

STEVENAGE BOROUGH COUNCIL

**PLANNING AND DEVELOPMENT COMMITTEE
MINUTES**

Date: Tuesday, 18 July 2023

Time: 6.30pm

Place: Council Chamber, Daneshill House, Danestrete, Stevenage

Present: Councillors: Michael Downing (Chair) (Chair), Claire Parris (Vice-Chair) (Vice Chair), Rob Broom, Forhad Chowdhury, Nazmin Chowdhury, Chris Howells, Graham Lawrence CC, Maureen McKay, Adam Mitchell CC, Ellie Plater, Graham Snell, Carolina Veres and Anne Wells

Start / End Start Time: 6.30pm
Time: End Time: 10.13pm

1 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were received by Councillor Julie Ashley-Wren.

Councillor Michael Downing declared an interest in Item 6 – 23 Essex Road due to being a neighbour to the development. Councillor Forhad Chowdhury declared an interested in Item 8 – Muslim Community Centre due to being the Trustee for the mosque. Both Councillors declared they would not vote in their respected Items.

2 MINUTES - 25 MAY 2023

It was **RESOLVED:** That the Minutes of the Meeting of the Committee held on 25 May 2023 be approved as a true record of the proceedings and be signed by the Chair.

3 22/00437/FPM - 10A AND 10B BURWELL ROAD

The Committee considered a report in respect of application 22/00437/FPM seeking the demolition of the existing 2 semi-detached houses and the erection of 20 flats comprising of 12 one-bed and 8 two-bed, associated parking, and ancillary works.

The Senior Planning Officer informed Members that the application was previously determined by the Committee on 4th October 2022 and was granted subject to the completion of a Section 106 agreement and a suitable drainage strategy. The land was owned by Stevenage Borough Council (SBC) who was requesting the change of tenure in relation to affordable housing provision. The existing application was to be policy compliant for affordable housing which was 25% of the dwellings, the new application requested to change this to 100%.

The Senior Planning Officer gave a presentation which included photos of the existing site, the houses that were to be demolished to make way for the block of 20 flats, as well as the previously developed March Hare site which gave an example of

what the new block would look like. The garage block would form the car park for the development. She displayed photos of the traffic in the surrounding area and the access to the development which would be in Chertsey rise.

The Chair invited Ms J Wheeler, an objector, to address the Committee.

Ms Wheeler stated that a planning application was refused in 2001 due to the traffic issues in the area. There was congestion caused by refuse vehicles, which created more traffic caused by buses. The increase in vehicles due to this development would add to the congestion. Additionally she believed that families would be better in houses rather than flats.

The Chair thanked Ms J Wheeler for her contribution to the meeting.

The Chair then invited the Housing Development Representative to address the Committee.

The Housing Development Representative informed Members this application was only for a change in tenure, so SBC was successful in delivering affordable housing, which SBC wanted to increase for those in housing need. He stated that 85% of the 3000 people on the waiting list were in need of 1 and 2 bed accommodation. He informed Members that since the original application, the Housing Development team had secured funding and executive approval from SBC for the scheme.

The Chair thanked the Housing Development Representative for their contribution to the meeting.

The Senior Planning Officer informed Members the recommendations in the report were solely based on the affordable housing provision and that all other planning considerations on the previous application were not under consideration at the meeting. The application would provide 22.8% of the annual requirement for affordable homes.

There were ongoing negotiations between the developer and flood risk consultant to finalise an acceptable drainage strategy and recommend a suggested list of conditions. There had also been further conditions imposed in relation to climate change. She also noted under the planning history that they had received a prior approval application for the demolition of the existing dwellings. The land was not fully on previously developed land, however 20 dwellings made a strong contribution to the housing benefit and 100% affordable housing was a great public benefit.

Some Members asked questions in relation to the previous application. In response, the Senior Planning Officer advised that this application remains the same as the previous application, the only thing that changed was the 25% affordable housing changing to 100%. She reminded members that if this application was refused the previous application would still go ahead. This application was still subject to an acceptable drainage strategy and a Section 106 agreement. In relation to drainage, consultation was just part of the process to secure the most sustainable drainage strategy. The Development Manager added that Members should be mindful of what they had previously approved, and that they deemed the past application as

acceptable. There was no statutory requirement for re-consultation as the application remained the same. The prior approval was initially refused due to insignificant information for the Highways Authority. A new application was submitted with changes, but they were still waiting for Highways to approve it.

A few Members asked questions relating to the traffic issues raised by residents. In response, the Senior Planning Officer advised that traffic issues in the area were a matter for Hertfordshire County Council (HCC). The car parking on the site was deemed acceptable, and the application only looked at the change of tenure not traffic issues. HCC had previously completed a transport statement which included a traffic survey in the previous application when they made recommendations.

It was **RESOLVED**: That the application 22/00437/FPM be **GRANTED** planning permission subject to the conditions and reasons set out in the report and the applicant having first entered into a S106 legal agreement.

Conditions:

1. The development hereby permitted shall be carried out in accordance with the following approved plans:13761-P200-F; 13761-P203-A; 13761-P202-C; 13761-P201-G; 13761-S199-A;
2. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
3. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 4 which is subject to the approval of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 5.
4. In the event that contamination is found at any time when carrying out the approved development that was not previously identified, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historic environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.
5. In the event that contamination is found at any time when carrying out the approved development that was not previously identified, as required under

condition 3, the approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval in writing of the Local Planning Authority.

6. At least 50% of the residential units are Category 2: Accessible and Adaptable dwellings.
7. 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.
8. The noise mitigation measures as detailed in the Noise Impact Assessment prepared by Sound Planning Ltd dated 22 April 2022 shall be implemented in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.
9. Prior to the commencement of any landscaping, a landscape and ecological management plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The content of the LEMP shall ensure the delivery of the agreed number of habitat and hedgerow units as a minimum (0.5233 habitat units, 0.4050 hedgerow units) to contribute to a net gain in biodiversity and include the following.
 - a) Description and evaluation of features to be managed.
 - b) Aims and objectives of management.
 - c) Appropriate management options for achieving target condition for habitats as described in the approved metric.
 - d) Prescriptions for management actions, only definitive measures are acceptable.
 - e) Preparation of a 30 year annual work schedule (capable of being rolled forward in perpetuity), clearly marked on plans.
 - f) Details of the body or organisation responsible for implementation of the plan.
 - g) Ongoing monitoring plan and remedial measures to ensure habitat condition targets are met.
 - h) Details of species selected to achieve target habitat conditions as identified in approved metric, definitively stated and marked on plans.
 - i) Details (make, model and location) of 10 integrated bat boxes and 10 integrated swift boxes to be included in the proposal

The LEMP shall also include details of the legal and funding mechanism(s) by

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

10. No development shall take place (including site clearance) until the tree protection measures as detailed on the Arboricultural Impact Assessment (AIA) plan prepared by GHA Trees Arboricultural Consultancy, Rev B, dated April 2022 have been implemented accordingly. The tree protection measures shall remain in place until the development has been completed. Within the tree protection areas to be fenced off in accordance with the AIA there shall be no alteration to the ground level and they shall be kept clear of vehicles, materials, surplus soil, temporary buildings, plant and machinery.
11. Prior to the commencement of the development (including demolition and site clearance), a 'Construction Traffic Management Plan shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The 'Construction Traffic Management Plan' shall identify details of:
 - a) Demolition and removal plans
 - b) Provision of sufficient on-site parking prior to commencement of construction activities.
 - c) Additional measure to stop construction related vehicles parking onto public highways (Burwell Road and Chertsey Rise)
 - d) Construction vehicle numbers, type, routing.
 - e) Traffic management requirements
 - f) Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times
 - g) Construction and storage compounds (including areas designated for car parking, loading/ unloading and turning areas).
 - h) Cleaning of site entrances, site tracks and the adjacent public highway.
 - i) Post construction restoration/reinstatement of the working areas and temporary access to the
 - j) public highway.
 - k) Wheel cleaning arrangement
12. No development shall take place until a final design of the drainage scheme for the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is occupied. The scheme shall include:
 - Updated surface water drainage calculations and modelling for all rainfall events up to and including the 1 in 100 year plus climate change event, including infiltration options.
 - Updated full detailed surface water drainage plan showing the proposed discharge point, the location of the proposed SuDS

