generally marked out a footprint of 2.0m x 0.8m should be allowed for each vehicle. This should be secured by a planning condition.

Trip Generation, Distribution and wider highway impact

- 8.2.30 The Transport Assessment includes a TRICS assessment of the development. The assessment is acceptable. A junction capacity assessment for the junction of Maxwell Road with the A1072 Gunnels Wood Road and the roundabout of Gunnels Wood Road/ Fairlands Way A1155 has not been submitted however, the proposed "keep clear markings on the A1072 Gunnels Wood Road near the junction with Maxwell Road should alleviate any problem of potential queuing occurring on the approach to the roundabout and traffic merging from Maxwell Road. This can be undertaken as part of s278 works.

Bus

- 8.2.31 The nearest bus stops are located on Fairlands Way, Eastbound/ Westbound and Cavendish Road. It is important that walking/cycling access to local bus services is improved and as part of any consent. This would form part of any mitigation measures that are to be agreed and would assist in developing the sites Travel Plan, helping to ensure that the development meets accessibility criteria. The existing southbound bus stop on Cavendish Road needs upgrading. It has no easy access kerbing, shelter or bench. The upgrading works would need

to be undertaken under s278 agreement. A Grampian style condition would ensure the works are delivered prior to occupation of the new development.

Rail

- 8.2.32 Stevenage Railway Station is located in Stevenage Town Centre, nearly 1km to the east of the proposed development. This rail station is on the First Capital Connect line with direct links to London Kings Cross, Cambridge every 10-20 minutes and Kings Lynn with a change at Hitchin that provides a link to Peterborough.

Travel Plan

- 8.2.33 The comments on the submitted Travel Plan have been forwarded to the case officer separately requesting additional information from the applicant. In addition, a Framework Travel Plan for the commercial part of the development should have been submitted. Although the offices are going to be occupied by different businesses and each business will be responsible for providing individual travel plans, nonetheless the Framework commercial TP should have been submitted. When the other businesses take over the offices their TPs must be in line with the Framework TP. This has not been submitted.
- 8.2.34 Given the uncertainty regarding occupation of the commercial element of the development (number of occupiers etc), the precise form of the Travel Plan or Plans and how they are delivered will need to be subject to further discussion and agreement with Hertfordshire County Council. Hertfordshire County Council published new guidance in March 2020 (previous was in 2014) relating to residential and business travel plans. This solidifies the council's requirements in terms of travel plan content and 'Travel Plan Evaluation and Support Contribution' of £6,000 should be secured via a legal agreement.
- 8.2.35 The Highway Authority would require that should the development gain planning permission, Full Travel Plans should be submitted for both the commercial and residential elements of the development.

Highway Improvements

- 8.2.36 HCC's Planning Obligation Guidance (2008) (**Superseded by Hertfordshire County Council Guide to Developer Contributions 2021**) implements a two-strand approach to planning obligations in order to address the immediate impacts of the new development (first strand), and the cumulative impacts of all development on non-car networks (second strand). Since Stevenage is now CIL Authority no contribution under strand 2 can be sought directly but strand 1 is still applicable. First strand (works to be undertaken under s278 with trigger points secured under Grampian style conditions):

- 1) removal of the existing redundant vehicular access in Maxwell Road;
- 2) alterations to two vehicular access points in Maxwell Road;
- 3) provision of two pedestrian crossing facilities in Maxwell Road;
- 4) resurfacing of the existing footway along the site's northern boundary;
- 5) provision of a new footway between the two new pedestrian crossing facilities;
- 6) provision of two shared pedestrian/cycle links from the site to the cycle track in the south.
- 7) Widening of the pedestrian path to shared pedestrian/cycle facility along the eastern site's boundary;
- 8) Cavendish Road bus stop improvements: provision of Kassel kerbing, bus shelter, bench.
- 9) Connect the existing two off road cycle facilities across Maxwell Road;
- 10) Improve pedestrian access to Cavendish Road bus stop by resurfacing and provision of dropped kerbs and tactiles; and
- 11) 'Keep Clear' markings on the Maxwell Road / Gunnels Wood Road junction.

8.2.37 The above identified works are necessary to support the policies contained in the NPPF and the LTP4.

Construction Traffic

8.2.38 Concerns by HCC over the impact of the construction traffic travelling to the site have resulted in a planning condition being recommended to prepare a Construction Traffic Management Plan. Also, to maintain highway safety along the adjacent highway for site access for construction purposes serving the new development must be complete to base course level for the first 15 metres prior to any building construction to the new development commencing on site.

Section 278 Agreement

8.2.39 The Highway Authority note that the applicant will be required to enter into a Section 278 agreement. This will include changes to the Maxwell Road access points into the site, bus stop improvement and any other pedestrian/cyclist access to/from the public highway.

Section 106

8.2.40 The Highway Authority will require the applicant to enter into a Section 106 agreement in order to monitor/evaluate the Travel Plan(s).

Updated Documentation (July 2022)

8.2.41 The Highway Authority note the minor changes to the development quantum. The Highway Authority is content in terms of the overall trip generation of the development site and principle of the access strategy, subject to planning conditions.

Summary

8.2.42 The Highway Authority is content that safe and suitable access may be achieved to the proposed development site. However, the Highway Authority does wish to draw attention to the recommended planning conditions as set out within this response. The conditions seek to ensure that the development is compliant with policies as set out within LTP4 and therefore acceptable in planning terms. The Highway Authority has also set out a number of important considerations regarding the future operation of Maxwell Road. This response also notes a number of matters concerning the internal layout which will need to be dealt with at reserved matters stage. In summary, the Highway Authority does not wish to restrict the grant of planning permission, subject to the aforementioned planning Conditions and Advisory Notes.

8.3 Council's Conservation and Heritage Advisor

8.3.1 The site comprises a number of buildings in office / commercial use, a veterinary surgery and areas of parking all accessed from Maxwell Road. The south-west corner of the site is set down from the road which rises up to the roundabout over cycle-ways / footpaths below and is on the corner of Gunnels Wood Road and Fairlands Way. The buildings are generally tall single storey, or two-storey in height.

8.3.2 Whilst the area is generally characterised by industrial / office buildings, adjacent to the site, and surrounded by it on 3 sides is the Grade II listed Broomin Green Farmhouse (a designated heritage asset). Prior to the New Town development of Stevenage, this former farmhouse was part of Broomin Green Farm and lay isolated a little way to the west of the town. The farmhouse dates to the 17th century (partly rebuilt) and is of timber frame construction with plastered infill and a steep gabled clay tile roof which is a noticeable element within the street scene from Fairlands Way. At present the distinctive roof of the FIRA building, the nearest building to the farmhouse is lower than the ridge of the farmhouse.

Despite the industrial nature of its current setting the buildings on the application site are lower than, or of a similar height to the farmhouse and it sits reasonably comfortably in this context - they do not have an overbearing relationship to the farmhouse.

- 8.3.3 The application site contains the Furniture Industry Research Association (FIRA) Laboratory; located in the south-west corner of the site facing the roundabout. The building was designed by Howell, Killick, Partridge and Amis, the celebrated architects' practice who designed a number of architecturally important buildings throughout this period (several of which are now statutory listed). The FIRA Laboratory was put forward for statutory listing however Historic England recommended it was not added to the statutory list as, unfortunately, the alterations that have occurred to the building since its construction have diminished its significance. None the less, the FIRA Laboratory and its concrete sign to the site frontage are clearly still of architectural merit and local significance and the FIRA Laboratory should be considered a 'non-designated heritage asset'.
- 8.3.4 The development entails demolition of all the buildings on the site (FIRA Laboratory building, Serviceline building and Veterinary Surgery). The new development on the site, whilst it is noted the plans are indicative, would take the form of:
- 8.3.5 A large office block on the corner of Fairlands Way and extending along the Gunnels Wood Road frontage of the site, this has a 2-storey plinth with undercroft parking and up to 5-storeys above. The scale of the office block has been reduced from the initial submission, but it remains a building of substantial footprint and massing. Under the most recent amendments to the scheme this part remains as previously proposed.
- 8.3.6 In relation to the office block, the way it curves to address Gunnels Wood Road and the set in of the upper floors above the 2-storey car park is welcomed, however, there are significant concerns regarding the overall bulk and mass of the office development as a whole and the visual impact of the long east flank of the office block, particularly the blank east flank of the section immediately to the west of Broomin Green Farmhouse which will dominate the listed building and provide an insensitive backdrop to it.
- 8.3.7 The indicative scheme also comprises four blocks of residential units are proposed, ranging from between 2 – 7 storeys. The site layout has been revised to overcome noise constraints but BEAMS maintains that cumulatively the level of development does not seem sympathetic to the wider setting of the listed building.
- 8.3.8 There is also a concern that the high level of development on the site this may, in time, put pressure to remove or heavily reduce the planting to the edges of the site, increasing the prominence and visual impact of the new development locally. In relation to the demolition of the FIRA Laboratory building, as previously advised whilst Historic England declined to add the FIRA Laboratory building to the statutory list it remains an architecturally interesting and important building and should be considered a non-designated heritage asset.
- 8.3.9 NPPF paragraph 203 states: 'The effect of an application on the significance of a non-designated heritage asset should be taken into account. In weighing applications that affect directly or indirectly non-designated heritage assets, a balanced judgement will be required having regard to the scale of harm or loss and the significance of the heritage asset.'
- 8.3.10 Under the proposed redevelopment of the site and demolition of the FIRA Laboratory building the scale of harm will be absolute and its significance will be lost. If the demolition of the FIRA Laboratory is granted it should be subject to a Level 3 Historic Building Recording which should be archived appropriately.
- 8.3.11 With reference to the impact upon the setting (and significance) of the grade II listed Broomin Green Farmhouse (a designated heritage asset):

- 8.3.12 NPPF defines significance as: The value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting.
- 8.3.13 The significance of Broomin Green Farmhouse is primarily derived from its architectural significance (as a 17th century timber framed property), it clearly reads as a historic building and has an attractive appearance / aesthetic merit, which has arisen from the way the property has been built / altered and its craftsmanship / use of traditional building materials and techniques. It is of some historic significance as the former farmhouse of a farm set in a once rural location to the south-west of Stevenage Old Town and was one of several 'greens' which surrounded Stevenage (such as Norton Green, Symonds Green and Shephall Green). The immediate setting of Broomin Green Farmhouse is now confined to its garden as the farm buildings associated with the farmhouse were demolished in the mid 20th century. The surrounding rural area and fields were rapidly redeveloped as part of the development of Stevenage New Town with new roads and factories being built leaving the historic Broomin Green Farmhouse sitting isolated from its historic context and surrounded by more modern development and infrastructure.
- 8.3.14 As such, the significance of the heritage asset has been compromised in the past by unsympathetic development affecting its setting. To accord with NPPF policies, consideration still needs to be given to whether additional change will further detract from, or can enhance, the significance of the asset.
- 8.3.15 Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 requires that when considering whether to grant planning permission for development which affects the setting of a listed building, special regard should be had to the desirability of preserving its setting.
- 8.3.16 Paragraph 199 of the NPPF states that: 'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.'
- 8.3.17 Paragraph 200 continues: Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction or development within its setting) should require clear and convincing justification.'
- 8.3.18 Paragraph 197 recommends local authorities look for opportunities for new development within the setting of heritage assets 'to enhance or better reveal their significance.'
- 8.3.19 Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value. These assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.
- 8.3.20 Significance can be harmed or lost through alteration or destruction of a heritage asset, or by development within its setting. The Framework defines setting as the surroundings in which the asset is experienced. Elements of setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance, or may be neutral. Setting (the surroundings in which an asset is experienced) may therefore be more extensive than its curtilage. The extent and importance of setting is often expressed by reference to visual considerations. Although views of or from an asset will play an important part, the way in which we experience an asset in its setting is also influenced by other

environmental factors such as noise, dust, light spill and vibration from other land uses in the vicinity, and by our understanding of the historic relationship between places.

8.3.21 In summary the development will not entail any direct physical alteration to the listed building or its immediate plot; its architectural and historic significance will remain unharmed.

8.3.22 It is recognised that the setting of the grade II listed Broomin Green Farmhouse has changed significantly since the mid-20th century with the development of the Gunnels Wood Road industrial area and the surrounding road network. Whilst the amendments to the scale / bulk / massing of the new office development on the site has slightly reduced the level of harm initially identified, the redevelopment of the site as proposed is still considered to have an adverse impact upon the setting of the farmhouse (compared to its existing setting), causing 'less than substantial harm' to its aesthetic significance, the level of 'less than substantial harm' being at the lower end (due to the setting of the farmhouse having changed since the mid-20th century).

8.3.23 It is important to reiterate here that the proposals need to be considered in relation to NPPF para. 199:

When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance and para. 200 which states that Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

8.3.24 The NPPF (para. 202) advises that: *'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal..'*

8.3.25 In reaching a decision on this application Stevenage Borough Council should balance the 'less than substantial harm' identified against any 'public benefits' the proposal may result in.

8.3.26 The Council will also need to consider the demolition of the FIRA Laboratory building in relation to NPPF para. 203, resulting in the loss of an architecturally and historically important building within Stevenage.

8.4 Herts and Middlesex Wildlife Trust

8.4.1 The Herts and Middlesex Wildlife Trust have reviewed this application and due to the low ecological value and area of the habitats present, the urbanised and ecologically inaccessible location, the artificial non-native nature of the vegetation, and the conclusions of the ecological assessment supplied, I do not consider that there will be any significant, meaningful or measurable loss of biodiversity as a result of the development. The habitat value in terms of the biodiversity metric is so low that I do not consider it to be meaningfully measurable and so I do not consider that it is necessary in this instance.

8.4.2 The ecological report makes mention of enhancements. Due to the location and nature of the site I do not consider that these are all appropriate. However I do think that integrated swift boxes are appropriate. Stevenage is a particular focus for this species and they are present and potential colonists of this development. A condition for 10 integrated swift boxes should be applied to the decision if granted. These must be integrated into the brickwork of the buildings. If this is secured by the decision I am satisfied that the proposal will deliver a biodiversity net gain. A suitable condition is:

'No development shall commence until details of 10 integrated swift boxes (model and location), marked on plans, have been submitted and approved by the LPA. These devices shall be fully installed prior to occupation and retained as such thereafter.'

8.5 NHS East and North Herts CCG

8.5.1 Revised calculation:

42 x 1 bed @ 2 occupants = 84
46 x 2 bed @ 2.4 occupants = 110.4

Total 88 dwellings & 194.4 occupants

8.5.2 42 dwellings x 2 occupants and 46 dwellings x 2.4 occupants = 194.4 new patients –
 $194.4/2000 = 0.0972$ GP's - *GP based on ratio of 2,000 patients per 1 GP and 199m² as set out in the NHS England "Premises Principles of Best Practice Part 1 Procurement & Development" 0.0972 GP's x 199 = 19.3428 m² additional space required $19.3428 \text{ m}^2 \times \text{£}5,410^* = \text{£}104,644.548^*$ (*Build cost; includes fit out and fees) $\text{£}104,644.548/88 = \text{£}1,189.142$ (rounded to £1,189 per dwelling) Total requested for GP/GMS funding: 88 dwellings x £1,189.00 = £104,632.00

8.5.3 Monies to be focused on the King George Group of Practices of which there is a main and a branch and/or the Stanmore Road Group of Practices of which there is a main site & 3 branches. All monies to be focused on expansion and/or reconfiguration to increase patient access the need for which arises from this development.

8.5.4 Original Total requested for GP/GMS funding: 88 dwellings x £1,292.00 = £113,696.00

Revised down to this please:

29 x 1 bed @ 2 occupants = 58
51 x 2 bed @ 2.4 occupants = 122.4

Total 80 dwellings & 180.4 occupants

8.5.5 $180.4/2000 = 0.0902$ GP's - *GP based on ratio of 2,000 patients per 1 GP and 199m² as set out in the NHS England "Premises Principles of Best Practice Part 1 Procurement & Development" 0.0902 GP's x 199 m² = 17.9498 m² additional space required $17.9498 \text{ m}^2 \times \text{£}5,410^* = \text{£}97,108.418^*$ (*Build cost; includes fit out and fees) $\text{£}97,108.418/80 = \text{£}1,213.855225$ (rounded to £1,214 per dwelling) Total requested for GP/GMS funding: 80 dwellings x £1,214.00 = £97,120.00

8.5.6 As originally stated monies to be focused on the King George Group of Practices of which there is a main and a branch and/or the Stanmore Road Group of Practices of which there is a main site and 3 branches. All monies to be focused on expansion and/or reconfiguration to increase patient access the need for which arises from this development.

8.6 Historic England

8.6.1 On the basis of this information, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant. It is not necessary for us to be consulted on this application again, unless there are material changes to the proposals. However, if you would like detailed advice from us, please contact us to explain your request.

8.7 Police Crime Prevention Design Officer

8.7.1 No comment.

8.8 Hertfordshire County Council Fire and Rescue

8.8.1 Hertfordshire County Council Fire and Rescue went in with the previous water officer when the application originally went out. This remains the case and fire hydrants are/will be required here.

8.9 Twentieth Century Society

8.9.1 Twentieth Century Society previously responded to plans proposing the demolition of the FIRA Centre by Howard, Killick, Partridge, and Amis, in July 2017 (ref: 17/00303/OPM) and most recently in March 2021. Given that these proposals still include the demolition of said building, the Society maintain their strong objection to this application. The loss of the FIRA Centre, considered a non-designated heritage asset, will substantially diminish the heritage of Stevenage as an important post-war New Town.

Background

8.9.2 The Furniture Industry Research Association (FIRA) building was designed by the leading architectural practice Howard, Killick, Partridge and Amis (HKPA) in 1964-1965. It was designed as a result of the decision to bring the Furniture Industry Research Association and the Furniture Development Council under one roof in order that they could work collectively in providing technical research and information to the industry. The initial brief for the architects was to provide a building that 'should convey a good impression of efficiency and fitness for its purpose and that it should be neither extravagant nor cheap.' The building is mainly of brick, which was deliberately used to keep costs down, but is finished with a striking roof-form of wood composite joists and steel trusses of triangular cross section. This was an innovative experimental roof structure, and was the subject of a feature in the Architect and Building News (15th September 1965). In another appraisal in the national press, the Architects' Journal commended the 'gaiety of the building' which made 'exemplary use of a small number of building materials' and noted that its 'quality of freshness' made the FIRA 'stand out from the acres of architectural poverty that surround it', concluding that the centre was 'unique in the country, and indeed, in the world.'

8.9.3 A number of buildings by HKPA, spanning the fields of housing and university architecture, have been listed, including Alton West estate in Roehampton (Grade II and II*), the URS Building at Reading University (Grade II), and many more listed buildings in Oxford, Cambridge and Birmingham Universities. A monograph on the practice by Geraint Franklin has just been published. The FIRA building featured as the Twentieth Century Society's Building of the Month in October 2015, where Franklin notes the exceptional value of building's 'use of manifest structure to unify and animate the interior spaces' which would become an important feature in HKPA's subsequent work.

8.9.4 Given the evident architectural significance of the FIRA Centre, and its recognised status as a heritage asset, it is disappointing that these proposals still make no attempt to maintain and reuse the building. Although the FIRA Centre is itself unlisted it sits in dialogue with the Grade II listed Broomin Green Farmhouse and together the buildings present a valuable narrative of Stevenage's history – its pre-twentieth-century agricultural past and its new life as post-war manufacturing and innovation hub. The single storey plan of the FIRA Centre, with its externally expressed structural feature, also forms a sympathetic context to Broomin Green Farmhouse, with its black timber gables. The Heritage Assessment notes that current proposals will involve the 'complete loss of fabric which would cause substantial harm to the significance of the FIRA building'. We would like to add that the proposal additionally entails the wholesale loss of the historic context inherent in the value of Broomin Green Farmhouse's relationship to the FIRA Centre, one that cannot be recorded and archived. Moreover,

Pevsner's Buildings of England volume for Hertfordshire comments on the FIRA Centre's architects and its projecting triangular roof trusses but these comments are conspicuously absent from the assessment. Irrespective of more recent alterations that preclude it from listed status, the significance of this building remains high as part of the oeuvre of a highly regarded expert firm of architects and should therefore be carefully assessed and protected in any application considering its future.

Policy

8.9.5 Clause 189 of the National Planning Policy Framework (NPPF, 2021) states that "Heritage assets range from sites and buildings of local historic value to those of the highest significance [...] These assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations".

8.9.6 Clause 197 states that "In determining applications, local planning authorities should take account of: a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and c) the desirability of new development making a positive contribution to local character and distinctiveness."

8.9.7 The council should also be mindful of clause 203 in the NPPF which particularly commends the careful consideration of the impact on non-designated heritage assets:

203. The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

8.9.8 The council should resist demolition of this important non-designated heritage asset. Clear and convincing justification should be required for demolition of unlisted structures of historic or architectural merit, which is not provided in this application. This site is also located in the Gunnels Wood Employment Area which therefore makes an application for residential development contrary to development plan policy as this use is not listed as acceptable use in Stevenage's Local Plan 2019 Policy E4.

8.9.9 In conclusion, The Twentieth Century Society once again re-iterates its objection to this application and urges the council to resist the loss of this non-designated heritage asset by refusing this damaging and unjustifiable scheme. The Society would welcome further consultation on the potential uses and opportunities for the FIRA Centre that will prevent the total loss of fabric.

8.10 Council's Environmental Health Section

Contamination and Air Quality

8.10.1 With regards to contamination, the Environmental Health recommends the conditions detailed in their comments dated 5 February 2019 would need to be applied on any permission issued. In terms of air quality, the Environmental Health Officer advises that the development would not have a measurable impact on air quality in the Borough.

Noise

8.10.2 If planning permission is granted, the Environmental Health Department have s

recommended that the following conditions are attached (Full details of the conditions can be viewed online against the respective consultee comments):

- Condition controlling use of the external commercial areas (written code for the management of noise from any yard area, site roads and spaces that are external to the office and commercial building permitted);
- Construction Noise Level Condition;
- Pre-commencement of construction of residential buildings (scheme of noise mitigation and mechanical and natural ventilation control to protect the internal environment of each dwelling within the building);
- Pre-commencement of construction of individual buildings (a scheme of noise mitigation, including vibration, to address emissions of noise whether airborne or structure borne, emanating from any fixed plant or machinery serving the said building).

8.11 Hertfordshire County Council as Lead Local Flood Authority

8.11.1 The applicant has submitted the following information in support of their application:

- Flood Risk Assessment, Revision A: January 2019, reference R-FRA-U8603PM-02-A prepared by JPP Consulting Ltd;
- Flood Risk Assessment Technical Note, dated 8th May 2019, reference U8603PM/KER/001, prepared by JPP Consulting Ltd.

8.11.2 It is understood the application is the same as the previous submission which the Lead Local Flood Authority (LLFA) responded to on 24 May 2019, which has subsequently been subject to a Judicial Review. Because of this, the applicant has re-submitted the application with no changes to the information provided.

8.11.3 Based on the following previous submitted information, the LLFA had no objections to the proposed outline application subject to conditions. As the application was submitted 2 years ago, the LLFA have checked the submitted FRA and Drainage strategy and additional FRA technical note against current policies, EA Long Term Flood Risk Maps and updated climate change allowances.

8.11.4 The LLFA confirms that there have been no changes to policy, EA Long Term Flood Risk Maps and Climate change allowances. The FRA and subsequent technical note demonstrated that a total of 700m³ of attenuation volume will be required and that this can be achieved on site within permeable paving on all external car parking areas and 2 geocellular tanks. This is based on a discharge rate of 2.5l/s, previously agreed by the LLFA.

8.11.5 However, the LLFA previous response, whilst recommending conditions, did state that the LLFA required details of the permeable paving, consideration of above ground SuDS as part of the development layout (to be agreed through reserved matters) and water quality treatment. The applicant also stated that infiltration may be possible based on the superficial geology beneath the site and would be subject to infiltration tests in compliance with BRE Digest 365. These will need to be carried out at the reserved matters stage as part of the consideration of the layout and above ground SuDS measures in accordance with the SuDS hierarchy.

8.11.6 The LLFA also note that the site is within an area susceptible to surface water flood risk. Parts of the site are within the high to medium areas of risk and other parts of the site within the low area of flood risk. The applicant previously stated that this will be maintained and managed within the layout. As the layout is to be agreed as part of the reserved matters application and is therefore, subject to change from the Masterplan, further assessment will be required as part of the reserved matters application to ensure the following is established prior to the approval:

- Assessment of existing surface water flood risk based on the EA Areas Susceptible to Surface Water Flood Risk Maps, including extents, flow paths and depths, to ensure the proposed layout does not increase flood risk elsewhere, by avoiding development in areas of existing flood risk. Where this cannot be avoided, it should be demonstrated that any displaced flood water can be mitigated and is not displaced elsewhere. If buildings are to be placed in areas of existing flood risk, the applicant will need to provide flood resilience measures such as raised finished floor levels in line with EA advice ensuring there is no risk of ingress into the proposed buildings.
- Infiltration testing in accordance with BRE Digest 365 which should be carried out at the location of any new infiltration measure. Where infiltration is not possible, evidence that approval has been sought from the relevant water authority should be provided for any connection into a public surface water sewer.
- Implement the use of above ground SuDS measures with a clear justification if this is not possible. A lack of space will not be accepted as justification due to the layout not yet established.
- Provide appropriate water quality treatment stages, through the use of appropriate SuDS measures in line with the CIRIA SuDS Manual Simple Index Assessment. This should include measures such as permeable paving with a granular subbase, swales, filtration trenches etc, to manage the surface water at source;
- Provide a detailed drainage layout showing the proposed final development layout, location of all SuDS measures and associated infrastructure which should be accompanied by supporting surface water calculations for all rainfall events up to and including the 1 in 100 year + climate change event (+40%).

8.11.7 Once this information is submitted and is satisfactory as part of the reserved matters application, and the reserved matters application is approved, the applicant will need to provide final details of the proposed drainage strategy including final engineering drawings, surface water calculations and a SuDS Management, Adoption and Maintenance Plan as part of recommended pre-commencement and post construction conditions.

8.11.8 The LLFA therefore recommend a number of conditions be imposed if the Council is minded to approve the Outline Planning Application. These conditions would cover the following:-

- A scheme that manages surface water run-off and surface water-risk;
- Secure the principles of the drainage scheme;
- Final detailed drainage proposals; and
- Post construction management and maintenance.

8.11.9 The LLFA request that should planning permission be granted, they wish to be consulted on the reserved matters application in line with the suggested conditions. Once these reserved matters are approved, the applicant will need to provide the final detailed drainage strategy as part of the recommended surface water conditions.

8.11.10 The LLFA also recommended that the Council obtains a maintenance plan that explains and follows the manufacturer's recommendations for maintenance or follows the guidelines explained in the SuDS Manual by Ciria. A maintenance plan should also include an inspection timetable with long term action plans to be carried out to ensure effective operation and to prevent failure.

8.12 Council's Sunlight and Daylight Consultant (Anstey Horne)

8.12.1 Anstey Horne have been instructed by Stevenage Borough Council to review the application in respect of the potential impact of the development on the daylight and sunlight availability

to the neighbouring property at Broomin Green Farm, Maxwell Road.

- 8.12.2 A copy of the daylight and sunlight report submitted with the application and undertaken by Gordon Ingram Associated has been reviewed. The surrounding properties which were modelled as part of this assessment were modelled on the basis of a photogrammetric model and the windows were added to the model based on site photographs, observations and brick counting. GIA state in the report that they sought to arrange access to Broomin' Green Farm but at the time of drafting, access had not been granted and therefore, the internal layouts were based on assumptions. The report found the impacts of daylight and sunlight to Broomin Green Farm to be either within or close to the guidelines set out by the BRE.
- 8.12.3 A review was also undertaken of the correspondence between GIA and EB7 surveyors on behalf of the owner of Broomin Green Farm which primarily focused on the accuracy of GIA's assessment given that no external or internal survey had been undertaken. Subsequently, the consultant on behalf of the Council visited the site with a laser scanner and collected point cloud data of the property at Broomin' Green Farm both externally and internally. This information was provided to GIA surveyors so that their 3D model could be updated to accurately reflect what exists on site.
- 8.12.4 The updated technical assessment which was undertaken by GIA was reviewed by the Council's consultant who confirm that this reflects the detailed information collected on site. Whilst a number of windows and rooms within the neighbouring property are shown to be configured differently to those modelled in GIA's initial technical assessment, for the majority of the windows and rooms assessed this does not have a material impact the daylight and sunlight position. All of the rooms, with the exception of the kitchen at ground level, are shown to achieve the BRE's guideline values for both daylight and sunlight.
- 8.12.5 In respect of the Kitchen, GIA's updated analysis accurately reflects that this room is served by a single west facing window. The analysis shows that the reductions to this room are beyond the guideline values for both daylight and sunlight. In terms of Vertical Sky Component (VSC), the window serving the kitchen experiences a reduction of 21.8% as a result of the proposed development which is only marginally below the BRE's guideline of 20% reduction. When considering the daylight distribution, the room is shown to experience a reduction of 55.1% which is beyond the 20% of acceptable reduction recommended by the BRE guideline. Finally, in terms of sunlight, the annual sunlight availability is shown to be reduced by 36.8% which is again beyond the 20% recommended by the BRE.
- 8.12.6 In summary, following a review of the initial reports and correspondence in relation to the daylight and sunlight availability to Broomin' Green Farm as a result of the proposed development at Maxwell Road. A site visit was undertaken to collect point cloud data of the property and passed this to GIA so that their technical assessment could be updated. The Council's consultants advise that they are satisfied that GIA's updated analysis accurately represents the daylight and sunlight impacts to Broomin' Green Farm as a result of the proposed development at Maxwell Road.

Additional comments received 6th December 2021

- 8.12.7 Anstey Horne have been instructed by the Council to review the most recent document submitted with the application with respect of the potential impact of the development on daylight and sunlight availability to the neighbouring property Broomin Green Farm, Maxwell Road.
- 8.12.8 Anstey Horne previously reviewed the daylight and sunlight assessment undertaken by GIA and the correspondence between GIA and the owners of Broomin Green Farm's appointed surveyors EB7. As EB7 queried the accuracy of GIA's initial assessment which was based on a photogrammetric model, Anstey Horne attended site to collect point cloud data and passed this to GIA so that their 3D model could be updated. Anstey Horne then reviewed

GIA's updated technical assessment and confirmed that it was an accurate representation of what existed on site. These findings were summarised in our letter dated 26 July 2021.

- 8.12.9 It is understood that the developer has now submitted an amended daylight and sunlight report which summarises the findings of their up to date assessment. This report is dated 18 October 2021. The report finds that, with the exception of a single window/room within the property at Broomin' Green Farm, all of the windows and rooms assessed within the neighbouring properties will achieve the guideline values. The transgressions of the guidelines are identified to the kitchen at ground floor level within Broomin' Green Farm.
- 8.12.10 GIA's updated report demonstrates that the reductions to the kitchen are beyond the guideline values for both daylight and sunlight. In terms of VSC, the window serving the kitchen experiences a reduction of 21.8% as a result of the proposed development which is only marginally below the BRE's guideline of 20% reduction. When considering the daylight distribution, the room is shown to experience a reduction of 55.1% which is beyond the 20% of acceptable reduction recommended by the BRE guidelines. Finally, in terms of sunlight, the annual sunlight availability is shown to be reduced by 36.8% which is again beyond the 20% recommended by the BRE.
- 8.12.11 GIA have also undertaken a more sophisticated radiance assessment for the kitchen within Broomin' Green Farm which takes into account reflected light both within the room itself and from external surfaces. This report is dated 8 September 2021. Whilst we have not reviewed GIA's model for this assessment, the internal layouts have been based on information obtained from the site visit and the parameters for the assessment listed in their report are considered reasonable for an assessment of this nature. However, it is not clear whether GIA have calculated ADF in accordance with the BRE guidelines or as an average of the daylight factor calculation method as set out by the BS EN 17037. We would therefore suggest the Council seeks clarification from GIA on this point for Anstey Horne to comment.
- 8.12.12 The daylight factor images presented in GIA's report demonstrate that, in the existing condition very little light penetrates beyond the area of room closest to the window. A similar conclusion can be drawn from the images produced for the proposed condition, but there is a slight decrease in the penetration of light into the room. From this assessment, GIA conclude that *"whilst there will be a small change in the daylight appearance of the kitchen, the useability of the kitchen and it's reliance on supplementary artificial lighting is unlikely to be materially affected"*.
- 8.12.13 In summary, we have reviewed GIA's updated reports in relation to the daylight and sunlight availability to Broomin' Green Farm as a result of the proposed development at Maxwell Road. We are satisfied that GIA's updated daylight and sunlight analysis in accordance with the BRE guidelines accurately represents the daylight and sunlight impacts to Broomin' Green Farm as a result of the proposed development at Maxwell Road. This report finds that reductions beyond the guideline values will be to a single room at ground floor level. In terms of the radiance assessment carried out by GIA, the assessment shows that whilst there will be a small change in lit appearance, the room is poorly lit in both the existing and proposed condition.
- 8.12.14 As advised previously, taking the tests recommended in the BRE guidelines, there are transgressions which need to be taken into account by the Council in their decision making. However, it is understood that the assessments in the BRE guide are intended to be interpreted flexibly and there are now more sophisticated ways of looking at the lit condition of a room. The radiance assessment calls into question whether the difference in light levels would be perceptible to the occupant and should therefore be considered carefully alongside the conventional assessments undertaken in accordance with the BRE guidelines.

Additional comments received – 12th July 2022

8.12.15 Anstey Horne write in relation to the planning application at Maxwell Road, Stevenage, Hertfordshire submitted under application number 19/00062/OPM. Anstey Horne have been instructed by Stevenage Borough Council to review the various documents submitted with the application in respect of the potential impact of the development on the daylight and sunlight availability to the neighbouring property at Broomin' Green Farm, Maxwell Road. This letter pulls together our previous advice and thoughts on the most recent documents which have been submitted, and therefore supersedes Anstey Horne's previous advice.

GIA report dated 16 December 2020

8.12.16 Anstey Horne initially reviewed the daylight and sunlight assessment undertaken by Gordon Ingram Associates (GIA) dated 16 December 2020 and the correspondence between GIA and the owner of Broomin' Green Farm's appointed surveyor EB7. As EB7 queried the accuracy of GIA's initial assessment, which was based on a photogrammetric model, Anstey Horne attended site to collect point cloud data and passed this to GIA so that their 3D model could be updated. Anstey Horne then reviewed GIA's updated technical assessment and confirmed that it was an accurate representation of what existed on site. These findings were summarised in our letter dated 26 July 2021.

GIA report dated 18 October 2021

8.12.17 The developer then submitted an amended daylight and sunlight report which summarised the findings of their updated assessment. This report was dated 18 October 2021. The report found that, with the exception of a single window/room within the property at Broomin' Green Farm, all of the windows and rooms assessed within the neighbouring properties would achieve the guideline values. The transgressions of the guidelines were identified to the kitchen at ground floor level within Broomin' Green Farm.

8.12.18 GIA's updated report demonstrated that the reductions to the kitchen were beyond the guideline values for both daylight and sunlight. In terms of VSC, the window serving the kitchen was shown to experience a reduction of 21.8% as a result of the proposed development which is only marginally beyond the BRE's guideline of 20% reduction. When considering the daylight distribution, the room was shown to experience a reduction of 55.1% which is beyond the 20% of acceptable reduction recommended by the BRE guidelines. Finally, in terms of sunlight, the annual sunlight availability was shown to be reduced by 36.8% which is again beyond the 20% recommended by the BRE.

