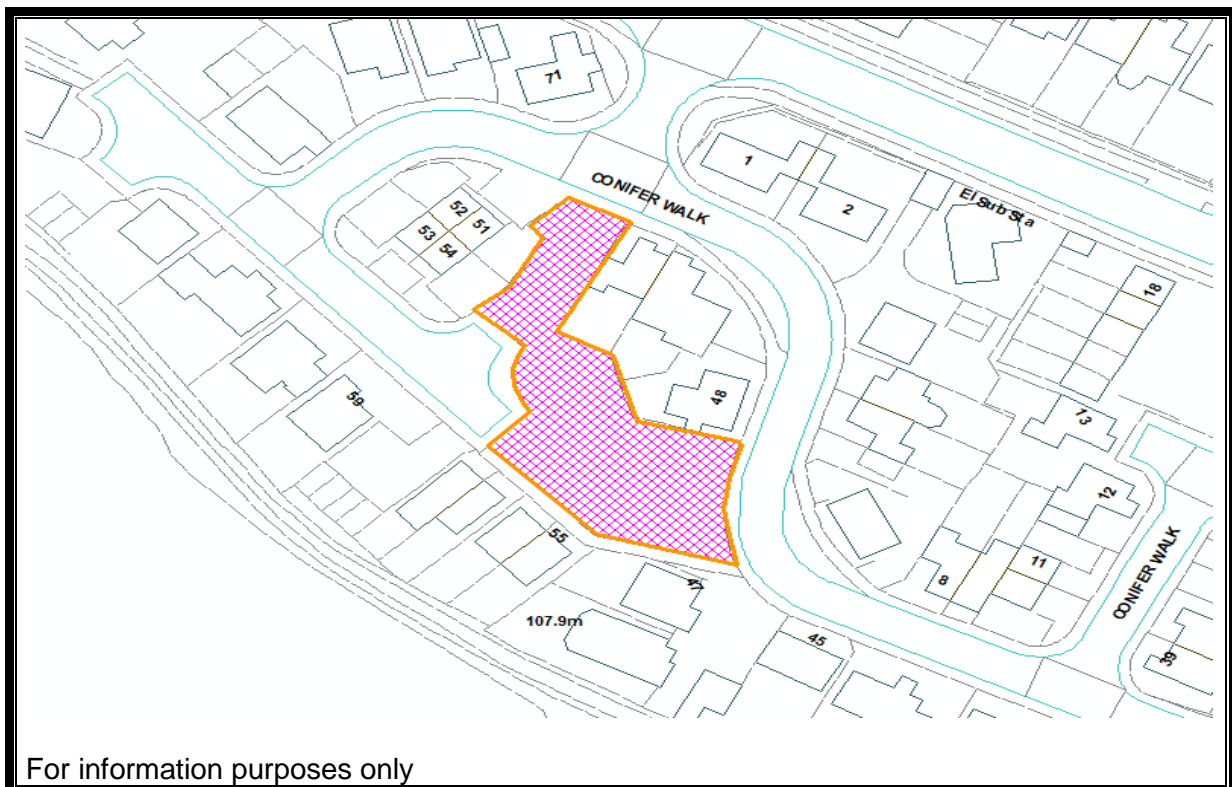


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| Meeting: | Planning and Development Committee | Agenda Item: |
| Date: | 3 October 2023 | |
| Author: | Linda Sparrow | 07931 863551 |
| Lead Officer: | Zayd Al-Jawad | 01438 245257 |
| Contact Officer: | Linda Sparrow | 07931 863551 |

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| Application No : | 23/00066/FP |
| Location : | Land to the Rear of 48, 49, and 50 Conifer Walk, Stevenage |
| Proposal : | Erection of 1no. one bedroom and 1no. two bedroom dwelling houses and provision of publicly accessible open space. |
| Drawing Nos.: | 2021/72/03; 2021/72/01/A; 2021/72/02/A; |
| Applicant : | Mr Richard Chambers |
| Date Valid: | 23 January 2023 |
| Recommendation : | GRANT PLANNING PERMISSION |



1. SITE DESCRIPTION

- 1.1. The application site is an area of amenity grassland on the southern side of Conifer Walk, opposite the access junction with The White Way. The land spreads south-west towards property numbers 47-59 Conifer Walk. It occupies a site area of approximately 820sqm.

- 1.2. To the north of the site is the access junction with The White Way; to the east are properties 48, 49 and 50 Conifer Walk with the highway beyond and further residential dwellings beyond that; to the south is the highway with properties 47-59 Conifer Walk beyond; and to the west is a cluster block of 4no. properties 51-54 Conifer Walk.

2. RELEVANT PLANNING HISORY

- 2.1 81/3/0500/81 – Residential development.
- 2.2 2/0146/87 – Residential development of 131 dwellings, garages, estate roads and private drives in Chells Manor “Fairlands” and “Greenlands”.
- 2.3 There are also applications for similar development proposals within Stevenage which are particularly relevant to this current application which are detailed below.
- 2.4 An Enforcement Notice was served on the owner of the site of land at Watercress Close, Coopers Close and Walnut Tree Close for the unauthorised erection of 2m high hoarding, enclosing the open space between all three connecting roads (ref: 20/00102/ENFAPL). The notice was appealed to the Planning Inspectorate, and the appeal dismissed as the Inspector found the hoarding to be permitted development, and the land private and thus able to be closed off.
- 2.5 21/00057/FP - Land at Watercress Close, Coopers Close and Walnut Tree Close. Erection of two detached dwelling houses including new site access from Watercress Close and 560sqm of publicly accessible open space to the south of the site. Permission was refused by the Planning & Development Committee on 9 December 2021 and subsequently allowed on appeal under reference number APP/K1935/W/22/3298826. The Inspector noted that as the land was privately owned and had been enclosed (see 2.2 above), there was nothing to compel the owners to return the land to public use.
- 2.6 22/00674/FP – Land between 40 Conifer Walk and 7 Conifer Close. Erection of 1no. 3-bedroom detached dwelling and alterations to existing parking area. Permission granted by the Planning & Development Committee on 25 May 2023.

3. THE CURRENT APPLICATION

- 3.1 This application seeks planning permission for the erection of 1no. one-bedroom and 1no. two-bedroom dwelling houses with associated parking and provision of publicly accessible open space.
- 3.2 The one-bedroom dwelling would be located to the north of the site, adjacent to No.50. The main element of the property would be two storey and measure 4.2m wide, 9.8m deep, 5m high to the eaves and 7.5m high to the ridge with a dual pitched roof. There would be a single storey element on the side, towards the rear of the property, measuring 2.1m wide, 3.8m deep, 2.5m high to the eaves and 3.5m high to the ridge with a dual pitched roof.
- 3.3 This property would have one parking space to the side of the property.
- 3.4 The two-bedroom dwelling would be located to the south-west of the site, adjacent to No.48. It would measure 5.5m wide and 9m deep. On the front would be a small single storey projection measuring 1.6m wide and 1.2m deep which would contain a toilet. The height to the eaves would be 4.8m high and to the ridge would be 6.7m high. The property would have a dual pitched roof whilst at the rear it would be a dual pitched, gable front roof. The single

storey element at the front would be 2.4m high to the eaves and 3.4m high to the ridge with a dual pitched gable front roof which would also form a canopy over the front entrance door.

- 3.5 This property would have an attached single garage measuring 3.2m wide, 6.3m long, 2.3m high to the eaves and 4.2m high to the ridge with a dual pitched roof. A second parking space would be accommodated on the hardstand to the front of the garage.
- 3.6 The application seeks to retain an area of publicly accessible open space measuring approximately 460sqm which would be to the south of the application site. The submitted plans show 1no. existing tree to be retained and 3no. new Cherry trees to be planted within this retained open space area. Additionally, the existing perimeter hedging of the site would be retained where possible and additional hedging planted around the perimeter as necessary.
- 3.7 The application comes before the Planning and Development Committee as it has been called-in by Councillor McGuinness. The Councillor called in this application in terms of impact on neighbouring properties, impact on the character and appearance of the area, residential amenity, car parking and highway issues and the loss of the open space.