- features, any pipe runs and size.
 - Detailed engineered drawings of the proposed SuDS features including their, size, volume, depth and any inlet and outlet features including any connecting pipe runs along with all corresponding detailed calculations/modelling.
 - Exceedance flow paths for surface water for events greater than the 1 in 100 year plus climate change.
13. Upon completion of the drainage works, a management and maintenance plan for the SuDS features and drainage network must be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:
- Provision of complete set of as built drawings including the final drainage layout for site drainage network.
 - Maintenance and operational activities for the lifetime of the development.
 - Arrangements for adoption and any other measures to secure the operation of the scheme throughout its lifetime.
14. 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 buildings 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.
15. No development shall take place 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.
16. 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.
17. Prior to first occupation of the development hereby permitted details of external lighting to the site shall be submitted to the Local Planning Authority and approved in writing. There shall be no other sources of external illumination.
18. Prior to the first occupation of the development hereby permitted, details of the cycle storage areas shall be submitted to the Local Planning Authority and approved in writing. The cycle storage areas shall be retained and maintained accordingly during the lifetime of the development.
19. The dwellings hereby permitted shall not be occupied until the general waste and recycle stores and plant areas associated with the development hereby

permitted have been implemented in accordance with the details shown on approved plan 13761-P200-F and retained and maintained accordingly for the lifetime of the development.

20. Prior to the first occupation of the development hereby permitted, the parking spaces shown on approved plan 13761-200-F 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.
21. Prior to the first occupation of the dwelling hereby permitted the access, turning and parking provision as shown on approved plan 13761-P200-F shall be constructed, hardsurfaced and made ready for use. The parking areas 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.
22. Prior to the first occupation of the development hereby permitted, provision of bird boxes and bat bricks or boxes as specified in the Ecological Appraisal prepared by Windrush Ecology dated March 2022 shall be erected accordingly and thereafter permanently retained and maintained.
23. 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 first occupation of the development hereby permitted. The approved boundary treatments shall be completed before the development is first occupied.
24. Prior to the first occupation of the development, additional plans must be submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority, which show the detailed engineering and construction design of the following highway works under s278 as indicated on the drawing 5737/1001 listed below and these works shall be constructed to the specification of the Highway Authority and Local Planning Authority's satisfaction:
 - a) The existing access points off Burwell Road servicing the 10A and 10B permanently closed off and reinstate of full high kerbs, highway verge and footways;
 - b) All pedestrian access points to highways as indicated on the proposed drawing (Ref 13761-P200-F) should be designed in accordance with the inclusive mobility guidance (Ramp, slope etc.)
 - c) Provide new footway along new access point and connect with the existing footway along Chertsey Rise as shown the drawing (Ref-5737/1001);
 - d) Provide tactile crossing points as shown on the drawing (Ref-5737/1001);
 - The junction of Burwell Road and Chertsey Rise;
 - The junction of Chertsey Rise and private road (the proposed site access road);

- New pedestrian's crossing point onto Burwell Road opposite the site frontage to connect opposite site footway;
 - The junction of Burwell Road and Burwell Shop access point.
25. Prior to the first occupation of the development, additional plans must be submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority, which show the detailed engineering and construction design of the bus shelter, Kassel Kerb under s278 as indicated on the drawing 5737/1001 at the existing flagpole bus stops onto Chertsey Rise (directly eastern side of the site) and these works shall be constructed to the specification of the Highway Authority and Local Planning Authority's satisfaction before first occupation.
26. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the first occupation of the building(s) or the completion of the development whichever is the sooner.
27. Any trees or plants comprised within the scheme of landscaping, which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless otherwise agreed in writing by the Local Planning Authority.
28. No tree shown retained on the approved plans, or subsequently approved landscaping scheme, shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped within five years of the completion of development without the written approval of the Local Planning Authority.
29. Infiltration testing should be in accordance with BRE Digest 365 which should be carried out at the location of any infiltration measure(s). Where infiltration is not possible, evidence that approval has been sought from the relevant water authority should be provided for any connection into a public surface water sewer.

4 **22/00965/FPM - 224-230 BEDWELL CRESCENT**

The Committee considered a report in respect of application 22/00965/FPM seeking the demolition of existing semi-detached houses, sea cadets, nursery, and scouts' buildings and garages to provide 57 new dwellings with associated parking, facilities, and landscape, as well as the reconfiguration of the existing public car park.

The Principal Planning Officer advised that the site comprised of a mixture of uses. She added the north of the park was an allocated housing site in the Stevenage Local Plan. The car park was allocated open space in the Local Plan.

The Chair invited Lesley Dimery, an objector, to address the Committee.

Ms Dimery explained that Bedwell Crescent was a densely populated area, and the roads cannot support the extra cars from the new development. The location was

also a pressure point with access to Fairlands Valley park, near a bus stop, a doctor surgery, and down the road from a primary school. She believed that the 52 spaces would not resolve the issue and the car parking was being reduced to supply the new homes. She believed the development was unsympathetic to the local town history and was changing the area from a low impact community to a high impact residential area. She also added that the reduction of the trees would not be mitigated by planting new trees as it would take them time to grow

The Chair thanked Ms Dimery for her contribution to the meeting.

The Chair then invited Jack Jeffreys of 5th Stevenage Scouts, an objector, to address the Committee.

Mr Jeffreys stated he was speaking in relation to the relocation of the Scouts and Sea Cadets and his concerns with the medium- and long-term resettlement. He informed the Committee the applicant had been positive to work with and had proposed an alternative site in Hampson Park, but the building was considerably smaller. He believed the new location was cost effective but was only a short-term solution as they only had a 3-year term. He also expressed concerns that they could not safely accommodate the amount of youths in the Pin Green site. He stated that these issues were not formally recognised as a condition in the application and asked to be formally recognised within the Section 106.

The Chair thanked Mr Jeffreys for his contribution to the meeting.

The Chair invited the Housing Development Representative to address the Committee.

The Housing Development Representative informed Members this application was to construct and provide Stevenage residents with 57 new homes which included 24 flats and 33 houses along with 105 parking spaces. The Housing Development team held consultations over 2 years and received 6000 responses which they used to alter and enhance the scheme. For example the original scheme proposed 97 new houses but after consulting with the community this was reduced to 57. Another community concern was the traffic problem in the area and parking issues. The Housing Development team worked with the Highways Authority to benefit the parking situation as well as creating a new entrance to move 200 car journeys along Shephall View instead of Bedwell Crescent. He highlighted the inadequate parking in the car park near Fairlands Valley splash park and suggested that currently only 30-40 cars could park there, however with better markings this would increase to 53. He added that the income from these homes would deliver a further 100 additional affordable homes.

He highlighted the current community uses which included Noah's Ark Nursery, who were able to relocate to Chells Park Pavilion and provide to over 100 children. There had also been consultations with the Sea Cadets and Scouts where they had over 32 meetings and looked at 10 other potential relocations before settling on Hampson Park. The Housing Development Representative was confident that they would work together to provide a good space for the groups that was safe for children and the volunteers. The current buildings were in structural disrepair and the Sea Cadet

building was closed for health and safety reasons. He added that this was a separate matter from the application.

The Chair thanked the Housing Development Representative for their contribution to the meeting.

