

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

Date: Tuesday 8 November 2016

Time: 18.30 p.m.

Place: Council Chamber, Daneshill House, Danestrete, Stevenage

Present: Councillors D Cullen (Chair), M Downing (Vice Chair), R Broom, L Briscoe, L Chester, M Gardner, E Harrington, J Hollywell, G Lawrence and M McKay.

Started at: 18.30pm

Ended at: 19.40pm

1. APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were submitted on behalf of Councillors D Bainbridge, J Fraser and G Snell.

The Chair informed Committee that additional papers in relation to Item 4 – Land at Six Hills House, London Road, Stevenage and Item 6 - 32 Beane Avenue, Stevenage had been circulated and allowed Members sufficient time to consider it before the commencement of the meeting.

2. MINUTES – TUESDAY 11 OCTOBER 2016

It was **RESOLVED** that the Minutes of the meeting of the Planning and Development Committee held on Tuesday 11 October 2016 be approved as a correct record and signed by the Chair.

3. APP REF: 16/00511/FPM – PARK PLACE, TOWN CENTRE, STEVENAGE

The Committee considered an application regarding a change of use of an existing three storey building from A1 (retail), B1 (office) and D1 (dental clinic) to retail and residential use and the construction of three additional floors for residential use comprising no. 44 studio units, no. 120 one bedroom residential units and no. 38 two bedroom residential units.

The Principal Planning Officer gave an oral and visual presentation to the Committee and advised that the issues for consideration were the acceptability of the proposal in land use policy terms; the impact on the character and appearance of the area; its impact on both existing neighbouring amenities and future residential amenity; the effect of the proposals on the highway network and the adequacy of parking provision.

With regards to the land use policy, the Principal Planning Officer advised that as site is within the Town Centre Policy Area in the Stevenage District Plan Second Review 1991-2011, Policy TR1 applies, and that permission could be granted for *inter alia*

housing provided that it was not in conflict with the Council's adopted vision or strategy for the town centre or other policies. He informed Members that the National Planning Policy Framework (NPPF) advises that housing applications should be considered in the context of the presumption in favour of sustainable development.

The Officer informed the meeting that the site is considered to be in a highly sustainable location as it is approximately 200m from the town centre bus station and 450m from the railway station. In addition Members were advised that a material consideration with regards to the application was that the Council was currently unable to provide a five year supply of deliverable housing sites.

Members were informed that the site is unallocated for housing within the adopted District Plan and is therefore considered to be a 'windfall site' where Policy H7 of the District Plan applies and which sets out a number of criteria against which proposals for residential development on sites not allocated in the District Plan should be assessed against. Members were informed that the site is in a highly sustainable location, is on previously developed land and that it is in close proximity to other high density schemes and therefore not out of context within this location. The officer advised that the drawings submitted demonstrate a high quality residential environment would be created utilising this form of development and that this high density approach is considered appropriate in this location.

Members were informed that whilst the proposal would provide a large number of smaller units, the proposed mix of units was acceptable in this town centre location and is in accordance with policy HO9 of the emerging Local Plan.

With regards to affordable housing, the meeting was informed that Policy HO7 of the emerging Local Plan requires that on previously developed sites 25% of new homes would be required to be affordable. However, in this instance, the applicant had provided a detailed financial viability assessment, independently assessed by the Council's own viability consultants, that concluded that the proposal would not be able to provide the policy compliant position of 25% affordable housing. The Officer advised that as an alternative a financial contribution in lieu of on-site affordable housing of £403,357 had been negotiated with the applicant which equates to approximately 7.5% of the usual affordable housing requirement. This approach is in accordance with the NPPF. In addition to affordable housing, financial contributions for commuted payments towards the improvement of nearby outdoor sports/open spaces and contributions towards healthcare provision,, education, libraries, youth services, a car club, a parking survey, travel plan monitoring, town centre car park season tickets and the repayment of any monies not used toward public realm improvements had all been secured.

On the impact of the scheme upon the character and appearance of the area, Members were advised that the scheme proposes significant external alterations to the two buildings as well as horizontal and vertical additions to the existing buildings. It was considered that this approach would modernise and improve the appearance of the existing buildings, resulting in a positive impact on the character and appearance of the area. Members were informed that the site is able to accommodate six storey buildings at this edge of the town centre location and that the buildings would act as a gateway into the town centre on the eastern periphery. Members were informed that this taller building approach is not considered to have a significant impact on the setting of the Stevenage New Town Conservation Area. In addition the Officer indicated the scheme would provide for significant improvements to the public realm

in the vicinity of the application site and that a landscape strategy had been submitted as part of the application.

