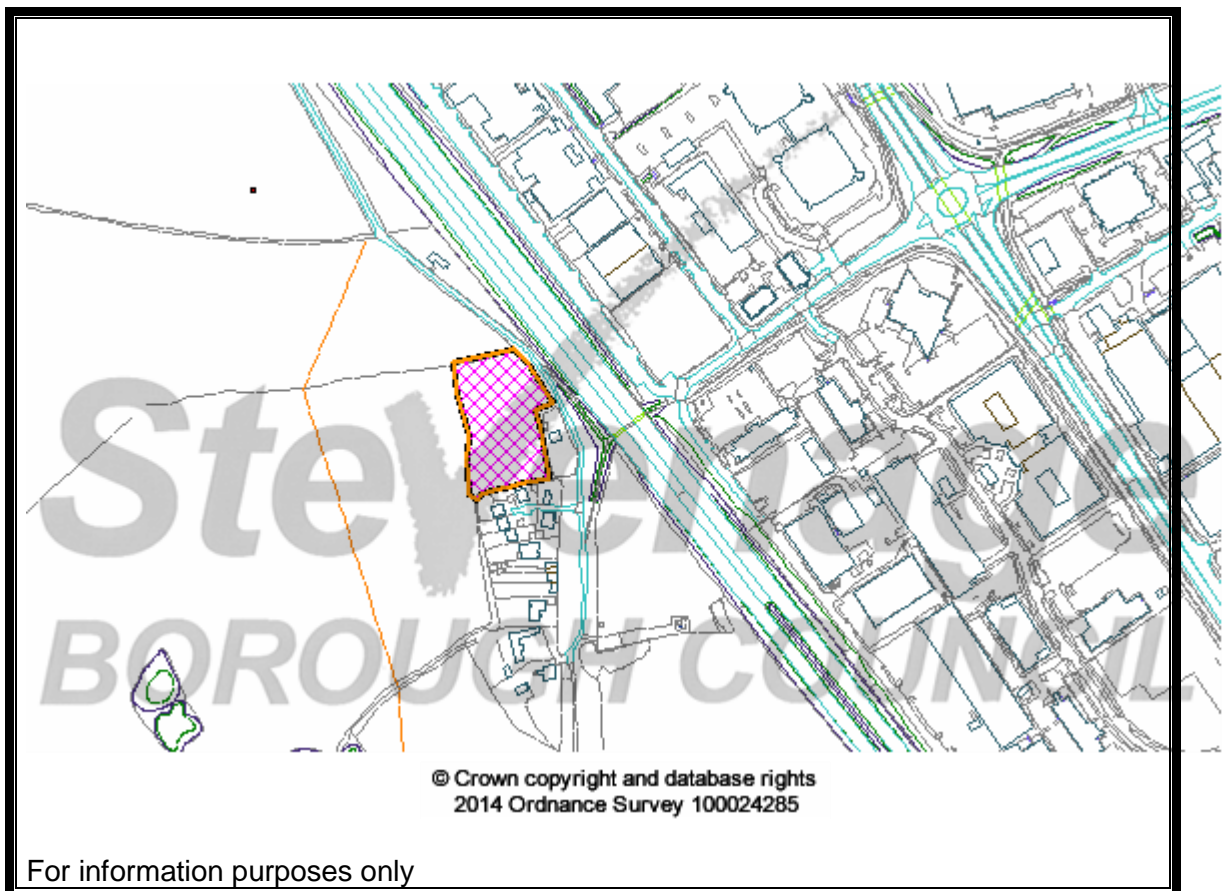


**Meeting:** Planning and Development Committee      **Agenda Item:** 3  
**Date:** 8 December 2015  
**Author:** Dave Rusling      01438 242270  
**Lead Officer:** Zayd Al-Jawad      01438 242257  
**Contact Officer:** Dave Rusling      01438 242270

Application No :	15/00101/FPM/FP
Location :	Land at Chadwell Road, Norton Green, Stevenage
Proposal :	Erection of 2no four bedroom, 6no three bedroom dwellings and 6no two bedroom dwellings and associated landscaping and pond.
Drawing Nos.:	5062 001, 002, 8283, A050 Rev D, A060 Rev A, A061 Rev A, A062 Rev B, A063 Rev A, A065 Rev A, A067 Rev A, 1599 01 B, 115 01, 115 101, 115 102
Applicant :	North Hertfordshire Homes
Date Valid:	19 February 2015
Recommendation :	GRANT PLANNING PERMISSION



## **1. SITE DESCRIPTION**

- 1.1 The application site which measures approximately 0.65 hectares in area, comprises an area of paddock land located on the south western side of Chadwell Road and is adjoined by Norton Green Cottage to the east and Nos.12 and 14 Norton Green and The Old Timber Cottage to the south. It borders onto agricultural land to the north and west. The A1(M) is located to the north east of the site separated from it by Chadwell Road and forms a physical barrier between the site and the built up confines of Stevenage, although there is a pedestrian underpass close to the site which offers access to the Gunnels Wood Industrial Area and the town centre beyond.
- 1.2 Vehicular access is taken through a gated access from Chadwell Road which links into Stevenage via an underpass under the A1(M), located to the north of the application site into Bessemer Drive. The site contains a number of trees and hedging along the perimeter and there is a pond within the site which periodically dries up. There are a number of agricultural buildings on the site associated with its last use which was the grazing of horses. The land is owned by Knebworth Estates.

## **2. RELEVANT PLANNING HISTORY**

- 2.1 Planning permission granted under ref 05/00543/FP in February 2006 for the erection of three timber stables.

## **3. THE CURRENT APPLICATION**

- 3.1 The proposal seeks planning permission for the erection of 14 dwellings at the site comprising 6 two bed dwellings, 6 three bed dwellings and 2 four bed dwellings. The submitted plans identify the dwellings arranged around a shared surface access taken from Chadwell Road and comprise a mix of detached and semi-detached properties. However, two of the properties front onto Chadwell Road and take access directly from it. Six of the dwellings are intended to be affordable. As originally submitted, the development was to have been designed around an informal play area. However, following the discovery of Great Crested Newts (GCN) in the pond within the paddock, the scheme was amended to retain the pond and enhance it in order to make a feature within the development and retain and enhance it as an ecological feature.
- 3.2 The site is relatively clear of vegetation within the paddock area, although there are a number of trees along the northern and western boundaries of the site. A number of the trees within the western boundary are the subject of a Tree Preservation Order. Along the front of the site adjacent to Chadwell Road is a section of hedging. These are all intended to be retained, save for where the access points to the two new dwellings need to be created. As part of the proposal one tree located in the north west corner of the site would be removed to facilitate access to Plot 1. This tree is identified as being of a poor quality.
- 3.3 In terms of the appearance of the dwellings, a more traditional design approach has been chosen rather than a contemporary style, given the character of neighbouring buildings. It is proposed to use a mixture of materials ranging from red brickwork, render and dark stained timber boarding to the elevations and brown plain roof tiles with painted timber windows. A number of the plots are served by garages with the remainder by hardstanding areas. All of the properties are proposed to be served by generous private garden areas enclosed by timber close boarded fencing. The existing footpath along the southern boundary of the site is to be retained having a width of 3m where it runs through the application site. Additionally,

a 3m grassed link is proposed to the east of Plot 12 which would link into the footpath and would act as a wildlife corridor linking to the pond and beyond.

- 3.4 With regard to the proposed access, this is proposed to have footways to both sides and extending northward to the front/side of Plots 1, 2 and 3. Within the site this would be designed as a shared surface road to be designed to an adoptable standard. This would be constructed from tarmac and block paving and would allow for a refuse vehicle to be able to turn within the site. The separate access to Plots 1 and 2 are of a domestic scale and would require vehicles either to reverse in or out. It is proposed to introduce elements of acoustic fencing to screen part of the gardens of Plots 1, 3 and 14 from noise from the adjoining A1(M) motorway. This would range in height between 2.4m and 2.8m.