The Principal Planning Officer presented photos showing the existing garage block, where the trees would be retained, and the existing access would be closed off but would still allow pedestrian access. They also showed the current buildings, surrounding land, Fairlands Valley car park, the allocated housing site, and the grass amenity space. She informed Members the current houses at the front of the site would be demolished to create space and vehicular access to the site. The road would act as a buffer between the old and new houses and the apartment block would be located in the middle of the site with parking and a communal garden area.

The Principal Planning Officer informed Members that the principle open space would remain a public car park and would be resurfaced with 53 marked bays. The houses would comprise of similar external materials to compliment the residential area they were located in. She also informed Members that they had received a response from the drainage consultant who wanted more work done on the sustainable urban drainage on the site and had asked the applicant to prove a sewer connection and approval for use.

A few Members asked questions regarding the Scouts and Sea Cadets. In response the Principal Planning Officer advised that they had considered the decision to include the condition requiring the relocation of the Sea Cadets and Scouts however they had reached a decision of an acceptable site. The planning policy HC4 allows community facilities to be lost if they meet at least one of three criteria. They had satisfied criteria A by finding an alternative location. The Assistant Director (Planning & Regulatory) advised that a Section 106 could be used but in terms of planning policy the relocation is acceptable as there was a suitable alternative and so it was unnecessary to have this as a condition. The Housing Development Representative also advised that they had provided financial assistance in relation to grants and money to the Sea Cadets had been given as well as the Scouts in the form of cash donations.

Some Members asked questions in relation to the parking concerns. It was advised that the existing access would be closed and become a driveway for two semi-detached houses. The scheme provides parking for the new development within standards and there would be no alterations to Shephall View. The parking on the road was not formally designated to residents so there were no requirements under planning policy to provide alternatives. There were 68 parking spaces for the houses and 37 for the flats. There had not been a car park management strategy submitted and the Fairlands Valley car park would remain under SBC control. The Housing Development Representative added that residents had concerns around parking during consultation however they could still park in the car park and there would be pedestrian access. They wouldn't be able to park along the access route, but this would be a betterment to the traffic in the area. 10-15 parking spaces had been identified that could be created to benefit residents.

A Member asked how waste and maintenance vehicles would manoeuvre in the area and it was advised that vehicle tracking had been carried out and the due diligence had been checked by the Highways Authority who confirmed it was acceptable.

Members asked questions regarding biodiversity and the trees in the area. It was advised that there were no high-quality trees being removed and replacement planting would be provided. The Development Manager added that 14 trees, 4 small groups of trees, and 4 hedges would be removed. It was agreed that a 3 for 1 replacement tree planting condition could be added to the general landscaping condition, as well as the addition of swift bricks to Condition 11. In terms of biodiversity net gain, there would be a financial contribution for the shortfall. There had been some potential contamination around the garage block and the environmental health team were asked to check for contamination during the construction.

A few Members raised concerns with the traffic in the area. It was advised that there was a planning condition asking for a traffic management plan to be submitted which would provide details of all construction traffic to minimise impact. This would be signed off by the Highways Authority prior to any development. The Highways Authority had completed a traffic assessment and the traffic flow calculated would not cause an increase of more than 2% which was not significant, and they were satisfied that the existing junctions could cope.

A Member asked for clarification on the tenure for the properties. It was advised that this site would be 100% private housing and there would be no affordable housing on this site. The policy requires 25% of developments to be affordable however the applicant had asked to offset this onto the Burwell Road site which is now 100% affordable.

It was **RESOLVED**: That the application 22/00965/FPM be **GRANTED** planning permission subject to the conditions and reasons set out in the report and the applicant having first entered into a S106 legal agreement, as well as the following amended conditions:

5 Notwithstanding the details set out in the application submission, no development shall take place above slab level until details of a hard and soft landscaping strategy and boundary treatment shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the following:

1. Details of all new planting to take place including species, size, quantity, location and method of planting;
2. Details of all boundary treatments including type, size, positions, heights and materials;
3. Details of any street furniture;
4. Details of tree pit designs and root protection measures (if required);
5. Details of all hardsurfacing areas to include type, size and materials;
6. Details of replacement tree planting to achieve a ratio of 3:1.

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

- 11 No development shall commence until details of 15 integrated Swift boxes and / or Swift Bricks and 4 integrated bat boxes have been submitted and approved by the LPA. These devices shall be fully installed prior to occupation and retained as such thereafter.
REASON:- To conserve and enhance biodiversity.

Conditions:

1. The development hereby permitted shall be carried out in accordance with the following approved plans: 18068SU1.01; 18068SU1.02; 18068SU1.03; 18068SU1.04; 18068SU1.05; 18068SU1.06; 18068SU1.101; 18068WD2.01; 18068WD2.02; 18068WD2.03; 18068WD2.04; 18068WD2.05; 18068WD2.102; 18068WD2.103; 18068WD2.104; 18068WD2.105; 18068WD2.106; 18068WD2.107; 18068WD2.108; 18068WD2.109; 18068WD2.110; 18068WD2.111; 18068WD2.112; 18068WD2.20; 18068WD2.201; 18068WD2.202; 18068WD2.203; 18068WD2.204; 18068WD2.205; 18068WD2.206; 18068WD2.207; 18068WD2.208; 18068WD2.209; 18068WD2.21; 18068WD2.210; 18068WD2.211; 18068WD2.22; 18068WD2.23; 18068WD2.24; 18068WD2.25; 18068WD2.30; 18068WD2.31; 18069WD2.120; 18069WD2.121; 18069WD2.130; SHF.1926.002.ENZ.XX.01.DR.L.45.101; SHF.1926.002.ENZ.XX.01.DR.L.45.102; SHF.1926.002.ENZ.XX.01.DR.L.45.103
2. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
3. No site clearance or construction work relating to this permission shall be carried out except between the hours of 0730 and 1800 on Mondays to Fridays and between the hours of 0800 and 1300 on Saturdays, unless otherwise agreed in writing by the Local Planning Authority. These times apply to work which is audible at the site boundary.
4. The development to which this permission relates shall be carried out in accordance with the external materials specified within drawing numbers 18068WD2.201, 18068WD2.203, 18068WD2.206, 18068WD2.207, 18068WD2.208, 18068WD2.209 and 18068WD2.210 submitted as approved or any alternatives to be submitted to and approved by the Local Planning Authority.
5. Notwithstanding the details set out in the application submission, no development shall take place above slab level until details of a hard and soft landscaping strategy and boundary treatment shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the following:
 7. Details of all new planting to take place including species, size, quantity, location and method of planting;
 8. Details of all boundary treatments including type, size, positions, heights and materials;

9. Details of any street furniture;
 10. Details of tree pit designs and root protection measures (if required);
 11. Details of all hardsurfacing areas to include type, size and materials;
 12. Details of replacement tree planting to achieve a ratio of 3:1.
6. All hard surfacing comprised in the approved landscaping details as specified in condition 5 of this approval shall be carried out prior to the first use of the site or the completion of the development, whichever is the sooner.
 7. All planting, seeding and turfing comprised in the approved landscaping details as specified in condition 5 of this approval 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. In addition, the boundary treatment as approved shall also be installed prior to first occupation of the development hereby permitted.
 8. Any trees or plants comprised within the approved plans or subsequently approved landscaping scheme, 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.
 9. No tree shown retained on the approved plans, or subsequently approved landscaping scheme, shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped within five years of the completion of development without the written approval of the Local Planning Authority.
 10. Development shall not commence until a biodiversity net gain management plan (BNGMP) has been submitted to, and approved in writing by, the local planning authority. The content of the BNGMP shall ensure the delivery of the agreed number of habitat units as a minimum (6.29 habitat units, 2.77 hedgerow units) to achieve a net gain in biodiversity and include the following.
 - a) Description and evaluation of habitat parcels to be managed, cross referenced to individual lines in the metric.
 - b) Maps of all habitat parcels, cross referenced to corresponding lines in the metric.
 - c) Appropriate management options for achieving target condition for habitats as described in the approved metric.
 - d) Preparation of an annual work schedule for each habitat parcel (to be applied as a 30-year work plan capable of being rolled forward in perpetuity).
 - e) Details of the body or organisation responsible for implementation of the plan.
 - f) Details of species selected to achieve target habitat conditions as identified in approved metric, definitively stated and marked on plans.
 - g) Ongoing monitoring plan and remedial measures to ensure habitat condition targets are met.
 - h) Reporting plan and schedule for informing LPA of condition of habitat parcels for 30 years.

