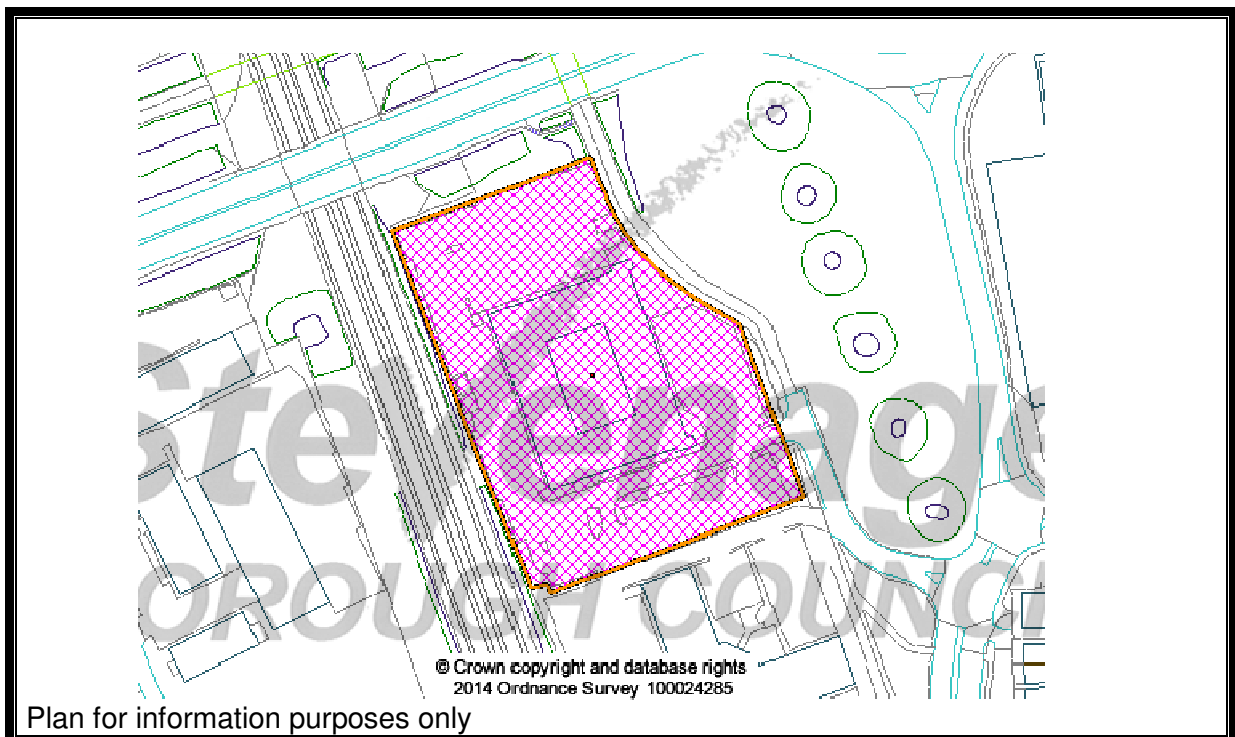


Meeting: Planning and Development Committee **Agenda Item:** 4
Date: 8 November 2016
Author: James Chettleburgh 01438 242266
Lead Officer: Zayd Al-Jawad 01438 242257
Contact Officer: James Chettleburgh 01438 242266

Application No:	16/00482/FPM
Location:	Land at Six Hills House, London Road, Stevenage.
Proposal:	Erection of an 8 storey residential building comprising of No. 17 one bedroom residential units, No. 34 two bedroom units, No. 13 three bedroom units and associated access.
Drawing Nos.:	1233-P-12; 1233-P-13 A; 1233-P-14 A; 1255-P-15 A; 1233-P-16 A; 1233-P-17; 1233-P-21; 1233-P-22; 1233-P-23; 1233-P-24; 1233-P-31; 1233-P-32;
Applicant:	L.C. (Herts) Ltd
Date Valid:	18 July 2016
Recommendation:	GRANT PLANNING PERMISSION SUBJECT TO S106 AGREEMENT



1. SITE DESCRIPTION

- 1.1 The application site is located at the northern end of the Six Hills House site and is currently occupied by surface car parking. To the south of the application site is Six Hills House which is an existing part four storey, part eight storey building being converted into residential apartments. The plant rooms associated with the old office building are also being converted to residential accommodation. The external elevations of the building have been finished in white coloured render and strategically placed colour panels utilising a simple palette of materials in order to provide a contemporary design. Additionally, well-proportioned windows and door openings have been installed on the main building in order to maximise natural light. There are also Juliette balconies which are finished in either timber or tinted glass balustrades. The roof areas have been finished with single ply painted copper effect roof membrane with a décor profile. The existing building is surrounded by surface car parking which is punctuated by trees with new cycle and bin stores being erected.
- 1.2 To the north of the application site is Six Hills Way, beyond which is Stevenage Police Station. To the east of the application site is the Six Hills Common which is an established Wildlife Site and comprises the Six Hills Mounds which is classed as a Scheduled Ancient Monument. Beyond the common is Asda supermarket and the North Herfordshire College Campus. To the south of the application site is Kings Court which is a five storey office building with residential properties to the east of this office block which front London Road. To the west of the application site is the East Coast railway line with Gunnels Wood Employment Area beyond.

2. RELEVANT PLANNING HISTORY

- 2.1 Planning application reference 2/0131/80 sought permission for an office development. Permission was granted in June 1980.
- 2.2 Planning application reference 2/0342/80 sought permission for car parking and landscaping ancillary to the office development. Permission was granted in November 1980.
- 2.3 Planning application reference 2/0099/85 sought permission for 36 additional car parking spaces. Permission was granted in May 1985.
- 2.4 Prior approval application reference 14/00328/CPA sought approval for change of use of office building (Use Class B1(a)) to Residential Dwellings (Use Class C3) comprising 52 no. one bedroom and 80 no. two bedroom flats. This application was granted in August 2014.
- 2.5 Planning application reference 14/00639/FPM sought permission for the construction of 17no. three bed and 1no. two bed duplex units on roof area of floors 3 and 8, including external alterations to existing building and construction of refuse and cycle storage, pumping housing and new sub-station. The proposal also comprised of alterations to existing car parking layout incorporating additional landscaping and a new footpath/cycleway. This application was withdrawn in August 2016.
- 2.6 Planning application reference 15/00078/FP sought permission for the erection of 4no. bin and bicycle stores, 1 no. sub-station and 1 no. pumping station. This application was granted in April 2015.
- 2.7 Prior approval application reference 15/00225/CPA sought approval for the change of use of commercial roof top plant enclosures (Class B1) to 15no. residential apartments (Class C3). This application was granted in June 2015.

- 2.8 Planning application reference 15/00293/FP sought permission for the erection of a 4 storey lift enclosure alongside existing stair tower and external alterations to existing building. This application was granted planning permission in July 2015.
- 2.9 Prior approval application reference 15/00483/CPA sought prior approval for the change of use of the office building (Use Class B1(a)) to Residential dwellings (Use Class C3) comprising 128 no. one, two and three bedroom apartments. This application was granted in October 2015.
- 2.10 Discharge of condition application 15/00708/COND sought partial discharge of condition 3 (Archaeology) attached to planning permission reference 15/00078/FP. The application was partially discharged in January 2016.
- 2.11 Non-material amendment application 16/00250/NMA sought a non-material amendment to planning permission 15/00078/FP to relocate and increase the size of substation, amend the size and adjust positions of the bin store, increase in size and relocation of pumping station and amendment to the cycle canopy design. The Non-material amendment was agreed in May 2016.
- 2.12 Discharge of condition application 16/00252/COND sought to discharge condition 7 (Tree protection) attached to planning permission reference 15/00078/FP. A response to the discharge of condition was issued in June 2016.

