

**STEVENAGE BOROUGH COUNCIL
PLANNING AND DEVELOPMENT COMMITTEE
MINUTES**

Date: Tuesday 8 December 2015

Time: 18.30 p.m.

Place: Council Chamber, Daneshill House, Danestrete, Stevenage

Present: Councillors D Cullen (Chair), M Downing (Vice Chair), D Bainbridge, R Broom, L Chester, J Fraser, M Gardner, E Harrington, G Lawrence, J Lloyd CC and P Stuart.

Started at: 18.30pm

Ended at: 19.35pm

1. APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were submitted on behalf of Councillors McKay and G Snell

The Chair informed Committee that additional papers in relation to Item 3-Land at Chadwell Road, Norton Green had been circulated and allowed Members sufficient time to consider the papers before the meeting commenced.

2. MINUTES – 10 NOVEMBER 2015

It was **RESOLVED** that the Minutes of the meeting of the Planning and Development Committee held on Tuesday 10 November 2015 be approved as a correct record and signed by the Chair.

3. APP REF: 15/00101/FPM – LAND AT CHADWELL ROAD, NORTON GREEN, STEVENAGE

The Committee considered an application involving the erection of 2no four bedroom, 6no three bedroom dwellings and 6no two bedroom dwellings, associated landscaping and pond.

The Development Manager gave an oral and visual presentation to the Committee.

The Chair invited Mr Ian White, an objector to address the Committee. Mr White informed the Committee that concerns raised by residents of Norton Green had not been addressed in the committee report. Mr White was concerned that as the proposed

site is a greenfield site, building residential dwellings on it was not consistent with policy which requires housing to be built only on brownfield sites. Mr White was also concerned that the character of Norton Green as a hamlet would be lost with the proposal to build more homes on the site, Mr White informed the Committee that the proposal could not be described as sustainable as it is not easily accessible to any form of transport modes and the town centre. He was also concerned that the applicant had not used the biodiversity impact calculator, as recommended by Herts and Middlesex Wildlife Trust, to assess the ecological impacts of the application. He commented that there was no net biodiversity gain. Additionally, he commented that the applicant had not provided full financial information regarding land and buildings in assessing enabling development. Mr White also raised concerns in respect of possible anti-social behaviour where the public footpath was to be retained. He also commented that the application site was only removed from the green belt on a legal technicality.

The Chair thanked Mr White and invited Mr Charles McNab, an objector to address the Committee. Mr McNab who lives adjacent to the proposed development and backs onto it was concerned with issues of privacy and overlooking onto his property. Mr McNab informed the meeting that he was concerned that the site itself was being over developed and that the means of measuring housing density used in the report does not actually reflect to the rural nature of the site.. Mr McNab also raised concern that the development would have an effect on property values as well as views. Moreover, Mr McNab pointed out that the development was out of character with the rural location, would harm the character of the hamlet as well as lead to a loss of Stevenage's heritage. Mr McNab also advised the Committee that granting permission to this proposal would be setting a precedent for other sites around Norton Green to be developed. He also commented that there had been previous assurances that Norton Green would be preserved from further development.

The Chair thanked Mr McNab and invited Mrs Ruth Gray, the applicant's agent to address the Committee.

Mrs Gray informed Members that the scheme would deliver 14 high quality homes, 6 of which would be affordable and as the local authority is unable to meet its 5 year supply of housing sites, this weighs significantly in favour of the application. She advised that the site was in a sustainable location within a 6 minute walk to the nearest bus stop and 12 minute walk to the rail station. She also advised that Knebworth House was at risk and the £430,000 from the land sale would enable match funding to a grant enabling restoration works at the House.

With regard to the concerns that the proposal would have an adverse effect on the existing ecology at the site, Mrs Gray informed the meeting that the biodiversity impact calculator was not proven and that mitigation has been proposed which would offset this effect, subject to an ESP licence being issued by Natural England. Finally, she advised that all highway issues had been addressed.

The Chair thanked Mrs Gray and invited the Development Manager to continue with his presentation.

