

**PLANNING AND DEVELOPMENT COMMITTEE
MINUTES**

Date: Tuesday, 1 November 2022

Time: 6.30pm

Place: Council Chamber

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

Start / End Start Time: 6.30pm
Time: End Time: 9.15pm

1 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

There were no apologies for absence and no declarations of interest.

2 MINUTES - 4 OCTOBER 2022

It was **RESOLVED** that the minutes of the meeting of the Planning and Development Committee held on 4 October 2022 be approved as a correct record and signed by the Chair.

3 22/00369/FPM - BARNWELL LOWER SCHOOL, COLLENSWOOD ROAD

The Committee considered a report in respect of application 22/00369/FPM for the erection of a new secondary school and new Stevenage Education Support Centre (SESC) building, together with associated works and refurbishments including the provision of games areas, informal play areas, a substation, landscaping and carparking, following the demolition of the vacant former Collenswood and Barnwell School buildings.

The Assistant Director Planning and Regeneration reminded Members that the Committee had deferred a decision on the previous application for this site to allow the applicant the opportunity to provide further information on the following three areas of concern:

- traffic in Redwing Close;
- pedestrian access; and
- acoustic fencing.

The Committee was informed that following the meeting, the applicant had made amendments to the plans and included an offer to sponsor a Traffic Regulation order on Redwing Close, two additional pedestrian accesses, the proposed acoustic fencing had been moved.

It was also advised that since the last meeting, new information relating to biodiversity net gain had been received and had resulted in further amendments as follows:

- The route of the footpath linking the site to Barham Road had been altered to limit tree loss;
- The proposed foul sewer would run underneath the path;
- The development would deliver 10.82% biodiversity net gain which would be achieved on-site.

The Committee had received addendum information regarding additional letters of representation, further information in relation to the biodiversity net gain assessment and a number of amendments to conditions.

The Development Manager then gave a presentation in respect of this application including a map, plans and photographs to demonstrate the location and character of the site.

The Chair then invited Barbara Erne, an objector to address the meeting. Mrs Erne's objections included the significant removal of trees, the proximity of the footpaths to residential gardens and the consequent noise and disturbance and potential security issues. Mrs Erne also expressed concern regarding the impact of pick-up and drop-off activity on surrounding roads and junctions and also the environmental damage which would be caused.

Councillor Wendy Kerby, Ward Councillor for Bandle Hill then addressed the Committee on behalf of residents within her ward. Similar to the previous speaker, concerns of local residents included the unacceptable traffic generation and that the local roads were not designed for the volume of cars that would be using them. Particular concern was the potential damage to the local roads and infrastructure caused by construction traffic during the development of the school.

Mr Bob Robinson of DPP Planning, on behalf of the applicant then addressed the Committee. Mr Robinson advised that there was a long history of educational use for the site and was allocated for a secondary school in the Local Plan. The proposed building was a similar footprint to what is already built on the site and would be a highly energy efficient building. Following the deferral of the application revisions had been made by the applicant in relation to the pedestrian footpath accesses, the acoustic fence, tree removal and additional planting.

The Chair thanked all speakers for their contributions to the meeting.

The Development Manager advised that although it would be possible to implement a Traffic Regulation Order on Redwing Close, the effectiveness of the Order was questionable and it would come at the expense of causing inconvenience to residents of the road, as well as visitors.

Members were informed that the introduction of new pedestrian accesses from Barham Road and Dene Lane would alleviate some of the issues associated with having Redwing Close as the sole access to the site. However, residents of Redwing

Close would undoubtedly remain subject to a degree of disturbance, whilst residents of roads which were previously largely unaffected (e.g. Barham Road) would now be subject to similar impacts.

The Development Manager advised that the impact of the relocation of the proposed acoustic fence was considered to be a positive change. The fence would remain effective as a barrier to sound transmission without appearing overbearing to the occupants of Marlborough Road or unduly overshadowing their gardens. As such, officers had concluded that the development would now have an acceptable impact on these properties.

Having regard to the above, the benefits of granting permission are considered to significantly outweigh the adverse impacts.

In response to a question regarding replacement tree planting, Officers agreed to request the applicant that any trees removed as a result of this application be replaced on a 3 – 1 basis.

Members agreed that the implementation of a Traffic Regulation Order would not manage the drop-off and pick-up activities in either Redwing Close or Barham Road.

A Member asked about the boundary between the school site and the SESC site. It was confirmed there would be a fence and dense planting to ensure screening between the two sites.

Officers advised that there would be conditions attached to the permission to ensure residents and residential streets were protected during construction of the development. This would also apply to the hours of the construction works. Resident engagement would be undertaken by the applicant including monthly letter drops and social media engagement.

Concern was expressed regarding the safety of residents crossing Magpie Crescent. The Assistant Director Planning and Regulation advised that although this was outside of this application and the responsibility of Herts County he would take the concerns away and raise them with the appropriate County Officers.

The Assistant Director also agreed to ensure that the conditions would provide protection for families and children crossing the access points into the site when going to Ashtree School.

It was **RESOLVED** that application 22/00369/FPM be granted planning permission subject to the conditions below and with the following amendments/comments:

- Replacement trees to be planted on a 3:1 ratio;
- The Construction Management Plan should include details of the specific health and safety action to be taken to protect pedestrians including small children at school pick up and drop off times;
- Officers agreed to consult with the County Council regarding Members concerns relating to the safety of pedestrians particularly crossing Magpie Crescent in order to reach the school entrance.