3. THE CURRENT APPLICATION

- 3.1 The current application seeks planning permission for the proposed erection of an eight storey residential block of apartments comprising 17 one bedroom residential units, 34 two bedroom units and 13 three bedroom units. The proposed development would measure approximately 15.64m in depth and would span approximately 59.06m in width. In terms of height, the proposed development would have an overall height of approximately 23.04m.
- 3.2 The proposed development at ground floor level comprises an area of undercroft parking with 32no parking spaces. There would also be 2 no. bin stores, a residential lobby with internal stairwells and a secondary stairwell corridor and associated lift access. At first floor level, there would be 8 apartments with a secure cycle store for 72 spaces. On the second to sixth floor are apartments with associated external balcony areas. On the seventh floor, the proposed development comprises 6 apartments with outdoor terrace areas. The final floor comprises all of the plant and equipment associated with the development.
- 3.3 In respect of the finished appearance of the development, the materials which would be used in the construction of the development would be a dark grey brick at ground floor level with the brick projection feature on the southern elevation constructed from a light brick. The first to sixth floor level external walls would be finished in a dark grey render. The walls of the building would also comprise climbing plants in order to soften the appearance of the proposal.
- 3.4 Serving the individual flats is a balcony area which comprises of metal railings with frosted glazing and timber decking. On the northern elevation of the building, the proposed development would be constructed in a mid-grey metallic cladding with metal framed spandrel panels and grey brick work. The fenestration of the proposed building comprises of metal framed fully glazed windows and doors.
- 3.5 The application comes before the planning and development committee as it comprises a major development.

4. PUBLIC REPRESENTATIONS

- 4.1 This planning application has been publicised by way of a site notice and neighbouring properties have been notified about the application via a letter. The application was also published in the local press as it is a major application. No comments or representations have been received.

5. CONSULTATIONS

5.1 Hertfordshire County Council Highways

- 5.1.1 The Transport Statement submitted as part of the planning application and covering highway and traffic issues has been carefully scrutinised to establish the likely impact of the proposal on the road network. It is considered that the total peak generation of traffic would reduce in comparison with the original use of the site as an office development. It is considered despite the development being located off a local access road which connects to a main distributor road (London Road), the new traffic generation of vehicles is not considered to have a significant impact on the local highway network. Accordingly, Hertfordshire County Council as Highway Authority considers that the proposal would not have an unreasonable impact on the safety and operation of the adjoining highways.

5.2 Hertfordshire County Council Minerals and Waste

- 5.2.1 The Council needs to be aware of the Policies in regards to waste management of the site, including the re-use of unavoidable waste where possible and the use of recycled materials where appropriate to the construction. Furthermore, Waste Policy 12: Sustainable Design, Construction and Demolition require all relevant construction projects to be supported by a Site Waste Management Plan (SWMP). This aims to reduce the amount of waste produced on site and should contain information including types of waste removed from the site and where that waste is being taken to.

5.3 Hertfordshire County Council Fire Safety Officer

- 5.3.1 Following a review of the submitted drawings, it is considered that there is adequate access for fire appliances and provision of water supplies.

5.4 Hertfordshire County Council Historic Environment (Archaeology)

- 5.4.1 Following a review of the archaeological investigation and evaluation reports, it is considered that the proposed development is acceptable and that no archaeological conditions are required in this instance.

5.5 Hertfordshire County Council as the Lead Local Flood Authority

- 5.5.1 Following consultation with the Lead Local Flood Authority (LLFA), they have requested the following additional information:-

- 1) Results of infiltration tests in accordance with BRE Digest 365
- 2) Confirmation by Thames Water that the proposed discharge can be accepted.
- 3) Plan showing the extent of flooding during the 100 year return period event plus 40% climate change.

- 5.5.2 In line with the above, the applicant has submitted the additional information as requested which has been passed on to the LLFA. At the time of publishing this committee report, the

LLFA have not provided a written response to the additional information which has been submitted. However, once a response has been submitted by the LLFA, an update would be provided at the Planning and Development Committee including any details of conditions which may have been requested.

5.6 The Council's Environmental Health Department

5.6.1 The Noise Impact Assessment which has been submitted with the application is considered to be acceptable. In regards to contamination, the results identified in the applicant's Phase 1 report appear to be acceptable subject to the imposition of a condition. This condition will require the applicant to apply a watching brief during the initial construction phase of the development. This is to ensure that any potential contaminants such as hydrocarbons are dealt with in line with current regulations.

5.7 Parks and Amenities

5.7.1 In regards to Outdoor Sport/Open Space a financial contribution of £3,082.24 has been sought. This would support the introduction and development of new sport related activities in the town. This would include for example personal training sessions on the outdoor gym equipment as well as Thai Chi classes at the Town Centre Gardens. The monies could also be used towards improvement works to Six Hills Common.

5.7.2 In respect of Children's Play Space, a financial contribution of £2,782.71 has been sought. This would be used to fund equipment improvements to the play areas in the Town Centre Gardens or King George V playing fields. These improvements may include new equipment or impact absorbing surfacing.

5.8 Herts and Middlesex Wildlife Trust

5.8.1 No comment.

5.9 Police Crime Prevention Officer

5.9.1 The applicant has confirmed that they would seek to ensure the development meets Secured by Design requirements in order to have the scheme accredited. Therefore, no objection is raised to the proposed development.

5.10 Thames Water

5.10.1 With regard to surface water drainage, they advise it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required.

5.10.2 There are public sewers crossing or close to the development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted for extensions to existing buildings. The proposed works will also be in close proximity to

underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure. Therefore, if piling is to take place as part of the development, it is recommended a piling condition should be attached to any permission issued.

5.10.3 The developer is required to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water recommends an informative requiring the applicant to enter into A Groundwater Risk Management Permit.

5.11 Network Rail

5.11.1 There are no objections to the proposed development but there are a number of requirements the applicant will need to comply with due to the proximity of the electrified railways. The requirements which need to be adhered to cover the following:-

- Drainage;
- Protection of existing railway drainage assets within a clearance area;
- Fail safe use of crane and plant;
- Excavations and earthworks;
- Security of mutual boundary;
- Armco safety barriers;
- Fencing;
- Method Statements/Fail Safe/Possessions;
- OPE;
- Vibro-impact machinery;
- Scaffolding;
- Cranes;
- Encroachment;
- Noise/soundproofing;
- Trees/Shrubs/Landscaping;
- Lighting;
- Access to railway.

5.11.2 It is recommended that issues of drainage, boundary fencing, Armco barriers, method statement, soundproofing, lighting and landscaping should be the subject of conditions.

5.12 Hertfordshire County Council in relation to impact on service provision

5.12.1 Based on the information provided for a development of 64 units, the County Council would seek a financial contribution towards primary education.

5.13 NHS England

5.13.1 No comment.

5.14 Local Primary Healthcare Trust

5.14.1 No comment.

5.15 Council's Arboricultural Officer

5.15.1 No comment.

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); and
- The Stevenage District Plan Second Review 2004.

The Council has now commenced work on the new Stevenage Borough Local Plan 2011-2031. The draft version of the Plan was published in January 2016 and will be used as a material consideration in the determination of all planning applications registered on or after Wednesday 6 January 2016. The Site Specific Policies DPD, the draft Gunnels Wood Area Action Plan (AAP), the draft Old Town AAP, the Pond Close Development SPG, Stevenage West Masterplanning Principles SPG, the Gunnels Wood Supplementary Planning Document and the Interim Planning Policy Statement for Stevenage are no longer material considerations in the determination of all planning applications registered on or after Wednesday 6 January 2016.