With regards to the land use policies the Committee were advised by the Development

Manager that as the site is identified as a windfall site, the proposal needs to be assessed against a set of criteria in Policy H7 of the adopted local plan. He advised that it failed to accord with parts of this policy. Members were informed that according to National Planning Policy Framework, housing applications should be considered in the context of the presumption that favours sustainable development and relevant policies which require local planning authorities to demonstrate a five year supply of deliverable housing sites

On the issue of affordable homes, the Committee were advised that the scheme proposes 6 units to be affordable with a mix of 4 units for affordable rent and 2 shared ownership units with the precise mix and form to be agreed with the Council's Housing section. The Development Manager also stated that in addition, SBC would be seeking a financial contribution of £4,000 towards landscape and environmental improvements that would benefit the existing and proposed residents on the Common.

With regard to the impact of the proposal on the character and appearance of the area, Members were informed that although a majority of the properties are in a linear form, there are examples of backland properties towards the northern part of the settlement adjacent to the application site. The Development Manager also noted that 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. Members were also informed that 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.

On the impact of the proposal on the neighbouring amenities, the meeting was advised that the properties likely to be affected are North 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. He noted that due to their angled relationship and separation distance, it is not considered that there would be any sustainable adverse impact in terms of overlooking or loss of light. The Officer advised that there would be no detrimental effect on the surrounding residential properties.

Members were advised that ecological surveys had confirmed that the site supports a number of habitats including grassland, hedges, dense scrub and standing water and a botanical survey of the grassland which confirms that the paddock shows sign of neglect. The Development Manager acknowledged that the construction of the site would result in the clearing and removal of the horse paddock and vegetation growing within it, however there is a need to mitigate and compensate for the loss of habitat caused by the development. The Development Manager noted that the scheme would create a three metre wide habitat strip against the eastern site boundary which will continue along the retained public footpath on the southern site boundary. Other measures including log piles and the provision of bat boxes would be introduced. Finally, he advised that the Council had had regard to the three derogation tests as set out in the 2010 Habitats Directive. Finally, he advised that the applicant would need to obtain a European Protected Species Licence from Natural England to deal with the impact on ecology and any mitigation prior to development commencing at the site.

With regards to the impact on the highway, the meeting was advised that the proposed

development has been assessed by Hertfordshire County Council as the Highway Authority who have concluded that as the development is located adjacent to a local access road, the new traffic generation of vehicles is not considered to have a significant impact on the local highway network.

On the issue of parking provision, Members were informed that the scheme proposed 29 allocated parking spaces, 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.

It was **RESOLVED** that Planning permission be GRANTED subject to the applicant having first entered into and completed a s106 legal agreement to secure / provide financial contributions towards:-

- 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 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

2.The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

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.

4.The access shall be constructed in a hard surfacing material for the first 10 metres from the back edge of the footway.

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

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

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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

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.

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.

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.

4. APP REF: 15/00463/FP – LAND TO THE REAR OF 46 TO 48 SISH LANE, STEVENAGE

The Committee considered the erection of 2 no. 2 bedroom bungalows.

The Senior Planning Officer gave an oral and visual presentation to the Committee and advised that the issue for consideration were the acceptability of the proposal in land use policy terms; impact on visual amenities; impact on residential amenities, car parking provision, highway implications and impact on trees.

On the land use policy, the Officer advised that the application site is not allocated for residential development within the District Plan Second Review 1991-2011 and is therefore regarded as a 'windfall site' and would need to meet the key criterion set out in Policy H7 of the adopted Local Plan. The meeting was informed that the site is within a sustainable area; that the scheme would provide housing for a specific group of people by varying the housing mix in Stevenage and provide smaller homes.

With regards to the impact of the proposal on visual amenity, the Officer advised that given the overall size of the proposed bungalows, they sit comfortably within the overall context of the area, which comprises two-storey dwelling houses and that subject to appropriate conditions on boundary treatment and samples of materials to be used in the construction of the development, it is considered that the proposed development is an appropriate size and scale so as to not appear overbearing within the street scene.

