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PLANNING AND DEVELOPMENT COMMITTEE

Date: Tuesday, 13 August 2019

Time: 6.30pm

Location: Council Chamber, Danesill House, Danestrete

Contact: Lisa Jerome 01438 242203

Members: Councillors: D Cullen (Chair), ME Gardner (Vice-Chair),
D Bainbridge, S Barr, J Hanafin, L Harrington, L Kelly, G Lawrence,
J Lloyd, S-J McDonough, M McKay, G Snell and T Wren

AGENDA

PART 1

1. APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

2. MINUTES - 16 JULY 2019

To approve as a correct record the Minutes of the previous meeting held on 16 July 2019.

Pages 3 – 14

3. 19/00224/FP LAND WEST OF GRESLEY WAY AND SOUTH OF FERRIER ROAD

To consider the variation of condition 1 (Approved plans) attached to planning permission 17/00389/FPM to amend plans for boundary siting to plots 36-40.

Pages 15 – 22

4. 19/00062/OPM- MAXWELL ROAD, STEVENAGE

To consider an outline application (with all matters reserved except access) for the demolition of existing buildings and replacement with buildings to accommodate up to 12,733 sq.m (GIA) office floorspace (Class B1) and up to 88 dwellings (Class C3), with associated public open space, landscaping, car parking and ancillary works.

Pages 23 – 74

5. INFORMATION REPORT - DELEGATED DECISIONS

To note a report on decisions taken by the Assistant Director Planning and

Regulatory in accordance with his delegated authority.

Pages 75 – 88

6. INFORMATION REPORT - APPEALS/CALLED IN APPLICATIONS

To note a report on decisions taken by the Assistant Director Planning and Regulatory in accordance with his delegated authority.

Page 89

7. URGENT PART I BUSINESS

To consider any Part I Business accepted by the Chair as urgent.

8. EXCLUSION OF THE PRESS AND PUBLIC

To consider the following motions that:

1. Under Section 100(A) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information as described in paragraphs 1-7 of Part 1 of Schedule 12A of the Act as amended by Local Government (Access to information) (Variation) Order 2006.
2. That Members consider the reasons for the following reports (if any) being in Part II and determine whether or not maintaining the exemption from disclosure of the information contained therein outweighs the public interest in disclosure.

9. URGENT PART II BUSINESS

To consider any Part II Business accepted by the Chair as urgent.

STEVENAGE BOROUGH COUNCIL

PLANNING AND DEVELOPMENT COMMITTEE MINUTES

Date: Tuesday, 16 July 2019

Time: 6.30pm

Place: Council Chamber, Daneshill House, Danestrete

Present: Councillors: David Cullen (Chair), Michelle Gardner (Vice-Chair), Doug Bainbridge, Sandra Barr, Jody Hanafin, Liz Harrington, Lizzy Kelly, Graham Lawrence, John Lloyd, Sarah-Jane McDonough, Maureen McKay, Graham Snell and Tom Wren.

Start / End Start Time: 6.30pm
Time: End Time: 8.34pm

1 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

There were no apologies for absence.

Councillor Doug Bainbridge declared a prejudicial interest in Item 4 – 107 Blenheim Way: Change of Use from public amenity land to residential garden, as he was a trustee of the charity that maintained the land. He stated that he would withdraw from the meeting for the duration of that item.

The Chair welcomed the Assistant Director (Planning & Regulatory) to the meeting following his recent return from adoption leave.

The Assistant Director (Planning & Regulatory) referred to a number of major applications that would be considered in the coming months where SBC was either the applicant and/or landowner of sites. In determining these applications, Members would need to distinguish material planning considerations from non-material considerations, such as the potential financial gain for SBC as landowner. In such circumstances, he commented that, if required, a planning lawyer would be available to assist the Committee in its deliberations on such applications.

2 MINUTES - 18 JUNE 2019

It was **RESOLVED** that the Minutes of the meeting of the Planning & Development Committee held on 18 June 2019 be approved as a correct record and signed by the Chair.

3 19/00315/FPH - 29 HAYFIELD, STEVENAGE

The Committee considered an application for the construction of a two storey rear extension following demolition of the existing conservatory and raising the height of the roof, in order to facilitate the creation of additional habitable accommodation in the roof space, at 29 Hayfield.

The application was before the Committee as it had been called-in by Councillor Graham Snell for the reasons set out in Paragraph 3.4 of the officer report.

The Chair invited Mrs Imrana Chowdhury, an objector to the application, to address the Committee. Mrs Chowdhury considered that the impact of the proposed extension would cast a shadow on her property (No. 30 Hayfield). One of the proposed new first floor windows would overlook one of the bedrooms of her property, which she felt would result in a loss of privacy. She was of the view that there was insufficient parking for the enlarged property, in an already crowded residential area. Should the application be granted, resulting in a loss of daylight and privacy to her property, she asked the Committee for advice as she was not in a financial position to be able to sell her property.

The Chair thanked Mrs Chowdhury for her presentation, and invited Mr William Habib, the applicant, to address the Committee.

Mr Habib advised that he appreciated his neighbour's concerns regarding the application, but felt that all of the issues had been satisfactorily addressed in the officer report. He commented that he would not be using the property as a buy to let, nor would he be using it as a House in Multiple Occupation (HMO). He stated that he required the extension as additional accommodation for his growing family. In terms of concerns about car parking, he added that this would not be an issue as the family possessed only one vehicle.

The Chair thanked Mr Habib for his presentation

The Principal Planning Officer (JC) gave an introduction and visual presentation to the Committee. He advised that the main issues for consideration in the determination of the application were the impact on the character and appearance of the area; impact on residential amenity; car parking and highway implications.

In terms of its impact on the character and appearance of the area, for the reasons set out in Paragraphs 7.2.1 to 7.2.6 of the report, the Principal Planning Officer (JC) considered that the proposed development works would not have a detrimental impact on the character and appearance of the dwellinghouse. In addition, whilst the extension would be readily visible from the public realm, it would not have a detrimental impact on the visual amenities of the area generally.

In relation to the impact on residential amenity of neighbouring properties (in terms of outlook, privacy and sunlight/daylight), the Principal Planning Officer (JC) advised that these issues were addressed in Paragraphs 7.3.1 to 7.3.16 of the report. He confirmed that the appropriate daylight/sunlight assessments had been carried out in accordance with Building Research Establishment (BRE) guidance. He concluded that the proposed extension would not have a detrimental impact on neighbouring properties.

In respect of car parking and highway implications, the Principal Planning Officer (JC) commented that the Council's Car Parking Standard for a 4 + bedroomed property was 2.5 spaces (rounded up to 3). However, the original property only

comprised 1 parking space, which was technically below the Council's currently adopted parking standards. Notwithstanding this, as the parking standard for 4 and 5 bedroomed properties was the same and that would not be altered by this application, then it would be unreasonable to request additional off-street parking to serve the enlarged property.

In summary, the Principal Planning Officer (JC) considered that the proposed development would not have a detrimental impact on the character and appearance of the application property or the visual amenities of the area generally. In addition, the proposed development would not have a detrimental impact on the amenities of neighbouring properties and would not prejudice highway safety. He therefore recommended that planning permission be granted.

In response to Member's questions regarding the application, the Principal Planning Officer (JC) replied as follows:

- It would not be possible to impose a condition to improve the car parking situation on the site or in the vicinity of the site;
- The rooflights in the raised roof would be purely for the admission of sunlight and would be angled so as to prevent occupants being able to view out from those windows;
- The shared driveway was privately owned, and was presumably subject to a shared covenant over the land;
- The distance between the rear of the proposed extension and the flank wall of No. 28 Hayfield was over 9 metres;
- A precedent would not be created by the extension, as the style of the other properties in Hayfield were different to No. 29, and so any future applications for alterations to those properties would be considered on their own merits;
- If the house was to be used as an HMO then additional parking provision would be required;
- With regard to vehicles parking on the vehicular highway and concerns raised by local residents if a vehicle blocked access to a property, including contractor vehicles, then this would be a matter for the Police and/or Hertfordshire County Council as Highways Authority to enforce against.
- The additional window in the first floor Master Bedroom facing No. 30 Hayfield was orientated at an angle away from that property, and it was therefore considered that the privacy of the occupiers of No. 30 would not be detrimentally affected.

The Principal Planning Officer (JC) explained to Members the technical methodology relating to the sunlight and daylight tests carried out in accordance with BRE guidance. In response to a Member's request, Officers undertook to endeavour to incorporate diagrams and plans of the impact of sunlight/daylight on neighbouring properties into future slide presentations to the Committee.

The Committee supported the addition of an informative to the applicant, advising that planning permission from the Council would need to be obtained if the property were to be converted to a HMO (House in Multiple Occupation) in the future.

It was **RESOLVED** that application 19/00284/FPM be granted planning permission, subject to the following conditions:

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

011_D_01_; 011_D_02_1; 011_D_03_1; 011_D_07_1.

2. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
3. The materials to be used in the construction of the development hereby permitted shall be as specified in the application submission.

Informative:

House of Multiple Occupation - If the property is to be converted into a House of Multiple Occupation (HMO) in the future, you will be required to seek planning permission from Stevenage Borough Council as the Local Planning Authority. This is because Stevenage Borough Council introduced an Article 4 Direction which removed permitted development rights for changes of use from C3 (residential) to C4 (HMO). The Article 4 direction came into force on 20 September 2017. A copy of the Article 4 Direction can be viewed on the Council Website on <http://www.stevenage.gov.uk/149690/planning-policy/167774/>

4 19/00344/FP - 107, BLENHEIM WAY, STEVENAGE

[At this juncture, and as advised earlier in the meeting, Councillor Doug Bainbridge withdrew from the meeting for the duration of this item.]

The Committee considered an application for a change of use from public amenity land to residential garden adjacent to 107 Blenheim Way.

The application was before the Committee as the Council was the landowner and there had been an objection to the proposal.

The Principal Planning Officer (RE) gave an introduction and visual presentation to the Committee. She advised that the main issues for consideration in the determination of the application were the loss of the open space; its impact on the character and visual amenity of the area; and impact on neighbour amenity.

The Principal Planning Officer (RE) explained that the area of woodland in question was sited immediately adjacent to the southern boundary of the site, and ran from the front boundary to the rear boundary with a varying width of 2m to 8m (approximately) and a length of approximately 25.7m. The total area would be approximately 113.5 sqm. The remaining woodland areas along this part of Blenheim Way were considered sufficient to provide amenity space and create a noise and visual barrier between the residential estate and railway line. In Policy

terms and assessed on its own merits the change of use was considered acceptable.

The Principal Planning Officer (RE) stated that the proposed change of use was not considered to visually harm the character of the area. The neighbouring properties No's 95 and 109A (new build associated with 109) had both extended their residential gardens through the land sale process, and the proposal would see a proposed boundary line similar to these properties. The proposal included the enclosure of the land with 1.8m high fencing to match the existing boundary treatments.

In summary, the Principal Planning Officer (RE) considered that the change of use from amenity land to residential garden accorded with adopted policy and would not harm the character and visual amenity of the area, or the amenity of neighbouring properties. The application was therefore recommended for approval.

In response to a Member's question, the Principal Planning Officer (RE) confirmed that no proposals had been submitted to remove the more substantial existing trees on the application site.

It was **RESOLVED** that application 19/00344/FP be granted planning permission, subject to the following conditions:

1. The development hereby permitted shall be carried out in accordance with the following approved plans: Site location plan.
2. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
3. The area of land, shown outlined in red on the approved Site Location Plan, shall be enclosed by timber fencing to match the existing rear garden fencing and shall be no higher than 1.8m in height unless otherwise agreed in writing by the Local Planning Authority.

5 19/00286/FP - 24 ALMONDS LANE, STEVENAGE

The Committee considered an application for a change of use from public amenity land to residential garden adjacent to 24 Almonds Lane. Late letters of representation from the objector and applicant, respectively, were tabled for Members' consideration.

The application was before the Committee as the Council was the landowner and there had been an objection to the proposal.

The Principal Planning Officer (RE) gave an introduction and visual presentation to the Committee. She advised that the main issues for consideration in the determination of the application were the loss of the open space, its impact on the character and visual amenity of the area, and impact on neighbour amenity.

The Principal Planning Officer (RE) explained that the area of land in question was

sited immediately adjacent the eastern boundary of the site, and ran from the front boundary to the rear boundary with a varying width of 2m at the front to 2.5m at the rear and a length of 32m. The total area would be approximately 88sqm. The land currently formed part of a larger area of informal grassed amenity area, which measured between 4.5m and 6m wide and 32m in length, with a total area of approximately 153sqm. Whilst the land was open in nature, with no access restrictions, it was too small to be considered an area of meaningful open space, but rather, it was a small strip of grass separating the highway from the boundary of No. 24. The loss of the amenity space was not considered to detrimentally impact the form and function of the surrounding structural open space. In Policy terms and assessed on its own merits the change of use was considered acceptable.

The Principal Planning Officer (RE) stated that the proposed change of use was not considered to visually harm the character of the area. A remaining strip of land approximately 2.5m wide and 32m long would be retained between the application site and the public footpath which would still allow public views along this length of Almonds Lane. The proposal included the enclosure of the land with 1.8m high timber fencing to match the existing boundary treatments along the rear curtilage, a low level hedge along the side of the front curtilage and 1m high timber fencing along the front curtilage.

The Committee was informed that the extension of the 1.8m high fencing line along the rear boundary of the property adjacent to the front garden of the neighbour to the north, No. 26, would likely result in some shadowing of this neighbouring garden. However, there were no habitable rooms close to the proposed fence line and loss of light to front gardens was not considered to be so significant such as to sustain a refusal of permission.

In response to a query raised by the objector regarding a possible gas supply pipe running beneath the application site, the Principal Planning Officer (RE) confirmed that this was not a planning matter, and would need to be dealt with as part of the land sale process.

In terms of the potential for future development of the site for an additional property, the Principal Planning Officer (RE) advised that this would require a fresh planning application and the applicant would need to pay monies to remove the restrictive covenant on the land which would be imposed through the land sale process.

It was **RESOLVED** that application 19/00286/FP be granted planning permission, subject to the following conditions:

1. The development hereby permitted shall be carried out in accordance with the following approved plans:
SITE LOCATION PLAN; TQRQM19137225356805 (Amended Site Plan).
2. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
3. The approved area of land shall be enclosed by close boarded timber fencing no higher than 1.8m between markers A, B, C and D, timber post and rail

fencing no higher than 1m between markers E and F, and the existing hedgerow shall be replaced between markers C and E, as shown on Plan Number TQRQM19137225356805 (Amended Site Plan) unless otherwise agreed in writing by the Local Planning Authority.

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

6 19/00284/FPM - 85 - 103 QUEENSWAY, STEVENAGE

The Committee considered an application for a Change of use of 24-26 The Forum from A1 (Retail) to either A1 (retail), A2 (Financial and professional services), A3 (Restaurants and Cafes) or B1 (Business), conversion of part of 85 Queensway ground floor from A1 (Retail) to either A1, A2, A3 or A4 (Drinking Establishment) and change of use of ground floor of 87 Queensway and ground and first floor 91 Queensway from A1 (Retail) to either A1, A2 or A3 uses.

The application was before the Committee as it was a major commercial application.

The Principal Planning Officer (JC) gave an introduction and visual presentation to the Committee. He reminded Members that the Committee had approved an application relating to the overall 85-103 Queensway site in late 2018, and that works had subsequently commenced on this scheme. The proposal now before the Committee sought to provide greater flexibility to the applicant in attracting occupiers of the aforesaid units. The main issues for consideration in the determination of the application were its acceptability in land use policy terms; the impact on the character and appearance of the area; the impact on residential amenity; the effect of the proposals on the highway network; the adequacy of parking provision; and flood risk.

For the reasons expounded at the meeting and set out in the report, the Principal Planning Officer (JC) considered that the principle of the introduction of a flexible permission for the retail units would not have a detrimental impact on the vitality and viability of Stevenage Town Centre. In addition, it was not considered that the development would have a detrimental impact on the character and appearance of the area or harm the amenities of existing and future residents. Furthermore, the proposed development would comply with the Council's standards with regard to car parking and cycle parking and would not prejudice the safety and operation of the public highway. Finally, the proposed development would not be susceptible to or generate additional flooding.

It was **RESOLVED** that application 19/00284/FPM be granted planning permission, subject to the following conditions:

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

P1.1 (received 04.07.2019); P1.2 (received 04.07.2019); P1.3 (received 04.07.2019); P2.1 (received 04.07.2019); P2.2 (received 04.07.2019).

2. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
3. Prior to the first occupation of the ground floor Use Class A1 (Shop) to A3 (Restaurants and Cafes) or A4 (Bars and Public Houses) units as detailed on the approved drawings, a scheme for the installation of equipment to control the emission of fumes and smell from these premises shall be submitted to and approved in writing by the Local Planning Authority and the approved scheme shall be fully implemented prior to the first occupation of these units. All equipment installed as part of the scheme shall thereafter be operated, serviced and maintained in accordance with the manufacturer's instructions.
4. Prior to the first occupation of the ground floor Use Class A1 (Shop) to A3 (Restaurants and Cafes) or A4 (Bars and Public Houses) units as detailed on the approved drawings, a scheme for the adequate provision of waste segregated into recycling and non-recycling shall be submitted to and approved in writing by the Local Planning Authority and the approved scheme shall be fully implemented prior to the first occupation of these units.
5. 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 0730 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. These times apply to work which is audible at the site boundary.
6. Prior to the first occupation of the ground floor Use Class A1 (Shop) to A3 (Restaurants and Cafes) or A4 (Bars and Public Houses) units as detailed on the approved drawings, details of noise nuisance mitigation provisions appropriate to the occupation of the unit will be submitted to and approved in writing by the Local Planning Authority, so as to prevent the occurrence of noise nuisance due to the occupation and use of the unit.