4. PUBLIC REPRESENTATIONS

- 4.1 Following notification of the application via letters and the erection of site notices, public representations have been received from the following properties:

- Conifer Walk: 1, 2, 3, 4, 7, 9, 13, 42, 44, 45, 47, 48, 49, 50, 51, 54, 55, 56, 57, 58, 61, 64, 65, 66, 68, 69, 71, unspecified;
- Conifer Close: 3, 5, 6, 7,
- 62 Beane Avenue;
- Ladymead, Lady Meadow, Kings Langley;
- 8 Grosvenor Road, Sudbury;
- 125 Ashfield Avenue, Bushey;
- 74 Tollgate Road, Colney Heath;
- College of the Resurrection, Stocks Bank Road, Mirfield;

- 4.2 A summary of the comments received are set out below:

- Lack of parking in this street which will be exacerbated by new dwellings removing kerbside parking for existing residents and increase on-street car parking by new residents;
- No visitor parking;
- Garage does not meet 6mx3m as per Parking SPD;
- Possible road safety issues;
- Loss of public open space which was owned and maintained by SBC and sold to a developer should be investigated;
- Shoehorning in extra dwellings goes against the original design principles of Chells Manor;
- Loss of wildlife habitats;
- Loss of children's play space;
- Where will construction traffic park?
- Impact house values;
- Will we receive compensation for disruption of construction, loss of house values and loss of views over open space?
- Gap between No.50 and new dwelling is very small and will prevent them accessing their rear garden;

- Dispute the content of the Design and Access Statement where it says the land is not useable. It very much is useable by local residents regularly;
- Loss of trees;
- The one-bed house at the top of the significant hill will need under-pinned foundations and this should be a condition of any grant of permission;
- Noise, pollution and disruption from construction work;
- New dwellings will block natural daylight and sunlight to Nos. 55, 56, 57, and 58;
- There is a need for housing in the town, but will 2 houses really address that need? The development at Gresley Way is enough so no need for these houses;
- The Council has a strong 5-year land supply, so this development goes against all planning policies;
- Design of houses is out of keeping with character of area;
- The Council failed to write to all houses and never displayed a site notice;
- Who will maintain the remaining open space?
- Land is used by school children as a cut-through to school; where will they walk now?
- Will probably increase criminal activity in the area;
- No information provided on how long construction will take so no idea how long residents will suffer for;
- Open spaces are vital for mental and physical health;
- The Human Rights Act says we have the right to peaceful enjoyment of our homes and the construction noise will prevent this;
- The Human Rights Act says we have a right to privacy and family life;
- Will they be providing replacement open space somewhere else?

4.3 The aforementioned is not a verbatim copy of the objections which have been raised. Full copies of the representations received can be viewed on the Council's website.

5. CONSULTATIONS

5.1 Herts Police Crime Design Advisor

5.1.1 There have been 18 crimes recorded between Dec 2020 and Nov 2023 for this area, of which 14 were for anti-social behaviour and 2 for vehicle related crimes. I have concerns that one elevation on each property is a blank gable wall which reduces opportunities for natural surveillance and could encourage anti-social behaviour. I have concerns regarding the one-bedroom property with substantial ground level changes and it is not clear what the boundary treatments are. It is not clear how the gardens will be accessed. Majority of burglary entrances occur through rear gardens. I have concerns over the recessed rear gate entry for the two-bedroom property as offenders could hide in the alleyway created. This gate needs to be bought forward.

5.2 Herts County Council as Highways Authority

5.2.1 *8 February 2023*: Insufficient information provided regarding dropped kerbs and visibility splays.

5.2.2 *6 September 2023*: In response to the HA's comments dated 8 Feb 2023, the applicant has submitted detailed plans showing the required pedestrian visibility splays, dropped kerbs and car parking layouts with cycle store for each dwelling. The HA has assessed the proposals, subject to a condition to ensure parking and access are installed as per approved plans then HA raises no objections. Accordingly, 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.

5.3 Environmental Health

5.3.1 A watching brief for contaminated land will be needed. Construction activities can be noisy and disruptive so developers should adhere to best practices in BS5228:2009 and construction hours controlled by condition. A construction management plan should be provided under condition. Pests should be controlled during construction.

5.4 SBC Green Spaces Manager

5.4.1 SBC do maintain this land historically but there are no records to confirm any such agreement between the Council and landowner. I do not have concerns over the partial loss of the open space but nevertheless the developer will need to demonstrate a 10% biodiversity net gain or provide contributions in lieu. The developer will need to provide a maintenance strategy for the remaining open space, detailing maintenance, upkeep or transfer to the Council. If transferred to the Council we will need to calculate a cost for maintenance for a minimum of 20 years. A more detailed landscaping strategy and plan is needed.

5.4.2 Additional comments 25.07.2023: We ask that formal measures are undertaken to protect the remaining open space from development. The continuous line of hedgerow may limit accessibility of the open space; breaks should be incorporated to allow access. It is acknowledged that off-site biodiversity will be required and funding of 55 trees and 0.1hecatres of neutral grassland. The trees should be planted in Chells Park or Peartree Park whilst the neutral grassland can be accommodated in Chells Park or Camps Hill Park.

5.5 SBC Arboricultural and Conservation Manager

5.5.1 I have no objection. The Ash tree to the rear of 50 Conifer Walk will be retained whilst the Horse Chestnut by No.48 will need to be removed. The tree removal and replacement with 3 standard trees will need to be funded by the developer. Before any such landscaping condition is discharged, I suggest that we need to see evidence of the new trees planted and arrangement to maintain (water) them until established (usually 3 years). This will equate to a financial contribution of £1,050.00.

5.6 Herts and Middlesex Wildlife Trust

5.6.1 The application contains a biodiversity metric. The metric shows a net loss. Currently the application is therefore not compliant with planning policy. In order to satisfy planning policy the applicant needs to provide either; a biodiversity offset for the required amount, which satisfies the trading rules of the metric; or if SBC is amenable, provide sufficient funds to SBC to deliver the offset on their behalf. This can be secured via a S106 agreement.

5.6.2 Additional comments 17.07.2023: The applicant will need to contribute funds to deliver 0.1 hectare of other neutral grassland (£22,255.00) and 55 trees (£19,250.00) in order to achieve a 10% net gain in biodiversity.

6. RELEVANT PLANNING POLICIES

6.1. Background to the Development Plan

6.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that the decision on the planning application should be in accordance with the development plan unless

material considerations indicate otherwise. For Stevenage the statutory development plan comprises:

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

6.2 Central Government Advice

- 6.2.1 A revised National Planning Policy Framework (NPPF) was published in September 2023. This largely reordered the policy substance of the earlier 2012 version of the NPPF albeit with some revisions to policy. The Council are content that the policies in the Local Plan are in conformity with the revised NPPF and that the Local Plan should be considered up to date for the purpose of determining planning applications. The NPPF provides that proposals which accord with an up to date development plan should be approved without delay (para.11) and that where a planning application conflicts with an up to date development plan, permission should not usually be granted (para.12). This indicates the weight which should be given to an up to date development plan, reflecting the requirements of section 38(6) of the 2004 Act.
- 6.2.2 Since November 2018, housing delivery has been measured against the Housing Delivery Test (HDT) as set out by the Government planning policy and guidance. The results of the HDT dictate whether a local planning authority should be subject to consequences to help increase their housing delivery. Where an authority's HDT score is less than 85% of its housing requirement, the Council must incorporate a 20% buffer into its housing supply calculations in line with paragraph 73 of the NPPF. Where an authority's score is below 75%, the Council will be subject to the HDT's most severe penalty and must apply the presumption in favour of sustainable development. The latest HDT results, published by the Ministry of Housing Communities and Local Government (MHCLG) (now the Department for Levelling Up, Housing and Communities (DLUHC)) in January 2022 (DLUHC have not yet published the latest HDT results), identifies that Stevenage delivered 79% of its housing requirement. This exceeds the 75% target and renders the adopted Local Plan housing policies as being in-date. However, this is still well below the 95% target which is set out in the NPPF (2023). Consequently, the Council has to apply a 20% buffer in its 5-year housing supply calculations. In addition, the Council also has to produce an Action Plan in order to boost housing delivery.
- 6.2.3 The Council prepared an Action Plan in July 2022 to show how it is responding to the challenge of ensuring more homes are delivered in the Borough. This has been prepared in accordance with Planning Practice Guidance and analyses the reasons for under-delivery of new homes against the Government's requirements. It also sets out clear actions on how to improve housing delivery. A copy of the Stevenage Borough Council published Action Plan is set out in the link below:
<https://www.stevenage.gov.uk/documents/planning-policy/monitoring/housing-delivery-test-action-plan-2022.pdf>
- 6.2.4 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 currently demonstrate a housing supply of 6.68 years (including 20% buffer).