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 Local Plan

Policy TW1: Sustainable Development
Policy TW2: Structural Open Space
Policy TW8: Environmental Safeguards
Policy TW9: Quality in Design
Policy TW10: Crime Prevention
Policy TW11: Planning Requirements
Policy H7: Assessment of Windfall Residential Sites
Policy H8: Density of Residential Development
Policy H14: Benefits of Affordability
Policy E2: Employment Areas
Policy E4: Acceptable Uses in Employment Areas
Policy T6: Design Standard
Policy T12: Bus Provision
Policy T13: Cycleways
Policy T14: Pedestrians
Policy T15: Car Parking Strategy
Policy EN9: Archaeology and Development
Policy EN13: Trees in New Developments
Policy EN17: Wildlife Sites and Regionally Important Geological Sites (RIGS)
Policy EN27: Noise Pollution
Policy EN29: Light Pollution
Policy EN36: Water Conservation
Policy EN38: Energy Conservation and Supply
Policy L15: Outdoor Sports Provision in Residential Developments
Policy L16: Children's Play Space Provision in Residential Developments
Policy L17: Informal Open Space in Residential Developments
Policy L18: Open Space Maintenance

6.4 Stevenage Borough Local Plan 2011-2031 Publication Draft (Emerging Local Plan)

Policy SP1: Presumption in favour of sustainable development
Policy SP2: Sustainable Development in Stevenage
Policy SP5: Infrastructure
Policy SP6: Sustainable transport
Policy SP7: High Quality Homes
Policy SP8: Good Design
Policy SP11: Climate change, flooding and pollution
Policy SP12: Green Infrastructure and the Natural Environment
Policy SP13: The historic environment
Policy HO5: Windfall Sites
Policy HO7: Affordable housing targets
Policy HO8: Affordable housing tenure, mix and design
Policy HO9: House types and sizes
Policy HO11: Accessible and adaptable housing
Policy IT3: Infrastructure

Policy IT4: Transport Assessments and Travel Plans
Policy IT5: Parking and Access
Policy GD1: High Quality Design
Policy FP1: Climate Change
Policy FP2: Flood risk in Flood Zone 1
Policy FP5: Contaminated land
Policy FP7: Pollution
Policy FP8: Pollution sensitive uses
Policy NH2: Wildlife Sites
Policy NH5: Trees and woodland
Policy NH6: General protection for open space
Policy NH09: Areas of Archaeological significance
Policy IT4: Transport assessments and travel plans
Policy IT5: Parking and Access

6.5 Supplementary Planning Documents

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

7. APPRAISAL

7.1 The main issues for consideration in the determination of this application are the acceptability of the proposal in land use policy terms, affordable housing and developer contributions, impact on the appearance of the area, impact upon residential amenities, means of access and traffic issues, parking, development and flood risk, trees and landscaping, ecological impacts, impact on the environment and the impact on the Scheduled Ancient Monument.

7.2 Land Use Policy Considerations

Impact on the employment area

7.2.1 Policy E2 of the Stevenage District Plan Second Review 1991 – 2011 (adopted 2004) identifies the application site falling within the Gunnels Wood Employment Area. Additionally Policy E4 is also of relevance. Policy E4 relates to B class development (which includes Offices) in designated Employment Areas such as the application site. Given this, residential development is generally unacceptable within a designated employment area.

7.2.2 However, under the Stevenage Borough Local Plan 2011 to 2031 Publication Draft (2016), the site is no longer designated as falling within an employment area. This is because Prior Approval was granted under application reference 14/00328/CPA for a change of use of the existing office building (Six Hills House) into residential apartments. As this prior approval scheme has been implemented, the principle of residential development has been established in this instance. Given this, the application site is no longer designated as employment land as identified under the Draft Local Plan.

Compliance with the Council's Housing Policies

7.2.3 In assessing the five year supply of deliverable housing, paragraph 47 of the National Planning Policy Framework (NPPF) (2012) states that Local Planning Authorities (LPAs) 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 figure in relation to the adopted

Local Plan (2004) indicates that the Council is unable to provide a 5 year supply of deliverable housing (Until the Draft Local Plan (2016) has been formerly adopted by the Council following public examination and the Draft Local Plan is found sound). 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.

- 7.2.4 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”. The issue of the inability to provide a 5 year supply of housing has been considered above and as such consideration needs to be given to the sustainability of the site.
- 7.2.5 The application site is not allocated for residential purposes in both the adopted and draft Local Plans. Therefore, the Council will rely on its windfall policies in order to assess the acceptability of the development. Policy H7 of the adopted Local Plan (2004) relates to windfall residential sites. In accordance with this policy, planning permission will only be granted where the site is on land classified as previously-developed or small underused urban sites; development of the site would not lead to the loss of features as defined in Policy TW2; 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.
- 7.2.6 Policy H05 of the Draft Local Plan (2016) (windfall sites) generally reflects Policy H7 of the adopted Local Plan. However, this policy does stipulate that proposals should not prejudice the Council’s ability to deliver residential development on allocated sites, and, it does not overburden existing infrastructure.
- 7.2.7 Given the application site is not allocated in both the adopted Local Plan (2004), and the Draft Local Plan (2016), the application site would be regarded as a windfall site. Consequently, the proposal would have to meet the criterion of both Policy H7 of the adopted Local (2004) and Policy H05 of the Draft Local Plan (2016). For the purpose of clarity, the definition of previously-developed land, as stated within the NPPF, is “that which is or was occupied by a permanent structure including the curtilage of the developed land and any associated fixed surface infrastructure”. Given this, the application site would be classed as previously developed land.
- 7.2.8 The site is located in close proximity to the town centre and has easy access to a range of retail, service and food and drink premises. The site is also located opposite a supermarket and there are pharmacies, a library, doctors and dental surgeries all within a short walking distance to the site. Finally, the nearest primary school is located approximately 702m south-west of Broom Barns and approximately 2km from both Thomas Alleyne School and Barnwell Middle School (Formerly known as Heathcote). As such, the application site is considered to have excellent access to local facilities and alternative forms of travel to the private car and, therefore, deemed to be within a highly sustainable location. Furthermore, the site is also located adjacent to a well-connected cycle and pedestrian network. The application site is approximately 400m from the town centre bus station and 465m from the train station, both of which are easily accessible by foot.
- 7.2.9 In this regard, it can be demonstrated that the site is in a highly sustainable location and as such complies with criterion (d) and (e) of Policy H7 of the adopted Local Plan and criterion (b) of Policy HO5 of the draft Local Plan (2016). In regards to the impact on infrastructure, an assessment of this has been set out in the affordable housing and developer contribution sections of this report.
- 7.2.10 Turning to housing supply, the NPPF requires that the planning system should deliver inter alia a wide choice of high quality homes, widen opportunities for home ownership and plan

for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community. The draft Local Plan identifies that there is a need for larger homes in order to balance the housing mix, but, does states that an appropriate mix of housing to meet the requirements of all sectors of society is an integral element of sustainable development. With this in mind, the overall mix of housing which is to be provided on-site would help to support all sectors of society who are looking for small 1 and 2 bedroom properties to larger 3 bedroom properties.

- 7.2.11 Policy H8 of the adopted Local Plan (2004) states that the density of residential development will have to respect the characteristics of the application site and the amenity of the area. This policy also stipulates that the net density of new housing should be within the range of 30 – 50 dwellings per hectare. This is supported by Policy GD1 of the Draft Local Plan (2016).
- 7.2.12 Prior approval has already been secured for 143 units (including the units being created in the former plant rooms). The proposed development would seek to deliver an extra 64 units which would increase the density of the site from approximately 162 dwellings per hectare to 235 dwellings per hectare. Whilst this is significantly above the general parameter of 30-50dph set by Policy H8 of the District Plan, this policy does also encourage higher densities in locations which are well served by public transport. Consequently, the higher density of residential units is considered to be acceptable in this highly sustainable location and in accordance with Policies GD1 and SP7 of the Draft Local Plan (2016).
- 7.2.13 Taking into consideration of the aforementioned assessment, the principle of development has been established in that residential use has previously been agreed for the development site. In respect of the proposed development itself, it is located a highly sustainable location, it would make good use of the land, provide an additional housing mix as it will address specific segments of housing market. Furthermore, the fact that the Council is unable to provide a five year land supply of deliverable housing is strong material consideration that significantly weighs in favour of the application.