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

11. No development shall commence until details of 15 integrated Swift boxes and / or Swift Bricks and 4 integrated bat boxes have been submitted and approved by the LPA. These devices shall be fully installed prior to occupation and retained as such thereafter.
12. No demolition of the site of the bat roost identified in the approved survey shall commence unless the local planning authority has been provided with a copy of the licence issued by Natural England pursuant to Regulation 53 of The Conservation of Habitats and Species Regulations 2017 (as amended) authorising the specified activity/development to go ahead. Development shall then proceed in accordance with that licence and in accordance with the approved ecological report. All mitigation and compensation measures shall be fully installed before occupation and retained as such thereafter.
13. The recommended ecological and nature conservation enhancements set out within the Preliminary Ecological Appraisal by Ecology By Design dated November 2022 shall be implemented and permanently maintained in accordance with the approved details.
14. Prior to the first occupation of the development hereby permitted the vehicular access shall be completed and thereafter retained as shown on drawing number (Proposed Site Plan-18068wd2.01) in accordance with details/specifications to be submitted to and approved in writing by the Local Planning Authority in consultation with the highway authority. Prior to use appropriate arrangements shall be made for surface water to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.
15. Prior to the first occupation of the development hereby permitted the vehicular access improvements, as indicated on drawing number (Proposed Site Plan-18068wd2.01), shall be completed and thereafter retained.
16. Prior to the first occupation of the development hereby permitted a visibility splay measuring 2.4 x 43m metres shall be provided to each side of the access where it meets the highway and such splays shall thereafter be retained at all times free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway.
17. Prior to the first occupation of the development hereby permitted the proposed access arrangements/on-site car turning area shall be implemented

in accordance with the approved drawing number (Proposed Site Plan-18068wd2.01) and retained thereafter available for that specific use.

18. Prior to the first occupation of the development hereby permitted, each dwelling shall be provided with an active (ready to use) EV charging point which shall thereafter be permanently retained.
19. Prior to the commencement of the development hereby permitted, a scheme for (short and long stay) the parking of cycles including details of the design, level and siting shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented before the development is first occupied and thereafter retained for this purpose.
20. No development shall commence until a Revised Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the construction of the development shall only be carried out in accordance with the approved Plan: The Construction Management Plan / Statement shall include details of:
 - a. Construction vehicle numbers, type, routing
 - b. Access arrangements to the site;
 - c. Traffic management requirements
 - d. Construction and storage compounds (including areas designated for car parking, loading /unloading and turning areas);
 - e. Siting and details of wheel washing facilities;
 - f. Cleaning of site entrances, site tracks and the adjacent public highway;
 - g. Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times;
 - h. Provision of sufficient on-site parking prior to commencement of construction activities;
 - i. Post construction restoration/reinstatement of the working areas and temporary access to the public highway;
 - j. where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements
 - k. Phasing Plan.
21. Following the removal of all subbase from the existing pavement construction and completion of site preparation works and prior to the commencement of construction works testing of Boreholes WS101 and WS105, referenced in the Geo-Environmental Report ref. CRM.757.001.GE.R.001.A, shall be carried out to confirm that soil concentrations of lead and Polycyclic Aromatic Hydrocarbons at these locations do not exceed the General Acceptance Criteria values referenced in the said report, and the results from the analysis of the soil samples shall be provided to the local planning authority. If, following the further testing of boreholes or during the course of development any unforeseen contamination is found or suspected, works shall cease and the local planning authority shall be informed immediately. The local planning authority may request the nature and extent of any contamination to be investigated in order that a suitable remediation strategy can be proposed.

The development shall not continue until any required remediation as agreed in writing by the local planning authority has been undertaken, and the local planning authority has confirmed it has been undertaken to its satisfaction.

22. Prior to first occupation of the development hereby permitted details of external lighting to the site shall be submitted to the Local Planning Authority and approved in writing. There shall be no other sources of external illumination.
23. The measures to address adaptation to climate change as set out within the Design and Access Statement by Kyle Smart Associates dated October 2022 shall be implemented and permanently maintained in accordance with the approved details.
24. Prior to the commencement of the development hereby permitted, a detailed Site Waste Management Plan (SWMP) shall be submitted to and approved in writing by the Local Planning Authority. The SWMP shall detail how waste materials generated as a result of the proposed demolition and/or construction works will be disposed of, and the level and type of soil to be imported to the site as part of the development.
25. No development shall take place (including site clearance) until a final detailed design for the drainage scheme for the site has been submitted to and approved in writing by the Local Planning Authority. The approved drainage scheme shall be implemented in full prior to the beneficial occupation of the development to which this permission relates and shall be permanently retained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.
26. Infiltration testing should be in accordance with BRE Digest 365 which should be carried out at the location of any infiltration measure(s). Where infiltration is not possible, evidence that approval has been sought from the relevant water authority should be provided for any connection into a public surface water sewer.
27. Upon completion of the drainage works for the site and in accordance with the timing/phasing arrangement, a management and maintenance plan for the SuDS features and drainage network must be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:
 1. Provision of a complete set of as built drawings for site drainage.
 2. Maintenance and operational activities.
 3. Arrangements for adoption and any other measures to secure the operation of the scheme throughout its lifetime.
28. At least 50% of the residential units shall be Category 2: Accessible and Adaptable dwellings.
29. 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.

30. A new highway directional sign for Fairlands Valley Park shall be erected adjacent to the approved vehicular access on Bedwell Crescent and the existing sign on Shephall View removed.
31. No above ground works shall take place until a scheme for the provision of adequate water supplies and fire hydrants, necessary for firefighting purposes at the site has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the scheme has been implemented in accordance with the approved details.
32. No dwelling shall be occupied until confirmation has been provided that either: 1. Foul water Capacity exists off site to serve the development, or 2. A development and infrastructure phasing plan has been agreed with the Local Authority in consultation with Thames Water. Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan, or 3. All Foul water network upgrades required to accommodate the additional flows from the development have been completed.
33. All car parking spaces shown on drawing number 18068wd2.01 shall be provided, marked out and hard surfaced ready for use prior to first occupation of the dwellings hereby permitted and shall be retained in that form and kept available for those purposes thereafter.
34. The refuse and recycling store for the apartment building as shown on drawing number 18068WD2.30 shall be provided and made ready for use prior to first occupation of the flats hereby permitted and shall be retained in that form and kept available for those purposes thereafter.
35. No tree shown retained on the approved plans, or subsequently approved landscaping scheme, shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped within five years of the completion of development without the written approval of the Local Planning Authority.
36. Notwithstanding the provisions of Classes A, B and C of Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revising, revoking or re-enactive that Order with or without modification) no internal or external alterations shall take place to any garage, which would preclude its use for housing motor vehicles and/or bicycles, no loft conversions including dormer windows / roof extensions, or roof lights and openings shall be constructed on the dwellinghouse(s) hereby permitted unless permission is granted on an application made to the Local Planning Authority.

5 **22/00963/FPM - BRENT COURT, SILAM ROAD**

The Committee considered a report in respect of application 22/00963/FPM seeking the demolition of existing multi storey garage blocks and construction of 96 independent living apartments with associated parking, amenity space and improvements to the parking and refuse collection for the existing building.