6.2.5 The Council, based on its HDT score and 5-year housing land supply calculations, the Council is not currently subject to the most severe penalty under paragraph 11(d) of the NPPF (2023). For reference, if this policy was to be engaged, it would mean the Local Plan policies would be classed as out-of-date.

6.2.6 The Council is now commencing preliminary work into a review of its Local Plan, last adopted in May 2019. This is to ensure the policies within the Local Plan are up to date in accordance with the NPPF as well as ensuring the Council is delivering a sufficient supply of housing and employment.

6.3 Planning Practice Guidance

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

6.4 Adopted Local Plan (2019)

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

SP1 - Presumption for Sustainable Development;
SP2 - Sustainable Development in Stevenage;
SP7 - High Quality Homes;
SP8 - Good Design;
SP11 - Climate Change, Flooding and Pollution;
SP12 - Green Infrastructure;
IT5 - Parking and Access;
HO5 - Windfall Sites;
HO9 - House Types and Sizes;
GD1 - High Quality Design;
FP1 - Climate Change;
FP7 - Pollution;
NH5 - Trees and Woodland;
NH6 - General Protection for Open Space;

6.5 Supplementary Planning Documents

Parking Provision Supplementary Planning Document October 2020
Stevenage Design Guide Supplementary Planning Document January 2023.
The Impact on Biodiversity SPD 2021
Developer Contributions SPD 2021

6.6 Community Infrastructure Levy

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

7. APPRAISAL

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

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

7.2 Land Use Policy Considerations

7.2.1 The National Planning Policy Framework 2023 (NPPF) states that significant weight should be placed on both the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.

7.2.2 The proposed site is undesignated in the adopted Stevenage Borough Local Plan 2011-2031 (2019). The application site is an area of open space and is not allocated for residential development within the Local Plan. As such, the land therefore regarded as a 'windfall site'.

7.2.3 Policy SP7 identifies that there is a need to provide 7,600 new homes within Stevenage and allocates 1,950 new homes to be provided on windfall sites. Taking this into consideration, the proposed development would support the Council's aim of delivering a number of homes which fall outside the designated sites.

7.2.4 Policy HO5 of the Local Plan (2019) (windfall sites) stipulates that proposals should not prejudice the Council's ability to deliver residential development on allocated sites, and it does not overburden existing infrastructure.

7.2.5 For the purpose of clarity, the definition of previously developed land, as stated within the National Planning Policy Framework (NPPF) (2023) 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 definition of previously developed land excludes private residential gardens and public open space. The proposed dwelling is located wholly within the area of open space; consequently, it is considered that the proposal does not constitute development of previously developed, brownfield land. Therefore, the proposal is contrary to criterion (a) of Policy HO5. Consequently, as the proposal is not in accordance with Policy HO5, an assessment must be made as to whether or not the benefits of the development outweigh the loss of the open space and adjacent tarmac area for unallocated visitor parking. In addition, an assessment is required on the impact the development would have on the wider environment.

7.2.6 In accordance with Policy HO5, residential developments on windfall sites must have a good level of access to local facilities. The site is approximately 1km (2-minute drive/10-minute walk) to the Chells Manor neighbourhood centre; approximately 2.5km (5-minute drive/15-minute walk) from The Glebe neighbourhood centre; and approximately 2.5km (10-minute drive/30-minute walk) to Sainsbury's on Magpie Crescent. There are two primary schools within 15-minutes' walk and two secondary schools within 30-minutes' walk. A bus route operates along The White Way with the closest stops approximately 5-minutes' walk. As such, the application site is considered to have an acceptable level of access to local facilities and alternative forms of travel to the private car and, therefore, deemed to be within a sustainable location.

7.2.7 Criterion (c) of Policy HO5 states that there should be no detrimental effect on the environment and the surrounding or adjoining properties. This issue will be assessed in detail in the following sections considering the impact on the character and appearance of the area and the impact on neighbouring amenity.

7.2.8 Further to the above, 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. As identified above, the site has good access to local facilities and services and also good access to the public transport network. The site has been

demonstrated to be in a sustainable location and as such would comply with criterion (e) of the Policy HO5 of the Local Plan.

- 7.2.9 Finally, criterion (d) of Policy HO5 of the Local Plan requires proposals not to prejudice the Council's ability to deliver residential development on allocated sites. The site is not located near to any allocated development sites and is therefore acceptable in this regard.
- 7.2.10 Turning to 5-year land supply and housing delivery, Paragraph 68 of the NPPF (2023) states that planning policies should identify a supply of specific deliverable sites for years one to five of the plan period, and specific deliverable sites or broad locations for growth, for years 6 to 10 and where possible, for years 11 to 15.
- 7.2.11 Paragraph 74 of the NPPF (2023) stipulates 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 local housing need where the strategic policies are more than five years old. The supply of specific deliverable sites should, in addition, include a buffer (moved forward from later in the plan period) of:
- a) 5% to ensure choice and competition in the market for land; or
 - b) 10% where the Local Planning Authority wishes to demonstrate a five-year supply of deliverable sites through an annual position statement or recently adopted plan, to account for any fluctuations in the market during that year; or
 - c) 20% where there has been significant under delivery of housing over the previous three years, to improve the prospect of achieving the planned supply.
- 7.2.12 Since November 2018, housing delivery has been measured against the Housing Delivery Test (HDT) as set out by 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 accordance with paragraph 74 of the NPPF. Where an authority's score is below 75%, the Council will be subject to the HDT's most severe penalty and must apply the presumption in favour of sustainable development in addition to incorporating the 20% buffer.
- 7.2.13 The latest HDT results, published by the MHCLG in January 2022, identifies that Stevenage delivered 79% of its housing requirement which exceeds the minimum requirement of 75% which means there is no longer a requirement to apply the presumption in favour of sustainable development. The figure does fail to meet the upper limit of 85% which means the Council must incorporate a 20% buffer in its housing supply calculations. The Council is also preparing an Action Plan in accordance with the requirements of the NPPF.
- 7.2.14 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). Given this position, this proposal is not fundamental in the Council's ability to meet its 5 Year Land Supply and the titled balance under para. 11d of the NPPF (2023) is not engaged.
- 7.2.15 In respect to Policy HO9 (House types and sizes) of the adopted Local Plan (2019), it identifies that there is a structural imbalance in the existing housing stock (albeit in a limited manner) whereby there is a lack of smaller properties and larger aspirational homes in the Borough. The Design Guide SPD (2023) outlines that housing is an area of weakness across

the town. One of the main issues is the lack of an appropriate mix of housing sizes, types and tenures with a high proportion of three-bedroom properties, and a lack of one and two bedroom properties. The lack of housing mix is exacerbated by changes in demographics leading to an increase in the number of single person households and couples needing homes. Due to growth requirements for the town, there is a need to provide a substantial number of additional homes in Stevenage. Higher density development is set out as a key requirement of National guidance, and, where appropriate, densities will need to be raised in order to meet these targets for new homes. This will need to be carefully balanced with the need to retain open space provision within the urban area as access to open space was a key original feature of the town.

7.2.16 The proposed development seeks to deliver 1no. one-bedroom and 1no. two-bedroom detached dwellings. As such, the proposed development is in accordance with Policy HO9. Moreover, paragraph 60 sets out that in order 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 it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay. Therefore, this proposal will help to support the Governments currently adopted policy objective of delivering more housing.