With regards to the impact on neighbouring amenity, the Officer advised that the proposal would not unduly affect the operation or amenity of any of the existing neighbouring buildings as the site is adjacent to the St George's Multi Storey car park to the south, the Marshgate surface level car park to the north and St George's Way to the east. The Officer acknowledged that buildings nos. 3 and 12 Park Place, nos. 2-12 (even) Park Place and residential properties in Park Place Chambers located to the west of the application site would be affected, however given the perpendicular relationship between their windows and the proposed extended buildings and the proposed separation distances, it was not considered that there would be any unacceptable loss of light or over dominance of these existing units.

Members were advised that the proposal would also create suitable living conditions for any future occupiers.

On the impact of the scheme on highway network, the Officer advised that this would be limited as the existing buildings had a limited amount of parking associated with them. As the scheme being proposed would be a car free development for the residential units and only eight car parking spaces for employees of the retail element of the scheme would be provided, there would be minimal vehicular movements to the site itself. The Officer also stated that the Highway Authority had confirmed it had no objection to the proposal as it would not result in any material increase or change in character of the traffic in the vicinity of the site.

With regards to parking provision, Members were advised that the proposal does not provide for any residential car parking on site, however the applicant had offered to provide a 50% subsidy for residential parking permits for 50% of the net increase in the units for a period of two years. Accordingly, a financial contribution of £49,500 had been agreed for this purpose to be secured in the S106 agreement. The Officer acknowledged that whilst the proposal would only partly meet the requirement of the Supplementary Planning Document (SPD), it was considered to be a suitable compromise solution in this instance given the highly sustainable location of the site.

In response to a question, the Principal Planning Officer advised that generally the proposed scheme would be built upon the same footprint as the existing buildings and that the proposed buildings would not result in any adverse overshadowing of the public realm

With regards to minor concerns raised by Hertfordshire Constabulary's Crime Prevention Design Service, the Officer advised that a condition requiring a Secured by Design standard would not be able to be attached if planning permission were granted, however, he would inform the applicant to continue the discussion about this issue with the Police and that an informative could be attached to any decision.

A Member was concerned that with the expiration of the 50% subsidy after two years towards residential car parking permits, occupiers of the development could resort to parking in neighbouring areas where there are no parking restrictions, thereby adding to the parking problems that presently exist in those areas. The Officer advised that this was the reason for the £7,000 financial contribution towards a parking survey, such that this issue could be monitored.

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 a financial contribution toward affordable housing;
- Primary education, secondary education, library services and youth services;
- The improvement of outdoor sports facilities and children's play space;
- Town centre car park season tickets for two years;
- Contributions toward a car club and parking study;
- Repayment of any monies not used toward the public realm improvements;
- The cost of evaluating, assessing and monitoring the residential Travel Plan;
- Health care provision.

The detail of which 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: 1285-D-1101A, 1285-D-1102, 1285-D-1103, 1285-D-1300, 1285-D-1301A, 1285-D-1302A, 1285-D-1303A, 1285-D-1304A, 1285-D-1305A, 1285-D-1306A, 1285-D-1307A, 1285-D-1308A, 1285-D-1309A, 1285-D-1310A, 1285-D-1311A, 1285-D-1312A, 1285-D-1701A, 1285-D-1801A, 1285-D-1802A and 1285-D-1803B.

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 extensions and refurbishment of the existing buildings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

4 No development shall commence until a scheme of soft and hard landscaping and details of the treatment of all hard surfaces has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of all new planting to take place including species, size and method of planting. The approved landscaping scheme shall be implemented within the first available planting season following the first occupation of the buildings or the completion of the development whichever is the sooner.

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.

6 Prior to the first occupation of the retail units hereby permitted, a scheme for the installation of equipment to control the emission of fumes and smell from the premises shall be submitted to and approved in writing by the Local Planning Authority and the approved scheme shall be implemented prior to the first occupation of these units. All equipment installed as part of the scheme shall thereafter be operated and maintained in accordance with the manufacturer's instructions.

7 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 0830 and 1300 on Saturdays, unless otherwise agreed in writing by the Local Planning Authority.