7.3 Affordable housing and developer contributions

- 7.3.1 Policy H07 of the Draft Local Plan states that planning permission will be granted for residential developments that maximise affordable housing provision. For developments on previously developed sites, 25% of the dwelling units on these sites should be affordable. In regards to the proposed development, this would equate to 16 units. Policy HO7 continues that “planning permission will be refused where these targets are not at least achieved unless:
- a) Developers robustly demonstrate that the target cannot be achieved due to site-specific constraints resulting in higher than normal costs, which affect its viability; or
 - b) Meeting the requirements would demonstrably and significantly compromise other policy objectives.”
- 7.3.2 Additionally, paragraph 173 of the NPPF states that “pursuing sustainable development requires careful attention to viability and costs in plan-making and decision-taking”. It continues to state “to ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable.” In essence the viability of a scheme can be a material consideration in the determination of a planning application.

7.3.3 In this instance, the applicant has provided a detailed financial viability assessment which demonstrates that the development proposal is unable to provide the policy compliant position of 25% affordable housing. This appraisal has been independently assessed by the Council's own viability consultants who have confirmed that the application is unable to provide the full amount of affordable housing provision. However, whilst the full amount cannot be provided, as an alternative a financial contribution in lieu of on-site affordable housing of £62,290.05 has been negotiated with the applicant, which would equate to approximately 1% of the affordable housing. Whilst the contribution is low, it would be in accordance with the NPPF as it has been clearly demonstrated that the scheme would not be viable with the usual full requirement of affordable housing provision. In this instance, the financial contribution is considered to be acceptable.

7.3.4 In addition to affordable housing, financial contributions are also required in accordance with the Hertfordshire County Council tool kit and contributions to Stevenage Borough Council for commuted payments towards the improvement of nearby outdoor sports facilities/open space and children's play space. These financial contributions are set out in the table below:-

Stevenage Borough Council	Financial Obligation
Open outdoor sport/open space	£3,082.24
Children's play space	£2,782.71
Total	£5,864.95
Hertfordshire County Council	
Primary Education	£46,845.00
Overall total	£52,709.95

7.3.5 Following negotiations with the applicant, they have agreed to pay the aforementioned financial contributions which would be secured via a S106 legal agreement. Taking this into consideration, the applicant has provided a level of financial contributions which can be reasonably sought due to the viability constraints of the development. In this regard, the proposed development would accord with the NPPF and the Council's adopted and draft Local Plan policies in relation to affordable housing and financial obligations.

7.4 Impact on the appearance of the area

7.4.1 The application proposes the redevelopment of the existing surface car park for residential development which forms a key gateway site. The site lies adjacent to the existing Six Hills House which is a part four storey, part eight storey building which is currently being converted into residential apartments. The plant rooms associated with the old office building are also being converted to residential accommodation. The external elevations of the building have been finished in white coloured render and strategically placed colour panels utilising a simple palette of materials in order to provide a contemporary design. Additionally, well-proportioned windows and door openings have been installed on the main building in order to maximise natural light. There are also Juliette balconies which are finished in either timber or tinted glass balustrades. The roof areas have been finished with single ply painted copper effect roof membrane with a décor profile. The existing building is surrounded by surface car parking which is punctuated by trees with new cycle and bin stores being erected.

7.4.2 The proposed development comprises the erection of an eight storey building with an undercroft car parking area and comprises 17 one bedroom residential units, 34 two bedroom units and 13 three bedroom units. The building, as set out in paragraph 3.1, would measure approximately 15.64m in depth and would span approximately 59.06m in width. In terms of height, the proposed development would have an overall height of approximately 23.04m. To compare the scale and height of the proposal, the development would appear secondary to Six Hills House as it has a larger built form but has a similar height to this building. Furthermore, in context with the application proposal, there is Vista Towers

(formerly Southgate House) which is a 13 storey building, Pine Tree Court which is a 6 storey building, The Towers which is 13 storeys and the Holiday Inn which is 7 storeys. Therefore, the proposed development would not be out of character with the wider area due to the range of building of heights.

- 7.4.3 In respect of the finished appearance of the development, the materials which would be used in the construction of the development would be a dark grey brick at ground floor level with the brick projection feature on the southern elevation constructed from a light brick. The first to sixth floor levels external walls would be finished in a dark grey render. The walls of the building would also comprise climbing plants in order to soften the appearance of the proposal.
- 7.4.4 Serving the individual flats is a balcony area which comprises of metal railings with frosted glazing and timber decking. On the northern elevation of the building, the proposed development would be constructed in a mid-grey metallic cladding with metal framed spandrel panels and grey brick work. The proposal also comprises the installation of climbing planters on the southern elevation in order to improve the visual appearance of the development. The fenestration of the proposed building comprises of metal framed fully glazed windows and doors. The top floor levels have been recessed and comprises of full height glazing to the habitable room areas in order to break up the visual bulk of the development and provide variance to the built form.
- 7.4.5 Taking into consideration the aforementioned, the proposed development has a well-defined top, middle and bottom with a distinctive window patterns through the building. The use of balconies combined with the brick projection on the southern elevation of the building also help to add more modulation to the built form. The design and position of the windows combined with the balconies also helps to add verticality to the overall character and appearance of the building.
- 7.4.6 In regards to spatial layout, the building would run parallel with Six Hills Way with the eastern elevation fronting onto the cycleway and the western elevation fronting onto the railway line. The proposed development has been positioned between 18 to 20m from Six Hills House and 17m from Six Hills Way respectively. Given this, the development has been positioned in a way to allow sufficient views across the site and ensure that it does not appear cramped or overbearing. Furthermore, the visual gap also ensures that the building can be fully appreciated in its full architectural form given its distinctive style.
- 7.4.7 The development has also been designed to address both the site by creating a dual active frontage overlooking the surface car park and the cycle path to the east of the site. The site also has the main lobby entrance on the eastern elevation of the building with full height glazed area in order to create a focal point when viewed from the cycle path.
- 7.4.8 Taking into consideration of the above, the submitted proposal has been designed to create a high quality development with the use of contemporary architecture in order to address this tightly constrained site. This is achieved through the introduction of a strong relief to the built form with a clearly defined top, middle and bottom with distinctive window patterns running through the building. The use of balconies and the brick projection helps to modulate the built form which is further broken up by the use of contrasting materials and along with the usage of glazing and climbing planters.
- 7.4.9 With respect to the ground floor car park, this would be well screened from the public realm due to the presence of a mature hedge which runs along the eastern edge of the site. The site is also set down from Six Hills Way due to the sloping nature of the site and there is a

tree belt between the building and the highway. This would further screen the proposed ground floor parking area. Therefore, it would only be readily visible from the surface car park in the grounds of Six Hills House. The rear elevation provides articulation through the use of windows in order to create a vertical emphasis.

- 7.4.10 In summary, the proposed development will comprise of a high quality design to all elevations and would help to improve the visual amenities of the area. Nevertheless, it is recommended that if planning permission were to be granted, a condition would be imposed requiring samples of the materials are submitted to the Council for its approval. This would ensure that the development would have a high quality appearance which enhances the overall character and appearance of the area on this important gateway site.