## 4. PUBLIC REPRESENTATIONS

- 4.1 The application has been publicised by way of a site notice, press notice and letters to adjoining premises, including notification of amendments. In response to this consultation, letters have been received from the occupiers of 1, 4, 9, 10, 11, 12, 14, 11, Norton Green, The Old Timber Cottage, Oakapple Cottage, Rosewood, Chadwell Road, 117 York Road, 48 Woburn Close, 48 Oak Crescent, 212, Bude Crescent, 132 Torquay Crescent, 91a High Street, Sunnybank Farm, Hitchin, 16 Hebbing End, Bennington, 99 Heath Way, Horsham, Sussex, 7 St Andrews Square, Surbiton, Old Snap, Stanbury, Keighley, West Yorks, and London, Essex and Hertfordshire Amphibian and Reptile Trust objecting to the application for the following reasons:-

- The amount of dwellings would double which would be detrimental to this rural area and the existing community resulting in overdevelopment.
- The field that is proposed for the site develops a natural pond during the wetter months with excess water coming off the surrounding fields and would cause possible flooding of the area, particularly the underpass.
- We have lived in Norton Green for 33 years and bought this house because we loved the view from the windows. The development will remove the view of the field and dewpond which sustains the local wildlife such as Foxes, Deer Wild Ducks, Canada Geese and the occasional Heron. The development will kill the ecological balance of Norton Green.
- Norton Green has a unique relationship with Stevenage. It does not deserve to be swallowed up and its identity lost. The development would change the semi-rural nature of Norton Green and the character of the hamlet would be lost forever.
- Not in keeping with the general development plan for Stevenage and is beyond the industrial area and the facilities such as buses and shops are limited, particularly on foot. The site is not sustainable.
- The additional development will increase traffic on the small road which has few passing places.
- There are limited facilities on the green for playing outside which would be exacerbated by more families moving to the area.
- Concern at the access to the green and the addition of three entry points onto the road where there is limited visibility. Chadwell Road is the only road leading out of the area and it is difficult to pass when meeting other vehicles in the opposite direction.

- Problems during the construction process with Lorries coming in and out of the area
- Impact on ecology, in particular Great Crested Newts, and Bats, rare butterflies and Badgers.
- Possible flooding caused by additional dwellings and loss of pond.
- Additional dwellings will add pressure to the existing recycling and refuse collections which are not undertaken by a standard size refuse vehicle.
- Norton green is a SSSI site and makes up Knebworth Woods SSSI and is Stevenage's only SSSI site and of national importance and should be protected.
- The land is a greenfield site, Knebworth Estate have other land that is more suitable to use, they have proposed land in other areas under the NHDC developing plan, these areas would have less of an impact ecologically.
- Car parking problems
- It would be more in proportion to build 4 bedroom houses in the field like the ones that already exist in the small cul-de-sac.
- Loss of privacy to some of the houses adjoining the application site, in particular No.14 Norton Green.
- The plans show a 10 foot high fence around the development for noise screening which would be out of keeping with the village feel. Residents have lived here without the need for noise screening.
  - A number of trees on the site are covered by a Tree Preservation Order.
  - The proposed development would destroy forever the chance of implementing any future protection of Norton Green from development.
  - Errors in the planning application and supporting documents
  - If accepted the proposal will be a gateway for further development.
  - Loss of hedging and trees.
  - Noise from the motorway.
  - Light pollution
  - No need for the additional houses.
  - Concern about the stability of the land.
  - Displacement of water from further dwellings may result in possible flooding from the development
  - Development of a greenfield site.
  - The applicant has failed to consider other brownfield sites.
  - Lack of renewable technologies proposed in the development.

- Poor design of the buildings and proposed materials to be used.
- The pasture acts as a buffer to the larger agricultural fields.
- Concern that ecology and wildlife surveys have been carried out with insufficient knowledge of the local area.
- No need to upgrade the lighting in the underpass.
- No requirement for additional housing as all future housing can be met up to 2031.
- Insufficient width along the southern boundary to allow for the public footpath. The area would be enclosed and create a dark narrow corridor which could add to issues of antisocial behaviour.
- Introducing footways to the front of the dwellings will not be in keeping with the character of the lane.
- Pollutants such as fertilizers may enter the pond from the road and adjoining gardens.
- Developers want to make money
- Will set a precedent

4.2 Additionally, letters of support have been received from the occupier of 22, Widford Road, Welwyn Garden City, Whiteacres, Hooks Cross, Watton at Stone and MBDA, Six Hills Way.

## **5. CONSULTATIONS**

### **5.1 Hertfordshire Highways**

5.1.1 Hertfordshire County Council as Highway Authority has considered that the proposal would not have an unreasonable impact on the safety and operation of the adjoining highways subject to the imposition of conditions.

### **5.2 Highways England**

5.2.2 No comments received, however, at the pre-application stage raised no objection in terms of the transport impact on the A1(M).

### **5.3 HCC Fire Officer**

5.3.1 Require that access to the site would meet with the requirements of the Building Regulations. Additionally, require confirmation that a fire hydrant will be provided in accordance with the relevant British Standard. Finally, in view of the travelling distance from the nearest fire station, consideration should be given to providing a sprinkler system in each property.

### **5.4 HCC Crime Prevention Design Service**

5.4.1 I have no concerns with this application, I have been previously consulted by the architect at the pre-application stage. My only observation is that an informative be added that the development should achieve full secured by design accreditation.

## **5.5 Natural England**

- 5.5.1 This application is in close proximity to the Knebworth Woods Site of Special Scientific Interest (SSSI). Natural England is satisfied that that the proposed development being carried out in strict accordance with the details of the application, as submitted, will not damage or destroy the interest features for which the site has been notified.
- 5.5.2 Natural England has not assessed the application and associated documents for impacts on protected species and refers to their standing advice contained on their website.
- 5.5.3 Comment is made on using enhanced green infrastructure as part of the development as well as biodiversity and landscape enhancements. Finally, they advise that sufficient information is submitted with the application to fully understand the impact upon the adjacent wildlife site.

## **5.6 Herts and Middlesex Wildlife Trust (HMWT)**

- 5.6.1 Initially objected to the application on the grounds that the information submitted in support of the application does not adequately assess the value of the habitats present and does not demonstrate “no net loss” to biodiversity in accordance with the NPPF. They also requested that a phase 2 botanical survey is conducted at an appropriate time of the year together with an appropriate assessment of the value of the resurveyed grassland.
- 5.6.2 Following receipt of an updated Ecology Survey which included a botanical survey and identified mitigation measures to offset to impact of the proposal on biodiversity and the retention and enhancement of the pond, the HMWT have confirmed that the proposal now goes some way to overcoming their concerns, subject to the imposition of conditions. However, applying the Biodiversity Impact Assessment Calculator they suggest that a 5m strip of land to the west of the site could be developed that both offsets the loss of the paddock and facilitates the passage of amphibians between the 2 sites using marginal and probably compacted arable boundaries.

## **5.7 Council’s Arboricultural Officer**

- 5.7.1 Initially raised concerns about recommendations in the arboricultural report that trees T6 and T7 together with Groups G1 and G2 are coppiced, suggesting that there is no need for such drastic action. He was of the view that whole hedgerow is of current good amenity value and we should endeavour to keep it as near to the current shape and condition as possible.
- 5.7.2 Expressed concern at the removal of Tree T11 and believes that this tree should be kept in order to help with the screening between the road and the development.
- 5.7.3 Raised concern that the existing Hawthorn hedgerow bordering this development from Chadwell Road is proposed to be removed. Considers that this hedgerow should be kept, albeit reduced/reshaped, in order to soften the impact of the properties to be at this location. Keeping the existing hedgerow would be more in keeping with the landscape of this lane.
- 5.7.4 Following amendments to the proposal to retain the trees at the site (with the exception of T11); the majority of the frontage hedging and the re-instatement of the pond, he now raises not objection to the proposal including the removal of T11 as there will be compensatory planting as part of the development.