8 No development shall commence until a Construction Method Statement 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 Statement. The Construction Method Statement shall address the following matters:

- Off-site highway works in order to provide temporary access throughout the construction period; work shall be completed prior to the commencement of development and reinstated as required;
- How the building programme will affect the Park Place thoroughfare and include the necessary arrangements for its restriction during development;
- Construction and storage compounds (including areas designated for car parking);
- Siting and details of wheel washing facilities;
- Cable trenches;
- Foundation works;
- Substation building;
- Cleaning of site entrances, site tracks and the adjacent public highways;
- Disposal of surplus materials.

9 No development shall 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 and shall be implemented as approved.

10 Within six months of implementing the permission hereby approved, the applicant shall submit a final 'Travel Plan' with the object of reducing residents travelling to the development by private car. The Travel Plan shall be implemented after its approval in writing by the Local Planning Authority in consultation with the Highway Authority.

11 The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment, WSP project number 70023960 dated July 2016 and the following mitigation measures as detailed within the surface water drainage strategy:

1. The surface water run-off generated by the site must not exceed 143.9 l/s during the 1 in 100 year + climate change event.
2. A minimum attenuation volume of 56m³ must be provided to ensure that there is no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event. Attenuation to be provided in attenuation tanks; as indicated in drawing 3960-DS-004 Revision A included in appendix E of the flood risk assessment by WSP project number 70023960 dated July 2016.

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.

12 No development shall take place until final design details of the SuDS elements and the drainage network is completed and sent to the Local Planning Authority for written approval. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The design of the drainage scheme shall also include:

- Detailed engineering details of the design of the proposed attenuation tanks;
- Provision of a fully detailed drainage plan showing pipe diameters, pipe runs, outlet points and location of SuDS features.

13 The development hereby permitted shall not commence until a scheme has been submitted to and agreed in writing by the Local Planning Authority for ensuring that daytime internal noise levels (0700-23.00) within the living areas of the residential units hereby permitted does not exceed 40LAeq,T and that night time internal noise levels (23.00-07.00) within bedrooms within the residential units do not exceed 35LAeqT and 45 LAm_{max}, fast. The development shall be implemented in accordance with the approved scheme unless otherwise agreed in writing by the Local Planning Authority.

14 No later than 3 months after the commencement of the development hereby permitted details of a scheme of public realm enhancements for the entire length of Park Place between Queensway and St. Georges Way shall be submitted to and agreed in writing by the Local Planning Authority. The proposed works shall be undertaken and completed in accordance with the approved details prior to the occupation of any of the development unless otherwise agreed in writing by the Local Planning Authority.

4. APP REF 16/00482/FPM – LAND AT SIX HILLS HOUSE, LONDON ROAD, STEVENAGE

The Committee considered an application involving the 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.

The Senior Planning Officer gave an oral and visual presentation to the Committee and advised that issues for consideration were 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.

With regards to the land use policy terms, The Senior Planning Officer advised that according to Policy E2 of the Stevenage District Plan Second Review 1991-2011, the site falls within the Gunnels Wood Employment Area, additional Policy E4 of the adopted Local Plan is also of relevance as it relates the B class developments in designated employment areas and thus, residential development is generally unacceptable within a designated employment area.

However, the Senior Planning Officer advised Members that under the Stevenage Borough Local Plan 2011 to 2031 Publication Draft (2016) the site is no longer designated as falling within the employment area. This is because, as advised to members, Prior Approval was granted under application reference 14/00328/CPA for a change of use of the existing office buildings (Six Hills House) into residential apartments which establishes the principle of residential development on this site.

Members were informed that a strong material consideration that significantly weighs in favour of the application was the Council not being able to provide a 5 year supply of deliverable housing under the adopted Local Plan in line with the requirements which are out under paragraph 47 of the NPPF. Separately, it was advised by the Officer that as the site is not allocated for residential purposes in both the adopted and draft Local Plans, the Council would rely on its windfall policies in assessing the acceptability of the development. The Senior Officer advised the meeting that site was defined as previously developed land with the site located within a sustainable location due to its close proximity to the town centre with easy access to a range of retail, service and food and drink premises and supermarkets. It was also advised that the site was also within walking distance to the train station and bus station located in the town centre. Furthermore, members were advised that whilst the developments density was significantly above the general parameters set out under Policy H8 of the Local Plan, this policy does allow for higher density development in locations well served by public transport. In this regard, members were advised the density of the development was considered to be acceptable.