GIA radiance report dated 8 September 2021

8.12.19 GIA also undertook a more sophisticated radiance assessment for the kitchen within Broomin' Green Farm which takes into account reflected light both within the room itself and from external surfaces. This report was dated 8 September 2021. Anstey Horne obtained the 3D model used by GIA for the radiance assessment in order to review their findings. Our review indicates that the parameters applied by GIA in the assessment are reasonable given the context of the site, and that the assessment undertaken by GIA provides an accurate representation of the light levels within Broomin' Green Farm.

8.12.20 GIA's radiance assessment indicated that the ADF in the existing condition was 0.3% whilst the ADF in the proposed condition was 0.2%. Whilst radiance provides a more sophisticated assessment of ADF than the simple calculation provided by the BRE guidelines, in the absence of any radiance specific guidelines, GIA have considered the results for the kitchen against the BRE's ADF guideline of 2% for a kitchen which is considered to be a sensible approach. The ADF values provided by the BRE are described as the minimum values for good daylight availability, and therefore the levels achieved by the kitchen even in the existing scenario are well below this recommended minimum. Thus, supplementary lighting will be required.

8.12.21 We note that GIA's assessment included the internal blind within the model. We therefore ran an additional assessment without the blind in place which confirms that whilst the light available in the existing condition is slightly greater, the reduction in light is akin to that reported by GIA above.

8.12.22 The daylight factor images presented in GIA's report demonstrate that, in the existing condition very little light penetrates beyond the area of room closest to the window. A similar conclusion can be drawn from the images produced for the proposed condition, but there is a slight decrease in the penetration of light into the room. From this assessment, GIA conclude that "*whilst there will be a small change in the daylight appearance of the kitchen, the useability of the kitchen and its reliance on supplementary artificial lighting is unlikely to be materially affected*".

GIA report dated 13 June 2022

8.12.23 The developer has now submitted an amended daylight and sunlight report which reflects changes to the proposed scheme. GIA state in their report that the changes involve a modification of the height of the commercial element of the Proposed Development to reduce the daylight and sunlight effects upon Broomin' Green Farm.

8.12.24 The report confirms that the position with Broomin' Green Farm is akin to that reported in GIAs 18 October 2021 report, with the only transgressions of the guidelines being identified to the kitchen at ground floor level within Broomin' Green Farm. However, we note that the reductions identified are slightly different to those previously reported, with some reductions in light showing decreases and others increases.

8.12.25 In terms of VSC, the window serving the kitchen was shown to experience a reduction of 22.2% as a result of the proposed development, which is slightly greater than the 21.8% reduction identified as a result of the previous scheme. However, this reduction is still only marginally beyond the BRE's guideline of 20% reduction.

8.12.26 When considering the daylight distribution, the room is shown to experience a reduction of 54.5% which is a slight improvement on the 55.1% reduction identified for the previously assessed scheme. The reduction to this room is still beyond the 20% of acceptable reduction recommended by the BRE guidelines. Finally, in terms of sunlight, the annual sunlight availability was shown to be reduced by 36.8% which is in line with what was reported for the previous scheme. Again, this reduction is beyond the 20% recommended by the BRE.

8.12.27 Overall, the reductions in light identified to Broomin' Green Farm remains akin to those summarised in GIA's 18 October 2021 report.

Summary

8.12.28 In summary, we have reviewed GIA's updated reports in relation to the daylight and sunlight availability to Broomin' Green Farm as a result of the proposed development at Maxwell Road. We are satisfied that GIA's updated daylight and sunlight analysis in accordance with the BRE guidelines accurately represents the daylight and sunlight impacts to Broomin' Green Farm as a result of the proposed development at Maxwell Road. This report finds that reductions beyond the guideline values will be to a single room at ground floor level. In terms of the radiance assessment carried out by GIA, the assessment shows that whilst there will be a small change in lit appearance, the room is poorly lit in both the existing and proposed condition.

8.12.29 As we have commented before, taking the tests recommended in the BRE guidelines, there are transgressions which need to be taken into account by the Council in their decision making. However, it is understood that the assessments in the BRE guide are intended to be interpreted flexibly and there are now more sophisticated ways of looking at the lit condition

of a room. The radiance assessment calls into question whether the difference in light levels would be perceptible to the occupant and should therefore be considered carefully alongside the conventional assessments undertaken in accordance with the BRE guidelines.

9. RELEVANT PLANNING POLICIES

9.1 Background to the Development Plan

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

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

9.2 Central Government Advice

9.2.1 A revised National Planning Policy Framework (NPPF) was published in July 2021. This largely reordered the policy substance of the earlier 2012 version of the NPPF albeit with some revisions to policy. The Council are content that the policies in the Local Plan are in conformity with the revised NPPF and that the Local Plan should be considered up to date for the purpose of determining planning applications. The NPPF provides that proposals which accord with an up to date development plan should be approved without delay (para.11) and that where a planning application conflicts with an up to date development plan, permission should not usually be granted (para.12). This indicates the weight which should be given to an up to date development plan, reflecting the requirements of section 38(6) of the 2004 Act.

9.2.2 Since November 2018, housing delivery has been measured against the Housing Delivery Test (HDT) as set out by the Government planning policy and guidance. The results of the HDT dictate whether a local planning authority should be subject to consequences to help increase their housing delivery. Where an authority's HDT score is less than 85% of its housing requirement, the Council must incorporate a 20% buffer into its housing supply calculations in line with paragraph 73 of the NPPF. Where an authority's score is below 75%, the Council will be subject to the HDT's most severe penalty and must apply the presumption in favour of sustainable development. The latest HDT results, published by the Ministry of Housing Communities and Local Government (MHCLG) (**now the Department for Levelling Up, Housing and Communities**) in January 2022, identifies that Stevenage delivered 79% of its housing requirement which is above the 75% requirement. However, this is still less than 85%. Consequently, Stevenage Borough Council must include the 20% buffer in its 5 year housing land supply calculations, which it already does.

9.2.3 The Council also has to prepare an Action Plan to show how it is responding to the challenge of ensuring more homes are delivered in the Borough. It will have to be prepared in accordance with Planning Practice Guidance and analyse the reasons for under-delivery of new homes against the Government's requirements. It also has to set out clear actions on how to improve housing delivery. Consequently, Stevenage Borough Council has recently published its Action Plan (July 2022) to demonstrate how it seeks to maintain the supply of housing:

<https://www.stevenage.gov.uk/documents/planning-policy/monitoring/housing-delivery-test-action-plan-2022.pdf>

- 9.2.4 Turning to 5 year housing land supply, the Council recently published an Addendum Report in May 2022. The report set out that the Borough Council could demonstrate a housing supply of 5.91 years (including 20% buffer) for the period 1 April 2022 to 31 March 2027. However, since the Land West of Lytton Way appeal was allowed by the Planning Inspectorate for a development of 576 residential units (Appeal Reference: APP/K1935/W/20/3255692), the Council's Policy Department has confirmed the Council can now demonstrate a housing supply of 6.68 years (including 20% buffer).
- 9.2.5 The Council will also be commencing preliminary work into a potential review of its Local Plan, last adopted in May 2019. This is to ensure the policies within the Local Plan are up to date in accordance with the NPPF as well as ensuring the Council is delivering a sufficient supply of housing and employment.

9.3 Planning Practice Guidance

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

9.4 Adopted Local Plan (2019)

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

Policy SP1: Presumption in favour of sustainable development;
Policy SP2: Sustainable development in Stevenage;
Policy SP3: A strong, competitive economy;
Policy SP5: Infrastructure;
Policy SP6: Sustainable transport;
Policy SP7: High quality homes;
Policy SP8: Good design;
Policy SP9: Healthy communities;
Policy SP11: Climate change, flooding and pollution;
Policy SP12: Green infrastructure and the natural environment;
Policy SP13: The historic environment;
Policy EC2a: Gunnels Wood Road Employment Area;
Policy EC4: Remainder of Gunnels Wood;
Policy EC5: Active frontages and gateways;
Policy IT3: Infrastructure;
Policy IT4: Transport assessments and travel plans;
Policy IT5: Parking and access;
Policy IT6: Sustainable transport;
Policy IT7: New and improved links for pedestrians and cyclists;
Policy HO5: Windfall sites;
Policy HO7: Affordable housing targets;
Policy HO8: Affordable housing tenure, mix and design;
Policy HO9: House types and sizes;
Policy HO11: Accessible and adaptable housing;
Policy GD1: High quality design;
Policy HC8: Sports facilities in new developments;
Policy FP1: Climate change;
Policy FP2: Flood risk in Flood Zone 1;
Policy FP5: Contaminated land;
Policy FP7: Pollution;
Policy FP8: Pollution sensitive uses;
Policy NH5: Trees and woodland;
Policy NH6: General protection for open space;
Policy NH7: Open space standards;

Policy NH09: Areas of Archaeological Significance.

9.5 Supplementary Planning Documents

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

9.6 Community Infrastructure Levy

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

10. APPRAISAL

10.1.1 The main issues for consideration in the determination of this application are its acceptability in land use policy terms, affordable housing and planning obligations, visual impact of the development, impact of the development on the setting of the listed building and the demolition of the non-designated heritage asset, impact on archaeology, impact upon neighbouring amenities, impact upon future amenities of residents, parking provision, highway implications, development and flood risk, impact on the environment, trees and landscaping and ecology.

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

10.2 Land Use Policy Considerations

Impact on the designated employment area

10.2.1 The application site is located within the Gunnels Wood Road Employment Area as identified in the Stevenage Borough Local Plan 2011-2031 (adopted 2019). The National Planning Policy Framework 2021 (NPPF) sets out that planning decisions should help to create the conditions in which businesses can invest, expand and adapt (Paragraph 81). The NPPF goes on to stipulate that significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. Due to the site falling within a designated employment area, Policies EC2a and EC4 of the adopted Local Plan (2019) apply in this instance. Policy EC2a simply designates the Gunnels Wood Employment Area whereas Policy EC4 sets out acceptable uses in the employment areas. These approved uses include Use Classes B1(c) light industry, B2 general industry and B8 storage and distribution.

10.2.2 Dealing firstly with the proposed offices, as set out in the Council's adopted Local Plan (2019) under Policy SP3: A Strong, competitive economy, the Council will seek to encourage high intensity B-class employment uses in the most accessible locations. It will continue to remodel Gunnels Wood Road to meet modern requirements and provide a high quality and attractive business destination as well as collaborate with Central Bedfordshire Council and North Hertfordshire District Council to ensure an appropriate level of employment provision within the wider A1(M) / A1 corridor over the plan period.

10.2.3 The Council's Employment Technical Paper dated December 2015 which formed part of the evidence base for the Local Plan, forecasted that there will be a requirement to provide 30 hectares of employment land over the plan period between 2011-2031. However, through

the undertaking of the SLAA (Strategic Land Availability Assessment) a total of 19.4 hectares of land has been identified on the supply side. Therefore, the opportunities identified will deliver 56% of the required quantum employment (paragraphs 3.40 to 3.42). The aforementioned Employment Technical Paper was updated in December 2016. A synthesis of the supply-side and demand-side data suggests that there is insufficient land available to meet the trend-based requirement for at least 30ha. The opportunities identified will deliver approximately 62% of the required quantum of employment land, resulting in a shortfall of approximately 11.5ha (paragraphs 3.10 and 4.4). As such, any reduction in employment land would effectively exacerbate this shortfall and thus make it difficult for the Council to be able to accommodate sustainable future growth over the Local Plan period.

10.2.4 Policy EC4 of the adopted Local Plan (which seeks the provision of B1(b) research and development, B1(c) light industry, B2 General Industry and B8 storage and distribution). However, Policy EC4, also states that planning permission for B1(a) offices will only be granted as an exception to criterion a where:-

- i. it is ancillary to a B1(b), B2 or B8 use;
- ii. essential to the continued operation of an established B1(a) use; or
- iii. a sequential test clearly demonstrates that no suitable sites are available in more accessible locations.

10.2.5 The proposed development seeks the delivery of a flexible B1 use (B1(a), B1(b) and B1(c)) **(Now Use Classes E(g)i, E(G)ii and E(g)iii)** development. Based on this flexible use, if the building was used for offices (Formerly B1(a) / currently E(g)(i)), the proposal would not accord with Policy EC4 of the adopted Local Plan (2019). Furthermore, the development would not be ancillary to a B1(b), B2 or B8 use, nor is it essential to the continued operation of an established B1(a) (Class E(g)i) use. As such, for the policy to be complied with the applicant is required to undertake a sequential test to clearly demonstrate that there are no suitable sites available in more accessible locations. Taking this into consideration, the applicant has undertaken a Sequential Assessment to determine whether or not there is a more suitable site which is in a more accessible location.

10.2.6 The sequential assessment undertaken by the applicant focuses on the employment allocations in the adopted Local Plan due to the nature of the proposal. In this regard, Policy EC1 of the plan allocates sites of up to 143,500 sq.m of employment space. There are three allocations under this policy which incorporate a component of B1(a) (Class E(g)i) office floorspace. These sites are as follows:-

- South of Bessemer Drive, Gunnels Wood Road (Policy reference EC1/2);
- Stevenage Central (Policy reference EC1/5); and
- West of Stevenage (Policy reference EC1/6).

10.2.7 With regard to the Stevenage Central allocation (Policy reference EC1/5), this allocation comprises of six Major Opportunity Areas (MOAs). However, only four of the MOAs make provision for Class B1 office development. The MOAs which make provision of B1 office developments are as follows:-

- Centre West (Policy TC3);
- Station Gateway (Policy TC4);
- Central Core (TC5); and
- Northgate (TC6).

10.2.8 The sequential assessment identifies that the aforementioned MOAs are in private ownership, there are no planning permissions in place for these sites to accommodate office development and no Environmental Impact Assessment (EIA) screening opinions have been undertaken on any of the allocations either. In addition, these allocations also seek the delivery of mixed use development such as housing, retail, non-residential institutions and in

some of the sites a hotel. Furthermore, the overall size and scale of these development parcels would not be suitable for a single or multiple occupier commercial development due to its overall size and scale and therefore, it would undermine the aspirations of these town centre allocations. Further to this, whilst the proposed regeneration scheme known as SG1 (Planning Reference:- 19/00743/FPM), which currently has a resolution to grant planning permission and covers part of the Central Core MOA, comprises of non-residential floorspace, the predominant non-residential floorspace would be within the Public Services Hub and part of the ground floor areas of the relevant phases on the development. The scheme itself does not comprise of a large scale bespoke commercial development as is proposed with this development.

10.2.9 With regard to the sites referred to in paragraph 10.2.6 these sites are again in private ownership. Looking at the Bessemer Drive site, this has planning permission (06/00290/FP) for a development comprising of B1, B2 and B8 along with a car showroom (which has been implemented). The permission for this site does not offer the opportunity to deliver the quantum of B1 (**Now Use Class E(g)**) floorspace proposed. With regards to West of Stevenage (Planning Reference:- 21/00356/FPM), this is out of centre and the allocation refers to small business uses with this part of the development not delivered until Phase 2. In addition, this allocation is part of the wider residential development for West of Stevenage which has not yet been delivered. Furthermore, the application for West Stevenage has not yet been determined by the Council. As such, the development would be standalone and not deemed to be in a sustainable location.

10.2.10 Turning to Arlington Business Park, the last remaining vacant plot of the site, which did have planning permission for a contemporary office development, is now occupied by the Lok'n'Store development (Planning permission 19/00673/FPM) which is nearing completion. Therefore, this site is no longer available for the delivery of a commercial building. In relation to the Sanders Building, Gunnels Wood Road, it is noted this site is currently up for sale. The site as set out in Policy EC2a of the Local Plan (2019) defines the site as falling within the Gunnels Wood Employment Area. Policy EC2b stipulates that within the Edge-of-Centre Zone as shown on the policies map, planning permission will be granted where:

- Development (including changes of use) is for classes B1(a) offices or B1(b) research and development;
- The scheme makes efficient use of the site in terms of floorspace and job provision, and
- Proposals interact positively within the 'Stevenage Central Area'.

Planning permission will only be granted as an exception to those criteria where the proposed development is ancillary to B1(a) or B1(b) uses or essential to continued operation of an established B-class use.

10.2.11 Taking the above into consideration, it is acknowledged that the delivery of the proposed commercial building which forms part of this application before the Council, could potentially be delivered on this site in accordance with the adopted Local Plan. However, the principal use of the site is established as B1(c) (Light industrial) (**now Use Class E(g)iii**) and B2 (General Industry), so this site could potentially come forward as an alternative use to that which is proposed under this application i.e. light industrial or general industrial. Furthermore, the applicant does not have any commercial interest in this site and would require them to purchase it in order to deliver the scheme in which case, there is no guarantee they would be successful. Moreover, it is a highly constrained site which is smaller in area than the site in Maxwell Road which would make it more difficult to deliver a landmark building at this scale, as detailed in the application submission.

10.2.12 Given the above, the applicant has been able to demonstrate that there are no suitable sequentially preferable sites allocated in the adopted Local Plan for the proposed development. Therefore, the proposed office development from a sequential test perspective is acceptable. Notwithstanding the aforementioned assessment, whilst the use of the building

as offices would not be in accordance with the adopted Local Plan, the Use Classes Order 1987 (As amended) allows for the building to be used more flexibly i.e. for research and development and light industry. This is because these uses would fall within the same Use Class i.e. Class E, and therefore, would not require a Change of Use permission from the Council as Local Planning Authority. Therefore, it is recommended that a condition is imposed to allow for a flexible use in the building that in the event it is not used for offices, it can be used for policy compliant uses i.e. research and development and light industry.

- 10.2.13 In addition to the above, and material in the determination of this application is the fact that the Council is seeking the provision of 140,000 sq.m of Class B employment land as set out under Policy SP3 of the adopted local plan, however, currently there is a 16 hectare shortfall in employment. The proposed development would, therefore, help meet unmet need within a sustainable location whilst not impacting on the town centre employment allocations or those allocated in Gunnels Wood Road.
- 10.2.14 Looking at the proposed development and application site in more detail, the application site currently comprises of three main operators, the Furniture Industry Research Association (FIRA) (2,589 sq.m of B1 floorspace), the veterinary clinic (471 sq.m of D1 floorspace) and Service Line (866 sq.m of B1 floorspace). Given the veterinary clinic is not a traditional employment use and would generally be classed as an unacceptable use in the employment area as defined under Policy EC4, the site currently only has 3,455 sq.m of traditional B1 (business) employment space. The proposed office development seeks to provide indicatively 11,059sq.m of office floorspace. This would be an increase of 7,604 sq.m of employment floorspace or 68.7% over and above the existing level of floorspace which is currently provided on the application site.
- 10.2.15 It is noted that the Government amended the Use Classes Order which came into force in September 2020 via the Town and Country Planning (Use Classes) (Amendment) (England) Order 2015. This order brought in a new Class known as Class E (Commercial, Business and Service). Under this new class, traditional retail, financial services as well as restaurants and cafes along with offices, research and development and light industrial are now defined as being Class E. Given this, if planning permission were to be granted, a condition would be imposed to restrict the use of the building to employment based uses only under Class E (previously Class B1 uses). This is to ensure the building is not converted to unacceptable use such as residential through the Prior Approval process or a retail development in the future.
- 10.2.16 With regards to assessing the potential amount of employment a particular development would generate, the Homes and Community Agency (HCA) Employment Density Guide, 3rd Edition (2015) provides a benchmark for employment densities. This guidance demonstrates that the proposed commercial development would be likely to generate a higher level of employment compared to, for example B2 uses (General Industrial) and B8 uses (Warehouse and Distribution). This is because the proposal could generate approximately 851 jobs (1 job per 8 sq.m to 1 job per 13 sq.m) compared to General Industrial (1 job per 36 sq.m) and warehouse development (between 1 job per 200sq.m to 1 job per 1,400 sq.m) which are generally on a single floorplate. In addition, if the building was used for research and development, which is a policy compliant use, the Employment Density Guide sets out that 1 job is created for every 40-60 sq.m of floorspace. This would equate to approximately 185 jobs to 277 jobs.
- 10.2.17 More recently, the Council approved the Biopharmaceutical development (Planning Use Class E) at Marshgate Car Park (Planning Reference 21/00627/FPM) in Stevenage Town Centre which has 6,920 sq.m of floorspace and is a part 4 storey, part 5 storey building. This development would generate approximately 300 new jobs. This is a useful comparison as it can be demonstrated that Research and Development schemes (if the building operated as such), do generate a significant level of employment space, especially given this development is now under construction.

10.2.18 Turning to the existing level of employment which is provided on-site, this is set out in detail below:

- FIRA currently employs approximately 40 staff based on the information set out in Planning application 20/00483/FPM;
- Serviceline based on its floor area, could generate approximately 66 jobs;
- Walton Lodge Veterinary Hospital has approximately 9 staff based on the information set out in planning application 01/00488/FP.

10.2.19 Based on the aforementioned information, the level of employment generated by existing development on-site is approximately 115 jobs. Consequently, it can be argued that there is sufficient evidence to demonstrate that the proposed commercial development could potentially generate a significant uplift on the existing level of employment which could be provided on-site. However, it is important to note that the Serviceline building was vacated by the previous tenant who now operates their business outside of the Borough. In addition, whilst the FIRA building would be demolished, FIRA themselves have relocated to premises on Cockerell Close, so they would remain within Stevenage so would not be lost as a result. In relation to the veterinary clinic, it is important to note that they are not a traditional employment based used. However, it is not known at this time where they have relocated the clinic.

10.2.20 In addition to the above, as set out in paragraph 10.2.3 of this report, it has been established that Stevenage can only accommodate about half of its predicted employment growth over the Local Plan period (this has included the release of Green Belt land in order to meet the necessary demand). Therefore, the Council has had to rely on neighbouring authorities to support the necessary employment growth which would be generated over the local plan period. Consequently, the provision of 11,059 sq.m of office floor space (increase of 0.76 hectares of employment space) would go in some way to addressing the significant shortfall of employment land available as identified in the evidence base which supports the Local Plan.

10.2.21 To further support the proposed office development, it is noted that the application site is located on a prominent corner/gateway site and Policy EC5 of the adopted Local Plan (2019) is relevant. For reference Policy EC5: states that where a development in the Gunnels Wood Employment Area fronts onto Broadhall Way, Bessemer Drive, Gunnels Wood Road, Fairlands Way and Six Hills Way, permission will be granted where:

- a. Proposals face directly onto the identified road(s) and provide active frontages and natural surveillance;
- b. Buildings are not set back significantly from the identified road(s);
- c. Car parking and service areas are located away from the street frontage of the identified road(s); and
- d. On corner plots, where these roads intersect, schemes incorporate landmark architecture and gateway features wherever this would be compatible with the proposed use(s).

10.2.22 Taking this consideration, it is considered that it would be difficult to deliver non B1 uses such as warehouses and industrial uses to a high quality design. This is because due to their very nature, these developments usually require large, utilitarian style buildings which also generally comprise of extensive external plant and equipment. Consequently, it is considered that the proposed creation of an office development at this prominent location, given the context of the adjoining listed building, would be the most acceptable option for this application site in this instance. This is because there is the ability to design a high quality

office development which would meet the requirements of Policy EC5. In addition, such a development would also contribute to meeting the necessary employment needs of the town over the Local Plan Period.

- 10.2.23 Turning to the proposed residential part of the proposed development, this would result in the loss of employment land and is generally not an acceptable form of development in an employment area and is contrary to the aforementioned policies. It is noted that three out of the four proposed residential blocks would be located on a surface car park and land which is currently occupied by the veterinary surgery which falls under Use Class D1 (**Use Class E**) which is not classed as traditional employment development. However, it is important to note that there are no restrictions on the original planning permission for the Veterinary Surgery i.e. permission 01/00488/FP. As such, whilst it could potentially be used for example as offices, research or development or light industry, it could also be used as a shop, restaurant, sport or recreation or a crèche which are not policy compliant uses. This is due to the flexibility built into the revised Use Classes Order where these uses no longer require a change of use permission as they all fall within Use Class E. Notwithstanding, it is acknowledged that this part of the site could also potentially deliver additional employment based development and the delivery of residential blocks of flats would limit the ability to do so. Furthermore, the veterinary building itself could generate approximately 12 jobs if it was utilised for a policy compliant employment use.
- 10.2.24 Taking the above assessment into consideration, it can be deduced that if the commercial building was to be used as offices (Use Class E(g)i) as originally submitted, it would be in conflict with the policies contained in the adopted Local Plan (2019). However, if the building was to be used for research and development (Use Class E(g)ii) or light industrial (Use Class E(g)iii), then the development would be in compliance with the adopted Local Plan. As such, the applicant has agreed to a flexible use condition to be imposed if permission was to be granted which would allow the commercial building to be used for research and development and / or light industrial if it does not come forward for offices.
- 10.2.25 In addition to the above, the commercial part of the development would significantly increase the level of employment floorspace and potential job creation from this site. However, the proposed construction of dwelling units on the site does not accord with Policy EC4 and therefore, it is considered that there is a policy conflict in this instance. In addition, the residential development would limit the opportunity to deliver further employment based uses on this part of the designated employment site. However, in terms of the harm caused by the loss of employment land and whether this is outweighed by the planning benefits of the development, these will be considered in greater detail in the following sections of this report.

Compliance with the Council's Housing Policies

- 10.2.26 The NPPF states at paragraph 7 that the purpose of the planning system is to contribute to the achievement of sustainable development. The NPPF also stipulates that decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area. In addition, the Framework also sets out that sustainable development needs to be pursued in a positive way and at the heart of the framework is a "presumption on favour of sustainable development". Paragraph 60 of the Frameworks required Local Planning Authorities to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where needed, that the needs of specific groups with specific housing requirements are addressed.
- 10.2.27 Paragraph 62 of the NPPF (2021) requires that the planning system should deliver, inter alia, a mix of housing particularly in terms of tenure and price to support a wide variety of households in all areas. Paragraph 69 of the Framework sets out that small and medium sites

can make an important contribution to meeting housing requirements in an area, and this includes supporting the development of windfall sites.

- 10.2.28 Paragraph 119 of the NPPF stipulates that planning policies and decisions should promote the effective use of land in meeting the need for homes such as through the use of brownfield sites (previously developed land) and the development of underutilised land. Paragraph 120 of the NPPF sets out that planning policies and planning decisions should:
- a) encourage multiple benefits from urban and rural land, including through mixed use schemes.....;
 - c) give substantial weight to the value of using suitable brownfield land within settlements for homes...;
 - d) promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively (for example.....building on or above service yards, car parks....)
- 10.2.29 Policy HO5 of the adopted Local Plan (2019) is for windfall housing sites and states that permission will be granted where: the site is on previously developed land or is a small, underused urban site; there is good access to local facilities; there will be no detrimental impact on the environment and the surrounding properties; proposals will not prejudice the Council's ability to deliver residential development on allocated sites; and, the proposed development would not overburden existing infrastructure.
- 10.2.30 Taking the above issues in turn, the application is on previously developed land. The site is currently occupied by the FIRA building, a veterinary clinic and an office complex, hardstandings, car parking and small ancillary buildings and thus accords with the definition of previously developed land set out in Annex 2 of the NPPF. The NPPF states that previously developed land is land which is or was occupied by a permanent structure, including the curtilage of the developed land and any associated fixed surface infrastructure. The NPPF also advises that a key objective is that local planning authorities should continue to make effective use of land by re-using land that has been previously developed. As such, the proposed development is in accordance with adopted Local Plan (2019) Policy HO5 criterion a.
- 10.2.31 Criterion b. of Policy HO5 also requires that there is access to local facilities and that residential proposals include opportunities to access alternative forms of travel to private motorised transport. In this regard, the application site is located 371m from Woolenwick Primary School and 1.24km from Thomas Alleyne's Academy which also lies adjacent to Barclays School. The site is also 644m from The Old Town and 373m from the Town Centre respectively.
- 10.2.32 In terms of access to public transport, the site is located 476m from Stevenage Railway Station and 30m from the nearest bus stop on Fairlands Way. The site is also located directly adjacent to the extensive cycle network. Taking these points into consideration, the proposed development is considered to have good access to local facilities and public transport as well as both the pedestrian and cycle networks. The site has, therefore, been demonstrated to be in a sustainable location. In regards to criterion c. of Policy HO5 which requires development to not have a detrimental impact on the environment and the surrounding properties, these matters will be dealt with in later sections of this committee report.
- 10.2.32 In regards to residential development on allocated sites as defined in the adopted Local Plan, the development site would not be located in close proximity to an allocated site. Therefore, the development would not affect the delivery of these allocated sites for residential development and, therefore, accords with criterion d. of Policy HO5. With regards to the impact of the development on existing infrastructure, this is considered in more detail in the Affordable Housing and Financial Obligations section of this report.

- 10.2.33 Paragraph 74 of the NPPF stipulates that strategic policies should include a trajectory illustrating the expected rate of housing delivery over the plan period, and all plans should consider whether it is appropriate to set out the anticipated rate of development for specific sites. Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old. The supply of specific deliverable sites should in addition include a buffer (moved forward from later in the plan period) of:
- a) 5% to ensure choice and competition in the market for land; or
 - b) 10% where the local planning authority wishes to demonstrate a five year supply of deliverable sites through an annual position statement or recently adopted plan, to account for any fluctuations in the market during that year; or
 - c) 20% where there has been significant under delivery of housing over the previous three years, to improve the prospect of achieving the planned supply.
- 10.2.34 Since November 2018, housing delivery has been measured against the Housing Delivery Test (HDT) as set out by the Government planning policy and guidance. The results of the HDT dictate whether a local planning authority should be subject to consequences to help increase their housing delivery.
- 10.2.35 As referenced in paragraphs 9.2.2 to 9.2.4, the Council is currently able to demonstrate a five year supply of deliverable housing sites (with a 20% buffer) and the Housing Delivery Test indicates that the delivery of housing was 79% of the housing requirement over the previous three years. Therefore, the policies that are most important for determining the application are considered up-to-date and Paragraph 11(d) of the Framework is not engaged. As such, the development is not fundamental in the Council meeting its 5 year housing land supply.
- 10.2.36 However, and as clarified by the Land West of Lytton Way appeal decision (paragraph 85 of the appeal decision letter), the Government's aim as expressed in paragraph 60 of the framework (see para. 10.2.25 of the committee report) is to significantly boost the supply of housing. Local Plan policy SP7 refers to the need to deliver 7,600 new homes over the plan period. However, in the inspectors decision letter, she set out that many of these houses are expected to be delivered on large strategic sites, which are proving complex to deliver and slow in coming forward. The inspector in her decision also points out that there has been an historic under delivery. As such, the delivery of an additional 80 units would help the Council meet its identified housing requirements.
- 10.2.37 In respect to Policy HO9 (House types and sizes) of the adopted Local Plan (2019), as the proposed development seeks to deliver smaller accommodation, it would be in accordance with this policy as it would help to balance the structural imbalances in the existing housing stock, i.e. due to the lack of smaller properties in the Borough as identified in the Local Plans supporting evidence base.
- 10.2.38 Therefore, where such development seeks to increase the level of affordable housing within the Borough, this can be seen as having significant weight. A detailed assessment of the developments proposed affordable housing provision is detailed in Section 10.3 of this report.
- 10.2.39 With the above in mind, combined with the fact that the site is considered to be in a highly sustainable location, it would constitute a sustainable form of development providing a mixture of 1 and 2 bedroom apartments. Consideration of the effects of the development on the setting of the listed building, character of the area and neighbouring amenities, and the ability of the site to provide good living conditions for future residents as well as impact on the environment, biodiversity and infrastructure will be considered in the following sections of this report.

10.3 Affordable housing and planning obligations

- 10.3.1 Policy HO7 of the adopted Local Plan (2019) stipulates that planning permission would be granted for residential development which would maximise affordable housing provision. Taking this into consideration, there is a requirement to provide 25% of new homes to be affordable on previously developed sites. In this regard, there would be a requirement to provide 22 affordable units.
- 10.3.2 Turning to affordable housing tenure, mix and design, Policy HO7 states that planning permission will be granted where those dwellings:
- a. Are provided by the developer on site with at least 70% of the units being for rent and the remainder consisting of other tenures which is to be agreed with the Council's Housing team;
 - b. Meets the requirements of Policy HO9 (House types and sizes);
 - c. Are physically indistinguishable from other types of homes and are distributed across the site to avoid over-concentration in particular; and
 - d. Will remain at an affordable price for future eligible households.
- 10.3.3 In addition to the above, paragraph 65 of the NPPF (2021) stipulates that for major developments involving the provision for housing, planning decisions should expect at least 10% of the total number of homes to be made available for affordable home ownership (this includes affordable housing for rent, starter homes, discounted market sales housing and other routes including shared ownership, equity loans and other low cost homes (at a cost to at least 20% below market value)). However, the 10% requirement is part of the overall affordable housing contribution for the site.
- 10.3.4 On the 24 May 2021, the Government announced its First Home policy through a Written Ministerial Statement (WMS) and accompanying changes to the Planning Practice Guidance (PPG). As a result, these changes came into effect on the 28 June 2021. First Homes are designed to support local first time buyers onto the property ladder, by offering homes at a discount to the market price. The discount will apply to the homes- in perpetuity, meaning that generations of new buyers and the local community will continue to benefit every time the property is sold.
- 10.3.5 First Homes are a specific kind of discounted market sale units which:
- a. must be discounted by a minimum of 30% against the market value
 - b. are sold to a person or persons meeting the First Homes eligibility criteria (see below);
 - c. on their first sale, will have a restriction registered on the title at HM Land Registry to ensure this discount (as a percentage of current market value) and certain other restrictions are passed on at each subsequent title transfer; and,
 - d. after the discount has been applied, the first sale must be at a price no higher than £250,000.
- 10.3.6 First Homes are the government's preferred discounted market tenure and should account for at least 25% of all affordable housing units delivered by developers through planning obligations.
- 10.3.7 In regards to affordable housing delivery, the Council's evidence base has demonstrated that since the start of the Local Plan period, delivery of affordable housing has been limited to 282 units, an average of 31 units per annum. Consequently, this evidence does demonstrate that there has been a significant under provision of affordable housing delivery within the Borough. This is also reflected in the appeal decision letter for Land West of Lytton Way appeal whereby the inspector states (para. 87) and quote

"I have been referred to other schemes which have been granted planning permission or it has been resolved that planning permission should be granted. In these schemes, for one reason or another, affordable housing provision has been lower than the expected policy figure of 20%. Indeed 52 homes would equate to over 17% of the affordable housing that has been delivered thus far in the Local Plan period. In these circumstances of poor delivery of affordable homes and with sizeable unmet need for such housing, I give the provision of affordable housing significant weight".

10.3.8 The applicant has confirmed that the development would comprise of 25% affordable units. As such, the development would be policy compliant. Therefore, the benefit of the affordable housing is unarguable based on the undersupply of affordable housing identified over the Local Plan period. As a consequence, if planning permission were to be granted, the level of affordable housing the development would provide is deemed to be a significant benefit. With respect to the exact location of the affordable units, the affordable housing tenure mix, size of the units etc. this would be dealt with as part of any subsequent reserved matters application. However, the tenure mix must now include the provision of First Homes as required by Central Government, so this requirement in terms of affordable housing provision, will be secured as part of any subsequent S.106 legal agreement.