## **5.8 SBC Parks and Amenities Section**

- 5.8.1 Have confirmed that they are not willing to adopt the opens space or associated landscape features on this development. They are not seeking the provision of open space or children's play space at the site but have requested a financial contribution to undertake environmental improvements in the vicinity of the application site.

## **5.9 SBC Environmental Health**

- 5.9.1 The noise levels look acceptable but the predicted internal levels will only be achieved with windows closed so there may be a need for acoustically attenuated ventilation in some of the rooms. Recommend the imposition of conditions to deal with noise attenuation and possible contamination.

## **5.10 SBC Housing Services**

- 5.10.1 This application meets the affordable housing planning policy requirement. Demand for social rented housing remains high with over 4000 applicants on the housing register. The proposed 6 x 2 bed houses will help meet this.

## **5.11 HCC - Lead Local Flood Authority**

- 5.11.1 Raise no objection subject to the imposition of a condition to deal with sustainable drainage at the site.

## **5.12 North Hertfordshire District Council**

- 5.12.1 It is not considered that the development of this site raises any strategic issues of concern and, therefore, subject to you being satisfied with the planning merits of the application, no objection is raised to the proposed development.

# **6 RELEVANT PLANNING POLICIES**

## **6.1 Background to the Development Plan**

- 6.1.1 In the determination of planning applications development must be in accordance with the statutory development plan unless material considerations indicate otherwise. For Stevenage the statutory development plan comprises:

- Hertfordshire Waste Development Framework 2012 and Hertfordshire Waste Site Allocations Development Plan Document (adopted 2012 and 2014)
- Hertfordshire Minerals Local Plan 2002 – 2016 (adopted 2007)
- The Stevenage District Plan Second Review 2004.

The former Stevenage Draft Core Strategy and Development Management Policies were withdrawn on 1st February 2012. However, the Site Specific Policies Plan, the Old Town Area Action Plan and the Gunnels Wood Area Action Plan have all been approved locally by the Council's executive as material considerations in the determination of planning applications and continue to be used for Development Management purposes. Additionally, the Council's Interim Planning Policy Statement adopted in April 2012 is a material consideration in the determination of planning applications registered on or after the 18 April 2012.

- 6.1.2 Where a Development Plan Document has been submitted for examination but no representations have been made in respect of relevant policies, then considerable weight may be attached to those policies because of the strong possibility that they will be adopted. The converse may apply if there have been representations which oppose the

policy. However, much will depend on the nature of those representations and whether there are representations in support of particular policies.

- 6.1.3 In considering the policy implications of any development proposal the Local Planning Authority will assess each case on its individual merits, however where there may be a conflict between policies in the existing Development Plan and policies in any emerging Development Plan Document, the adopted Development Plan policies currently continue to have greater weight.

## **6.2 Central Government Advice**

- 6.2.1 In March 2012 the National Planning Policy Framework (NPPF) was published and in doing so it replaced many documents including all Planning Policy Guidance Notes and Planning Policy Statements. The NPPF sets out the Government's planning policies for England and how these are expected to be applied. Annex 1 of the NPPF provides guidance on how existing local plan policies which have been prepared prior to the publication of the NPPF should be treated. Paragraph 215 of the NPPF applies which states that only due weight should be afforded to the relevant policies in the adopted local plan according to their degree of consistency with it.
- 6.2.2 Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is itself a material consideration. Given that the advice that the weight to be given to relevant policies in the local plan will depend on their degree of consistency with the NPPF, it will be necessary in the determination of this application to assess the consistency of the relevant local plan policies with the NPPF. The NPPF applies a presumption in favour of sustainable development.
- 6.2.3 In addition to the NPPF advice in the National Planning Practice Guidance (March 2014) also needs to be taken into account. It states that, where the development plan is absent, silent or the relevant policies are out of date, paragraph 14 of the National Planning Policy Framework requires the application to be determined in accordance with the presumption in favour of sustainable development unless otherwise specified

## **6.3 Adopted District Plan**

TW1 Sustainable Development  
TW8 Environmental Safeguards  
TW9 Quality in Design  
TW10 Crime Prevention  
TW11 Planning Requirements  
H2 Strategic Housing Allocation Stevenage West  
H7 Assessment of Windfall Residential Sites  
H8 Density of Development  
H14 Benefits of Affordability  
T6 Design Standards  
T13 Cycleways  
T14 Pedestrians  
T15 Car Parking Strategy  
EN9 Archaeology and Development  
EN13 New Trees in Developments  
EN17 Wildlife Sites and Regionally Important Geological Sites  
EN21 Other Sites of Nature Conservation Importance  
EN27 Noise Pollution  
EN28 Aircraft Noise  
EN36 Water Conservation



- EN38 Energy Conservation and Supply
- L15 Outdoor Sports Provision in Residential Developments
- L16 Children's Play Space Provision

#### **6.4 Supplementary Planning Guidance/Documents**

Stevenage Design Guide 2009  
Parking Provision Supplementary Planning Document January 2012.

#### **6.5 Interim Planning Policy Statement for Stevenage (April 2012)**

- IP01 Sustainable Development Principles
- IP02 Planning Requirements
- IP06 Housing Mix
- IP08 Affordable Housing Thresholds
- IP11 Flood Risk and Drainage

### **7 APPRAISAL**

7.1 The main issues for consideration in the determination of this application are its acceptability in land use policy terms; the effect on the appearance of the area; the impact on neighbouring amenities including the suitability of the residential environment created; any ecological implications; the effect of the proposal on the highway network and adequacy of car parking. Finally, the benefits that the application would have with regard to the upgrade of Knebworth House by way of enabling development are a material consideration.

#### **7.2 Land Use Policy Issues**

7.2.1 The principle of residential development within urban areas is set out in both national and local policy. Paragraph 50 of the National Planning Policy Framework (NPPF) requires that the planning system should deliver, inter alia, a mix of housing particularly in terms of tenure and price to support a wide variety of households in all areas. Policy H7 of the adopted local plan, which deals with the assessment of windfall housing sites, outlines a set of criteria that must be met for a development to be considered acceptable. These criteria state that; the site is on land classified as previously developed or underused urban sites; development of the site would not lead to the loss of features as defined in Policy TW2 (open space); there is no detrimental effect on the environment and the surrounding or adjoining properties; there is access to local facilities; and they include opportunities to access alternative forms of travel to private motorised transport.

7.2.2 Having regard to the requirements of policy H7, whilst the site would not result in the loss of open space, it is clearly not previously developed land or an underused urban site but a greenfield site and, therefore, fails to accord with this requirement of policy H7. The other matters set out in this policy relating to effect on the environment, adjoining properties and accessibility are dealt with elsewhere in this report.

7.2.3 Additional to the above, the proposal needs to be assessed against the National Planning Policy Framework March 2012 (NPPF). The NPPF states at paragraph 49 that "housing applications should be considered in the context of the presumption in favour of sustainable development" and that "relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites." Taking these issues in turn, whilst the site is separated from Stevenage by the A1(M) there is an underpass which links Norton Green to the Gunnels Wood Industrial Estate and the Town Centre beyond. This provides a quick and direct access on foot and by cycle to the town centre. It also leads to Gunnels Wood Road, and

access to bus services, although it is accepted that the bus services on this road are relatively infrequent. However, the site would provide easy access to the adjoining employment area which accords with the advice in the NPPF. Notwithstanding the above, given proximity of the A1(M) and the physical separation from the town centre, it is clear that private car journeys would be the most likely mode of transport to and from the site particularly for longer journeys or to purchase bulky goods such as shopping etc. In view of this, whilst the site is relatively sustainable by foot or cycle, it is less so in terms car journeys and public transport.