The Senior Planning Officer introduced the application and informed Members that Brent Court formed one of the three tower blocks on Silam Road. The development would replace the existing garage compound with a 7-storey assisted living block of flats for over 50s. There would be a parking compound beneath the building and one and two bed apartments that were constructed for future adaptability. There would be communal lounges with an open terrace and garden, as well as a hobby room, staff locker and staff changing rooms. Each flat had a window in the kitchen which overlooked the internal corridors as developers found that residents liked to see into the corridors from their flats.

The Senior Planning Officer informed the Committee that one of the garage compounds had not been accessed since 2009 and there was informal car parking between the two garages. The proposed parking would include disabled parking spaces, spaces for 48 mobility scooters, and 96 cycle spaces. The lower level of the car park was available for Brent Court residents only. The overall building would be lower on Silam Road and was closer to the town centre gardens. There would also be solar panels on the roof.

The Chair invited Ms Viv Williams who spoke on behalf of Mr Paul Thompson, an objector, to address the Committee.

Ms Williams informed Members that parking had been an issue for Brent Court and less parking spaces would have a knock-on effect in the surrounding area. She believed this development would also cause congestion in Silam Road. She expressed concerns of noise and pollution having a negative impact on all Brent Court residents who would effectively be living on a building site. She explained that the existing Brent Court structure did not have air conditioning therefore many residents need their windows open which would be difficult during construction.

The Chair thanked Ms Williams for her contribution to the meeting.

The Chair then invited the Housing Development Representative to address the Committee.

The Housing Development Representative informed Members that there was no older person rented accommodation near the town centre. There was a high concentration of older residents living in 3-4 bed housing in Bedwell and the current housing stock is not appealing to them, so they don't want to give up their homes and downsize. This development proposed to create 96 one and two bed apartments with parking for existing residents of Brent Court as well as the new development. He informed Members that there were 29 parking bays and 53 garages currently outside Brent Court, however only 19 residents rent these and the majority were used as storage. This proposal would deliver an extra 48 parking

spaces for residents. The application also enhances safety of the town centre gardens which included a larger entrance designed to improve the safety for all residents.

The Chair thanked the Housing Development Representative for their contribution to the meeting.

The Senior Planning Officer informed Members that SBC had a loss of 72 older person living units and this application along with Walpole Court would create a net gain of 112 units. Additionally, this development would be on wholly previously developed brownfield land. The financial gain through the construction and use of town centre services from future residents would be a benefit. 24 of the units would be affordable housing and the rest would be on the market. She informed Members that the building would not be out of keeping with the area and the windows facing Brent Court would be smaller secondary windows to reduce overlooking. All apartments would be fitted with wet rooms and all levels would be fully wheelchair accessible.

This application would not provide biodiversity net gain and would require financial contribution and the offset could be provided along Grace Way. 25 trees would be lost however 45 would be planted and there would be a financial contribution per tree which was determined through Section 106. This development would also include a blue roof. The children's play area in the town centre gardens would be temporarily lost due to the construction, however there was a financial sum incorporated to re-provide the children's play area after construction. She reminded Members this was not part of the assessment to this application. She added that the ambulance service and HCC had requested financial contributions also.

Out of the current 103 garages that were located on the site, 52 were not accessible, 41 were let out but only 19 to residents of Brent Court. There were only 68 accessible spaces, 46 of which were used by Brent Court. The garage services had identified 30 vacant garage spaces close by which were available to use, and an alternative provision was likely to be easily accessible. In terms of parking spaces, Brent Court required 180 spaces but currently only had 130. The proposal would see 44 spaces dedicated for Brent Court residents only which is considered a betterment, which includes 21 spaces and 3 disabled spaces, as well as 16 spaces prior to commencement to ensure parking during construction. There were 222 cycle spaces across the site, which was an overprovision of 90 spaces, as well as accommodation for scooters. She noted that the hallway space and flats were wide enough for mobility scooters to be stored in flats as well.

HCC had raised concerns around the two access sites which would encourage car use, however this second access point would be for residents during construction but would be closed off when it was finished. It would still be accessible for emergency vehicles but not residents. They were still negotiating with a drainage consultant for a flood strategy. She added they needed a condition for trees as they did not want to overcrowd the town centre gardens with trees. There were ongoing negotiations on where the trees should be replanted.

A Member raised concerns around the high levels of anti-social behaviour in the

area. The Senior Planning Officer advised that the development would hopefully change the anti-social behaviour by increasing the lighting and width of footpaths, as well as the removal of the garage blocks.

Another Member asked whether there had been communications with the residents of Brent Court, and it was advised that there was a public consultation held and all residents in Brent Court, as well as some in Silam Road, were notified. The Housing Development Service also held other consultations.

A Member asked a question concerning the garages and parking in the area. It was advised that the garages were under the Garage Management service. The new parking would only be accessible to the residents of the new building, and the lower-level parking was for Brent Court residents only. None of the new parking spaces could be rented under garage management.

A few Members highlighted concerns around the proximity of the buildings. It was advised that during construction, a construction management plan had to be submitted and approved by SBC and HCC before any construction could commence, however Members were reminded that planning permission could not be refused due to disruption from construction. Construction hours would also be included in this, but Environmental Health had designated these hours. It was also advised that the separation distance between the two buildings was 10.5m. The Development Manager advised that the developer had to keep a logbook and regular meetings with residents, who were told how to log complaints and would be reported to SBC. He also advised that construction hours were in Condition 4 and 7:30am-6pm Monday-Friday, 8am-1pm on Saturday, and there would be no works held on Sunday or Bank Holidays.

A few Members asked questions in relation to fire exits and the corridor space with scooters. It was advised that Building Control had to consult with Fire Officers to ensure adequate escape procedures. The scooters had a designated location in the car park, however the corridors and flats were big enough to accommodate them. The Assistant Director (Planning & Regulatory) also advised that the type of use of these flats had more stringent procedures in relation to fire safety. Additionally if SBC deemed scooters in the corridors unsafe then this could be restricted.

A Member asked for clarification on the blue roof. It was advised that a green roof meant there were plants on the roof. A blue roof was used to collect rainwater and drain it at a slower rate, so it acts as a flooding feature.

Another Member asked a question relating to biodiversity. The Senior Planning Officer advised that new legislation to make biodiversity mandatory would come into effect later in the year. There was not a 10% net gain on this site, however the developer was paying a fee to offset this.

It was **RESOLVED**: That the application 22/00963/FPM be **GRANTED** planning permission subject to the conditions and reasons set out in the report and the applicant having first entered into a S106 legal agreement.

Conditions:

General

1. The development hereby permitted shall be carried out in accordance with the following approved plans: 18069su1.01; 18069SU1.02; 18069SU1.03; 18069SU1.04; 18069SU1.05; 18069WD2.029; 18069WD2.030; 18069WD2.031; 18069WD2.032; 18069WD2.033; 18069WD2.034; 18069WD2.040; 18069WD2.041; 18069WD2.063; 18069WD2.064; 18069WD2.065; 18069WD2.066; 18069WD2.067; 18069WD2.068; 18069WD2.069; 18069WD2.070; 18069WD2.081; 18069WD2.082; 46697B; 18069WD2.020-A; 18069WD2.023-A; 18069WD2.024-A; 18069WD2.025-A; 18069WD2.061-A; 18069WD2.062-A; 7552.PP.4.0-B; 7552.PP.4.1-B; 7552.PP.4.2-B; 7552.HSP.5.0-B;
2. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
3. If, during development, contamination not previously identified is found to be present at the site, then no further development (unless otherwise agreed in writing by the Local Planning Authority) shall be carried out until the developer has submitted a remediation strategy detailing how this unsuspected contamination shall be dealt with and obtained written approval from the Local Planning Authority. The remediation strategy shall be implemented as approved.
4. No site clearance or construction work relating to this permission shall be carried out except between the hours of 0730 and 1800 on Mondays to Fridays and between the hours of 0800 and 1300 on Saturdays, unless otherwise agreed in writing by the Local Planning Authority. These times apply to work which is audible at the site boundary.
5. No external lighting shall be installed on the site other than in accordance with the Kingfisher Lighting Plan D46697/RD/B unless otherwise agreed in writing by the local planning authority.
6. 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.
7. The development hereby approved shall be constructed in accordance with the measures to address adaptation to climate change as laid out in the Design and Access Statement. These measures shall then be implemented and permanently maintained in accordance with the approved details.