10.3.9 In addition to affordable housing, financial contributions are also required in accordance with the Hertfordshire County Council tool kit and contributions to Stevenage Borough Council for commuted payments. Based on the indicative number of units proposed, the following contributions would be sought.

| Stevenage Borough Council | Financial Contribution – August 2019 | Financial Contribution – Post CIL adoption. |
|-------------------------------------|---|--|
| Open outdoor space | Improvements to outdoor sport facilities at King George V and/or Meadway Playing fields - £4,238.08 | No longer being secured – Possible use of CIL monies. |
| Children’s play space | Improvements to outdoor sport facilities at King George V and/or Meadway Playing fields - £4,254.24 | No longer being secured – Possible use of CIL monies. |
| Traffic Regulation Order | If the residential road is to be adopted, a Traffic Regulation Order will need to be drawn up to restrict overnight and weekend ban on parking by commercial vehicles of more than 5 tonnes/seating of more than 12 passengers. | It has been confirmed the roads are not to be adopted. |
| Hertfordshire County Council | | |
| Primary Education | Towards the expansion of Broom Barns Primary School from 1FE to 2FE - £20,274.00 | Towards the delivery of the 2FE Town Centre Primary School - £268,806.00 |
| Secondary Education | Towards the expansion of Barclay School from 6.5FE to 7FE - £9,162.00 | No longer being secured through S106 financial contributions – Possible use of CIL monies. |

| | | |
|---|---|--|
| Library | To develop the Children's Area at Stevenage Central Library (including a combination of the following:- provision of additional stock, new accessible and flexible shelving, new kinder boxes, additional new and attractive furniture for children and their families) - £6,718.00 | No longer being secured through S106 financial contributions – Possible use of CIL monies. |
| Youth Services | Towards the purchase of additional sports equipment for the Bowes Lyon People's Centre or its re-provision - £360.00 | No longer being secured through S106 financial contributions – Possible use of CIL monies. |
| Sustainable Transport | £32,000 Improvements to the bus stop on Gunnels Wood Road (southbound). | No longer being secured through S106 as to be dealt with via condition. |
| Travel Plan Monitoring | To monitor and review the Travel Plans relating to both business and residential | £6,000 per travel plan motoring fee. |
| NHS | | |
| GMS GP Provision | No monies sought | Approximately £97,120.00 (has been reduced from £113,696.00 based on the revised housing mix). |
| Mental Health Contribution | No monies sought | No monies sought. |
| Community healthcare | No monies sought | No monies sought. |
| Overall Total (Approx.) | £99,744.32 | £395,926.00 |
| Note:- All financial obligations will be index linked. | | |

10.3.10 In addition to the above, there is also a requirement fire hydrants as part of any S.106 legal agreement. The applicant has agreed to pay the necessary development contributions which have been calculated on the indicative proposal of 80 units for the services provided by Stevenage Borough Council and Hertfordshire County Council. In addition, they agree that the recent request from the NHS GMS GP financial obligation is acceptable in order to mitigate the impact of the development on local GP services i.e. the King George Group of Practices and / or the Stanmore Road Group of Practices. The monies would be focussed on the expansion and/or reconfiguration of existing surgeries in order to increase patient capacity which arises from the development. Moreover, they have agreed to the provision of fire hydrants to be secured as part of any legal agreement as well.

10.3.11 Turning to the education contribution specifically, the triggers as advised by Hertfordshire County Council for paying the obligation would of 50% of the obligation to be paid prior to the commencement of development and 50% prior to occupation of the 40th dwelling **(To reflect the change in unit numbers which has been reduced from 88 units to 80 units)**. The applicant has confirmed they are in agreement with the suggested triggers.

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

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

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

10.3.13 Dealing specifically with the proposed commercial development, as the application site is designated as employment land and the proposed development would seek to deliver a considerable uplift in employment generating floorspace which is deemed to be a significant public benefit, it is recommended that as part of any S106 legal agreement, a trigger clause/mechanism should be incorporated into the legal agreement. This clause will be worded in a way to ensure that the office development is brought forward.

10.3.14 In terms of monitoring, the Council Developer Contributions SPD set out that the Council will seek a monitoring fee of 2.5% of the value of the contributions being monitored. The fee would be capped at £25,000.00. The monitoring fee itself would be secured as part of any S.106 legal agreement. In addition to this, Hertfordshire County Council's recently adopted Guide to Developer Infrastructure Contributions (2021) sets out a requirement for monitoring fees. These will be based on the number of triggers within the legal agreement with each distinct trigger point attracting a charge of £340 (adjusted to inflation of July 2021 RPI). These monitoring fees have been agreed by the applicant.

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

10.3.16 Finally, Hertfordshire County Council as Highways Authority have requested a visitor bay could be used and marked up as a car club bay. As such, this requirement will be secured as part of the S.106 legal agreement. The applicant also agrees to the County Council's request and this will be secured accordingly as part of any legal agreement.

10.4 Visual impact of the development

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

10.4.2 Paragraph 130 of the NPPF sets out a number of requirements for new development, including that development:

- will function well and add to the overall quality of an area;
- is visually attractive as a result of good architecture; layout and appropriate and effective landscaping;
- is sympathetic to local character and history;

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

10.4.3 Paragraph 131 of the NPPF places great importance on the role of trees in helping to shape quality, well designed places “Trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change”.

10.4.4 Paragraph 132 of the NPPF states that applicants “should work closely with those affected by their proposals to evolve designs that take into account of the views of the community. Applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot”.

10.4.5 Policy SP8 of the adopted Local Plan (2019) requires new development to achieve the highest standards of design and sustainability which can deliver substantial improvements to the image and quality of the town’s built fabric. Policy GD1 of the Local Plan generally requires all forms of development to meet a high standard of design which includes form of built development, elevational treatment and materials along with how the development would integrate with the urban fabric, its relationship between buildings, landscape design and relevant aspects of sustainable design. Policy EC5: Active Frontages and Gateways of the same document states that where a development in the Gunnels Wood Employment Area fronts onto Broadhall Way, Bessemer Drive, Gunnels Wood Road, Fairlands Way and Six Hills Way, fronts onto these road, will be granted where:

- a. Proposals face directly onto the identified road(s) and provide active frontages and natural surveillance;
- b. Buildings are not set back significantly from the identified road(s);
- c. Car parking and service areas are located away from the street frontage of the identified road(s); and
- d. On corner plots, where these roads intersect, schemes incorporate landmark architecture and gateway features wherever this would be compatible with the proposed use(s).

10.4.6 Policy HO5: windfall sites require residential development on unallocated site to not have a detrimental impact on the environment and on surrounding properties. The Council’s Design Guide SPD 2009 generally reflects the aforementioned policies requiring development to respect surrounding buildings in terms of scale, massing, height and design. As such, it encourages good design as it can enhance the appearance of places.

10.4.7 The National Design Guide (2019) which was published by National Government is a material consideration in the determination of planning applications. It sets out that Buildings are an important component of places and proposals for built development are a focus of the development management system. However, good design involves careful attention to other important components of places. These include:

- the context for places and buildings;
- hard and soft landscape;
- technical infrastructure – transport, utilities, services such as drainage; and
- social infrastructure – social, commercial, leisure uses and activities.

- 10.4.8 A well-designed place is unlikely to be achieved by focusing only on the appearance, materials and detailing of buildings. It comes about through making the right choices at all levels, including:
- the layout;
 - the form and scale of buildings;
 - their appearance;
 - landscape;
 - materials; and
 - their detailing.
- 10.4.9 The Guide further iterates that all developments are made up of these components put together in a particular way. As such, the choices made in the design process contribute towards achieving the ten characteristics and shape the character of a place. For reference, these ten characteristics are as follows:-
- Context – enhances the surroundings;
 - Identity – attractive and distinctive;
 - Built form – a coherent pattern of built form;
 - Movement – accessible and easy to move around;
 - Nature – enhanced and optimised;
 - Public spaces – safe, social and inclusive;
 - Uses – mixed and integrated;
 - Homes and buildings – functional, healthy and sustainable;
 - Resources – efficient and resilient;
 - Lifespan – made to last.
- 10.4.10 Paragraph 40 of the National Design Guide states that well-designed places are:
- Based on a sound understanding of the features of the site and the surrounding context, using baseline studies as a starting point for design;
 - Integrated into their surroundings so they relate well to them;
 - Influenced by and influence their context positively; and
 - Responsive to local history, culture and heritage.
- 10.4.11 This part of the application has been assessed against the key policy criteria on good design, as well as how the scheme meets the four key objectives in the National Design Guide on what is considered as a well-designed place.
- 10.4.12 In order to understand the key features of the site and its surrounding context, the applicant submitted a Landscape Visual Impact Assessment (LVIA) prepared by Lepus (Landscape, Ecology, Planning and Urban Sustainability) Consulting (dated February 2019). Whilst it is appreciated the LVIA is a few years old, the site and surrounding area has not significantly changed, so this document is considered to still be acceptable as a baseline assessment of the site as a starting point for the design approach to the development.
- 10.4.13 The LVIA Assessment Methodology was prepared in accordance with the following guidance and advice:
- Guidelines for Landscape and Visual Impact Assessment (GLVIA) Third Edition (2013) published by the Landscape Institute and the Institute of Environmental Management and Assessment;
 - An approach to Landscape Character Assessment (2014) published by Natural England;
 - Photography and Photomontage in Landscape and Visual Impact Assessment Advice Note 01/11 published by the Landscape Institute; and

- Visual Representation of Development Proposals Technical Guidance Note 02/17 published by the Landscape Institute.

10.4.14 With regards to the baseline studies, these included the following:-

- Interpretation of existing landscape character at national, county and local level;
- Recognition of any protected landscapes or designated features;
- Identification of existing landscape value;
- Identification of visual receptors; and
- Identification of representative viewpoint locations.

10.4.15 The assessment also considered the effects of the proposed development. This included consideration of the potential visual envelope for the proposed development; assessment of effects on landscape character; and an assessment on visual receptors. It also provided details of the mitigations measures which would need to be secured by the development. The proposed development the LVIA is based on is for the erection of five blocks, with the erection of a seven storey commercial building and four residential blocks. The scheme detailed in the assessment would retain existing landscape features, including trees which are of high quality.

10.4.16 Dealing specifically with heritage assets, the baseline assessment found a number of heritage assets which fell within the area of search. However, the LVIA identified that due to the limited intervisibility between the site and these assets and the nature and scale of the intervening built form, it was concluded that there are unlikely to be noticeable changes to the visual contexts of many of these assets. However, it does identify that Broomin Green Farmhouse lies in close proximity to the site's southern boundary so would be affected by the proposed development. So there is a recognition of local history in relation to the heritage asset.

10.4.17 The Landscape Character Assessment concluded that the magnitude of change on the character of the site associated with the development is low. This is due to the site being identified as having a low sensitivity to change. This is due to the location of the site in context with the existing residential and commercial development which make up the built form in the area. The scheme would replace an eclectic mix of built form, which have been constructed over the last few decades, with the proposal striking a greater visual continuity in comparison to the baseline conditions of the site.

10.4.18 The impacts on the landscape were identified as being low, due to the nature of the site and the surrounding and the residual impacts on the landscape character in the first year of development would be low. Even after 15 years, the development is likely to have a low level of effect and will remain low.

10.4.19 Following an assessment of the LVIA, the conclusions reached in terms of impact on the landscape are seen as reasonable, given the commercial nature of the site in context with the surrounding commercial development along Gunnels Wood Road with residential development to the east off Fairview Road. In terms of the impact on the heritage asset, specifically Broomin Green Farm, the LVIA sets out that the proposal is not considered to have an adverse effect on the setting of Broomin Green Farmhouse when compared to the existing commercial buildings located on the site. It is argued that the overall setting of the listed building has significantly changed over time, as it is no longer associated with a wider farmed landscape and has become surrounded by industrial development and highways. Furthermore, the areas of open space and garden associated with the farmhouse will remain in place.

10.4.20 The impact of the proposed development in relation to the setting of the listed farmhouse has been considered in more detail in section 10.5 of this report. Notwithstanding, the LVIA demonstrates an understanding of the site context and the key features which define the site.

The following sections of this report will focus on how the development integrates into its surroundings, influence of the site context and how it tries to respond to the heritage asset.

- 10.4.21 Looking at the proposal in more detail, the application proposes the redevelopment of the Maxwell Road site for residential and office development which would be across two separate parcels (residential parcel and office parcel). The plans which have been submitted with the application are for illustrative purposes only, but they do demonstrate one way in which the development could be delivered on this site. Looking at the residential parcel, the indicative layout indicates a range of 1 and 2 bedroom apartments across four separate blocks. The axonometric plans show the residential development would be in the range of between two stories to seven stories with the highest buildings being located at the northern boundary of the site towards Cockerell Close.
- 10.4.22 The residential blocks could potentially be well-articulated with projecting and recessed features along with a staggered built form which would help to add relief to the overall bulk and mass of the residential blocks. They could also be constructed from contrasting and varied materials in order to add variety and interest to their architectural design. In addition, as indicatively shown, the residential blocks could potentially include balconies which could help to further modulate the buildings along with vertically aligned and evenly spaced windows in order to help to give the residential blocks an element of verticality. The indicative site layout also sets potential minimum distances between buildings as well as developable areas of the site. However, as access is a detailed aspect of the scheme, there are defined access points into the site for vehicles, pedestrians and cyclists.
- 10.4.23 Turning to the indicative proposed office development which is located on the western parcel of the Maxwell Road development site, it would comprise of up to 11,059sq.m of commercial floorspace across two blocks (north block and south block). The blocks would be between six and seven stories in height (including the undercroft decked car park). The office building plot is defined as a corner plot where Gunnels Wood Road and Fairland Way intersect. As such, the indicative commercial development has been designed to turn the corner where the southern block would have a curved curtain-wall glazed frontage.
- 10.4.24 The northern block would front onto Gunnels Wood Road and Maxwell Road and could consist of up to a five storey connecting wing with the southern block. This block, whilst indicative, could potentially comprise of curtain wall glazing with a recessed upper floor level with associated green roofs. In addition, the northern block would comprise of a lower level projecting lobby area which has been carefully designed to create a high quality focal point. The lobby, whilst illustrative, is shown to have double height glazing area forming part of a two-storey projection in order to potentially create a focal point. Moreover, some of the floors of the building would, indicatively, comprise of green roofs which could help to improve the building aesthetically.
- 10.4.25 Looking at the proposed development in context with the wider area, the site is relatively self-contained, reflecting its current use and is set within a wider residential context in this western part of Stevenage. The site is within the Gunnels Wood Road Employment Area and is bordered by residential development on Fairview Road to the east of the site. As such, only the site's northern boundary is adjacent to commercial and industrial development within the employment area, with the rest of the employment area located beyond Gunnels Wood Road to the west and Fairlands Way to the south. In addition, Broomin Green Farm is also a residential dwellinghouse. Taking this context into account, residential development would not of itself, be out of character in visual terms.
- 10.4.26 In assessing the existing buildings, there are predominantly three main buildings on the site at present ranging in height. Building one (FIRA) is a part single-storey, part two-storey building. The second building (Serviceline) is two-storeys in height and the third building (veterinary surgery) is part single-storey, part two-storeys in height. To the east of the application site lies Mozart Court, off Fairview Road, which is between one stories and four

stories (including ground floor) in height. Moving further east towards Stevenage town centre is Kilby Road which comprises a mixture of two, three, five storey residential buildings as well as the ten storey residential block of apartments. To the north of the site lies Cockerell Close. This comprises of large three-storey commercial and industrial units along with the large high bay Flamingo Warehouse. To the south, beyond Fairlands Way comprises large two-storeys to five storeys high commercial and industrial units which are off Argyle Way. To the west beyond Gunnels Wood road lies the four storey Fujitsu offices. Given the relatively self-contained nature of the site and the range of height in buildings within proximity to the site, it is considered that apartment buildings of two to seven stories could be accommodated here without having a detrimental impact on the character and appearance of the area.

- 10.4.27 In terms of the commercial building which would be between six and seven stories in height (including two-stories of decked undercroft parking), despite these buildings being slightly taller than nearby buildings, this part of the development site is set down from Gunnels Wood Road and Fairlands Way. This is due to the sloping topography of the application site which slopes away from Gunnels Wood Road down towards Stevenage Town Centre. As such, whilst indicative, the commercial building would not appear overbearing or harmful to the character and appearance of the wider street scene. In addition, the parameter plans and indicative elevation plans, demonstrate how an appropriate landmark building can be achieved at the junction of Gunnels Wood Road and Fairlands Way as well as replace the existing gateway building (FIRA).
- 10.4.28 With respect to vegetation and trees, which is also set out in out in the LVIA with respect to mitigation measures in order to reduce the developments impact, the northern and western site boundary will require suitable landscape treatment in order to help integrate the new development into the landscape. The hedgerow located along the southern site boundary is also to be retained, as required by the LVIA, and to be extended, strengthened and maintained in order to reduce the impact of the proposal from close range viewpoints. Trees will also be planted on the southern boundary, as indicatively shown on the plans, in order to deliver enhanced soft landscaping features within the development site. In terms of existing trees within the site, the submitted plans demonstrate that these will be retained as part of the overall landscaping strategy with further details of the strategy being provided at reserved matters stage.
- 10.4.29 In relation to how the development responds to the heritage asset at Broomin Green Farmhouse, whilst a detailed assessment is set out in Section 10.5, an analysis as to the overall design of the proposed development and how it seeks to respond to the setting of the listed farmhouse is set out below.
- 10.4.30 Turning to the Guidance on Tall Buildings by Historic England (Advice Note 4) (March 2022) paragraph 2.6 sets out that planning applications need to be supported with enough information so that the impacts of the development upon the historic environment can be properly understood (NPPF paras 43 and 194). The relevant supporting information described the significance of the heritage asset, the impact on significance and intended sustainable development outcomes. 5.12 of this guide sets out that when submitting a planning application for a tall building, proportionate supporting information is required to describe the impacts on the historic environment. It goes on to state in paragraph 5.13 that having precise and accurate supporting information is critical for decision-making authorities and improves the efficiency of the process.
- 10.4.31 The Council's adopted Local Plan (2019) does not define what is deemed to be a "Tall Building" in Stevenage. In addition, the Council's Design Guide SPD (2009) is silent in terms of defining what is defined as a "Tall Building". The Guidance does state that "*due to the planned nature of the town, Stevenage is dissimilar to traditional town in the way that, building heights do not increase substantially as development gets closer to the town centre...this has created a lack of landmark developments and high density buildings. Buildings of greater height should be encouraged at nodal points, and in easily accessible locations.*".

10.4.32 Further, the National Planning Policy Framework (2021) does not define what a tall building is nor does the associated Planning Practice Guidance. The only guidance on tall buildings is set out by Historic England Note 4 which states in paragraph 3.4 “*What might be considered a tall building will vary according to the nature of the local area. A five-storey building in a mainly two-storey neighbourhood could be considered tall, whereas in the centre of a large city, it may not.*”

10.4.33 Taking the above into consideration, whilst one could argue that the proposed development comprises a “tall building” because the buildings on the site are predominantly one and two-storeys taking the wider context of Gunnels Wood Road (which is the main employment area of the town) which the development would form part of, it comprises, but not limited to the following:-

- High bay warehouses at Flamingo;
- Three to four storey offices of Fujitsu;
- Large scale industrial buildings at Airbus and office buildings;
- Robertson House and Farnham House (which also comprises a large roof); and
- MBDA Offices.

10.4.34 Even if were to assume, that the proposed development was considered to fall into the category of “Tall Buildings”, it is considered that there is sufficient information which accompany this outline application to assess the merits of the application and the impact it could have in relation to its context, including that on the setting of the listed building. The previous Historic England Tall Building Guidance, which is referenced in an objection, when it came to outline applications, originally stated the following:

Outline applications are only likely to be justified in exceptional cases where the impact on the character and distinctiveness of local areas and on heritage assets can be assessed without knowing the detailed form and finishes of the building. This is likely to be rare. If an outline application is sought in these circumstances it is important to ensure that the parameters for development are derived from a thorough urban design analysis that clearly demonstrates impact.

10.4.35 However, the aforementioned i.e. in relation to outline applications, has been dropped in the recently updated Tall Building Guide issued by Historic England. The guide now iterates that proportionate supporting information is required to describe the impacts of this development. Therefore, whilst it is agreed the application is in outline form and the plans are indicative, an assessment as to the impact on the character and distinctiveness of the local area and heritage assets can be assessed. This is because the illustrative material as set out in the submitted axonometric plans, CGI’s and details contained within the Design and Access Statement allow for reasonable assumptions about the future use of materials, design, scale and massing coupled with the parameter plans. In addition, the Sunlight and Daylight Assessment includes 3D models of the development which includes datum points in order to assess the schemes impact on nearby residents. Consequently, there is a sound basis in order to make a planning judgement as to the acceptability of the scheme on its surroundings, including the listed building and the requirements for a landmark building.

10.4.36 In terms of materials, it is evident that the residential buildings would generally be constructed from brick work with perforated brickwork features. The residential buildings would also comprise of balconies with defined fenestration detailing. With regards to the commercial building, it is shown to be constructed from brick with curtain wall glazing, glazed balustrades to the roof gardens, use of brise soleil to manage heating and cooling, along with brick baguettes to screen the parking areas.

10.4.37 In terms of siting, position and scale, the lower, more intermit scales of the residential aspect of the development would be positioned to the south due to the siting and position of Broomin

Green Farm. In addition, the indicative office building shows staggered floors whereby the building would step down towards Broomin Green Farm from Gunnels Wood Road. This is in order to give the building an articulated built form which would also help to reduce its overall mass and bulk. Moreover, it ensures that the building does not appear overbearing to the setting of the listed farmhouse. In addition, the overall massing and scale of the development can be controlled by condition if the Council was minded to grant planning permission.

- 10.4.38 With regards to creating a landmark building, the commercial building has been designed to address the junction of Gunnels Wood Road and Six Hills Way, the indicative plans show a contemporary modern building can be delivered on this part of the site with deliberate taller elements fronting Gunnels Wood Road and Fairview Road. This is in order to emphasise the building on this prominent corner combined with the use of curved façade so that it properly addresses this important junction.
- 10.4.39 Further to the above, neither the Council's Historic Building and Heritage Advisor nor Historic England has advised the Council that there is insufficient information available to the Council in order properly to appraise the heritage impacts of the scheme. In addition, they have not advised that the Council should assess the proposed development in accordance with Historic England's Tall Building Guidance.
- 10.4.40 Given the aforementioned assessment, whilst the plans are indicative, it is considered that sufficient information has been submitted with this application to demonstrate an acceptable design quality can be achieved. The development has been designed based on the understanding of the sites context as well as the key features which define the application site. Furthermore, the scheme has been designed to recognise the importance of the listed farmhouse as well be able to assimilate itself into its surroundings. It positively responds to the constrained nature of the site. Moreover, the development, based on the submitted application before the Council, taking into consideration the characteristics of the existing built form on this development site, the overall townscape would be enhanced by the proposal in accordance with national and local planning policy in respect to delivering good design.

10.5 Impact of the development on the setting of the listed building and demolition of a non-designated heritage asset.

- 10.5.1 The *Planning (Listed Buildings and Conservation Areas) Act 1990* imposes several 'statutory duties' for decision-makers, all of which are applicable to the proposed development:
- "Section 16(2): In considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses".
 - "Section 66(1): In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses".
- 10.5.2 Case law (South Lakeland, 1992) has determined that 'preserve' means 'to do no harm'. However, if harm is identified, the NPPF provides a means of weighing either 'substantial harm' or 'less than substantial harm' to the significance of a designated heritage asset against the public benefits of the proposal. In doing so, case law has emphasised the need to give "considerable importance and weight" to preserving listed buildings or the character and appearance of conservation areas (Barnwell Manor, Case No: C1/2013/0843). However, the presumption 'to preserve' is not irrebuttable and "can be outweighed by material considerations powerful enough to do so" (Forge Field (Case Nos: CO/735/2013; CO/16932/2013) and a decision maker that has followed the process set out in the NPPF, in

respect to weighing harm and benefits, can reasonably be expected to have complied with the 'statutory duties' of the 1990 Act (Mordue, Case No. C1/2015/1067).

- 10.5.3 In determining applications, paragraphs 199 to 202 of the NPPF (2021) have to be considered in the determination of this planning application. As established through case law, if there is *any* harm to designated heritage assets, great weight must be given to it. Dealing with Paragraph 199, it stipulates that when considering the impact of a proposed development on the significance of a designated heritage asset, such as Broomin Green Farm House, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss, or less than substantial harm to its significance. Paragraph 200 sets out that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.
- 10.5.4 Paragraph 201 sets out that where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss.
- 10.5.5 Paragraph 202 of the NPPF (2021), sets out that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. In undertaking this balance, considerable importance and weight must be attached to the less than substantial harm
- 10.5.6 Paragraph 203 of the NPPF states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
- 10.5.7 Paragraph 204 sets out that Local Planning Authorities should not permit the loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred. With respect to paragraph 205, this sets out that Local Planning Authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible. However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted.
- 10.5.8 In considering public benefits, the Planning Practice Guidance (PPG) (2019) (Reference ID: 18a-020-20190723) sets out that the National Planning Policy Framework requires any harm to designated heritage assets to be weighed against the public benefits of the proposal. Public benefits may follow from many developments and could be anything that delivers economic, social or environmental objectives as described in paragraph 8 of the NPPF. For reference, paragraph 8 of the NPPF states that "Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):
- a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

c) an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy”

10.5.9 The planning practice guidance goes on to state that public benefits should flow from the development. They should be of a nature or scale to be of benefit to the public at large and not just private benefit. However, benefits do not always have to be accessible to the public in order to be genuine public benefits, for example, works to a listed building which secure its future as a designated heritage asset could be a public benefit. Consequently while a range of benefits that help deliver sustainable communities could be relevant, the PPG provides examples of heritage based public benefits, as follows:

- Sustaining or enhancing the significance of a heritage asset and the contribution of its setting;
- Reducing or removing risks to a heritage asset;
- Securing the optimum viable use of a heritage asset in support of its long term conservation.

10.5.10 Turning to the adopted Local Plan, Policy SP13 relates to the historic environment. This states that the council will preserve and enhance the most important area and characteristics of Stevenage. The policy goes on to state that the Council will:-

- a. Have carried out Heritage Impact Assessments for development sites within, or adjacent to, conservation areas. Site specific mitigation measures have been incorporated to minimise the impacts of development.
- b. Will use national guidance and legislation to review, designate and determine planning applications affecting heritage assets.
- c. Will protect areas of archaeological importance and other relevant heritage assets by applying the detailed policies set in this plan.

Listed building

10.5.11 Whilst outside of the application site, the site borders the curtilage of the Grade II Listed Broomin Green Farm House. Therefore, this scheme would have an impact on the significance of this heritage asset. This impact will be considered in more detail in the following sections of this report. Looking at the special architectural and historic interest of the listed building, as set out in Historic England records, Broomin Green Farmhouse is a Grade II building. It is an L-shaped building which has largely been modernised, but comprises of retained two black and white 17th century framed sections. The external walls also have plaster filling with a brick base recently restored. The taller section of the property consists of a two-storey bay of one window from whose gable-end extends to a similar, but lower one-storey, one bay window feature. There is also an upper window on the gable-end of the single-storey feature. The roof of the property is tiled and all windows and frames appear to be of recent construction.

10.5.12 In terms of views of the listed building, these are limited from outside the established curtilage of the farmhouse, but, it is appreciated there are some key elements of the building's setting which contribute to its immediate setting. This includes the southern garden which is the last

remaining element of green space which belonged to the rural landscape and the mature trees and planting forming the buildings immediate surroundings. These help to screen the farmhouse from the surrounding industrial and commercial development.

Contributions of the application site (Listed Building).

- 10.5.13 In relation to the historical setting of the listed building and how this has evolved to the present day, the original setting of the Grade II listed farmhouse was a small holding which formed part of a series of dispersed hamlets and farmsteads as detailed on maps dating from 1787. On the 1834 OS maps contained within the applicant's Heritage Assessment, this shows a group of outbuildings, including two barns. The farmhouse was then added to the statutory list in 1948 and at this time, was enclosed by heavy planting and was still set within open rural land interrupted by intermittent planting.
- 10.5.14 However, by the 1960's and early 70's, the land to the west of the site was developed by FIRA and to the south, the outbuildings were demolished for the cycle track which is present today. The FIRA building was expanded with additional buildings and a car park along with a service road which enclosed the farmhouse. Also by this time, there was the construction of Gunnels Wood Road (A1072) to the west and Fairlands Way (A1155) to the south.
- 10.5.15 To the east of the site, was a large warehouse and by 1978, the car park to the north was replaced by a two-storey multi-purpose research building (Serviceline). By the late 20th century, there was the construction of the veterinary surgery. In addition, to the north of the site (which is currently Cockerell Close) comprised of factories (as shown on OS Maps from 1984). There were also the original Fujitsu offices to the west and to the south beyond Fairlands Way, were a number of industrial buildings.
- 10.5.16 Turning to the current setting of the listed farmhouse and the contribution it makes to the setting of the listed building. The listed building is remains bordered by three premises which include the FIRA building to the west, Serviceline offices to the north and the veterinary surgery to the east. It is considered that whilst the FIRA building is possesses historic interest, the Serviceline building and veterinary surgery building are of limited architectural merit and can be seen as having a negative impact on the setting of the listed building. Beyond these buildings to the north, lies Cockerell Close, which comprises a mixture of large scale commercial units and the high bay warehouse known as Flamingo. To the west, beyond the tree belt which is Mozart Court (which is a 1970's residential care home), which is considered to be of limited architectural merit and has a neutral impact.
- 10.5.17 To the south of the site is the cycle track and trafficked highway and beyond are commercial, industrial and office developments located on Argyle Way. To the west, beyond the dual carriageway lies a modern office and, to the north of this, is the former John Lewis Depot which is now operating as a Costco warehouse.
- 10.5.18 As such, the immediate setting of the listed building is urbanised and industrial in nature. Over the years, since the property was originally listed in 1948, the setting of the listed building has been gradually compromised by industrial, commercial and warehouse buildings which have been constructed which detract from the significance of the listed building. Furthermore, the cycle lane and Fairlands Way to the south, especially being at a higher level due to the topography of the area, have in some respects also eroded the significance of the setting of the listed building.

Impact Assessment

- 10.5.19 The application is supported by a Heritage Impact Assessment (HIA) and Landscape Visual Impact Assessment (LVIA). The HIA was prepared in accordance with paragraph 189 of the NPPF and has assessed the significance of all built heritage potentially affected by the development. In the case of this application, Broomin Green Farmhouse which is a Grade II

listed building. The LVIA provides a detailed analysis as to the potential impact the development could have on the wider townscape.

- 10.5.20 Turning to the proposed development, it would involve the demolition of the existing veterinary surgery, FIRA building (non-designated heritage asset) and Serviceline building. The development would comprise of four blocks of residential units which are between two to eight storeys in height. These would be located on the site of the Serviceline building, the veterinary surgery and its associated car park. The larger residential blocks, again whilst indicative, would be located at the northern end of the site against the backdrop of the commercial and warehouse development in Cockerell Close. With regards to the office development, this would be between five to seven stories with undercroft parking. The offices would be read in context with existing development located opposite (Fujitsu) as well as the development within Cockerell Close.
- 10.5.21 Whilst the plans submitted are illustrative, it has been determined based on Historic England's guidance on tall building and as set out in paragraphs 10.4.31 to 10.4.35 that there is sufficient supporting information with this application in order to properly assess the impact of the proposed development on the historic setting of Broomin Green House. This is because the illustrative information on the building heights, scale, massing, layout, spacing and design are extensive and allow for reasonable assumptions about future use of materials and design devices. This coupled with the parameter plans, provide a sound basis for judging the acceptability of the scheme on its surroundings, including the listed building and the requirement to deliver a landmark building.
- 10.5.22 Looking at the proposed illustrative scheme in detail, the axonometric plans show that the residential development would be in the range of between two stories to seven stories with the highest buildings being located at the northern boundary of the site towards Cockerell Close. The lower, more intermit scales, would be positioned to the south due to the siting and position of Broomin Green Farm and its two storey height.
- 10.5.23 Turning to the commercial development, the plans illustrate that at the closest point to the farmhouse, the building can be limited to two storeys in height. The plans also show the transitioning in height of the building from two storeys, stepping up to 4 storeys, then stepping up to seven stories where the building would face Gunnels Wood Road. This is in order to pull the overall massing of the building away so as to not appear overdominant from immediate views from the farmhouse. The plan shows that the proposed development across the Maxwell Road site would form a sense of enclosure around the listed farmhouse but, the buildings in part would be screened by the existing green buffer around the farmhouse itself.
- 10.5.24 Looking at the impact from respective viewpoints, when viewing the development site from Gunnels Road looking north-west, there are glimpsed views of the application site when viewed over the roundabout. However, the existing railings on the north side of the road conceal some of the direct views as does the existing well established planting along the eastern boundary. Between gaps, glimpses of the FIRA building can be made as is the upper level of Service Line. In addition, views of the Screwfix warehouse located beyond is visible from this vantage point. The proposed redevelopment would be prominent in this view and greater built form would be visible to the west of the listed building. But this is already visually cluttered by the mixture of late 20th century industrial buildings and it is largely screened by the existing trees.
- 10.5.25 In terms of the view looking South East on Gunnels Wood Road, the FIRA building is visible including the pyramidal glazed roof. The area surrounding is predominantly obscured by existing trees. On the Southwest of Gunnels Wood Road, there is the Wenta Business Park and from the northwest some glimpses of the FIRA building and the roof of Screwfix. From these views, the overall setting of the listed farmhouse is dominated by 20th Century buildings where the views are devoid of the former rural setting in which the farmhouse once stood.

The proposed development would replace the FIRA building in this view but would be screened by the existing trees and seen within context of the wider industrial landscape.