7.5 Impact upon residential amenities

Outlook and privacy

- 7.5.1 In regards to outlook, the separation distance between Six Hills and the proposed development, which would be between 18 to 20m, would not appear overbearing to the future owner/occupiers to the properties within Six Hills House and vice versa. Turning to privacy, the Council's Design Guide SPD does not have standards on separation distances for front to side elevations. However, there is still the potential for direct overlooking into private amenity areas of properties within Six Hills and vice versa. Therefore, in order to overcome this issue, the applicant has angled the main habitable room windows which have been orientated east and west. This is to ensure that there is no direct overlooking of main windows of both the existing and proposed developments.
- 7.5.2 Turning to the proposed balcony areas, these have been carefully positioned so as to be screened by the projecting brickwork on the southern elevation of the development. This ensures that persons standing out on the balconies cannot directly look on to the habitable room areas of properties in Six Hills House. Turning to the terraces on the 7th floor of the development, at this point there would be no habitable windows within Six Hills House which would be directly affected.
- 7.5.3 Given the above, it is considered that the outlook and privacy of the existing and proposed developments would be acceptable.

Sunlight and daylight

- 7.5.4 An independent sunlight and daylight assessment by a qualified and competent person has been undertaken in line with the guidance set out in the Building Research Establishment (BRE) (2011) "Site Layout Planning for Daylight and Sunlight, a guide to good practice has been submitted with the application.
- 7.5.5 Given that the proposed development would be located due north of the existing Six Hills House, there is the potential for the development to impact upon the level of daylight received on Six Hills House and vice versa. Dealing with daylight, the BRE guidelines operate on the principal that where the retained Vertical Sky Component (VSC) is 27% or greater, or where the VSC is below 27% but is not reduced to less than 0.8 times its former value, then the reduction in daylight would not generally be noticeable to the owner/occupiers and therefore, the level of impact is not sufficient to warrant refusal.
- 7.5.6 The assessment submitted with this application identified that the lower floors of Six Hills House would experience a notable change in the level of daylight received. However, the windows of the properties located on the northern elevation of Six Hills House have an open aspect and therefore, receive a greater level of daylighting than a typical window. In view of this it has been demonstrated that all of the rooms within Six Hills House would

exceed the recommended values set out in the BRE guidelines. Given this, the rooms within Six Hills House would still retain adequate levels of natural daylight if the proposed development is implemented.

- 7.5.7 Turning to sunlight and overshadowing, the BRE guide states that sunlight is only relevant to neighbouring residential windows which have a view of a proposed development and face within 90 degrees of south. The necessary sunlight test has been undertaken and this assessment has identified that the existing development (Six Hills House) would not have a detrimental impact on the level of sunlight which would be received by the development, or, generate an unacceptable level of overshadowing of the proposed development. Furthermore, as the development is located due north of Six Hills House, it would not impact on the level of sunlight or generate an unacceptable level of overshadowing to the existing development.

Private amenity space

- 7.5.8 The Council's Design Guide States that in flatted development, the Council will aim to achieve a minimum useable communal area of 50 sq.m for schemes up to 5, plus an additional 10 sq.m per additional unit over 5. Taking this into consideration, there would be a requirement to provide as a minimum, 640 sq.m of communal amenity space to serve the proposed development.
- 7.5.9 The proposed development does not comprise of communal amenity space due to the constrained nature of the site. However, the Council's Design Guide does state that upper floor flat dwellers rarely have access to garden space, therefore, where there is no communal space there should be a provision of balconies or roof gardens for the occupants of the development.
- 7.5.10 Taking into consideration of the above, the proposed development would comprise of approximately 454 sq.m of private balconies and terrace areas which would serve the individual properties within the residential block of flats. Furthermore, the application site is within walking distance to the Town Centre Gardens and King George V Playing Fields. Taking this into consideration, the site is accessible to areas of public open space which can be utilised by the residents of the residential development.
- 7.5.11 Given the aforementioned, it is considered that the proposed development would have an adequate provision of private amenity space to serve the future occupiers of the development and is highly accessible to public open space.

Gross internal floor area

- 7.5.12 Policy GD1 of the draft Local Plan (2016) relates to High Quality Design and it sets out the minimum gross internal floor space standards for dwellings (including apartments) which is in line with the Government's nationally described space standards. Following an assessment of the proposed floor plans, the one, two and three bedroom apartments would meet the minimum gross internal floor space standards as set out in the draft Local Plan. Given this, there would be adequate living space standards for any future owner/occupiers of these properties.

Noise

- 7.5.13 Policy EN27 of the adopted Local Plan (2004) states that for development for noise sensitive uses, these will only be permitted if they are located where they will not be subjected to unacceptably high levels of noise generating uses. Policy FP8 of the Draft Local Plan (2016) stipulates that permission for pollution sensitive issues will be granted where they will not be subjected to unacceptably high levels of pollution exposure from either existing, or proposed, pollution generating uses.

- 7.5.14 Taking the above policy into consideration, due to the location of the proposed development in close proximity to the railway line and Six Hills Way which is a busy dual carriageway, the applicant has submitted with the planning application a Noise Impact Assessment. It is set out in this assessment that the proposed development would be constructed with 300mm block work and composite panels on a reinforced concrete frame. In regards to the glazed areas, these would have specially designed double glazed windows and doors in line with British Standard BS8233:2014.
- 7.5.15 Following consultation with the Council's Environmental Health Department, it is considered that the proposed development set out in the Noise Impact Assessment is acceptable. Given this, if members were minded to grant planning permission a condition could be imposed to ensure that the proposed development is constructed in accordance with the submitted Noise Impact Assessment.

External lighting

- 7.5.16 In regards to external lighting, the applicant has not submitted any details about any lighting which would be installed on the building or around the application site. However, to ensure that any external lighting does not affect the amenities of the neighbouring residential properties within Six Hills House, it is recommended to add a condition to any grant of planning permission in order to deal with external lighting. This condition will require the applicant to submit details of any external lighting scheme prior to the commencement of the development on-site.

7.6 Means of access and traffic issues

- 7.6.1 The Six Hills House development is currently served by a single vehicle access road from Kings Road which is a spur road off London Road connected via a mini roundabout. London Road, which is a two-way carriageway, is a designated secondary distributor road subject to a speed limit of 30 mph. The existing access road off Kings Road would be utilised as an access/egress point to serve both the proposed development and existing Six Hills House development. This access would not be altered as it is of a sufficient width for two-way traffic to safely enter and exit the site.
- 7.6.2 Turning to primary pedestrian access, this will be taken from the cycle track located adjacent to Kings Road. Pedestrian access into the proposed building will be taken from the ground floor level on the north side of the building. The proposal comprises a new footpath connection between the existing cycle track/footway located to the east of the application site and the proposed development.
- 7.6.3 In respect of visibility splays, the existing access points on both Kings Road and London Road, these currently have adequate vehicle to vehicle and pedestrian inter-visibility splays in line with the Department for Transport (Dft) Manual for Streets and Hertfordshire County Council (HCC), Roads in Hertfordshire Design Guide. Therefore, vehicles entering and egressing should not prejudice the safety and operation of pedestrians, cyclists and vehicles utilising the highway network, including the adjacent cycle track off Kings Road.
- 7.6.4 In regards to the internal road layout, the proposed reconfigured car parking aisles would as set out in the submitted Transport Statement, would be between 4.31m to 6.85m in width. Given this, the internal road layout for the surface car park would be of a sufficient size to accommodate single-vehicle traffic as identified in the swept path analysis. However, the layout of the car park is such that there is no conflict between vehicles egressing and entering the site. Furthermore, the internal road would comply with the Manual for Streets and Roads in Hertfordshire Design Guide.

- 7.6.5 In assessing traffic generation, the applicant's transport consultant has produced a transport assessment which incorporates details of proposed traffic generation for weekdays. The traffic generation figures identify that on a Weekday AM peak hour (08:00 to 09:00) there would be 18 two-way person trips and 22 two-way trips in the Weekday PM peak hour (17:00 to 18:00). This equates to one vehicle trip every three minutes which is a lower trip generation than the previous use of the site as an office development. Given this, Hertfordshire County Council as the Highways Authority consider that the low levels of trip generation to and from the site would be acceptable in that it would not prejudice highway safety.
- 7.6.6 In relation to proposed pedestrian and cycle access into the application site, this has been designed in a way to ensure that the existing footpath and cycle path link to the town centre is not detrimentally affected. Furthermore, this new connection ensures the development allows for a modal shift from the use of a motor vehicle where an individual can easily walk into the town centre or utilise the extensive cycle network. Therefore, it is considered that the proposed pedestrian and cycle access would be acceptable in this instance.