7 19/00333/FPM - 21 - 29 TOWN SQUARE, STEVENAGE

The Committee considered an application seeking the Variation of condition 1 of planning permission no. 19/00063/FPM to amend approved drawings.

The application was before the Committee as the Council was the applicant and the landowner.

The Principal Planning Officer (JC) gave an introduction and visual presentation to the Committee. He advised that, following the grant of planning permission 19/00063/FPM, detailed surveys undertaken on the building identified lower ceiling heights at second floor level. As a result, access from the second floor core into the gallery space would not have been usable due to headroom. The proposed amendment to the approved scheme sought the introduction of a new roof lantern/lift overrun above the existing head clearance which would allow the lifts to be able to operate. The proposed roof lantern would measure approximately 4.72m in length,

span 6.76m in width with a height of approximately 1.99m. It would be constructed of metal cladding and double glazed aluminium/composite windows.

The Principal Planning Officer (JC) commented that, when considering applications of this type, local planning authorities were entitled to consider only the question of the conditions to which planning permission should be granted and must leave the original permission intact. In this instance, the other conditions imposed on the originally granted planning permission for this development remained relevant, so that the only issue for consideration in the determination of the application was how the variation of the condition referred to above would impact on the approved scheme and whether any additional conditions are warranted. The main issue for consideration in the determination of the application was, therefore, the acceptability of the changes to the scheme in respect of the visual impact on the conservation area.

The Committee was informed that the Council's Conservation Advisor considered that the impact of the proposal, in terms of its significance on the conservation area, would be limited. As such, whilst the change in the roof form would be visible, this must be balanced by the improved access to the upper levels of the building, including persons who were disabled, and the potential uses that the development would enable. In addition, the overall regeneration benefits of the development as whole, which would bring in new activities and uses to the town centre buildings, provided an obvious positive contribution to the character of the town square conservation area. Consequently, the overall benefits of the development would outweigh the limited harm it would have on the conservation area and the setting of the listed buildings.

The Committee supported the Principal Planning Officer's proposed variation to Condition 1, which was the addition of Plan No. AA7916-2106A.

It was **RESOLVED** that application 19/00333/FPM be granted planning permission, subject to the following conditions:

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

AA7916-2102A; AA7916-2013A; AA7916-2015A; AA7916-2101A; AA7916-2200C; AA7916-2201C; AA7916-2202B; AA7916-2203B; AA7916-2205B; AA7916-2206B; AA7916-2001; AA7916-2000; AA7916-2002; AA7916-2100A; AA7916-2106A

2. The development hereby permitted shall be begun before 4 April 2022.
3. Prior to the undertaking of external concrete cladding works to the application building and the installation of the lift overrun, samples of the materials to be used to replace the concrete cladding of the development and the lift overrun 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. Prior to the undertaking of external fenestration works to the application building, drawn details of the replacement fenestration showing the detail and proportions of glazing bars compared to existing fenestration for the front elevations to Danestrete, Town Square and Queensway shall be submitted to and approved in writing but the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.
5. Prior to the first occupation of a Class A3 (Restaurants and Cafes) as detailed in the submitted application, a scheme for the installation of equipment to control the emissions of fumes and smell from these 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 use of the premises as Class A3 (Restaurants and Cafes). All equipment installed as part of the scheme shall thereafter be operated and maintained in accordance with the manufacturer's instructions.
6. Before any plant and/or machinery is installed on the premises as detailed in the application submission, details of the acoustic louvered screen shall be submitted to and approved in writing by the Local Planning Authority. The acoustic screen shall be installed in accordance with the approved details prior to the first operation of the plant and/or machinery.
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 0730 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. These times apply to work which is audible at the site boundary.
8. Prior to the occupation the building, details of measures to address adaptation to climate change shall be submitted to and approved in writing by the Local Planning Authority. These measures shall then be implemented and permanently maintained in accordance with the approved details.
9. Prior to the occupation of the building, details of cycle parking shall be submitted to and approved in writing by the Local Planning Authority. The cycle parking shall thereafter be erected in accordance with the approved details.

8 INFORMATION REPORT - DELEGATED DECISIONS

The Principal Planning Officer (JC) referred to a letter which had been tabled at the meeting, which related to Item 35 on the Delegated Decisions List – 8A Magellan Close: Discharge of Condition 12 (Works to Trees) attached to planning permission 16/00791/FP.

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

9 INFORMATION REPORT - APPEALS/CALLED IN APPLICATIONS

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

10 URGENT PART I BUSINESS

Application for development of the Icon Building

The Assistant Director (Planning & Regulatory) advised that officers had been in discussions with the developer aiming to submit an application for the demolition of the Icon Building and its replacement with 7 blocks of residential apartments. The developer would be holding a public exhibition on the proposed scheme. He reminded Members of the Committee that should they wish to attend the exhibition and participate in the debate on any future application when it came before the Committee then they should be careful not to give any indication of their views on the proposals at the exhibition.

The Assistant Director (Planning & Regulatory) stated that the above advice also applied to the exhibition to be held by MACE in the coming weeks regarding the SG1 development proposals.

11 EXCLUSION OF THE PRESS AND PUBLIC

Not required.

12 URGENT PART II BUSINESS

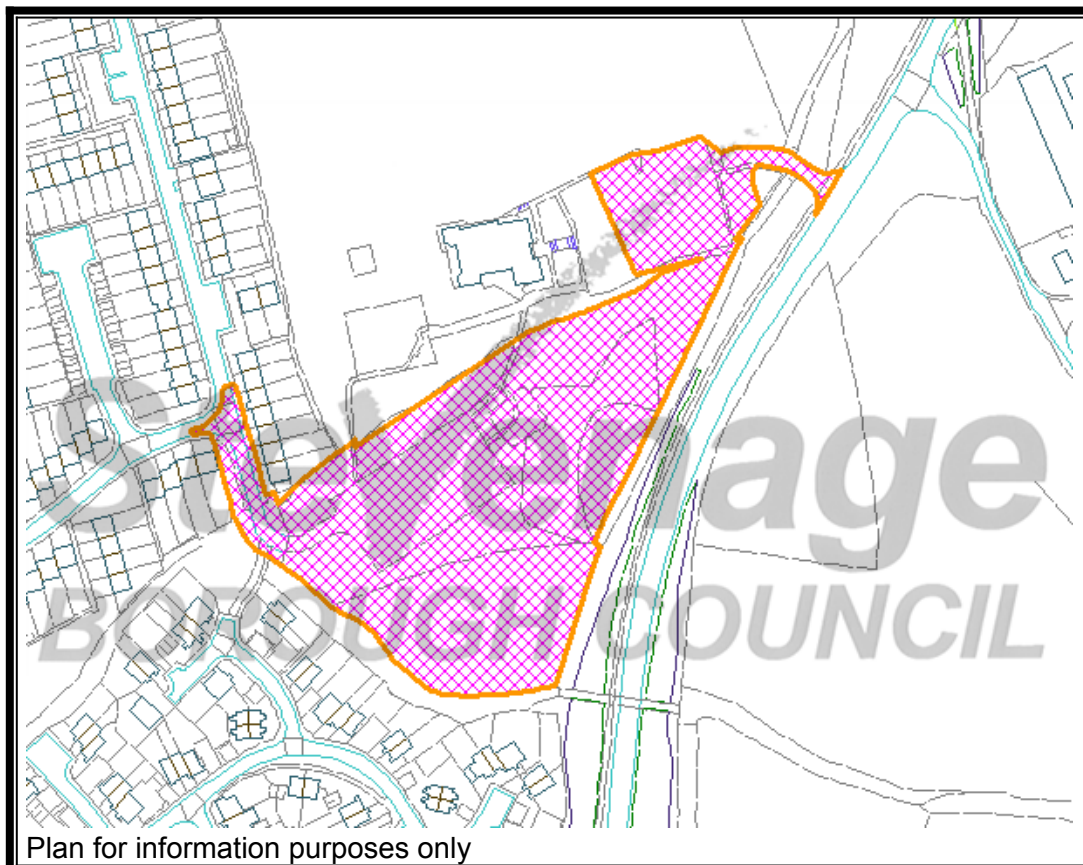
None.

CHAIR

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Meeting: Planning and Development Committee **Agenda Item:**
Date: 13 August 2019
Author: Rebecca Elliott 01438 242836
Lead Officer: Zayd Al-Jawad 01438 242257
Contact Officer: Rebecca Elliott 01438 242836

Application No:	19/00224/FP
Location:	Land West of Gresley Way and South of Ferrier Road, Stevenage
Proposal:	Variation of condition 1 (Approved plans) attached to planning permission 17/00389/FPM to amend plans for boundary siting to plots 36-40.
Drawing Nos.:	088-001 Rev C; C3506 001 J; C3506 L001; 2016/3491/002D, E16-091-101P3, 088-PL200, 088-PL201, 088-PL202, 088-PL203, 088-PL204, 088-PL205, 088-PL206, 088-PL208, 088-PL210, 088-PL211 and 088-PL212.
Applicant:	Hill Partnership
Date Valid:	23 April 2019
Recommendation:	GRANT PLANNING PERMISSION



1. SITE DESCRIPTION

- 1.1 The application site comprises the 'Lanterns' development located between Ferrier Road and Gresley Way. The residential development of 43 dwellings is nearly complete approved under reference 17/00389/FPM. Plots 29-43 are accessed from Ferrier Road to the west of the site and are to be transferred to the Council as affordable housing stock. The site is bounded to the south by the Sheafgreen Lane footpath and bridleway. Gresley Way runs along the east of the site with Chells Recreation Ground to the north.

2. RELEVANT PLANNING HISTORY

- 2.1 Outline consent granted under ref 14/00038/REG3 in December 2014 for the erection of 14no. three bed, 9no. four bed and 7no. two bed houses; and 4no. one bed flats.
- 2.2 Permission was approved under ref 17/00389/FPM in November 2017 for the erection of 43 residential dwellings with associated access, internal road layout, drainage, landscaping and infrastructure.
- 2.3 Discharge of condition 16 (Archaeological Investigation) attached to planning permission 17/00389/FPM was approved under ref 17/00794/COND in January 2018.
- 2.4 Discharge of condition 15 (Boundary treatments) attached to planning permission 17/00389/FPM was approved under ref 17/00810/COND in January 2018.
- 2.5 Discharge of condition 14 (Bird and Bat Boxes) attached to planning permission 17/00389/FPM was approved under ref 17/00812/COND in January 2018.
- 2.6 Discharge of condition 10 (Tree Protection Measures) attached to planning permission 17/00389/FPM was approved under ref 17/00813/COND in January 2018.
- 2.7 Discharge of condition 7 (Construction Method Statement) attached to planning permission 17/00389/FPM was approved under ref 17/00816/COND in January 2018.
- 2.8 Discharge of condition 4 (Landscaping) attached to planning permission 17/00389/FPM was approved under ref 17/00820/COND in January 2018.
- 2.9 Discharge of condition 13 (Drainage) attached to planning permission 17/00389/FPM was approved under ref 17/00821/COND in January 2018.
- 2.10 Discharge of condition 22 (Ecology) attached to planning permission 17/00389/FPM was approved under ref 17/00822/COND in January 2018.
- 2.11 Discharge of condition 3 (Materials) attached to planning permission 17/00389/FPM was approved under ref 17/00830/COND in January 2018.
- 2.12 Permission was approved under ref 18/00058/NMA in February 2018 for a non-material amendment to planning permission reference number 17/00389/FPM to make minor alterations to external elevations, minor changes to levels and internal alterations.
- 2.13 Permission was approved under ref 18/00651/NMA in November 2018 for a non-material amendment to planning permission 17/00389/FPM to alter parking bays, landscaping, fencing and retaining wall.

3. THE CURRENT APPLICATION

- 3.1 The current application seeks planning permission to vary condition 1 (approved plans) attached to planning permission 17/00389/FPM in order to amend the rear boundary siting of plots 36-40.
- 3.2 The construction of plots 36-40 and provision of the approved boundary treatments for these plots highlighted anomalies with the positions of the boundaries with regard the bridleway size and bank of trees and landscaping contained along the north eastern boundary of the lane. The variation to the proposed site location plan and site layout plan seeks to revise the boundary location and garden sizes for plots 36-40 which is deemed a necessity to ensure the bridleway retains sufficient width for its purpose.
- 3.3 The application comes before the planning committee for determination as the plots affected by the revision are in the ownership of Stevenage Borough Council.

4. PUBLIC REPRESENTATIONS

- 4.1 The proposal has been publicised by way of letters to those properties adjoining Sheafgreen Lane and adjacent the respective plots 36-40. A site notice was displayed on a lamp post at the Ferrier Road entrance to the site and Sheafgreen Lane. Three letters of objection have been received, two from 58 Ferrier Road highlighting the same objections and one from 9 Magellan Close.
- 4.2. The objections raised refer to the tree and landscaping works carried out within Sheafgreen Lane and their impact on the local wildlife and visual appearance of the area. The main objection raised in respect of the boundary changes is that the applicant is land grabbing and that making the gardens bigger is not acceptable.
- 4.3 The aforementioned are not a verbatim of the comments which have been received. A full copy can be viewed on the Council's website under the application reference.

5. CONSULTATIONS

5.1 Hertfordshire County Council – Highways

- 5.1.1 The site boundary is located in close vicinity adjacent to the Right of Way Stevenage Byway97. The amended plan shows some alterations to the location of the boundary siting along the Rights of Way: Stevenage 097 restricted Byway that commences from the southern end of Ferrier Road thence generally east along Sheafgreen Lane to the Stevenage town boundary. This amended variation to condition 1 for a change of siting of the boundary is acceptable from a highway perspective.

5.2 Council's Arboriculturist

- 5.2.1 I have looked into this application and can confirm that I have no objection to the proposed variation.

5.3 Hertfordshire County Council – Rights of Way Section

- 5.3.1 Raise no objections to the proposal.

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 Borough Local Plan 2011-2031 (2019) (Adopted Local Plan).

6.1.2 The National Planning Policy Framework sets out that decision-takers may give weight to relevant policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies, and their degree of consistency with policies in the National Planning Policy Framework.

6.1.3 In considering the policy implications of any development proposal, the Local Planning Authority will assess each case on its individual merits.

6.2 Central Government Advice

6.2.1 A revised National Planning Policy Framework (NPPF) was published in February 2019. 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 213 of the NPPF applies which states that 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 Planning Practice Guidance must also be taken into account. It states that, where the development plan is absent, silent or the relevant policies are out of date, paragraph 11 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

SP7: High Quality Homes

SP8: Good Design

SP12: Green Infrastructure and the Natural Environment

HO9: House Types and Sizes

GD1: High Quality Design

NH5: Trees and Woodland

NH6: General Protection for Open Space

NH3: Green Corridors

7. APPRAISAL

7.1 When considering applications of this type, local planning authorities are entitled to consider only the question of the conditions to which planning permission should be granted and must leave the original permission intact. In this instance, the other conditions imposed on the originally granted planning permission for this development remain relevant, so that the only issue for consideration in the determination of this application is how the variation of the condition referred to above would impact on the approved scheme and whether any additional conditions are warranted.

7.2 The main issues for consideration in the determination of this application are the acceptability of the changes to the scheme in respect of the visual amenities of the area, amenity of future occupiers and impact on the bridleway, as permitted under the original grant of planning permission.

7.3 Impact upon the Character and Appearance of the Area

7.3.1 Sheafgreen Lane is a designated right of way and bridleway connecting Ferrier Road to the eastern side of the borough over Gresley Way via a footbridge and to land within the borough of East Hertfordshire Council. The lane runs the expanse of the south western boundary of the site and the north eastern boundary of the Magellan Close and Christie Road estate.

7.3.2 The proposed reduction in garden depths and sizes as a consequence of moving the boundaries of these plots would result in an acceptable width of the bridleway being retained. The boundary treatments have been erected in the proposed location following numerous site visits and correspondence with Council Officers, and to allow the Local Planning Authority to ascertain the extent of the changes. The resultant impact of the boundary location changes on the character and visual amenity of the area are considered to be acceptable and beneficial to the use of the bridleway.

7.3.3 Works to trees along the southern boundary of the site have been carried out beyond the scope of the originally approved Tree Report but subsequent to site meetings and in accordance with revisions agreed with the Council's Tree Manager. This was a necessary consequence of the anomaly of the rear garden sizes and the close proximity of the self-seeded holy trees to the properties proposed for plots 36-40. This included the removal of a soil bank filled with historic building debris and rubbish to enable a retracted fence line to be established that would not reduce the bridleway that ran along the rear of the boundary line. The applicant has provided details of a replacement planting scheme along the northern boundary of the Lane to include traditional English hedgerow species and of a planting size sufficient to ensure a fast cover provision. This has been negotiated and agreed with Hill Partnership (the applicant) to help re-establish a green wildlife route along the bridleway.

7.4 Impact upon Amenities of Future Occupiers

7.4.1 The approved site layout plan had the rear garden depths of plots 36-40 as being approximately 16 – 18m, 11.5 – 16m, 8.4 - 11.5m, 7 - 8.4m and 14 – 8.7m respectively. The measurements vary due to the alignment of the boundary at a diagonal angle to the rear elevations of the properties in question, and the building line of plot 40.