With regards to affordable housing, the meeting was advised that a detailed financial viability assessment had been submitted which was independently assessed by the Council's own viability consultants. This assessment, as advised to members, confirmed that the application would be unable to provide the full amount of affordable housing provision. Members were informed that as an alternative a financial contribution in lieu of onsite affordable housing of £62,290.05 had been negotiated with the applicant which would equate to approximately 1% of the affordable housing. The Officer acknowledged that whilst the contribution was low, it was still in accordance with the NPPF as it had been clearly demonstrated that the scheme would not be viable with the usual full requirement of affordable housing provision. Members were advised that applicants have agreed to make financial contributions which would be secured via a S106 legal agreement. In addition, members were advised that the developer agreed to pay the financial contributions sought by Hertfordshire County Council towards primary education as well as contributions sought by Stevenage Borough Council relating to open outdoor sport/open space and children's playspace

On the impact of the development on the appearance of the area, Members were advised that the application proposes the redevelopment of the existing surface car park for residential development. The committee were informed that the proposed development comprises the erection of an eight storey building with an undercroft car parking area and comprises 17 one bedroom units, 34 two bedroom units and 13 three bedroom units. It was advised to members that the proposed development would have a similar scale and height to existing development in and around the town centre. that the Senior Planning Officer also set out to the committee that the proposed development would comprise of high quality design with the use of contemporary architecture with the proposed development helping to improve the visual amenities of the area . The Officer informed the meeting that a condition

would be imposed if planning permission is granted requiring samples of the materials be submitted to the Council for approval to ensure that the development would have a high quality appearance that enhances the overall character and appearance of the area on this important gateway site.

With regards to the impact of the scheme on residential amenities, the meeting was advised that the separation distance of between 18 to 20 metres would not result in any overbearing issues to future owner/occupiers to the properties within Six Hills and vice versa. He also advised that the proposed balcony areas had been carefully positioned so as to be screened by the projecting brickwork on the southern elevation of the development so as to ensure that persons standing out on the balconies could not directly look onto the habitable room areas of properties in Six Hills House. The Officer also informed members that an independent sunlight and daylight assessment had been undertaken and that the habitable rooms within Six Hills House would still retain adequate levels of natural daylight if the proposed development was implemented.

On the issue of private amenity, Members were advised that the proposed development would not include a communal amenity area due to the constrained nature of the site, however the scheme provided upper floor flat dwellers with approximately 454sq.m of private balconies and terrace areas which serves the individual properties within the residential block of flats, thereby complying with the Council's Design Guide. In addition the Officer also noted that the application site would be accessible to areas of public open space which could be utilised by the residents of the residential development such as the Town Centre Gardens and King George V Playing Fields.

The Officer advised that access into the development would not be altered as it was of sufficient width for two way traffic to safely enter and exit the site. The Officer also indicated that in assessing traffic generation, the applicants had produced a transport assessment which incorporated details of proposed traffic generation for weekdays, confirming the lower trip generation that exists with the previous use of the site as an office development. The Officer also advised Members that Hertfordshire County Council as the Highways Authority consider the low levels of trip generation to and from this site acceptable in that it would not prejudice highway safety. Members were also informed that the scheme had been designed in a way to ensure that the existing footpath and cycle path link to the town centre would not be detrimentally affected.

On the issue of car parking, the meeting was advised that in line with the Council's Car Parking Standards SPD, the scheme should provide 94 spaces, however as the application site falls on the boundary of residential accessibility zone 1 and 2, the provision of 32 car parking spaces, a shortfall based on zone 2 requirements was acceptable. The Officer advised members that the application site was in a highly sustainable location and in close proximity to the Asda Superstore and the Leisure Park and accessible to public footpath and cycle path and bus services and within walking distance to the Stevenage Train Station. Therefore, members were advised that the level of car parking for the proposed development was considered to be acceptable. The meeting was also informed that the existing development at Six Hills House following the implementation of the proposal would still have sufficient off-street parking in line with the Council's Standards.

Looking at flood risk, members were informed by the Senior Officer that the application site is located in Flood Zone 1 which has a low probability of flooding. However, as the application is a major, the applicant is required to provide a sustainable drainage strategy which is assessed by the LLFA. Since the publication of this report, and as members will see from the update, Officers have received correspondence from the LLFA. They have advised that the drainage scheme is considered to be acceptable subject to conditions.