Prior to Commencement

8. 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. Thereafter the construction of the development shall only be carried out in accordance with the approved plan. The construction management plan shall include details of the following:
 - a. Construction vehicle numbers, type, routing;
 - b. Access arrangements to site;
 - c. Traffic and pedestrian management requirements;
 - d. Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas);
 - e. Siting and details of wheel washing facilities;
 - f. Cleaning of site entrances, site tracks and the adjacent public highway;
 - g. Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times;
 - h. Provision of sufficient on-site parking prior to commencement of construction activities;
 - i. Post construction restoration/reinstatement of the working areas and temporary access to the public highway;
 - j. Where works cannot be contained wholly within the site, a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements;
 - k. A Site Waste Management Plan including mechanisms to deal with environmental impacts such as air quality and dust control measures, noise and vibration restriction measures, light and odour and predicted and latterly actual waste arisings and how this is to be managed and where it is sent to.
 - l. Dust control measures during demolition and construction from plant and machinery, and vehicles.
9. No development shall take place (including demolition and site clearance) until a Site Compound layout plan and associated landscaping strategy has been submitted to and approved in writing by the Local Planning Authority. This must include details of the trees which will be removed to facilitate the compound and a replacement planting and landscaping remediation strategy. Thereafter, the site compound will only be constructed in accordance with the approved plan with the land reinstated within 3 months from the date in which the compound has been removed following completion of the development.
10. No development shall take place (including site clearance) until a final detailed design for the drainage scheme for the site has been submitted to and approved in writing by the Local Planning Authority. The approved drainage scheme shall be implemented in full prior to the beneficial occupation of the development to which this permission relates and shall be permanently retained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.
11. No development shall take place (including site clearance) until the access, internal road and surface car parking spaces shown on approved plan

18069wd2.025-A to serve the existing residents of Brent Court have been provided, marked out and hard surfaced ready for use and shall be retained in that form and kept available for those purposes thereafter. The hardstand areas shall be made of a porous material, or provision shall be made to direct surface water run-off water from the hardstanding to a permeable or porous area or surface within the curtilage of the building.

12. No development shall take place until a detailed Site Waste Management Plan (SWMP) to detail how waste materials generated as a result of the proposed demolition and/or construction methods shall be disposed of, and detail the level and type of soil to be imported to site as part of the development has been submitted to and approved in writing by the Local Planning Authority.
13. No development shall take place (including site clearance) until the tree protection measures as detailed in the Arboricultural Impact Assessment by Aspect Arboriculture dated October 2022, reference 10231_AIA.001 Rev B, have been implemented accordingly. The tree protection measures shall remain in place until the development has been completed. Within the tree protection areas to be fenced off in accordance with the AIA there shall be no alteration to the ground level and they shall be kept clear of vehicles, materials, surplus soil, temporary buildings, plant and machinery. Any trees identified as part of Condition 9 shall not be covered by this condition.

Prior to Work Above Slab Level

14. No development shall take place above slab level until samples of the materials to be used in the construction of the external surfaces development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.
15. No development shall take place above slab level until a scheme for the provision of adequate water supplies and fire hydrants, necessary for firefighting purposes at the site, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the scheme has been implemented in accordance with the approved details.
16. No development shall take place above slab level before a scheme of landscaping which shall include details of both hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the first occupation of the building(s) or the completion of the development whichever is the sooner. In regards to hard surfacing, this shall be carried out in accordance with any approved details within three months of the first occupation of the building or the completion of the development, whichever is the sooner.

Prior to Occupation/Completion

17. The parking, turning and servicing areas shown on drawing numbers 18069wd2.020-A; 18069wd2.061-A; and 18069wd2.062-A shall be provided, marked out and hard surfaced ready for use prior to the first occupation of the building and shall be retained in that form and kept available for those purposes thereafter. The hardstand areas shall be made of a porous material, or provision shall be made to direct surface water run-off water from the hardstanding to a permeable or porous area or surface within the curtilage of the building.
18. Prior to the first occupation of the dwellings hereby permitted the approved secure cycle parking areas shall be constructed in accordance with the details identified on drawing 18069wd2.081; 18069wd2.061-A; and 18069wd2.062-A and shall be permanently retained in that form.
19. Prior to the first occupation of the dwellings hereby permitted the general waste and recycle stores and plant areas associated with the development hereby permitted have been implemented in accordance with the details shown on approved plan 18069wd2.082; 18069wd2.061-A; and 18069wd2.062-A and retained and maintained accordingly for the lifetime of the development.
20. 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 first occupation of the development hereby permitted. The approved boundary treatments shall be completed before the development is first occupied.

Post Occupation/Completion

21. The noise mitigation measures as detailed in the Acoustic Design Statement by AIRO Ltd dated 6 August 2021, reference DJB/7368, shall be implemented in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.
22. On completion, the design of windows and ventilators to each dwelling shall achieve an acoustic performance which shall ensure that, when windows are closed and ventilators are open, noise levels do not exceed:
 - i. 35 decibels (dB) (LAeq,16h) during the daytime (07:00 – 23:00) within bedrooms and living rooms;
 - ii. 30dB (LAeq,16h) during the night (23:00 – 07:00) within bedrooms;
 - iii. 45 dB (LAFmax) on more than ten occasions during any typical night (23:00 – 07:00) within bedrooms

Where mechanical purge ventilation is required to achieve the above standards with windows closed, this shall be designed so as to ensure that the ventilation system itself does not produce unacceptable levels of noise within each dwelling. All schemes for ventilation shall comply with the current

edition of Approved Document F to the Building Regulations.

23. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the first occupation of the building(s) or the completion of the development whichever is the sooner.
24. Any trees or plants comprised within the scheme of landscaping, which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless otherwise agreed in writing by the Local Planning Authority.
25. No tree shown retained on the approved plans, or subsequently approved landscaping scheme, shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped within five years of the completion of development without the written approval of the Local Planning Authority.
26. Infiltration testing should be in accordance with BRE Digest 365 which should be carried out at the location of any infiltration measure(s). Where infiltration is not possible, evidence that approval has been sought from the relevant water authority should be provided for any connection into a public surface water sewer.
27. Prior to the first occupation of the development hereby permitted, the southern access point shall be closed to prevent general access by members of the public or residents and shall be accessible only to emergency service vehicles.

6 23/00186/FP - 23 ESSEX ROAD

For this Item, Cllr Downing (Chair) withdrew from debate and voting due to his declared interest. Cllr Parris (Vice-Chair) chaired this Item.

The Committee considered a report in respect of application 22/00186/FPM seeking the demolition of the existing entrance and detached garage, erection of part single storey, part two storey side and rear extensions to facilitate conversion into 5 flats with associated parking and ancillary works.

The Principal Planning Officer informed Members this application shared a driveway with two adjacent properties. This application would provide 3 one-bed and 2 two-bed flats and would have 8 parking spaces, including two visitor spaces and one disabled space.

A Member asked who called in the application and it was advised by the Development Manager that it was Councillor Rossati that called it in due to the impact on neighbours, character street scene and traffic implications.

Another Members asked whether there had been any objections from residents. It was advised that there were 13 objections which mostly focused on parking and the

movement of vehicles.