7.4.2 The proposed amendment would see the reduction in the garden depths, with minor alterations to the alignment of the side boundaries of each property to try and provide the largest resultant gardens for each property. The proposed garden sizes are as follows –

- Plot 36 – length 13 – 15.6m; area 90 m²;
- Plot 37 – length 9 – 13m; area 58 m²;
- Plot 38 – length 5.5 – 9m; area 46m²;
- Plot 39 – length 4.7 – 5.5m; area 37m²;

- Plot 40 – length 6.5 – 5.5m; area 192m²

7.4.3 Despite the alterations and reductions in size, the gardens to plots 36, 37 and 40 are still of a size which accords with the Council's adopted design guidance of 50 square metres. However, plots 38 and 39 would be below the standard. Notwithstanding this, given the impact of the original approved garden depths on the bridleway and assessing the impact of the reduced garden size on the future occupiers of these properties, it is considered that the public benefit significantly outweighs the minor reduction in the garden size.

7.5 Impact upon the Bridleway

7.5.1 Sections 7.3 and 7.4 touch on the impact of the approved garden sizes and boundary positions on the bridleway. The proposed reduction in garden sizes and lengths will maintain the functionality of the bridleway. Whilst it is noted that the development has impacted on the growth and foliage that was adjacent the bridleway, if approved, the revised gardens to plots 36-40 will not reduce the actual width of the bridleway. Overall the changes now proposed, with enhanced planting are considered to be of greater benefit to the bridleway and its users.

7.5.2 Hertfordshire County Council Rights of Way team have confirmed that the resultant bridleway width is acceptable and raise no objections to the proposal.

8 CONCLUSIONS

8.1 It is considered that the proposal would not have a detrimental impact on the character and appearance of the area or the bridleway. Whilst the alterations to the garden sizes and depths to plots 38 and 39 specifically would result in below standard garden space for future occupiers, it has been demonstrated that the wider public benefit in this case outweighs the harm. Accordingly, it is recommended that planning permission be granted.

9 RECOMMENDATIONS

9.1 Planning permission be GRANTED subject to the following conditions:-

1 The development hereby permitted shall be carried out in general accordance with the following approved plans: 088-001C, C3506 001J, C3506 L001; 2016/3491/002D, E16-091-101P3, 088-PL200, 088-PL201, 088-PL202, 088-PL203, 088-PL204, 088-PL205, 088-PL206, 088-PL208, 088-PL210, 088-PL211 and 088-PL212.

REASON: - For the avoidance of doubt and in the interests of proper planning.

2 The development shall be carried out in accordance with the schedule and samples of the materials hereby permitted as submitted to and approved in writing by the Local Planning Authority under reference 17/00830/COND on 16 January 2018.

REASON: - To ensure the development has an acceptable appearance.

3 The development shall be carried out in accordance with the scheme of soft and hard landscaping submitted to and approved by the Local Planning Authority under reference 17/00820/COND on 2 February 2018, as amended by drawing no. C3506 L001 hereby approved for the provision of planting along the south western boundary of the site. The approved details 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.

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

- 4 Any trees or plants comprised within the landscaping details covered in condition 3 of this approval, 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.
5. 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 0730 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
REASON: - To safeguard the amenities of the occupiers of neighbouring properties.
- 6 The development shall be carried out in accordance with the Construction Method Statement submitted to and approved in writing by the Local Planning Authority under reference 17/00816/COND on 29 January 2018.
REASON: - To minimise the impact of construction vehicles, protect highway safety and to maintain the amenity of the local area.
- 7 The development shall be carried out in accordance with the Construction Traffic Management Plan submitted to and approved in writing by the Local Planning Authority under reference 17/00816/COND on 29 January 2018.
REASON: - In order to protect highway safety and the amenity of other users of the public highway.
- 8 No removal of trees, scrub or hedges, shall be carried out on site between the 1st March and 31st August inclusive in any year, unless searched beforehand by a suitably qualified ornithologist.
REASON: - Nesting birds are protected from disturbance under the Wildlife & Countryside Act 1981 (as amended).
- 9 The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) and Drainage Statement carried out by SDP Consulting Engineers, Job No. E16.091, Issue 2 dated of June 2017 including the following mitigation measures detailed within the FRA:
1. Providing attenuation to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event.
 2. Implementing appropriate drainage strategy based on attenuation and discharge into Thames sewer including SuDS features as indicated on drawing No. E16-091-101 Rev. P2 – Drainage Layout, prepared by Hill dated of 12.06.17.
 3. Limiting surface water discharge off the site at a maximum allowable rate of 5.0 l/s/ha for the 1 in 100 year plus 40% climate change event.
- The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.
REASON: - To prevent flooding by ensuring the satisfactory disposal of surface water from the site and to reduce the risk of flooding to the proposed development and future occupants.
- 10 The development shall be carried out in accordance with the final drainage scheme design completed, submitted to and approved in writing by the Local Planning Authority under reference 17/00821/COND on 5 April 2018.
REASON: - To prevent the increased risk of flooding both on and off the site.

- 11 The development shall be carried out in accordance with the boundary treatment details, including any walls, fences, gates or other means of enclosure approved by the Local Planning Authority under reference 17/00810/COND on 8 January 2018 as amended by drawing no. C3506 001 J hereby approved. The approved boundary treatments shall be completed before all of the dwellings are occupied.
REASON: - To ensure a satisfactory standard of development in the interests of amenity.
- 12 The development hereby permitted shall not be completed and fully occupied until the proposed junction from Chells Park access road has been constructed and the junction improvement works as identified on the 'in principle' details on drawing no. 2016/3491/002 revision D have been provided to the current specification of Hertfordshire County Council and to the Local Planning Authority's satisfaction.
REASON: - In the interests of highway safety and amenity.
- 13 Before the driveways to all dwellings are first brought into use, pedestrian visibility splays of 0.65 metres by 0.65 metres each side shall be provided and permanently maintained. Within this area there shall be no obstruction to visibility between 600 mm and 2.0 metres above the carriageway level. These measurements shall be taken from the intersection of the centre line of the junction with the edge of the carriageway of the highway respectively, along the access roads of the application site and from the intersection point along the edge of the carriageway.
REASON: - In the interests of highway safety and amenity.
- 14 Plots 23 – 40 of the development hereby permitted shall not be occupied until the proposed access from Ferrier Road has been constructed to base course construction for the first 20 metres as identified on the 'in principle' details on drawing no. C3506 001 revision J to the current specification of Hertfordshire County Council and to the Local Planning Authority's satisfaction.
REASON: - In the interests of highway safety and amenity.
- 15 The gradient of the access roads shall not be steeper than 1 in 20 for at least the first 20 metres from the edge of the carriageway.
REASON: - To ensure a vehicle is approximately level before being driven off and on to the highway.

Pro-active Statement

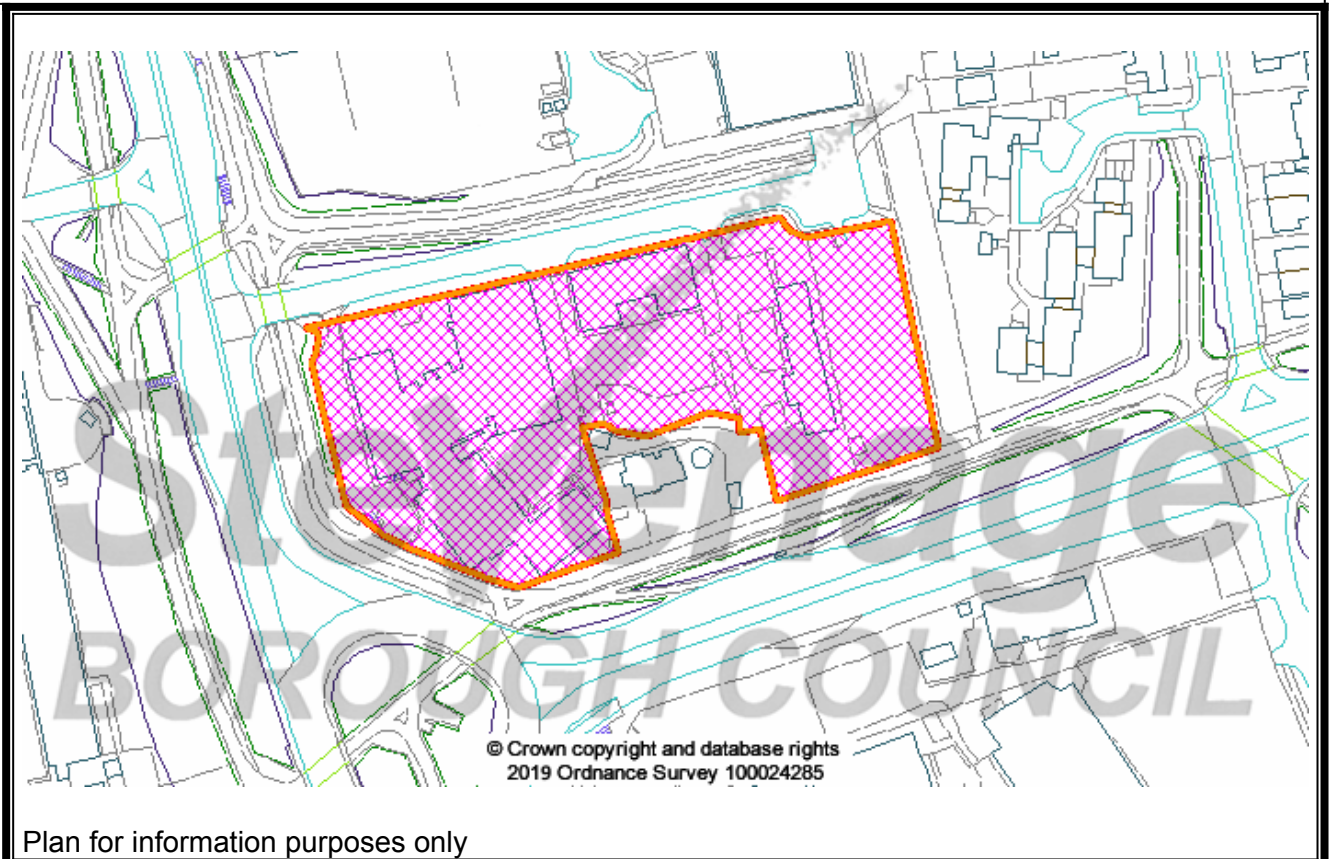
Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the National Planning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

10 BACKGROUND DOCUMENTS

1. The application file, forms, plans and supporting documents having the reference number relating to this item.
2. Stevenage Borough Local Plan 2011-2031.
3. Hertfordshire County Council Local Transport Plan LTP4 2018-2031
4. Central Government advice contained in the National Planning Policy Framework February 2019 and the National Planning Policy Guidance 2014, as amended.
5. Responses to consultations with statutory undertakers and other interested parties referred to in this report.

Meeting:	Planning and Development Committee	Agenda Item:
Date:	13 August 2019	
Author:	James Chettleburgh	01438 242266
Lead Officer:	Zayd Al-Jawad	01438 242257
Contact Officer:	James Chettleburgh	01438 242266

Application No:	19/00062/OPM
Location:	Land at Maxwell Road, Stevenage.
Proposal:	Outline application (with all matters reserved except access) for the demolition of existing buildings and replacement with buildings to accommodate up to 12,733 sq.m (GIA) office floorspace (Class B1) and up to 88 dwellings (Class C3), with associated public open space, landscaping, car parking and ancillary works
Drawing Nos.:	PL01; PL02; PL03B; PL104A; PL105A; PL106; PL107; PL108A; PL109A; PL110A; PL111A; PL112; Perspective 1 A; Perspective 2A; Perspective 3A; Perspective 4A; Perspective 5A; Mood Board – Northern Office; Mood Board – Southern Office.
Applicant:	TTL Chiltern Property Limited
Date Valid:	04 February 2019
Recommendation:	GRANT OUTLINE PLANNING PERMISSION.



Plan for information purposes only

1. SITE DESCRIPTION

- 1.1 The application site is located off Maxwell Road which is a spur road off Gunnels Wood Road (A602) and lies within a designated Employment Area. The site comprises a two-storey, utilitarian style, modulated office building with a flat roof known as Serviceline. This building is constructed from a stock red brick with vertically aligned metal windows. To the west of the Serviceline Building is the Furniture Industry Research Association (FIRA) building which is considered to be a non-designated heritage asset. This building has a distinctive roof design with an irregular cranked floor plan which comprises the central hall, workshops and laboratory areas which radiate out from the core. The building has a clearly defined entrance feature which comprises a projecting porch with brick side walls with a low level glass roof over a vestibule (lobby). This vestibule has been enclosed by double-leaf softwood doors with narrow glazed panels.
- 1.2 Located at the eastern part of the development site is Walton Lodge Veterinary Surgery. The veterinary surgery is a part single-storey, part two-storey building with a flat roof and is constructed from red brick. The fenestration detailing of this building comprises symmetrical and evenly spaced metal windows with associated panels.
- 1.3 To the north of the application site lies Cockerell Close. This road consists of a number of trade and commercial premises along with a warehouse and builders merchants. To the south of the application site is Broomin Green Farm which is a Grade II Listed Building. To the east of the application site beyond the tree belt is Mozart Court, off Fairview Road which is a residential care home. To the west of the site beyond Gunnels Wood Road dual carriageway is the modern Fujitsu office complex. The surrounding area, which forms part of the Gunnels Wood Road Employment Area, comprises a mixture of offices, warehouses, light industrial units and other commercial premises.

2. RELEVANT PLANNING HISTORY

- 2.1 Planning application 2/0166/50 sought permission for an industrial area development – Part 1. This application was granted permission in July 1950.
- 2.2 Planning application 2/0221/70 sought permission for an extension to provide research and ancillary space and additional parking area. This application was granted permission in December 1970.
- 2.3 Planning application 2/0167/74 sought permission for a single-storey extension to form laboratories and offices. This application was granted permission in August 1974.
- 2.4 Planning application 2/0283/77 sought permission for a car park and new access. This application was granted permission in December 1977.
- 2.5 Planning application 2/0019/78 sought permission for a single-storey training centre. This application was granted permission in February 1978.
- 2.6 Planning application 2/0020/78 sought permission for a multi-purpose building for research. This application was granted in February 1978.
- 2.7 Planning application 2/0122/78 sought permission for the erection of a multi-purpose two-storey building for research (Phase 1). This application was granted in May 1978.
- 2.8 Planning application 2/0263/78 sought permission for a two-storey building for research purposes. This application was granted in July 1979.
- 2.9 Planning application 2/0238/81 sought permission for a change of use from warehouse to light industry. This application was granted in October 1981.

- 2.10 Outline application 2/0432/85 sought permission for Phase 2, two-storey multi-purpose building and associated car parking facilities. This application was granted in February 1986.
- 2.11 Planning application 2/0068/96 sought permission for a flue and lattice support structure. This application was approved in May 1996.
- 2.12 Planning application 01/00488/FP sought permission for a change of use of premises from factory to veterinary hospital. This application was granted in November 2001.
- 2.13 Planning application 17/00303/OPM sought outline permission for the demolition of the existing buildings and replacement with 64 no. two bed flats and 64 no. one bedroom flats, two storey extension to retained "Serviceline Building" to facilitate conversion to 8 no. two bed flats and 24 no. one bed flats, erection of 3 no. 4 bed houses and associated access arrangements. This application was withdrawn in September 2018.
- 2.14 Prior approval application 17/00318/CPA sought a change of use of office building (Use Class B1(a)) to Residential Dwellings (Use Class C3), comprising 12 no. one bedroom flats and 4 no. two bedroom flats. Prior Approval was Required and Refused in July 2017.

3. THE CURRENT APPLICATION

- 3.1 The current application, which has been submitted in outline form with all matters reserved except for access, seeks the demolition of the existing Serviceline building, the FIRA building and the veterinary surgery and provision of up to 88 new dwellings and up to 12,733 sq.m of office floorspace (Use Class B1(a)), creation of new internal roads, private car parking, landscaping, open space and ancillary works. The proposed development of 88 dwellings would have a density of approximately 51 dwellings per hectare. The development would have 248 parking spaces which would include 58 spaces for the residential development and 190 spaces for the office development. The proposed development seeks to retain the grade II listed Broom Green Farmhouse, which sits outside of the application site.
- 3.2 As the application is in outline form it is seeking to establish the principle of development, although the access to the site boundary is sought for approval at this stage. The application includes a number of parameter plans which would set the parameters for any future reserved matters applications. These include parameters for the demolition of existing buildings, building heights, public realm and pedestrian access and indicative floorplans.
- 3.3 The application proposes that residential accommodation would cover around half of the development site in the form of two to seven storey apartment blocks. These would be located at the eastern and northern ends of the site and would sit on the footprint of the Serviceline building, veterinary hospital and associated surface car parks. The applicant has stated that the housing mix would comprise of 36 no. one bedroom and 52no. two bedroom apartments.
- 3.4 In regards to the proposed office development, this would sit on the footprint of the FIRA building which is located on the western part of the site. The application proposes the offices would be six and eight storeys in height and would comprise a basement and first floor decked undercroft parking area.