7.7 Parking

Car parking

- 7.7.1 Policy T15 of the Local Plan (2004) states that car parking provision should be made at, or below, the maximum provision which is specified in the Council's adopted standards. Policy IT5 of the Draft Local Plan (2016) states that planning permission will be granted where proposals comply with the parking standards set out in the plan.
- 7.7.2 Appendix B of the Draft Local Plan (2016) and the Council's Car Parking Standards SPD sets out the maximum amount of off-street parking for residential development based on the number of bedrooms. The proposed development in line with the Council's Car Parking Standards would require 94 spaces. However, the application site falls on the boundary of residential accessibility zone 1 and 2. In accessibility zone 1, there is a requirement to provide between 25% to 50% of the maximum number of car parking spaces. This would equate to a requirement of between 23.5 (rounded up to 24) to 47 car parking spaces. In relation to accessibility zone 2, there is a requirement to provide between 50 to 75% of the maximum number of space. This equates to between 47 spaces to 70.5 (rounded up to 71).
- 7.7.3 The proposed development would comprise 32 parking spaces which equates to 45% of the maximum number of parking spaces which would be required in this instance. Therefore, despite the proposed development being below the 50% to 75% range for zone 2 development, it would fall well within the 25% to 50% parking requirement as set out in the SPD.
- 7.7.4 Further to the above, despite the limited shortfall based on zone 2 requirements, the application site is in a highly sustainable location as it is located in close proximity to a number of local services and amenities located within Stevenage Town Centre along with the Asda Superstore and the Leisure Park. The site is also highly accessible via public footpath and cycle path connection which are located immediately adjacent to the eastern boundary of the site. The site is also in close proximity to a number of bus services and within walking distance to Stevenage Train Station.
- 7.7.5 In regards to the existing development at Six Hills House, the proposal would result in the loss of 42 car parking spaces. However, there would still be, following the implementation of the development, 114 car parking spaces to serve the Six Hills House which would exceed the requirement of a maximum of 90 spaces to serve the existing development in line with the Council's Car Parking Standards.

- 7.7.6 Given the above, it is considered that the existing and proposed development would have sufficient off-street parking in line with the Council's Car Parking Standards.

Cycle parking

- 7.7.7 The Council's Car Parking Standards stipulate that there should be 1 long-term secure cycle parking space per unit. The proposed development would comprise of 72 no. secure cycle spaces located at first floor level. These spaces are in close proximity to the internal stairwells as well as 2 no. lifts which ensures that the store is easily accessible.
- 7.7.8 Given the above, it is considered that there would be sufficient secure cycle parking provided within the development.

7.8 Development and Flood Risk

- 7.8.1 The application site is located within Flood Zone 1 within the Environment Agency's flood risk map. Flood Zone 1 is defined as land having less than 1 in 100 annual probability of flooding. Therefore, all developments are generally directed to Flood Zone 1. Notwithstanding this, the application which has been submitted to the Council is classified as a Major, therefore, in line with the Town and Country Planning (General Development Procedure) (England) Order 2015, the applicant has provided a Sustainable Urban Drainage Strategy.
- 7.8.2 Following consultation with Hertfordshire County Council as the Lead Local Flood Authority (LLFA), they have requested additional information is provided (See paragraph 5.5.1 of the report). The applicant has submitted additional information, including the infiltrations tests from Thames Water which have been passed onto the LLFA for their assessment. At the time of publishing this report, the LLFA has not provided any comments on the amended information. However, any comments provided by the LLFA including any recommended conditions would be provided as an update at the Planning and Development Committee.

7.9 Trees and Landscaping

- 7.9.1 With regard to impact on trees, these are located outside of the application site and as such they cannot be removed without the consent of the landowner. However, the applicant will need to undertake some works to these trees to ensure that there is no conflict with the proposed development. These works would need to be undertaken at the expense of the developer before works start on-site. Furthermore, they would require the consent of the landowner to undertake the necessary works to these trees.
- 7.9.2 Turning to landscaping, the applicant has provided indicative plans showing the proposed planting of new trees on the eastern and western edges of the application site. However, as these plans are only indicative, it is recommended that if members were minded to grant planning permission, a condition could be attached to any permission issued requiring the submission of a landscaping scheme which is to be approved by the Council. This will ensure that an acceptable landscaping scheme is implemented which strikes to balance between softening the appearance of the development and at the same time enhances to the visual amenities of the area.

7.10 Ecological impacts

- 7.10.1 The application site is located adjacent to Six Hills Barrows which is a designated wildlife site as identified under Policy EN17 of the adopted Local Plan (2004) and Policy NH2 of the draft Local Plan (2016). The application site, including the Six Hills apartment site, is

generally built up with buildings and surface car parking and is separated from the Six Hills Barrows Wildlife site by the existing cycle way and footpath. The applicant has undertaken a Phase 1 Environmental Survey to determine whether or not the proposed development would have an impact on the wildlife site.

7.10.2 The report submitted by the applicant did not identify any impacts which the development would generate given that the built form is located on previously developed land. Furthermore, due to the built up nature of the site where there is no vegetation or water bodies, there would not be any protected species such as birds, flora, invertebrates, mammals and reptiles within the application site. The Herts and Middlesex Wildlife Trust has raised no objections to the proposed development.

7.10.3 Given the above, it is considered that the proposed development would not have a detrimental impact on protected species both flora and fauna. Furthermore, the proposal would not have a detrimental impact on the nearby wildlife site.

7.11 Impact on the Environment

7.11.1 The application site was previously used as a trackway and embankment over the railway line at the end of the 19th century which is likely to have involved limited importation of potentially contaminated materials. Over the last 30 years, the site has been utilised as a surface car park and as such there is the potential presence of hydrocarbons.

7.11.2 In regards to the surrounding area, the applicants Phase 1 Environmental Survey identified the following potential contaminative activities:-

- Railway lines with a single above ground storage tank;
- Factory 137m north-west of the site;
- Clay pits and brick fields which was 240m to the southwest of the site and infilled in 1898 and then partially replaced by terraced properties;
- Gasometer (245m to the southwest) which is now inactive;
- Various large industrial type buildings (unspecified use) 260m to the west.

7.11.3 Given the above, and as set out in the aforementioned survey, there would be potential for contamination to migrate beneath the site. However, the survey does not identify any significant contaminants on the site. Nevertheless, there is always the potential and as such the survey recommends that a watching brief is undertaken during initial site preparation to identify any potentially contaminated materials such as hydrocarbons.

7.11.4 Following consultation with the Council's Environmental Health Officer, it is considered that the recommendations set out in the report are acceptable. Therefore, they recommend a condition be imposed if permission were to be granted requiring the applicant to undertake a watching brief during the initial site preparation stage of the development. It is also recommended that if any unsuspected contamination is identified during the construction of the development, conditions can be imposed to require to applicant to assess the level of these contaminants and set out the necessary mitigation measures as required. These mitigation measures would have to be approved by the Council.

7.12 Impact on the Scheduled Ancient Monument

7.12.1 The application site is in close proximity to The Six Hills Barrows which is a Scheduled Ancient Monument. Given this, there is the potential for the development to impact on this area of archaeological importance due to the presence of the Roman burial grounds.