That planning permission be GRANTED subject to the following conditions and the transfer of the signed S106 legal agreement which has secured and/or provides:

- Travel Plan Monitoring
- Employment and Apprenticeship Opportunities

With delegated powers be given to the Assistant Director of Planning and Regulation in consultation with the Chair of Planning Committee to negotiate and secure the obligation detailed above (including triggers where appropriate) as part of the Section 106 Agreement in order to mitigate the developments impact on infrastructure as well as secure the planning benefits which this scheme seeks to deliver. In addition, the imposition of suitable safeguarding conditions, with authority given to the Assistant Director of Planning and Regulation in consultation with the Chair of Planning Committee, to amend or add to the suggested draft conditions set out in this report, prior to the decision notice being issued, where such amendments or additions would be legally sound and most effectively deliver the development that the Planning Committee has resolved to approve.

Conditions

Conditions Relating to All Phases

General Conditions

1. The development to which this permission relates shall be carried out in accordance with the following approved plans unless otherwise agreed in writing by the local planning authority:
FS0945-ALA-XX-ZZ-DR-L-0001 Rev P09
FS0945-ALA-XX-ZZ-DR-L-0002 Rev P09
FS0945-ALA-XX-ZZ-DR-L-0003 Rev P09
FS0945-ALA-XX-ZZ-DR-L-0004 Rev P09
FS0945-ALA-XX-ZZ-DR-L-0005 Rev P09
FS0945-ALA-XX-ZZ-DR-L-0006 Rev P09
FS0945-ALA-XX-ZZ-DR-L-0007 Rev P09
FS0945-ALA-XX-ZZ-DR-L-0008 Rev P09
FS0945-ALA-XX-ZZ-DR-L-0009 Rev P09
FS0945-ALA-XX-ZZ-DR-L-0014 Rev P09
FS0945-ALA-XX-ZZ-DR-L-0015 Rev P09
FS0945-ALA-XX-ZZ-DR-L-0016 Rev P09
FS0945-ALA-XX-ZZ-DR-L-0017 Rev P09
FS0945-ALA-XX-ZZ-DR-L-0018 Rev P09
FS0945-ALA-XX-ZZ-DR-L-0019 Rev P08
FS0945-ALA-XX-ZZ-DR-L-0020 Rev P08
FS0945-ALA-XX-ZZ-DR-L-0023 Rev P09
FS0945-ALA-XX-ZZ-DR-L-0026 Rev P08
FS0945-ALA-XX-ZZ-DR-L-0027 Rev P08
FS0945-ALA-XX-ZZ-DR-L-0029 Rev P06
FS0945-ALA-XX-ZZ-DR-L-0030 Rev P06
FS0945-ALA-XX-ZZ-DR-L-0032 Rev P09

FS0945-ALA-XX-ZZ-DR-L-0033 Rev P09
FS0945-JWA-ZZ-LG-DR-A-1001 Rev P02
FS0945-JWA-ZZ-00-DR-A-1002 Rev P02
FS0945-JWA-ZZ-01-DR-A-1003 Rev P01
FS0945-JWA-ZZ-02-DR-A-1004 Rev P01
FS0945-JWA-ZZ-R1-DR-A-1005 Rev P01
FS0945-JWA-ZZ-LG-DR-A-1050 Rev P01
FS0945-JWA-ZZ-ZZ-DR-A-3001 Rev P01
FS0945-JWA-ZZ-ZZ-DR-A-3002 Rev P01
FS0945-JWA-ZZ-ZZ-DR-A-3003 Rev P02
FS0945-JWA-ZZ-ZZ-DR-A-3004 Rev P02
FS0945-JWA-ZZ-ZZ-DR-A-4001 Rev P01
FS0945-HEX-XX-XX-DR-C-9201 Rev P04
FS0945-HEX-XX-XX-DR-C-9203 Rev P04
FS0945-HEX-XX-XX-DR-C-9204 Rev P04
714-ALA-XX--ZZ-DR-L-0006 Rev P01
714-ALA-XX--ZZ-DR-L-0007 Rev P01
FS1024-ALA-XX-ZZ-DR-L-0001 Rev P04
FS1024-ALA-XX-ZZ-DR-L-0002 Rev P04
FS1024-ALA-XX-ZZ-DR-L-0003 Rev P04
FS1024-ALA-XX-ZZ-DR-L-0004 Rev P04
FS1024-ALA-XX-ZZ-DR-L-0005 Rev P04
FS1024-ALA-XX-ZZ-DR-L-0008 Rev P04
FS1024-ALA-XX-ZZ-DR-L-0009 Rev P04
FS1024-ALA-XX-ZZ-DR-L-0010 Rev P04
FS1024-ALA-XX-ZZ-DR-L-0011 Rev P02
FS1024-ALA-XX-ZZ-DR-L-0012 Rev P04
FS1024-ALA-XX-ZZ-DR-L-0016 Rev P04
FS1024-ALA-XX-ZZ-DR-L-0020 Rev P04
FS1024-ALA-XX-ZZ-DR-L-0021 Rev P01
FS1024-ALA-XX-ZZ-DR-L-0022 Rev P01
FS1024-ALA-XX-ZZ-DR-L-0023 Rev P03
FS1024-JWA-AA-00-DR-A-1001 Rev P02
FS1024-JWA-AA-01-DR-A-1002 Rev P02
FS1024-JWA-AA-ZZ-DR-A-3001 Rev P02
FS1024-JWA-AA-ZZ-DR-A-3002 Rev P02
FS1024-JWA-AA-ZZ-DR-A-4001 Rev P01