7.2.17 Policy SP2 (Sustainable Developments) states permission will only be granted where proposals can meet a number of criteria. Included in these criteria are the following:

- promote journeys by bus, train, bike and foot and reduce the need to travel;
- Support facilities and services that encourage people to live, work and spend leisure time in Stevenage;
- Produce places and spaces that enable people to live a healthy lifestyle;

The proposal meets these criteria as mentioned previously in this report.

7.2.18 Setting aside the impact upon the character and appearance of the area and upon the amenities of neighbouring properties, which are considered elsewhere in this report, the application is considered to be contrary to the NPPF and criterion (a) of Local Plan Policy HO5. Nonetheless, the proposed development would contribute to the aim of boosting housing supply without compromising the delivery of housing on allocated sites or placing an undue burden on local infrastructure. Further, the proposal would provide two new dwellings and there would be some economic benefit during the construction phase, and future occupiers would be likely to contribute to local services and facilities, although, since the scheme is for only two dwellings, it is considered that these benefits would be limited and only attracts moderate weight in favour of the proposal. However, on balance, having regard to all the policy considerations laid out above, the proposed development is considered to be acceptable in principle.

7.3 Loss of Open Space

7.3.1 The open space is an original design principle of the estate and was annotated on the approved plans of the estate in the 1990's as open space. However, the space was never transferred to the Council and the original records held by the Council do not include a Section 52 Agreement (now a S106) to cover maintenance of the land. Until the land was sold at auction, it is believed that the land had been maintained by the Council and local residents. However, following the auction, the site is in private ownership and has not been maintained by any party since.

7.3.2 Paragraph 119 of the NPPF states that 'planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.' The Council must consider whether the provision of two housing units would outweigh the harm of the loss of and impact on the open space.

7.3.3 Policy NH6 of the Local Plan for the general protection of open space would allow planning permission of any existing, unallocated open space (or part of any open space) where the loss is justified having regard to:-

- The quality and accessibility of the open space;
- The existence, or otherwise, of any interventions to improve quality or access;
- Whether the open space is serving its function or purpose; and
- Whether alternate space(s) would remain available for community use.

Furthermore, reasonable compensatory provision should be made in the form of:

- Replacement provision of a similar type, size and quality;
- The upgrade of other, existing open space; or
- Exceptionally, a commuted sum to secure open space provision elsewhere.

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

7.3.5 The area of open space is of a good size and is bounded by dwellings, public footpaths and vehicular highways. The southern part of the site has low level hedging enclosing it. The land appears well maintained and contains some trees. Local residents advise that this area is used as an informal play space by local children. The northern part of the land, between Nos. 50 and 51 slopes steeply down to the south which local residents advise provides an area of play for local families when snow is on the ground. Anecdotally therefore, the land offers year-round use.

7.3.6 Notwithstanding the above, one of the greatest factors in this case is the ownership of the land. Whilst they have not done so, being in private ownership the owner of the land could restrict access to the site at any time, as did the owners of the land at Watercress Close, Coopers Close and Walnut Tree Close. The Council served an Enforcement Notice (see section 2 of this report) regarding the enclosure of the land which was quashed by the Planning Inspectorate as it was deemed to be Permitted Development. The Inspector also removed any reference of the loss of the access to the open space from the Enforcement Notice.

7.3.7 The loss of the open space in respect of Policy NH6 is noted. However, given the land is in private ownership, and the previous appeals and Planning & Development Committee approvals on similar applications (which are significant material considerations), it is considered that a refusal for development, or prevention of the enclosure of the land to restrict public access, could not be upheld on appeal.

7.3.8 Being a good sized area of grassland, it offers a moderately positive impact on the street scene and wildlife. However, given its proximity to driveways and the highway, and being only enclosed with low level hedging, there are likely risks of pedestrian-vehicle interactions. There is an alternative area of open space at the extensive public parkland at Chells Park within a 10-minute walk along with significant areas of publicly accessible woodland for walks and nature.

7.3.9 In conclusion, given the aforementioned assessment, it is considered that there are sufficient areas of hedgerow, trees and grassland for wildlife and environmental impacts that the loss of this area of open space is suitably mitigated against and there are publicly accessible areas of open space for play purposes within acceptable distance. The benefits of providing additional housing are considered to outweigh any harm caused by the loss of this small area of open space, which, it must be borne in mind, is in private ownership and is currently only accessible to the public because the owner has not enclosed it.

7.4 Design and Visual Impact on the Character and Appearance of the Area

- 7.4.1 In terms of design, paragraph 126 of the NPPF (2023) states that achieving high quality, beautiful and sustainable buildings and places is fundamental to the planning and development process and that good design is a key aspect of sustainable development. Further, paragraph 130 of the NPPF (2023) stipulates that planning decisions should ensure developments function well and adds to the overall quality of the area, not just in the short term but over the lifetime of the development. It also sets out that developments should be visually attractive as a result of good architecture, layout and, appropriate and effective landscaping is sympathetic to local character and history, including the surrounding built environment and landscape setting.
- 7.4.2 Paragraph 134 of the NPPF (2023) states that permission should be refused especially where it fails to reflect local design policies and government guidance on design (such as the National Design Guide), taking into account any local design guidance and supplementary planning documents. Conversely, significant weight be given to:
- a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or
 - b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as the fit in with the overall form and layout of their surroundings.
- 7.4.3 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”.
- 7.4.4 Policy GD1 of the Local Plan (2019) generally requires all forms of development to meet a high standard of design which includes form of built development, elevational treatment and materials along with how the development would integrate with the urban fabric, its relationship between buildings, landscape design and relevant aspects of sustainable design
- 7.4.5 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 towns’ 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.
- 7.4.6 Policy HO5 requires residential development on unallocated sites 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 whereby it seeks 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.
- 7.4.7 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.

- 7.4.8 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.
- 7.4.9 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.
- 7.4.10 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.
- 7.4.11 The Council recently adopted an updated Design Guide SPD (Jan 2023) and Sections B (Built Form) and H (Homes and Buildings) of this SPD are particularly pertinent to the design of new residential units. An understanding and analysis of the original New Town design concepts led to some key issues becoming apparent. These have been used as key themes, which run throughout the entirety of this guidance. Considering these concepts at all stages of the development process will provide a good basis for the creation of a successful place; based on the recognised principles of urban design, but also building on the existing fabric of the town without taking away from Stevenage’s history as Britain’s first Mark One New Town. The themes have been identified as follows:
- Sustainability – incorporate principles of sustainable development from a town-wide perspective to measures incorporated into an individual property;
 - Increasing densities – encourage high densities in accessible locations;
 - Respecting existing characteristics – respect local characteristics and preserve and enhance existing features, where appropriate;
 - Legibility – provide landmark developments at nodal points;
 - Design innovation – showcase Stevenage as an example of high-quality design, creating safer places through urban design techniques.
- 7.4.12 The application site is located within the confines of a residential estate, formed of semi-detached, detached dwellings and cluster dwellings (group of 4 dwellings forming one building). There are a number of different styles, size and materials utilised in this part of Conifer Walk, such that, there is not much uniformity. There are examples of red brickwork, buff brickwork, pale render with mock Tudor timbers, dual pitched roofs, hipped roofs, open canopies over front doors, partially enclosed front porches, gablet features in front roof slopes

to windows at first floor and bay windows. Most properties in the immediate area appear to have attached single garages with a hardstand for one vehicle to the front, giving them 2 spaces, whilst the cluster dwellings have open areas of hardstand parking.