- 10.5.26 From Fairlands Way looking northwest, due to the overall topography of the application site, there is a low profile flat building line with heavy planting which lines the north side of the road. The site is not visible from the southeast of Fairlands Way. From this point, the grade II listed farmhouse can be seen through some gaps in the trees along with the flat roof of Fujitsu. The setting of the farmhouse, from this view, is slightly enhanced through the introduction of modern tree planting. The proposed development positioned to the east of the Warehouse would be screened by the mature perimeter trees and would have no impact on the listed building in this view. The buildings to the west of the farmhouse would be partly visible but they would replace the existing view of the Fujitsu development.
- 10.5.27 Looking southwest on the corner of Maxwell Road, the extension to the FIRA building is visible through the tree gap, but is not discernible due to the presence of the two-storey Serviceline building. There are mature trees between the Serviceline building and the Veterinary building which restrict views to the rest of the FIRA building. To the southeast is the large surface car park positioned behind the veterinary surgery which is enclosed by wired fencing which allows for open views of the Safestore Storage building on the South Side of Fairlands Way located on Argyle Way. The redevelopment of this part of the site would comprise the construction of new buildings on the existing car park combined with the existing modern buildings on the site which have no architectural merit. As such, this would not have a detrimental impact upon the setting of the Listed Building as viewed from this location. This is because the proposal would be seen in context with the wider industrial landscape.
- 10.5.28 With respect to views from the bus stop on Fairlands Way, positioned opposite the application site, the views are generally blocked by the existing trees which form a perimeter around the farmhouse. The Grade II listed farmhouse, does remain largely visible through the trees. In addition, there are glimpses of the FIRA building when looking west. The development, would however, be predominantly screened by the existing trees. The residential blocks located at the northern end of the site and the office blocks to the west would be seen in distance views, however, the farmhouse itself is generally screened from view due to the mature trees.
- 10.5.29 In relation to views from the Fairland Way cycle path, views of the FIRA building from the east are screened by the mature trees and vegetation. There are views of the listed farmhouse when looking west against the tree line, which helps provide a sense of rurality. However, this view is affected by the presence of the existing veterinary surgery and car park combined with the wire mesh fencing. As you travel further west along the cycle track, the upper level of the FIRA building can be seen through the mature landscaping. In officer's view, the development positioned to the north-west would enhance the setting of the farmhouse as the poor quality 20th century buildings and car park would be removed.
- 10.5.30 The location of the development located to the west when viewed from the cycle track, would interrupt the rural setting of the farmhouse when you are looking north-west. However, it is important to consider that the wider setting of the farmhouse has been heavily compromised due to the extensive commercial and industrial development which has taken place in the area. Therefore, this public view point would be seen within the wider context of the employment based landscape.
- 10.5.31 Following consultation with the Council's Conservation and Heritage Advisor, and based on the information detailed in the LVIA and supporting heritage assessment, they do agree that that the farmhouse does have a setting which is industrial in nature. However, the Council's Conservation and Heritage Advisor does advise that the buildings within the application site are lower than, or similar in height to that of the listed farmhouse. With respect to the proposed commercial block, concern has been raised that the overall bulk and mass of this part of the development, as well as the blank eastern elevation to the west of the farmhouse, would dominate the listed building and provide a poor backdrop. With respect to the

residential blocks, the Council's Heritage and Conservation Advisor considers that whilst these are in smaller blocks, the blocks cumulatively are not considered to be sympathetic to the setting of the listed building.

- 10.5.32 Notwithstanding the aforementioned, the Council's Conservation and Heritage Advisor does recognise in their conclusions that the development will not entail any direct physical alteration to the listed building or its immediate plot. In addition, they recognise that the heritage asset in terms of architectural and historic significance will remain unharmed. Furthermore, as is evidenced from the LVIA and HIA as detailed in the report, the setting of the grade II listed Broom Green Farmhouse has significantly changed since the mid-20th Century. This is due to the development on Gunnels Wood Road as well as the construction of the surrounding road network. However, the Council's Historic Building Advisor do consider that whilst the amendments to the scale / bulk / massing of the new commercial development on the site has slightly reduced, they do consider the level of harm initially identified is still considered to have an adverse impact upon the setting of the farmhouse (compared to its existing setting).
- 10.5.33 Given the aforementioned assessment and the impact the development would have, Council's Conservation and Heritage Advisor consider the impact of 'less than substantial harm' to its aesthetic significance. However, whilst the scheme does result in 'less than substantial harm', the harm as advised by the Council's Conservation and Heritage Advisor being at the lower end of the scale due to the setting of the farmhouse having changed so drastically since the mid-20th century. Officers are in agreement with the Council's Heritage Advisor in that the proposed development scheme will cause harm to the setting of the Grade II listed farmhouse known as Broomin Green Farm due to their overall scale, bulk and massing with the buildings taller than those they wish to replace. Notwithstanding, and as comprehensively set out in this report, the setting of the listed farmhouse has drastically changed due to the introduction of commercial and industrial buildings along with the construction of Six Hills Way and Gunnels Wood Road. In addition, the scheme will not entail any direct physical alteration to the listed building or its immediate plot. Further to this, it is important to note that the development would also remove the existing Serviceline building, veterinary clinic and surface car park which given they are of limited architectural merit, are considered to have a negative impact on the setting of the Grade II listed building. As a consequence, the scheme is deemed to have a "less than substantial harm" to the setting of the listed building, but this level harm is at the lower end of less the scale.
- 10.5.34 As a level of harm has been established, the Council's Conservation and Heritage Advisor advises that the Council should balance the 'less than substantial harm' identified against any 'public benefits' the proposal may result. The assessment of the overall public benefits of this scheme and whether these benefits outweigh the harm caused by the scheme are set out in the following section of this report below.

Assessment of Heritage Balance and Public Benefit

- 10.5.35 Paragraph 200 of the NPPF (2021) sets out that any harm to a designated heritage asset should require clear and convincing justification. In addition, where proposals that may cause less than substantial harm to the significance of a designated heritage asset, should be weighed up against the public benefits of the proposal, including where appropriate, securing the optimum viable use. In undertaking that weighting exercise 'considerable importance and weight' must be given to the preservation of the significance of the listed building, including its setting. In determining the application, it must be noted that 'less than substantial harm' is not a 'less than substantial planning consideration'.

- 10.5.36 Turning to public benefits, there is no definition of ‘public benefits’ on the National Planning Policy Framework or associated Planning Practice Guidance. All the guidance states (as set out in paragraph 10.5.7) that it “*should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large*”. There is also Case Law that deals with what is a material consideration, and this pretty much whether it serves a “*proper planning purpose*” (see latest commentary on this in *Wright v Resilient Energy Severndale Ltd and Forest of Dean District Council*). Further, public benefit could be anything that delivers economic, social or environmental objectives as described in paragraph 8 of the NPPF. The test therefore is whether the benefits clearly and convincingly outweigh the considerable importance and weight given to the heritage harm.
- 10.5.37 Looking firstly to the concern raised by the Council’s Conservation and Heritage Advisor regarding the blank eastern elevation as detailed on the illustrated plans, it is appreciated that they consider this could have an adverse impact and appear overbearing on the listed building, this is especially given the quantum of development which is being established. This issue is acknowledged, which is why this part of the development is two-storeys in height comparative to the height of the farmhouse and then steps up in scale with a series of setbacks. This tries to reduce the level of overbearance of the proposed development when viewed in context with the listed farmhouse. However, with regards to the eastern elevation itself, the treatment of the podium decked car park is a matter for Reserved Matters where this elevation can be addressed in a different way in order to overcome this concern.
- 10.5.38 Turning to public benefits, firstly, before looking at these in detail, consideration needs to be given to paragraph 11 of the NPPF (2021), this policy states that for decision-taking this means:
- c) approving development proposals that accord with an up-to-date development plan without delay;
 - d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing development; or
 - ii. any adverse impacts of do so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework as a whole.
- 10.5.39 Taking the above into consider and as identified in paragraphs 9.2.2 to 9.2.4, it can be demonstrated that the Council has a 5 year land supply and the HDT score is above 75%. However, as referenced earlier in the report, Paragraph 60 of the Frameworks required Local Planning Authorities to support the Government’s objective of significantly boosting the supply of homes. In addition, there has been an under supply of housing delivery in the past. Therefore, the provision of 80 additional residential units would have significant weight in this instance. In addition, and in meeting the Social Objective under paragraph 8 of the NPPF, the scheme would deliver a sufficient number and range of 1 and 2 bedrooms homes which can be provided to meet the needs of present and future generations.
- 10.5.40 The scheme would also provide 25% affordable housing units, which would equate to 20 units. Given there has been under delivery of affordable housing units within Stevenage, this is seen as a significant public benefit due to the shortage of affordable housing units within the Borough.
- 10.5.41 In terms of an additional benefit, the development would generate a number of construction jobs as well as support positions in the supply chain. In terms of the construction jobs themselves, a number of these jobs will be drawn from the local market which would be secured as part of any S.106 agreement in line with the Council’s Developer Contributions SPD (2021). In addition, there would be further direct and indirect employment which would

be generated by the construction of the commercial building which could potentially generate between 185 to 851 new jobs dependent on the final use of the building. The commercial building would also generate a level of business rates which will also be a financial benefit to the Council.

- 10.5.42 In regards to the proposed residential development, it is expected the proposed development would generate approximately 131 persons. However, it is important to note that a number of these properties are likely to be owned by existing residents or the town as well as those buying their first home or those who are downsizing. Given the levelled increased in population, the income and spend will increase local Gross Value Added (GVA) to the local economy. In addition, and based on analysis on the market (Arcadis Housing Design Consultancy Report – *Building Homes and Making Places – The Economic Benefit of Better Housing*, 2017), that approximately £316,000 is generated by every single new house for the national economy. This would equate to approximately £25,280,000.00. In addition, there would also be Council Tax rates which would also be a financial benefit to the Borough Council and County Council in terms of funding services.
- 10.5.43 The scheme would also help to fund the delivery of primary school and associated nursery which is a key requirement of the adopted Local Plan (2019) in terms of the regeneration of Stevenage Town Centre. It would also contribute to health facilities as well as improve public transport facilities as well. The development would also improve walking and cycling infrastructure which will not only benefit the development but the wider employment area of Gunnels Wood Road. This would enhance connections between parts of the employment site and the established pedestrian and cycle network along Six Hills Way. The scheme would also help fund key pieces of infrastructure identified in the Council’s Infrastructure Delivery Plan (IDP) such infrastructure detailed in the LCWIP which forms part of the IDP through to County Council and NHS services and facilities.
- 10.5.44 The aforementioned clearly demonstrate how the development would support the economic objectives of the NPPF as set out under Paragraph 8, and are also seen as key public benefits which derive from this development. It is also considered that the development would also have a wider townscape benefit. Currently, the existing buildings on the site, especially the Serviceline building and Veterinary Clinic combined with the extensive surface parking, have limited architectural merit and seen as harmful to the setting of the listed building. Whilst it is agreed that the proposed development will cause harm to the setting of the listed building, it is considered based on the submitted plans, there would be a significant uplift in design and architecture which will enhance the overall visual landscape of the area.
- 10.5.45 The commercial building has been designed as a landmark building which addresses this key junction of Gunnels Wood Road and Six Hills Way. The residential buildings have also indicatively been designed to high standard which combined with additional soft landscaping, would further enhance the immediate townscape of the development site. The scheme would also seek to improve cycle and pedestrian connectivity which would help to improve sustainable access to the wider employment area and is also seen as a public benefit as it would help to encourage a modal shift away from the private car. It would also be a benefit from a sustainability perspective by encouraging more active forms of travel which has potential health benefits along with the reduction of vehicles on the road which would have air quality benefits as well.
- 10.5.46 Dealing specifically with the heritage asset which is the Grade II listed Broomin Green Farm, as established in paragraph 10.5.32 of this report, it has been identified that the proposed development would result in less than substantial harm to the setting of the listed building. However, it is acknowledged that the proposed development will not entail any direct physical alteration to the listed building or its immediate plot. In addition to this, the setting of the listed farmhouse has drastically changed due to the introduction of commercial and industrial buildings along with the construction of Six Hills Way and Gunnels Wood Road. Therefore, it

has been included that the overall level of harm is at the lower end of the scale in terms of “less than substantial harm”.

- 10.5.47 In summary, it is acknowledged that the development would cause less than substantial harm, which is identified at being at the lower end of the scale, to the setting of the Grade II listed Broomin Green Farmhouse. The proposal, will however, deliver a number of benefits and significant benefits which is considered to outweigh the harm caused. The benefits include the delivery of much needed housing, including affordable housing along with the creation of new jobs from construction jobs through to jobs created from the commercial development. The development would also increase Gross Value Added (GVA) to the local economy along with the generation of additional business rates and Council tax. The scheme would also help to fund the delivery of the Primary School, contribute towards health facilities as well as help to deliver projects identified in the LCWIP.
- 10.5.48 Further to the above, the scheme would also result in the demolition of existing buildings which do not contribute to the setting of the listed building as well as the wider townscape. The proposed development would also significantly enhance the wider townscape which is also considered to be a key planning benefit arising from this development.

Demolition of the non-designated heritage asset.

- 10.5.49 Dealing with the non-designated heritage asset i.e. the FIRA building, the building was designed by HKPA Architect Practice (Howell, Killick, Partridge & Amis) in c 1964. The FIRA building does have later extensions (as it was designed to expand in such a way), these are of lesser architectural interest. However, the building is considered to be of architectural merit and an interesting example of post-war design.
- 10.5.50 The effect of an proposal on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly, or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or the loss and the significance of the heritage asset. In addition, as per paragraph 205 of the NPPF, local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost.
- 10.5.51 As the FIRA building is considered to be of architectural merit and being a non-designated heritage asset, the 20th Century Society lodged an application to Historic England to have the building listed. Following a review of this application, the Secretary of State for Digital, Culture, Media and Sport (DCMS) as advised by Historic England, decided not to add the FIRA headquarters building to the List of Buildings of Special Architectural or Historic Interest. The principle reasons given for not listing the building were as follows:-

Architectural interest:

- The building’s thoughtful external form has been altered significantly by the addition of large-scale extensions which have considerably reduced the impact of the original design intention;
- Key spaces in the interior, including the entrance hall and all three main wings, have been remodelled, diminishing the interest of the plan-form and interior spaces.

Historic interest:

- While Howell, Killick, Partridge and Amis are acknowledged as being a leading post-war architectural practice, this distinguished authorship does not outweigh the extent of alteration;

- Although the building's role in the expansion of Stevenage New Town, along with being the only purpose-built furniture and testing facility to be erected in England, are important considerations, this does not counteract the later alterations.

Group value:

- Its group value with Broomin Green Farmhouse (C17; Grade II) and the John Lewis Warehouse (1963; Grade II) is acknowledged but is of insufficient weight to confer special interest.

10.5.52 Whilst the 20th Century Society has raised a substantive objection to the demolition of the FIRA building (See Section 8.9 of this report), it has been demonstrated that the significance of the building have been compromised by the unsympathetic extensions and alterations which have been undertaken over the years. As such, this is a reason why the building was not listed. However, whilst the building is not statutorily listed, it is a non-designated heritage asset. The proposed development would result in the complete loss of the FIRA building which would therefore, result in substantial harm to the significance of the building in this instance. However, the significance of the building has been lessened due to the unsympathetic extensions and alterations which have occurred to the building.

10.5.53 In addition to the above, the value of retention of the non-designate heritage asset is outweighed by the significant benefits of the development as set out earlier in the report, even taking into account the harm which would be caused to the designated farmhouse. However, in line with the NPPF (2021), the applicant is required to prepare a historic recording of the building in order to document the remaining significance of the building. As such, through this recording, this would off-set the harm of the loss of the building once it has been demolished as part of the development proposal. This is supported by the Council's Conservation and Historic Advisor and can be secured by the imposition of a condition.

Summary

10.5.54 In summary, it is agreed that the development would cause less than substantial harm, identified to be at to the lower end of the scale, to the setting of the Grade II listed building known as Broomin Green Farm. However, the proposal would deliver a number of planning and public benefits as detailed in paragraph 10.5.39 to 10.5.43, a number of which are identified as being significant and these overall benefits of the proposed development are considered to clearly and convincingly outweigh the harm identified, including the harm caused by the loss of the non-designated heritage asset.

10.6 Impact on archaeological remains

10.6.1 Policy NH9 of the adopted Local Plan identifies that the application site falls within the designated "Broomin Green Farm" (NH9/15) area of archaeological significance. This area concerns the 17th century farmhouse and the considerably shrunken hamlet of Broomin Green. The hamlet dates back to around 1248 and appears to be some form of settlement in the area since the medieval times. Consequently, where a development proposal has an effect on an area of archaeological significance or has the potential to affect important archaeological remains, then as set out in the policy, an archaeological field evaluation has to be submitted as part of any planning application.

10.6.2 As a consequence of the above designation, the applicant has submitted an Archaeological Desk Based Assessment (prepared by Thames Valley Archaeological Services, dated November 2016, report reference MRS 16/183). Following consultation with Hertfordshire County Council's Historic Environment Section, they consider that due to the presence of the hamlet, the listed farmhouse combined with the potential of hand axes from Palaeolithic period, to coins from the late Iron Age as well as limited potential for prehistoric remains, the development is likely to have an impact on heritage assets of archaeological interest. Given

this, if planning permission were to be granted, they recommended the following conditions be imposed:-

- Prior to the commencement of development, the applicant submits an Archaeological Written Scheme of Investigation which will include a methodology of site investigation and recording to be approved in writing by the Council;
- That demolition and construction takes place in accordance with Archaeological Written Scheme of Investigation; and
- For the development not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation with the provision made for analysis and publication where appropriate.

10.6.3 In summary, subject to the recommended conditions being imposed if permission were to be granted, it is considered that the proposed development would not have a detrimental impact on any potential heritage assets of archaeological interest.

10.7 Impact upon Neighbouring Amenity

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

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

10.7.2 The application site is relatively self-contained and is separated from the existing residential properties in Fairview Road by the mature tree belt on the eastern boundary from the site. Whilst the plans which have been submitted are illustrative, they do show one way as to how the development could be delivered on this site. The impacts of the proposal on all neighbouring uses, including the residential properties on Maxwell Road need to be considered.

10.7.3 Firstly, the indicative layout shows that residential blocks 1 and 2 would be constructed in close proximity to the eastern boundary of the development site. In terms of residential block 1, the flank wall of this building would be located approximately 18m from the rear wall of Mozart Court. However, the level of separation does increase to 34m. This is due to the block in Mozart Court sitting at an angle. With regard to block 2, part of the buildings rear elevation would be positioned approximately 28m from the flank elevation of one of the residential blocks in Mozart Court. As such, there is the potential for impact on the outlook and the privacy of residents who reside at Mozart Court. However, there is an existing mature tree belt which falls outside of the application site boundary which would be retained. This would act as a natural screen to help preserve the privacy of the residents at Mozart Court. It is important to note that the area of land in which this mature tree belt is located is owned and managed by Stevenage Borough Council. Therefore, it is highly unlikely these trees would be removed in the future as they form a function and purpose of not only screening Mozart Court to the

existing employment, they also support biodiversity along with the Council's net zero carbon objective.

- 10.7.4 Turning to the separation distance between Broomin Green Farm and residential block 4 located to the north, whilst the Council does not have guidance relating to front-to-front separation distances, there would be approximately 40m between this block and the aforementioned farmhouse. This is because this residential block would sit on the footprint of the Serviceline building. In addition, between this block and Broomin Green Farm would be a surface car park (which is as per the existing situation) along with a mature tree belt which is to be retained as part of this development. Looking at the separation distance between the side elevation of block 3 and the side of Broomin Green Farm, whilst again the Council does not have a specific standard, there would be a separation distance of approximately 31m.
- 10.7.5 With regards to the proposed buildings themselves, the plans which form part of the application submission do show the potential location of the balconies and roof gardens. However, due to the extensive level of separation, combined with the careful positioning of the balconies on the residential blocks, it is not considered these would cause a significant loss of privacy over and above the current situation. In terms of the roof gardens, the plans show the provisions of screens which enclose these space and these can be design with privacy glass to ensure there is no direct loss of privacy to the owner occupiers of the farmhouse.
- 10.7.6 Turning to the office development, there are no particular standards specified in the Council's design guide for separation distances between offices and residential developments. Notwithstanding this, a judgement needs to be made to determine whether or not the proposed indicative office development would impact upon the occupiers of Broomin Green Farm. The indicative floor plans identify that the office development would be located a minimum of 23m from the flank elevation of the farmhouse. However, the applicant has not submitted scaled plans for the upper floor of the proposed office development. Notwithstanding this, the axonometric plans shows the office building would have a staggered floorplate to ensure the building does not appear overbearing and reduce any perceived impact on privacy. Furthermore, the axonometric drawings show the provision of privacy screens which can be used to enclose these outdoor spaces in order to protect the privacy of the occupiers of Broomin Green Farmhouse.
- 10.7.7 Given the aforementioned, it can be deduced that whilst the plans are illustrative, the plans provided are details enough to make an assessment as to the potential impact the development could have on the amenities of neighbouring residential properties. In addition, based on the above assessment, there is a sufficient detail to conclude that an acceptable relationship can be established upon submission of any subsequent Reserved Matters Application. However, a more detailed assessment as to the impact the development would have on privacy and outlook would be dealt with at the reserved matters stage.
- 10.7.8 Turning sunlight and daylight, as set out in paragraph 6.1 of this report, a quashing order was issued by the High Court following a successful judicial review. The decision was quashed was because daylight and sunlight was considered to be a relevant consideration at outline stage so the judge quashed the permission.
- 10.7.9 Taking into consideration the above, the amended application is accompanied by a Daylight and Sunlight report undertaken in accordance with the BRE Site Layout Planning and Daylight: A guide to good practice (2011). Before looking at the applicants assessment in detail, it is important to consider the relevant planning policies and guidance which cover daylight and sunlight. With regards to the NPPF (2021), paragraph 125 c) states local planning authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in this Framework. In this context, when considering applications for housing, authorities should take a flexible approach in applying policies or

guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards).

- 10.7.10 In terms of guidance, the Governments Planning Practice Guidance (Paragraph 006, Reference ID: 66-006-20190722) states “*where a planning application is submitted, local planning authorities will need to consider whether the proposed development would have an unreasonable impact on the daylight and sunlight levels enjoyed by neighbouring occupiers, as well as assessing whether daylight and sunlight within the development itself will provide satisfactory living conditions for future occupants*”. Policy GD1 of the adopted Local Plan (2019) under criterion ‘e’ sets out that planning permission will be granted where a proposed scheme does not have an adverse impact on the amenity of future occupiers as well as neighbouring uses or the surrounding area.
- 10.7.11 In terms of the Council’s Design Guide SPD (2009), chapter 5, section 5.2 Sunlight, Daylight and Orientation sets out that the BRE guidelines will be used on avoiding unacceptable impacts with the guide itself setting out mandatory targets for levels of sunlight and daylight within existing and proposed development. Turning to the BRE guidelines (2011), this document is to be used in conjunction with the interior daylight recommendations found within the British Standards BS8206-2:2008 (Lighting for buildings, code of practice for daylighting) along with The Applications Manual of Window Design of the Chartered Institute of Building Services Engineers (CIBSEE). In terms of assessing the impact of a development on sunlight and daylight, there are three main assessments which are as follows:
- The Vertical Sky Component (VSC);
 - The No Sky Line (NSL); and
 - The Average Daylight Factor (ADF).
- 10.7.12 The aforementioned assessments have been considered in detail in the following section of this report. However, firstly, dealing with the application before the Council, whilst it is noted that the amended plans submitted are indicative given this is an outline planning application with all matters reserved except access; they do show one way in which the development could be delivered on this site. Should planning permission be granted, the principle of the overall scale and form of development would be subject to planning conditions limiting the height parameters, number of residential units and maximum commercial floor space as detailed in the application drawings. Therefore, it is concluded there is sufficient detail set out within the planning application in order to model the proposed development in the applicant’s BRE assessment and properly assess how it could potentially impact on the sunlight and daylight of neighbouring properties.
- 10.7.13 The BRE assessment utilised the illustrative scheme to aid in determining the level of impact such a development could have on nearby residential properties. The properties assessed in detail are as follows:-
- Broomin Green Farm;
 - Properties to the rear of 206-210 Fairview Road;
 - Philbeck House;
 - 17-24 Mozart Court; and
 - 25-33 Mozart Court.
- 10.7.14 Looking firstly at daylight, a VSC (Vertical Sky Component) assessment was undertaken and this is a test which measures the amount of skylight available at the centre of a window. It has a maximum value of 40% for a completely unobstructed wall. However, the diffuse daylighting of an existing building may be adversely affected, as defined by the BRE Guide, where:-
- The VSC measured at the centre of the main window is less than 27%, and less than 0.8 times its former value; or

- The area of the working plane in a room which can receive direct sunlight is reduced to less than 0.8 times its former value (i.e. no more than a 20% change).

10.7.15 The assessment also undertook an assessment of the No Sky Line (NSL) and Average Daylight Factor (ADF). The NSL method is described as the outline on the working area from which no sky can be seen. In summary, it assesses where the sky can and cannot be seen from inside a room at the working plane. The change in the position of the NSL between the existing and proposed scenarios is calculated in accordance with the Guidance. If the NSL experienced is more than a 20% change from the existing situation, then in accordance with the guidance, the change in daylight would be noticeable to the occupants.

10.7.16 The ADF assessment is the ratio of total daylight flux incident on the working place, expressed as a percentage of the outdoor illuminance of a plane. The assessment generally looks at the level of skylight falling onto the vertical face of a window, but also the glazing size, the transmission value, average reflectance, room area and room use. As such, it is more detailed analysis of daylight. The values as a percentage for the rooms most relevant in this assessment are as follows:-

- Bedrooms – 1% ADF;
- Living Rooms – 1.5% ADF;
- Kitchens – 2% ADF.

10.7.17 An assessment has also been undertaken as to the level of sunlight a neighbouring residential property would receive as well. To assess the impact on sunlight, in accordance with the BRE guideline, Annual Probable Sunlight Hours (APSH) are utilised. This involves a measurement in terms of a percentage of the annual probable sunlight hours at the centre point of a window. It is defined as the long-term average of the total number of hours during a year in which direct sunlight reaches the unobstructed ground.

10.7.18 Further to the daylight and sunlight assessment detailed in the applicants submission, it also deals with overshadowing specifically Sun Hours on Ground (SHoG). This is assessed utilising simulation software to determine the areas which receive direct sunlight and daylight and those which do not. The BRE Guidelines suggest that the Spring Equinox (21 March 2021) is a suitable date for assessment as this is the midpoint of the sun's position throughout the year. The Transient Overshadowing study is recommended where large buildings are proposed which may affect a number of gardens or open spaces. The BRE guidelines stipulate that for an amenity space to appear to be adequately sunlit thought the year at least half of a garden or amenity area should receive at least 2 hours of sunlight on 21 March 2021. If a developments impact on the existing amenity area in regards to the above, and the area which can receive two hours of sun on 21 March is less than 0.8 times its former value, then the loss of sunlight is likely to be noticeable.

10.7.19 For the purpose of the assessment submitted with the revised application, the modelling undertaken in terms of shadows is mapped at hourly intervals (between sunrise and sunset) on the following dates:

- 21 March (Spring Equinox);
- 21 June (Summer Solstice);
- 21 December (Winter Solstice).

Impact on Broomin Green Farmhouse

10.7.20 Dealing with the impact the development would have on the levels of sunlight and daylight which are received at Broomin Green Farm, GIA (the applicants Sunlight and Daylight Consultants) have set out in their report that they have made extensive efforts to gain access to the property to confirm internal layouts and, which rooms are habitable and are of relevance to the assessment. Whilst they have been afforded some limited access, access has been

problematic due to issues surrounding the pandemic. As such, they have assessed all rooms for completeness and made best assumptions on room layouts and dimensions. It is important to note that the Council's appointed consultants Anstey Horne have been able to assist in terms of supplying the requisite information following their instruction and site visit.

- 10.7.21 The results of the original VSC assessment shows that none of the windows at the farmhouse experience reductions any greater than 20% in accordance with the BRE Guide. However, this has since proven to be incorrect as following correspondence from Broomin Green Farms appointed consultants Eb7 and Anstey Horne, and it has been identified that the kitchen is only served by one window. It is also noted from the correspondence on behalf of the owners of Broomin Green Farm that the kitchen is also used as an office area during the day and is considered to be an integral room within the room that is used daily for administration tasks where the owners conduct their business from. This matter is considered in greater detail in paragraph 10.7.28 of this report as it is identified that this is the only room which significantly falls below the BRE guidelines.
- 10.7.22 The original assessment also set out that in respect to NSL, of the 16 rooms tested, 15 of the rooms are compliant with the BRE target. However, one of the rooms on the second floor experiences a loss of 25% which is greater than the 20% BRE target. The room however, is not considered to be a kitchen or living room where there is a higher expectation for natural daylight. Notwithstanding, for greater accuracy, the VSC of this respective window is 32.5% which is in excess of the 27% BRE target.
- 10.7.23 The APSH assessment identifies that 1 window experiences an absolute change to the existing APSH of 5% (paragraph 5.11 of the original sunlight and daylight assessment). This is just above the 4% BRE target. Whilst the room is not known, the report goes into more detail as to the impact on this window. The assessment identifies that the majority of this window's outlook and visibility of sunlight hours is inhibited by the extending porch element of the house, making this room sensitive to any massing on the development site. The window at the floor above, exceeds the total APSH target achieving 26% (25% BRE target), but experiences a change in its value from 6% to 4% for winter. This is below the 5% BRE target, but the change is very minor and the level of PSH is generally in accordance with the guidance. However, due to the position of the window, it is unlikely it serves a main living room which falls to be considered under the guidance.
- 10.7.24 In regards to the Sun Hours on Ground assessment, the results have shown that the proposed development would fully comply with the BRE targets, with the areas tested continuing to receive at least 2 hours of direct sunlight across at least 69% or more of their area, with a change which is identified as being no greater than 8% from the existing scenario.
- 10.7.25 As noted in paragraphs 7.1.6 to 7.1.15 of this report, substantive concerns had been raised by the consultants (eb7) who were acting on-behalf of the owners of Broomin Green Farmhouse with respect to the accuracy of the applicants originally submitted sunlight and daylight assessment, especially on the modelling which had been undertaken. Further to this, there was extensive correspondence between the applicants consultants and the consultants acting on behalf of the owners of Broomin Green Farm with respect to the developments potential impact on the level of sunlight and daylight received at the aforementioned property.
- 10.7.26 Given the aforementioned, officers appointed Anstey Horne who are an independent company who specialise in rights to light as well as daylight and sunlight to undertake a review of the applicants sunlight and daylight assessment. They were appointed to undertake an assessment of the applicant's consultant daylight and sunlight report. They also reviewed the correspondence which primarily focussed on the accuracy of the report given that no external or internal survey had been undertaken. Subsequently, Anstey Horne conducted a visit to the property using a laser scanner and collected point data of the property at Broomin Green Farm both externally and internally. This data was then passed over the applicants consultants in order to update their 3D model to accurately reflect what existed on-site.

- 10.7.27 The consultants acting on behalf of the applicant provided the Council's consultants with an updated technical assessment. The Council's consultants have confirmed that this updated technical assessment reflects the data collected on site. As such, and as set out in paragraph 8.12.4 of this report, the Council's consultant advised that whilst a number of windows and rooms within neighbouring properties are shown to be configured differently to those originally modelled, for the majority of the windows and rooms assessed this does not materially impact the daylight and sunlight position. The Council's consultant goes on to state "*All of the rooms, with the exception of the kitchen at ground floor level, are shown to achieve the BRE's guideline values for both daylight and sunlight*".
- 10.7.28 Dealing with the kitchen specifically, Anstey Horne have advised that the applicants consultants updated analysis does accurately reflect that this room is served by a single west facing window. As such, the analysis shows that the reductions to this room are beyond the guideline values for both daylight and sunlight. In terms of Vertical Sky Component (VSC), the window serving the kitchen experiences a reduction of 21.8% as a result of the proposal which is marginally below the BRE's guideline of 20% reduction. In relation to daylight distribution, the room is shown to experience a reduction of 55.1% which is beyond the 20% of acceptable reduction recommended by the BRE guidelines. The Council's consultant in terms of sunlight advises that the annual sunlight availability is shown to be reduced by 36% which is beyond the 20% recommended by the BRE.
- 10.7.29 The Council's Consultant goes on to advise that based on the updated technical assessment prepared by the applicant, they set out that the updated analysis accurately represents the daylight and sunlight impacts to Broomin' Green Farm as a result of the proposed development.
- 10.7.30 The applicant has subsequently submitted an updated sunlight and daylight assessment (Prepared by GIA, dated 18 October 2021, report reference 17063) incorporating the accurate technical information as reviewed by the Council's consultant. In addition, the applicant has also submitted a Daylight and Sunlight Human Visual Assessment (Prepared by GIA, dated 08 September 2021, report reference 17063).
- 10.7.31 The assessments provide a detailed analysis as to the impact the proposed development would have on the kitchen at Broomin Green Farm. As part of this assessment, the applicant has undertaken a number of assessments of the single window which serves the kitchen. The VSC impact assessment of the window serving the kitchen shows a VSC level of 23.9% in the existing scenario and is reduced to 18.7% VSC in the proposed scenario. This represents a 5.2% absolute VSC loss, or a 21.8% relative reduction. It has to be taken into consideration that VSC measures the level of daylight reaching the centre-point of a window and whilst the calculations inform potential loss of daylight on the window, it does not provide information on the amount of daylight entering a room which depends on other factors such as window size, glazing specifications, room shape and internal finishes.
- 10.7.32 A No-Sky Line (NSL) impact assessment of the room shows that the NSL value of 96.7% in the existing scenario which is reduced to 43.5% NSL in the proposed scenario, representing a 53.2% relative reduction. In terms of what NSL measures, it is the outline on the working plane of the area from which no sky can be seen. As such, a reduction of NSL therefore, provides an indication of the portion of the area on the working plane from the sky is visible in the existing scenario and is no longer visible in the proposed scenario. This is typical when viewed from the rear sections of the room which are at a distance from the window. As such, NSL depends on internal layout and fenestration and is regarded as an indicator of light distribution within a specific room.
- 10.7.33 The report provided by the applicant also provides a detailed Radiance-based daylight assessment which is able to accurately demonstrate the results beyond VSC and NSL, and therefore, can simulate how the level of light and its distribution within a room as perceived by

the human eye. It also considers external obstructions, external materials reflectance, window size and shape, window frames, glazing specs, internal layout and finishes.

- 10.7.34 The overall results of the assessments undertaken show that in the existing scenario the kitchen achieves an ADF of 0.3% which is far below the 2% ADF recommended in the BRE's guidelines for a kitchen. Current British Standards (BS 8206-2 Code of Practice for daylighting) recommend that an ADF of 5% for a well day lit space and 2% for a partly daylight space. Where a room falls below 2%, the room will generally look dull and it likely that the use of that space will require artificial lighting to be switched on. Following a modelling exercise of the proposed development, the ADF is slightly reduced to 0.2% ADF. In both the existing and proposed scenarios, it is therefore evident that the room will rely primarily on artificial light rather than natural daylight.
- 10.7.35 Given the above, whilst the proposed development would cause changes in the daylight appearance of the kitchen, the usability of the kitchen and its reliance on supplementary artificial lighting is unlikely to be materially affected. It is important to note that this kitchen is single aspect and is greater than 5m in depth, and therefore, a greater movement in the no sky line (NSL) cannot be avoided in this instance. This is further reflected in the BRE Guidelines which stipulate that if an existing building contains rooms lit from one side only and greater than 5m in depth, then greater movements in the no-sky line may be unavoidable. This window would, given its siting and position, would be affected by any increase in massing on the development site due to the architectural design of Broomin Green Farm.
- 10.7.36 Following further consultation with the Council's appointed consultant Anstey Horne (See paragraphs 8.12.7 to 8.12.14), they conducted a further assessment on the Council's behalf of the applicants amended Sunlight and Daylight Assessment. In addition, they also undertook an assessment of the Radiance-based daylight assessment which accompanies the amended Sunlight and Daylight Assessment.
- 10.7.37 The updated report correctly identified that the reductions to the kitchen are beyond the guideline values for both daylight and sunlight. In terms of VSC, the window which serves the kitchen experiences a reduction of 21.8% as a result of the proposed development which marginally below the BRE guideline of 20% reduction. When considering daylight distribution within the room, the room is how to have a reduction of 55.1% which is beyond the 20% acceptable reduction recommended by the BRE guidelines. In terms of sunlight, the annual sunlight availability is shown to be reduced by 36.8%, which is also beyond the 20% recommended by the BRE.
- 10.7.38 The applicants consultant has also undertaken a radiance assessment of the kitchen within Broomin Green Farm. This assessment takes into account reflected light both within the room itself and external surfaces. The radiance assessment indicated that the Average Daylight Factor (ADF) in the existing condition is 0.3% whilst the ADF in the proposed condition was 0.2%. The Council's consultants have assessed this radiance assessment against the BRE guideline of 2% for a kitchen which is a minimum value. The radiance model shows that even in the existing situation, the ADF for the kitchen is well below this recommended minimum.
- 10.7.39 The daylight factor images detailed in the radiance assessment demonstrate that, in the existing condition, very little light penetrates beyond the area of room closest to the window. A similar conclusion, as advised by the Council's consultant, can be drawn in relation to the proposed condition, but there is a slight decrease in the penetration of light into the room.
- 10.7.40 The Council's consultant advise that the updated daylight and sunlight analysis accords with the BRE guidelines and accurately represents the daylight and sunlight impacts to Broomin Green Farm as a result of the proposed development. The assessment submitted by the applicant does demonstrate that the reductions beyond the BRE guidelines will be to a single room at ground floor level. With regards to the radiance assessment, the Council's consultants

advise that whilst there will be a change in lit appearance, the room in question (i.e. the kitchen) is poorly lit in both the existing and proposed condition.