2. The development to which this permission relates shall be begun before the expiration of three years from the date of this permission.
3. The materials used in the external surfaces of the development to which this permission relates shall be those listed on the application form, approved plans and accompanying documents unless otherwise agreed in writing by the local planning authority.
4. Unless otherwise agreed in writing by the local planning authority, no demolition, construction or maintenance activities audible at the site boundary shall be carried out except between the hours of 08:00 to 18:00 Monday to Friday and 08:00 to 13:00 on Saturdays. For the avoidance of

doubt, no such work shall be carried out on Sundays or Bank Holidays.

5. Unless otherwise agreed in writing by the local planning authority, no deliveries or collections relating to demolition or construction activity shall be carried out except between the hours of 08:00 to 18:00 Monday to Friday and 08:00 to 13:00 on Saturdays. For the avoidance of doubt, no such deliveries or collections shall be carried out on Sundays or Bank Holidays.
6. Any external lighting installed at the site shall be angled so as to avoid any spillage beyond the site boundaries unless otherwise agreed in writing by the local planning authority.
7. In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing immediately to the local planning authority. An investigation and risk assessment must be undertaken and where remediation is necessary, a remediation scheme must be submitted to and approved in writing by the local planning authority. Following completion of measures identified in the approved remediation scheme, a verification report must be submitted to and approved in writing by the local planning authority.
8. The development to which this permission relates shall be carried out in accordance with the mitigation measures as specified in Table 11 and Table 12 of "Ecological Impact Assessment and Biodiversity Net Gain Report" authored by Surrey Wildlife Trust Ecology Services and dated 01/04/2022 and the methods as specified in "**Re: Michaela and SESC BNG Metric 22/00369/FPM**" authored by Surrey Wildlife Trust and dated **31/10/2022** unless otherwise agreed in writing by the local planning authority.
9. The development to which this permission relates shall be carried out in accordance with the methods specified in Section 5 of "Arboricultural Method Statement" reference RT-MME-156848-03 Rev F authored by Middlemarch and dated 18/10/2022, together with the accompanying Tree Protection Plans reference C156848-03-01 Rev C unless otherwise agreed in writing by the local planning authority.
10. The development to which this permission relates shall be carried out in accordance with "Site Waste Management Plan" authored by Bowmer and Kirkland Group and dated 29 June 2022 unless otherwise agreed in writing by the local planning authority.
11. The development to which this permission relates shall be carried out in accordance with "Construction Management Plan" reference FS1024-BNK-XX-XX-RP-W-0001 and dated 22/08/2022 **with timing of construction and demolition activities (including delivery times and removal of waste) avoiding school pick up/drop off times** unless otherwise agreed in writing by the local planning authority.

Prior to Commencement

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

- gravity drainage throughout (i.e. no need for pumping);
- limiting the surface water run off generated by the 1 in 100 year + 40% climate change critical storm to rates agreed by the relevant body to whom discharges would occur;
- Providing attenuation on-site for all rainfall events up to and including the 1 in 100 year + 40% climate change event;
- ensuring site levels are set such that any 'allowable' flooding at the ground surface would be: contained outside of buildings for all events (including exceedance events); and also within the site boundaries to a maximum flood depth of up to 100mm during the 100 year plus 40% climate change storm events.

The scheme shall also provide the following:

- appropriate treatment before discharge;
- evidence of agreement (of principle and rates) from the relevant body or bodies to whom discharges would occur;
- updated surface water drainage calculations and modelling for all rainfall events up to and including the 1 in 100 year plus climate change event;
- an updated detailed surface water drainage plan, showing all proposed discharge points, SuDS features and pipe runs (with sizes);
- detailed engineered drawings of the proposed SuDS features including their size, volume, depth and any inlet and outlet features, including any connecting pipe runs, along with all corresponding detailed calculations/modelling;
- updated detailed exceedance flow path drawings for surface water for events greater than the 1 in 100 year plus climate change event, including surface water run-on from upstream of the site.

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

13. No development shall take place (excluding site clearance and demolition) until a landscape and ecological management plan ("LEMP") has been submitted to and approved in writing by the local planning authority. The content of the LEMP shall ensure the delivery of the agreed number of habitat and hedgerow units as a minimum (**48.42 habitat units**, 6.60 hedgerow units) to achieve a net gain in biodiversity and include the following:

- a) Description and evaluation of features to be managed;

- b) Aims and objectives of management;
- c) Appropriate management options for achieving target condition for all habitats, as described in the approved metric;
- d) Prescriptions for management actions, only definitive measures are acceptable;
- e) Preparation of an annual work schedule for a minimum of 30 years with measures clearly marked on plans;
- f) Details of the body or organisation responsible for implementation of the plan;
- g) Ongoing monitoring plan and remedial measures to ensure habitat condition targets are met;
- h) Details of species selected to achieve target habitat conditions as identified in approved metric, definitively stated and marked on plans.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body or bodies responsible for its delivery.