- 7.4.13 In terms of visual appearance, the application site is located at the western end of Conifer Walk, opposite the entrance to the road from The White Way. The highway has a number of cars parked on it and can become congested, although not as congested as the eastern end of the estate. The application site is not readily visible from the public domain on its northern side as it appears as a gap in the housing but from the southern end, it is highly visible in the street scene, and in such instances, the design of the dwellings is important so as not to detract from the character and appearance of the area.
- 7.4.14 The proposed one-bed dwelling would be sited at the north of the site, between Nos. 50 and 51, whilst the two-bed dwelling would be located at the southern end, on the eastern side, adjacent to No.48. The ridge heights of both dwellings have been designed to be the same as the adjacent properties. Both proposed dwellings are narrower than the properties to which they would be seen in context with, although, given the variety of building sizes in this estate, this is not considered to be unacceptable.
- 7.4.15 There are some significant differences in ground levels across the site, however, the areas proposed for the dwellings are flat, such that each dwelling would occupy a flat area of ground and not be required to be built into any sloping ground. This ensures that they present a cohesive appearance to the neighbouring properties when viewed from the street. The sloping areas of ground would be incorporated into the gardens or left as public open space.
- 7.4.16 The proposed dwellings would be constructed with brickwork, concrete interlocking tiles and uPVC windows and doors to match with the surrounding properties, thereby having an acceptable appearance in the street scene. The one-bedroom property to the north would have a single storey projection at the rear of the side elevation which would contain the kitchen and would have a similar appearance to the attached single garages of other properties. It would have an open canopy over the front entrance door, again, similar to other properties. The two-bedroom property to the south, would have an attached single garage and a partially enclosed front projection with a dual pitched gable roof similar to other properties in the area. The use of similar materials can be secured by way of a condition to ensure a high-quality finish and a good level of visual cohesion should planning permission be granted.
- 7.4.17 In terms of siting, the front and rear elevations of both dwellings would be aligned with the neighbouring properties, whilst the one-bedroom dwelling to the north would be angled to No.51 to the west with the rear elevation projecting approximately 3m across their rear elevation (about half of their property). There would be approximately 6.5m between the rear of this property and the side of the garage and approximately 9m to the main dwelling. There would be approximately 3.5m between the proposed dwelling and No.50 to the east so no visual terracing would occur between this proposed dwelling and the neighbouring properties. The two-bedroom dwelling would be approximately 2m from No.48, so no visual terracing would occur in this instance either. Separation distances and neighbour impact will be discussed in more detail in section 7.5 below.
- 7.4.18 The total plot size within the red line plan is approximately 820sqm whilst the dwellings would have a combined plot size of approximately 360sqm. As such, it is not considered to be an overdevelopment of the site. The remaining land area would be publicly accessible, but privately owned open space of approximately 460sqm.
- 7.4.19 In summary, the proposed development would be acceptable in design, scale and massing and with similar materials to the existing neighbouring properties, would have an acceptable appearance in the street scene and not harm the visual amenities of the area. Accordingly, the proposal complies with Policies HO5, GD1 and SP8 of the Local Plan (2019), the adopted

Design Guide SPD (2023), the National Design Guide (2019), the NPPF (2023) and Planning Practice Guidance.

7.5 Impact on Neighbouring Amenity

Outlook and Amenity

- 7.5.1 The closest adjacent neighbouring properties are Nos.48, 50 and 51, whilst Nos. 47, 49, and 54 to 59 (inclusive) all directly overlook the site to a greater or lesser degree. The one-bedroom property at the north of the site would have no windows on either side elevation at first floor although there would be a large ground floor window in the western side elevation serving the open plan ground floor which would overlook the communal parking area to the front of Nos.51 and 52. The rear windows at first floor of this proposed dwelling would be south facing over the open space. It is acknowledged that there is likelihood of some overlooking into the rear gardens of Nos. 50 (to the east) and 51 and 54 (to the west). However, this would not be introducing an element of overlooking which does not already exist as these properties already have views into and over the neighbouring gardens.
- 7.5.2 Comments from local residents about overlooking and loss of privacy to the rear gardens and habitable rooms are noted. The proposed dwelling would have a back to side orientation against No.51 whilst No.54 is located further south and has no direct interaction. The minimum back to side separation in the Design Guide SPD is 15m and the separation on site is approximately 8m which is a significant breach. However, the rear of the proposed dwelling is not directly to the rear of this neighbour, is angled away slightly and only approximately 3m of their rear elevation would look towards the proposed dwelling. The overlooking and loss of privacy was addressed in 7.5.1 above and in terms of outlook for both properties, in this instance, both properties would have an acceptable level of unobstructed views over the open space. Therefore, on balance, in these circumstances and in this location, the reduced separation distance is considered acceptable.
- 7.5.3 The proposed two-bed dwelling at the south of the site would have no windows in either side elevation at ground floor and one small window at first floor in the southern side elevation which would serve a bathroom, so would be obscurely glazed and not give rise to any overlooking of properties to the south, namely Nos. 47 and 55. As with the one-bed property, the rear windows at first floor would be overlooking the open space, albeit in a westerly direction. These windows would be approximately 36m from the rear of Nos.51 and 54 which exceeds the 25m minimum back to back separation distance in the Design Guide SPD. These windows would allow an oblique view into the rear garden of No.48 to the north, however given No.49 has direct views into their garden, this is not considered to introduce a level of overlooking that doesn't already exist.
- 7.5.4 There are no minimum separation distances in the Design Guide SPD for front to front, side to side, or front to side orientations. As such, neither proposed dwelling would breach policy against any other property in this regard.
- 7.5.5 In terms of the outlook and amenity of the proposed dwellings, both properties would have an acceptable level of outlook to the rear over the open space and acceptable privacy levels in the rear garden.

Private Amenity Space

- 7.5.6 The Design Guide SPD (2023) requires all new dwellings to have a private amenity space of at least 50sqm and a depth of at least 10m. The submitted plans show that the dwellings would both have in excess of 50sqm each. The one-bed dwelling would have a garden of approximately 8m in depth whilst the two-bed between approximately 8m and 10m. Whilst this is below the required 10m in the Design Guide SPD, both properties overlook the remaining open space and therefore there would be an acceptable level of outlook in longer views beyond the fence line.

7.5.7 Comments from local residents regarding the unsuitability of the private amenity space of the one-bed dwelling due to the sloping nature of the land are noted. However, the topography of this development site is not so different from other neighbouring properties in the immediate area which also have sloped rear gardens.

Living Space Standards

7.5.8 Policies GD1 and SP8 of the Local Plan (2019) relate to High Quality and Good Design. These policies state that planning permission will be granted where the proposed scheme, under criterion j. meets, and where possible, exceeds the nationally described space standards (NDSS). Appendix C of the Local Plan (2019) sets out the minimum gross internal floor space standards for dwellings which is in line with the Government's nationally described space standards.

7.5.9 The submitted plans show that the one-bed, 2-person dwelling would be approximately 67sqm which exceeds the minimum of 58sqm in the NDSS. The two-bed, 3-person dwelling would be approximately 82sqm which exceeds the minimum of 70sqm in the NDSS. Both dwellings would therefore provide an acceptable internal floorspace.

7.5.10 Furthermore, the National Government document 'Technical housing standards – nationally described space standards' 2015, advises a single bedroom to be a minimum of 7.5sqm and a double should be at least 11.5sqm. All bedrooms in both dwellings exceed the minimum standards and are therefore acceptable.

7.5.11 The Herts Police Crime Design Advisor has assessed the application and raised concerns regarding blank side elevations on both properties, boundary treatments and the location of the rear garden gate on the two-bed dwelling being recessed back and causing an alleyway.

7.5.12 The blank side elevation of the one-bed dwelling is the side closest to No.50 and the introduction of windows on this elevation would result in undue overlooking. The western side elevation of this dwelling which is more open to the street scene does contain a window at ground floor serving the main living area. The blank elevation of the two-bed dwelling is again, adjacent to the side of No.48 and would also introduce undue overlooking. The southern side elevation open to the street scene contains a window at first floor serving a bathroom which is similar to many other properties in the vicinity of the site. In this regard, the Council is satisfied that the plans do not require amendments in this regard.

7.5.13 Turning to the Police concerns over boundary treatments and gate locations, this can be addressed via the imposition of a condition requiring details of boundary treatments prior to occupation should planning permission be granted.

7.5.14 In summary, the proposed development would be unlikely to cause undue harm to the amenities of the neighbouring properties. The proposed development would have sufficient private amenity space and gross internal floorspace which ensures the amenities of future occupiers would be acceptable and therefore the proposed development would comply with Policies GD1 and SP8 of the Local Plan (2019), the Council's Design Guide SPD (2023), the NPPF (2023) and Planning Practice Guidance.