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. In addition, neighbouring properties have also been notified via letters on the amended parameter plans. Objections have been received from Philbeck House, Maxwell Road and Broomin Green Farm, Maxwell Road which are both residential properties. A summary of the objections received are as follows:-

- Loss of privacy to the private garden area;
- The proximity of the residential blocks will cause direct overlooking of habitable rooms;
- The development would result in a loss of sunlight to neighbouring properties;
- The development would generate security issues for neighbouring properties;
- The development would generate high levels of traffic on Maxwell Road and on Gunnels Wood Road which already has a high level of traffic due to developments such as Costco;
- Public who visit Costco are already parking in local residential streets and dangerously crossing the dual carriageway;
- Maxwell Road was never meant to be a busy residential road;
- The traffic along Gunnels Wood Road already affects many routes to other parts of Stevenage;
- The development has insufficient off-street parking;
- The development would prejudice ease of access to Broomin Green Farm;
- The development could generate anti-social behaviour in the area;
- The office development would affect the peace and tranquillity of Broomin Green Farm;
- There is question as to whether there is an actual need for the offices due to the level of vacant offices in the town;
- The proposal is overdevelopment of the site;
- The development would result in a loss of established businesses;
- The development would generate unacceptable noise levels on the occupiers of Broomin Green Farm;
- A number of buildings in the town have already been converted to flats, there surely is a need for houses for families;
- Stevenage should be for families and not be made into a commuting town;
- The development is out of character with the area in terms of building heights;
- There is a lack of an access road onto Gunnels Wood Road;
- The development would have a detrimental impact upon local wildlife;
- The travel plan submitted is unrealistic and its very likely the development would be car dependent;
- The developer is merely trying to make a profit and not catering for families in Stevenage;
- Providing homes for families would more likely contribute to Stevenage and its wealth instead of providing for commuters.

4.2 Please note that the aforementioned is not a verbatim of the comments which have been received. A full copy of the comments can be viewed on the Council's website.

5. CONSULTATIONS

5.1 Hertfordshire County Council as Highways Authority

5.1.1 The Transport Assessment submitted as part of this planning application and covering highway and traffic issues has been carefully considered to establish the likely impact of the

proposal on the highway network. It is considered that the total peak traffic generation of traffic would reduce in comparison with the existing uses on site. In addition, whilst the development is located off a local access road, this road is a spur off Gunnels Wood Road which is a main distributor road. However, it is not considered that the traffic generation of the proposed development is not considered to have a significant impact on the local highway network.

- 5.1.2 In regards to the proposed vehicle access points off Maxwell Road, it is considered that the access roads have been designed in accordance with Manual for Streets. Consequently, it is considered that the proposal would not have an unreasonable impact on the safety and operation of the adjoining highway subject to the provision of a financial contribution, conditions and informatives to be attached to any planning permission.
- 5.1.3 At the time of drafting this report, Hertfordshire County Council as Highways Authority and the applicant were holding on-going negotiations to seek improvements to pedestrian and cycle access. Therefore, an update regarding the outcome of these discussions will be provided at the committee meeting with regards to pedestrian and cycle access.

5.2 Hertfordshire County Council Growth and Infrastructure Unit

- 5.2.1 Following an assessment of the proposed development for 88 units, it is recommended financial contributions should be secured in accordance with HCC Toolkit towards youth services, library services as well as primary and secondary education. In addition to this, it is recommended that a fire hydrant should be provided as part of the development. As such, the fire hydrant should be secured as part of any S106 Legal Agreement.

5.3 Hertfordshire County Council as Lead Local Flood Authority

- 5.3.1 The County Council as the Lead Local Flood Authority (LLFA) consider the proposed drainage scheme to be acceptable. The drainage strategy is based on an attenuation and restricted discharge system via a Hydrobrake at 2.5l/s which is very close to the greenfield run-off rate for the site. However, as the application is in outline, the applicant will need to confirm full details regarding the attenuation features to be provided and SuDS management features on site. Therefore, it is recommended a number of conditions are imposed if planning permission were to be granted to secure the finalised drainage scheme for the development.

5.4 Hertfordshire County Council Archaeology

- 5.4.1 The proposed development lies adjacent to an Area of Archaeological Significance, as identified in the Local Plan. This concerns the 17th century farmhouse and considerably shrunken historic hamlet of Broomin Green in Stevenage.
- 5.4.2 The farmhouse is much modernised, but retains two timber-framed 17th century sections, and is Grade II listed. The hamlet, however, is recorded in documents from as early as 1248, where it is noted as the home of John de la Brome. It appears that there has been a small settlement in this corner of the ancient parish of Stevenage since the medieval period. The Desk Based Assessment (DBA) concludes that the development site is located, at least partially, on the site of the former hamlet.
- 5.4.3 Finds from the prehistoric period are also known to be found in this part of Stevenage, from hand axes dating to the Palaeolithic period to coins from the late Iron Age. In addition, there is also potential for prehistoric remains to be present in the area as well.
- 5.4.4 Some, not all, of the structures appear to have basements. However, it is unclear as to the degree that these buildings and possible basements, have led to the potential removal of

archaeological layers. Notwithstanding, many of the new structures will be in the footprint of the old. However, as stated by the DBA, development would also be taking place in the areas that were former car parks and greens areas. As such, archaeology may also be preserved beneath the existing structures that do not have basements.

- 5.4.5 It is therefore considered that the position of development is such that it should be regarded as likely to have an impact on heritage assets of archaeological interest. Therefore, if the Council is minded to grant consent, a number of conditions should be imposed to any permission issued. The suggested conditions are considered both reasonable and necessary to provide proper consideration for the likely archaeological implications of the development. In addition, the recommendations closely follow the requirements of paragraph 199 of the NPPF as well as the relevant guidance in National Planning Practice Guidance.

5.5 Hertfordshire County Council Minerals and Waste

- 5.5.1 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 developments 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 the waste is taken to.

5.6 Council's Conservation Advisor.

- 5.6.1 The site comprises a number of buildings in office/commercial use, a veterinary surgery and areas of parking all accessed from Maxwell Road. The south-west corner of the site is set down from the road which rises up to the roundabout over cycle-ways / footpaths below and is on the corner of Gunnels Wood Road and Fairlands Way. The buildings are generally tall single storey or two-storey in height.
- 5.6.2 Whilst the area is generally characterised by industrial / office buildings, adjacent to the site, and surrounded by it on 3 sides is the Grade II listed Broomin Green Farmhouse (a designated heritage asset). Prior to the New Town development of Stevenage, this building was part of Broomin Green Farm and lay isolated a little way to the east of the town. The farmhouse dates to the 17th century (partly rebuilt) and is of timber frame construction with plastered infill and a steep gabled clay tile roof which is a noticeable element within the street scene from Fairlands Way. At present the roof of the FIRA building, the nearest building to the farmhouse is lower than the ridge of the farmhouse. Despite the industrial nature of its current setting the buildings on the application site are lower than, or of a similar height to the farmhouse and it sits reasonably comfortably in this context.
- 5.6.3 The application site contains the Furniture Industry Research Association (FIRA) Laboratory; located in the south-west corner of the site facing the roundabout. The building was designed by Howell, Killick, Partridge and Amis, the celebrated architects' practice who designed a number of architecturally important buildings throughout this period (several of which are now statutory listed). The FIRA Laboratory was put forward for statutory listing however Historic England recommended it was not added to the statutory list as, unfortunately, the alterations that have occurred to the building since its construction have diminished its significance. None the less, the FIRA and its concrete sign to the site frontage are clearly still of architectural merit and the FIRA Laboratory should be considered a 'non-designated heritage asset'.

- 5.6.4 The development entails demolition of all the buildings on the site (FIRA Laboratory building, Serviceline building and Veterinary Surgery). The new development on the site would take the form of:
- A large office block on the corner of Fairlands Way and extending along the Gunnelswood Road frontage of the site, this has a 2-storey plinth and 6-storeys above.
 - Four blocks of residential units are proposed, ranging from between 2 – 7 storeys.
- 5.6.5 In relation to the office block, the way it curves to address Gunnelswood Road is the most successful part of its design. Following on from initial concerns raised the southern part of the office block has been reduced in height and the east flank of the southern part of the office block features further stepping at 4th and 6th floor, breaking up this flank elevation to some degree which is an improvement on the initial proposed plans. The core of the northern office block has been remodelled and the upper floor stepped in to reduce its bulk.
- 5.6.6 Despite these changes the scale bulk and massing of the office block is still considered to detract from the setting of Broomin Green Farmhouse, causing some harm to its significance. The residential development on the site is in smaller blocks however cumulatively the level of development does not seem all that sympathetic to the setting of the listed building.
- 5.6.7 The visual impact of the new development is illustrated on the site elevations (page 19 and 20) of the Design and Access Statement and on viewpoints 2a and 3 within the Landscape Visual Impact Assessment (LVIA). There is also a concern that the high level of development on the site this may, in time, put pressure to remove or heavily reduce the planting to the edges of the site, increasing the prominence and visual impact of the new development locally.
- 5.6.8 In relation to the demolition of the FIRA Laboratory building (considered to be a non-designated heritage asset), NPPF para. 197 states:
- 'The effect of an application on the significance of a non-designated heritage asset should be taken into account. In weighing applications that affect directly or indirectly non-designated heritage assets, a balanced judgement will be required having regard to the scale of harm or loss and the significance of the heritage asset.'*
- 5.6.9 Under the proposed redevelopment of the site the scale of harm or loss will be absolute, if the demolition of the FIRA Laboratory is granted it should be subject to a Level 3 Historic Building Recording which should be archived appropriately. With reference to the impact upon the setting (and significance) of the grade II listed Broomin Green Farmhouse:
- Setting is defined in the National Planning Policy Framework (NPPF) as "The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of the asset, may affect the ability to appreciate that significance or may be neutral."
- 5.6.10 The setting itself is not designated. Every heritage asset, whether designated or not has a setting. Its importance, and therefore the degree of protection it is offered in planning decisions, depends entirely on the contribution it makes to the significance of the heritage asset or its appreciation.
- 5.6.11 Paragraph 193 of the NPPF states that: *'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight*

should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

- 5.6.12 Paragraph 194 continues: *Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction or development within its setting) should require clear and convincing justification.*'
- 5.6.13 Paragraph 200 recommends local authorities look for opportunities for new development within the setting of heritage assets 'to enhance or better reveal their significance.' The development will not entail any direct physical alteration to the listed building or its immediate plot. It is recognised that the setting of the grade II listed Broomin Green Farmhouse has changed significantly since the mid 20th century with the development of the Gunnelswood Road industrial area and the surrounding road network.
- 5.6.14 It is acknowledged the changes made to the design, scale and massing of the office development during the application process have slightly reduced the level of harmful impact upon the setting of the farmhouse. However the redevelopment of the site as proposed (in particular the scale, bulk, mass and overbearing nature of the proposed office development and the cumulative impact of development on the site, is considered to have an adverse impact upon the setting of the farmhouse (compared to its existing setting), thereby causing 'less than substantial harm' to its significance.
- 5.6.15 The NPPF (para. 196) advises that: *'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal..'*
- 5.6.16 In reaching a decision on this application Stevenage Borough Council should balance the 'less than substantial harm' against any 'public benefits' the proposal may result in. If the application is approved, conditions including a Level 3 Historic Building Recording / full landscaping details and details / samples of external construction materials should be applied.

5.7 Council's Environmental Health Section

- 5.7.1 From a commercial perspective, it is recommended if planning permission was to be granted, the following conditions should be imposed:-
- Watching brief for initial site preparation in regards to land contamination;
 - Restriction on the hours of construction (including no playing of audible music/radio);
 - Management of construction operations in terms of noise, dust, smoke, lighting;
 - Control of any plant and equipment which could generate a nuisance.
- 5.7.2 In terms of noise, the Environmental Health Section has advised that they are unable to make further comments without a full BS4142:2014 (as amended) assessment of the commercial noise sources has been completed. It has to be appreciated that the Council has to be satisfied about the level of impact from the adjacent noise sources on future occupiers and that appropriate mitigation measures have been put in place to protect residents and ensure they are able to enjoy a reasonable internal and external acoustic environment without the likelihood of noise complaints arising in the future. Presently, based on the limited assessment of commercial noise you have undertaken so far, we cannot be satisfied of this. It is important not only for the future residents and the existing businesses, but also for the local authority who may be faced with investing resources into investigating and taking action if complaints were to arise. For this reason, the application will be required to provide a comprehensive assessment of the commercial noise.

5.8 Council's Arboricultural Manager

5.8.1 In order to reduce the impact of the development, it is recommended the following works to trees outside the site boundary will have to be carried out, at the cost of developer, before the commencement of the construction works. The works which have been suggested to the relevant trees are as follows:-

1. Removal of 2 no. Poplar Trees in the North East corner of Block 1;
2. 30% reduction of first row of trees on the Eastern boundary by Blocks 1 and 2;
3. 30% reduction of the two Lime trees by the South Eastern corner of the site;
4. 30% overall reductions on the two groups of Maple trees on the northern boundary near Block 4 and Office Block;
5. Removal (including stump grinding) of the two Maple trees on the North side by the sub-station.

5.9 Council's Parks and Amenities Section

5.9.1 The development falls outside the catchment area for any existing play area within the town. The nearest play facilities are at Meadway Playing Field and/or King George V Playing Field. Due to the industrialised nature of the site, it would not be suitable to construct a play area within the development.

5.9.2 Therefore, financial contributions will be sought towards Children's Play and Outdoor Sport. The monies would be utilised to improve either Meadway Playing Field and/or King George V Playing Field. The section also seeks further clarification in regards to public open space. In terms of landscaping, there are very limited details which have been provided. Therefore, to be able to comment, full details, plans and specifications for landscaping should be provided.

5.9.3 The Council's Parks and Amenities Section would not look to adopt the maintenance of the site due to its self-contained and isolated nature.

5.10.1 Council's Traffic and Enforcement Manager

5.10.1 There is no mention in the Transport Assessment for cycle parking. This should meet the Council's Standards. In terms of car parking, there would be a lower number of car parking spaces on the grounds on the sites accessibility in line with the Council's Standards. Therefore, it is recommended the developer provides additional cycle parking spaces in place of the un-provided car parking at a ratio of 1:1 to help realise the site's potential for sustainable travel.

5.10.2 At paragraph 2.17 of the Transport Assessment, it states that further pedestrian/cycle connections could be provided, subject to agreement with the Council. This is supported as it would help realise the site's potential for sustainable travel.

5.10.3 In regards to Maxwell Road, it is subject as detailed in the Transport Assessment to a single yellow line to prevent commuter parking. It is also subject to an overnight and weekend ban on parking by commercial vehicles of more than 5 tonnes/seating of more than 12 passengers. Therefore, provision should be made for a S106 contribution to fund the extension of these controls into the new street upon its adoption in order to protect residents from the issues that led these controls to be introduced in the first instance.

5.10.4 The introduction of further controls would also serve to support the site's sustainable travel by deterring residents from keeping excess vehicles that they would then have to store on the carriageway.

5.11 Police Crime Prevention Design Officer

5.11.1 Following a review of the redesigned office block, the Police Crime Prevention Design Service is disappointed that the applicant has not consulted the Design Service. In addition, they have not addressed some of the points which have been raised with regards to Secured by Design. This requirement should cover the whole of the development and not just the residential aspect.

5.12 Historic England

5.12.1 On the basis of the information made available to date, Historic England do not wish to offer any comments. It is suggested the Council seeks the views of their specialist conservation and archaeological advisers, as relevant.

5.13 Environment Agency

5.13.1 The proposed development is considered to be acceptable subject to conditions being imposed. The presence of the electricity sub-station and the current use of the site as a furniture industry research facility (with the associated materials and chemical laboratories), present a risk of contamination that could be mobilised during construction to pollute controlled waters. Controlled waters are particularly sensitive in this location given that the proposed development is located:-

- Within Source Protection Zone 1;
- Within 120 metres of an abstraction borehole used for the supply of water for human consumption;
- Upon a Secondary A Aquifer within the Glacio-fluvial deposits overlying the Principal Chalk Aquifer (Holywell Nodular Chalk Formation and the New Pit Chalk Formation).

5.13.2 The area is designated as Source Protection Zone 1 as significant groundwater source used for potable water supplies usable for human consumption and may be at particular risk from polluting activities on or below the land surface arising from the proposed development. The conditions recommended to be imposed if permission were to be granted are as follows:-

- Submission of a remediation strategy;
- Submission of a verification report in regards to remediation;
- Long term monitoring in respect to contamination;
- Remediation Strategy to be submitted if previously unidentified contamination is found;
- Control of SUDs infiltration of surface water into the ground;
- Piling; and
- Decommissioning of investigative boreholes.

5.14 Thames Water

5.14.1 In regards to Foul Water sewage network infrastructure capacity, there is no objection to the proposed development. With regards to surface water drainage, it is advised that if the developer follows the sequential approach to the disposal of surface water, there is no objection. Where the developer proposes to discharge to a public sewer, prior approval will be required from Thames Water.

5.15 NHS East and North Hertfordshire Clinical Commissioning Group

5.15.1 No S106 monies will be sought for this development.

5.16 20th Century Society

5.16.1 No comment.

5.17 Herts and Middlesex Wildlife Trust

5.17.1 No comment.

5.18 UK Power Networks

5.18.1 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 Borough Local Plan 2011-2031 (2019) (Adopted Local Plan).

6.1.2 The National Planning Policy Framework sets out that decision-takers may give weight to relevant policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies, and their degree of consistency with policies in the National Planning Policy Framework.

6.1.3 In considering the policy implications of any development proposal, the Local Planning Authority will assess each case on its individual merits.