The LEMP shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

The development shall be carried out in accordance with the approved LEMP.

Conditions Relating to Phase 1 – Michaela Community School

General Conditions

- 14. Cumulative plant noise emissions from Phase 1 of the development to which this permission relates shall not exceed the levels detailed in Table 2.2 of “Noise Assessment” reference 21688R02aPKJB at the nearest residential receptor unless otherwise agreed in writing by the local planning authority.
- 15. The multi-use games area on Phase 1 of the development to which this permission relates shall not be used after 21:30 hours on any day unless otherwise agreed in writing by the local planning authority.

During Construction

- 16. No development shall take place above slab level on Phase 1 of the development to which this permission relates until the post-demolition supplementary environmental investigation and remediation strategy, as detailed in Section 9.4 of “Geo-Environmental Assessment” reference 21-2426.01_REP_Michaela-Community-School_Stevenage_GEA_220321, has been submitted to and approved in writing by the local planning authority. The development shall then be carried out in accordance with the approved remediation strategy.

17. Prior to commencement of the enhancement works to the playing field on Phase 1 of the development to which this permission relates, a contractor's specification for the works prepared in accordance with "A Feasibility Study for the construction of natural turf winter sport pitches at Michaela School and Stevenage SESC" authored by TGMS Sports Surface Consultants and dated 17 March 2022, which includes an implementation programme, shall be submitted to and approved in writing by the local planning authority in consultation with Sport England. The playing field enhancement works shall then be implemented in accordance with the approved specification and implementation programme.
18. The acoustic fencing on Phase 1 of the development to which this permission relates (labelled "F5" on drawing FS0945-ALA-XX-ZZ-DR-L-0009 Rev **P09**) shall be Jacksons Fencing 12K Envirofence. It shall be 3m in height as measured from finished ground level and shall have a superficial mass of at least 10kg/m². The fencing shall be installed prior to first use of the multi-use games area and permanently retained as such thereafter unless otherwise agreed in writing by the local planning authority.
19. Prior to commencement of works to construct the multi-use games area on Phase 1 of the development to which this permission relates, a scheme for pitch lighting shall be submitted to and approved in writing by the local planning authority. No pitch lighting whatsoever shall be installed other than in accordance with the approved pitch lighting scheme.
20. Prior to the commencement of works to provide the car parking within Phase 1 of the development to which this permission relates, a scheme for the provision of electric vehicle charging, including spaces designed to achieve a passive standard, shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented prior to the beneficial occupation of Phase 1 of the development and permanently retained as such thereafter unless otherwise agreed in writing by the local planning authority.

Prior to Occupation or Use

21. Prior to the beneficial occupation of Phase 1 of the development to which this permission relates, a verification report, demonstrating that the remediation criteria agreed under Condition 16 of this permission have been achieved, shall be submitted to and agreed in writing by the local planning authority.
22. Prior to the beneficial occupation of Phase 1 of the development to which this permission relates, all car parking, service and manoeuvring areas shall be implemented in full as shown on the approved plans. Those areas shall be permanently kept free from obstruction and maintained for their intended purpose thereafter unless otherwise agreed in writing by the local planning authority.

23. Prior to beneficial occupation of Phase 1 of the development to which this permission relates, a delivery and service plan shall be submitted to and approved in writing by the local planning authority. The approved delivery and service plan shall then be adhered to for the lifetime of the development unless otherwise agreed in writing by the local planning authority.
24. Prior to beneficial occupation of Phase 1 of the development to which this permission relates, the cycle parking shall be implemented in full as shown on the approved plans. It shall be permanently kept free from obstruction and maintained for its intended purpose thereafter unless otherwise agreed in writing by the local planning authority.
25. Prior to beneficial occupation of Phase 1 of the development to which this permission relates, an updated travel plan shall be submitted to and approved in writing by the local planning authority. The plan shall include a mechanism to increase the amount of cycle parking provided at the site in future should this be identified as necessary to meet the objectives of the plan during monitoring. It shall also include a timetable for implementation. The approved plan shall then be implemented in accordance with the approved timetable and adhered to for the lifetime of the development unless otherwise agreed in writing by the local planning authority.
26. Prior to beneficial occupation of Phase 1 of the development to which this permission relates, details of refuse stores, including drawings of the elevations of any enclosures and the number, type, size and siting of bins, shall be submitted to and approved in writing by the local planning authority. The refuse stores shall then be provided in accordance with the approved details prior to beneficial occupation of Phase 1 and permanently retained as such thereafter unless otherwise agreed in writing by the local planning authority.
27. Prior to first use of the multi-use games area on Phase 1 of the development to which this permission relates, a noise management plan prepared in accordance with Paragraph 3.6.3 of "Noise Assessment" reference 21688R02aPKJB shall be submitted to and approved in writing by the local planning authority. The approved noise management plan shall be adhered to for the lifetime of the development unless otherwise agreed in writing by the local planning authority.
28. All planting and other soft landscaping as shown on drawing numbers FS0945-ALA-XX-ZZ-DR-L-0003 Rev P09 through FS0945-ALA-XX-ZZ-DR-L-0008 Rev P09 and FS0945-ALA-XX-ZZ-DR-L-0023 Rev P09 **which shall include replacement tree planting at a ratio of 3:1,** shall be carried out no later than the first planting and seeding seasons following beneficial occupation of Phase 1 of the development to which this permission relates unless otherwise agreed in writing by the local planning authority.
29. Prior to beneficial occupation of Phase 1 of the development to which this permission relates, a scheme for low and zero carbon technologies, detailing

the savings in regulated carbon dioxide emissions to be achieved by Phase 1 versus Part L of the Building Regulations, shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented in full prior to beneficial occupation of Phase 1 and permanently retained as such thereafter unless otherwise agreed in writing by the local planning authority.