7.6 Impact on the Environment

7.6.1 The application site is an area of open grassland and prior to the original development in the 1990's, the site was part of open fields. Therefore, there would be very low risk of contamination. However, it is noted from comments from local residents that they believe the site was used as a waste disposal area by the developers and could contain contamination from the likes of asbestos. This can be dealt with via the imposition of a condition as detailed in point 7.6.2 below.

- 7.6.2 Following consultation with the Council's Environmental Health section, they have raised no concerns from a land contamination perspective subject to the imposition of conditions. The conditions imposed would require a remediation strategy to be submitted for approval in the event that contamination is identified during the construction phase of development.

Groundwater

- 7.6.3 The application site is not located within a Source Protection Zone and no concerns have been raised by Thames Water or Affinity Water with respect to potential impact from the development.

Air Quality

- 7.6.4 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 near, an Air Quality Management Area (AQMA).
- 7.6.5 In order to mitigate the construction phase, it is recommended a condition is imposed on any permission issued. This condition would require the applicant to adhere to the Construction Management Plan which details measures on controlling levels of dust and air pollutions which are generated during the construction phase of development.
- 7.6.6 With regards to the operational aspect of the development, due to its limited scale, the proposed development would give rise to a very small increase 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

- 7.6.7 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.
- 7.6.8 Dealing firstly with the impact of noise from the construction phase of the development, detailed measures will be required in the Construction Management Plan (CMP). Through the CMP the hours in which noisy activities take place are to be controlled along with the imposition of relevant mitigation measures being put in place to minimise the impact of noise from construction activities. Moreover, if a breach were to take place, the Council can enforce the condition accordingly. Consequently, the imposition of such a condition is supported by the Council's Environmental Health Section.
- 7.6.9 With regards to noise which could arise during the operational phase of development, if any complaints arose regarding future occupiers, these would be dealt with by the Borough Council's Environmental Health department.

Light Pollution

- 7.6.10 In terms of light pollution, Policy FP7: Pollution of the adopted Local Plan (2019) requires all development proposals should minimise, where possible, 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.

7.6.11 Turning to the operational side of the development, the dwelling would be set back from the main highways and therefore any external lighting is not considered to prejudice highway safety or cause a substantive nuisance to neighbouring residential properties.

7.6.12 In terms of lighting associated with the construction aspect of the proposed development, this is dealt with as part of a Construction Management Plan.

7.7 Trees and Landscaping

7.7.1 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.

7.7.2 The Council's Arboricultural Manager has raised no concerns from an Arboricultural viewpoint although he has requested that the removed Horse Chestnut tree is replaced with 3 new trees, to be funded and arranged by the applicant. Further, he requested that a maintenance plan is provided to satisfy the Council that the new trees will be maintained until they are established, which would be estimated to take approximately three years.

7.7.3 The submitted site layout plan shows that 3no. new Cherry trees would be planted on the remaining open space to replace the removed Horse Chestnut tree. As per the Arboricultural Manager's comments above, the planting and maintenance of these trees can be secured via condition.

7.7.4 The site is enclosed with low level evergreen hedging around most of the site, although not entirely. Some of this hedging would need to be removed to facilitate the proposed development, although the submitted plans show that the site would be fully bounded with hedgerow so any parts removed would be replaced. This can be secured via a landscaping condition.

7.7.5 The Council's Parks and Amenities department have assessed the application and advised that the Council currently maintain the site although there is no legal agreement or other such agreement in place for this. They have advised that they have no concerns regarding the partial loss of the open space given that the Council do not own the land. At the time of submission, no Biodiversity Net Gain calculation had been submitted and they raised concerns in this regard. Following receipt of the aforementioned calculation, which showed a biodiversity loss, and comments from Herts & Middlesex Wildlife Trust advising the financial contributions payable, the Parks and Amenities department provided comments to note that whilst the land is privately owned, they request that the remaining open space is protected from future developments. They request the submission of a full landscaping strategy including a management and maintenance strategy. This can be secured via a condition.

7.7.6 With regards to Biodiversity Net Gain, the submitted calculations show a net loss. Herts & Middlesex Wildlife Trust were consulted and advise that a financial contribution of £41,505.00 for new grassland areas at Chells Park and 55 trees to ensure a 10% net gain is achieved. An additional contribution of £1,050.00 was suggested for the planting of 3 trees to replace the Horse Chestnut, however, if the applicant is to provide these trees on site as per the Arboricultural Manager's request (see 7.7.2) then this contribution is not required as the applicant would already be covering this aspect as part of a landscaping condition.

7.7.7 Lanterns Lane, extensive woodland, Eliot Road allotments and the nearby Chells Park all offer high quality wildlife offerings outside of the application site; therefore, it is considered that there are sufficient areas of hedgerow, trees and grassland for wildlife and environmental impacts that the loss of this area of open space is suitably mitigated against. Chells Park can be reached on foot in under 10 minutes via Lanterns Lane and offers an extensive and safe open space for children to play in safety away from motor vehicles.

7.8 Parking Provision and Highways Implications

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

7.8.2 The Parking Provision SPD (2020) sets out the maximum amount of off-street parking for residential development based on the number of bedrooms. The two-bedroom property requires 1.5 spaces, rounded up to 2 spaces and the one-bedroom property requires 1 space. The submitted plans show that the required spaces are provided at each property and meet the required size standards for spaces and garages.

7.8.3 The Parking Provision SPD (2020) requires all new parking spaces for new dwellings to be designed to fulfil a Passive Electrical Vehicle Charging Point standard. This will mean that the underlying infrastructure is provided for connection to the electricity network, but it will need to be activated through the installation of a charge point to be used in the future as technologies evolve and uptake increases. This can be secured with a suitably worded condition.

7.8.4 Concerns were raised by Herts County Council as Highways Authority and local residents with regards to the access to the properties. Amended plans were received to include visibility splays and show the location of dropped kerbs and HCC Highways advised they are satisfied with the arrangements and do not wish to restrict the grant of planning permission.

7.8.5 Policy IT5 of the Local Plan (2019) also requires developments to provide secure cycle parking provision in line with the Parking Provision SPD (2020). This recently adopted SPD requires one-beds to provide one space and two-beds to provide two spaces. The submitted plans indicate that there is a cycle storage shed within the curtilage of each dwelling which would be acceptable in this regard.

7.8.6 Whilst comments from local residents regarding highway safety and on-street parking is noted, the Highways Authority are satisfied that the development would not cause harm to highway safety and the Local Planning Authority has no reason to go against the advice of the Highway Authority in this regard.

7.8.7 The Highways Authority have requested that a condition is imposed should permission be granted that requires the submission of a Construction Management Plan (CMP) prior to commencement of development. The CMP would require full details of the construction vehicle numbers, parking arrangements, traffic management and storage compounds amongst other things, to be submitted and approved by HCC Highways before the development can commence. In this regard, suitable mitigations can be put in place to minimise impacts on local residents. Failure to comply with the requirements of the CMP can be dealt with through the Council's enforcement powers where necessary.

7.8.8 The Parking Provision SPD (2020) states that visitor parking is required for new housing developments at a provision of 0.25 spaces per dwelling. On the basis of two dwellings, this would equate to 0.5 spaces. As such, being less than one space calculated, there is no requirement in this instance to provide additional visitor spaces.