6.2 Central Government Advice

6.2.1 A revised National Planning Policy Framework (NPPF) was published in February 2019. 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 213 of the NPPF applies which states that 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 Planning Practice Guidance must also be taken into account. It states that, where the development plan is absent, silent or the relevant policies are out of date, paragraph 11 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 SP1: Presumption in favour of sustainable development;
Policy SP2: Sustainable development in Stevenage;
Policy SP3: A strong, competitive economy;
Policy SP5: Infrastructure;
Policy SP6: Sustainable transport;
Policy SP7: High quality homes;
Policy SP8: Good design;
Policy SP9: Healthy communities;
Policy SP11: Climate change, flooding and pollution;
Policy SP12: Green infrastructure and the natural environment;
Policy SP13: The historic environment;
Policy EC2a: Gunnels Wood Road Employment Area;
Policy EC4: Remainder of Gunnels Wood;
Policy EC5: Active frontages and gateways;
Policy IT3: Infrastructure;
Policy IT4: Transport assessments and travel plans;
Policy IT5: Parking and access;
Policy IT6: Sustainable transport;
Policy IT7: New and improved links for pedestrians and cyclists;
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 GD1: High quality design;
Policy HC8: Sports facilities in new developments;
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 NH5: Trees and woodland;
Policy NH6: General protection for open space;
Policy NH7: Open space standards;
Policy NH09: Areas of Archaeological Significance.

6.5 Supplementary Planning Documents

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

7. APPRAISAL

7.1 The main issues for consideration in the determination of this application are its acceptability in land use policy terms, affordable housing and planning obligations, visual impact of the development, impact of the development on the setting of the listed building and the demolition of the non-designated heritage asset, impact on archaeology, impact upon neighbouring amenities, impact upon future amenities of residents, parking provision, highway implications, development and flood risk, impact on the environment, trees and landscaping and ecology.

7.2 Land Use Policy Considerations

Impact on the designated employment area

- 7.2.1 The application site is located within the Gunnels Wood Road Employment Area as identified in the Stevenage Borough Local Plan 2011-2031 (adopted 2019). Given this, the National Planning Policy Framework 2019 (NPPF) states that significant weight should be placed on both the need to support economic growth and productivity taking into account both local business needs and wider opportunities for development. Due to the site falling within a designated employment area, Policies EC2a and EC4 of the adopted Local Plan (2019) apply in this instance. Policy EC2a simply designates the Gunnels Wood Employment Area where as Policy EC4 sets out acceptable uses in the employment areas. These approved uses include Use Classes B1(c) light industry, B2 general industry and B8 storage and distribution.
- 7.2.2 Dealing firstly with the proposed offices, as set out in the Council's adopted Local Plan (2019) under Policy SP3: A Strong, competitive economy, the Council will seek to encourage high intensity B-class employment uses in the most accessible locations. It will continue to remodel Gunnels Wood Road to meet modern requirements and provide a high quality and attractive business destination as well as collaborate with Central Bedfordshire Council and North Hertfordshire District Council to ensure an appropriate level of employment provision within the wider A1(M) / A1 corridor over the plan period.
- 7.2.3 The Council's Employment Technical Paper dated December 2015 which forms part of the evidence base for the Local Plan, outlines that it is forecasted that there will be a requirement to provide 30 hectares of employment land over the plan period between 2011-2031. However, through the undertaking of the SLAA (Strategic Land Availability Assessment) it can be seen that a total of 19.4 hectares of land has been identified on the supply side. Therefore, the opportunities identified will deliver 56% of the required quantum employment (paragraphs 3.40 to 3.42). The aforementioned Employment Technical Paper was updated in December 2016. A synthesis of the supply-side and demand-side data suggests that there is insufficient land available to meet the trend-based requirement for at least 30ha. The opportunities identified will deliver approximately 62% of the required quantum of employment land, resulting in a shortfall of approximately 11.5ha (paragraphs 3.10 and 4.4). As such, any reduction in employment land could effectively exacerbate this shortfall and thus make it difficult for the Council to be able to accommodate sustainable future growth over the Local Plan period.
- 7.2.4 Dealing with the proposed scheme which is before the Council for its consideration, part of the proposed development seeks to deliver Use Class B1(a) office floorspace. As such, the proposed office development is technically not in accordance with Policy EC4 of the adopted Local Plan (which seeks the provision of B1(b) research and development, B1(c) light industry, B2 General Industry and B8 storage and distribution). Notwithstanding this, Policy EC4, states that planning permission for B1(a) offices will only be granted as an exception to criterion a where:-
- i. it is ancillary to a B1(b), B2 or B8 use;
 - ii. essential to the continued operation of an established B1(a) use; or
 - iii. a sequential test clearly demonstrates that no suitable sites are available in more accessible locations.
- 7.2.5 Looking at the first two points, the development would not be ancillary to a B1(b), B2 or B8 use, or is essential to the continued operation of an established B1(a) use. As such, the applicant would be required to undertake a sequential test to clearly demonstrate that there are no suitable sites available in more accessible locations. As such, the applicant has undertaken a Sequential Assessment to determine whether or not there is a more suitable site which is in a more accessible location.

- 7.2.6 The sequential assessment undertaken by the applicant focuses on the employment allocations in the adopted Local Plan due to the nature of the proposal. In this regard, Policy EC1 of the plan has to be taken into consideration in this instance as this allocates sites of up to 143,500 sq.m of employment space. There are three allocations under this policy which incorporate a component of B1(a) office floorspace. These sites are as follows:-
- South of Bessemer Drive, Gunnels Wood Road (Policy reference EC1/2);
 - Stevenage Central (Policy reference EC1/5); and
 - West of Stevenage (Policy reference EC1/6).
- 7.2.7 With regard to the Stevenage Central allocation (Policy reference EC1/5), this allocation comprises of six Major Opportunity Areas (MOAs). However, only four of the MOAs make provision for Class B1 office development. The MOAs which make provision of B1 office developments are as follows:-
- Centre West (Policy TC3);
 - Station Gateway (Policy TC4);
 - Central Core (TC5); and
 - Northgate (TC6).
- 7.2.8 The sequential assessment identifies that the aforementioned MOAs are in private ownership, there are no planning permissions in place for these sites to accommodate office development and no Environmental Impact Assessment (EIA) screening opinions have been undertaken on any of the allocations either. In addition, these allocations also seek the delivery of mixed use development such as housing, retail, non-residential institutions and in some of the sites a hotel. In addition, the overall size and scale of these development parcels would not be suitable for a single occupier office development due to its overall size and scale and therefore, it would undermine the aspirations of these town centre allocations.
- 7.2.9 With regard to the sites referred to in paragraph 7.2.6 these sites are again in private ownership. With regards to the Bessemer Drive site, this has planning permission (06/00290/FP) for a development comprising of B1, B2 and B8 along with a car showroom (which has been implemented). The site also does not offer the opportunity to deliver the quantum of office floorspace proposed and the allocation also seeks the provision of B1(b) development. With regards to West of Stevenage, this is out of centre and the allocation refers to small business use in relation to Class B1(a). In addition, this allocation is part of the wider residential development for West of Stevenage which has not been delivered. As such, the development would be standalone and not deemed to be in a sustainable location.
- 7.2.10 Given the above, the applicant has been able to demonstrate that there are no suitable sequentially preferable sites allocated in the adopted Local Plan for the proposed development. Therefore, the proposed office development from a sequential test perspective is acceptable. Furthermore, and material in the determination of this application is the fact that the Council is seeking the provision of 140,000 sq.m of Class B employment land as set out under Policy SP3 of the adopted local plan, however, currently there is a 16 hectare shortfall in employment. The proposed development would, therefore, help meet unmet need within a sustainable location. As such, it is not a scheme that would impact upon the town centre employment allocations or those allocated in Gunnels Wood Road.
- 7.10.11 Looking at the proposed development and application site in more detail, the application site currently comprises of three main operators, the Furniture Industry Research Association (FIRA) (2,589 sq.m of B1 floorspace), the veterinary clinic (471 sq.m of D1 floorspace) and Service Line (866 sq.m of B1 floorspace). Given the veterinary clinic is not

a traditional employment use and would generally be classed as an unacceptable use in the employment area as defined under Policy EC4, the site currently only has 3,455 sq.m of traditional B1 (business) employment space. The proposed office development seeks to provide indicatively 12,733 sq.m of office floorspace. This would be an increase of 9,278 sq.m of employment floorspace or 73% over and above the existing level of floorspace which is currently provided on the application site. In addition, offices are defined as B-class employment based use in the Town and Country Planning (Use Classes) (England) Order 1987 (As amended), and, as such, is deemed to be an acceptable use in the Gunnels Wood Employment Area.

- 7.2.12 With regards to assessing the potential amount of employment a particular development would generate, the Homes and Community Agency (HCA) Employment Density Guide, 3rd Edition (2015) provides a benchmark for employment densities. This guidance demonstrated that the proposed office development would generate a higher level of employment compared to for example B2 uses (General Industrial) and B8 uses (Warehouse and Distribution).
- 7.2.13 In addition to the above, as set out in paragraph 7.2.3 of this report, it has been established that Stevenage can only accommodate about half of its predicted employment growth over the Local Plan period (this has included the release of Green Belt land in order to meet the necessary demand). Therefore, the Council has had to rely on neighbouring authorities to support the necessary employment growth which would be generated over the local plan period. Consequently, the provision of 12,733 sq.m of office floor space (increase of 0.92 hectares of employment space) would go in some way addressing the significant shortfall of employment land available as identified in the evidence base which supports the Local Plan.
- 7.2.14 To further support the proposed office development, it is noted that the application site is located on a prominent corner/gateway site and Policy EC5 of the adopted Local Plan (2019) is relevant. For reference Policy EC5: states that where a development in the Gunnels Wood Employment Area fronts onto Broadhall Way, Bessemer Drive, Gunnels Wood Road, Fairlands Way and Six Hills Way, permission will be granted where:
- a. Proposals face directly onto the identified road(s) and provide active frontages and natural surveillance;
 - b. Buildings are not set back significantly from the identified road(s);
 - c. Car parking and service areas are located away from the street frontage of the identified road(s); and
 - d. On corner plots, where these roads intersect, schemes incorporate landmark architecture and gateway features wherever this would be compatible with the proposed use(s).
- 7.2.15 Taking the aforementioned into consideration, it is considered that it would be difficult to deliver non B1 uses such as warehouses and industrial uses to a high quality design. This is because due to their very nature, these developments usually require large, utilitarian style buildings which also generally comprise of extensive external plant and equipment. Consequently, it is considered that the proposed creation of an office development at this prominent location, given the context of the adjoining listed building, would be the most acceptable option for this application site in this instance. This is because there is the ability to design a high quality office development which would meet the requirements of Policy EC5 as well as help to deliver a development which would be less likely to have a detrimental impact on the setting of the grade II listed building. In addition, such a development could also meet the necessary employment needs of the town over the Local Plan Period.

- 7.2.16 Turning to the proposed residential development, this would result in the loss of employment land and is generally not an acceptable form of development in an employment area. Notwithstanding this, three out of the four proposed residential blocks would be located on a surface car park and land which is currently occupied by the veterinary surgery which falls under Use Class D1 which is not classed as traditional employment development. As such, this part of the development proposal would not technically result in a reduction in employment floorspace.
- 7.2.17 Taking the above into consideration combined with the fact that the proposed development does not seek a reduction or the loss of an existing established employment use, but, would result in a significant increase in employment floorspace, it is considered that the proposed development would, on balance, be acceptable in line with the policies set out on adopted Local Plan (2019) along with the aims and objective set out in the National Planning Policy Framework (2019).

Compliance with the Council's Housing Policies

- 7.2.18 The NPPF states at paragraph 7 that the purpose of the planning system is to contribute to the achievement of sustainable development. The NPPF also stipulates that decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area. In addition, the Framework also sets out that sustainable development needs to be pursued in a positive way and at the heart of the framework is a "presumption on favour of sustainable development".
- 7.2.19 Paragraph 61 of the National Planning Policy Framework (NPPF) 2019 requires that the planning system should deliver, inter alia, a mix of housing particularly in terms of tenure and price to support a wide variety of households in all areas. Paragraph 68 of the NPPF sets out that small and medium sites can make an important contribution to meeting housing requirements in an area, and this includes supporting the development of windfall sites.
- 7.2.20 Paragraph 67 of the NPPF (2019) states that planning policies should identify a supply of specific deliverable sites for years one to five of the plan period, and specific deliverable sites or broad locations for growth, for years 6 to 10 and where possible, for years 11 to 15. Paragraph 73 of the same document states that "Local Planning Authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies".
- 7.2.21 Paragraph 117 of the NPPF stipulates that planning policies and decisions should promote the effective use of land in meeting the need for homes such as through the use of brownfield sites (previously developed land) and the development of underutilised land.
- 7.2.22 Turning to the adopted Local Plan (2019), as the site is not designated for residential development it would be classed as a windfall site. Taking this into consideration, Policy SP7 (High quality homes) states that the Council needs to be provide 7600 new homes over the local plan period of which 1,950 homes would be provided through windfall sites. Turning to the specific policy on windfall development sites, (Policy HO5 of the Local Plan), this outlines a set of criteria that must be met for a development to be considered acceptable. These criteria state that permission will be granted where: the site is on previously developed land or is a small, underused urban site; there is good access to local facilities; there will be no detrimental impact on the environment and the surrounding properties; proposals will not prejudice the Council's ability to deliver residential development on allocated sites; and, the proposed development would not overburden existing infrastructure.

- 7.2.23 Taking the above issues in turn, the application is on previously developed land. The site is currently occupied by the FIRA building, a veterinary clinic and an office complex, hardstandings, car parking and small ancillary buildings and thus accords with the definition of previously developed land set out in Annex 2 of the NPPF. The NPPF states that previously developed land is land which is or was occupied by a permanent structure, including the curtilage of the developed land and any associated fixed surface infrastructure. The NPPF also advises that a key objective is that local planning authorities should continue to make effective use of land by re-using land that has been previously developed. As such, the proposed development is in accordance with adopted Local Plan (2019) Policy HO5 criterion a.
- 7.2.24 Criterion b. of Policy HO5 also requires that there is access to local facilities and that residential proposals include opportunities to access alternative forms of travel to private motorised transport. In this regard, the application site is located 371m from Woolenwick Primary School and 1.24km from Thomas Alleyne's Academy which also lies adjacent to Barclays School. The site is also 644m from The Old Town and 373m from the Town Centre respectively. In terms of access to public transport, the site is located 476m from Stevenage Railway Station and 30m from the nearest bus stop on Fairlands Way. The site is also located directly adjacent to the extensive cycle network. Taking these points into consideration, the proposed development is considered to have good access to local facilities and public transport as well as both the pedestrian and cycle networks. The site has, therefore, been demonstrated to be in a sustainable location. In regards to criterion c. of Policy HO5 which requires development to not have a detrimental impact on the environment and the surrounding properties, these matters would be dealt with in later sections of this committee report.
- 7.2.25 In regards to residential development on allocated sites as defined in the adopted Local Plan, the development site would not be located in close proximity to an allocated site. Therefore, the development would not affect the delivery of these allocated sites for residential development and, therefore, accords with criterion d. of Policy HO5. With regards to the impact of the development on existing infrastructure, this is considered in more detail in the Affordable Housing and Financial Obligations section of this report.
- 7.2.26 With respect to the five year land supply of deliverable housing, local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirements, but the supply of specific deliverable sites should in addition include a buffer (moved forward from later in the plan period) of:-
- a) 5% to ensure choice and competition in the market; or
 - b) 10% where the local planning authority wishes to demonstrate a five year supply of deliverable sites through an annual position statement or recently adopted plan, to account for any fluctuations in the market during that year; or
 - c) 20% where there has been significant under delivery of housing over the previous three years, to improve the prospect of achieving the planned supply.
- 7.2.27 The most up to date housing supply figures indicate that the Council is able to meet its requirements to provide a 5 year land supply as defined in the adopted Local Plan. The fact that the Council can meet its 5 year land supply of housing is thus a material consideration in the assessment of this application. However, as set out above, as the application site is considered to be a 'windfall' site where it will help to meet the Council's overall housing need over the local plan period.

7.2.28 With the above in mind, combined with the fact that the site is considered to be in a highly sustainable location, it would constitute a sustainable form of development providing a mixture of 1 and 2 bedroom apartments.

7.2.29 Given the aforementioned assessment, subject to the development not having a detrimental impact on the setting of the listed building, character of the area and neighbouring amenities, the principle of the residential development here is acceptable.

7.3 Affordable housing and planning obligations

7.3.1 Policy HO7 of the adopted Local Plan (2019) stipulates that planning permission would be granted for residential development which would maximise affordable housing provision. Taking this into consideration, there is a requirement to provide 25% of new homes to be affordable on previously developed sites. In this regard, there would be a requirement to provide 22 affordable units.

7.3.2 Turning to affordable housing tenure, mix and design, Policy HO7 states that planning permission would be granted where those dwellings:

- a. Are provided by the developer on site with at least 70% of the units being for rent and the remainder consisting of other tenures which is to be agreed with the Council's Housing team;
- b. Meets the requirements of Policy HO9 (House types and sizes);
- c. Are physically indistinguishable from other types of homes and are distributed across the site to avoid over-concentration in particular; and
- d. Will remain at an affordable price for future eligible households.