- 7.12.2 The applicant has submitted a Phase 1 Archaeological Investigation Desk Based which identified a low to moderate potential for archaeological remains of Roman dates on the site. However, due to the proximity of the site to the Six Hills Roman Barrows Schedule Monument, any features present could be of archaeological significance. Given this, the applicant undertook further assessments of the site and submitted an Archaeology Evaluation Report. As part of this assessment, the applicant undertook three 10m by 1.8m trenches which were located where the building would be located. This report concluded that no archaeological remains of significance were identified.
- 7.12.3 Following consultation with Hertfordshire County Council's Archaeologist, they agree with the findings of the report and therefore, do not recommend any conditions be imposed to any permission issued. This is because the development is unlikely to have any undue detrimental impact on the Ancient Monument and the potential of finding any archaeological remains is limited.

7.13 Other matters

Sustainable construction and climate change

- 7.13.1 Policy EN38 of the adopted Local Plan states that development proposals will be expected to demonstrate that methods of maximising energy efficiency and supplying of energy in the development need to be considered. Policy FP1 of the Draft Local Plan (2016) states that planning permission will be granted for development that can incorporate measures to address adaptation to climate change. New developments will be encouraged to include measures such as:
- o Ways to ensure development is resilient to likely future variations in temperature;
 - o Reducing water consumption to no more than 110 litres per person per day, including external water use;
 - o Improving energy performance of buildings;
 - o Reducing energy consumption through efficiency measures;
 - o Using or producing renewable or low carbon energy from a local source; and
 - o Contributing towards reducing flood risk through the use of SuDS or other appropriate measures.
- 7.13.2 The applicant as part of the application has submitted a Sustainability and Energy Statement. The proposed development has been orientated southwards to ensure that the residential properties receive the maximum level of sunlight and daylight. This helps to provide higher level of natural light as well as reduce the level of heating required during certain periods of the day/year. The building would also be constructed in accordance with current Regulations to ensure that the building is thermally efficient. The proposed development would also incorporate water saving measures to meet 105 litres per person per day. Furthermore, use of recycled materials would be utilised in the construction of the development and at least 50% of constructed waste will be diverted from landfill. This would be achieved through the implementation of Site Waste Management Plan (SWMP).
- 7.13.3 Further to the above, the development would comprise of advanced heating controls in order to regulate internal thermal comfort conditions according room use. This would help to reduce energy wastage. All internal lighting would use a low energy system in order to reduce the energy footprint of the building. Turning to the proposed SuDS which would be adopted, this is currently being reviewed by the LLFA. Therefore, an update in this regard would be provided at the Planning Committee.

7.13.4 Given the above, it is considered that the development has been carefully designed to ensure that it is energy efficient, has a low level of water consumption and is constructed in a sustainable manner with a high usage of recycled materials where possible and to limit the amount of construction waste being sent to landfill. It is therefore considered that the proposed development accords with Policy EN38 of the adopted Local Plan (2004), Policy FP1 of the Draft Local plan (2016), the NPPF (2012) and NPPG (2016).

8. CONCLUSIONS

8.1 In summary, the principle of residential development has been established on this application site. The development is of a high quality design which creates a landmark feature on an important gateway into Stevenage Town Centre. The proposal would not have a detrimental impact on the visual amenities of the area, nearby residential amenities, parking, access and highway safety. Furthermore, the proposed development would not have a detrimental impact on nearby trees, ecology or cause any undue harm to the Scheduled Monument. Moreover, the proposed development would be a sustainable form of development where it would be energy efficient and adaptable to climate change. Given this, the proposed development is considered to be acceptable/

9. RECOMMENDATIONS

9.1 That Planning permission be GRANTED subject to the applicant having first entered into and completed a S106 agreement to secure/provision of a financial contribution towards:-

- The provision of a financial contribution towards affordable housing;
- HCC Primary education;
- SBC Open outdoor sport/open space

The detail of the S106 agreement to be delegated to the Head of Planning and Engineering with the Head of Legal Services and subject to the following conditions/reasons:

1 The development hereby permitted shall be carried out in accordance with the approved plans:

1233-P-12; 1233-P-13 A; 1233-P-14 A; 1255-P-15 A; 1233-P-16 A; 1233-P-17; 1233-P-21; 1233-P-22; 1233-P-23; 1233-P-24; 1233-P-31; 1233-P-32;

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 samples of the materials to be used in the construction of the external surfaces development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

REASON:- To ensure the development has an acceptable appearance and to protect the visual amenities of the area.

- 4 No development shall take place before a scheme of landscaping which shall include details of both hard and soft landscape works and works have been submitted to and approved in writing by the Local Planning Authority. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the first occupation of the building(s) or the completion of the development whichever is the sooner. In regards to hard surfacing, this shall be carried out in accordance with any approved details within three months of the first occupation of the building or the completion of the development, whichever is the sooner.
REASON:- To ensure the development has an acceptable appearance and to protect the visual amenities of the area. Furthermore, to ensure the landscaping scheme does not affect the operation of the adjoining railway network.
- 5 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 a satisfactory appearance for the development.
- 6 Prior to the first occupation of the dwellings hereby permitted the approved car parking area shall be marked, surfaced and constructed in accordance with the details identified on drawing 1233-P-12 and shall be permanently retained in that form.
REASON:- To ensure sufficient parking provision in accordance with the Council's adopted standards is maintained for all dwellings on site in perpetuity.
- 7 Prior to the first occupation of the dwellings hereby permitted the approved secure cycle parking area shall be constructed in accordance with the details identified on drawing 1233-P-13 A and shall be permanently retained in that form.
REASON:- To ensure that there is sufficient cycle parking provision in accordance with the Council's adopted standards is maintained for all dwellings on site in perpetuity.
- 8 No 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 0730 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.
- 9 No external lighting shall be installed on site unless details of such lighting, including the intensity of illumination and predicted light contours, have first been submitted to, and approved in writing the Local Planning Authority prior to first occupation of the development. Any external lighting shall accord with the details so approved.
REASON:- In order to protect the amenities of the occupiers of Six Hills and to not prejudice the safety and operation of the adjacent highway and railway network.
- 10 An Armco or similar barrier should be located in positions where vehicles maybe in a position to drive into or roll onto the railway or damage the lineside fencing. Network Rail's existing fencing/wall must not be removed or damaged. The barrier would need to be installed at each turning area, roadway and car parking area which is located adjacent to the railway.
REASON:- In order to protect infrastructure associated with the railway line managed by Network Rail.
- 11 No development shall take place until a construction method statement and Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The approved statement and plan shall be adhered to throughout the construction period. The statement shall provide for:
- Parking of vehicles of site operatives and visitors;

- Routes for construction traffic;
- Hours of operation;
- Method of wheel cleaning to reduce the transfer of mud onto the highway;
- Pedestrian and cycle protection;
- The proposed methods of construction (including details of any excavation/buildings/piling/scaffolding which are located within 10m of the railway line and/or in close proximity to Thames Water assets);
- Risk assessment in relation to the railway;
- Arrangement and siting and construction compounds;
- Details on the screening or enclosure of plant and machinery;
- Details of dust control measures;
- Details of any vibro-compaction machinery which is to be used in development

REASON:- To safeguard the amenities of neighbouring properties, to protect the safety and operation of the highway network and the adjoining railway network.

- 12 In line with the Phase 1 Environmental Assessment (Document reference: 016/1462 Rev 01, prepared by EAME dated July 2016) a watching brief should be adopted during the initial preparation works to identify any potentially contaminated materials e.g. hydrocarbon staining due to the previous use of the site of the car park. Where identified, materials should be segregated, sampled, analysed, categorised and disposed of off-site in accordance with current legislative requirements.

REASON:- To prevent harm to human health and pollution of the water environment in accordance with Government policy set out in The National Planning Policy Framework.

- 13 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 14, which is subject to the approval of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 15.

REASON:- To prevent harm to human health and pollution of the water environment in accordance with Government policy set out in The National Planning Policy Framework.

- 14 A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historic environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

REASON:- To prevent harm to human health and pollution of the water environment in accordance with Government policy set out in The National Planning Policy Framework.