A few Members asked questions relating to parking and access. It was advised that the two adjacent properties would retain their access and there would be new access for the parking. This would remove at least two informal on-street parking spaces. The waste collection vehicles would stop on the street rather than using the access.

It was **RESOLVED**: That the application 23/00186/FP be **GRANTED** planning permission subject to the conditions and reasons set out in the report and with delegated 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. As well as the following added condition:

- 9 Prior to the beneficial occupation of the development to which this permission relates, acoustic mitigation measures to protect occupants of the development from nearby road traffic and plant noise shall be installed in accordance with a scheme to be submitted to and approved in writing by the local planning authority. The approved measures shall be permanently retained unless otherwise agreed in writing by the local planning authority.
REASON:- In the interests of the living conditions of occupants of the development.

Conditions:

General

1. The development hereby permitted shall be carried out in accordance with the following approved plans: 6925(P)001; 6925(P)104 Rev B; 6925(P)104-01 Rev B; 6925(P)105 Rev B; 6925(P)106 Rev B; 6925(P)107 Rev A; 200 Rev A; 6925(P)201 Rev A; 6925(P)202 Rev A; 6925(P)203.
2. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
3. No demolition, construction or maintenance activities audible at the boundary and no deliveries of construction and demolition materials shall be undertaken outside the hours 07:30 hours to 18:00 hours Monday to Friday and 08:00 hours to 13:00 hours on Saturdays. For the avoidance of doubt, no such activity shall take place on Sundays or Bank Holidays, unless otherwise agreed in writing with the Local Planning Authority.
4. Any external lighting installed at the site shall be angled so as to avoid any spillage beyond the site boundaries unless otherwise agreed in writing by the local planning authority.
5. 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.

6. The development shall be carried out in accordance with the recommendations set out in Section 6 of Ecological Impact Assessment reference J3175-0523 unless otherwise agreed in writing by the local planning authority.

Prior to Commencement

7. No development shall take place (including site clearance and demolition) until a construction management plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved plan. The construction management plan shall include details of the following:
 - a) Construction vehicle numbers, type, routing;
 - b) Access arrangements to site;
 - c) Traffic and pedestrian management requirements;
 - d) Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas);
 - e) Siting and details of wheel washing facilities;
 - f) Cleaning of site entrances, site tracks and the adjacent public highway;
 - g) Timing of construction activities (including delivery times and removal of waste);
 - h) Provision of sufficient on-site parking prior to commencement of construction activities;
 - i) Post construction restoration/reinstatement of the working areas and temporary access to the public highway;
 - j) Where works cannot be contained wholly within the site, a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements;
 - k) A Site Waste Management Plan including mechanisms to deal with environmental impacts such as air quality and dust control measures, noise and vibration restriction measures, light and odour and predicted and latterly actual waste arisings and how this is to be managed and where it is sent to.
 - l) Dust control measures during demolition and construction from plant and machinery, and vehicles.
8. No development shall take place (including site clearance and demolition) until a tree protection plan, which provides for the protection of the three retained trees has been submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved plan.

9. Prior to the beneficial occupation of the development to which this permission relates, acoustic mitigation measures to protect occupants of the development from nearby road traffic and plant noise shall be installed in accordance with a scheme to be submitted to and approved in writing by the local planning authority. The approved measures shall be permanently retained unless otherwise agreed in writing by the local planning authority.

Prior to Work above Slab Level

10. No development shall take place above slab level until a schedule and samples of the materials to be used in the construction of the external surfaces and hard landscaping of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and permanently retained as such thereafter.
11. No development shall take place above slab level until details of refuse stores have been submitted to and approved in writing by the Local Planning Authority. The approved refuse stores shall then be installed in full prior to beneficial occupation of the development and permanently retained as such thereafter.
12. No development shall take place above slab level until a detailed scheme for cycle parking and electric vehicle charging points has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to beneficial occupation of the development and permanently retained as such thereafter.
13. No development shall take place above slab level until a detailed hard and soft landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full in the first planting and seeding season following completion of the development and any trees or shrubs which die or become damaged within five years of that date shall be replaced to the satisfaction of the Local Planning Authority.

Prior to Occupation/Completion

14. Prior to the beneficial occupation of the development to which this permission relates, the car parking spaces as shown on the approved plans shall be provided with a hard-bound, dustfree surface with provision made to direct surface water away from the public highway. The parking spaces shall be permanently kept free from obstruction and retained for their intended purpose thereafter unless otherwise agreed in writing by the local planning authority.
15. Prior to the beneficial occupation of the development to which this permission relates, evidence that the development will achieve a 35% improvement upon

Part L of the Building Regulations in terms of regulated CO2 emissions and potable water usage of no more than 110L per person per day shall be submitted to and approved in writing by the local planning authority. Any measures necessary to achieve these targets shall then be implemented as approved and permanently retained as such thereafter unless otherwise agreed in writing by the local planning authority.

16. Prior to the beneficial occupation of the development to which this permission relates, privacy screens shall be installed along the northern and southern edges of the approved terraces. The screens shall measure 1.8m from the finished floor level of the terrace they serve and shall be fitted with obscure glass to level 3 on the standard scale. The screens shall be permanently retained as such thereafter unless otherwise agreed in writing by the local planning authority.

7 **23/00324/S106 - LINDON HOUSE, 2 POUND AVENUE**

The Committee considered a report in respect of application 23/00324/S106 seeking the modification of Clause 2/3 of Section 52 Agreement (dated 22.12.1981) approved under planning permission reference number 81/2/0120/81.

The Principal Planning Officer advised that the site was originally a house which, in 1981, was granted to be used as a care home for the elderly as well as space for a resident housekeeper. This was done under a Section 52 agreement, which was now known as a Section 106 agreement. This restricted the use of the land and the frontage was to be used for parking of 5 vehicles. Unlike the conditions on a decision notice, the legal agreement would still bind them even with a change.

A Member asked for clarification of what this meant. It was advised that this prevented other uses of the site. The Development Manager also advised that the obligations did not meet the current requirements.

It was **RESOLVED**: That the application 23/00324/S106 be **GRANTED** the variation of clauses (ii) and (iii) of Schedule 3 of the S52 agreement and to delegate authority to the Assistant Director of the Planning and Regulation in conjunction with the Council's appointed Solicitor to agree the precise wording of the variation to the agreement.

8 **23/00365/FP - MUSLIM COMMUNITY CENTRE, VARDON ROAD**

The Committee considered a report in respect of application 23/00365/FP seeking the erection of an outbuilding for purposes ancillary to funeral services.

The Senior Planning Officer advised that this application had come to the Committee as the Council was the landowner and there had been more than 5 objections. The proposed application would be hidden behind the Mosque and could not be seen from Vardon Road. The objections received state that it had been built already but this was not true. Currently the Mosque in Luton provides funeral services for Stevenage.

The Chair invited Mr Leigh Risbridger who spoke on behalf of Mr Niall Thompson, an objector, to address the Committee.

Mr Risbridger expressed his belief that there was an erosion of the area due to the additions to the Mosque and believed that they had taken more land than what was given to them. He highlighted the traffic and parking issues in the area that had not been resolved and also raised concerns of noise.

The Chair thanked Mr Risbridger for his contribution to the meeting.

The Chair then invited Councillor Forhad Chowdhury, a supporter, to address the Committee.

Cllr Chowdhury informed Members that this building would provide important support and facilities to the Muslim Community and other communities in the area, and it was important to the Mosque that they promote harmony and community cohesion with other members of the community. The Mosque provided children's education, prayers, and hosted students from schools in the area for Religious Studies. The Mosque had extended the original building with a 3-storey extension to facilitate different services such as IT support, women's education, and elderly support. He noted the traffic issues, which was mostly on a Friday due to the main prayer, as the Mosque hosted people from Stevenage as well as other suburbs. Cllr Chowdhury informed the Committee that the Muslims had an obligatory ritual with funerals and people in Stevenage often had to travel to Luton or London for the facilities so it would be helpful to have this in Stevenage.