30. Prior to beneficial occupation of Phase 1 of the development to which this permission relates, a scheme for the provision of fire hydrants shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented in full prior to beneficial occupation of Phase 1 and permanently retained as such thereafter unless otherwise agreed in writing by the local planning authority.
31. Prior to beneficial occupation of Phase 1 of the development to which this permission relates, a community use agreement prepared in consultation with Sport England shall be submitted to and approved in writing by the local planning authority, and a copy of the completed approved agreement shall be provided to the local planning authority. The agreement shall apply to the sports hall, multi-use games area, natural turf playing field and the supporting ancillary facilities within Phase 1 as a minimum and include details of pricing policy, hours of use, access by non-educational establishment users, management responsibilities and a mechanism for review, and anything else which the local planning authority in consultation with Sport England considers necessary in order to secure the effective community use of the facilities. The development shall not be used at any time other than in compliance with the approved agreement.

Post-Completion

32. No tree within Phase 1 of the development to which this permission relates and shown as retained on "Tree Retention and Removal Plan" reference FS0945-ALA-XX-ZZ-DR-L-0027 Rev P08 shall be felled, uprooted, destroyed, topped or lopped within five years of the substantial completion of Phase 1 unless otherwise agreed in writing by the local planning authority.
33. Any trees or other plants comprised in the landscaping works for Phase 1 of the development to which this permission relates (as shown on drawing numbers FS0945-ALA-XX-ZZ-DR-L-0003 Rev **P09** through FS0945-ALA-XX-ZZ-DR-L-0008 Rev **P09** and FS0945-ALA-XX-ZZ-DR-L-0023 Rev **P09**), which within a period of five years from the substantial completion of Phase 1 die, are removed, become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless otherwise agreed in writing by the local planning authority.

Conditions Relating to Phase 2 – SESC

General

34. Cumulative plant noise emissions from Phase 2 of the development to which

this permission relates shall not exceed the levels detailed in Table 2.2 of “Noise Assessment” reference 21689R02aPKJB at the nearest residential receptor unless otherwise agreed in writing by the local planning authority.

35. The multi-use games area on Phase 2 of the development to which this permission relates shall not be used after 21:30 hours on any day unless otherwise agreed in writing by the local planning authority.

During Construction

36. No development shall take place above slab level on Phase 2 of the development to which this permission relates until the post-demolition supplementary environmental investigation and remediation strategy, as detailed in Section 9.4 of the “Geo-Environmental Assessment” reference 21-2426.01_REP_SESC_Stevenage_GEA_220321, has been submitted to and approved in writing by the local planning authority. The development shall then be carried out in accordance with the approved remediation strategy.

37. The acoustic fencing on Phase 2 of the development to which this permission relates (labelled “F5” on drawing FS1024-ALA-XX-ZZ-DR-L-0005 Rev P04) shall be Jacksons Fencing 12K Envirofence. It shall be 3m in height as measured from finished ground level and shall have a superficial mass of at least 10kg/m². The fencing shall be installed prior to first use of the multi-use games area and permanently retained as such thereafter unless otherwise agreed in writing by the local planning authority.

38. Prior to commencement of works to construct the multi-use games area on Phase 2 of the development to which this permission relates, a scheme for pitch lighting shall be submitted to and approved in writing by the local planning authority. No pitch lighting whatsoever shall be installed other than in accordance with the approved pitch lighting scheme.

39. Prior to the commencement of works to provide the car parking within Phase 2 of the development to which this permission relates, a scheme for the provision of electric vehicle charging, including spaces designed to achieve a passive standard, shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented prior to the beneficial occupation of Phase 2 of the development and permanently retained as such thereafter unless otherwise agreed in writing by the local planning authority.

Prior to Occupation or Use

40. Prior to the beneficial occupation of Phase 2 of the development to which this permission relates, a verification report, demonstrating that the remediation criteria agreed under Condition 36 of this permission have been achieved, shall be submitted to and agreed in writing by the local planning authority.