- 10.7.41 Notwithstanding, an updated sunlight and daylight assessment and radiance survey has been submitted following the receipt of amended plans. The revised assessment identifies a VSC reduction of 22.2% which is slightly greater than the 21.8% previously identified. However, this reduction is only marginally beyond the BRE guidelines of 20%. In terms of daylight distribution, the room most affected by the development shows a reduction of 54.5% which is a marginal improvement on the 55.1% previously identified. However, the reduction to the most sensitive room at Broomin Green Farm is beyond the 20% of acceptable reduction identified in the BRE.
- 10.7.42 In terms of sunlight, the annual sunlight availability was shown to be reduced by 36.8% which is in line with was previously reported for the scheme as originally assessed. Again, this reduction is beyond the 20% recommended by the BRE. Consequently, the reductions in light identified to Broomin Green Farm remains akin to those summarised in the previous GIA report. In terms of the updated radiance survey which was submitted, there is no change in the results as identified in paragraph 10.7.38.
- 10.7.43 Given the aforementioned assessment, it is fully appreciate there are substantive objections from the owners of Broomin Green Farm, and that further objections have been raised against the updated Sunlight and Daylight Assessments. Further to this, and taking into consideration BRE guidelines, it is clearly evident that there are transgressions which have to be taken into consideration when making a decision on this application. However, this is important to consider when weighing up the planning balance, the Council's consultant has advised that the assessments in the BRE guide are intended to be flexible and there are now more sophisticated ways of looking at the lit condition of the room. They go onto state that the radiance assessment calls into question whether the difference in light levels would be perceptible to the occupants. Therefore, this will need to be carefully considered alongside the conventional assessments in the BRE guidelines.
- 10.7.44 Given what has been advised, it is important to note that the BRE Guide is just a guide, and it does state in the guide that its overall aim "*is to help rather than constrain the designer*". The document also clearly states that it is not mandatory and that it should not be seen as an instrument of planning policy. In addition, the guide within the introductory section states that "*in special circumstances the developer or planning authority may wish to use different target values. For example, in a historic city centre a higher degree of obstruction may be unavoidable*". Therefore, there will inevitably be as a consequence within the built up urban environment, that daylight and sunlight will be more limited in these areas. This is especially given the Governments drive to deliver as much development as possible on previously developed site.
- 10.7.45 In addition, the NPPF (2021) makes it very clear that planning decisions should promote an effective use of land in meeting the need of homes and other uses (paragraph 119). It also sets out those planning decisions should "given substantial weight to value of using suitable brownfield land within settlements for homes and other identified needs". Further, the NPPF also requires Local Authorities to promote and support the development of under-utilised land and buildings, especially if this would help to meet an identified need for housing where land supply is constrained and available sites could be more effectively used (Paragraph 120).
- 10.7.46 Therefore, it has to be acknowledged that there are important planning matters which have to be considered when delivering development on brownfield sites and that these developments are likely to have an impact on the ideal levels of daylight and sunlight. As such, and turning back to the impact of this development, it is agreed that there will be a level of harm to the kitchen area of Broomin Green Farm. However, the degree of harm would be limited to only this room with the rest of the rooms within the property achieving the recommended sunlight and daylight standards.

Impact on Mozart Court, Fairview Road and Philbeck House

- 10.7.47 Turning to the impact on 17-24 Mozart Court, the results of the VSC assessment have shown no windows would experience reductions greater than 20% and therefore, the results fully compliant with the BRE guidelines. In terms of the results of the NSL where 28 rooms were tested, 26 of these of the rooms remain fully compliant with the guidelines. With respect to the two remaining rooms, these experience a loss of 25% and 21% respectively, which is greater than the 20% BRE target. However, as the room layouts are not known, the results of the NSL cannot be relied upon and the VSC assessment demonstrates adequate skylight is achieved. In relation to APSH, the properties within this development all comply with the relevant guidelines.
- 10.7.48 Turning to the properties to the rear of 206-210 Fairview Road, Philbeck House and 25-33 Mozart Court, the assessment identifies that all of these properties achieve full compliance on VSC, NSL and APSH. Turning to overshadowing impact (Sun Hours on Ground), the assessment concludes that with the development in place, the areas tests received at least 2 hours of direct sunlight across at least 69% of more of their respective amenity areas. In addition, there would be no change greater than 8% from the existing scenario.

Summary

- 10.7.49 In summary, it can be deduced based on the findings of the assessment, there will be a conflict with policy GD1 of the adopted Local Plan as it applies a “No Adverse Test”. This is because the proposed development, specifically the commercial development, will have an impact on the kitchen area, which is also acknowledged this is also an area of the house used by the current owners on a daily basis where they conduct their business, as is evidenced. The impact identified, specifically in relation to sunlight and daylight, is due to the transgressions which have been clearly identified in the updated assessment conducted by the applicants own consultant and as confirmed by the Council’s consultant. This is especially given the kitchen (which is also utilised as a home office) is a single aspect room which is greater than 5m in depth and that the room already relies on artificial lighting. This is especially given the room in question is also affected by the existing projecting wing, and as a consequence, this room is highly sensitive and any change in the NSL is going to have an impact on this room.
- 10.7.50 However, and this is an important consideration, the radiance assessment which is a more sophisticated tool at determining the impact of a development on a particular room, does call into question as to whether the difference in light levels would be perceptible to occupant. Moreover, and as emphasised by the Council’s consultant and as detailed in the BRE guide itself, it is only guidance and a planning balance has to made as to whether the overall benefits of this development being delivered on a brownfield site would outweigh the harm caused to Broomin Green Farm. The planning balance assessment is set out in the overall conclusions detailed in Section 11 of this report.
- 10.7.51 In terms of the impact on the properties at Mozart Court, Philbeck House and Fairview Road, the assessment demonstrates that there would be no BRE transgressions, so these properties should still receive acceptable levels of sunlight and daylight in accordance with the guidance.
- 10.7.52 With respect to impact on outlook, privacy, sunlight and daylight, following an assessment of the proposed development, whilst the plans are indicative, sufficient information has been provided with this application to demonstrate that the proposed development would not cause a detrimental impact on the overall privacy and outlook of existing neighbouring residential properties. Therefore, whilst a more detailed assessment of the scheme would be carried out at reserved matters stage, the principle of the development in terms of from a privacy and outlook perspective, is considered to be acceptable in this instance.

10.7.53 Turning to the concerns raised by local residents in relation to light and noise pollution, these issues are considered in more detail in section 10.12 of this report.

10.8 Impact upon the future amenity of residents

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

10.8.2 Based on indicative scheme which is before the Council, there would be a requirement to provide 800 sq.m of private amenity. Following an assessment of the indicative plans, it is evident that there would not be sufficient space within the development site to provide a dedicated communal amenity space for each of the individual apartments. However, the illustrative site layout plan (PL202A) and the illustrative Axonometric Plans (PL204A and PL205A) do demonstrate that balconies/winter gardens can be provided for each respective apartment. In addition, the Axonometric Plans, whilst indicative, do also demonstrate that the roof spaces on some of the blocks can be utilised as roof gardens as well.

10.8.3 Given the above, whilst the plans are indicative with further detailed design of the balconies and roof gardens being dealt with at reserved matters stage, the plans do demonstrate that a suitable level of amenity space can be provided for future occupiers of the residential blocks.

10.8.4 In relation to the provision of outdoor sport and children’s play space, whilst it is appreciated the scheme is in outline form, there would be insufficient space within the application site to deliver suitable outdoor sport and children’s play facilities on-site. However, the development site would be accessible to the Meadway playing fields or King George V playing fields which can be utilised for outdoor sport and children’s play.

10.8.5 With regard to the requirements for new residential properties to meet Nationally Described Space Standards (NDSS) as defined by Policy GD1 of the adopted Local Plan (2019), for 1 bedroom, 2 person flats, there is a requirement to provide 50 sq.m of floorspace. For 2 bedroom, 4 person flats, there is a requirement to provide 70 sq.m of floorspace. Whilst the plans submitted are indicative, they do provide sufficient details to demonstrate how these flats would accord with the relevant standards. Following a measurement of each flat located in each block on the indicative ground floor plan (drawing number PL202A) and the plans set out in the Updated Design and Access Statement, they would accord with the aforementioned requirements. Consequently, as the indicative ground floor plan is likely to be replicated across each of the relevant blocks, it can be adequately demonstrated that upon receipt of a future reserved matters application, the proposed flats would be able to meet NDSS requirements.

10.8.6 In terms of privacy and outlook, whilst the exact location of windows and internal floor layouts are not known at this time, the indicative site layout plan (PL202A) and the illustrative Axonometric Plans (PL204A and PL205A) do provide sufficient detail in order to make an assessment. As such, an assessment of separation distances has been undertaken in accordance with the standards as detailed under paragraph 10.7.1 of this report. It is important to note that there are no standards for front-to-front, front-to-back or front-to-side.

10.8.7 It is determined that there would be more than sufficient separation distance between the proposed buildings and the existing buildings to ensure that there are no issues with outlook from main habitable room windows. Furthermore, there would be more than sufficient separation between buildings (existing and proposed) to ensure that the privacy of future occupiers of the development would be acceptable as well. Moreover, the plans for the office

building show, whilst indicative, that there is space on each respective floor to install privacy screens (as detailed on the axonometric drawings) to enclose the outdoor spaces so that the privacy of future flat owners would not be compromised by the construction of the commercial building.

- 10.8.8 Further to the above, the buildings are adequately space, with the height maxima of the proposed building controlled via condition, that sufficient levels of sunlight and daylight can also be achieved within each residential block. Consequently, it is considered that an acceptable level of outlook and privacy can be achieved when any subsequent reserved matters application is submitted to the Council for its decisions. With regards to the impact of noise on future occupiers of the development, this is considered in more detail in section 10.12 of this report.
- 10.8.9 Turning to Policy HO11, this requires that for Major Developments, there will be a requirement to provide at least 50% of all new units to be accessible and adaptable dwellings. Whilst the internal arrangements of the flats are not known at this time, it can be demonstrated that these flats will be of a sufficient size where a number of them can be accessible and adaptable. As such, and if the Council is minded to grant planning permission, it will require 50% of all new dwellings to be accessible and adaptable in accordance with Policy HO11.

10.9 Parking Provision

- 10.9.1 Policy IT5 of the adopted Local Plan (2019) states that planning permission will be granted where proposals comply with the parking standards set out in the plan.

Residential development

- 10.9.2 The Council's Car Parking Standards SPD (2020) set out the maximum amount of off-street parking for residential development based on the number of bedrooms. The proposed development would comprise the following preliminary accommodation schedule:
- 29 no. one bedroom units (1 parking space); and
 - 51 no. two bedroom units (1.5 parking spaces).
- 10.9.3 Taking into consideration of the above, there would be a requirement to provide 106 parking spaces. However, the application site is located within residential accessibility zone 2 where the Council would seek between 50% to 75% of the maximum number of car parking spaces to serve the development. In this regard, the Council would seek between 53 to 79.5 parking spaces (rounded up to 80). The proposed development, whilst illustrative, proposes to provide 53 car parking spaces which would be in accordance with the Council's adopted standards. The applicant has confirmed that the parking areas would not be allocated and, as such, there would not be a requirement to provide visitor parking. The finalised details of parking provision and the overall layout of the parking would be dealt with at reserved matters stage.
- 10.9.4 Turning to disabled parking, in line with the Council's adopted Standards, 5% of the total number of spaces should be designated for disabled persons. In this regard, there would be a requirement to provide 3 disabled parking bays. The applicant as detailed on the application submission, proposes to provide 3 disabled parking bays in line with the Council's standards.
- 10.9.5 In regards to cycle parking, the Council's Parking Standards SPD stipulates for this development the following:-

- 1 long-term cycle space per 1-bedroom unit;
- 2 long-term cycle spaces per 2-bedroom units; and
- 1 short-term cycle space per 40 units.

10.9.6 Taking the aforementioned requirements into consideration against the indicative housing mix, there would be a requirement to provide 131 long-term cycle spaces and 2 short-term spaces. Specific details of the cycle parking provision have not been set out in detail in this outline application. However, the indicative plans do show the potential location of bike stores which demonstrates they can be accommodated as part of any future development. Moreover, the detail of cycle parking provision, including the appropriate storage and location, would be dealt with via condition and as part of any subsequent reserved matters application.

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

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

10.9.8 The applicant has not supplied details of EV parking to serve the residential part of the development. However, as this is an outline application, details as to the provision, location of EV charging and associated infrastructure would form part of any future reserved matters application. Moreover, Part S (Infrastructure for the charging of electric vehicles) of the Building Regulations came into force from 15th June 2022. This also requires the provision of EV charging infrastructure for residential developments, so there would also be a requirement to provide EV charging facilities at Building Regulations stage as well.

Office Development

10.9.9 The Council's Parking Standards SPD stipulates that 1 parking space per 30m² of gross floor area are required. Taking this standard into consideration, as the proposal seeks to create 11,059sq.m of office floorspace. This equates to a parking requirement of 369 parking spaces.

10.9.10 Notwithstanding the above, the application site is located in non-residential accessibility zone 1. As such, the base car parking standard can be reduced to between 0% to 25% of the maximum number of parking spaces which are required to serve this development. Using this calculation, there would be a requirement to provide between 0 spaces to 93 spaces. The indicatively layout, which was amended prior to the adoption of the current Parking Standards SPD, seeks to provide approximately 177 spaces (including 10 disabled and 10 motorcycle spaces). This would exceed the level of parking which is required for this development. However, given this is an outline application, as part of any future reserved matters application, a lower car parking provision can be secured in accordance with the adopted standards. Consequently, this reduced parking requirement would provide further flexibility to inform the detailed design.

10.9.11 Turning to disabled parking, the minimum disabled parking standards would require individual bays for each disabled employee plus 5% of total capacity for visiting disabled motorists. There would also be a further requirement of enlarged standard spaces (flexible spaces) at 5% of total capacity spaces for future provision. This would equate to a requirement of 10 spaces. The applicant has set out in their application submission that the scheme would meet the relevant disabled parking standards, with further detail of disabled parking provision dealt with at the reserved matters stage.

- 10.9.12 For powered two wheel vehicles the standards set out that around 5% of the total stock of publicly accessible vehicle spaces to be for motorcycles. This would equate to a requirement based on the current illustrative scheme of 5 spaces. However, details of the parking layout for powered two-wheeler would also form part of the consideration of any future reserved matters application.
- 10.9.13 With respect to cycle parking for offices, there is a requirement to provided 1 long-term space per 500 sq.m plus 1 short term space per 1,000 sq.m of Gross Floor Area. As this application is in outline, a sufficient level of secure cycle parking provision would be dealt with via condition and any subsequent reserved matters application. However, it is important to note that the building as indicatively shown is of a sufficient size to accommodate the necessary cycle parking provision in any event.
- 10.9.14 In relation to electric vehicles for the office development, the same standards apply as detailed in paragraph 10.9.7. As no details have been provided for the office development on EV parking, this aspect of the scheme would also be dealt with at the reserved matters stage. Moreover, as set out in paragraph 10.9.8, commercial developments also have to meet Part S requirements under Building Regulations as well.

10.10 Highway implications

- 10.10.1 The application site is currently accessed of Maxwell Road which is an unclassified local road taken off of Gunnels Wood Road (A602). The site currently has three vehicular access points off Maxwell Road. The first access point as you come into Maxwell Road currently serves the FIRA building. The second access point serves the offices within the Service Line building, the residential property known as Broomin Green Farm and the veterinary clinic. The final access, which comes off the turning head at the end of Maxwell Road, serves a surface car park which is located to the rear of the veterinary clinic.
- 10.10.2 The proposed development, as set out in this outline application, seeks to stop up the vehicular access which currently serves the car park located to the rear of the veterinary clinic. The reason for this is as set out in the indicative site layout plan, part of residential block 1, residential block 2 and the car parking area serving this block would sit on the footprint of the existing car park. Turning to the central access which currently serves Serviceline, Broomin Green Farm and the veterinary clinic, this road would be upgraded to serve the residential part of the development scheme. The road, as detailed on the submitted plans would have a bell mouth measuring approximately 20.15m with the main internal road measuring approximately 5.67m. With this in mind, the access road has been designed to ensure there is a sufficient width to accommodate two-way traffic. It has also been designed to ensure the road can accommodate, for example, refuse collection vehicles and emergency service vehicles.
- 10.10.3 Turning to the first access as you come into Maxwell Road, this road would be upgraded to serve the new office development. The road would have a similar sized bell mouth and internal width to the road which would serve the residential development. As such, the road is of a sufficient size to accommodate two-way traffic, refuse vehicles and heavy goods vehicles. In terms of manoeuvrability, the applicant has undertaken a swept path analysis of the road to ensure it can accommodate large vehicles (such as refuse collection vehicles). These swept path analyses have demonstrated that vehicles can safely manoeuvre within the site and exit in a forward gear. Consequently, the upgraded roads in terms of their geometry and design would be in accordance with the Department for Transport (DfT) Manual for Streets. In addition to this, the proposed vehicle access points would have adequate visibility splays in accordance with Manual for Streets as well as Hertfordshire County Council's Road in Hertfordshire Design Guide (2011). As such, Hertfordshire County as Highways Authority consider the proposed vehicle accesses to be acceptable.

- 10.10.4 However the aforementioned is subject to a condition on internal visibility splays to ensure there is adequate visibility for drivers entering or leaving each individual site. In addition, the Highways Authority have suggested a condition relating to parking and turning to ensure the permanent availability of parking and manoeuvrability area in the interests of highway safety.
- 10.10.5 With regard to the proposed cycle and pedestrian access, the proposed development seeks to provide two pedestrian crossings on Maxwell Road in order to connect the site with the nearby footpath network. In addition, the proposed seeks to provide pedestrian and cycle access at the southern end of the site from Fairlands Way. The access points have been considered to be acceptable in principle by Hertfordshire County Council (HCC) which has advised that that these new access links, being outside the site boundary, would be dealt with via condition. Furthermore, a condition is also to be imposed requiring resurfacing of existing footways along the sites northern boundary.
- 10.10.6 In assessing traffic generation, the applicant's transport consultant has produced a transport assessment which incorporates details of proposed traffic generation for weekdays. The assessment also comprises of a future year assessment model in order to inform the potential future impact of the development on the surrounding highway network. In regards to the traffic generation, the peak periods, the assessment focused on were 08:00-09:00 AM and 17:00-18:00 PM. In addition, the Transport Assessment also provides daily trip generation calculations as well (07:00AM to 19:00PM). The model utilised to predict the amount of traffic which would be generated was via TRICS (Trip Rate Information Computer System). This assessment looked at the level of traffic the existing development generates and then assesses the level of traffic which would be created by the proposed development.
- 10.10.7 Looking at the existing office space which is 3,456sq.m in floor area, this generated in the AM peak 83 two-way trips (76 inbound and 7 outbound) and in the PM peak 69 two-way trips (7 inbound and 62 outbound). In terms of daily trip movement, the existing offices have 475 two-way vehicle movements (239 inbound and 236 outbound). In regards to the veterinary surgery which is 472 sq.m in area, this generated in the AM peak 21 two-way trips (13 inbound and 8 outbound) and 24 two-trips (10 inbound and 14 outbound) in the PM peak. In regards to daily trip movements, there are currently 298 two-way trips (148 inbound and 150 outbound)
- 10.10.8 There are therefore currently in the AM peak 104 two-way trips (89 inbound and 15 outbound) and 93 trips (17 inbound and 76 outbound) in the PM peak. In terms of total daily trips, there are currently 773 two-way vehicle trips (387 inbound and 386 outbound). It can therefore be calculated that there are 1.73 vehicle trips every minute in the AM peak and 1.55 trips every minute during the PM peak. With respect to daily trips, this equates to 0.5 inbound trips per minute and 0.53 outbound trips per minute.
- 10.10.9 Dealing now with the proposed development and specifically the residential part of the development, the TRICS assessment identifies that in the AM peak, there would be 23 trips (6 inbound and 17 outbound) and in regards to the PM peak, there would be 30 trips (19 inbound and 11 outbound). In regards to daily trip generation, there would 157 inbound trips and 143 outbound trips. Looking at the trip rates for the proposed office part of the development, with 190 car parking spaces, it is estimated there would be 70 two-way trips in the AM Peak (57 inbound and 12 outbound) and in the PM peak, 60 two-way trips (9 inbound and 51 outbound). In terms of daily trips, there would be 280 inbound and 278 outbound (558 daily trips).
- 10.10.10 Therefore, there would be a total of 94 two-way trips in the AM Peak (63 inbound and 29 outbound) and in the PM peak, there would be 90 two-way trips (28 inbound and 62 outbound). In terms of daily trips, there would be 437 inbound and 427 outbound (864 trips in total). It can therefore be calculated that there would be 1.56 trips every minute in the AM peak and 1.5 trips every minute in the PM peak. With respect to daily trips, this equates to 0.60 inbound trips per minute and 0.59 outbound trips per minute.

- 10.10.11 Looking at the existing and proposed levels of traffic generation, in the AM Peak, it has been demonstrated that there would be a reduction of 26 inbound vehicle movements but an increase of 14 outbound vehicle movements. As such, there would be a net decrease of 10 two-way vehicle movements. In relation to the PM peak, there would be an increase of 11 inbound vehicle trips but a decrease of 14 vehicle outbound trips. This results in a reduction of 3 two-way vehicle movements. In regards to daily traffic generation, there would be an increase over the existing situation of 50 inbound movements and 35 outbound movements, in total; an additional 85 two-way movements. Therefore, it is evident that the proposed development would only result in a marginal increase in two-way vehicle movements. The reason for this is because the restriction on the number of parking spaces in the office development has a positive impact in terms of traffic generation. In addition, there is a reduction in the number of vehicles travelling to and from the site during peak travel periods.
- 10.10.12 In regards to trip distribution, there is only one way traffic can enter and egress the site. This is travelling southbound along Gunnels Wood Road into Maxwell Road and when leaving the site vehicles would egress onto the southbound carriageway of Gunnels Wood Road. However, due to the limited increase in vehicle movements to and from the site, it is not considered the development would affect the flow of traffic along Gunnels Wood Road. However, and as set out in the Transport Assessment, Keep Clear Markings shall be located on the A1072 Gunnels Wood Road near the junction with Maxwell Road. This is in the interests of highway safety and to ensure the safe and free flow of traffic.
- 10.10.13 With respect to accident data, the applicant has provided personal injury collision data for the last five years. The collision statistics submitted do not reveal any reoccurring problem, or patterns on the nearby local highway road network. The applicant has also conducted a Stage 1 Road Safety Audit (RSA) (in accordance with Manual for Streets) on the proposed off-site highways works in connection with the redevelopment of the site. These highways include the new pedestrian crossing on Maxwell Road, the two new vehicle access points as well as new sections of footway to the eastern and western footpaths which are outside the site boundary.
- 10.10.14 Taking the traffic modelling into consideration, Hertfordshire County Council as Highways Authority has considered that the development would result in a nominal increase in vehicle trips to the development as a whole, but this would not be such as to prejudice highway safety. In addition, they consider the Stage 1 Safety Audit to be acceptable in accordance with the County Council's Highways Design Guidance. In addition, they consider the collision statistics do not reveal any reoccurring problems on the local highway network.
- 10.10.15 In order to ensure that the opportunities to use sustainable transport are taken up and to help improve traffic conditions at the site and the immediate surrounding area, there would be an encouragement towards the use of local buses as well as the local cycle network in order to encourage a modal shift away from the private car. The County Council consider the bus services to be viable and able to support the development. Given this, a condition would be imposed requiring bus stop improvements including provision of raised Kassel kerbing, shelter and a bench at the existing southbound bus stop in Cavendish Road. In terms of highway safety during the construction phase of development, the Highways Authority have recommended conditions be imposed requiring details Construction Traffic Management Plans be submitted prior to the commencement of any development.
- 10.10.16 In regards to travel plans, whilst a draft Travel Plan has been submitted, it is recommended that detailed travel plans for both the commercial and residential developments are submitted to the Council for its written approval. As such, this would be secured via a condition. In terms of monitoring and evaluating the Travel Plans, HCC as Highways Authority have recommended a financial contribution is secured as part of any legal agreement. In relation to construction traffic, HCC Highways have recommended that if planning permission were to be granted, that a condition be imposed requiring the applicant to prepare a Construction

Traffic Management Plan. This will ensure that construction traffic does not cause any issues with the safety and operation of the highway network.

10.10.17 With respect to potential issue of vehicles parking along Maxwell Road which could have a detrimental impact on the safety and operation of the highway, Hertfordshire County Council has recommended a condition be imposed for the provision of a Traffic Regulation Order (TRO). The TRO will include parking and waiting restrictions in the form of double yellow lines that are required in improving accessibility. In terms of existing access points which are to be stopped up in order to facilitate the delivery of the development, this would also be dealt with via condition as recommended by the Highways Authority.

10.10.18 Turning to the comments set out by the Council's Traffic and Enforcement Manager, he recommends that if the residential road is to be adopted a financial contribution should be sought for the drafting and preparation of a TRO. This is because Maxwell Road currently has a single yellow line to prevent commuter parking. The road is also subject to an overnight and weekend ban on parking by commercial vehicles of more than 5 tonnes/seating of more than 12 passengers. As the roads are not to be adopted, there will not be a requirement for the drafting of a TRO as this would be managed by a Management Company which would be secured as part of the S.106 agreement.

10.10.19 In summary, subject to a S106 Agreement securing the relevant financial obligations and the imposition of conditions, the proposed development as advised by Hertfordshire County Council would not have a detrimental impact on the safety and operation of the highway network.

10.11 Development and Flood Risk

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

10.11.2 The sustainable drainage system is based on attenuation and restricted discharge, via a Hydrobrake at 2.5l/s which is very close to the greenfield run-off rate for the site. The applicant has provided a technical note detailing justification and the provision of this. Following consultation with Hertfordshire County Council as Lead Local Flood Authority (LLFA), they advise that as the scheme is in outline, the applicant will still be required to provide a detailed attenuation system as well as details of Suds management. Consequently, if permission were to be granted, the LLFA recommend the following conditions be imposed:-

- A scheme that manages surface water run-off and surface water-risk;
- Secure the principles of the drainage scheme;
- Final detailed drainage proposals; and
- Post construction management and maintenance.

10.11.3 The LLFA request that should planning permission be granted, they wish to be consulted on the reserved matters application in line with the suggested conditions. Once these reserved matters are approved, the applicant will need to provide the final detailed drainage strategy as part of the recommended surface water conditions.

10.11.4 The LLFA also recommended that the Council obtains a maintenance plan that explains and follows the manufacturer's recommendations for maintenance or follows the guidelines explained in the SuDS Manual by Ciria. A maintenance plan should also include an inspection timetable with long term action plans to be carried out to ensure effective operation and to prevent failure. The requirement can also be secured by way of condition if the Council is

minded to grant planning permission.

10.12 Impact on the environment

10.12.1 The application site, as identified in the applicant's Phase 1 Geo-environmental Desk Study, sets out that prior to the site being developed out in the 1960s the site was part of open fields with a farm immediately to the south. The site currently comprises of three separate commercial/light industrial units. These include the FIRA test facility, offices operated by Serviceline Ltd and a veterinary practice. The site also comprises areas of hardstanding which serve as surface car parking areas and service roads.

10.12.2 The report submitted by the applicant, based on their findings recommended the following:-

- A Phase 2 contamination assessment is required at the site in order to confirm whether or not the identified potential contamination sources are valid; and
- For any form of the development, it is recommended that an intrusive ground investigation is undertaken in order to confirm ground conditions and allow design of the new structures.

10.12.3 Following consultation with the Council's Environmental Health Section, it is considered that whilst there are contaminants on this site. The recommendations set out in the applicant's Geo-environmental Desk Study are considered to be acceptable, however, it is recommended that a condition be imposed that in the event of potential contaminants being identified, the applicant undertakes the appropriate investigation and needs to submit a remediation strategy to the Council for its written approval.

Groundwater

10.12.4 The application site is located within Source Protection Zone 1 for potable water supplied and is within 120 metres of an abstraction borehole used to supply water for human consumption. Following consultation with the Environment Agency, due to the potential risks the development poses on groundwater sources, they recommend a number of conditions be imposed if planning permission were to be granted dealing with contamination, method of construction and managing boreholes.

Air Quality

10.12.5 Policy FP7 of the adopted Local Plan (2019) states that all development proposals should minimise, and where possible, reduce air, water, light and noise pollution. Looking at air quality and air pollution specifically, The Air Quality Annual Status Report (ASR) 2019 by Stevenage Borough Council identifies that the development site is not located within or in close proximity to an Air Quality Management Area (AQMA). In terms of Air Quality in the nearby area surrounding the development site, the nearest diffusion tubes and their readings in the aforementioned Report are as follows:-

- Tube 11 (Newlyn Close) – 19.2 NO₂ µg/m³;
- Tube 22 (Townsend Mews) – 23.2 NO₂ µg/m³

The data above shows that the readings do not exceed the NO₂ annual mean objective of 40µg/m³. This generally shows that the Air Quality in the area is within national guidelines.

10.12.6 The air quality assessment undertaken by the applicants consultant (Report prepared by SLR dated March 2021, report reference:- 410.09084.00002 rev 1) focuses on both the demolition/construction phase and operational phase of the development. Dealing with the construction phase, it is noted that there would be activities which will affect local air quality. These include dust emissions and exhaust emissions from plant, machinery and construction traffic.

- 10.12.7 In order to mitigate the construction phase, the applicant would look to develop and implement a stakeholder communication plan that includes community engagement. They would also look to implement a Dust Management Plan (DMP) which would form part of a Construction Environmental Management Plan (CEMP) which will also include the recording of any complaints and to identify causes in order to take action. They would also monitor the site daily through visual inspections, which will also include receptors outside of the respective construction sites. There would also be regular inspections to ensure compliance with the DMP along with planning the site layout in order to locate dust generating activities as far as possible from nearby receptors. There would also be the use of solid screens around dusty activities and stockpiles along with keeping scaffolding and barriers clean.
- 10.12.8 There would also be a requirement to remove all dusty materials from the site as soon as possible along with the introduction of speed restrictions. In addition, there will be a requirement for vehicles to switch off engines when stationary, avoid the use of generators where possible, and produce a logistics and sustainable travel plan in order to reduce the number of construction vehicles on the road. They would also put in place measures relating to cutting, sawing and grinding to reduce dust emissions along with the use of enclosed chutes, conveyors and skips and use of suitable dust suppression measures on site. There would also be a number of other measures implemented during the demolition and construction phases of development.
- 10.12.9 Following consultation with the Council's Environmental Health Section, they do not raise any concerns with the proposed mitigation measures to be put in place during construction. However, a condition would be imposed requiring the submission of a CEMP to ensure the overall measures taking place during construction do reduce any impact in terms of air quality on the local environment. With regards to the operational aspect of the development, the air quality modelling undertaken by the applicant demonstrates that air quality would meet the annual and hourly NO₂ objectives throughout the proposed development and at adjacent off-site receptors. The modelling has indicated that the emissions from the operational traffic would give rise to a very limited rise in NO₂ emissions which in accordance with IAQM/EPUK guidance is identified as having a negligible impact at all receptors in the area. As such, the need for additional mitigation has not been identified as being required. As such, the Council's Environmental Health Section has not raised any concerns with respect to the operational impact the development would have on air quality.

Noise Pollution

- 10.12.10 With respect to noise, Policy FP8: Pollution Sensitive Uses stipulates that planning permission for pollution sensitive uses will be granted where they will not be subjected to unacceptably high levels of pollution exposure from either existing, or proposed pollution generating uses. Taking this policy into consideration, it is appreciated the application site does sit within a commercial environment so there is already a significant amount of background noise generated by traffic, plant and equipment, pedestrians and residents as well as the operation of existing businesses. Consequently, these noise sources could have an impact on the future amenities of the future residents of the development as well.
- 10.12.11 Dealing firstly with the impact of noise from the construction phase of the development, it is recommended a condition is imposed on any permission issued requiring the submission of a Construction Management Plan (CMP). Through the CMP the hours in which noisy activities take place can be controlled as measures as ensuring relevant mitigation measures are put in place to minimise the impact of noise from construction activities. Moreover, once a CMP has been agreed by the Council, if a breach were to take place, it can enforce the condition accordingly. Consequently, the imposition of such condition is supported by the Council's Environmental Health Section.
- 10.12.12 Turning now to the proposed development itself and taking into consideration its general locality, it will be subjected to reasonably high road traffic and other environmental noise

(including noise generated by commercial operators at Cockerell Close such as Flamingo) which serves to mask many sources of neighbourhood and neighbour noise. As such, the residential aspect of the proposed development would be exposed to high levels of noise which is generated from the commercial operators and the local highway network. In addition to this, it is fully appreciated that the proposed development itself could cause harm to the amenities of the occupiers of Broomin Green Farm as well as other nearby residential properties.