The Chair thanked Cllr Chowdhury for his contribution to the meeting.

The Senior Planning Officer informed Members planning permission was granted in 1994 and 2001. This was permission to use the Mosque for funeral services however there were no complete funeral services available in East or North Hertfordshire. She described the Islamic right of washing and shrouding the body in silence which took place in Luton, which had to be transported from Lister Hospital, before being transported to Stevenage for a funeral prayer and then burial in Weston Road Cemetery. The longest time a person would be stored in the building would be overnight as funerals happened quickly. It only had capacity for 2 bodies and would not be used as a mortuary. She highlighted that the funeral home Austin's in the Old Town was closer to residential buildings and held bodies for a longer time. There would also be no noise as the services were completed in silence.

A Member asked whether there would be any congestion during the construction. It was advised that this was possible, but they had imposed conditions to control the dust, site protection and environmental health conditions.

Another Member asked whether there were any applications for further developments on the site and it was informed that there were no further applications.

It was **RESOLVED**: That the application 23/00365/FP be **GRANTED** planning permission subject to the conditions and reasons set out in the report with authority given to the Assistant Director of Planning and Regulation in consultation with the

Chair of Planning Committee, to amend or add to the suggested draft conditions set out in this report, prior to the decision notice being issued, where such amendments or additions would be legally sound and most effectively deliver the development that the Planning Committee has resolved to approve.

Conditions:

1. The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location plan; VRM#1; VRM#2; VRM#3; VRM#2;
2. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
3. The materials to be used in the construction of the external surfaces of the outbuilding hereby permitted shall match the materials used in the construction of the existing SMCC building to the satisfaction of the Local Planning Authority.
4. The rating level of the noise emitted from any or all of the sources listed below located at the site shall not exceed the existing background level at any premises used for residential purposes surrounding the site when assessed in accordance with BS 4142:2014+A1(2019).
 - a. Fixed plant and equipment (mechanical and electrical);
 - b. Loading and unloading of goods (industrial and or commercial);
 - c. Mobile plant and vehicles
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.
6. Before any development commences, including any site clearance or demolition works, any trees on the site or within Sishes Wood close to the development shall be protected by fencing or other means of enclosure in accordance with a detailed scheme submitted to and approved in writing by the Local Planning Authority. Such protection as may be agreed shall be inspected and approved by the Local Planning Authority prior to the commencement of the work and maintained until the conclusion of all site and building operations.
7. Dust emissions shall be controlled throughout the construction and demolition phases.
8. No burning is to take place on any demolition or building site and all waste materials must be removed and disposed of at an authorised waste disposal site.

23/00337/FP - 110 OAKS CROSS

The Committee considered a report in respect of application 23/00337/FP seeking the change of use from Takeaway (Sui Generis) to Restaurant (Class E) and the erection of a shed in the rear yard.

The Senior Planning Officer informed Members the site was a vacant takeaway unit with a rear yard. There was a residential care home to the rear, pedestrian access to the side and stairs leading up to the flats above. There would only be a small amount of the proposed shed visible above the fence.

The Chair invited Ozan Tek, an objector, to address the Committee.

Mr Tek raised concerns with the early morning shutters and the tables and chairs proposed outside the front of the shop, mainly due to noise issues due to their bedroom being above. He also had concerns with the smell adding to the other smells in the area from other takeaways such as the pizza and kebab takeaway shops and litter from customers. He expressed concerns over parking issues as it was already busy and would increase the footfall and urged the Committee to consider parking permits for residents or visitor parking in place.

The Chair thanked Mr Tek for his contribution to the meeting.

The Senior Planning Officer advised that the café was acceptable under the new use class E which covered commercial business and service. It would also bring a vacant unit back into use and in the long term would improve the viability of neighbourhood centres. She reminded Members that competition of trade is not a planning consideration.

The Senior planning Officer informed the Committee that there were no alterations to the existing property other than the erection of a shed which would be screened by the existing fence. The outside tables and chairs would be controlled by environmental health who had imposed some conditions, which were to prevent tables and chairs being out before 8am Monday-Friday and before 9am on the weekend and bank holidays. Operating hours would be 6am-6pm and there were no concerns raised on this matter. She noted that these times were early, but this was not unusual for neighbourhood centres. She added that the closing time was similar to the opening time of other shops in the area and the overlap isn't significant. There was enough parking to accommodate customers and no issues for parking or highway safety were raised.

A Member asked how many seats would be outside. It was advised that the number of outside seating had not been provided but this was a licensing matter, not a planning matter.

A few Members raised concerns with the opening times. The Senior Planning Officer advised that the newsagents in the area operate similar times and also had flats above and haven't received any complaints. She reminded Members that opening times were controlled through the Licensing Committee and were not a planning consideration.

A Member asked what the outside shed was used for and was advised that it was for storage.

Some Members expressed concerns with the shutters. It was advised that a condition on the shutters wasn't something they could impose. Environmental health had not received any complaints and deemed it acceptable. It was also advised that the two shutters were both for the same unit, a large shutter for the window and a small shutter for the door.

Another Member asked whether the change of use restricted it from being used as a takeaway as well. The Senior Planning Officer advised that class E covers what used to be use class A1. Takeaways were sui generis which was another category. If the owners wanted to offer home delivery, this could not be controlled. The Development Manager added that small restaurant and café businesses could do a small amount of takeaway as long as their operation was mostly dine-in.

It was **RESOLVED:** That the application 23/00337/FP be **GRANTED** planning permission subject to the conditions and reasons set out in the report with authority given to the Assistant Director of Planning and Regulation in consultation with the Chair of Planning Committee, to amend or add to the suggested draft conditions set out in this report, prior to the decision notice being issued, where such amendments or additions would be legally sound and most effectively deliver the development that the Planning Committee has resolved to approve.

Conditions:

1. The development hereby permitted shall be carried out in accordance with the following approved plans: 3817 01; 3817 02; 3817 03;
2. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
3. Prior to the use hereby permitted being implemented, a scheme for the installation of equipment to control the emission of fumes and odour from the premises shall be submitted to and approved in writing by the Local Planning Authority. All equipment installed as part of the scheme shall thereafter be operated and maintained in accordance with the manufacturer's instructions. As a minimum to control the cooking fumes/odour from the lowlevel extract system the following filtration shall be installed in the system: grease filters, prefilters and carbon filters.
4. The rating noise level (specific sound corrected for any acoustic features) of the plant should be 10dB below the representative background noise level (L90) at 1 meter from the nearest noise sensitive receptor. The method of assessment shall be carried out in accordance with BS4142:2014 +A1(2019) (Methods for rating and assessing industrial and commercial sound). A test shall be carried out after all the mechanical plants and associated equipment have been fully installed and before the use commences. The result of the test is to be submitted to the Local Planning Authority for approval.

5. Prior to the use hereby permitted being implemented, an Odour Management Plan, setting out cleaning, maintenance, and filter replacement policies according to the proposed or existing system shall be submitted to and approved in writing, by the Local Planning Authority. The plan should include a written recording system to record and demonstrate when all such work is carried out. The approved odour management plan shall be complied with throughout the duration of the use.
6. There shall be no use of any external tables or seating areas before 8am on Monday to Friday or prior to 9am on any Saturday, Sunday or Bank Holiday.

10 **INFORMATION REPORT - DELEGATED DECISIONS**

It was **RESOLVED**: That the information report be noted.

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

It was **RESOLVED**: That the information report be noted.

12 **URGENT PART I BUSINESS**

There was none.

13 **EXCLUSION OF THE PRESS AND PUBLIC**

Not required.

14 **URGENT PART II BUSINESS**

There was none.

CHAIR