41. Prior to the beneficial occupation of Phase 2 of the development to which this permission relates, all car parking, service and manoeuvring areas shall be implemented in full as shown on the approved plans. Those areas shall be permanently kept free from obstruction and maintained for their intended purpose thereafter unless otherwise agreed in writing by the local planning authority.
42. Prior to beneficial occupation of Phase 2 of the development to which this permission relates, the cycle parking shall be implemented in full as shown on the approved plans. It shall be permanently kept free from obstruction and maintained for its intended purpose thereafter unless otherwise agreed in writing by the local planning authority.
43. Prior to beneficial occupation of Phase 2 of the development to which this permission relates, an updated travel plan shall be submitted to and approved in writing by the local planning authority. The plan shall include a timetable for implementation. The approved plan shall then be implemented in accordance with the approved timetable and adhered to for the lifetime of the development unless otherwise agreed in writing by the local planning authority.
44. Prior to beneficial occupation of Phase 2 of the development to which this permission relates, a refuse vehicle strategy, demonstrating how refuse vehicles will enter, service and leave Phase 2, shall be submitted to and approved in writing by the local planning authority. The refuse vehicle strategy shall then be adhered to for the lifetime of the development unless otherwise agreed in writing by the local planning authority.
45. Prior to beneficial occupation of Phase 2 of the development to which this permission relates, details of refuse stores, including drawings of the elevations of any enclosures and the number, type, size and siting of bins, shall be submitted to and approved in writing by the local planning authority. The refuse stores shall then be provided in accordance with the approved details prior to beneficial occupation of Phase 2 and permanently retained as such thereafter unless otherwise agreed in writing by the local planning authority.
46. Prior to first use of the multi-use games area on Phase 2 of the development to which this permission relates, a noise management plan prepared in accordance with Paragraph 3.6.3 of "Noise Assessment" reference 21689R02aPKJB shall be submitted to and approved in writing by the local planning authority. The approved noise management plan shall be adhered to for the lifetime of the development unless otherwise agreed in writing by the local planning authority.
47. All planting and other soft landscaping as shown on drawing numbers FS1024-ALA-XX-ZZ-DR-L-0003 Rev P04, FS1024-ALA-XX-ZZ-DR-L-0004 Rev P04 and FS1024-ALA-XX-ZZ-DR-L-0016 Rev P04 **which shall include replacement planting at a ratio of 3:1**, shall be carried out no later than the first planting and seeding seasons following beneficial occupation of

Phase 2 of the development to which this permission relates unless otherwise agreed in writing by the local planning authority.

48. Prior to beneficial occupation of Phase 2 of the development to which this permission relates, a scheme for low and zero carbon technologies, detailing the savings in regulated carbon dioxide emissions to be achieved by Phase 2 versus Part L of the Building Regulations, shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented in full prior to beneficial occupation of Phase 2 and permanently retained as such thereafter unless otherwise agreed in writing by the local planning authority.
49. Prior to beneficial occupation of Phase 2 of the development to which this permission relates, a scheme for the provision of fire hydrants shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented in full prior to beneficial occupation of Phase 2 and permanently retained as such thereafter unless otherwise agreed in writing by the local planning authority.

Post-Completion

50. No tree within Phase 2 of the development to which this permission relates and shown as retained on "Tree Retention and Removal Plan" reference FS1024-ALA-XX-ZZ-DR-L-0020 Rev P04 shall be felled, uprooted, destroyed, topped or lopped within five years of the substantial completion of Phase 2 unless otherwise agreed in writing by the local planning authority.
51. Any trees or other plants comprised in the landscaping works for Phase 2 of the development to which this permission relates (as shown on drawing numbers FS1024-ALA-XX-ZZ-DR-L-0003 Rev P04, FS1024-ALA-XX-ZZ-DR-L-0004 Rev P04 and FS1024-ALA-XX-ZZ-DR-L-0016 Rev P04), which within a period of five years from the substantial completion of Phase 2 die, are removed, become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless otherwise agreed in writing by the local planning authority.

Informatives

1. 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 County Council website at:

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx>

or by telephoning 0300 1234047.

2. 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 County Council website at:

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx>

or by telephoning 0300 1234047.

3. It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made up carriageway, or any or other debris on a highway to the interruption of any highway user. Section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible.

Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.

4. The Police Crime Prevention Design Advisor can be contracted by telephone on 01707 355227.

5. 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).

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. The applicant is reminded that asbestos removal and remediation falls under the authority of the Health and Safety Executive. Any asbestos containing materials should be handled and disposed of appropriately. Where necessary, this should include the use of licensed contractors and waste disposal sites licensed to receive asbestos.
8. Travel Plan (TP): A TP, in accordance with the provisions as laid out in Hertfordshire County Council's Travel Plan Guidance, would be required to be in place from the first occupation/use until 5 years post occupation/use. A £1,200 per annum (overall sum of £6000 and index-linked RPI March 2014) Evaluation and Support Fee would need to be secured via a Section 106 agreement towards supporting the implementation, processing and monitoring of the full travel plan including any engagement that may be needed. Further information is available via the County Council's website at:

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>

OR by emailing travelplans@hertfordshire.gov.uk

9. School Travel Plan: Modeshift STARS is the national schools accreditation scheme that has been established to recognise schools that have demonstrated excellence in supporting cycling, walking and other forms of sustainable and active travel. The scheme encourages schools across the country (including Hertfordshire) to promote and increase levels of sustainable and active travel in order to improve the health and well-being of children and young people, as well as reducing local highway impacts arising from school pick up / drop off. Every school in England (outside of London) can participate in Modeshift STARS for free and on completion of an application, schools will automatically have a brand new national standard School Travel Plan. To register for Modeshift Stars, visit <https://www.modeshiftstars.org/contact>. Support is available to schools in Hertfordshire from Hertfordshire County Council's Active & Safer Travel Team by contacting activeandsafertravel@hertfordshire.gov.uk or travelplans@hertfordshire.gov.uk

10. Construction Management Plan (CMP): The purpose of the CMP is to help developers minimise construction impacts and relates to all construction activity both on and off site that impacts on the wider environment. It is intended to be a live document whereby different stages will be completed and submitted for application as the development progresses. A completed and signed CMP must address the way in which any impacts associated with the proposed works, and any cumulative impacts of other nearby construction sites will be mitigated and managed. The level of detail required in a CMP will depend on the scale and nature of development.