- 7.2.4 In relation to the five year supply of deliverable housing, paragraph 47 of the NPPF states that Local Planning Authorities should identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land. The most up to date housing supply figures indicate that the Council is unable to provide a 5 year supply of deliverable housing. The fact that the Council is unable to meet its requirement to provide a 5 year supply of housing is, thus, a strong material consideration that significantly weighs in favour of the application.
- 7.2.5 In relation to mix, the proposal would provide a range of and 2, 3 and 4 bedroom properties as well as an element of affordable housing which accords with the guidance in the Council's Interim Planning Policy Statement (IPPS). Given this, the proposal is in accordance with national and local guidance in terms of providing housing for a specific group of people by varying the housing mix in Stevenage and providing smaller homes.
- 7.2.6 In summary, whilst the application accords with some aspects of Policy H7, it clearly fails to accord generally as the site is not previously developed and the opportunity to access alternative forms of travel other than by motorised transport is limited. However, in accordance with the advice in the NPPF the application would contribute toward the Council's five year supply of housing which it currently cannot achieve.
- 7.2.7 With regards to density, Policy H8 of the Local Plan states that the density of residential developments needs to respect the site and character of the area. In general, the net density of new housing should be within the range of 30 – 50 dwellings per hectare. The proposed development would have a density of approximately 21.5 dwellings per hectare (dph) and is, therefore, lower than the threshold set out in the adopted local plan. Whilst the number of dwellings proposed would significantly increase the number of properties in the locality, the density would respect the existing density of Norton Green.

### **7.3 Affordable Housing and Developer Contributions**

- 7.3.1 Policy IP08 of the Council's Interim Planning Policy Statement (IPPS) requires that on sites involving a net gain of 10-14 dwellings, 30% of the properties would be required to be affordable. Consequently, in accordance with the IPPS a total of 4.2 units would be required to be affordable. The application is proposing that 6 units would be affordable, with a mix of 4 units for affordable rent and 2 shared ownership units, the precise mix and form to be agreed with the Council's Housing Section, and, as such, exceeds the requirements set out in the IPPS. The provision of this affordable housing would be secured by way of a S106 Legal Agreement.
- 7.3.2 In addition to the affordable housing provision, Hertfordshire County Council requires the provision of a fire hydrant, although in this instance they are not requesting any other S106 contributions. Finally, SBC is seeking a financial contribution of £4000 toward landscape improvements that would benefit the existing and proposed residents on the Common, including making good of damaged knee rail and bollards and some additional hedge

planting opposite and within the vicinity of the site. These would also be secured by way of a S106 Legal Agreement.

#### **7.4 Effect upon the Character and Appearance of the Area**

- 7.4.1 Norton Green is a small hamlet of approximately 15 residential properties. The majority of the properties are in a linear form, particularly toward the southern end close to the green. However, there are examples of backland properties towards the northern part of the settlement adjacent to the application site. The properties comprise an eclectic mix of dwellings of differing sizes and materials ranging from brickwork, flint and timber boarding with roof tiles and slates. Norton Green Farm is a Grade II Listed Building.
- 7.4.2 The current application, as set out in Section 3, has been designed around a central access point. The submitted plans identify 7 properties (Plots 5 to 11) backing onto the western boundary of the site. These take the form of two pairs of semi-detached properties interspersed with three detached properties. All of the properties have their rear gardens backing onto the boundary with the adjoining agricultural land and identify the trees and hedge on this boundary to remain. Plot 5 would have a large garden which wraps around the rear of the property, adjoining the west and northern boundary. Plots 1 and 2 are semi-detached properties which are identified facing onto Chadwell Road to the east of Plot 5. These properties would take access directly from Chadwell Road. Either side of the main access road are proposed two pairs of semi-detached properties facing across the road toward one another. Plots 3 and 4 are located on the northern side of the access and would back onto the side of Plot 2. Plots 13 and 14 would be located on the southern side of the access adjacent to the pond. The rear gardens of these properties would adjoin the front garden of Norton Green Cottage. The final unit, Plot 12, would be located to the south of the pond and would have its side/rear garden adjoining the boundary with 14 Norton Green and The Old Timber Cottage.
- 7.4.3 In terms of the proposed layout, it is not considered that the dwellings would be out of keeping with the existing layout of properties in Norton Green, particularly those immediately to the south of the site. The majority of the properties are designed with generous garden sizes on substantial plots, and whilst concerns have been raised that the development would double the number of units in the hamlet, the properties are at a low density (21 Dwellings per hectare) and would incorporate landscaped and grassed frontages to properties and the enhanced pond within the site. The layout also accommodates the existing footpath along the southern boundary of the site and a grassland link to the footpath to the east of Plot 12.
- 7.4.4 In terms of appearance, the dwellings would be of a traditional design in order to reflect the mixture of dwellings that already exist in Norton Green. Plots 1, 2 13 and 14 would be constructed using red facing brickwork and slates to the roof, having a steep pitched roof. The windows and door would be timber painted and these properties would have pitched roof entrance porches. Plots 3 and 4, which are also semi-detached, would be constructed out of a red brickwork plinth, having dark stained horizontal boarding to the remainder of the elevations. These would have a steep pitched roof incorporating flat roof dormer windows in the rear elevation and are designed to appear barn-like in appearance. Plot 5 is a large detached 4 bed dwelling to be constructed out of similar materials to Plots 3 and 4 and would be served by an attached garage. Plots 6 and 7 are a pair of semi-detached 3 and 4 bed dwellings which would contain an archway at the ground floor to allow access through to the rear to a garage serving No 6. These dwellings are proposed in similar materials to Plots 3, 4 and 5.
- 7.4.5 Plots 9 and 10 comprise a pair of semi-detached properties constructed out of red facing brickwork under brown plan clay roof tiles. These properties are designed with gable features to the front and rear and would include painted timber work. Both properties have

modest single storey rear projections and would be served by single garages with parking to the front. Finally, units 11 and 12 are detached properties and are located close to the southern boundary of the site. These two storey detached properties would be constructed out of cream masonry on a red brick plinth with a brown tiled roof.

- 7.4.6 To summarise, it is considered that the layout, density and appearance of the development would respect the character and appearance of the area. Furthermore, following the comments of the Council's Arboricultural Officer, no works are proposed to the trees on the western boundary of the site and the hedge along the front of the site is to be retained save for the creation of the accesses to Plots 1 and 2. Finally, it is proposed to provide additional landscaping as part of the development as well as the retention and enhancement of the pond.