Members were also advised that due to its siting and positioning the scheme would not have a detrimental impact on the outlook of neighbouring properties. With regards to privacy, Officers informed the meeting that a condition would be imposed to any permission granted to ensure that windows are obscurely glazed and non-opening as measured 1.7m from finished floor level. The Officer also stated that a condition can be imposed to remove permitted development rights which will restrict the ability to install any new windows, doors or other openings to the flank elevations of the bungalows, as well as dormer windows.

On car parking provision, the Officer advised that given the overall size of the proposed front drive which can accommodate 4 parking spaces, the proposed level of parking is considered acceptable. Members were also advised that a condition be imposed as part of the planning permission requiring a secure cycle parking space to be provided for each bungalow in line with the Council's Parking Standards.

On the impact of the proposal on highway safety, Members were advised that the access point of the highway has been designed to comprise a suitable vehicle to vehicle and pedestrian inter-visibility splays in line with the standards set out in Manual for Streets and that the access road would be of a sufficient width to accommodate the parking area for the bungalows and allow vehicles to safely manoeuvre into and out of the parking areas. He also informed the meeting that Hertfordshire County Council as the Highways Authority considers that the proposed development would not have a detrimental impact on the safety and operation of the highway.

On the removal of trees on the application site, the Officer informed Members that with following consultation with the Council's Arboricultural Officer have recommended that the removal of the trees would be acceptable as these trees have limited amenity value.

It was **RESOLVED** that Planning Permission be GRANTED subject to the following conditions:

1. The development hereby permitted shall be carried out in accordance with the following approved plans: 1480-01B; 1480-02B

2.The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

3.No development, including site clearance, shall take place until a schedule and samples of the materials to be used in the construction of the external surfaces and hardsurface areas of the development 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.

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

5.Prior to the first occupation of the dwellings hereby permitted, details of secure cycle parking facilities shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to first use of the dwellinghouses.

6.No removal of trees, scrub or hedges, shall be carried out on site between 1st March and 31st August inclusive in any year, unless searched beforehand by a suitably qualified ornithologist.

7.No demolition or construction work relating to this permission shall be carried out on any Sunday, Public or Bank Holiday nor at any time, except between the hours of 0800 and 1800 Mondays to Fridays and between the hours of 0900 to 1300 on Saturdays.

8.Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revising, revoking and re-enacting that Order with or without modification), no windows, doors or other openings associated with the dwellinghouses other than those expressly authorised by this permission shall be constructed.

9.The window(s) to be created in the ground floor (bathroom) on the northern elevation of plot 1 and the southern elevation of plot 2 shall be glazed in obscure glass and shall be non-opening below a height of 1.7 metres measured from the internal finished floor level. The windows shall not thereafter be altered in any way without the prior written approved of the Local Planning Authority.

10.Notwithstanding the provisions of Classes A to E of Schedule 2 of Part 1 of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting this Order) no extensions, enlargements, alterations, dormer windows, roof lights to the dwellinghouses or outbuildings within the curtilage of the dwellinghouses hereby permitted shall be erected unless permission is granted on an application made to the Local Planning Authority.

11. The dwellings hereby permitted shall not be occupied until the 4 parking spaces of 2.4 metres x 4.8 metres shown on the approved plan 1480-01 Rev B have been constructed, hardsurfaced and made ready for use. The parking facilities shall be retained in that form and thereafter be used only for the parking of vehicles.

12. Before the parking spaces are first brought into use 0.65 metre x 0.65 metre pedestrian visibility splays shall be provided and permanently maintained each side of the access to the parking bays. They 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. In this visibility splay, there shall be no obstruction to visibility between 600mm to 2 metres above the carriageway.

5. INFORMATION REPORT – APPEALS

None

6. INFORMATION REPORT – DELEGATED DECISIONS

It was **RESOLVED** that the report be noted.

7. URGENT PART 1 BUSINESS

None

8. EXCLUSION OF PRESS AND PUBLIC

Not Required

PART II

9. URGENT PART II BUSINESS

None

Chair