The CMP would need to include elements of the Construction Logistics and Community Safety (CLOCS) standards as set out in our Construction Management template, a copy of which is available on the County Council's website at:

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>

4 **22/00673/FP - GARAGES AND FORECOURT AREA TO REAR OF 13-19 THE CHACE**

The Committee considered a report in respect of application 22/00673/FP seeking the Variation of condition1 (plans) of planning permission 22/00672/FP to allow the siting of 3no three bed dwellings, parking and amenity space as built.

The Development Manager gave a presentation in respect of this application. He advised that the application had previously come before the Planning and Development Committee in October 2022 but had been deferred to allow the applicant time to provide an explanation as to why the setting-out error resulting in the dwellings being located 1.2m deeper into the site than approved, had occurred.

The Development Manager advised that the main issues for consideration in the determining of this application were whether the siting of the dwellings as built, 1.2m further south into the site than approved under ref. 20/00672/FP had a detrimental impact on the green link designation, trees, the character and appearance of the area, the amenity of neighbouring properties and car parking for the development.

A letter from Mr Camp from 15 The Chace objecting to the development was read out to the Committee. Mr Camp continued to oppose the development for a number of reasons including loss of daylight, overbearing and loss of privacy and damage to trees.

The Chair then invited Andrew Fitzpatrick, ADF Surveys to address the Committee. Mr Fitzpatrick apologised to the Committee and to the residents of neighbouring properties for the setting-out error which had inadvertently positioned the terrace 1.2m deeper into the site than it was consented to be although the dwellings did remain the same distance from the flank boundary as consented. He informed the Committee that he had been undertaking this work for nearly 50 years and this was the first time anything of this nature had happened.

The Chair thanked Mr Fitzpatrick for his contribution.

The Development Manager advised that it was considered that although unfortunate, the small encroachment of the dwellings, combined with the fact that there would be no substantive physical or visual break to the Green Link and the fact that planning permission had already been established for residential development in this location would not harm the function, amenity or overarching quality of the Fairlands Valley Green Link of which the area was a part.

The Committee was also advised that the revised siting of the dwellings did not impact on the agreed landscaping scheme. In respect of the impact on the amenity of neighbouring properties, the siting of the development had not materially changed the relationship of the terrace with nos. 13 – 19 The Chace compared to what was considered and approved previously by the Committee under the previous application that would now justify a refusal of the planning permission. Members of the Committee thanked Mr Fitzpatrick for his honesty in the matter and although were sympathetic with the views of Mr Camp, it was felt that the 1.2m encroachment of the development was not substantial enough to refuse the permission.

In response to a question, the Assistant Director, Planning and Regulation agreed to contact the Building Control Service to ascertain their knowledge in relation to the setting-out error and inform Members of the Committee accordingly.

It was **RESOLVED** that application 22/00673/FP be granted planning permission,

subject to the following conditions:

1. The development hereby permitted shall be carried out in accordance with the following approved plans:
3055.CHAC.200 Rev A; 3055.CHAC.201 Rev A; 3055.CHAC.202;
3055.CHAC.203 Rev A; 3055.CHAC.204; 3055.CHAC.205; 3055.CHAC.106 Rev A and 3055.CHAC.107.
2. The building works required to implement this permission shall be carried out only between the following times:
0800 to 1800 Mondays to Fridays
0830 to 1300 Saturdays
And not at all on Sundays and Bank Holidays.
The hours specified relate to activities which are audible at the site boundary.
3. The development hereby permitted shall be retained in accordance with the scheme of soft and hard landscaping approved under discharge of condition application ref. 22/00055/COND and permanently maintained in accordance with the approved details.
4. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the first occupation of the building(s) or the completion of the development whichever is the sooner.
5. All hard surfacing comprised in the approved details of landscaping shall be carried out within 3 months of the first occupation of the building(s) or the completion of the development, whichever is the sooner.
6. Any trees or plants comprised within the scheme of landscaping, which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless otherwise agreed in writing by the Local Planning Authority.
7. No tree shown retained on the approved plans, or subsequently approved landscaping scheme, shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped within five years of the completion of development without the written approval of the Local Planning Authority.
8. The ground and first floor flank windows in the eastern elevation of the dwelling in plot 3 shall be glazed with obscured glass and shall be fixed so as to be incapable of being opened and shall be retained in that form thereafter.
9. The development hereby permitted shall be retained in accordance with the details of boundary treatments approved under discharge of condition application ref. 22/00055/COND and permanently maintained in accordance with the approved details.
10. If during the course of development any contamination is found or suspected,

works shall cease and the local planning authority shall be informed immediately. The local planning authority may request the nature and extent of any contamination to be investigated in order that a suitable remediation strategy can be proposed. The development shall not continue until any required remediation as agreed in writing by the local planning authority has been undertaken, and the local planning authority has confirmed it has been undertaken to its satisfaction.