7.3.3 In addition to the above, paragraph 64 of the NPPF (2019) stipulates that for major developments involving the provision for housing, planning decisions should expect at least 10% of the homes to be made available for affordable home ownership (this includes shared ownership, equity loans, other low cost homes which are 20% below local market value and rent to buy). However, the aforementioned 10% requirement is part of the overall affordable housing contribution for the site.

7.3.4 The applicant has confirmed that the development would comprise of 25% affordable units. As such, the development would be policy compliant in this instance. With respect to the exact location of the affordable units, the affordable housing tenure mix, size of the units etc. this would be dealt with at any subsequent reserved matters stage.

7.3.5 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. Based on the indicative number of units proposed, the following contributions would be sought.

Stevenage Borough Council	Contribution Towards
Open outdoor space	Improvements to outdoor sport facilities at King George V and/or Meadway Playing fields.
Children's play space	Improvements to outdoor sport facilities at King George V and/or Meadway Playing fields.
Traffic Regulation Order	If the residential road is to be adopted, a Traffic Regulation Order will need to be drawn up to restrict overnight and weekend ban on parking by commercial vehicles of more than 5 tonnes/seating of more than 12 passengers.
Hertfordshire County Council	
Primary Education	Towards the expansion of Broom Barns Primary School from 1FE to 2FE.
Secondary Education	Towards the expansion of Barclay School from 6.5FE to 7FE.
Library	To develop the Children's Area at Stevenage Central Library (including a combination of the following:- provision of additional stock, new accessible and flexible shelving, new kinder boxes, additional new and attractive furniture for children and their families.
Youth Services	Towards the purchase of additional sports equipment for the Bowes Lyon People's Centre or its re-provision.
Sustainable Transport	Improvements to the bus stop on Gunnels Wood Road (southbound).
Travel Plan Monitoring	To monitor and review the Travel Plans relating to both business and residential.

- 7.3.6 In addition to the above, Hertfordshire County Council has also requested the provision of a fire hydrant be secured as part of any S106 Legal Agreement. The applicant has agreed to pay the necessary development contributions which have been calculated on the indicative proposal of 88 units for the services provided by Stevenage Borough Council and Hertfordshire County Council. Notwithstanding this, it is important to note that this application is for outline planning permission and the size of the proposed units is not for consideration at this stage. As such, a formula for payments depending on the size of units will be included in the s106 legal agreement which will allow for any changes from the indicative 88 unit scheme.
- 7.3.7 With respect to the impact on GP surgeries and mental health facilities, the NHS and East and North Hertfordshire CCG has not requested a financial contribution from this development.
- 7.3.8 Dealing specifically with the proposed office development, as the application site is designated as employment land and it is of public benefit, it is recommended that as part of any S106 legal agreement, a trigger clause/mechanism should be incorporated into the legal agreement. This clause will be worded in a way to ensure that the office development is brought forward.

7.4 Visual impact of the development

- 7.4.1 In terms of design, Paragraph 127 of the NPPF 2019 stipulates that planning decisions should ensure development functions well and adds to the overall quality of the area, not just in the short term but over the lifetime of the development. It also sets out that development should be visually attractive as a result of good architecture, layout and appropriate and effective landscaping is sympathetic to local character and history, including the surrounding built environment and landscape setting. Paragraph 130 of the NPPF states that “permission should be refused for development of poor design that fail to make available opportunities available for improving the character and quality of an area and the way it functions”.
- 7.4.2 Policy SP8 of the adopted Local Plan (2019) requires new development to achieve the highest standards of design and sustainability which can deliver substantial improvements to the image and quality of the town’s built fabric. Policy GD1 of the Local Plan generally requires all forms of development to meet a high standard of design which includes form of built development, elevational treatment and materials along with how the development would integrate with the urban fabric, its relationship between buildings, landscape design and relevant aspects of sustainable design. Policy EC5: Active Frontages and Gateways of the same document states that where a development in the Gunnels Wood Employment Area fronts onto Broadhall Way, Bessemer Drive, Gunnels Wood Road, Fairlands Way and Six Hills Way, fronts onto these road, will be granted where:
- a. Proposals face directly onto the identified road(s) and provide active frontages and natural surveillance;
 - b. Buildings are not set back significantly from the identified road(s);
 - c. Car parking and service areas are located away from the street frontage of the identified road(s); and
 - d. On corner plots, where these roads intersect, schemes incorporate landmark architecture and gateway features wherever this would be compatible with the proposed use(s).
- 7.4.3 Policy HO5: windfall sites require residential development on unallocated site to not have a detrimental impact on the environment and on surrounding properties. The Council’s Design Guide SPD 2009 generally reflects the aforementioned policies whereby it seeks development to respect surrounding buildings in terms of scale, massing, height and design. As such, it encourages good design as it can enhance the appearance of places.
- 7.4.4 The application proposes the redevelopment of the Maxwell Road site for residential and office development which would be across two separate parcels (residential parcel and office parcel). Looking at the residential parcel, the indicative layout indicates a range of 1 and 2 bedroom apartments across four separate blocks. The parameter plans show the residential development would be in the range of between three stories to seven stories with the highest buildings being located at the northern boundary of the site towards Cockerell Close. The lower, more intermit scales, are positioned to the south due to the siting and position of Broomin Green Farm which is a Grade II listed building.
- 7.4.5 The residential blocks would appear well articulated with projecting and recessed features along with a staggered built form which helps to add some relief to the overall bulk and mass of the residential blocks. They would, whilst indicative, appear to be constructed from contrasting and varied materials in order to add variety and interest to their architectural design. In addition, as indicatively shown, the residential blocks could potentially comprise of balconies which could help to further modulate the buildings along with vertically aligned

and evenly spaced windows in order to help to give the residential blocks an element of verticality.

- 7.4.6 Turning to the indicative proposed office development which is located on the western parcel of the Maxwell Road development site, it would comprise of 12.733sq.m of office floorspace across two blocks (north block and south block). The blocks would be between six and eight stories in height (including the undercroft decked car park). The office buildings plot is defined as a corner plot whereby Gunnels Wood Road and Fairland Way intersect. As such, the indicative office development has been designed to turn the corner where the southern block would have a curved curtain-wall glazed frontage. In addition, the indicative office building would have staggered floors whereby the building would step down towards Broomin Green Farm. This is in order to give the building an articulated built form which would also help to reduce its overall mass and bulk. In addition, some of the floors of the building would, indicatively, comprise of green roofs which would help to improve it aesthetically.
- 7.4.7 The northern block would front onto Gunnels Wood Road and Maxwell Road and would consist of a five storey connecting wing with the southern block. This block, whilst indicative, could potentially comprise of curtain wall glazing with a recessed upper floor level with associated green roofs. In addition, the northern block would comprise of a lower level projecting lobby area which has been carefully designed to create a high quality focal point. The lobby, whilst indicative, is shown to have double height glazing which is framed by a white box feature. The façade would also appear to have projecting metal box features which help to add variety and interest into the built form which helps emphasise the contemporary modern design.
- 7.4.8 Looking at the proposed development in context with the wider area, the site is relatively self-contained, reflecting its current use and is set within a wider residential context in this western part of Stevenage. The site is within the Gunnels Wood Road Employment Area and is bordered by residential development on Fairview Road to the east of the site. As such, only the site's northern boundary is adjacent to commercial and industrial development within the employment area, with the rest of the employment area located beyond Gunnels Wood Road to the west and Fairlands Way to the south. In addition, Broomin Green Farm is also a residential dwellinghouse. Taken this context into account, residential development is considered to be acceptable here.
- 7.4.9 In assessing the existing buildings, there are predominantly three main buildings on the site at present ranging in height. Building one (FIRA) is a part single-storey, part two-storey building. The second building (Serviceline) is two-storeys in height and the third building (veterinary surgery) is part single-storey, part two-storeys in height. To the east of the application site lies Mozart Court off Fairview Road which is between one stories and four stories (including ground floor) in height. Moving further east towards Stevenage town centre is Kilby Road which comprises a mixture of two, three, five storey residential buildings as well as the ten storey residential block of apartments. To the north of the site lies Cockerell Close. This comprises of large three-storey commercial and industrial units along with the large high bay Flamingo Warehouse. To the south, beyond Fairlands Way comprises large two-storeys to five storeys high commercial and industrial units which are off Argyle Way. To the west beyond Gunnels Wood road lies the four storey Fujitsu offices. Given the relatively self-contained nature of the site and the range of height in buildings within proximity to the site, it is considered that apartment buildings of three to seven stories could be accommodated here without having a detrimental impact on the character and appearance of the area.
- 7.4.10 In terms of the offices, which are between six and eight stories in height (including two-stories of decked undercroft parking), despite these buildings being slightly taller than nearby offices, this part of the development site is set down from Gunnels Wood Road and Fairlands Way. This is due to the sloping topography of the application site which slopes

away from Gunnels Wood Road down towards Stevenage Town Centre. As such, whilst indicative, the offices would not appear overbearing or harm to the character and appearance of the wider street scene. In addition, the parameter plans and indicative elevation plans, due to the offices being located on a prominent corner, would provide a landmark building at the junction of Gunnels Wood Road and Fairlands Way as well as replace the existing gateway building (FIRA).

7.4.11 The indicative plans provided in the application demonstrate that a high quality residential development could be created in this location along with a well-designed, high quality landmark office development on a prominent corner location. In addition, the offices have been designed in order to create active frontages onto Gunnels Wood Road and Fairlands Way. The development would include areas of soft landscaping which along with the retention of important trees which punctuate the development site, would help to create a high quality residential environment as well.

7.5 Impact of the development on the setting of the listed building and demolition of a non-designated heritage asset.

7.5.1 In assessing the impact of the development on the setting of Broomin Green Farm which is a Grade II Listed Building, paragraphs 193 to 196 of the NPPF have to be considered in the determination of this planning application. As established through case law, Paragraph 193, of the NPPF stipulates that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Paragraph 194 sets out that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification which includes grade II listed buildings.

7.5.2 Paragraph 195 of the NPPF sets out that where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss. In reference to paragraph 196 of the NPPF (2019), this sets out that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

7.5.3 Policy SP13 of the adopted Local Plan (2019) sets out that development will need to preserve and enhance the most important areas and characteristics of Stevenage. This policy sets out that the Council will assess the developments in line with national guidance and legislation to determine applications affecting heritage assets.

7.5.4 Dealing firstly with the non-designated heritage asset i.e. the FIRA building, the building was designed by HKPA Architect Practice (Howell, Killick, Partridge & Amis) in c 1964. The FIRA building does have later extensions (as it was designed to expand in such a way), these are of lesser architectural interest. However, the building is considered to be of architectural merit and an interesting example of post-war design.

7.5.5 Taking into consideration of the above, the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly, or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or the loss and the significance of the heritage asset. In addition, as per paragraph 199 of the NPPF, local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost.

7.5.6 As the FIRA building is considered to be of architectural merit and being a non-designated heritage asset, the 20th Century Society lodged an application to Historic England to have the building listed. Following a review of this application, the Secretary of State for Digital, Culture, Media and Sport (DCMS) as advised by Historic England, decided not to add the FIRA headquarters building to the List of Buildings of Special Architectural or Historic Interest. The principle reasons given for not listing the building were as follows:-

Architectural interest:

- The building's thoughtful external form has been altered significantly by the addition of large-scale extensions which have considerably reduced the impact of the original design intention;
- Key spaces in the interior, including the entrance hall and all three main wings, have been remodelled, diminishing the interest of the plan-form and interior spaces.

Historic interest:

- While Howell, Killick, Partridge and Amis are acknowledged as being a leading post-war architectural practice, this distinguished authorship does not outweigh the extent of alteration;
- Although the building's role in the expansion of Stevenage New Town, along with being the only purpose-built furniture and testing facility to be erected in England, are important considerations, this does not counteract the later alterations.

Group value:

- It's group value with Broomin Green Farmhouse (C17; Grade II) and the John Lewis Warehouse (1963; Grade II) is acknowledged but is of insufficient weight to confer special interest.

7.5.7 Taking into consideration of the above, it has been demonstrated that the historic elements of the building have been compromised by the unsympathetic extensions and alterations which have been undertaken over the years. As such, this is a reason why the building was not listed. However, whilst the building is not statutorily listed, it is deemed to be a non-designated heritage asset. As such, the proposed development would result in the complete loss of the FIRA building which would therefore, result in substantial harm to the significance of the building in this instance. However, the significance of the building has been lessened due to the unsympathetic extensions and alterations which have occurred to the building. Consequently, it would be difficult for the Council to resist the demolition of the building in this instance. Notwithstanding this, in line with the NPPF (2019), the applicant is required to prepare a historic recording of the building in order to document the remaining significance of the building. As such, through this recording, this would off-set the harm of the loss of the building once it has been demolished as part of the development proposal. This is supported by the Council's Conservation and Historic Advisor and can be secured by the imposition of a condition.

7.5.8 Turning to the impact on the listed Broomin Green Farmhouse, Section 66 of the Town and Country Planning (Listed Building and Conservation Areas) Act 1990 (hereby referenced The Act) imposes a statutory duty on Local Planning Authorities to consider the impact of proposals upon listed buildings and their setting. In addition, special regard must be given to preserving a listed building or its respective setting or any features of special architectural or historic interest that it possess.

7.5.9 Looking at the specific listed building in more detail, as set out in Historic England records, Broomin Green Farmhouse is a Grade II building. It is an L-shaped building which has largely been modernised, but comprises of retained two black and white 17th century

framed sections. The external walls also have plaster filling with a brick base recently restored. The taller section of the property consists of a two-storey bay of one window from whose gable-end extends to a similar, but lower one-storey, one bay window feature. There is also an upper window on the gable-end of the single-storey feature. The roof of the property is tiled and all windows and frames appear to be of recent construction.

- 7.5.10 Taking into consideration the requirements of The Act, the proposed development does not seek to extend, alter or demolish any part of the listed building as it falls outside the application boundary. Consequently, the only matter of consideration in the determination of this application is whether the development has a significant impact on the setting of the Grade II listed farmhouse.
- 7.5.11 Before looking into detail at the current setting of the listed building, consideration is made with regard to the historical setting of the listed building and how this has evolved to the present day. The original setting of the Grade II listed farmhouse was a small holding which formed part of a series of dispersed hamlets and farmsteads as detailed on maps dating from 1787. On the 1834 OS maps contained within the applicant's Heritage Assessment, this shows a group of outbuildings, including two barns. The farmhouse was then added to the statutory list in 1948 and at this time, was enclosed by heavy planting and was still set within open rural land interrupted by intermittent planting. However, by the 1960's and early 70's, the land to the west of the site was developed by FIRA and to the south the outbuildings were demolished for the cycle track which is present today. The FIRA building was expanded with additional buildings and a car park along with a service road which enclosed the farmhouse. Also by this time, there was the construction of Gunnels Wood Road (A1072) to the west and Fairlands Way (A1155) to the south.
- 7.5.12 To the east of the site, was a large warehouse and by 1978 the car park to the north was replaced by a two-storey multi-purpose research building (Serviceline). By the late 20th century, there was the construction of the veterinary surgery. In addition, to the north of the site (which is currently Cockerell Close) comprised of factories (as shown on OS Maps from 1984). There was also the original Fujitsu offices to the west and to the south beyond Fairlands Way were a number of industrial buildings.
- 7.5.13 Turning to the current setting of the listed farmhouse, the site is still bordered by three premises which include the FIRA building to the west, Serviceline offices to the north and the veterinary surgery to the east. It is considered that whilst the FIRA building is of historical interest, the serviceline building and veterinary surgery building are of limited architectural merit. Beyond these buildings to the north lies Cockerell Close, which comprises a mixture of large scale commercial units and the high bay warehouse known as Flamingo. To the west, beyond the tree belt which is Mozart Court (which is a 1970's residential care home), which is considered to be of limited architectural merit. To the south of the site is the cycle track and trafficked highway and beyond are commercial, industrial and office developments located on Argyle Way. To the west, beyond the dual carriageway lies a modern office which to the north of this is the former John Lewis Depot which is now operating as a Costco warehouse. As such, the immediate setting of the listed building is urbanised and industrial in nature. Therefore, over the years, since the property was originally listed in 1948, the setting of the listed building has been gradually compromised whereby industrial, commercial and warehouse buildings have been constructed which detract from the significance of the listed building. Furthermore, the cycle lane and Fairlands Way to the south, especially being at a higher level due to the topography of the area, have in some respect eroded the significance of the setting of the listed building.
- 7.5.14 Turning to the proposed development, it would involve the demolition of the existing veterinary surgery, FIRA building and service line building. The development, whilst indicative, would comprise of four blocks of residential units which are between two to seven storeys in height. These would be located on the former service line building, the veterinary surgery and the associated car park. The larger residential blocks, again whilst

indicative, would be located at the northern end of the site against the backdrop of the commercial and warehouse development in Cockerell Close. With regards to the office development, this would be between six to eight stories with undercroft parking. The offices would be read in context with existing development located opposite (Fujitsu) as well as the development within Cockerell Close.