- 10.12.13 Given the aforementioned, the applicant has submitted a revised Noise Impact Assessment along with an amended scheme. The scheme was amended in part to address the issues of noise which is generated by the commercial operations on Cockerell Close as well as noise from the nearby highway network. This assessment has been reviewed by the Council's Environmental Health Department and officers with careful consideration as to the effects of summer versus winter.
- 10.12.14 As identified from the Noise Impact Assessment by SLR (March 2022), identified that the northern and western facades of residential blocks would also be exposed to commercial site noise from those off-site commercial developments located to the north of the site. Such facades are better screened from road traffic sources reducing their masking internal background sound levels and were such as to place the commercial activities at risk of constraint contrary to the NPPF paragraph 187 national policy guidance. This problem is identified in the noise report and addressed through design and layout changes when compared to previous designs. The changes are such that no opening windows or doors are now potentially impacted. The revised approach to design change is apparent as it has adopted an approach which seeks to avoid land use policy conflicts.
- 10.12.15 In regards to the transport sources of noise in the locality, these cannot be constrained, for example through nuisance action and as a result can be suitably addressed through mechanical ventilation of the residential units such that windows can remain closed without compromising fresh air and cooling requirements. However, many such windows are also screened by the layout to the point natural ventilation will be effective in many locations.
- 10.12.16 Other potential noise issues such as plant noise emitted from the commercial part of the development and its local traffic generation can be readily addressed through control over the external elements of the commercial area and its operations such as hours of use / activity, use of the service road and external activity management. Planning conditions requiring a scheme of control (as suggested by the Environmental Health Department) over such plant and activity can be used to address this. In terms of the service road a condition requiring a prior use approved noise management plan can address this. This is needed to protect the existing residential development and part of the proposed development.
- 10.12.17 Unlike existing off-site commercial operations that could be impacted by the development, the new business part of the development does not involve triggering constraint over existing commercial use. Simply put, new plant at the commercial part of the site and that serving residential blocks should be subject to prior written approval of the planning authority through conditions (as suggested by the Environmental Health Department), which would be subject to demonstrating noise levels are not excessive or unsuitable. Suitable levels of noise are readily met for such a site and issues are highly unlikely to arise but addressed through condition.
- 10.12.18 In terms of vehicular activity serving the commercial part of the development and potentially impacting both existing and proposed residential use, this is readily controlled through a noise management plan controlling use of external areas and part of the site road. The likelihood of problems is not expected to differ significantly from the current site uses, which contains more diversely spread commercial buildings and use, subject to control over the service road adjacent Broomin Green Farm and Block 4 of the development. The controls can be simplistic

in design including times of use by goods vehicles, parking restrictions, including the exclusion of the operation of cooling plant and preventing movements by goods vehicles at night.

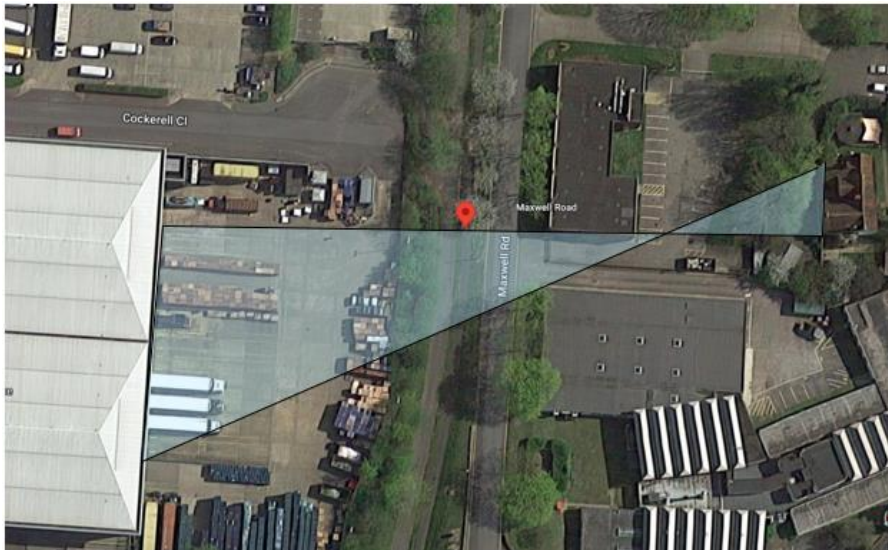
- 10.12.19 It can be concluded the degree of certainty that off-site commercial sources of noise are adequately mitigated at the development site residential openings due to the design adopted, is high. The risk of constraint upon existing commercial operations is not presented by this proposed development. Future transport noise levels are informed through predicted levels post development, especially where a development can change those levels due to screening effects along with changes to transport activity itself. Assessment is assisted through measuring the existing noise levels generated which has been undertaken and assessed in detail in the noise report in this case.
- 10.12.20 Measurements presented in the noise report demonstrate the area is subject to high levels of road traffic noise with major roads on two sides. Whilst the development itself will change the sound environment to a degree, the extent of road traffic noise and directions over which it emanates means proposed facades with operable windows and doors will remain impacted by high levels of road traffic noise. In turn this indicates the need for suitable noise mitigation of internal areas in many cases. In turn this indicates the need for mechanical ventilation to enable sufficient air exchange for summertime cooling and fresh air requirements / prevention of internal pollutant build up. There is therefore a need for a mechanical ventilation scheme relevant to each residential block. This is recognised in the SLR report and suitably discussed.
- 10.12.21 Background sound levels are identified as falling at night in a typical / expected manner and their differential with commercial sources will be exacerbated at new residential facades screened from the main road network and facing existing off-site commercial uses. Furthermore, external background sound level measurements outside facades can serve to overstate the level of internal masking noise when the external measurement location does not reflect the angle of incidence of any intruding sound upon those residential facades. They can be differentially reduced. This is a risk factor in this case. Notwithstanding the concerns identified above, the measurements provided do correctly reflect the methods as set out in BS4142:2014. Furthermore, none of the facades facing the existing off-site commercial uses now have operable windows or doors into residential rooms, thereby removing any concern over this point. This is a significant and positive change in the design that is supported.
- 10.12.22 Facades with operable windows and doors to residential rooms now directly face road traffic sources and, importantly, are substantially screened from the off-site commercial noise sources. The consequence is that transport based masking noise experienced internally will be higher than commercial noise sources when compared to any difference externally arising from predictions outside of those facades. In turn this element much increases certainty the commercial noise will not be of concern. A detailed analysis of commercial noise sources has been provided in the noise report including predictions of resulting noise using CadnaA and the ISO9613-2 methodology within the CadnaA software platform. It is not necessary to critique this assessment in detail nor the approach to low frequency noise adopted by the noise consultant, the latter of which did not find such sources. Critique is not needed as the margin provided below any potentially actionable noise level is substantial and fully accords with our own findings in similar cases at other sites. In other words predicted levels accord with expectation and furthermore those given are considered to overstate the already low risk.
- 10.12.23 Low frequency noise was not considered further in the SLR report as no such sources were identified. However, such sources could arise within the permitted nearby commercial uses and potentially could be considered further when looking at possible constraint of the existing off-site commercial developments. Notwithstanding this, the layout and form of development now proposed affords such levels of noise attenuation at operable doors and windows serving

habitable spaces within the proposed development, including within the low frequency bands, it is no longer a conceivable risk of adverse impact. This is due to the design and layout adopted. Further there is a significant margin afforded.

- 10.12.24A 6dB impulse rating penalty has been applied using BS4142:2014. This is agreed as appropriate and in line with values I have applied for similar operations. An overall rating of 10dB has been applied which is considered as high or more than required and therefore provides greater margin for adverse effects. This is considered high as observed tonal and impulse character content is commonly found to reduce significantly at well screened locations, as provided in this case. It is also further reduced due to the extreme angle of incidence of such sources on openings when going inside. It is therefore agreed a conservative form of assessment has been applied by SLR. 2.8 The SLR predicted adverse decibel rating level over background sound levels using BS4142:2014 was placed at +4dB at its highest. This is agreed and expected to be lower. Nuisance action below a rating excess of 10dB in such circumstances is, in my experience, unknown and not sustainable. This in turn gives a margin of not less than 6dB in a very worst case scenario. In reality the margin is much greater due to the application of high ratings in this case and disregard of increased reductions when going inside due to higher angle of incidence losses.
- 10.12.25 Taking the above into consideration, even when considered using a conservative assessment method, the resulting levels are significantly below any point that could potentially lead to constraint of existing commercial enterprises. It is agreed the risk of adverse impact is greatest at night and the worst case margins predicted in the noise report relate to this period. Modelling of noise using ISO9613-2 is limited in terms of the reductions it can include due to multiple screening effects. In other words in complex cases it can understate the reduction in noise. The standard limits screening effects to just two points obstructing a source to receiver line. In this case there are more points of obstruction which are therefore of added / unknown additional benefit. Whilst these cannot be calculated, it is reasonable to conclude actual attenuation will be greater than predicted. This further reduces uncertainty.
- 10.12.26 Road traffic noise is correctly assessed using the Calculation of Road Traffic Noise which is the method adopted in the UK. These serve to confirm both masking levels of noise and some areas where there is exposure to excess transport noise at facades. Various facades are south facing meaning there is increased solar gain and increased risks of overheating during the daytime. These facades also experience highest levels of transport noise. As a result the need for mechanical forms of ventilation has been identified in the noise report and this is consistent with the dual requirements of removal of internal pollutants and prevention of overheating in this case whilst mitigating the noise. The actual requirement for mechanical ventilation is on a room by room basis and this can be addressed by prior approval of a ventilation scheme type condition.
- 10.12.27 The noise report identifies a risk of some balcony areas as predicted to experience slight excess transport noise above recommended levels. Forms of mitigating this excess noise are discussed in the report and recognised as a means of further mitigating the noise. However, on balance this is not considered necessary. The provision of a balcony area with higher than desired noise is better in terms of the provision of a private and dedicated amenity space to an individual unit of accommodation than not having such an amenity space at all. One alternative is to omit the adverse affected balconies but this is not considered of any benefit. Mitigation of the noise within balcony areas is an option but with some adverse effects arising from enclosure or partial enclosure for what is a small reduction in noise levels. Whilst reduced noise is always beneficial, human desire for an open aerated external balcony area is often much greater. In summary it is not considered there is any need to require additional mitigation of these areas that provide greater benefit overall as an open space. It is agreed solid balustrades can be beneficial, especially where they then reduce noise entry to the internal rooms with balcony doors open. This aspect of the design is therefore supported but

it is not considered this should be a mandatory requirement for the balconies where excess noise is predicted.

- 10.12.28 It is agreed with the SLR report that commercial plant needed to address servicing the office building, cooling its space and to its car parking space can be addressed at a subsequent stage. This can readily be addressed without adverse impact arising or the need for design revisions. A scheme to address commercial noise required by a planning condition is proposed in Section 7.2 of the noise report.
- 10.12.29 The assessment does not address the risk of noise from the use of the service road and parking along it as well as the operation of vehicles on that road. There is potential for them to impact the proposed residential development, especially block 4 and also the existing Broomin Green Farm. This can however, be readily controlled by the imposition of a condition requiring the submission of and adherence to a noise management scheme for this area of the site, as approved by the planning authority prior to the commencement of the commercial use. In this regard, Environmental Health have suggested a condition includes a simple plan which is used for identification purposes only which identifies the area to which noise management over use would apply.
- 10.12.30 Dealing specifically with the concerns which has been raised by the occupiers of Broomin Green Farm, it is acknowledged that the biggest risk is from open delivery yards and the material handling noise which is the same in both the summertime and in winter. A separate risk is of low frequency noise from refrigeration plant and that can be higher in the summer. This risk can be assessed by working backwards. In other words how much noise is needed for it to be excessive within dwellings. Simply put, in this case, as now designed, levels could never be high enough at the Flamingo site to adversely affect the dwellings when considering normal plant and machinery. Furthermore, if they were they would adversely affect Broomin Green Farmhouse and more distant dwellings substantially more than the proposed development would be affected.
- 10.12.31 The existing industrial / commercial uses adjacent to the Farmhouse, before they became vacant, clearly presented a far greater potential issue of noise impact than offices. There is a lot of plant and whilst current use may not generate a lot of noise it is clear it could within the current permitted forms of use. With noise management of the road serving the offices this is not considered in the same league of potential adverse impact. When looking at summer plant noise increases, officers are satisfied that the level of protection afforded by the design is wholly sufficient to counter this.
- 10.12.32 The aerial shot below shows many existing yard activities at the off-site 24 hour depot are currently unscreened at Broomin Green Farm. The presence of some screening means some mobile sources of noise will rise and fall quite significantly. For example a reversing FLT would be reduced by screening until moving into an unscreened position leading to a sudden rise in levels at Broomin Green Farm. In contrast the new development is now continuously screened from all the activity.



- 10.12.33 In terms of distance a parked lorry as seen in the aerial photograph is about 130m from an unscreened window at Broomin Green Farm and 95 metres from the totally screened residential window in the proposed development. This distance difference means the noise reduces a further 2dBA to Broomin Green Farm due to distance but is not reduced by screening effects. In contrast this means provided the screening reduces the noise at the new development more than 2dB then it will be lower than at Broomin Green Farm. In actual fact the screening will reduce levels well in excess of 20dBA so 10 times the reduction compared to Broomin Green Farm. This means the constraining residential premises that could affect the off-site sources in order of priority is Broomin Green Farm followed by Mozart Court which is a further 2dB lower than the farm and with levels at the new development substantially (more than 14dB) less.
- 10.12.34 In simple terms there is a reduction of noise due to distance and screening. There are other factors but their influence is much less. A point source of noise will reduce about 6dB for every doubling of distance. So get four times the distance away and you will reduce the noise 12dB. Get eight times the distance away to reduce it 18dBA. Compare that to the screening of the new development in this case which reduces the noise more than 20dB. It can be seen screening is substantially more important in this case than source level and even if there is a degree of screening at distant dwellings, the differential is so great the development as proposed will not constrain the existing off-site uses; more distant property would.
- 10.12.35 Finally there is some argument of planning gain. The higher residential and commercial blocks compared to the current development will serve to reduce some of the transport noise from Gunnels Wood Road slightly improving the sound environment at the northern facing facades of Broomin Green Farm. There is also currently a yard area adjacent Broomin Green Farm to its western side which will no longer exist and the road replacing this will be subject to a noise management plan as suggested by Environmental Health. This will be secured by way of conditions if the Council was minded to grant planning permission.
- 10.12.36 Taking the aforementioned assessment into consideration, it can be deduced that through appropriate mitigation measures, the proposed development would not have a detrimental impact on the amenities of neighbouring residential properties, including Broomin Green Farm. For reference, the conditions which have been suggested by the Council's Environmental Health Department cover the following:

- a) A pre development planning authority approved scheme to address the forms of noise mitigation required at each residential block and the offices, including noise generated by any mechanical ventilation;
- b) A pre development planning authority approved scheme to address the provision of mechanical ventilation to enable use of all residential, and commercial units without reliance on opening windows and doors where external transport levels are excessive.
- c) A pre development planning authority approved scheme of noise mitigation of any fixed plant and machinery introduced by the development that could affect existing and proposed residential uses.
- d) A noise management plan, subject to prior approval before the commercial use commences and relating to the use of the external service road adjacent the office / commercial development of the site.
- e) A prior approved demolition and construction noise assessment and management plan condition is needed to address impact upon the existing residential property during the construction and demolition phases.

Light Pollution

10.12.37 In terms of light pollution, Policy FP7: Pollution of the adopted Local Plan (2019) requires all development proposal should minimise, where possible, reduce...light...pollution. Applications for development where pollution is suspected must contain sufficient information for the application to make a full assessment on impacts. Planning permission will be granted where it can be demonstrated that the development will not have unacceptable impacts on:

- a. the natural environment, general amenity and the tranquillity of the wider area which includes light pollution;
- b. health and safety of the public; and
- c. The compliance with statutory environmental quality standards.

10.12.38 It is important to note that the site is an operational employment site with associated veterinary clinics. As such, the premises which already operate from the development site create an element of light pollution from both internal and external lighting systems. Further to this, the site is also bordered by residential and commercial development along with a trafficked highway which comprises two arm lighting columns and a centralised light column on the roundabout. As such, the site is already affected by a level of background light.

10.12.39 Turning to the operational side of the development, the applicant has not submitted a detailed lighting strategy given the outline nature of the proposed development. However, to ensure that any external lighting does not prejudice highway safety or cause a substantive nuisance to neighbouring residential properties (including Broomin Green Farmhouse), a condition should be imposed to any permission issued. Details which will need to be provided as part of an overall lighting strategy will need to include:-

- Description of the proposed hours of operation (especially on the commercial building), lighting spillage and column heights;
- A layout plan (as this a Reserved Matter) of the proposed site showing beam orientation;
- Details of the proposed equipment design;
- Details of the expected impact on neighbouring properties and roads;
- A statement of any proposed measures to mitigate for the possible impact of the development (i.e. planting of trees, hedges and shrubs, which again would form part of any Reserved Matters application).

10.12.40 In terms of lighting associated with the construction aspect of the proposed development, this can be dealt with as part of a Construction Management Plan. This can be secured by way of condition if the Council is minded to grant planning permission.

10.13 Trees and landscaping

- 10.13.1 Policy NH5 of the adopted Local Plan (2019) states that development proposals will be expected to protect and retain individual trees within the development site and should include new planting where appropriate.
- 10.13.2 The development contains a number of trees. There are nine Norway Maples on the northern boundary with Maxwell Road, two small groups of Hybrid Black Poplars on the northern and eastern boundary along with a group of trees comprising Sycamore, Ash, Weeping Willow, Norway Maps and Lombary Poplar. These lie between the site and the northern boundary of Broomin Green Farmhouse. To the south-east of the site are two large leaved Limes and to the south-west is a Whitebeam and Norway Maple. Within the site, there is a group of trees comprising Norway Maple and a Walnut. There is also a hedgerow of Hawthorn and Beech which lies at the eastern site boundary.
- 10.13.3 Within context of the wider area, there is a linear wooded belt of trees which lie to the east of the site and this continues northwards, lying to the east of the industrial building currently occupied by Screwfix. The proposed development seeks to retain the majority of existing landscape features such as the off-site trees in proximity to the site boundary. The mature trees associated with the highways and cycleways would also be retained in order to soften views of the proposed development.
- 10.13.4 Notwithstanding the above, it is noted that the development, as detailed on the parameter plans, would result in the removal of 8 trees which are located on the western boundary of the site as well as some trees within the application site to the east. However, the trees identified for removal are generally considered to be of low value. Following consultation with the Council's Arboricultural Manager, he has not raised any concerns with regards to the removal of these trees.
- 10.13.5 In addition to the above, the Arboricultural Manager has also recommended additional works the developer will need to undertake in relation to a number of trees which fall outside the site boundary. The works which have been suggested are set out in paragraph 5.8.1 of this report.
- 10.13.6 Notwithstanding the aforementioned, the proposed trees identified for removal are only indicative as the scheme is currently in outline. As such, consideration as to the number of trees which are to be removed as part of any development would be considered as part of any reserved matters application. In addition to this, the works which have been suggested by the Council's Arboricultural Manager could also form part of any reserved matters application. In terms of landscaping and replacement planting (including trees), this would also be considered in more detail as part of any future reserved matters application which is submitted to the Council.

10.14 Biodiversity, Ecology and Protected species

- 10.14.1 The NPPF and accompanying Planning Practice Guidance requires the Council to achieve measurable net gains in biodiversity at development sites and across the Borough. To achieve a biodiversity net gain, a development must deliver a minimum of 10% net gain post development, when compared with the pre-development baseline. The Council's recently adopted Biodiversity SPD (2021) requires all major and minor applications other than the following exemptions currently suggested by the Government to demonstrate a net gain in biodiversity:
- i. Permitted development;
 - ii. Householder development, including extensions;
 - iii. Nationally significant infrastructure, which falls within scope of the Planning Act 2008;

- iv. Some brownfield sites with marginal viability and substantial constraints. It is expected that full details to be set out in secondary legislation, but considerations are likely to include where sites contain a high proportion of derelict land and buildings and only a small percentage of the site is undeveloped, land values are significantly lower than average, and the site does not contain any protected habitats; and
- v. Developments that would not result in measurable loss or degradation of habitat, for instance change of use of or alterations to building

10.14.2 The application site is identified as previously developed land and currently comprises of amenity grassland, ruderal and scrub vegetation, hedges, trees and shrubs, hardstanding and buildings. The wider environment is generally urban in nature comprising a mixture of residential, industrial and commercial buildings along with hardstanding, trees and amenity grassland. The applicant has undertaken a Phase 1 Habitat Survey to assess the potential for the site and adjoining habitats to have species that receive legal protection at either UK and/or European level. The survey comprised a desk top study from Hertfordshire Biological Records Centre and from the multi-agency Geographical Information for the Countryside (MAGIC). A field survey was also undertaken along with a Bat Survey.

10.14.3 The survey identified that there are no protected species such as birds, flora, invertebrates, mammals and reptiles within the application site. In terms of impact, as the development site is a considerable distance from any designated sites, it is considered that the proposed development would not have a detrimental impact on these sites. Consequently, it was concluded that the development site as a whole has a low ecological value.

10.14.4 In regards to birds, these are protected by the Wildlife and Countryside Act 1981. It is considered that there is a suitable foraging and nesting habitat on the site, particularly within the trees and potentially in the flat roofed areas of the buildings. Notwithstanding this, as birds are protected, a condition would be imposed to protect nesting birds and for trees to only be removed at certain times of the year.

10.14.5 Given the above, it is considered that the proposal would not have a detrimental impact on protected species, both flora and fauna. However, the ecology report does recommend that a condition be imposed for a breeding bird survey for Black Redstarts be carried out, one in May and one in June. In addition, it recommended that the hedges are retained where possible to provide continued nesting and foraging habitats for birds and foraging lines for bats. In this regard, as landscaping is a matter which is reserved, the Council can seek to ensure sufficient hedging is retained as part of any landscaping strategy for the development. It is also recommended a condition be imposed requiring details of bird boxes to be agreed in writing by the Council, and thereafter, to be installed in accordance with the approved details.

10.14.6 Finally, it is also recommended that the use of brash or log-piles could be created at the edge of the site to provide wildlife stacks for invertebrates and small mammals. In addition, as part of any boundary treatment, any close board fencing should have hedgehog gaps placed in them to allow them and other small mammals' access throughout the site.

10.14.7 Following consultation with Herts and Middlesex Wild Life Trust (HMWT), they consider that as the site has a low ecological value, they do not consider there will be any significant, meaningful or measurable loss of biodiversity as a result of the development. This is because the biodiversity metric of the habitats identified on the site are so low that they are not deemed as meaningfully measurable. With regards to the biodiversity enhancements suggested by the applicants Ecologist, due to the location of the site they do not consider these measures as appropriate. However, they do agree that the proposed swift boxes are appropriate. As such, the Trust advise that if permission were to be granted a condition should be imposed requiring the suitable provision of swift boxes across the development site.

10.15 Other Matters

Sustainable construction and climate change

- 10.15.1 Policy FP1 of the adopted Local Plan (2019) stipulates that planning permission will be granted for development that can incorporate measures to address adaptation to climate change. New developments will be encouraged to include measures such as:
- Ways to ensure development is resilient to likely variations in temperature;
 - Reducing water consumption to no more than 110 litres per person per day, including external water use;
 - Improving energy performance of buildings;
 - Reducing energy consumption through efficiency measures;
 - Using or producing renewable or low carbon energy from a local source; and
 - Contributing towards reducing flood risk through the use of SuDS or other appropriate measures.
- 10.15.2 Taking the aforementioned policy into consideration, the applicant has not provided details of how the development would be adaptable to climate change. This is due to the application being in outline form. Therefore, if planning permission was to be granted, a condition can be imposed to any permission issued requiring the applicant to submit details of measures they will utilise to ensure the development is made adaptable to climate change. These details would have to be agreed in writing by the Council as the Local Planning Authority.
- 10.15.3 Turning to sustainable construction, Hertfordshire County Council as Minerals and Waste Authority recommended the applicant submit a SWMP (Strategic Waste Management Plan). This is to ensure that materials used in construction consist of the development are properly recycled where possible. It is recommended that if planning permission were to be granted, a condition could be imposed requiring the applicant to submit a SWMP prior to the commencement of development.
- 10.15.4 Given the above, and subject to conditions, it would ensure the development is designed in order to be adaptable to climate change as well as ensure a suitable waste management plan is provided.

Waste and Recycling

- 10.15.5 The Design Guide (2009) states, provision should be made within new development for the storage and collection of waste from a site. The submitted plans indicate that there would be sufficient refuse facilities which will serve the proposed residential properties and commercial offices. Notwithstanding this, further details for refuse and recycle facilities would be dealt with at any subsequent reserved matters application which would have to be submitted in the future.

Crime Prevention/anti-social behaviour/security

- 10.15.6 In regards to crime prevention and designing out crime, whilst the concerns of the Police Crime Prevention Officer are noted, this scheme is in outline with detailed matters on layout, landscaping and appearance, including matters such as Secure by Design can be dealt with in greater detail at the reserved matters stage of the application process. Furthermore, matters around Secure by Design can also be dealt with as part of any future Building Regulations approval under Part Q. Notwithstanding this, an informative can be imposed to any decision issued to require the applicant to engage with the Police Crime Prevention Advisor in regards to Designing out Crime.
- 10.15.7 It is noted that concerns have been raised by local residents that the development could have an impact on their security. In addition, they have raised concerns that the development could generate issues of anti-social behaviour. Concern has also been raised with respect to the

pedestrian access which will exit the cycle track and terminate near the farmhouse entrance and that this would cause a security issue. Taking this into consideration, there is a requirement under the NPPF to design out crime.

- 10.15.8 Taking the above into consideration, whilst the plans are indicative, they do provide sufficient detail to show how the development would address crime and the fear of crime (including safety concerns). Firstly, the buildings comprise of dual frontages with windows carefully positioned to overlook pedestrian, cycle and vehicular access points. Dealing specifically with the concern around security, the closet residential block as windows positioned so to overlook the access pathway as it traverses from the cycle track into the development site. Further to this, as it will enter into the central area of the residential area of the site, it would be overlooked by the surrounding residential blocks.
- 10.15.9 Notwithstanding the above, it firstly must be emphasised that the access points at the southern end of the site were at the request of Hertfordshire County Council as Highways Authority. Secondly, the access drawing that would be approved, if the Council was minded to grant planning permission, does not detail these access points to the south, only the illustrative masterplan which will not form part of the approval. Consequently, these access points would be dealt in detail as part of any future reserved matters stage.

Loss of existing employers

- 10.15.10 An assessment has been undertaken with regard to loss of existing premises in terms of their established planning use. This assessment is referred to in more detail in the Land Use Policy Considerations section of this report.
- 10.15.11 Separately, it is important to note that Element FIRA International Ltd recently sought planning permission (20/00548/FPM) to utilise Unit B3, Cockerell Close, Stevenage as their new site of operations. This application was granted planning permission by the Council on 9th December 2020. Therefore, it is evident that FIRA would continue to operate within Stevenage and would thus, see the retention of a key employer within the town.
- 10.15.12 Turning to the development at the Icon site on Lytton Way, it is important to note that this site is not designated in the Local Plan (2019) as employment land. In addition, this site has been vacant for a number of years with no real prospect of the building being re-occupied for employment based purposes. This is mainly down to the fact that its layout comprises of long, thin areas of office, which are difficult to arrange efficiently. On the 15th July 2022, the Planning Inspectorate (Appeal Reference:- APP/K1935/W/20/3255692) allowed the Appeal and resolved to grant planning permission for the re-development of the site for residential purposes. In reference to the building itself, the inspector stated in their decision letter (paragraph 27):

“there is no demand for the existing building for employment use. This appears to be the result from the attenuated layout and associated inefficiency of its office spaces, but also its very quality. While the loss of the existing building would be unfortunate, in the absence of any realistic commercial and practical interest in the existing buildings re-use, it appears inescapable”.

- 10.15.13 Given the above, the building has been identified as not being fit for purpose to accommodate a commercial use. As such, this is why the building has remained vacant for a number of years and not necessarily down to the market.
- 10.15.14 Turning to the issues raised about the loss of office floorspace through permitted development, firstly where an office does not fall within an area which is governed by an Article 4 Direction, there is no restriction on someone applying for prior approval to convert these offices in residential dwelling units. In terms of the office buildings themselves which have been converted, Brickdale House for example was formally let to the Land Registry until

they moved their offices to Leicester. In relation to other offices which have been converted to residential development, a number of these buildings are dated and do not have efficient designs in order to operate a modern office.

10.15.15As set out earlier in the report, the Council has a shortfall in employment floorspace it cannot meet. Therefore, the new commercial development would help to increase the level of employment floorspace being provided within the Borough. In addition, and as set out above, the majority of the offices which have been lost and converted are no longer considered fit for purpose as deemed by the market. As such, these buildings have been converted to residential dwellings through permitted development regulations.

Demand for offices and flats

10.15.16The issue of demand for offices and flats is a planning matter as it relates to the issue of need. In terms of employment, the adopted Local Plan (2019) identifies that there is currently a significant shortfall in employment floorspace and that there is not sufficient land within the Borough to accommodate all the identified growth. As such, the scheme, whilst it would result in the loss of some employment land, will see a significant increase in the amount of employment floorspace over and above the current situation.

10.15.17With regards to the reference made to the number of flatted developments coming forward. It is evident that such developments are in keeping with the council’s regeneration aspirations for the New Town. Moreover, the evidence base which supports the local plan identifies that there is a need for smaller properties such as 1 and 2 bedroom flats. As such, this development would meet the identified needs as found in the evidence base which supports the Local Plan.

Community Infrastructure Levy

10.15.18As indicated above, the Council adopted CIL on 1 April 2020 and the CIL Charging Schedule specifies a payment for new floorspace in line with the following rates (plus appropriate indexation):

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

10.15.19CIL is a non-negotiable charge. The exact charge will be determined by the Council’s CIL officer after an application has been granted in accordance with the CIL Charging Schedule and the Community Infrastructure Levy Regulations 2010 (as amended). Opportunities for relief or exemption from the CIL charge exist and will be taken into account in the calculation of the final CIL charge.

10.15.20CIL replaces the need for S106 agreements to specify financial and/or land contributions for non-site-specific infrastructure projects. This allows infrastructure to be planned on a borough-wide scale rather than on a site-by-site basis as mitigation against the impacts of

individual proposals. A CIL Form 1: Additional Information has been submitted along with the application. The CIL contribution for this development is estimated to be £308,220.00. A CIL liability notice would be issued once planning permission is granted (subject to the Planning and Development Committee approving this application). In terms of CIL liability for the later phases of the development, these would be calculated during the determination process of each reserved matters application which is submitted to the Council for its approval.

10.15.21 The reason why the aforementioned is an approximate/estimate is because the CIL liability is calculated in relation to outline planning permission on approval of the reserved matters taking account of whether any exemptions are to be applied (e.g. there is no CIL liability for affordable homes so CIL liability is reduced). In addition, as we do not know the exact floorspace figures for the development as these would be confirmed at reserved matters stage. As such, the CIL liability calculation would be undertaken when the relevant reserved matters application is submitted to the Council for its approval.

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

10.15.23 As The office building would not be in a retail use it would therefore would be liable for CIL at £0m² as 'other development' under the CIL charging schedule. In order to exempt the applicant from paying the higher rate of CIL, the use of the building would need to be restricted in accordance with the respective employment uses sought under class E(g)(i) (an office to carry out any operational or administrative functions) of the Town and County Planning (Use Classes) (England) Order 1987. This can be done by way of a planning condition, should planning permission be granted.

Equality, Diversity and Human Rights

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

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

10.15.26 Rigorous consideration will ensure that proper appreciation of any potential impact of that decision on the Council's obligations under the Public Sector Equalities Duty. As a minimum this requires decision makers to read and carefully consider the content of any Equalities Impact Assessment (EqIA) produced by officers.

10.15.27 The Equalities Act 2010 requires the Council when exercising its functions to have due regard to the need to (a) eliminate discrimination, harassment, victimisation and other conduct prohibited under the Act; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and (c) foster good relations between persons who share protected characteristics under the Equality Act and persons who do not share it. The protected characteristics under the Equality Act are: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion and belief; sex and sexual orientation.

10.15.28 In terms of inclusive access, whilst this application is an outline application with all matters reserved excluding access, it would be expected the development would have to be DDA (Disability Discrimination Act) compliant. So at the reserved matters stage, the applicant will

be required to provide detailed designs of building access into the relevant buildings. In addition, in accordance with Policy HO11: Accessible and Adaptable Housing of the adopted Local Plan (2019), as this is a major scheme at least 50% of all new dwellings will need to be category 2: accessible and adaptable dwellings. Therefore, the detailed design of the proposed residential element of the development would be expected to meet this requirement when a formal reserved matters application is submitted in the future.

10.15.29 The scheme would also be required to provide the necessary disabled parking provision in accordance with the Council's adopted Parking Standards SPD (2020). Whilst details of these spaces would be provided at reserved matters stage, the bays will need to meet the relevant size standards and located in appropriate locations across the development.

Fire Safety

10.15.30 Hertfordshire County Council Fire and Rescue advise that a fire hydrant will be required to serve the development. This would be secured as part of any Section 106 Legal Agreement.

11. PLANNING BALANCE AND CONCLUSIONS

- 11.1 In summary, it can be deduced that the proposed commercial building would broadly align with the requirements of Policy EC4 of the adopted Local Plan (2019) if it was used for research and development or light industrial. However, the development as a whole would fail to accord with Policy EC4. This is because the residential aspect of the development, being located on designated employment land, conflicts with the requirements of Policy EC4. This is because it removes a portion of land which could come forward for employment purposes. In addition, there would be a loss of some of existing employment floorspace in order to deliver the residential aspect of the scheme and the employment potential these would bring if they were occupied.
- 11.2 The scheme also conflicts with Policy GD1, specifically criterion 'e', because the development will have an impact on the amenities of the occupiers of Broomin Green Farmhouse specifically in relation to sunlight and daylight of the kitchen area which currently forms a multi-functional purpose for the owners of this property as referenced in their objections.
- 11.3 Turning to the impact on the heritage asset of Broomin Green Farmhouse, due regard has been given to Section 66 of the Listed Building Act 1990 in terms of considering whether to grant planning permission for development which affects the setting of the listed building, where special regard, with respect to this application, is given to the desirability of preserving the setting which it possesses. As set out in section 10.4 of this report, it has been demonstrated that the development would cause, at the lower end of the scale, less than substantial harm to the setting of the listed building.. Consequently, regard must be given to paragraph 202 of the NPPF stipulates that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. These are public benefits are considered in section 10.4 of the report and in further detail below as part of the Planning Balance exercise.
- 11.4 In addition to the above, the proposal would also result in the loss of a non-designated heritage asset i.e. the FIRA building. Consequently, regard must be given to paragraph 203 of the NPPF which sets out, and as references earlier in the report, "*The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset*".