## **7.5 Impact upon Neighbouring Amenities**

- 7.5.1 In assessing the impact upon the amenities of neighbouring properties, those most affected by the development are the adjoining properties of Norton Green Cottage to the east of the application site and the Old Timber Cottage and nos.12 and 14 Norton Green adjoining the south of the site.
- 7.5.2 With regard to Norton Green Cottage this is a two storey cream rendered property with a garage to the north, which would be adjoined by Plots 13 and 14 to the north west and Plot 12 to the west. Plots 13 and 14 have an angled relationship with this property, with No 14 being some 17m away and having its rear elevation facing toward the side of this existing property. These properties each have a bedroom and bathroom window in the rear elevation. However, given the separation they would accord with the Council's privacy guidelines. With regard to plot 12 this would have its rear elevation facing toward the rear garden of Norton Green Cottage and has an angled relationship with this property and would be sited approximately 20m away. Consequently, whilst these properties would result in some overlooking toward this property, given the separation and orientation of the proposed and existing dwellings, the proposal would accord with the Council's Design Guide.
- 7.5.3 Turning to the Old Timber Cottage, the nearest property to this would be Plot 12 which has an angled relationship to this property, with the side elevation of Plot 12 angled toward the side/rear of this property. Given the separation and the fact no windows are proposed in the side elevation of the new dwelling, there would be no sustainable loss of light, outlook or privacy to this existing dwelling.
- 7.5.4 Finally, with regard to No's 12 and 14 Norton Green, these would be adjoined by Plots 11 and 12 in the new development. No 14 is located between the two new properties, both of which have an angled relationship to this property. No.14 has bedroom and bathroom windows in the rear elevation at first floor level and a conservatory at ground floor. The property is separated from the application site by a close boarded timber fence. Both of the dwellings proposed on Plots 11 and 12 have no windows in the side elevation facing toward this dwelling. Given this arrangement, coupled with the angled separation to this property, it is not considered that there would be any sustainable adverse Impact in terms of overlooking or loss of light/outlook to this property.
- 7.5.5 Turning to No.12, the nearest property to this would be Plot 11 in the new development. This would have its blank side elevation facing toward the side elevation of this property and the separation between the two would be almost 20m. Given this level of separation, the orientation of the two dwellings and the absence of windows proposed in the side of the new dwelling, there would be no adverse impact to this property by way of overlooking, loss of light or outlook.

- 7.5.6 In view of the aforementioned it is considered that there is no sustainable objection to the proposal in terms of harm to neighbouring amenities.
- 7.5.7 In considering the residential environment to be created, the low density of the development allows for a spacious layout with all of the properties having generous large gardens. Each of the properties has allocated off street parking and would receive appropriate levels of light and outlook. Finally, the enhanced pond and introduction of landscaping, coupled with the retention of the majority of trees at the site would provide an attractive living environment for future residents.

## **7.6 Ecology**

- 7.6.1 Given the location of the site and the proximity to sites of known ecological importance, ecology reports have been submitted with the application. An initial study was undertaken in 2013 followed by a botanical survey, great crested newt survey and bat survey in 2015. This has enabled an ecological impact assessment to be made based on the methodology promoted by the Chartered Institute of Ecology and Environmental Management. Whilst the assessment focuses on extant habitats and important species within the application site, a zone of influence around the application site in a 2km radius has also been included in the data search as this may also be influenced by the proposed development.
- 7.6.2 A field survey was undertaken in 2013 and the application and surrounding land were assessed for their likely importance as either protected habitats or habitats of principal importance or for having the potential to support protected species or species of principal importance. The application site's extant habitats were valued and assessed for their potential to support important species. The same assessment approach has been adopted in 2015 with additional species-specific surveys of the pond for great crested newts, the hedgerows for bat activity and a botanical survey of the horse paddock. In this second survey, it was found that the existing pond within the application site was inhabited by Great Crested Newts.
- 7.6.3 From the survey it was established that the site supports a number of habitats including grassland, hedges, dense scrub and standing water. A botanical survey of the grassland indicated that the paddock shows signs of neglect and does not support the minimum threshold of old pasture indicative species of plant. On the western boundary of the site is a species rich hedgerow including trees, such as Oak, Ash, Hawthorn and Field Maple. On the eastern boundary of the site is a short section of defunct hedge which is species poor containing Hawthorn and Elder. Along the northern boundary is another hedge which is regarded as scrub and is species poor. Following the survey in May 2015 the pond within the site was found with open water and appeared to have been affected by horses grazing and animals wading in it. However, whilst the pond currently appears in a poor and degraded condition, it is considered to be a priority habitat locally and is protected under the wildlife and Countryside Act 1981 (as amended).
- 7.6.4 Following the botanical survey of the application site it was found to support no important plants and, as such, plants within the site are considered to be of negligible value. Similarly, whilst the area generally supports invertebrates (5 species of Butterfly were recorded in the 2km radius of the site), only one species has the potential to be found on site due to the heavily grazed nature. Overall, the surveys undertaken suggest that the small extent of the application site, lack of floral grassland structural diversity and standing deadwood indicates that the value of the site for invertebrates is likely to be negligible. With regard to amphibians, as stated previously, the application site, and in particular the pond, supports Great Crested Newts. It is considered that the use of the pond by such species may be sporadic given the existing quality of the pond.
- 7.6.5 Other species of amphibians including newt, palmate newt, frog and common toad have been recorded in the three ponds in Norton Green and Watery Grove, however, these have

not been recorded on site, although their presence cannot be precluded. With regard to reptiles no European or protected species of reptile are found on or near the application site. The application does support breeding bird habitat, primarily within the boundary hedgerows. In terms of bats, although there are records of bats in the 2km radius of the site there is limited record of these at the site, although there was limited pipistrelle activity outside of the site in proximity to Norton Green Cottage. There are no badger sets in the vicinity of the application site and in terms of hedgehogs, whilst there are records of them in the 2km radius there is no record of them at the site. However, whilst the horse paddock is of little value to them, the site's boundary habitats could be considered to have value for hedgehogs.

- 7.6.6 The construction of the development will result in the clearing and removal of the horse paddock and vegetation growing within it. Two small sections of hedgerow scrub and ruderal vegetation will be lost to provide the two access points into the site off Chadwell Road. The existing pond will be retained within the development. The boundary species rich hedgerows will be retained. In view of the above, there is a need to mitigate and compensate for the loss of habitat caused by the development and in particular the two access points. In view of this, it is proposed that a habitat will be created around the pond for great crested newts as well as possibly reptiles, other amphibians, and hedgehogs.
- 7.6.7 A three metre wide habitat strip against the eastern site boundary will be created which will be continued along the retained public footpath on the southern site boundary. This habitat strip will connect the pond to the field margin grassland outside the site and to the small woody copse adjacent to Norton Green Cottage. In addition, the pond is to be re-profiled and planted with appropriate locally native species of plant to benefit wildlife but predominantly to improve its value to breeding amphibians. Approximately 0.07ha of habitat is to be created. A water supply of rain water from the roofs of the new dwellings will be installed to ensure the pond maintains the right water level all year round. Grassland around the pond will be created through the seeding of locally native and appropriate wildflower and grass mixes, managed specifically for amphibians, linking the pond to the boundary habitat corridor and hedgerows To enable amphibians to move around the developed site once constructed and avoid barriers to movement, drop kerbs will be used at the site entrance and access roads to ensure that amphibians do not become physically barred from dispersal around the site.
- 7.6.8 To create biodiversity enhancements, log habitat piles will be created below the boundary hedgerows to provide shelter and hibernation potential for great crested newts as well as other amphibians. Two will be created within the western side hedgerow and two on the northern hedgerow, which will also provide habitat for insects as the log piles decay and decompose. It is also proposed to provide bat habitats integrated into the brickwork of a number of the dwellings.
- 7.6.9 Additionally, to offset loss of amphibian habitat, the applicant has proposed off-site compensatory measures to enhance the pond in Garston Meadow. This currently supports a low population of great crested newts as well as other species of amphibian. The pond is currently over-shadowed by trees, lacking macrophytic vegetation and is in need of restoration to increase its value to breeding amphibians. The applicant offered to facilitate appropriate management of this pond, which may have included selection pruning and coppicing of bankside trees and desilting in order to bring the pond back to a favourable condition for amphibians. This was agreed by HMWT. However, following further comments from HMWT, they have advised that they have been informed by a local resident that the Garston Meadow pond proposed as mitigation for this development is already being managed in the prescribed way as part of an ongoing agreement. Consequently, they suggest that it would be more appropriate to introduce beneficial management to one or both of the other ponds in the complex, e.g. Norton Green Common and Watery Grove. This suggestion has been put to the applicant, however, they consider the level of mitigation already proposed is sufficient to offset the loss of habitat caused by the

development, particularly as the pond at Garston Meadow has a management regime in place.