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

REASON:- To prevent harm to human health and pollution of the water environment in accordance with Government policy set out in The National Planning Policy Framework.

- 16 No waste materials generated as a result of the proposed demolition and /or construction operations shall be burned on site. All such refuse shall be disposed of by alternative methods.

REASON:- To protect the amenities of adjoining land users.

- 17 The development hereby permitted shall be constructed in accordance with the Noise Impact Assessment Report (Report reference 13395.NIA.01, prepared by KP Acoustics Ltd, dated 01/07/2016).

REASON:- To ensure that the amenities of future owner/occupiers of the development are protected from the noise generated from the adjacent railway line and nearby highway network.

- 18 No development shall take place until a detailed Site Waste Management Plan (SWMP) to detail how waste materials generated as a result of the proposed demolition and/or construction methods shall be disposed of, and detail the level and type of soil to be imported to site as part of the development has been submitted to and approved in writing by the Local Planning Authority.

REASON:- In order to reduce the level of waste generated during the construction of the development and to recycle all waste where possible.

Pro-active Statement

Planning permission has been granted for this proposal. The Council acted pro-actively through early engagement with the applicant at the pre-application stage which led to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the National Planning Policy Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Informatives

Police Crime Prevention

The proposed development should achieve Secured By Design (SBD) accreditation in order for it to comply with current Building Regulations. The Police Crime Prevention Design Advisor by telephone on 01707 355227 or email mark.montgomery@herts.pnn.police.uk

Thames Water

Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality

Through the centre of the proposed development there are easements and wayleaves. These are Thames Water Assets. The company will seek assurances that it will not be affected by the proposed development.

Network Rail

Fail Safe Use of Crane and Plant

All operations, including the use of cranes or other mechanical plant working adjacent to Network Rail's property, must at all times be carried out in a "fail safe" manner such that in the event of mishandling, collapse or failure, no materials or plant are capable of falling within 3.0m of the nearest rail of the adjacent railway line, or where the railway is electrified, within 3.0m of overhead electrical equipment or supports.

Excavations/Earthworks

All excavations/ earthworks carried out in the vicinity of Network Rail property/ structures must be designed and executed such that no interference with the integrity of that property/ structure can occur. If temporary works compounds are to be located adjacent to the operational railway, these should be included in a method statement for approval by Network Rail. Prior to commencement of works, full details of excavations and earthworks to be carried out near the railway undertaker's boundary fence should be submitted for the approval of the Local Planning Authority acting in consultation with the railway undertaker and the works shall only be carried out in accordance with the approved details. Where development may affect the railway, consultation with the Asset Protection Project Manager should be undertaken. Network Rail will not accept any liability for any settlement, disturbance or damage caused to any development by failure of the railway infrastructure nor for any noise or vibration arising from the normal use and/or maintenance of the operational railway. No right of support is given or can be claimed from Network RAILS infrastructure or railway land.

Security of Mutual Boundary

Security of the railway boundary will need to be maintained at all times. If the works require temporary or permanent alterations to the mutual boundary the applicant must contact Network Rail's Asset Protection Project Manager.

OPE

Once planning permission has been granted and at least six weeks prior to works commencing on site the Asset Protection Project Manager (OPE) MUST be contacted, contact details as below. The OPE will require to see any method statements/drawings relating to any excavation, drainage, demolition, lighting and building work or any works to be carried out on site that may affect the safety, operation, integrity and access to the railway.

Cranes

With a development of a certain height that may/will require use of a crane, the developer must bear in mind the following. Crane usage adjacent to railway infrastructure is subject to stipulations on size, capacity etc. which needs to be agreed by the Asset Protection Project Manager prior to implementation

Scaffolding

Any scaffold which is to be constructed within 10 metres of the railway boundary fence must be erected in such a manner that at no time will any poles over-sail the railway and protective netting around such scaffold must be installed.

Encroachment

The developer/applicant must ensure that their proposal, both during construction, and after completion of works on site, does not affect the safety, operation or integrity of the operational railway, Network Rail and its infrastructure or undermine or damage or adversely affect any railway land and structures. There must be no physical encroachment of the proposal onto Network Rail land, no over-sailing into Network Rail air-space and no encroachment of foundations onto Network Rail land and soil. There must be no physical encroachment of any foundations onto Network Rail land. Any future maintenance must be conducted solely within the applicant's land ownership. Should the applicant require access to Network Rail land then must seek approval from

the Network Rail Asset Protection Team. Any unauthorised access to Network Rail land or air-space is an act of trespass and we would remind the council that this is a criminal offence (**s55 British Transport Commission Act 1949**). Should the applicant be granted access to Network Rail land then they will be liable for all costs incurred in facilitating the proposal.

Trees/Shrubs/Landscaping

Where trees/shrubs are to be planted adjacent to the railway boundary these shrubs should be positioned at a minimum distance greater than their predicted mature height from the boundary. Certain broad leaf deciduous species should not be planted adjacent to the railway boundary. We would wish to be involved in the approval of any landscaping scheme adjacent to the railway. Where landscaping is proposed as part of an application adjacent to the railway it will be necessary for details of the landscaping to be known and approved to ensure it does not impact upon the railway infrastructure. Any hedge planted adjacent to Network Rail's boundary fencing for screening purposes should be so placed that when fully grown it does not damage the fencing or provide a means of scaling it. No hedge should prevent Network Rail from maintaining its boundary fencing. Lists of trees that are permitted and those that are not permitted are provided below and these should be added to any tree planting conditions:

Acceptable:

Birch (Betula), Crab Apple (Malus Sylvestris), Field Maple (Acer Campestre), Bird Cherry (Prunus Padus), Wild Pear (Pyrus Communis), Fir Trees – Pines (Pinus), Hawthorne (Cretaeagus), Mountain Ash – Whitebeams (Sorbus), False Acacia (Robinia), Willow Shrubs (Shrubby Salix), Thuja Plicatata "Zebrina"

Not Acceptable:

Acer (Acer pseudoplatanus), Aspen – Poplar (Populus), Small-leaved Lime (Tilia Cordata), Sycamore – Norway Maple (Acer), Horse Chestnut (Aesculus Hippocastanum), Sweet Chestnut (Castanea Sativa), Ash (Fraxinus excelsior), Black poplar (Populus nigra var, betulifolia), Lombardy Poplar (Populus nigra var, italica), Large-leaved lime (Tilia platyphyllos), Common lime (Tilia x europea)

A comprehensive list of permitted tree species is available upon request to Network Rail.

Access to Railway

All roads, paths or ways providing access to any part of the railway undertaker's land shall be kept open at all times during and after the development. Network Rail is required to recover all reasonable costs associated with facilitating these works.

The construction method statement would need to be agreed with the Asset Protection Project Manager, Network Rail (London North Eastern), Floor 3B, George Stephenson House, Toft Green, York, YO1 6JT or email assetprotectionneem@networkrail.co.uk

Hertfordshire County Council as the Highways Authority

Works to be undertaken on the adjoining Highway will require the applicant to enter a Section 278 Agreement with the Highway Authority.

The Highway Authority requires the alterations to or the construction of the vehicle crossover to be undertaken such that the works are carried out to their specification and by a contractor who is authorised to work in the public highway. The applicant will need to contact HCC HIGHWAYS either via the Website <http://www.hertsdirect.org/services/transtreets/highways/> or ring (Telephone 0300 1234047) to arrange this.

10. BACKGROUND DOCUMENTS

1. The application file, forms, plans and supporting documents having the reference number relating to this item.
2. Stevenage District Plan Second Review 1991-2011.
3. Stevenage Borough Council Supplementary Planning Documents – Parking Provision adopted January 2012.
4. Stevenage Borough Local Plan 2011-2031 Publication Draft.
5. Responses to consultations with statutory undertakers and other interested parties referred to in this report.
6. Central Government advice contained in the National Planning Policy Framework March 2012 and National Planning Policy Guidance March 2014.