- 11.5 Taking the above into consider, whilst there are a number of policy conflicts, the scheme having been identified as having less than substantial harm at the lower of the scale, to the setting of the listed building, and the loss of non-designated heritage asset, there is nevertheless, a number of a planning benefits which weigh in the schemes favour. There would be a significant uplift in the amount of employment floorspace of 68.7% over and above what is currently provided on Maxwell Road. Moreover, the proposed development would generate a significant amount of jobs both in its construction and in the long term. Given there is a significant shortfall in employment provision as identified in the Local Plan (2019), the uplift in employment floorspace combined with the jobs which would be created would have substantial weight.
- 11.6 In terms of the residential aspect, it would provide 80 residential units. In doing so, it would support the Government's aim expressed in paragraph 60 of the Framework to significantly housing supply. Local Plan policy SP7 identifies the need for 7,600 new homes over the local plan period which, as set out earlier in the report, relies upon a number of strategic sites to come forward which are proving complex to deliver and slow to come forward. It is also evident that there has been a past history of under-delivery. This is evidenced in the Land West of Lytton Way Appeal Decision as referenced in this report. Given the number of units proposed, the provision of housing has significant weight.
- 11.7 Consideration must also be given to the level of affordable housing which is to be proposed. The scheme would be policy compliant, with the provision of 20 units. Whilst the mix is not known at this time, there would be a requirement to provide First Homes in accordance with Central Government policy and therefore, have to be considered as a high priority tenure. Indeed, the provision of 20 units would equate to approximately 7% of affordable housing provided during the Local Plan period. Due to previous poor delivery of affordable homes and with large unmet need, the provision of affordable homes has significant weight.
- 11.8 In addition, the development would redevelop a suitable brownfield site which can also be classed under-utilised due to the level of surface car parking. Consistent with paragraph 120 of the Framework, therefore, substantial weight is afforded to the scheme in this instance. Paragraph 69 of the Framework also sets out that small and medium sites can make an important contribution to meeting housing requirements in an area, and this includes supporting the development of windfall sites. As such, being a windfall is supported for housing is also supported by Policy HO5 of the Local Plan and Paragraph 69 of the NPPF.
- 11.9 The economic benefits of the residential aspect of the development, in terms of jobs created from its construction and local expenditure can also be afforded significant weight. With regards to the financial obligations, whilst they are to mitigate the developments impact, the primary education contribution will help to fund the delivery of the 2FE Primary School which is a key part of the regeneration programme for Stevenage Town Centre. In addition, the scheme, through CIL would help to fund key pieces of infrastructure as identified in the Council's Infrastructure Delivery Plan. These aspects are, therefore, considered as being of significant weight.
- 11.10 The development would also enhance pedestrian and cycle connectivity, especially between the existing routes along Fairlands Way up to Cockerell Close. The development would also deliver enhancements to the existing bus stop which will make it more accessible. These are deemed to be of wider public benefits which will not only support the proposed development, but, will also be utilised by existing residents but the commercial developments positioned along Gunnels Wood Road. The development is also in a sustainable location close to bus and rail locations and the town centre and the scope to encourage use of sustainable modes

of transport via the improved pedestrian and cycle access to the wider network, the travel plan, electric vehicle charging, car club bay and with the site being mixed use, would limit the need to travel by the private car and provide a genuine choice of transport modes, which accord with paragraph 105 of the NPPF. However, it is noted some of these features are required for compliance with local policy and compliance with guidance or building regulations. These features are offered reasonable weight.

- 11.11 Therefore, it has to be concluded that the benefits the development would bring as a whole would be substantial. In addition to this, there is no real prospect of the FIRA building being occupied, as it was specifically designed to support the operations of FIRA who have now relocated to a new premises on Cockerell Close. Moreover, and as identified in paragraphs 10.5.51 to 10.5.52 that it has been demonstrated that the significance of the FIRA building has been compromised by the unsympathetic extensions and alterations which have been undertaken over the years. As such, this is a reason why the building was not listed. Therefore, and through the imposition of a condition, an historic recording of the non-designated heritage will be required prior to its demolition following which, there are not sufficient grounds to be able to refuse planning permission. This is due to the overall substantial benefits the development would bring.
- 11.12 Further to the above, it has been demonstrated that whilst the development would cause, at the lower end of the scale, less than substantial harm to the setting of the Grade II listed buildings known as Broomin Green Farm, the substantial benefits the development would bring would outweigh the harm that is caused.
- 11.13 Turning to design, the development would replace both the veterinary and service line building which are of limited architectural. Taking this into consideration, the replacement of these buildings with a scheme of high quality design is important. Whilst the scheme is indicative, it does show one way in which development could be delivered on this site. The commercial building, with its active frontage which appropriately address the junction of Gunnels Wood Road and Fairlands Way, combined with its architectural style, would result in a development which will be of high quality and could potentially create a landmark feature on this important part of the development site. The residential buildings, in terms of their height, proportions, indicative architectural detailing, would be successful on this site. This is because they would be a significant improvement over the existing buildings of skyline and the veterinary surgery. In addition, whilst the development does not have the unique and striking architectural design of the FIRA building, the development as a whole would be of high quality.
- 11.14 In terms of the amenity of future residents, the development has been carefully designed, with appropriate mitigation measures in place, to ensure that there would be an acceptable living environment. Furthermore, whilst the plans are indicative, it has been demonstrated that the internal floorspace areas would meet National Described Space Standards as required under Policy GD1. The indicative scheme can also accommodate an appropriate level of private amenity provision, parking (including disabled), cycle parking and refuse storage to serve future residents. In addition, the scheme can also demonstrate the ability to accommodate the necessary refuse facilities to serve the residential blocks.
- 11.15 Turning to the commercial aspect of the development, with appropriate mitigation measures in place, it would not have a detrimental impact on the amenities of existing (including the owners of Broomin Green Farm) and future residents, be able to accommodate sufficient off street parking (including disabled and two wheel vehicles) as well as the necessary cycle parking.

- 11.16 The proposed development, through appropriate mitigation measures, would not prejudice the safety and operation of the highway network. Furthermore, and through appropriate conditions, the development should not cause any undue harm to any potential archaeological remains which maybe present on the site. Moreover, and through appropriate conditions, the development would not have a detrimental impact on the environment, trees or on biodiversity.
- 11.17 Appropriate mitigation measures as to the developments impact on infrastructure such as primary education (including nurseries) and GP services will be secured as part of any S.106 legal agreement. In addition, the legal agreement will secure the relevant Travel Plan monitoring as well as secure the provision of employment and apprenticeship opportunities during the construction phase of the development. It will also have a clause which will require the delivery of the commercial phase of the overall scheme prior to the ability to deliver the final residential block which would be sited where Serviceline is currently located. This will ensure that the substantial employment benefits the commercial building brings will be delivered accordingly.
- 11.18 With regards to the impact of the development on the amenity of existing residents, it can be demonstrated that the development would not have a detrimental impact on the residential properties at Philbeck House, Mozart Court and Fairview Road. In addition, the development has been designed so it does not have a detrimental impact on the amenities of the owners of Broomin Green Farm in terms of outlook and privacy. Moreover, and identified in the sunlight and daylight assessment, most of the rooms within Broomin Green Farm would meet BRE guidelines.
- 11.19 However, it is clearly evident, due to the identified transgressions from BRE guidelines, the commercial part of the development will impact on the level of impact of sunlight and daylight which is received in the kitchen area of Broomin Green Farm. Therefore, it has been established that there is a conflict with criterion Policy GD1. However, and this is an important consideration, the radiance assessment which is a more sophisticate tool at determining the impact of a development on a particular room, does call into question as to whether the difference in light levels would be perceptible to occupant. Moreover, and as emphasised by the Council's consultant and as detailed in the BRE guide itself, it is only guidance and a planning balance has to made as to whether the overall benefits of this development being delivered on a brownfield site would outweigh the harm caused to Broomin Green Farm. In addition to this, any meaningful form of development which meets the aspirations of the Local Plan as well as that set out by Central Government in terms of delivery development on brownfield site, will have an impact on this room.
- 11.20 As such, it is determined that the substantial benefits this development will bring, will outweigh the harm which would be caused to the kitchen area of Broomin Green Farm. In this regard, there are not sufficient grounds to warrant refusal of this application in this instance. In terms of the conflict with Policy EC4, again, it is considered that the overall substantial benefits this development would bring outweigh this policy conflict.
- 11.21 In summary, the negative effect of the development on the kitchen area of Broomin Green Farm, the identified harm, at the lower end of the scale of less than substantial harm to the setting of the listed building, and, the loss of the non-designated heritage combined with conflicts identified with the Local Plan as a whole, are outweighed by other considerations as detailed above. Therefore, there are sufficient material considerations, subject to conditions and appropriate mitigation measures and obligations being secure in any subsequent S.106 agreement, planning permission should be granted in this instance.

12. RECOMMENDATIONS

12.1 That outline planning permission be GRANTED subject to:-

- A) No intervention from the Secretary of State from the Ministry of Housing, Communities and Local Government following reference of the application under the Town and Country Planning (Consultation) (England) Direction 2021;
- B) The applicant having first entered into a S106 agreement to secure/provide contributions towards:-
- The provision of 25% affordable housing;
 - Proportionate financial contributions towards the delivery of a 2FE Primary School (including nursery) at Stevenage Town Centre;
 - Monitoring of the Travel Plans (Residential and Offices);
 - The provision of fire hydrants;
 - To secure a trigger clause/mechanism to ensure that the office development is brought forward;
 - Financial contributions towards GMS GP Provision, mental health and community care costs;
 - Local employment and apprenticeships;
 - SBC Section 106 Monitoring Fee – 2.5% of total financial obligations (capped at £25,000);
 - HCC Monitoring Fee of £340 per trigger relating to HCC obligations.

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

Definitions

'Commercial Development Plot' means the plot identified on drawing number 2521-PL203A

'Residential Development Plot' means the plot identified on drawing number 2521-PL203A

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

2521-PL101; 2521-PL02; 8180606/6101C.

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

- 2 Development shall not commence in relation to the either the Residential Development Plot or Commercial Development Plot until details of the layout, scale, appearance and the landscaping associated with that Development Plot (hereinafter called "the reserved matters") have been submitted to and approved in writing by the Local Planning Authority.

REASON:- To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.

3 The total number of Residential Units (within Class C3) hereby permitted shall not exceed 80 dwellings and the height of the buildings within the Residential Development Plot shall be no greater than 7 storeys (excluding any roof top plant and core overrun).

REASON: - To ensure that the development does not adversely affect the safety and operation of the adjoining highway network and to ensure an acceptable impact on the character and appearance of the area.

4 The maximum gross internal floorspace (GIA) to be provided within the Commercial Development Plot shall not exceed 11,059 sq.m and the height of the office building shall be no greater than 7 storeys (excluding any roof top plant and core overrun).

REASON: - To ensure that the development does not adversely affect the safety and operation of the adjoining highway network and to ensure an acceptable impact on the character and appearance of the area.

5 The maximum number of parking spaces to serve the development hereby permitted shall not exceed 177 parking spaces for the commercial development and 53 parking spaces for the residential development.

REASON:- To ensure that the development does not exceed the level of parking as required under the Council's Parking Standards.

6 Application(s) for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

REASON:- To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.

7 The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

REASON: - To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.

8 Prior to first occupation or use of the residential or commercial development plots authorised by this permission the bus improvement works including provision of raised Kassel kerbing, shelter and a bench at the existing southbound bus stop in Cavendish Road should have been undertaken. This work shall be fully completed to the satisfaction of the Highway Authority before first occupation or use of the development.

REASON:- So that all users of the development have the option of using bus transport, and to maximise its appeal, in compliance with paragraphs 108 and 110 of the NPPF.

9 Prior to first occupation or use of the residential or commercial development plots authorised by this permission until the "Keep Clear Markings" on the A1072 Gunnels Wood Road near the junction with Maxwell Road have been secured in place and implemented.

REASON:- In the interests of highway safety, amenity and capacity to ensure free and safe flow of traffic and to be in accordance with Policies 4, 5, 12, 15 and 17 of Hertfordshire's Local Transport Plan (adopted 2018).

Commercial Development Plot

10 No development shall commence within the Commercial Development Plot (unless the Local Planning Authority agree that a set amount of development must first commence to enable compliance with this condition) until a remediation strategy to deal with the risks associated with contamination of the Commercial Development Plot, has been submitted to, and approved in writing by the local planning authority. This strategy shall include the following components:

1. A preliminary risk assessment which has identified:

- All previous uses;
 - Potential contaminants associated with those uses;
 - A conceptual model of the site indicating sources, pathways and receptors;
 - A potentially unacceptable risks arising from contamination at the site.
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.
 3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
 4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

REASON:- To ensure that the development does not constitute to, or is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 170 of the National Planning Policy Framework and adopted local plan policy FP5:Contaminated land.

- 11 Prior to any part of the Commercial Development Plot being brought forward into use, a verification report demonstrating the completion of works set out in the approved remediation strategy and include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.
REASON:- To ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 170 of the National Planning Policy Framework and adopted local plan policy FP5:Contaminated land.
- 12 Prior to commencement of development within the Commercial Development Plot (unless the Local Planning Authority agree that a set amount of development must first commence to enable compliance with this condition) a monitoring and maintenance plan in respect of contamination, including a timetable of monitoring and submission of reports to the local planning authority, shall be submitted to and approved in writing by, the local planning authority. Reports as specified in the approved plan, including details of any necessary contingency action arising from the monitoring, shall be submitted to, and approved in writing by, the local planning authority.
REASON:- To ensure that the site does not pose any further risk to human health or the water environment by managing any ongoing contamination issues and completing all necessary long-term remediation measures. This is in line with paragraph 170 of the National Planning Policy Framework and adopted local plan policy FP5: Contaminated land.
- 13 If, during development of the Commercial Development Plot, contamination not previously identified is found to be present within the development plot, then no further development of that development plot (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall be implemented as approved.
REASON:- To ensure that the development does not contribute to, is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development. This is in line with paragraph 170 of

the National Planning Policy Framework and adopted local plan policy FP5: Contaminated land.

14 Prior to the commencement of any development for the commercial phase (excluding operations consisting of site clearance, demolition, earthworks, archaeological investigations, investigations for assessing ground conditions, remedial work in respect of any contamination or other adverse ground conditions, diversion and laying of services, erection of any temporary means of enclosure, and the temporary display of site notices or advertisements) a Construction Environmental Management Plan shall be submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with the approved plan. The plan will include the following information:

i) Procedures and protocols to prevent or manage the exposure of construction workers, visitors to the construction area, and users of neighbouring areas to contaminated materials;

ii) Measures to limit dust generation during excavation, handling and storage of potentially contaminated materials;

iii) Boundary monitoring of dust, volatile organic compounds and asbestos fibres during excavation and soil handling at points of greatest sensitivity;

iv) Appropriate procedures for handling and treatment of groundwater;

v) Measures to protect workers from vapours and dermal contact if hydrocarbon contamination is excavated, for instance, during piling;

vi) Measures required under the Control of Asbestos Regulations 2012 and associated code of practice;

vii) Good practice operation and containment measures for storage of fuels or liquid chemicals to conform with government regulations and pollution prevention guidance (PPGs) issued by the EA;

viii) Risk assessment of potentially damaging construction activities, identification of biodiversity protection zones, practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction, the location and timing of sensitive works to avoid harm to biodiversity features, identify the times during construction when specialist ecologists need to be present on site to oversee works, responsible persons and lines of communication, use of protective fences, exclusion barriers and warning signs.

REASON:- To ensure the implementation of the development does not harm ecological features during the construction phase and to minimise disruption to neighbouring properties and the environment.

15 No drainage systems for the infiltration of surface water to the ground for the Commercial Development plot are permitted other than with the written consent of the local planning authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.

REASON:- To ensure that the development does not contribute to, is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants. This is in line with paragraph 170 of the National Planning Policy Framework and adopted local plan policy FP5: Contaminated land.

16 Piling or any other foundation design using penetrative methods shall not be permitted within the Commercial Development Plot other than with the express consent of the Local Planning

Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant risk to groundwater. The development shall be carried out in accordance with the approved details.

REASON:- To protect groundwater environment, including groundwater. Some piling techniques can cause preferential pathways for contaminants to migrate to groundwater and cause pollution. A piling risk assessment should be submitted with consideration of the EA guidance. Given the site's location in SPZ1 we will also require a groundwater monitoring programme during any piling work at the site. This groundwater monitoring programme should incorporate mitigation measures to be adopted should piling works be noted to be adversely impacting on groundwater quality beneath the site.

- 17 A scheme for managing any borehole installed within the Commercial Development Plot for the investigation of soils, groundwater or geotechnical purposes shall be submitted to and approved in writing by the local planning authority. The scheme shall provide details of how redundant boreholes are to be decommissioned and how any boreholes that needs to be retained, post-development, for monitoring purposes with be secured, protected and inspected. The scheme as approved shall be implemented prior to the occupation of the Commercial Development Plot.

REASON:- To ensure that the development does not contribute to, is not put at unacceptable levels of water pollution caused by mobilise contaminants. This is in line with paragraph 170 of the National Planning Policy Framework and adopted local plan policy FP5: Contaminated land.

- 18 All areas of hedges, scrub or similar vegetation where birds may nest which are to be removed as part of the development, are to be cleared outside the bird-nesting season (March – August inclusive) or if clearance during the bird nesting season cannot be reasonably be avoided, a suitably qualified ecologist will check the areas to be removed immediately prior to clearance and advise whether nesting birds are present. If active nests are recorded, no vegetation clearance or other works that may disturb active nests shall proceed until all young have fledged the nest.

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

- 19 No development within the Commercial Development Plot, including any site clearance or demolition works, shall commence until all trees within the development plot, and adjacent to it on Maxwell Road, which are to be retained have been protected by fencing or other means of enclosure in accordance with a detailed scheme submitted to and approved in writing by the Local Planning Authority. Such protection as may be agreed shall be inspected and approved by the Local Planning Authority prior to the commencement of the work and maintained until the conclusion of all site and building operations.

REASON: - To ensure that the retained trees are not damaged or otherwise adversely affected during site operations.

- 20 Within the tree protection areas to be fenced off in accordance with condition 19, there shall be no alteration to the ground level and they shall be kept clear of vehicles, materials, surplus soil, temporary buildings, plant and machinery.

REASON: - To ensure that the retained trees are not damaged or otherwise adversely affected during site operations.

- 21 No external or internal lighting shall be installed on the commercial development plot unless details of such lighting, including the intensity of illumination and predicted light contours, have first been submitted to, and approved in writing the Local Planning Authority prior to first occupation of the office development. Any external lighting shall accord with the details so approved.

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

22 Prior to the commencement of the relevant part of development within the Commercial Development Plot, a Demolition/Construction Traffic Management Plan/Method Statement for the demolition and construction phases shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the works of demolition and construction of the development shall only be carried out in accordance with the approved statement. The Demolition/Construction Management Plan/Method Statement shall address the following matters:-

- (i) Details of construction phasing programme (including any pre-construction demolition or enabling works) which shall include the date of start and finish of works on site;
- (ii) Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times;
- (iii) Demolition and construction works between the hours of 0730 and 1800 on Mondays to Fridays and between the hours of 0830 and 1300 on Saturdays only.
- (iv) The site set-up and general arrangements for storing plant including cranes, materials, machinery and equipment, temporary offices and other facilities, construction vehicle parking and loading/unloading and vehicle turning areas/details of any vehicle holding areas;
- (v) Access and protection arrangements around the site for pedestrians, cyclists and other road users;
- (vi) Provision of sufficient on-site parking prior to the commencement of construction activities;
- (vii) Construction vehicle numbers, type and routing in traffic management requirements along with details of the vehicle call up procedure;
- (viii) Screening and hoarding;
- (ix) End of day tidying procedures;
- (x) Construction and storage compounds (including areas designated for car parking, loading/unloading and turning areas);
- (xi) Siting and details of wheel washing facilities;
- (xii) Siting, methodology and facilities for wheel cleaning, including the cleaning of site entrances, site access roads and the adjacent public highway;
- (xiii) Control measures to manage noise and dust;
- (xiv) Disposal of surplus materials;
- (xv) Post construction restoration/reinstatement of the working areas and temporary access to the public highway;
- (xvi) Where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including the extent of hoarding, pedestrian routes and remaining road width for vehicle movements.

- (xvii) map showing the location of construction traffic routes to and from the site, details of their signing, monitoring and enforcement measures;
- (xviii) Details of any changes to on-street waiting and loading restrictions that will be required; and
- (xxiv) Details of measures and training to reduce the danger posed to cyclists by HGVs, including membership of the Freight Operators Recognition Scheme or an approved equivalent.

REASON:- To minimise the impact of construction vehicles and to maintain the amenity of the local area.

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

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

- 24 No development within the Commercial Development Plot approved by this planning permission shall take place until such time as a scheme to manage surface water run-off and surface water flood risk has been submitted to, and approved in writing by the local planning authority.

1. Surface water drainage scheme which should include:

- Compliance of the principles set out in the approved FRA R-FRA-U8603PM-02-A dated January 2019 and Technical Note U8603PM/KER/001 dated May 2019 carried out by JPP Consulting including the discharge rate of 2.5l/s providing 700m³ of onsite surface water attenuation.
- Infiltration testing in accordance with BRE Digest 365 which should be carried out at the location of any infiltration measure. Where infiltration is not possible, evidence that approval has been sought from the relevant water authority should be provided for any connection into a public surface water sewer.
- Implement the use of above ground SuDS measures with a clear justification if this is not possible. A lack of space will not be accepted as justification due to the layout not yet established.
- Provide appropriate water quality treatment stages, through the use of appropriate SuDS measures in line with the CIRIA SuDS Manual Simple Index assessment. This should include measures such as permeable paving with a granular subbase, swales, filtration trenches etc., to manage the surface water at source.
- Provide a detailed drainage layout showing the proposed final development layout, location of all SuDS measures and associated infrastructure which should be accompanied by supporting surface water calculations for all rainfall events up to and including the 1 in 100 year + climate change event (+40%).
- Provide an outline SuDS Management, Adoption and Maintenance Plan

2. Management of surface water flood risk which should include:

- Assessment of existing surface water flood risk based on the EA Areas Susceptible to Surface Water Flood Risk Maps, including extents, flow paths and depths, to ensure the proposed layout does not increase flood risk elsewhere, by avoiding development in areas of existing surface water flood risk. Where this cannot be avoided, it should be demonstrated that any displaced flood water can be mitigated and is not displaced elsewhere. If buildings are to be placed in areas of existing flood risk, the applicant will need to provide flood

resilience measures such as raised finished floor levels in line with EA advice ensuring there is no risk of ingress into the proposed buildings.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

REASON:- This condition is required for the following reasons:

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

25 The Commercial development permitted by this planning permission shall be carried out in accordance with the principles set out in the Flood Risk Assessment Technical Note, dated 8th May 2019, ref: U8603PM/KER/001 prepared by JPP Consulting Ltd, and the following mitigation measures:

1. Provide totalling 701m³ of storage to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event.
2. Implement drainage strategy based on attenuation and restricted discharge at 2.5l/s.
3. Implementation of permeable paving for all external car parking areas.

REASON:- To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site.

26 No development of the Commercial Development Plot shall take place until the final design of the drainage scheme is completed and sent to the LPA for approval. The surface water drainage system will be based on the principles submitted in the Flood Risk Assessment Technical Note, dated 8th May 2019, ref: U8603PM/KER/001, and the Proposed Surface Water Drainage Strategy drawing, Drawing No. FRA104, Rev. A, dated 08.05.2019, prepared by JPP Consulting Ltd and any subsequent approved detailed drainage design approved through the reserved matters application which includes the approved layout of the development. The scheme shall also include:

1. Detailed engineered drawings of the proposed SuDS features including their location, size, volume, depth and any inlet and outlet features including any connecting pipe runs and all corresponding calculations/modelling to ensure the scheme caters for all rainfall events up to and including the 1 in 100 year + climate change event.
2. Demonstrate an appropriate SuDS management and treatment train and inclusion of above ground features such as permeable paving etc. and reducing the requirement for any underground storage

REASON:- To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site.

27 Upon completion of the drainage works for the Commercial Development Plot and in accordance with the timing / phasing arrangement, a management and maintenance plan for the SuDS features and drainage network must be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

1. Provision of a complete set of as built drawings for site drainage.
2. Maintenance and operational activities.
3. Arrangements for adoption and any other measures to secure the operation of the scheme throughout its lifetime.

REASON:- To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

28 No development within the Commercial Development Plot shall commence until full details (in the form of scaled plans and written specifications), have been submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority, to illustrate the following:

- i. Cycleways and footways;
- ii. Roads and footways;
- iii. Car parking (including visitors and wheelchair accessible/enlarged bays and passive and active electric charging points), motorcycle parking and Cycle Parking (including visitors) provision in accordance with adopted standard;
- iv. Detailed cross-sections of the site showing existing levels and proposed finished levels, position of access roads, car and cycle parking areas; and
- v. The approved details shall be fully implemented before the development is first brought into use and thereafter retained for their purpose.

REASON:- In order to protect highway safety and the amenity of other users of the public highway and to ensure the new roads through and within the site are constructed to the standards outlined in Roads in Hertfordshire: Highway Design Guide 3rd Edition.

29 Before the access for the Commercial Development Plot is first brought into use, as defined on drawing Proposed Site Accesses Visibility Splay Analysis reference 8180606/6101 Rev C, vehicle to vehicle visibility splays of 2.4 metres by 43 metres in both directions shall be provided and permanently maintained to the Maxwell Road vehicles access. Within which, there shall be no obstruction to visibility between 600 mm and 2.0 metres above the footway level. These measurements shall be taken from the intersection of the centre line of the permitted access with the edge of the footway and from the intersection point along the edge of the carriageway.

REASON:- To ensure suitable, safe and satisfactory planning and development of the site in accordance with Policy 5 of Hertfordshire's Local Transport Plan 4 (adopted 2018).

30 No development within the Commercial Development Plot shall commence until a scheme for the parking of cycles for visitors and staff together with changing facilities, staff lockers and showers, has been submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority. The approved scheme shall be fully implemented before the development is first brought into use and thereafter retained for this purpose.

REASON:- In the interests of encouraging the use of sustainable modes of transport.

31 No development (including demolition) shall take place within the Commercial Development Plot until an Archaeological Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of archaeological significant and research questions; and:

1. The programme and methodology of site investigation and recording;
2. The programme and methodology of site investigation and recording as suggested by the evaluation;
3. The programme for post investigation assessment;
4. Provision to be made for analysis of the site investigation and recording;
5. Provision to be made for publication and dissemination of the analysis and records of the site investigation;
6. Provision to be made for archive deposition of the analysis and records of the site investigation;
7. Nominations of a competent person or persons/organisations to undertake the works set out within the Archaeological Written Scheme of Investigation.

REASON:- In order to protect potential heritage assets of archaeological interest.

32 Prior to occupation of the Commercial Development Plot hereby permitted, a Workplace Travel Plan shall be submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority. The Travel Plan, as submitted, shall follow the current 'Travel Plan Development Control Guidance' issued by Hertfordshire County Council and should include:

- (1) Targets for sustainable travel arrangements;
- (2) Effective measures for the ongoing monitoring (including appointment of the Travel Plan Coordinator(s) of the travel plan;
- (3) A commitment to delivering the travel plan objectives for a period of at least five years from first occupation of the development; and
- (4) Effective mechanisms to achieve the objectives of the travel plan by both present and future occupiers of the development. The development shall be implemented only in accordance with the approved travel plan.'

REASON:- In the interests of sustainability and to ensure that traffic generated from the site is minimised.

33 No development within the Commercial Development Plot can commence until the full details of the level of footway and carriageway visibility from each individual access, and the level of visibility from and around each main junction within the site have been submitted and have been approved by the Local Planning Authority, in consultation with the Highway Authority. The splays as marked on these plans shall be provided before first use of the Development and permanently maintained thereafter.

REASON:- To provide adequate visibility for drivers entering or leaving each individual site access, and drivers routing through each junction within the site.

34 The detailed plans submitted in connection with approval of reserved matters for the Commercial Development Plot shall clearly demonstrate that all vehicles, including refuse and emergency vehicles, can safely and conveniently access and route through the site, and that there is a sufficient turning space for each of the parking areas, inclusive of provision of sufficient turning and operating areas. The areas shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use. All necessary turning and operating areas shall be in place before first use of the development.

REASON:- To ensure the permanent availability of the parking /manoeuvring area, in the interests of highway safety and to ensure that vehicles entering and exiting the site do not adversely affect the free and safe flow of traffic on the public highway.

35 No development within the Commercial Development Plot can commence until the full details of all hard surfaced areas within the site have been submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority. This includes, but is not limited to, all roads, footways, forecourts, driveways, parking and turning areas, and foul and surface water drainage. The works thereby approved should be completed before first use of the development.

REASON:- To ensure a satisfactory standard of highway design and construction, and that all necessary vehicle parking/turning areas are fully accessible.

36 Prior to the first occupation or use of the Commercial Development Plot hereby permitted vehicular and pedestrian (and cyclist) access to and egress from the adjoining highway shall be limited to the access(es) shown on drawing number PL202 Rev A only. Any other access(es) or egress(es) shall be permanently closed, and the footway / highway verge shall be reinstated in accordance with a detailed scheme to be agreed with the Local Planning Authority, concurrently with the bringing into use of the new access(es).

REASON:- To ensure construction of a satisfactory development and in the interests of highway safety and amenity in accordance with Policies 5 and 7 of Hertfordshire's Local Transport Plan (adopted 2018).

37 The use of the Commercial Development Plot authorised by this permission shall not begin until the improvement works to walking and cycling, including the following have been made:

- i. Western pedestrian crossing facility on Maxwell Road,
- ii. Resurfacing of the existing footway along the site's northern boundary,
- i. New footway on the southern side of Maxwell Road between the two new pedestrian crossing facilities and the existing pedestrian/cyclist link on the site's easternmost boundary; and
- iii. New pedestrian and cyclist connection (3m wide) between the commercial building and the Broomin Green Farm boundary to the cycle track in the south,

The works shall be fully completed to the satisfaction of the Highway Authority before first use.

REASON:- So that all users of the development have can safely walk and cycle to and from the site, in compliance with paragraphs 108 and 110 of the NPPF.

38 No development relating to the Commercial Development shall commence until detailed drawings showing that the gradients of the new western pedestrian crossing facility on Maxwell Road are shown to be not steeper than 1 in 20. The gradients should be in place before the use of the crossing.

REASON:- In the interests of pedestrian safety.

39 No development within the Commercial Development Plot can commence until the full details of all hard surfaced areas within the site have been submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority. This includes, but is not limited to, all roads, footways, forecourts, driveways, parking and turning areas, and foul and surface water drainage. The works thereby approved should be completed before first use of the development.

REASON:- To ensure a satisfactory standard of highway design and construction, and that all necessary vehicle parking/turning areas are fully accessible.

40 No development (including demolition) shall take place within the Commercial Development Plot until an Archaeological Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of archaeological significant and research questions; and:

1. The programme and methodology of site investigation and recording;
2. The programme and methodology of site investigation and recording as suggested by the evaluation;
3. The programme for post investigation assessment;
4. Provision to be made for analysis of the site investigation and recording;
5. Provision to be made for publication and dissemination of the analysis and records of the site investigation;
6. Provision to be made for archive deposition of the analysis and records of the site investigation;
7. Nominations of a competent person or persons/organisations to undertake the works set out within the Archaeological Written Scheme of Investigation.

REASON:- In order to protect potential heritage assets of archaeological interest.

- 41 No development shall take place within the Commercial Development Plot (unless the Local Planning Authority agree that a set amount of development must first commence to enable compliance with this condition) until any necessary on site archaeological works have been completed in accordance with the Written Scheme of Investigation approved under condition 40.

REASON:- In order to protect potential heritage assets of archaeological interest.

- 42 The development within the Commercial Development Plot shall not be occupied and used until the archaeological site investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition 40 and shall be submitted to the Local Planning Authority.

REASON:- In order to protect potential heritage assets of archaeological interest.

- 43 Each reserved matters application for the Commercial Development Plot shall include an Energy and Sustainability Statement detailing requirements of how the building(s) in each respective phase are adaptable to climate change (detailing renewable energy technologies and water efficiency measures along with details of measures to control overheating and cooling demand in the building(s)), to be submitted to and approved in writing by the Local Planning Authority. The details shall also include a management plan and maintenance strategy/schedule for the operation of the technologies, a servicing plan (if applicable) and a noise assessment (if applicable). The measures for adaptation to climate change as well as managing overheating and cooling shall be implemented in accordance with the approved details.

REASON:- To ensure the development is adaptable to climate change and to avoid overheating and minimising cooling demand.

- 44 No development, including site clearance and demolition works, or any tree or vegetation removal, within the Commercial Development Plot shall take place until a Breeding Birds Survey for Black Redstarts is carried out, one in May and one in June in accordance with the recommendations detailed in the submitted Phase I Habitat Survey and Preliminary Bat Survey Update 2018 (prepared by 4 Acre Ecology Limited, Issue No. 2, issued on 22/01/2019).

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

- 45 Prior to commencement of works above slab level within the Commercial Development Plot a scheme to provide suitable bird boxes shall be submitted to and approved in writing by the Local Planning Authority. The approved boxes shall be installed prior to the first occupation of the development.

REASON:- To increase opportunities for wildlife in new developments.

- 46 No development or demolition works shall take place on the FIRA building until an appropriate programme of historic building recording and analysis has been secured and implemented in accordance with a written scheme of investigation which has been submitted to and approved in writing by the local planning authority. The development shall be carried out at all times in strict accordance with the approved scheme, or such other details as may be subsequently agreed in writing by the Local Planning Authority.

REASON:- To ensure that an appropriate record is made of the historic building fabric that may be affected by the development

- 47 Prior to the occupation of the Commercial Development Plot, the applicant shall submit a Servicing and Delivery Plan for that phase. This plan shall be submitted to the Local Planning Authority for approval in writing. The Servicing and Delivery Plan shall contain for the relevant phase the delivery and servicing requirements, waste collection points for the proposed use, a scheme for coordinating deliveries and servicing for the proposed development, areas

within the development site that will be used for loading and manoeuvring of delivery and servicing vehicles, and access to from the site for delivery and servicing vehicles. The details shall include waste vehicle circulation route and constructed in accordance with the approved details. Thereafter the routes shall be maintained in accordance with those approved details.
REASON: In the interest of maintaining highway efficiency and safety.

- 48 Notwithstanding the provisions of Article 3 of the Town and Country Planning Use Classes Order 1987 (as amended), and Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any Orders revoking or re-enacting these Orders) this permission relating to the Commercial Development Plot shall only permit the use of the premises as Class E(g)(i), E(g)(ii) and E(g)iii, and for no other use or purpose, including any use or purpose within the same use Class.

REASON:- To enable the Local Planning Authority to fully consider the effects of any development normally permitted by these Orders to safeguard the provision of employment uses as required under Policy EC4 of the Local plan and to safeguard the amenities of the locality.

- 49 Prior to the occupation and use of the commercial buildings on the site the subject of this approval shall not commence without the prior written approval by the Local Planning Authority of a written code for the management of noise from any external area, site roads and spaces that are external to the office and commercial building permitted. The external areas covered are delineated on the attached plan in red hatch which is used for identification purposes only (Plan Number A). The code shall be submitted to and approved in writing prior to the commencement of the use to which this consent relates. Amendments to the approved management code are subject to prior approval in writing by the local planning authority and demonstration within the scheme of lack of adverse impact upon neighbouring residential land use.

The code shall be fully implemented and operated at all times in accordance with the approved details including any additional controls required by the local planning authority as part of its written approval of the written code. The management code shall identify measures to reduce the impact of noise on the community as set out below:

- a) Restriction of use of machinery, equipment, vehicles (including fork lift trucks), plant and activities within the areas at night (23:00 – 07:00) and during evenings (19:00-23:00) other than as specifically approved by the Local Planning Authority.
- b) Restriction over the opening and requirements for the enforced closure of building doors and windows which communicate with external areas (outside of buildings) of the site where these serve plant rooms and areas of predicted noise escape.
- c) The restriction and management of all deliveries by vehicles to the site to occur within the daytime period. To include the prevention of vehicles awaiting entry to the buildings before 07:00 on any day including their queuing or waiting at the site entrance and its site roadway.
- d) Restriction over daytime use of the external areas at weekends and during public holidays.
- e) Restriction over the use of radios, tannoys, audible warning devices and public address systems within the external areas. This relates to type, noise level and times of operation.
- f) Control and limitation of the activities of staff and employees within the external areas during evenings and at night.
- g) The location of plant and machinery outside the building and its noise level.

The written code of management as approved by the local planning authority shall be fully implemented and maintained in accordance with any details of approval at all times during

use of the commercial buildings on the site, the subject of this approval. The management code is subject to amendment through written request of the operators through prior written approval of the local planning authority and consultation with adjacent residential users.