- 7.6.10 Finally, to ensure that great crested newts, other amphibians, reptiles and hedgehogs are not harmed in the creation of the two site entrance access roads and the development of the entire site, temporary amphibian fencing (TAF), erected as per Natural England's specifications (English Nature 2001), will be installed around the entire application site boundary, separating the retained boundary hedgerows, scrub and ruderal vegetation from the horse paddock/construction footprint. This fencing will remain in place for the duration of the development to stop great crested newts, other species of amphibians, reptiles and hedgehogs from entering the construction site.
- 7.6.11 In accordance with Natural England's specification (English Nature 2001) and subject to the conditions of a Habitats Regulations European Protected Species (EPS) development licence, great crested newts will be captured and removed from the two areas of habitat being destroyed to build the site entrance access roads. In addition to the removal of great crested newts, any other amphibians, reptiles or hedgehogs encountered will be also removed and released into safe habitat outside of the application site beyond the TAF. The proposal to use TAF, the loss of Great Crested Newt habitat through capture and removal as well as the mitigation proposed would need to be the subject of an EPS licence which would need to be obtained were planning permission to be granted.
- 7.6.12 Since the application was submitted there has been dialogue between the applicant and HMWT with regard to ecological matters and proposed mitigation. Following the submission of additional information, including further surveys the HMWT have commented that the development now goes some way to addressing their concerns. However, they are still requesting additional mitigation based on the use of a Biodiversity Impact Assessment Calculator (BIAC) as set out in paragraph 5.6 of this report. However, the applicant has contended that the BIAC is not an industry standard, is currently being trialled in the north of England and is not policy or legislative requirement. They, therefore, consider that the level of mitigation proposed is sufficient. However, if planning permission were to be granted, prior to any works commencing the applicant would still need to demonstrate to Natural England that the level of mitigation proposed is appropriate and commensurate in order to obtain a EPS Licence to carry out the development. With this safeguard in place and subject to the imposition of the conditions recommended by HMWT, it is considered that ecological implications and proposed mitigation of the development have been properly addressed.
- 7.6.13 Notwithstanding the aforementioned, the LPA has a duty to comply with the requirements of Regulation 9(5) of the Conservation of Habitats and Species Regulations 2010. In particular, the LPA must *'have regard to the requirement of the Habitats Directive so far as they may be affected by [the decision whether to grant planning permission]*'. Under the regulations it is an offence to deliberately disturb wild animals of any European protected species, or to damage or destroy a breeding site or resting place of any such an animal of such a species. The development could, therefore, be likely to offend Article 12 of the Habitats Directive, by amounting to a disturbance in accordance with the Article.
- 7.6.14 However, planning permission could still be granted unless the development would be unlikely to be licenced by Natural England. In order to assess the likelihood of a licence being granted it is necessary for a Local Planning Authority to be satisfied that the development meets three tests, known as derogation powers.

The three tests under the derogation powers are:

1. the development should be permitted for imperative reasons of overriding public interest of a social or economic nature
2. there must be no satisfactory alternative, and

3. favourable conservation status of the European Protected Species in their natural range must be maintained

7.6.15 With regard to Test 1, this development is an enabling development which is being used, in part, to fund essential repairs to Knebworth House; a historically important Hertfordshire Grade II\* Listed Building. Furthermore, the development will also contribute to the provision of affordable housing in accordance with Stevenage Borough Council's Affordable Housing Strategy. Lastly, the Council is unable to demonstrate a five year supply of housing land. Consequently, it is considered that this test can be met.

7.6.16 With regard to test 2, there is no alternative to the building of two access roads off Chadwell Road into the development site. The application site runs parallel with Chadwell Road, there is no other road the development site can gain access from. The building of two access roads off Chadwell Road will necessitate the destruction of two small areas of scrub and ruderal vegetation between the development site and Chadwell Road. This will destroy a small area of great crested newt habitat and has the potential to disturb a low number of great crested newts. Consequently, there is no satisfactory alternative to these proposals and, therefore, the second test is considered to have been met.

7.6.17 With regard to 3, the habitat supporting great crested newts will be trapped and animals moved out of harm's way. The loss of the amount of sheltering and foraging great crested newt habitat will be compensated for through the restoration of the pond to increase its value as a breeding pond. Compensation will also include the creation of optimal habitat around the pond and creating connectivity of habitat between the pond and newt habitat outside the development site.

7.6.18 It can, therefore, be concluded that there is no evidence to indicate that the tests will not be met and that the development would not be licensed and that with appropriate mitigation the proposal would accord with the advice in the NPPF. However, as referred to previously, the issue the grant of a ESP licence would fall to Natural England.

## **7.7 Impact on highway Network**

7.7.1 The proposed development has been assessed by Hertfordshire County Council (HCC) as highway authority with regard to any possible impact on the highway network. They advise that traffic generation has been derived from the volume of predicted traffic to be generated compared with the likely trip rates obtained from comparable residential sites within the national TRICS software, (Trip Rate Information Computer System) trip generation database. Given the proposal involves the provision of 14 units, considering the data output from the TRICS software the total peak generation of traffic would be 7 new trips in the peak hours. HCC advise that as that the development is located adjacent to a local access road the new traffic generation of vehicles is considered not to have a significant impact on the local highway network.

7.7.2 With regard to public transport they note that the nearest bus stops are located to the north of the site on Gunnels Wood Road which operates a service every 30 minutes in peak hours. With regard to pedestrian access they note that pedestrians have access to an extensive network of footways within the vicinity of the site and that the town centre and local facilities have a realistic access from the development by cycling as the site is close to the existing cycle network in Gunnels Wood linking into the town centre and beyond.

7.7.3 Having assessed the application, HCC as Highway authority has concluded that the proposal would not have an unreasonable impact on the safety and operation of the adjoining highways subject to conditions to be attached to any grant of permission.



## **7.8 Car Parking**

7.8.1 In assessing car parking, the proposal, in accordance with the Council's adopted parking standards, would require a total of 27 spaces (1.5 spaces per two bed unit, 2 spaces per 3 bed unit and 3 spaces per 4 bed unit). The scheme proposes 29 allocated parking spaces, with each property having a minimum of two spaces and a further 6 visitor spaces which would exceed the Council's adopted standards in this location.

## **7.9 Enabling Development**

7.9.1 As set out in section 1 of the report, the land the subject of this application is in the ownership of the Knebworth Estate. One of the reasons for applying for planning permission to develop this site for residential purposes is to use the proceeds from the sale of the land toward the upkeep of Knebworth House in the form of "enabling development". In dealing with this aspect, the NPPF sets out guidance at paragraph 140. This advocates that local planning authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies, but which would secure the future conservation of a heritage asset, outweigh the dis-benefits of departing from those policies.

7.9.2 Further to the above, the advice of Historic England (formerly English Heritage) with regard to enabling development sets out the following:-

Enabling development that would secure the future of a significant place, but contravene other planning policy objectives, should be unacceptable unless:

- a. it will not materially harm the heritage values of the place or its setting
- b. it avoids detrimental fragmentation of management of the place
- c. it will secure the long-term future of the place and, where applicable, its continued use for a sympathetic purpose
- d. it is necessary to resolve problems arising from the inherent needs of the place, rather than the circumstances of the present owner, or the purchase price paid
- e. sufficient subsidy is not available from any other source
- f. it is demonstrated that the amount of enabling development is the minimum necessary to secure the future of the place, and that its form minimises harm to other public interests
- g. the public benefit of securing the future of the significant place through such enabling development decisively outweighs the disbenefits of breaching other public policies.