With respect to trees, Members were informed that trees are located outside the application site. However, due to their proximity, these trees will need to be pruned back in order to implement the new development. The applicant would need the consent of the landowner which is Hertfordshire County Council. However, as set out in the meeting, the Officer set out to Members that the applicant would need to undertake the works to the trees at their expense. The Senior Officer informed the meeting that no objections have been lodged by the Council's Arboricultural Officer against the proposed works to these trees.

On the ecological impact of the scheme, Members were advised that the application site is adjacent to Six Hills Barrows which is a designated wildlife site, and that a Phase 1 Environmental Survey had been undertaken by the applicant, which did not identify any impact the development would generate given that the built form is located on previously developed land. Furthermore, the committee was advised that Herts and Middlesex Wildlife Trust had raised no objections to the proposed development.

With regards to the impact of the scheme on the environment, Members were advised that following consultation with the Council's Environmental Health Officer it has been agreed that a condition requiring the applicant to undertake a watching brief during the initial site preparation stage of the development be included if planning permission is granted.

In regard to the impact of the proposed development on the Scheduled Ancient Monument, the Officer advised that the applicant had undertaken an Archaeological Investigation Report and an Archaeology Evaluation Report which identified a low to moderate potential for archaeological remains of Roman dates on the site and have indicated to undertake further assessments of the site. Members were advised that following consultation with Hertfordshire County Council Archaeologist, they considered the findings of the reports to be acceptable and thus no condition was recommended as the development was unlikely to have any undue detrimental impact on the Ancient Monument.

In respect of sustainable construction and climate change, Members were advised that the applicant had submitted a sustainability and energy statement. This statement demonstrates that the development will utilise high efficient building fabric, low air tightness, low energy lighting etc. Furthermore, the committee was informed that the applicant would adopt sustainable construction practices on the site as well. This is welcomed and in accordance with policy FP1 of the emerging Local Plan.

In summary, Members were advised that 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.

It was **RESOLVED** 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;
- SBC Children's Playspace

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;

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 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.

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.

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.

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.

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.

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.

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.

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.

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

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.

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.

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.

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.

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.

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).

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.

19 The development permitted by this planning permission shall be carried out in accordance with the approved Surface Water Management Strategy carried out by Herrington Consulting Limited dated July 2016.

20 Provide results of infiltration tests in accordance with the guidelines set by BRE Digest 365 in order to demonstrate the feasibility of infiltration as a discharge mechanism.

5 APP REF: 16/00551/FP – LAND AT TILLERS LINK, STEVENAGE

The Committee considered an application involving a change of use from public amenity (sui generis) to residential (C3) and the erection of a garage.

The Senior Planning Officer gave an oral and visual presentation to the Committee and

advised that issues for consideration were the impact of the loss of the piece of amenity land on the character and appearance of the area and the impact on parking and highway safety.

The Officer informed Members that the application was previously refused Planning Permission by Committee in 2014 and that on appeal by the applicant the Committees' decision was upheld by the Planning Inspector on the grounds that the proposed development would have an adverse impact on the continued safety of pedestrians and other road users.

With regards to the impact of the proposal on the character and appearance of the area, the Officer advised Committee that the site which is currently in ownership of the Borough Council is defined by Policy TW2 of the adopted Local Plan (2004) and Policy NH6 of the draft Local Plan (2016) as an area of structural open space. Members were advised that the loss of this area of land is not considered detrimental to the structural open space of the town, nor the immediate area as in terms of appearance the area of land was considered to be of poor quality, an informal area of space which was not generally utilised by the local community and furthermore there is a large amount of open space within the estate which was accessible for the wider community. In addition the Officer also noted that the introduction of a further hardstanding along this area would not be considered to have any detrimental impact upon the visual amenity of the area. Further, Members were also advised that the overall design of the proposed garage would be considered to be acceptable subject to a condition requiring the applicant to submit samples of materials which would have to be approved by the Council.