REASON:- In order to protect the amenities of nearby residential properties and future occupiers of the residential development plot.

- 50 Demolition of the existing buildings within the Commercial Plot and construction work of the proposed development within the Commercial Plot shall not begin until a scheme for protecting the existing residential neighbouring properties and the proposed residential neighbours formed as part of the development hereby permitted has been submitted to and approved by the Local Planning Authority in writing. Any scheme approved by the local planning authority can be subject to controls added by them as part of its approval of the said scheme.

The scheme and any controls imposed by way of approval shall address the mitigation and control of noise, times and days of demolition and construction activity, prediction of noise levels during stages of the construction and demolition at residential boundaries, methods of minimising and mitigating noise impact at residential receptors, including through the phasing of the development construction as well as the types of plant and methods of construction applied. The scheme shall also include the measurement, recording and reporting to the local planning authority of boundary level noise emissions at adjacent residential receptors and a process for reducing such noise where predicted levels are exceeded or complaints by affected residents arise. The scheme shall include a procedure for the recording and reporting of all complaints of noise to the local planning authority. The scheme as approved shall be fully implemented and maintained in accordance with any details of approval at all times during any construction or demolition works the subject of this approval.

REASON:- In order to protect the amenities of nearby residential properties and future occupiers of the residential development plot.

- 51 Prior to the commencement of construction of the Commercial building the developer shall submit and have approved in writing, by the local planning authority, a scheme of noise mitigation, including vibration, to address emissions of noise whether airborne or structure borne, emanating from any fixed plant or machinery serving the said building. This relates to such noise and vibration which may impact any dwelling that is part of the development or neighbouring it. Any scheme approved by the local planning authority can be subject to controls added by them as part of its approval of the said scheme.

The measures set out in the scheme shall also include the mitigation of noise emitted from any lift, pump, fan, compressor and building services plant including air handling units, condenser units, electrical transformers and sub-stations required to serve the building.

The scheme of measures shall be such as to prevent low frequency noise exceeding the criteria as set out in national guidance NANR45 within any dwelling room and ensure any assessment of its rating level when determined in accordance with BS4142014 is below the typical background sound level at adjacent dwellings.

The scheme as approved by the local planning authority shall be fully implemented and maintained in accordance with the conditions of approval at all times during the use of the relevant building the subject of this approval.

REASON:- In order to protect the amenities of nearby residential properties and future occupiers of the residential development plot.

Residential Development Plot

- 52 No development shall commence within the Residential Development Plot (unless the Local Planning Authority agree that a set amount of development must first commence to enable compliance with this condition) until a remediation strategy to deal with the risks associated

with contamination of the Residential Development Plot, has been submitted to, and approved in writing by the local planning authority. This strategy shall include the following components:

1. A preliminary risk assessment which has identified:
 - All previous uses;
 - Potential contaminants associated with those uses;
 - A conceptual model of the site indicating sources, pathways and receptors;
 - A potentially unacceptable risks arising from contamination at the site.
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.
3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

REASON:- To ensure that the development does not constitute to, or is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 170 of the National Planning Policy Framework and adopted local plan policy FP5:Contaminated land.

- 53 Prior to any part of the Residential Development Plot being brought forward into use, a verification report demonstrating the completion of works set out in the approved remediation strategy and include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

REASON:- To ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 170 of the National Planning Policy Framework and adopted local plan policy FP5:Contaminated land.

- 54 Prior to commencement of development within the Residential Development Plot (unless the Local Planning Authority agree that a set amount of development must first commence to enable compliance with this condition) a monitoring and maintenance plan in respect of contamination, including a timetable of monitoring and submission of reports to the local planning authority, shall be submitted to and approved in writing by, the local planning authority. Reports as specified in the approved plan, including details of any necessary contingency action arising from the monitoring, shall be submitted to, and approved in writing by, the local planning authority.

REASON:- To ensure that the site does not pose any further risk to human health or the water environment by managing any ongoing contamination issues and completing all necessary long-term remediation measures. This is in line with paragraph 170 of the National Planning Policy Framework and adopted local plan policy FP5: Contaminated land.

- 55 If, during development of the Residential Development Plot, contamination not previously identified is found to be present within the development plot, then no further development of that development plot (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt

with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall be implemented as approved.

REASON:- To ensure that the development does not contribute to, is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development. This is in line with paragraph 170 of the National Planning Policy Framework and adopted local plan policy FP5: Contaminated land.

- 56 No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the local planning authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.

REASON:- To ensure that the development does not contribute to, is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants. This is in line with paragraph 170 of the National Planning Policy Framework and adopted local plan policy FP5: Contaminated land.

- 57 Piling or any other foundation design using penetrative methods shall not be permitted within the Residential Development Plot other than with the express consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant risk to groundwater. The development shall be carried out in accordance with the approved details.

REASON:- To protect groundwater environment, including groundwater. Some piling techniques can cause preferential pathways for contaminants to migrate to groundwater and cause pollution. A piling risk assessment should be submitted with consideration of the EA guidance. Given the site's location in SPZ1 we will also require a groundwater monitoring programme during any piling work at the site. This groundwater monitoring programme should incorporate mitigation measures to be adopted should piling works be noted to be adversely impacting on groundwater quality beneath the site.

- 58 A scheme for managing any borehole installed within the Residential Development Plot for the investigation of soils, groundwater or geotechnical purposes shall be submitted to and approved in writing by the local planning authority. The scheme shall provide details of how redundant boreholes are to be decommissioned and how any boreholes that need to be retained, post-development, for monitoring purposes with be secured, protected and inspected. The scheme as approved shall be implemented prior to the occupation of the Residential Development Plot.

REASON:- To ensure that the development does not contribute to, is not put at unacceptable levels of water pollution caused by mobilise contaminants. This is in line with paragraph 170 of the National Planning Policy Framework and adopted local plan policy FP5: Contaminated land.

- 59 All areas of hedges, scrub or similar vegetation where birds may nest which are to be removed as part of the development, are to be cleared outside the bird-nesting season (March – August inclusive) or if clearance during the bird nesting season cannot be reasonably be avoided, a suitably qualified ecologist will check the areas to be removed immediately prior to clearance and advise whether nesting birds are present. If active nests are recorded, no vegetation clearance or other works that may disturb active nests shall proceed until all young have fledged the nest.

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

- 60 No development within the Residential Development Plot, including any site clearance or demolition works, shall commence until all trees within the development plot, and those adjacent to it on Maxwell Road, which are to be retained have been protected by fencing or other means of enclosure in accordance with a detailed scheme submitted to and approved

in writing by the Local Planning Authority. Such protection as may be agreed shall be inspected and approved by the Local Planning Authority prior to the commencement of the work and maintained until the conclusion of all site and building operations.

REASON: - To ensure that the retained trees are not damaged or otherwise adversely affected during site operations.

61 Within the tree protection areas to be fenced off in accordance with condition 60, there shall be no alteration to the ground level and they shall be kept clear of vehicles, materials, surplus soil, temporary buildings, plant and machinery.

REASON: - To ensure that the retained trees are not damaged or otherwise adversely affected during site operations.

62 Prior to commencement of works above slab level within the Residential Development Plot, details of any external lighting, including the intensity of illumination and predicted light contours, shall be submitted to and approved in writing by the Local Planning Authority. Any external lighting shall accord with the details so approved.

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

63 Prior to the commencement of the relevant part of development within the Residential Development Plot, a Demolition/Construction Management Plan/Method Statement for the demolition and construction phases shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the works of demolition and construction of the development shall only be carried out in accordance with the approved statement. The Demolition/Construction Management Plan/Method Statement shall address the following matters:-

- (i) Details of construction phasing programme (including any pre-construction demolition or enabling works) which shall include the date of start and finish of works on site;
- (ii) Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times;
- (iii) Demolition and construction works between the hours of 0730 and 1800 on Mondays to Fridays and between the hours of 0830 and 1300 on Saturdays only.
- (iv) The site set-up and general arrangements for storing plant including cranes, materials, machinery and equipment, temporary offices and other facilities, construction vehicle parking and loading/unloading and vehicle turning areas/details of any vehicle holding areas;
- (v) Access and protection arrangements around the site for pedestrians, cyclists and other road users;
- (vi) Provision of sufficient on-site parking prior to the commencement of construction activities;
- (vii) Construction vehicle numbers, type and routing in traffic management requirements along with details of the vehicle call up procedure;
- (viii) Screening and hoarding;
- (ix) End of day tidying procedures;
- (x) Construction and storage compounds (including areas designated for car parking, loading/unloading and turning areas);

- (xi) Siting and details of wheel washing facilities;
- (xii) Siting, methodology and facilities for wheel cleaning, including the cleaning of site entrances, site access roads and the adjacent public highway;
- (xiii) Control measures to manage noise and dust;
- (xiv) Disposal of surplus materials;
- (xv) Post construction restoration/reinstatement of the working areas and temporary access to the public highway;
- (xvi) Where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including the extent of hoarding, pedestrian routes and remaining road width for vehicle movements.
- (xvii) map showing the location of construction traffic routes to and from the site, details of their signing, monitoring and enforcement measures;
- (xviii) Details of any changes to on-street waiting and loading restrictions that will be required; and
- (xxiv) Details of measures and training to reduce the danger posed to cyclists by HGVs, including membership of the Freight Operators Recognition Scheme or an approved equivalent.

REASON:- To minimise the impact of construction vehicles and to maintain the amenity of the local area.

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

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

- 65 No development within the Residential Development Plot approved by this planning permission shall take place until such time as a scheme to manage surface water run-off and surface water flood risk has been submitted to, and approved in writing by the local planning authority.

1. Surface water drainage scheme which should include:

- Compliance of the principles set out in the approved FRA R-FRA-U8603PM-02-A dated January 2019 and Technical Note U8603PM/KER/001 dated May 2019 carried out by JPP Consulting including the discharge rate of 2.5l/s providing 700m³ of onsite surface water attenuation.
- Infiltration testing in accordance with BRE Digest 365 which should be carried out at the location of any infiltration measure. Where infiltration is not possible, evidence that approval has been sought from the relevant water authority should be provided for any connection into a public surface water sewer.
- Implement the use of above ground SuDS measures with a clear justification if this is not possible. A lack of space will not be accepted as justification due to the layout not yet established.
- Provide appropriate water quality treatment stages, through the use of appropriate SuDS measures in line with the CIRIA SuDS Manual Simple Index assessment. This should include

measures such as permeable paving with a granular subbase, swales, filtration trenches etc, to manage the surface water at source.

- Provide a detailed drainage layout showing the proposed final development layout, location of all SuDS measures and associated infrastructure which should be accompanied by supporting surface water calculations for all rainfall events up to and including the 1 in 100 year + climate change event (+40%).

- Provide an outline SuDS Management, Adoption and Maintenance Plan

2. Management of surface water flood risk which should include:

- Assessment of existing surface water flood risk based on the EA Areas Susceptible to Surface Water Flood Risk Maps, including extents, flow paths and depths, to ensure the proposed layout does not increase flood risk elsewhere, by avoiding development in areas of existing surface water flood risk. Where this cannot be avoided, it should be demonstrated that any displaced flood water can be mitigated and is not displaced elsewhere. If buildings are to be placed in areas of existing flood risk, the applicant will need to provide flood resilience measures such as raised finished floor levels in line with EA advice ensuring there is no risk of ingress into the proposed buildings.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

REASON:- This condition is required for the following reasons:

1. To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site.

2. To reduce the risk of flooding to the proposed development and future users.

66 The within the Residential Development Plot permitted by this planning permission shall be carried out in accordance with the principles set out in the Flood Risk Assessment Technical Note, dated 8th May 2019, ref: U8603PM/KER/001 prepared by JPP Consulting Ltd, and the following mitigation measures:

1. Provide totalling 701m³ of storage to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event.

2. Implement drainage strategy based on attenuation and restricted discharge at 2.5l/s.

3. Implementation of permeable paving for all external car parking areas.

REASON:- To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site.

67 No development within the Residential Development Plot shall take place until the final design of the drainage scheme is completed and sent to the LPA for approval. The surface water drainage system will be based on the principles submitted in the Flood Risk Assessment Technical Note, dated 8th May 2019, ref: U8603PM/KER/001, and the Proposed Surface Water Drainage Strategy drawing, Drawing No. FRA104, Rev. A, dated 08.05.2019, prepared by JPP Consulting Ltd and any subsequent approved detailed drainage design approved through the reserved matters application which includes the approved layout of the development. The scheme shall also include:

1. Detailed engineered drawings of the proposed SuDS features including their location, size, volume, depth and any inlet and outlet features including any connecting pipe runs and all corresponding calculations/modelling to ensure the scheme caters for all rainfall events up to and including the 1 in 100 year + climate change event.

2. Demonstrate an appropriate SuDS management and treatment train and inclusion of above ground features such as permeable paving etc. and reducing the requirement for any underground storage

REASON:- To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site.

- 68 Upon completion of the drainage works for the Residential Development Plot and in accordance with the timing / phasing arrangement, a management and maintenance plan for the SuDS features and drainage network must be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:
1. Provision of a complete set of as built drawings for site drainage.
 2. Maintenance and operational activities.
 3. Arrangements for adoption and any other measures to secure the operation of the scheme throughout its lifetime.

REASON:- To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

- 69 Prior to occupation of the development of the Residential Development Plot hereby permitted, a Residential Travel Plan shall be submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority.

The Travel Plan, as submitted, shall follow the current 'Travel Plan Development Control Guidance' issued by Hertfordshire County Council and should include:

- (1) Targets for sustainable travel arrangements;
- (2) Effective measures for the ongoing monitoring (including appointment of the Travel Plan Coordinator(s) of the travel plan;
- (3) A commitment to delivering the travel plan objectives for a period of at least five years from first occupation of the development; and
- (4) Effective mechanisms to achieve the objectives of the travel plan by both present and future occupiers of the development. The development shall be implemented only in accordance with the approved travel plan.'

REASON:- In the interests of sustainability and to ensure that traffic generated from the site is minimised.

- 70 No development shall commence of the Residential Development Plot until full details (in the form of scaled plans and written specifications), have been submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority, to illustrate the following:

- i. Cycleways and footways;
- ii. Roads and footways;
- iii. Car parking (including visitors and wheelchair accessible/enlarged bays and passive and active electric charging points), motorcycle parking and Cycle Parking (including visitors) provision in accordance with adopted standard;
- iv. Detailed cross-sections of the site showing existing levels and proposed finished levels, position of access roads, car and cycle parking areas; and
- v. The approved details shall be fully implemented before the development is first occupied and thereafter retained for their purpose.

REASON:- In order to protect highway safety and the amenity of other users of the public highway and to ensure the new roads through and within the site are constructed to the standards outlined in Roads in Hertfordshire: Highway Design Guide 3rd Edition

- 71 Before the accesses serving the Residential Development Plot are first brought into use, as defined on drawing Proposed Site Accesses Visibility Splay Analysis reference 8180606/6101 Rev C, vehicle to vehicle visibility splays of 2.4 metres by 43 metres in both

directions shall be provided and permanently maintained to the Maxwell Road vehicles accesses. Within which, there shall be no obstruction to visibility between 600 mm and 2.0 metres above the footway level. These measurements shall be taken from the intersection of the centre line of the permitted access with the edge of the footway and from the intersection point along the edge of the carriageway.

REASON:- To ensure suitable, safe and satisfactory planning and development of the site in accordance with Policy 5 of Hertfordshire's Local Transport Plan 4 (adopted 2018).

- 72 No development within the Residential Development Plot shall commence until detailed drawings showing that the gradients of the proposed eastern pedestrian crossing facility on Maxwell Road are shown to be not steeper than 1 in 20. The gradients should be in place before the use of the crossing.

REASON:- In the interests of pedestrian safety.

- 73 No development can commence within the Residential Development Plot until the full details of the level of footway and carriageway visibility from each individual access, and the level of visibility from and around each main junction within the site have been submitted and have been approved by the Local Planning Authority, in consultation with the Highway Authority. The splays as marked on these plans shall be provided before first occupation of the Development and permanently maintained thereafter.

REASON:- To provide adequate visibility for drivers entering or leaving each individual site access, and drivers routing through each junction within the site.

- 74 The detailed plans submitted in connection with approval of reserved matters for the Residential Development Plot shall clearly demonstrate that all vehicles, including refuse and emergency vehicles, can safely and conveniently access and route through the site, and that there is a sufficient turning space for each of the parking areas, inclusive of provision of sufficient turning and operating areas. The areas shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use. All necessary turning and operating areas shall be in place before first occupation of the development.

REASON:- To ensure the permanent availability of the parking /manoeuvring area, in the interests of highway safety and to ensure that vehicles entering and exiting the site do not adversely affect the free and safe flow of traffic on the public highway.

- 75 No development within the Residential Development Plot can commence until the full details of all hard surfaced areas within the site have been submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority. This includes, but is not limited to, all roads, footways, forecourts, driveways, parking and turning areas, and foul and surface water drainage. The works thereby approved should be completed before first occupation of the development.

REASON:- To ensure a satisfactory standard of highway design and construction, and that all necessary vehicle parking/turning areas are fully accessible.

- 76 Prior to the first occupation or use of the Residential Development Plot hereby permitted vehicular and pedestrian (and cyclist) access to and egress from the adjoining highway shall be limited to the access(es) shown on drawing number PL202 Rev A only. Any other access(es) or egress(es) shall be permanently closed, and the footway / highway verge shall be reinstated in accordance with a detailed scheme to be agreed with the Local Planning Authority, concurrently with the bringing into use of the new access(es).

REASON:- To ensure construction of a satisfactory development and in the interests of highway safety and amenity in accordance with Policies 5 and 7 of Hertfordshire's Local Transport Plan (adopted 2018).

77 The occupation of the Residential Development Plot authorised by this permission shall not begin until the Traffic Regulation Order (TRO), including for parking and waiting restrictions in the form of double yellow lines that are required as part of improving access and accessibility to the site, has been secured in place and implemented over a distance of 10 metres of either side of the site access junctions stop-lines and the opposite side of the road.

REASON:- In the interests of highway safety, amenity and capacity to ensure free and safe flow of traffic and to be in accordance with Policies 4, 5, 12, 15 and 17 of Hertfordshire's Local Transport Plan (adopted 2018).

78 The occupation of the Residential Development Plot authorised by this permission shall not begin until the improvement works to walking and cycling, including the following have been made:

- i. Eastern pedestrian crossing facility on Maxwell Road;
- ii. Resurfacing of the existing footway along the site's northern boundary;
- iii. New footway on the southern side of Maxwell Road between the two new pedestrian crossing facilities and the existing pedestrian/cyclist link on the site's easternmost boundary; and
- iv. New pedestrian and cyclist connection (3m wide) between Block 3 and the Broomin Green Farm boundary to the cycle track in the south.

The works shall be fully completed to the satisfaction of the Highway Authority before first occupation.

REASON:- So that all users of the development have can safely walk and cycle to and from the site, in compliance with paragraphs 108 and 110 of the NPPF.

79 Prior to commencement of works above slab level within the Residential Development Plot a scheme to provide suitable bird boxes has been submitted to and approved in writing by the Local Planning Authority. The approved boxes shall be installed prior to the first occupation of any residential dwelling.

REASON:- To increase opportunities for wildlife in new developments.

80 No development (including demolition) shall take place within the Residential Development Plot until an Archaeological Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of archaeological significant and research questions; and:

1. The programme and methodology of site investigation and recording;
2. The programme and methodology of site investigation and recording as suggested by the evaluation;
3. The programme for post investigation assessment;
4. Provision to be made for analysis of the site investigation and recording;
5. Provision to be made for publication and dissemination of the analysis and records of the site investigation;
6. Provision to be made for archive deposition of the analysis and records of the site investigation;
7. Nominations of a competent person or persons/organisations to undertake the works set out within the Archaeological Written Scheme of Investigation.

REASON:- In order to protect potential heritage assets of archaeological interest.

- 81 No development shall take place within the Residential Development Plot (unless the Local Planning Authority agree that a set amount of development must first commence to enable compliance with this condition) until any necessary on site archaeological works have been completed in accordance with the Written Scheme of Investigation approved under condition 80.

REASON:- In order to protect potential heritage assets of archaeological interest.

- 82 Prior to first occupation of the development within the Residential Development Plot the archaeological site investigation assessment shall be completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition 80 and submitted to the Local Planning Authority.

REASON:- In order to protect potential heritage assets of archaeological interest.

- 84 Each reserved matters application for the Residential Development Plot shall include an Energy and Sustainability Statement detailing requirements of how the building(s) in each respective phase are adaptable to climate change (detailing renewable energy technologies and water efficiency measures along with details of measures to control overheating and cooling demand in the building(s)), to be submitted to and approved in writing by the Local Planning Authority. The details shall also include a management plan and maintenance strategy/schedule for the operation of the technologies, a servicing plan (if applicable) and a noise assessment (if applicable). The measures for adaptation to climate change as well as managing overheating and cooling shall be implemented in accordance with the approved details.

REASON:- To ensure the development is adaptable to climate change and to avoid overheating and minimising cooling demand.

- 85 As part of any reserved matters application relating to the Residential Development Plot, the applicant shall submit a full noise assessment in line with BS4142: 2014 in regards to noise from nearby commercial premises on the adjacent industrial estate. In addition, the noise assessment will also need to consider noise arising from road and air transport sources. The applicant shall also submit a detailed scheme for ensuring that internal noise levels do not exceed those specified in BS8233:2014 in so far as to the living rooms, dining rooms and bedrooms in the residential development. In addition, details shall also be provided with respect to ventilation and thermal comfort arrangements which would be utilised within the residential development. None of the dwellings shall be occupied until such a scheme has been implemented in accordance with the approved details, and shown to be effective, and it shall be retained in accordance with those details thereafter.

REASON:- To ensure that residents of the development do not suffer undue noise and disturbance from traffic on the adjoining highway and the operation of nearby businesses, including the proposed office development as detailed in the application submission.

- 86 No development, including site clearance and demolition works, or any tree or vegetation removal, within the Residential Development Plot shall take place until a Breeding Birds Survey for Black Redstarts is carried out, one in May and one in June in accordance with the recommendations detailed in the submitted Phase I Habitat Survey and Preliminary Bat Survey Update 2018 (prepared by 4 Acre Ecology Limited, Issue No. 2, issued on 22/01/2019).

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

- 87 No development shall commence above slab level until details of 10 integrated swift boxes (including model and location) marked on a plan, have been submitted to and approved in writing by the Local Planning Authority. These devices shall be fully installed prior to occupation and retained as such thereafter.

REASON: - To increase opportunities for wildlife in new developments.

88 Prior to the commencement of any development for the residential phase (excluding operations consisting of site clearance, demolition, earthworks, archaeological investigations, investigations for assessing ground conditions, remedial work in respect of any contamination or other adverse ground conditions, diversion and laying of services, erection of any temporary means of enclosure, and the temporary display of site notices or advertisements) a Construction Environmental Management Plan shall be submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with the approved plan. The plan will include the following information:

- i) Procedures and protocols to prevent or manage the exposure of construction workers, visitors to the construction area, and users of neighbouring areas to contaminated materials;
- ii) Measures to limit dust generation during excavation, handling and storage of potentially contaminated materials;
- iii) Boundary monitoring of dust, volatile organic compounds and asbestos fibres during excavation and soil handling at points of greatest sensitivity;
- iv) Appropriate procedures for handling and treatment of groundwater;
- v) Measures to protect workers from vapours and dermal contact if hydrocarbon contamination is excavated, for instance, during piling;
- vi) Measures required under the Control of Asbestos Regulations 2012 and associated code of practice;
- vii) Good practice operation and containment measures for storage of fuels or liquid chemicals to conform with government regulations and pollution prevention guidance (PPGs) issued by the EA;
- viii) Risk assessment of potentially damaging construction activities, identification of biodiversity protection zones, practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction, the location and timing of sensitive works to avoid harm to biodiversity features, identify the times during construction when specialist ecologists need to be present on site to oversee works, responsible persons and lines of communication, use of protective fences, exclusion barriers and warning signs.

REASON:- To ensure the implementation of the development does not harm ecological features during the construction phase and to minimise disruption to neighbouring properties and the environment.

89 Prior to the occupation of the residential phase of the development, the applicant shall submit a Servicing and Delivery Plan for that phase. This plan shall be submitted to the Local Planning Authority for approval in writing. The Servicing and Delivery Plan shall contain for the relevant phase the delivery and servicing requirements, waste collection points for the proposed use, a scheme for coordinating deliveries and servicing for the proposed development, areas within the development site that will be used for loading and manoeuvring of delivery and servicing vehicles, and access to from the site for delivery and servicing vehicles. The details shall include waste vehicle circulation route and constructed in accordance with the approved details. Thereafter the routes shall be maintained in accordance with those approved details.

REASON: In the interest of maintaining highway efficiency and safety.

- 90 Unless agreed through the reserved matters pursuant to condition, no plant or equipment shall be affixed to any external face of a building or added to the roof of the building.
REASON:- In the interests of visual amenity.
- 91 At least 50% of the residential units are Category 2: Accessible and Adaptable dwellings.
REASON:- To ensure the development will meet the increase in demand for accessible and adaptable units for elderly and disabled residents in accordance with Policy HO11 of the Stevenage Borough Local Plan 2011 – 2031 (adopted 2019).
- 92 No external or internal lighting shall be installed on the residential development unless details of such lighting, including the intensity of illumination and predicted light contours, have first been submitted to, and approved in writing the Local Planning Authority prior to first occupation of the office development. Any external lighting shall accord with the details so approved.
REASON:- In order to protect the amenities and operations of neighbouring properties and to ensure any external lighting does not prejudice highway safety.
- 93 Prior to the commencement of construction of any individual residential building the developer shall submit in writing and have approved in writing by the local planning authority, a scheme of noise mitigation and mechanical and natural ventilation control to protect the internal environment of each dwelling within the building. Any scheme approved by the local planning authority can be subject to controls added by them as part of its approval of the said scheme.

The measures set out in the scheme shall include the mitigation of noise generated internally by any ventilation systems that are to be built as well as external environmental noise sources that impact dwellings.

The scheme of measures shall permit occupation without excessive heat or carbon dioxide gain within rooms whilst maintaining a reasonable internal acoustic environment and in particular with windows and doors closed where this is necessary to prevent excessive resulting internal noise. The scheme shall also address the identification, location, type and specification of openings, including ventilators, windows and doors in the external building façades that communicate with dwelling rooms and permit entry of noise from other commercial and industrial sites located on the northern side of Maxwell Road.

The scheme, as approved by the local planning authority shall be fully implemented and maintained in accordance with the approved details, at all times during the use of the relevant building for residential purposes, the subject of this approval. Post the implementation of the scheme the subject of this condition and notwithstanding any permitted development rights, no additional façade openings are permitted to be created without the prior written approval of the local planning authority.

Prior to the commencement of construction of any individual building the developer shall submit in writing and have approved in writing, by the local planning authority, a scheme of noise mitigation, including vibration, to address emissions of noise whether airborne or structure borne, emanating from any fixed plant or machinery serving the said building. This relates to such noise and vibration which may impact any dwelling that is part of the development or neighbouring it. Any scheme approved by the local planning authority can be subject to controls added by them as part of its approval of the said scheme.

The measures set out in the scheme shall also include the mitigation of noise emitted from any lift, pump, fan, compressor and building services plant including air handling units, condenser units, electrical transformers and sub-stations required to serve the building.

The scheme of measures shall be such as to prevent low frequency noise exceeding the criteria as set out in national guidance NANR45 within any dwelling room and ensure any

assessment of its rating level when determined in accordance with BS4142014 is below the typical background sound level at adjacent dwellings.

The scheme as approved by the local planning authority shall be fully implemented and maintained in accordance with the conditions of approval at all times during the use of the relevant building the subject of this approval.

REASON:- In order to protect the amenities of nearby residential properties and future occupiers of the residential development plot.

- 94 Demolition of the existing buildings and construction work of the proposed development within the Residential Development Plot shall not begin until a scheme for protecting the existing residential neighbouring properties and the proposed residential neighbours formed as part of the development hereby permitted has been submitted to and approved by the Local Planning Authority in writing. Any scheme approved by the local planning authority can be subject to controls added by them as part of its approval of the said scheme.

The scheme and any controls imposed by way of approval shall address the mitigation and control of noise, times and days of demolition and construction activity, prediction of noise levels during stages of the construction and demolition at residential boundaries, methods of minimising and mitigating noise impact at residential receptors, including through the phasing of the development construction as well as the types of plant and methods of construction applied. The scheme shall also include the measurement, recording and reporting to the local planning authority of boundary level noise emissions at adjacent residential receptors and a process for reducing such noise where predicted levels are exceeded or complaints by affected residents arise. The scheme shall include a procedure for the recording and reporting of all complaints of noise to the local planning authority. The scheme as approved shall be fully implemented and maintained in accordance with any details of approval at all times during any construction or demolition works the subject of this approval.

REASON:- In order to protect the amenities of nearby residential properties and future occupiers of the residential development plot.

- 95 Prior to the commencement of construction of any individual building within the Residential Development Plot the developer shall submit in writing and have approved in writing, by the local planning authority, a scheme of noise mitigation, including vibration, to address emissions of noise whether airborne or structure borne, emanating from any fixed plant or machinery serving the said building. This relates to such noise and vibration which may impact any dwelling that is part of the development or neighbouring it. Any scheme approved by the local planning authority can be subject to controls added by them as part of its approval of the said scheme.

The measures set out in the scheme shall also include the mitigation of noise emitted from any lift, pump, fan, compressor and building services plant including air handling units, condenser units, electrical transformers and sub-stations required to serve the building.

The scheme of measures shall be such as to prevent low frequency noise exceeding the criteria as set out in national guidance NANR45 within any dwelling room and ensure any assessment of its rating level when determined in accordance with BS4142014 is below the typical background sound level at adjacent dwellings.

The scheme as approved by the local planning authority shall be fully implemented and maintained in accordance with the conditions of approval at all times during the use of the relevant building the subject of this approval.

REASON:- In order to protect the amenities of nearby residential properties and future occupiers of the residential development plot.

Pro-active Statement

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

INFORMATIVES

1 Environment Agency

The developer should follow the risk management framework provided in CLR11, Model Procedures of Land Contamination, when dealing with land affected by contamination. Refer to the Environment Agency Guiding principles for land contamination that are required in order to assess risks to controlled waters from the site. The Local Authority can advise on risk receptors such as human health. Consider using the National Quality Mark Scheme for Land Contamination Management which involves the use of competent persons to ensure that land contamination risks are appropriately managed. In addition, to consideration should be made to the Environment Agency's approach to groundwater protection February 2018 version 1.2.

Refer to the contaminated land pages on GOV.UK for more information. It is expected the site investigations to be carried out in accordance with best practice guidance for site investigations on land affected by land contamination, for example British Standards, when investigating potentially contaminated sites and groundwater, and references with these documents:

- BS5930:2015 Code of practice for site investigations;
- BS10175:2011 A1:2013 Code of practice for investigation of potentially contaminated sites;
- BS ISO 5667-22:2010 Water quality, sampling, Guidance on the design and installation of groundwater monitoring points;
- BS ISO 5667-11:2009 Water quality, sampling, Guidance on sampling of groundwater's (A minimum of 3 groundwater monitoring boreholes are required to establish the groundwater levels, flow patterns and groundwater quality, more monitoring locations may be required to establish the conceptual model);
- Use MCERTS accredited methods for testing contaminated soils at the site.
- A Detailed Quantitative Risk Assessment (DQRA) for controlled waters using the results of the site investigations with consideration of the hydrogeology of the site and the degree or any existing groundwater and surface water pollution should be carried out.

The verification plan should include proposals for a groundwater monitoring programme to encompass regular monitoring for a period date before, during and after ground works. For example, monthly monitoring before, during and for a least the first quarter after completion of ground works, and then quarterly for the remaining 9-month period. Where SuDS are proposed, infiltration SuDS should not be located in unsuitable and unstable land affect by contamination or solution features.

Where infiltration SuDS are to be used for surface run-off from roads, car parking and public or amenity areas, they should have a suitable series of treatment steps to prevent the pollution of groundwater. For the immediate drainage catchment areas used for handling and storage of chemicals and fuel, handling and storage of waste, lorry, bus and coach of parking turning areas, infiltration SuDS are not permitted without an environmental. Further advice in the updated CIRIAL SuDS manual should be used as reference.

2 Hertfordshire Highways

AN1) Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047.

AN2) Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> telephoning 0300 1234047.

AN3) Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047.

AN4) Construction standards for works within the highway. The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047.

AN5) Construction standards for works within the highway. The application is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highways Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The requirement as part of the offsite s278 works is to provide:

- Access works;
- Provision of two pedestrian crossing facilities in Maxwell Road;
- Resurfacing of the existing footway along the site's northern boundary;
- Provision of a new footway between the two new pedestrian crossing facilities;
- Provision of two new shared pedestrian/cycle links from the site to the cycle track to the south;
- Cavendish Road bus stop improvements: provision of Kassel kerbing, bus shelter, bench;
- Connect the existing two off road cycle facilities across Maxwell Road;

- Improve pedestrian access to Cavendish Road bus stop by resurfacing the provision of dropped kerbs and tactiles; and
- 'Keep Clear' markings on the Maxwell Road / Gunnels Wood Road junction.

The details should be included as part of the s278 drawing as part of the required highway work in conjunction with the development. The construction of such works must be undertaken to the satisfaction and specification of the Highways Authority, and, by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements.

3 **Thames Water**

With regards to surface water drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water, we would have no objection. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required.

4 **Ecology**

As part of any reserved matters application relating to landscaping, it is recommended that where possible, brush or log-piles should be created at the edge of the site if any tree/shrub clearance is undertaken, to provide wildlife stacks for invertebrates and small mammals. In addition, any closed board fencing as part of any boundary treatment should have Hedgehog gaps placed in them (150mm wide and 100mm high) to allow them and other small animals access throughout the site and area.

5 **Trees and Landscaping**

As part of any reserved matters application relating to landscaping, the Council's Arboricultural Manager recommends that the following tree works should part of any landscaping scheme submitted to the Council for its approval:-

1. Removal of 2 no. Poplar Trees in the North East corner of Block 1;
2. 30% reduction of first row of trees on the Eastern boundary by Blocks 1 and 2;
3. 30% reduction of the two Lime trees by the South Eastern corner of the site;
4. 30% overall reductions on the two groups of Maple trees on the northern boundary near Block 4 and Office Block;
5. Removal (including stump grinding) of the two Maple trees on the North side by the sub-station.

6 **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

7 **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>

8 **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).

9 Police Crime Prevention Design Service

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

13. BACKGROUND DOCUMENTS

1. The application file, forms, plans and supporting documents having the reference number relating to this item.
2. Stevenage Borough Council Supplementary Planning Documents – Parking Provision adopted October 2020, Stevenage Design Guide adopted October 2009, The impact of Development on Biodiversity adopted March 2021, Stevenage Borough Council Developer Contributions adopted March 2021.
3. Stevenage Borough Local Plan 2011-2031 adopted 2019.
4. Hertfordshire County Council's Local Transport Plan 4 adopted May 2018.
5. Responses to consultations with statutory undertakers and other interested parties referred to in this report.
6. Central Government advice contained in the National Planning Policy Framework July 2021 and Planning Policy Guidance March 2014.