7.9 Other Matters

Waste and Recycling

7.9.1 The Design Guide (2023) states, provision should be made within new development for the storage and collection of waste from a site. The current requirements for waste and recycling per household are as follows:-

| Bin Type | Use | Domestic / Trade | External Dimensions mm H x L x D (H + open lid) |
|----------------------------|-----------------------------|------------------|---|
| 180ltr Wheelie Bin (Black) | General Waste | Domestic | 1070 x 580 x 730 |
| 240ltr Wheelie Bin (Brown) | Green & Food Waste | Domestic | 1100 x600 x800 |
| 60ltr Bag (Black) | Recyclables -Plastic & Cans | Domestic | 490 x 350 x 350 |
| 60ltr Bag (Blue) | Recyclables -Paper & Card | Domestic | 490 x 350 x 350 |
| 23ltr Caddy (Red) | Glass | Domestic | 405 x 320 x 400 |
| 23ltr Caddy | Food Waste | Domestic | 405 x 320 x 400 |
| 240ltr Wheelie Bin (Black) | General Waste | Domestic | 1100 x 600 x 800 |
| 360ltr Wheelie Bin | General Waste / Recyclables | Domestic / Trade | 1120 x 630 x 890 |
| 660ltr Eurobin | Recyclables | Trade | 1400 x 1300 x 720 |
| 1100ltr Eurobin | General Waste / Recyclables | Trade | 1400 x 1300 x 1000 |

7.9.2 The submitted plans indicate that both properties can accommodate the required vessels without hindering the car parking provision. The Highways Authority are satisfied with the location of the storage area.

Climate Change

7.9.3 Policy FP1 of the Local Plan (2019) states that planning permission will be granted for development that can incorporate measures to address adaptation to climate change. The adopted Design Guide SPD (2023) states that all developments are required to make efforts to minimise energy usage and to incorporate methods of using renewable energy, including:-

- reducing energy demand;
- using passive environmental systems, e.g. natural ventilation;
- daylighting and passive solar gains;
- using high levels of insulation and air tightness in the fabric of the building;
- specifying energy efficient services, controls and appliances;
- implementing water recycling and the provision of water butts;
- using renewable energy;
- using low/zero carbon technologies to provide as much of the energy load as is technically and economically feasible, minimising use of fossil fuels; and
- using efficient fossil fuel technologies, such as Combined Heat and Power and condensing boilers.

7.9.4 No details have been submitted so it is considered appropriate to impose a condition to request the details prior to work progressing beyond slab level should planning permission be granted.

Community Infrastructure Levy

7.9.5 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 | |

- 7.9.6 CIL is a non-negotiable charge. The exact charge will be determined by the Council's CIL officer after an application has been granted in accordance with the CIL Charging Schedule and the Community Infrastructure Levy Regulations 2010 (as amended). Opportunities for relief or exemption from the CIL charge exist and will be taken into account in the calculation of the final CIL charge.
- 7.9.7 CIL replaces the need for S106 agreements to specify financial and/or land contributions for non-site-specific infrastructure projects. This allows infrastructure to be planned on a borough-wide scale rather than on a site-by-site basis as mitigation against the impacts of individual proposals. A CIL Form 1: Additional Information has been submitted along with the application.
- 7.9.8 With regards to how the CIL monies are spent, the ultimate decision lies with Stevenage Borough Council and the allocation of funding amount of £75,000 or over 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.

Equality, Diversity and Human Rights

- 7.9.9 Consideration has been given to Articles 1 and 8 of the First Protocol of the European Convention on Human Rights. It is not considered that the decision would result in a violation of any person's rights under the Convention.
- 7.9.10 When considering proposals placed before Members it is important that they are fully aware of and have themselves rigorously considered the equalities implications of the decision that they are taking.
- 7.9.11 Rigorous consideration will ensure that proper appreciation of any potential impact of that decision on the Council's obligations under the Public Sector Equalities Duty. As a minimum this requires decision makers to read and carefully consider the content of any Equalities Impact Assessment (EqIA) produced by officers.
- 7.9.12 The Equalities Act 2010 requires the Council when exercising its functions to have due regard to the need to (a) eliminate discrimination, harassment, victimisation and other conduct prohibited under the Act; (b) advance equality of opportunity between persons who share a

relevant protected characteristic and persons who do not share it and (c) foster good relations between persons who share protected characteristics under the Equality Act and persons who do not share it. The protected characteristics under the Equality Act are: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion and belief; sex and sexual orientation.

- 7.9.13 Measures will be put in place during the construction phase of the development to minimise harm to neighbouring properties arising from noise and dust. Residential dwellings are not considered to be a noise-based use and the dwellings have been assessed to not result in harm to neighbouring properties through overlooking or loss of privacy. Accordingly, it is not considered that the development would contravene the Human Rights Act by way of preventing or hindering the right to peaceful enjoyment of a home.
- 7.9.14 It is considered that the decision has had regard to this duty. The development would not conflict with either Stevenage Borough Council's Equality Policy or the commitments set out in our Equality Objectives and would support the Council in meeting its statutory equality responsibilities.

7.10 Other Matters Raised in Representations

- 7.10.1 Concerns regarding health and safety of residents during construction are noted but are not covered by the Planning legislation as it would be for the Health and Safety Executive, police or HCC Highways to deal with construction practices or highway obstructions.
- 7.10.2 Concerns regarding foundations, drainage and construction of the dwellings are noted but they are not material planning considerations and are dealt with by Building Control under the Building Regulations.
- 7.10.3 The application is put forward by a private developer and not Stevenage Borough Council. Further, the development under construction off Gresley Way is within the jurisdiction of East Herts District Council. As such, the provision of large-scale housing developments by either Council are not relevant to the determination of this application. Each application is determined on its individual merits and the Council's own housing stock/empty properties is not a material consideration in this application.
- 7.10.4 House values are not a material planning consideration and as such are not relevant to the determination of this application. Further, there is no requirement under Planning Legislation to provide compensation to neighbouring properties on the basis of granting planning permission.
- 7.10.5 The land being used as a cut through by local school children is noted, however, the development does not impact on the public footpaths which adjoin the site so pedestrians would not be impacted in this regard and could still navigate through Conifer Walk.

8. CONCLUSIONS

- 8.1 In summary, it has been established that the proposed dwellings fail to accord with criterion (a) of Policy HO5 as they would be located on land which does not meet the definition of previously developed land as stated within the NPPF (2023) nor is it considered to be a small underused urban site.
- 8.2 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.

- 8.3 The development would provide two additional dwellings, making a limited contribution to the aim of boosting housing supply, which, in this instance, would not be through the redevelopment of a sustainable brownfield site. This is a limited public benefit to the proposal given the quantum of development and the fact that the supply of land for housing within the Borough is not currently constrained, it only attracts moderate weight in favour of the proposal.
- 8.4 There would be some economic benefit during the construction phase, and future occupiers would be likely to contribute to local services and facilities, although, since the scheme is for only two dwellings, it is considered that these benefits would be limited and only attracts limited weight in favour of the proposal.
- 8.5 The proposed development would have an acceptable impact on the amenities of neighbouring occupiers and the collection of waste and recycling is acceptable; these are neutral matters.
- 8.6 The development has been assessed to be acceptable in appearance and would not harm the visual amenities of the area. The car parking and cycle parking meet the requirements of the adopted Parking Provision SPD and is acceptable in this regard; this carries moderate weight in favour of the proposal.
- 8.7 The development has been assessed to be acceptable in terms of private amenity space in accordance with the adopted Design Guide (2023) and Policy GD1 of the Local Plan (2019). This carries moderate weight in favour of the development.
- 8.8 Taking the aforementioned into account, whilst the proposed development would not be strictly in accordance with Policies HO5(a) and NH6, it has been demonstrated that there would be public benefits arising from the development in the form of economic contributions from construction and future occupiers. The proposal has been demonstrated to not harm the character and appearance of the area nor the amenities of neighbouring properties, and so it has been identified in the overall planning balance, that the overall benefits of the scheme outweigh any policy conflicts identified. Therefore, it is recommended that planning permission be granted.