On the issue of highway safety, Members were informed that the measurement of the garage, 4.2m in width and 4.95m in length fails to comply with the 6m length standard set out in paragraph 2.3 of the Council's Car Parking Standards SPD (2012). Furthermore, the Committee was advised that the proposed new hardstand was well below the minimum depth of 5.5 to allow a vehicle park safely to the front of the garage whilst waiting to enter the garage especially given the fact that there was no guarantee that the remotely activated garage door would be retained including whether or not it would continue to function in perpetuity as well. The Officer reiterated similar concerns raised at the previous committee meeting which was considered by the Planning Inspectorate that any vehicle intending to use the garage would have to wait on the hardstanding area to the front of the garage in order to gain access, thereby overhanging the pedestrian footpath forcing pedestrians off the footpath out on to the trafficked highway and prejudicing both pedestrian and vehicle safety.

It was **RESOLVED** that Planning Permission be REFUSED for the following reason: -

1 The proposed garage by virtue of its substandard size would mean vehicles would have to park on the hardstanding to the front of the new garage. However, the hardstanding area, by virtue of its substandard depth would result in vehicles parking indiscriminately and overhanging the adjoining footpath/highway. The proposal would, therefore, result in conditions prejudicial to the safe movement of pedestrians and road users contrary to the advice contained in the National Planning Policy Framework, Roads in Hertfordshire, A Design for New Developments and Roads in Hertfordshire: Highway Design Guide 3rd Edition, the Council's Car Parking Standards SPD (2012) and the Department for Transport (Manual for Streets) (2007).

6 APP REF: 16/00605/FPH – 32 BEANE AVENUE, STEVENAGE.

The Committee considered an application seeking retrospective planning permission for the conversion of the garage into habitable accommodation, including the removal of the garage door and replacement with a door and small window.

The Development Manager gave an oral and visual presentation to the Committee and advised that issues for consideration were the impact on the character and appearance of the area and parking provision.

Members were informed that the garage conversion had already commenced in contravention of earlier refusal of planning permission and that the garage door had been replaced with a door and window.

Members were informed that the replacement of the garage door with a door and a window would not harm the character and appearance of the area.

On the issue of highway safety and car parking, Members were informed that the conversion of the garage would result in the loss of one car parking space contrary to the parking provision SPD which recommends 2 car parking spaces for this 3 bed dwelling. Members were also advised that one of the proposed replacement parking spaces was inadequate and would result in the front door of the property being incapable of being used.

The Officer informed Members that Hertfordshire County Council Highways had advised that planning permission be refused on the basis of insufficient space to park a vehicle, insufficient pedestrian space and the blockage of the front door.

It was **RESOLVED** that Planning Permission be REFUSED for the following reason:-

1. The proposal, if permitted, would by virtue of the loss of the existing garage serving the property result in an inadequate provision for parking within the site to serve the application property. This would be likely to lead to the parking of vehicles on the adjacent highway to the detriment of highway safety and neighbour amenity, contrary to policies T15 and T16 of the Stevenage District Plan Second Review 1991-2011, policy IT5 of the draft Local Plan, the NPPF and the NPPG, and the Council's Car Parking Standards SDP (2009).

Following the refusal of planning permission, as the conversion of the garage had already taken place Members were asked to consider a further recommendation seeking authorisation to instigate enforcement action against the breach of planning control which had occurred.

It was **RESOLVED**

That an Enforcement Notice be issued and served by the Head of Planning and Engineering, subject to the Borough Solicitor being satisfied as to the evidence requiring the garage to be returned to its original use as a garage at 32 Beane Avenue, Stevenage. The precise terms of the Enforcement Notice, including all time periods, to be delegated to the Head of Planning and Engineering.

That, subject to the Borough Solicitor being satisfied with the evidence, the Head of Planning and Engineering be authorised to take all steps necessary, including prosecution or any other litigation/works in default to secure compliance with the Enforcement Notice.

That in the event of any appeal against the Enforcement Notice, the Head of Planning and Engineering be authorised to take any action required to defend the Enforcement notice and any appeal against the refusal of planning permission.

Remedy Required

Within three months of the date of refusal of planning permission, to rectify the garage conversion and to permanently return the garage to its originally intended use as a garage for the parking of a motor vehicle.

7. INFORMATION REPORT –DELEGATED DECISIONS

It was **RESOLVED** that the report is noted

8 INFORMATION REPORT – APPEALS/CALLED IN APPLICATIONS

None

9 URGENT PART 1 BUSINESS

None

10 EXCLUSION OF PRESS AND PUBLIC

None

PART II

11 URGENT PART II BUSINESS

None

Chair