- 7.5.15 Given the above indicative building heights, it is clear that the development would, as considered by the Council's Conservation and Historic Consultant, have an impact on the setting of the listed building. This is particularly so due to the overall size, scale and mass of the development whereby it would be visible from certain viewpoints in context with the listed farmhouse as detailed in the applicant's Heritage Assessment. However, the proposed buildings have to be read in context with the larger buildings located in the area, such as the high bay warehouse in Cockerell Close as well as the large scale office and commercial building which sit in the background of the farmhouse such as those in Gunnels Wood Road. In closer views, the development is seeking to retain a number of mature trees which border Broomin Green Farm. In addition, the listed building, in terms of its setting, has already been harmed due to earlier development which has occurred in the area and this is supported by the Council's Conservation and Historic Advisor. As such, it is considered that the overall impact on the architectural and historic interest of the grade II Broomin Green Farm and the setting of the farmhouse is less than substantial harm to its setting.
- 7.5.16 Consequently and as advised by the Council's Conservation Advisor, the development will generate an element of harm, but this is deemed to be less than substantial harm to the significance of the designated heritage asset. However, in line with paragraph 196 of the NPPF (2019), as it has been established that there would be less than substantial harm, there is still harm to the significance of the heritage assets and as such, an assessment needs to be made as to whether the public benefits of the development outweigh this harm including, where appropriate, securing its optimum viable use. Based on the aforementioned assessment it can be concluded that the overall public benefit of the development does outweigh the harm. This is because firstly, as established under paragraph 7.2.3 of this report, there is a significant shortfall in employment to support the growth of Stevenage over the Local Plan period. Additionally, there would also be a significant uplift in employment floorspace provided, as well as the generation of additional employment for the town.
- 7.5.17 In addition to the above, the development would help to deliver additional housing which supports the Council's requirements to deliver 7,600 homes over the local plan period. Moreover, the development would also provide 25% affordable housing along with S106 financial contributions which will help to improve infrastructure in the town. Further to this, the development, whilst indicative, would sit comfortably in context with the wider area and could lead to the delivery of high quality residential and office floorspace. Therefore, the overall benefits of the development are considered to outweigh the less than substantial harm the development would have on the setting of the listed building.

7.6 Impact on archaeological remains

- 7.6.1 Policy NH9 of the adopted Local Plan identifies that the application site falls within the designated "Broomin Green Farm" (NH9/15) area of archaeological significance. This area concerns the 17th century farmhouse and the considerably shrunken hamlet of Broomin Green. The hamlet dates back to around 1248 and appears to be some form of settlement in the area since the medieval times. Consequently, where a development proposal has an effect on an area of archaeological significance or has the potential to affect important archaeological remains, then as set out in the policy, an archaeological field evaluation has to be submitted as part of any planning application.

7.6.2 As a consequence of the above designation, the applicant has submitted an Archaeological Desk Based Assessment (prepared by Thames Valley Archaeological Services, dated November 2016, report reference MRS 16/183). Following consultation with Hertfordshire County Council's Historic Environment Section, they consider that due to the presence of the hamlet, the listed farmhouse combined with the potential of hand axes from Palaeolithic period, to coins from the late Iron Age as well as limited potential for prehistoric remains, the development is likely to have an impact on heritage assets of archaeological interest. Given this, if planning permission were to be granted, they recommended the following conditions be imposed:-

- Prior to the commencement of development, the applicant submits an Archaeological Written Scheme of Investigation which will include a methodology of site investigation and recording to be approved in writing by the Council;
- That demolition and construction takes place in accordance with Archaeological Written Scheme of Investigation; and
- For the development not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation with the provision made for analysis and publication where appropriate.

7.6.3 In summary, subject to the recommended conditions being imposed if permission were to be granted, it is considered that the proposed development would not have a detrimental impact on any potential heritage assets of archaeological interest.

7.7 Impact upon Neighbouring Amenity

7.7.1 The application site is relatively self-contained and is separated from the existing residential properties in Fairview Road by the mature tree belt on the eastern boundary from the site. However, the impacts of the proposal on all neighbouring uses, including the residential properties on Maxwell Road need to be considered.

7.7.2 Firstly, the indicative layout shows that the new apartments would be constructed in close proximity to the eastern boundary of the development site. This would result in a separation between back-to-side elevations of between 18m to 34m which exceeds the separation distance standards set out in the Council's Design Guide. In addition to this, the existing tree belt, as it falls outside of the application site, would be retained and as such, would help to preserve the privacy of residents in Mozart Court, Fairview Road.

7.7.3 Turning to the separation distance between Broomin Green Farm and the residential block of flats, whilst the Council does not have a front-to-front separation distance, there would be 40m between block 4 and the aforementioned farmhouse. This is because this residential block, whilst indicative, would sit on the footprint of the Serviceline building. In addition, between this block and Broomin Green Farm would be a surface car park (which is as per the existing situation) along with a mature tree belt which is to be retained. Turning to the separation distance between the side elevation of block 3 and the side of Broomin Green Farm, whilst the Council does not have a specific standard, there would be a separation distance of between 31m. In addition, as the scheme is outline, the internal configuration of the apartments, window positions and suitable boundary treatment can be controlled at the reserved matters stage to ensure the development does not result in substantive overlooking of neighbouring residential properties. In addition, the layout of the residential blocks, their overall scale etc. would be considered at the reserved matters stage whereby the impact on the outlook, privacy as well as the level of sunlight and daylight neighbouring properties receive would be assessed in more detail.

7.7.4 In regards to the office development, there are no particular standards specified in the Council's design guide for separation distances between offices and residential developments. Notwithstanding this, a judgement needs to be made to determine whether

or not the proposed indicative office development would impact upon the occupiers of Broomin Green Farm. The indicative floor plans identify that the offices on the first and second floor level would be 28m from Broomin Green Farm. The upper floors after this step back to reduce any level of overlooking to the aforementioned property. As such, the separation distance increases to 38m on levels three and four. In regards to the fifth floor, this floor has been orientated at an angle away from Broomin Green Farm. This means that there would not be any direct overlooking of Broomin Green Farm in this instance.

- 7.7.5 Notwithstanding the above, as the scheme is only in outline, details of window positioning, internal configuration of the offices, combined with any necessary screening (including the screening of any future outdoor terraces and seating areas, if any) can be dealt with at reserved matters stage. In addition to this, the overall layout, scale and positioning of the offices will also be considered at reserved matters stage. As such, an assessment as to the impact the offices may have in terms sunlight and daylight, outlook and privacy would be considered in more detail at the reserved matters stage.
- 7.7.6 In regards to noise, in order to mitigate the impact on neighbouring residential properties, as recommended by the Council's Environmental Health Section, it is recommended a number of conditions are imposed if permission were to be granted. This would be to restrict the hours of construction. In addition, they recommend details be secured in regards to screening of plant and equipment which would be used during the demolition and construction phases of the development. In addition, a condition would be imposed requiring a construction method statement be submitted to ensure construction noise and vibration is kept to a minimum. This again is in order to protect the amenities of nearby residential and commercial properties. Further, as the application is only in outline, no details have been provided regarding plant and equipment which might be installed on the development. As such, if permission were to be granted, a condition can imposed stipulating that prior to the installation of any plant and/or equipment, such details are to be submitted to the Council for its written approval.
- 7.7.7 With regards to dust which will be generated from demolition and construction works which could have an impact on nearby properties, again, it is recommended a condition be imposed to require details of dust controls measures to be submitted to the Council for its written approval. Turning to statutory nuisance, if the development results in any statutory nuisance such as noise and disturbance from future residents, this is a matter which can be enforced by the Council's Environmental Health Section.

7.8 Impact upon the future amenity of residents

- 7.8.1 In considering a residential scheme of this nature it is also important to ensure that living conditions for any future occupiers are appropriate. Whilst the layout is only indicative at this stage, the site appears able to accommodate the amount of development proposed, with sufficient privacy distances. In regards to private amenity space for the apartments, there is a requirement to provide 50 sq.m of amenity space for schemes of up to 5 units, plus an additional, 10sq.m for every additional unit above 5. Therefore, based on the scheme before the Council, there would be a requirement to provide 880 sq.m of private amenity. Whilst the applicant has not provided any details of the amenity space which would be provided for the residential apartments, this would be dealt with in more detail at reserved matters stage.
- 7.8.2 In relation to the provision of outdoor sport and children's play space, whilst it is appreciated the scheme is in outline form, there would be insufficient space within the application site to deliver suitable outdoor sport and children's play facilities on-site. As such, and following discussions with the Council's Parks and Amenities Section, financial contributions would be sought as part of this application which would be secured via a Section 106 agreement. The monies, as advised by the Council's Parks and Amenities Section, would go towards improvements to outdoor sport and children's play facilities at either the Meadway playing fields or King George V playing fields.

- 7.8.3 With regard to the requirements for new residential properties to meet Nationally Described Space Standards as defined by Policy GD1 of the adopted Local Plan (2019), this would be dealt with at the detailed reserved matter stage. In addition, matters regarding privacy and sunlight and daylight would be dealt with in greater detail as part of any future reserved matters application.
- 7.8.4 With regards to noise, it is appreciated the application site does lie in close proximity to existing commercial and industrial premises which currently operate in the immediate area. In addition, the site is also bordered by Gunnels Wood Road and Fairlands Way. As such, the noise generated from these noise emitting sources could have a detrimental impact on the amenities of future occupiers of the residential development in this instance.
- 7.8.5 Given the above, and following consultation with the Council's Environmental Health Section, they have advised that whilst the applicant has submitted a Noise Assessment, they have not provided a full assessment which considers the full extent of the commercial noise. This is needed in order to assess the impact from the adjacent noise sources on future occupiers and that appropriate mitigation measures have been put in place to protect residents and ensure they are able to enjoy a reasonable internal and external acoustic environment without the likelihood of noise complaints arising in the future.
- 7.8.6 Taking the above into account, based on the limited assessment of commercial noise undertaken so far, they are unable to advise at this time whether the development is satisfactory. Notwithstanding this, it is very difficult for the applicant to be able to undertake and provide a full assessment in terms of noise as the scheme before the Council is only in outline form with only details of the access being considered. As such, the plans provided are only parameter plans and the exact location of each individual apartment block is not known at this time. In addition, there are no plans for the internal layout of each individual apartment.
- 7.8.7 In view of the above it is recommended that a condition be imposed on any grant of permission requiring the relevant noise information to be submitted and approved at the reserved matters stage. The Environmental Health Section has confirmed that they are satisfied with this approach.

7.9 Parking Provision

- 7.9.1 Policy IT5 of the adopted Local Plan (2019) states that planning permission will be granted where proposals comply with the parking standards set out in the plan.

Residential development

- 7.9.2 The Council's Car Parking Standards SPD (2012) sets out the maximum amount of off-street parking for residential development based on the number of bedrooms. The proposed development would comprise the following preliminary accommodation schedule:

- 36 no. one bedroom units (1 parking space); and
- 52 no. two bedroom units (1.5 parking spaces).

- 7.9.3 Taking into consideration of the above, there would be a requirement to provide 114 parking spaces. However, the application site is located within residential accessibility zone 2 where the Council would seek between 50% to 75% of the maximum number of car parking spaces to serve the development. In this regard, the Council would seek between 57 to 86 parking spaces. The proposed development would seek to provide 59 car parking spaces which would be in accordance with the Council's adopted standards. The applicant has confirmed that the parking areas would not be allocated and, as such, there would not

be a requirement to provide visitor parking. The parking provision and layout would be dealt with at reserved matters stage.

- 7.9.4 Notwithstanding the above, as the parking would be communal, in line with the Council's adopted Standards, 5% of the total number of spaces should be designated for disabled persons. In this regard, there would be a requirement to provide 3 disabled parking bays. The applicant as detailed on the application submission, whilst only indicative, would provide 3 disabled parking bays in line with the Council's standards.
- 7.9.5 In regards to cycle parking, the Council's Parking Standards SPD stipulates that 1 long-term cycle parking space should be provided per unit if no shed or garage is provided. The applicant has confirmed in the draft Travel Plan submitted with this application that it could provide the necessary cycle parking to serve the residential development in line with the Council's adopted standards. In regards to the cycle provision, this would be provided through the erection of cycle stores which will serve each individual residential block of apartments. However, as the scheme submitted is in outline, sufficient secure cycle parking to serve the development would be dealt with at reserved matter stage.

Office Development

- 7.9.6 The Council's Parking Standards SPD stipulates that 1 parking space per 30m² of gross floor area are required. Taking this standard into consideration, as the proposal seeks to create 11,431 sq.m of office floorspace. This equates to a parking requirement of 425 parking spaces.
- 7.9.7 Notwithstanding the above, the application site is located in non-residential accessibility zone 2. As such, the base car parking standard can be reduced to between 25% to 50% of the maximum number of parking spaces which are required to serve this development. Using this calculation, there would be a requirement to provide between 107 spaces to 214 spaces. The indicatively proposed development seeks to provide 190 spaces which would be in accordance the Council's adopted Car Parking Standards.
- 7.9.8 In regards to disabled parking, the minimum disabled parking standards would require individual bays for each disabled employee plus 2 bays or 5% of the total capacity, whichever is the greater. Whilst it is not known how many employees would be disabled, as the scheme is in outline form, based on the parking provision detailed there would be a requirement to provide 10 disabled bays. The proposed indicative site plan shows the provision of 8 disabled bays in the northern car park and 2 bays in the southern car park. Consequently, the indicative level of disabled parking provided would be acceptable.
- 7.9.9 With respect to cycle parking, there is a requirement to provided 1 short term space per 500sq.m of gross floor area plus 1 long terms space per 10 full time staff. As this application is in outline, no detail of staffing has been provided. In addition, the floorplans for the office development is only indicative. Notwithstanding this, based on the indicative floorplans which have been submitted, there would be a requirement to provide approximately 23 cycle spaces. The applicant has indicatively detailed on the floorplans locations for secure cycle parking. However, a sufficient level of secure cycle parking provision would be dealt with under any subsequent reserved matters application which is submitted to the Council.

7.10 Highway implications

- 7.10.1 The application site is currently accessed of Maxwell Road which is an unclassified local road taken off of Gunnels Wood Road (A602). The site currently has three vehicular access points off Maxwell Road. The first access point as you come into Maxwell Road currently serves the FIRA building. The second access point serves the offices within the Service Line building, the residential property known as Broomin Green Farm and the veterinary

clinic. The final access, which comes off the turning head at the end of Maxwell Road, serves a surface car park which is located to the rear of the veterinary clinic.

- 7.10.2 The proposed development, as set out in this outline application, seeks to stop up the vehicular access which currently serves the car park located to the rear of the veterinary clinic. The reason for this is as set out in the indicative site layout plan, part of residential block 1, residential block 2 and the car parking area serving this block would sit on the footprint of the existing car park. Turning to the central access which currently serves Serviceline, Broomin Green Farm and the veterinary clinic, this road would be upgraded to serve the residential part of the development scheme. The road, as detailed on the submitted plans would have a bell mouth measuring approximately 20.15m with the main internal road measuring approximately 5.67m. With this in mind, the access road has been designed to ensure there is a sufficient width to accommodate two-way traffic. It has also been designed to ensure the road can accommodate, for example, refuse collection vehicles and emergency service vehicles.
- 7.10.3 Turning to the first access as you come into Maxwell Road, this road would be upgraded to serve the new office development. The road would have a similar sized bell mouth and internal width to the road which would serve the residential development. As such, the road is of a sufficient size to accommodate two-way traffic, refuse vehicles and heavy goods vehicles. In terms of manoeuvrability, the applicant has undertaken a swept path analysis of the road to ensure they can accommodate large vehicles (such as refuse collection vehicles). These swept path analysis have demonstrated that vehicles can safely manoeuvre within the site and exit in a forward gear. Consequently, the upgraded roads in terms of their geometry and design would be in accordance with the Department for Transport (DfT) Manual for Streets. In addition to this, the proposed vehicle access points would have adequate visibility splays in accordance with Manual for Streets as well as Hertfordshire County Council's Road in Hertfordshire Design Guide (2011). As such, Hertfordshire County as Highways Authority consider the proposed vehicle accesses to be acceptable.
- 7.10.4 With regard to the proposed cycle and pedestrian access, the proposed development seeks to provide two pedestrian crossings on Maxwell Road in order to connect the site with the nearby footpath network. In addition, the proposed seeks to provide pedestrian and cycle access at the southern end of the site from Fairlands Way. Whilst these access points have been considered to be acceptable in principle by Hertfordshire County Council (HCC), the applicant in conjunction with HCC are currently looking at ways to improve pedestrian and cycle access. Therefore, officers will provide an update on these discussions at the Planning and Development Committee. However, it is important to note that these new access links, being outside the site boundary, can be dealt with via S278 of the Highways Act 1980, which is outside of the planning legislation.
- 7.10.5 In assessing traffic generation, the applicant's transport consultant has produced a transport assessment which incorporates details of proposed traffic generation for weekdays. The assessment also comprises of a future year assessment model in order to inform the potential future impact of the development on the surrounding highway network. In regards to the traffic generation, the peak periods, the assessment focused on were 08:00-09:00 AM and 17:00-18:00 PM. In addition, the Transport Assessment also provides daily trip generation calculations as well (07:00AM to 19:00PM). The model utilised to predict the amount of traffic which would be generated was via TRICS (Trip Rate Information Computer System). This assessment looked at the level of traffic the existing development generates then calculates the level of traffic which would be created by the proposed development.
- 7.10.6 Looking at the existing office space which is 3,456sq.m in floor area, this generated in the AM peak 83 two-way trips (76 inbound and 7 outbound) and at the PM peak 69 two-way trips (7 inbound and 62 outbound). In terms of daily trip movement, the existing offices has

475 two-way vehicle movements (239 inbound and 236 outbound). In regards to the veterinary surgery which is 472 sq.m in area, this generated at the AM peak 21 two-way trips (13 inbound and 8 outbound) and 24 two-trips (10 inbound and 14 outbound) at the PM peak. In regards to daily trip movements, there currently is 298 two-way trips (148 inbound and 150 outbound)