7.9.3 As a result of Historic England placing Knebworth House on the 'At Risk' register in 2012, they have recognised the severe deterioration which has occurred to Knebworth House over the past decade and have awarded Knebworth House, Education and Preservation Trust (KHEPT) a grant of £286,000 towards the most urgent repair works. KHEPT has to find matching funding of £350,000. In addition, in 2012 The Country Houses Foundation donated £75,000 towards the restoration of the balustrades, and in this instance Knebworth Estate has a liability to match fund £45,000. In total Knebworth Estate and the trustees has a financial liability to meet these two programs of £395k

- 7.9.4 As the land the subject of this application is owned by the Knebworth Estate it is intended to use the land price generated from this development (£430,000) to match fund grants from English Heritage (now Historic England) and The Country Houses Foundation toward the upkeep of Knebworth House, which is a statutory listed building in need of repair. As part of the application a detailed schedule of repair has been provided with the application identifying extensive repair work which is required to the house and the costs of these works. These are set out in various phases of future works required with an estimated cost in the region of £6million.
- 7.9.5 Figures have been provided as part of the application setting out the income and expenditure which would be generated by the development. The Council has had these figures independently verified. Again this aspect of the proposal is a material consideration in the assessment of this development. A review of the figures provided has looked at the purchase price for the site, the development costs, and rental income from the affordable units, any S106 costs and profit for the developer. This has concluded that the Knebworth Estate is securing an attractive return for its land. This will be used to benefit long term plans for the upkeep of the estate.
- 7.9.6 In assessing the application against the advice of Historic England it is considered that:-
- a. There will be no harm caused to the heritage asset or its setting given the separation of the application site from Knebworth House.
  - b. For the same reason as a above, it will avoid any detrimental fragmentation of management of the place.
  - c. The use of the land sale toward the restoration of a Grade II\* Listed Building of national importance, would help to secure the long term future of the heritage asset by providing funds toward the longer term restoration works proposed.
  - d. The enabling development would raise the necessary money to match the grant funding proposed by Historic England, which is needed to resolve the problems arising from the needs of the Grade II\* Listed Building.
  - e. Whilst a grant has been obtained from Historic England and the Country Houses Foundation, there are not sufficient funds or subsidy available from other sources to meet the total costs of repair.
  - f. Whilst the amount of enabling development is not sufficient to secure the future of the place, the Historic England guidance sets out that whilst an incremental approach to restoration should be avoided, this does not apply to a strategic approach (for example a historic estate) where it is agreed at the outset that the repair will take place in stages. The approach to Knebworth Estates is one of staged restoration.
  - g. The introduction of additional dwellings on this greenfield site has attracted a significant number of objections and concerns from local residents and some members of the general public which are clearly seen as dis-benefits by these people. However, the fact that the proposal would provide much needed funds toward the upkeep of a Grade II\* Listed property of national importance, coupled with the provision of additional affordable and market housing are considered to outweigh these dis-benefits.
- 7.9.7 In summary, enabling development is considered to be a material consideration as part of assessing a planning application and in this instance this proposal would generate £430,000 which would be used to upgrade and repair an important local historic asset. This would be secured by a S106 Agreement to ensure that the money is spent appropriately on

the upkeep of the listed building. Consequently, it is considered in this instance that the enabling development proposed accords with the advice in the NPPF and the guidance set out by Historic England.

## **7.10 Other Considerations**

7.10.1 The application has been assessed by the Hertfordshire County Council as the Lead Local Flood Authority who following receipt of significant drainage details and amendments to the scheme are satisfied that the site can be adequately drained. However, they are recommending a condition be imposed to ensure that the design of the site is in accordance with the submitted details.

7.10.2 Further to the above, the site has been assessed by the Council's Environmental Health Section who is satisfied with the proposals subject to the imposition of a condition to deal with internal noise levels and that the acoustic fencing proposed as part of the development is introduced. Similarly, the application has been assessed by the HCC Archaeologist who is raising no objection subject to the imposition of a condition.

## **8 CONCLUSIONS**

8.1 In land use policy terms it is clear that the redevelopment of this greenfield site as a windfall residential site would not fully accord with the requirements set out in policy H7 of the adopted local. Furthermore, given its location and physical separation from Stevenage by the A1M, whilst the site is well served by the footpath and cycle network linking to Stevenage town centre, it is not well served by other means of public transport. However, the proposal is of a density, layout and appearance which would respect the character of the area and would not be detrimental to the amenities of adjoining occupiers and would provide an acceptable residential environment for future occupiers. The proposal would exceed the Council's policy requirements in respect of affordable housing, would provide additional residential units toward the Council's supply of housing and would generate much needed funds to be used as enabling development toward the upgrade of Knebworth House as Grade II\* Listed Building at risk. Additionally, the proposal is considered to be acceptable in highway safety terms and meets the Council's adopted parking standards. Finally, it has been demonstrated that whilst the proposal will have an adverse effect on the existing ecology at the site, mitigation has been proposed which would offset this effect subject, to an ESP licence being issued by Natural England. Having to the above, on balance, it is recommended that planning permission be granted.

## **9 RECOMMENDATION**

9.1 That the Committee resolve to grant planning permission subject to the applicant having first entered into and completed a S106 legal agreement to secure:-

- the provision of affordable housing;
- The provision of a fire hydrant
- A financial contribution of £4000 to SBC to be used for environmental improvements in the vicinity of the application site
- £430,000 to be used toward the repair and upkeep of Knebworth House

The detail of the S106 would be delegated to the Head of Planning and Engineering in liaison with the Head of Legal Services and:-

9.2 Subject to the following conditions

1. The development hereby permitted shall be carried out in general accordance with the following approved plans: 5062 001, 002, 8283, A050 Rev D, A060 Rev A, A061 Rev A, A062 Rev B, A063 Rev A, A065 Rev A, A067 Rev A, 1599 01 B, 115 01, 115 101, 115 102  
**REASON:-** For the avoidance of doubt and in the interests of proper planning.
2. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  
**REASON:-** To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).
3. No development shall take place until a schedule and samples of the materials to be used in the construction of the external surfaces of the dwellings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.  
**REASON:-** To ensure the development has an acceptable appearance.
4. The access shall be constructed in a hard surfacing material for the first 10 metres from the back edge of the footway.  
**REASON:** To prevent loose material from passing onto the public highway which may be detrimental to highway safety.
5. Before the driveways to the proposed dwellings are first brought into use 0.65 metre x 0.65 metre pedestrian visibility splays shall be provided and permanently maintained to the each side. These shall be measured from the point where the edges of the access way cross the highway boundary, 0.65 metres into the site and 0.65 metres along the highway boundary, therefore, forming a triangular visibility splay. Within which, there shall be no obstruction to visibility between 600 mm and 2.0 metres above the carriageway level  
**REASON:** To provide adequate visibility for drivers entering and leaving the site.
6. The gradient of access road shall not be steeper than 1 in 20 for the first 10 metres from the edge of the carriageway  
**REASON:** To ensure a vehicle is approximately level before being driven off and on to the highway.
7. The access road shall be 5.5 metres wide for the first 30 metres thereafter the access road shall be 4.8 metres wide with localised widening of 500mm around the bend, the kerb radii shall be 8.0 metres at the site entrance which shall be complete with tactile crossing feature.  
**REASON:** To facilitate the free and safe flow of other traffic on the highway and the safety and convenience of pedestrians and people with a disability.
8. Construction of the approved development shall not commence until a Construction Traffic Management Plan has been 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 include construction vehicle numbers/routing of construction traffic and shall be carried out as approved.  
**REASON:** In order to protect highway safety and the amenity of other users of the public highway.
9. No development shall commence until a Code of Construction Practice has been submitted to and approved in writing by the Local Planning Authority. This shall include measures during construction process to minimise the amount of dust generated, minimise the amount of noise generated, to prevent mud, soil and other materials from the site being deposited on the highway, identify a suitable contractors' compound within the site, and a methodology for the screening or enclosure of plant and machinery to be used,

constructors vehicle parking and detail construction methods. The approved Code of Construction Practice shall be implemented in full for the full duration of the construction activity relating to this permission at this site.