9. RECOMMENDATIONS

- 9.1 That planning permission be GRANTED subject to the applicant having first entered into a S106 legal agreement to secure/provide contributions towards:-
- Securing the provision of a 10% net gain in biodiversity off-site within Stevenage; and
 - SBC Section 106 monitoring fee – 2.5% of the total financial obligations.
- 9.2 The detail of which would be delegated to the Assistant Director of Planning and Regulation in liaison with the Council's appointed solicitor, along with delegated powers to the Assistant Director in liaison with the Council's appointed solicitor to enforce the obligations set out in the S106 Legal Agreement on behalf of Stevenage Borough Council and / or appoint another Planning Authority to enforce planning obligations on behalf of Stevenage Borough Council as and where legally required to do so. 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. These suggested conditions are as follows:-

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:
2021/72/03; 2021/72/01/A; 2021/72/02/A;
REASON:- For the avoidance of doubt and in the interests of proper planning
- 2 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON:- To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).
- 3 No development shall take place above slab level until a schedule and samples of the materials to be used in the construction of the external surfaces of the dwelling hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
REASON:- To ensure the development has an acceptable appearance.
- 4 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.
REASON:- To ensure that the site does not pose any risk to human health and to ensure that the development does not contribute to unacceptable concentrations of pollution posing a risk to public water supply from previously unidentified contamination sources at the development site and to prevent deterioration of groundwater and/or surface water by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is completed.
- 5 No demolition or construction work which is audible at the site boundary relating to this permission shall be carried out on any Sunday, Public or Bank Holiday nor at any other time, except between the hours of 07:30 and 18:00 on Mondays to Fridays and between the hours of 08:00 and 13:00 on Saturdays.
REASON:- To safeguard the amenities of the occupiers of neighbouring properties.
- 6 Prior to the first occupation of the dwellings hereby permitted the parking provision, access and visibility splays as shown on approved plan 2021/72/02/A, shall be constructed, hardsurfaced and made ready for use. Any new areas of hardstanding created, or existing areas which are replaced, shall be constructed in a porous material or provision shall be made for a sustainable urban drainage system (SuDS) to be built into the hardsurfaced areas. Once provided the parking facilities shall be retained in that form and thereafter be used for the parking of vehicles only.
REASON:- To ensure that adequate parking and servicing facilities are available within the site and to prevent surface water from passing onto the public highway which may be detrimental to highway safety.
- 7 Prior to the occupation of the dwellings hereby permitted, the parking spaces shown on approved plan 2021/72/02/A shall be provided with the underlying infrastructure for connection to the electricity network to enable them to be served by an electric vehicle charging point.
REASON:- To ensure construction of a satisfactory development and to promote sustainable development

- 8 No development shall take place above slab level until details of measures to address adaptation to climate change have been submitted to and approved in writing by the Local Planning Authority. These measures shall then be implemented and permanently maintained in accordance with the approved details.
REASON:- To ensure the development is adaptable to climate change through provision of energy and water efficiency measures.
- 9 Prior to the first occupation of the dwellings hereby permitted, the cycle storage as shown on plan 2021/72/02/A shall be implemented accordingly. The cycle storage shall be retained and maintained accordingly during the lifetime of the development.
REASON:- To ensure that adequate cycle parking is provided in accordance with the Council's adopted supplementary planning documents.
- 10 Prior to the first occupation of the dwellings hereby permitted, the general waste and recycling storage associated with the development shall be implemented in accordance with the details as specified on plan number 2021/72/02/A.
REASON:- To ensure the general waste and recycling storage is of a sufficient size to accommodate the number of bins which are required for this development. In addition, to ensure the proposed bin store has an acceptable appearance.
- 11 All planting, seeding and turfing shall be carried out in the first planting and seeding seasons following the first use of the site or the completion of the development whichever is the sooner.
REASON:- To ensure a satisfactory appearance for the development.
- 12 Any trees or plants comprised within the approved plans which within a period of five years from the completion of the development, die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless otherwise agreed in writing by the Local Planning Authority.
REASON:- To ensure a satisfactory appearance for the development.
- 13 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).
- 14 No development shall take place above slab level until there has been submitted to and approved by the Local Planning Authority a scheme of soft and hard landscaping and details of the treatment of all hard surfaces. The scheme shall include details of all existing trees and hedgerows on the land and details showing all trees to be removed, or retained, together with details of all new planting to take place including species, size and method of planting.
REASON:- To ensure a satisfactory appearance for the development.
- 15 No development shall take place above slab level until a detailed scheme of the open space provision, management and maintenance of, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the location, dimensions/size and layout of the open space, its regular maintenance of, and how the space will be managed to ensure its continued availability to the public. The open space shall thereafter be provided and maintained in full accordance with the approved details.
REASON:- To ensure a satisfactory appearance for the development.

- 16 The area of open space as identified on the approved Site Location Plan and 2021/72/02/A and in accordance with condition 15 shall be used only for the provision of publicly available open space and for no other means, at any time.
REASON:- To ensure a satisfactory appearance of the development
- 17 Prior to first occupation of the development hereby permitted, a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, shall be submitted to and approved in writing by the local planning authority. The landscape management plan shall be carried out as approved.
REASON:- To ensure a satisfactory appearance to the development
- 18 Notwithstanding the details shown in this application the treatment of all boundaries including details of any walls, fences, gates or other means of enclosure shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The approved boundary treatments shall be completed before the use hereby permitted is commenced or before the building(s) is occupied.
REASON:- To ensure a satisfactory standard of development in the interests of amenity and that it has an acceptable appearance.
- 19 No development shall take place (including demolition and site clearance) until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority, including elements of the CLOCS standards as set out in the Highway Authority's Construction Management template. Thereafter, the construction of the development shall only be carried out in accordance with the approved plan. The Construction Management Plan shall include details of:
- 1) Construction vehicle numbers, type, routing;
 - 2) Access arrangements to the site;
 - 3) Traffic management requirements;
 - 4) Construction and storage compounds (including areas designated for car parking, loading/unloading and turning areas);
 - 5) Siting and details of wheel washing facilities;
 - 6) Cleaning of site entrances, site tracks and the adjacent public highway;
 - 7) Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times;
 - 8) Provision of sufficient on-site parking prior to commencement of construction activities;
 - 9) Post construction restoration/reinstatement of the working areas and temporary access to the public highway;
 - 10) where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements.
 - 11) Demolition and construction works between the hours of 0730 and 1800 on Mondays to Fridays and between the hours of 0800 and 1300 on Saturdays only (These times relate to works which are audible at the boundary)
 - 12) hours of construction operations including times of deliveries and removal of waste;
- REASON:-** In order to protect highway safety and the amenity of other users of the public highway and rights of way.
- 20 Notwithstanding the provisions of Classes A and B of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting this Order) no extensions or loft conversions including dormer windows / roof extensions shall be constructed on the dwelling hereby approved unless permission is granted on an application made to the Local Planning Authority.
REASON:- To enable the Local Planning Authority to fully consider the effects of development normally permitted by that Order to safeguard the amenities of the locality.

- 21 The parking and garaging facilities shown on drawings 2021/72/01-A and 2021/72-02A shall be retained in that form and kept available for those purposes for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.
REASON:- To ensure that adequate parking facilities are provided to serve the development.

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

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

INFORMATIVE

1 Public Information on Planning Applications

Warning: all information provided on your planning application is now publicly available. Individuals and organisations offering their services may contact you. The Council does not endorse or approve any builders, surveyors, trades persons or other supplier, and advises householders to obtain quotes/references, and check the legitimacy of any contractor who contacts them before making payment.

2 Community Infrastructure Levy

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

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

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

3 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).

4 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>

5 Hertfordshire County Council as Highways Authority

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

6 Hertfordshire County Council as Highways Authority

Debris and deposits on the highway: It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made up carriageway, or any or other debris on a highway to the interruption of any highway user. Section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.

7 Hertfordshire County Council as Highways Authority

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

8 Hertfordshire County Council as Highways Authority

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>

9 Hertfordshire County Council as Highways Authority

Construction standards for new vehicle access: Where works are required within the public highway to facilitate the new or amended vehicular access, the Highway Authority require the construction of such works to be undertaken to their satisfaction and specification, and by a contractor who is authorised to work in the public highway. If any of the works associated with the construction of the access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) the applicant will be required to bear the cost of such removal or alteration. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission, requirements and for the work to be carried out on the applicant's behalf. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/dropped-kerbs/dropped-kerbs.aspx> or by telephoning 0300 1234047.

10 Environmental Health

During the demolition and construction phase of the development, the guidance in BS5228-1:2009 (Code of Practice for Noise Control on Construction and Open Sites) should be adhered to.

10. 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 January 2023, 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 2019.
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 September 2023 and Planning Practice Guidance.