- 11 The development hereby permitted shall be retained in accordance with the measures to address adaptation to climate change approved under discharge of condition application ref. 21/00795/COND. These measures shall be implemented and permanently maintained in accordance with the approved details.
- 12 Prior to the occupation / use of the development hereby permitted, the development shall include provision for each dwelling to be served by an active electric vehicle charging point.

INFORMATIVES

1. Community Infrastructure Levy

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

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

2. 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/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

3. 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/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.
4. 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.
5. Construction standards for 278 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/business-and-developer-information/development-management/highways-development-management.aspx> or by telephoning 0300 1234047.

5 **22/00764/S106 - MOXHAM HOUSE, GILES CRESCENT**

The Committee considered a report in respect of application 22/00764/S106 seeking a deed of variation to S106 Agreement dated 11.08.2016 approved under planning permission reference 15/00253/OPM to delete clause 12.5 and insert new clause 19, which incorporates a mortgage exclusion clause.

The Development Manager advised that the main issues for consideration in the determination of the application was whether the proposed variation was acceptable to the Local Planning Authority. He advised that the amendment was required as the site had been purchased by the Housing Association – Metropolitan and the original provisions as set out in the Section 106 agreement were not acceptable to

their lenders.

Members were concerned that the reference in the new clause 19 to the completion of a disposal within a three month period was not long enough and consideration should be given to extending this to six months.

Following consideration and debate, an amendment was moved seconded and it was **RESOLVED** that the deletion of clause 12.5 from schedule 2 and the insertion of clause 19, which incorporates a mortgage exclusion clause of the S106 agreement dated 11 August 2016 and delegate authority to the Assistant Director of Planning and Regulation in conjunction with an appointed Solicitor on behalf of the Council to agree the precise wording of the variations to the original S106 agreement be agreed subject to the disposal period in (b) being increased from a three month period to a six month period.

Members were advised that if the applicant rejected the increase to six months the application would come back to the Committee for further consideration.

6 **22/00847/PATELE - COREY'S MILL LANE**

The Committee considered a report in respect of application 22/00847/PATELE for a proposed telecommunications installation: Proposed 15.0m Phase 8 Monopole C/W wraparound cabinet at base and associated ancillary works.

The application had come before Committee for consideration as it had been called in by Councillor Phil Bibby.

The Senior Planning Officer advised that the determining issues related to the acceptability of the application in terms of siting and appearance, the factors which could be considered as part of the prior approval process included design, shape and dimensions and whether there were more suitable sites for the proposed works.

The Chair invited Mr Silsby, an objector to address the meeting. Mr Silsby comments related to the number of masts that were already in existence in the area and the proposed mast would not provide any increase to provision already provided by the Hitchin Road mast; the proposed North Road Cycle Lane will be affected by the installation; several masts in the area were shared between providers but the developer had advised that masts could not be shared.

The Chair thanked Mr Silsby for his contribution.

The Senior Planning Officer advised that Central Government expected Local Planning Authorities to respond positively to proposals for telecommunications development. The Committee was informed that other locations in the vicinity of the site had been considered and rejected as not suitable due to obstructing tree canopies, pavement widths or underground services.

In relation to the North Road cycle way improvements, Members were advised that a refusal of an application based on future developments would be unreasonable. The location at present did not contain a cycleway and the proposed development would

be sited within a grassed area of highway verge. Officers advised that the Council could also not refuse on the basis of another competitor having a mast in the same area and the justification of the need for the mast and the continued provision of coverage for mobile users outweighed any harm in this instance.

It was **RESOLVED** that prior approval is Required and Given.

7 **22/00521/FP - 108 CANTERBURY WAY**

The Committee considered a report in respect of application 22/00521/FP for the change of use from public amenity land to residential use.

The application had been referred to the Planning and Development Committee as the applicant was related to members of staff currently employed by Stevenage Borough Council.

The Committee was advised that the main issues for consideration in the determination of this application were the acceptability of the change of use from public amenity land to residential garden and its impact on the character and appearance of the area.

Officers advised that although it was accepted that the area of grassed open space containing the plot of amenity land could be used as an informal play space for children, it was relatively small with extensive shrubbery, adjacent to the main road and therefore not considered an appropriate or safe place for children to play.

In response to a question, officers advised that no concerns had been raised by the Council's arboricultural officer regarding the removal of the shrubs which were relatively low in value.

It was **RESOLVED** that application 22/00521/FP be granted planning permission, subject to the following conditions:

That planning permission be GRANTED subject to the conditions below.

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:-

1. The development hereby permitted shall be carried out in accordance with the following approved plans:
Site Location Plan;
2. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

3. The area of land shown in red on the approved 'Location Plan' located to the north and east of the curtilage of No.108 Canterbury Way, shall be enclosed with timber fencing no higher than 2m high, unless otherwise agreed in writing by the Local Planning Authority.

8 **INFORMATION REPORT - DELEGATED DECISIONS**

Noted.

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

Noted.

10 **URGENT PART I BUSINESS**

None.

11 **EXCLUSION OF PRESS AND PUBLIC**

Not required.

12 **URGENT PART II BUSINESS**

None.

CHAIR