**REASON** To prevent harm to human health, to minimise the impact of construction vehicles and to maintain the amenity of the local area.

10. Notwithstanding the details shown in this application the treatment of all boundaries including details of the acoustic fence, any walls, fences, gates or other means of enclosure shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The approved boundary treatments shall be completed before the building hereby permitted is occupied.

**REASON:** - To ensure a satisfactory standard of development in the interests of amenities of future occupiers of the development.

11. Prior to the commencement of development, a detailed scheme of soft and hard landscaping and details of the treatment of all hard surfaces shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of all existing trees on the land and details showing all trees to be removed, together with details of all new planting to take place including species, size and method of planting. The approved landscaping scheme shall be implemented in the first planting season following completion of the development.

**REASON:** - To ensure a satisfactory appearance for the development in the interests of the visual amenities of the area.

12. 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.

**REASON:-** To ensure the proper completion of the soft landscaping in the interests of visual amenity.

13. All hard surfacing comprised in the approved details of landscaping shall be carried out within three months of the first occupation of the building(s) or the completion of the development, whichever is the sooner.

**REASON:-** To ensure the proper completion of the hard landscaping in the interests of visual amenity.

14. 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.

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

15. 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.

**REASON:-** To ensure the maintenance of the approved landscaping scheme in the interests of visual amenity.

16. No demolition or construction work 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 0800 and 1800 on Mondays to Fridays and between the hours of 0900 and 1300 on Saturdays.

**REASON:-** To safeguard the amenities of the occupiers of neighbouring properties.

17. No demolition/development hereby permitted shall take place/commence until an Archaeological Written Scheme of Investigation has been submitted to and approved by the

local planning authority in writing. The scheme shall include an assessment of archaeological significance and research questions; and:

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

The demolition/development shall take place/commence in accordance with the programme of archaeological works set out in the Written Scheme of Investigation approved above.

The development shall not be occupied/used until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under above and the provision made for analysis and publication where appropriate.

**REASON:-** To ensure the preservation of potential remains of the site following archaeological investigation.

18. The development permitted by this planning permission shall be carried out in accordance with the surface water drainage assessment as contained within 115 Chadwell Greenfield Calcs, 115 Chadwell Storage Calcs, BREEAM Surface Calcs for Stevenage, TWU Approval to flows 24 July 14 and 115 02 Rev E 7 Sep15 Drainage Layout and the following mitigation measures detailed within the FRA:

1. Limiting the surface water run-off generated by the 1 in 100 year + 30% for climate change critical storm so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site.
2. Restrict surface water run-off discharge rate to 5l/s.
3. Provide permeable paving with an under drained sub base and tanks to provide the required volume of surface water storage and water quality treatment as located on the drawing 11502 Rev E dated 7 September 2015.

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

**REASON:**

1. To prevent flooding by ensuring the satisfactory storage of surface water from the site for the developments lifetime.
2. To ensure there will be no increase in surface water run-off rates and a satisfactory disposal of surface water from the site.
3. To provide adequate surface water attenuation and water quality treatment

19. On completion, the dwellings shall meet the following criteria, either:
- i. with windows open for ventilation or
  - ii. with windows closed and with mechanical purge and background ventilation,

sufficient to comply with the current Building Regulations.

		Noise Level (dB)
Daytime Noise (07:00 - 23:00)	Inside living areas	< 35 LAeq (16 hours)
Night-time Noise (23:00 - 07:00)	Inside bedrooms	< 30 LAeq (8 hours) < 45 LAmax, Fast

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.

**REASON:-** In order to safeguard the amenities of the occupiers of the development.

20. Prior to the commencement of development an ecological management plan (EMP) shall be submitted to and approved in writing by the local planning authority prior. The content of the EMP shall include the following:-

- a) Description and evaluation of features to be managed.
- b) Ecological constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan to be implemented on a 4 year rotation in perpetuity).
- g) Details of the body or organization responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

The EMP 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 aims and objectives of the EMP 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.

**REASON:** To secure permanent ecological mitigation, compensation and enhancement measures as proposed in approved ecological report (ELMAW September 2015), and in accordance with NPPF.

21. Development or site clearance/preparation activities likely to disturb places of shelter or protection identified by the approved ecological report (ELMAW September 2015) shall not in any circumstances commence unless the local planning authority has been provided with a licence issued by [the relevant licensing body] pursuant to Regulation 53 of The Conservation of Habitats and Species Regulations 2010 authorizing the specified activity/development to go ahead.

**REASON:** To discharge the duties of the LPA under the Conservation of Habitats and Species Regulations 2010 and to conserve and enhance biodiversity in accordance with NPPF.

22. Details of the measures proposed to protect the pond forming part of the development from residential occupation including littering, potential disturbance, signage and method of monitoring shall be submitted to and approved in writing by the Local Planning Authority and shall be implemented in accordance with the approved details.

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

23. No demolition of buildings, or removal of trees, scrub or hedges, shall be carried out on site between the 1<sup>st</sup> March and 31<sup>st</sup> August inclusive in any year, unless searched beforehand by a suitably qualified ornithologist.

**REASON:** It is an offence under Part I, section 1(1) of the Wildlife and Countryside Act 1981 (as amended) to damage or destroy the nest of any wild bird whilst that nest is in use or being built.

24. No development shall commence until a scheme for the provision of bat and bird boxes have been submitted to and approved in writing by the Local Planning Authority. Prior to the first occupation of the buildings, these boxes shall be installed in accordance with the approved scheme and retained thereafter.

**REASON:-** To increase roosting opportunities for bats in the area and to compensate for lost opportunities for nesting birds.

25. No external lighting shall be installed or affixed to any buildings on the site unless the Local Planning Authority has first approved in writing the details of the position, height, design and illumination intensity. Any lighting thereafter installed shall be in accordance with the approved details.

**REASON:-** To ensure that exterior artificial lighting is kept to a minimum and directed away from trees, hedgerows and other habitats in order to protect the ecological qualities of the surrounding area.

26. Prior to the commencement of the development, details shall be submitted to and agreed in writing by the Local Planning Authority of the lighting improvements to be proposed to the underpass to Six Hills Way which adjoins the application site. The lighting details and any maintenance shall be carried out in accordance with the approved scheme.

**REASON:** In order to enhance the appearance and lighting of the underpass for current and future users.

### **Informative**

The development hereby permitted shall be carried out in accordance with the principles of Secured by Design

### **Pro-Active Statement**

Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant at the pre-application stage and during the determination process which lead to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraphs 186 and 187).

## **10 BACKGROUND DOCUMENTS**

1. The application file, forms, plans and supporting documents having the reference number relating to this item.



2. Responses to consultations with statutory undertakers and other interested parties referred to in this report.
3. Stevenage District Plan Second Review 1991-2011.
4. Central Government advice contained in the National Planning Policy Framework 2012 and National Planning Guidance 2014
5. Parking Provision Supplementary Planning Document – January 2012.
6. Stevenage Design Guide – October 2009.
7. Interim Planning Policy Statement for Stevenage April 2012
8. English Heritage Enabling Development and the conservation of significant places