- 7.10.7 Taking the aforementioned traffic generation into consideration, there is currently at the AM peak 104 two-way trips (89 inbound and 15 outbound) and 93 trips (17 inbound and 76 outbound) at the PM peak. In terms of total daily trips, there is currently 773 two-way vehicle trips (387 inbound and 386 outbound). It can therefore be calculated that there is 1.73 vehicle trips every minute at the AM peak and 1.55 trips every minute during the PM peak. With respect to daily trips, this equates to 0.5 inbound trips per minute and 0.53 outbound trips per minute.
- 7.10.8 Dealing now with the proposed development and specifically the residential part of the development, the TRICS assessment identifies that at the AM peak, there would be 23 trips (6 inbound and 17 outbound) and in regards to the PM peak, there would be 30 trips (19 inbound and 11 outbound). In regards to daily trip generation, there would 157 inbound trips and 143 outbound trips. Looking at the trip rates for the proposed office part of the development, as this would comprise of 190 car parking spaces, it is estimated there would be 70 two-way trips at the AM Peak (57 inbound and 12 outbound) and at the PM peak, 60 two-way trips (9 inbound and 51 outbound). In terms of daily trips, there would be 280 inbound and 278 outbound (558 daily trips).
- 7.10.9 Taking the aforementioned traffic generation into consideration, there would be a total of 94 two-way trips at the AM Peak (63 inbound and 29 outbound) and at the PM peak, there would be 90 two-way trips (28 inbound and 62 outbound). In terms of daily trips, there would be 437 inbound and 427 outbound (864 trips in total). It can therefore be calculated that there would be 1.56 trips every minute at the AM peak and 1.5 trips every minute at the PM peak. With respect to daily trips, this equates to 0.60 inbound trips per minute and 0.59 outbound trips per minute.
- 7.10.10 Looking at the existing and proposed levels of traffic generation, at the AM Peak, it has been demonstrated that there would be a reduction of 26 inbound vehicle movements but an increase of 14 outbound vehicle movements. As such, there would be a net decrease of 10 two-way vehicle movements. In relation to the PM peak, there would be an increase of 11 inbound vehicle trips but a decrease of 14 vehicle outbound trips. This results in a reduction of 3 two-way vehicle movements. In regards to daily traffic generation, there would be an increase over the existing situation of 50 inbound movements and 35 outbound movements, in total an additional 85 two-way movements. Therefore, it is evident that the proposed development would only result in a marginal increase in two-way vehicle movements. The reason for this is because the restriction on the number of spaces in the office development has a positive impact in terms of traffic generation. In addition, there is a reduction in the number of vehicles travelling to and from the site during peak travel periods.
- 7.10.11 In regards to trip distribution, there is only one way traffic can enter and egress the site. This is travelling southbound along Gunnels Wood Road into Maxwell Road and when leaving the site vehicles would egress onto the southbound carriageway of Gunnels Wood Road. However, due to the limited increase in vehicle movements to and from the site, it is not considered the development would affect the flow of traffic along Gunnels Wood Road.
- 7.10.12 With respect to accident data, the applicant has provided personal injury collision data for the last five years. The collision statistics submitted do not reveal any reoccurring problems or patterns on the nearby local highway road network. The applicant has also conducted a Stage 1 Road Safety Audit (RSA) (in accordance with Manual for Streets) on the proposed off-site highways works in connection with the redevelopment of the site. These highways

include the new pedestrian crossing on Maxwell Road, the two new vehicle access points as well as new sections of footway to the eastern and western footpaths which are outside the site boundary.

- 7.10.13 Taking the traffic modelling into consideration, Hertfordshire County Council as Highways Authority has considered that the development would result in a nominal increase in vehicle trips to the development as a whole, but this would not be significant to prejudice highway safety. In addition, they consider the Stage 1 Safety Audit to be acceptable in accordance with the County Council's Highways Design Guidance. In addition, they consider the collision statistics do not reveal any reoccurring problems on the local highway network.
- 7.10.14 Notwithstanding the above, in order to help improve traffic conditions at the site and the immediate surrounding area, there would be an encouragement towards the use of local buses as well as the local cycle network in order to encourage a modal shift away from the private car. In addition, the County Council consider the bus services to be viable and would be able to support the development. Given this, financial contributions have been sought for improvements to the Gunnels Wood Road (southbound) bus stop through the provisions of Kassel kerbing, a bus shelter and bench. Notwithstanding this, as mentioned under paragraph 7.10.4 of this report, there are ongoing discussions with the HCC regarding additional improvements to pedestrian and cycle access. As such, these improvements, depending in what is agreed, can be secured via a S278 Highways Agreement with the Highways Authority.
- 7.10.15 In regards to travel plans, whilst a draft Travel Plan has been submitted, it is recommended that detailed travel plans for both the commercial and residential developments are submitted to the Council for its written approval. As such, this would be secured via a condition. In terms of monitoring and evaluating the Travel Plans, HCC as Highways Authority have recommended a financial contribution is secured as part of any legal agreement.
- 7.10.16 Turning to the comments set out by the Council's Traffic and Enforcement Manager, he recommends that if the residential road is to be adopted a financial contribution should be sought for the drafting and preparation of a Traffic Regulation Order (TRO). This is because Maxwell Road currently has a single yellow line to prevent commuter parking. The road is also subject to an overnight and weekend ban on parking by commercial vehicles of more than 5 tonnes/seating of more than 12 passengers. Therefore, provision should be made for a S106 contribution to fund the extension of these controls into the new street upon its adoption in order to protect residents from the issues that led these controls to be introduced in the first instance.
- 7.10.17 In summary, subject to a S106 Agreement securing the relevant financial obligations and the imposition of conditions, the proposed development as advised by Hertfordshire County Council would not have a detrimental impact on the safety and operation of the highway network.

7.11 Development and Flood Risk

- 7.11.1 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.
- 7.11.2 The sustainable drainage system is based on attenuation and restricted discharge, via a Hydrobrake at 2.5l/s which is very close to the greenfield run-off rate for the site. The

applicant has provided a technical note detailing justification and the provision of this. Following consultation with Hertfordshire County Council as Lead Local Flood Authority (LLFA), they advise that as the scheme is in outline, the applicant will still be required to provide a detailed attenuation system as well as details of Suds management. Consequently, if permission were to be granted, the LLFA recommend the following conditions be imposed:-

- The development to be carried out in accordance with the Flood Risk Assessment and Technical Details submitted by the applicant;
- That no development shall take place until a final design of the drainage scheme is submitted to the Council for its written approval;
- Upon completion of the drainage works for the site and in accordance with the timing / phasing arrangement, a management and maintenance plan for the SuDS features and drainage network must be submitted to and approved in writing by the Local Planning Authority

7.12 Impact on the environment

7.12.1 The application site, as identified in the applicant's Phase 1 Geo-environmental Desk Study, sets out that prior to the site being developed out in the 1960s the site was part of open fields with a farm immediately to the south. The site currently comprises of three separate commercial/light industrial units. These include the FIRA test facility, offices operated by Serviceline Ltd and a veterinary practice. The site also comprises areas of hardstanding which serve as surface car parking areas and service roads.

7.12.2 The report submitted by the applicant, based on their findings recommended the following:-

- A Phase 2 contamination assessment is required at the site in order to confirm whether or not the identified potential contamination sources are valid; and
- For any form of the development, it is recommended that an intrusive ground investigation is undertaken in order to confirm ground conditions and allow design of the new structures.

7.12.3 Following consultation with the Council's Environmental Health Section, it is considered that whilst there are contaminants on this site. The recommendations set out in the applicant's Geo-environmental Desk Study are considered to be acceptable, however, it is recommended that a condition be imposed that in the event of potential contaminants being identified, the applicant undertakes the appropriate investigation and needs to submit a remediation strategy be submitted to the Council for its written approval.

Groundwater

7.12.4 The application site is located within Source Protection Zone 1 for potable water supplied and is within 120 metres of an abstraction borehole used to supply water for human consumption. Following consultation with the Environment Agency, due to the potential risks the development poses on groundwater sources, they recommend a number of conditions be imposed if planning permission were to be granted dealing with contamination, method of construction and managing boreholes.

7.13 Trees and landscaping

7.13.1 Policy NH5 of the adopted Local Plan (2019) states that development proposals will be expected to protect and retain individual trees within the development site and should include new planting where appropriate.

7.13.2 The development contains a number of trees. There are nine Norway Maples on the northern boundary with Maxwell Road, two small groups of Hybrid Black Poplars on the

northern and eastern boundary along with a group of trees comprising Sycamore, Ash, Weeping Willow, Norway Maps and Lombary Poplar. These lie between the site and the northern boundary of Broomin Green Farmhouse. To the south-east of the site are two large leaved Limes and to the south-west is a Whitebeam and Norway Maple. Within the site, there is a group of trees comprising Norway Maple and a Walnut. There is also a hedgerow of Hawthorn and Beech which lies at the eastern site boundary.

- 7.13.3 Within context of the wider area, there is a linear wooded belt of trees which lie to the east of the site and this continues northwards, lying to the east of the industrial building currently occupied by Screwfix. The proposed development seeks to retain the majority of existing landscape features such as the off-site trees in proximity to the site boundary. The mature trees associated with the highways and cycleways would also be retained in order to soften views of the proposed development.
- 7.13.4 Notwithstanding the above, it is noted that the development, as detailed on the parameter plans, would indicatively result in the removal of 8 trees which are located on the western boundary of the site as well as some trees within the application site to the east. However, the trees identified for removal are generally considered to be of low value. Following consultation with the Council's Arboricultural Manager, he has not raised any concerns with regards to the removal of these trees.
- 7.13.5 In addition to the above, the Arboricultural Manager has also recommended additional works the developer will need to undertake in relation to a number of trees which fall outside the site boundary. The works which have been suggested are set out in paragraph 5.8.1 of this report.
- 7.13.6 Notwithstanding the aforementioned, the proposed trees identified for removal are only indicative as the scheme is currently in outline. As such, consideration as to the number of trees which are to be removed as part of any development would be considered as part of any reserved matters application. In addition to this, the works which have been suggested by the Council's Arboricultural Manager could also form part of any reserved matters application. In terms of landscaping and replacement planting (including trees), this would also be considered in more detail as part of any future reserved matters application which is submitted to the Council.

7.14 Ecology and Protected species

- 7.14.1 The application site is identified as previously developed land and currently comprises of amenity grassland, ruderal and scrub vegetation, hedges, trees and shrubs, hardstanding and buildings. The wider environment is generally urban in nature comprising a mixture of residential, industrial and commercial buildings along with hardstanding, trees and amenity grassland. The applicant has undertaken a Phase 1 Habitat Survey to assess the potential for the site and adjoining habitats to have species that receive legal protection at either UK and/or European level. The survey comprised a desk top study from Hertfordshire Biological Records Centre and from the multi-agency Geographical Information for the Countryside (MAGIC). A field survey was also undertaken along with a Bat Survey.
- 7.14.2 The survey identified that there are no protected species such as birds, flora, invertebrates, mammals and reptiles within the application site. In terms of impact, as the development site is a considerable distance from any designated sites, it is considered that the proposed development would not have a detrimental impact on these sites. Consequently, it was concluded that the development site as a whole has a low ecological value.
- 7.14.3 In regards to birds, these are protected by the Wildlife and Countryside Act 1981. It is considered that there is a suitable foraging and nesting habitat on the site, particularly within the trees and potentially in the flat roofed areas of the buildings. Notwithstanding this,

as birds are protected, a condition would be imposed to protect nesting birds and for trees to only be removed at certain times of the year.

7.14.4 Given the above, it is considered that the proposal would not have a detrimental impact on protected species, both flora and fauna. However, the ecology report does recommend that a condition be imposed for a breeding bird survey for Black Redstarts be carried out, one in May and one in June. In addition, it recommended that the hedges are retained where possible to provide continued nesting and foraging habitats for birds and foraging lines for bats. In this regard, as landscaping is a matter which is reserved, the Council can seek to ensure sufficient hedging is retained as part of any landscaping strategy for the development. It is also recommended a condition be imposed requiring details of bird boxes to be agreed in writing by the Council, and thereafter, to be installed in accordance with the approved details.

7.14.5 Finally, it is also recommended that the use of brash or log-piles could be created at the edge of the site to provide wildlife stacks for invertebrates and small mammals. In addition, as part of any boundary treatment, any close board fencing should have hedgehog gaps placed in them to allow them and other small mammals access throughout the site. These biodiversity enhancements would be dealt with as part of any reserved matters application.

7.15 Other Matters

Sustainable construction and climate change

7.15.1 Policy FP1 of the adopted Local Plan (2019) stipulates 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:

- Ways to ensure development is resilient to likely variations in temperature;
- Reducing water consumption to no more than 110 litres per person per day, including external water use;
- Improving energy performance of buildings;
- Reducing energy consumption through efficiency measures;
- Using or producing renewable or low carbon energy from a local source; and
- Contributing towards reducing flood risk through the use of SuDS or other appropriate measures.

7.15.2 Taking the aforementioned policy into consideration, the applicant has not provided details of how the development would be adaptable to climate change. Therefore, if planning permission was to be granted, a condition can be imposed to any permission issued requiring the applicant to submit details of measures they will utilise to ensure the development is made adaptable to climate change. These details would have to be agreed in writing by the Council as the Local Planning Authority.

7.15.3 Turning to sustainable construction, Hertfordshire County Council as Minerals and Waste Authority recommended the applicant submit a SWMP (Strategic Waste Management Plan). This is to ensure that materials used in construction consist of the development are properly recycled where possible. It is recommended that if planning permission were to be granted, a condition could be imposed requiring the applicant to submit a SWMP prior to the commencement of development.

7.15.4 Given the above, and subject to conditions, it would ensure the development is designed in order to be adaptable to climate change as well as ensure a suitable waste management plan is provided.

Waste and Recycling

- 7.15.5 The Design Guide (2009) states, provision should be made within new development for the storage and collection of waste from a site. The submitted plans indicate that there would be sufficient refuse facilities which will serve the proposed residential properties and commercial offices. Notwithstanding this, further details for refuse and recycle facilities would be dealt with at any subsequent reserved matters application which would have to be submitted in the future.

Crime Prevention/anti-social behaviour/security

- 7.15.6 In regards to crime prevention and designing out crime, whilst the concerns of the Police Crime Prevention Officer are noted, as this scheme is in outline, matters regarding Secure by Design can be dealt with in greater detail at the reserved matters stage of the application process.
- 7.15.7 It is noted that concerns have been raised by local residents that the development could have an impact on their security. In addition, they have raised concerns that the development could generate issues of anti-social behaviour. Whilst these are not planning matters, there is a requirement under the NPPF to design out crime. Given this, whilst the application is outline, consideration will be made as part of any reserved matters application that there are sufficient active frontages, that there are sufficient levels of natural surveillance and to ensure that crime is designed out of the development.

Loss of existing employers

- 7.15.8 In regards to the loss of existing employers, this is a commercial matter which falls outside the realm of planning legislation and law. As such, this is not a material consideration in the determination of this planning application. Notwithstanding this, an assessment has been undertaken with regard to loss of existing premises in terms of their established planning use. This assessment is referred to in more detail in the Land Use Policy Considerations section of this report.

Demand for offices

- 7.15.9 Whilst concerns have been raised with regards to whether or not there is a demand for the proposed offices, this is deemed to be a commercial matter. As such, this is not considered to be a material planning consideration in the determination of this application and it falls outside of planning legislation and law.

8. CONCLUSIONS

- 8.1 In summary, the proposed development, whilst technically contrary to the Council's adopted employment policies would result in a significant increase in employment floorspace. In addition, the development would provide additional windfall housing which would help the Council meet its housing requirements over the local plan period. Furthermore, the proposed development would seek to provide 25% affordable housing as well as S106 financial contributions to improve local infrastructure such as education facilities and sustainable transport. Additionally, the development, whilst indicative, would not have a detrimental impact on the character and appearance of the area.
- 8.2 Further to the above, whilst the development would cause some harm the setting of the grade II listed building, this harm is less than substantial and the overall public benefits of this development outweigh this harm. Moreover, the development would not have a detrimental impact on heritage assets of archaeological interest. In addition, the development would not harm the amenities of neighbouring land users and would not adversely affect the operation or safety of the highway. The development would be able to

provide sufficient car parking. Finally, issues relating to contamination, trees, wildlife, surface water drainage, affordable housing, open space, children's play and development contributions can be satisfactorily addressed through conditions or a S106 legal agreement. Accordingly, it is recommended that outline planning permission be granted.

9. RECOMMENDATIONS

9.1 That outline planning permission be GRANTED subject to:-

- A) No intervention from the Secretary of State from the Ministry of Housing, Communities and Local Government following reference of the application under the Town and Country Planning (Consultation) (England) Direction 2009;
- B) The applicant having first entered into a S106 agreement to secure/provide contributions towards:-
- The provision of 25% affordable housing;
 - Primary education towards the expansion of Broom Barns Primary School;
 - Secondary education towards the expansion of Barclay School;
 - Library Services;
 - Youth Services;
 - Sustainable transport provision;
 - Monitoring of the Travel Plans (Residential and Offices);
 - The improvement of outdoor sport provision;
 - The improvement of children's play;
 - The provision of fire hydrants;
 - To secure the provision of a TRO for restricting commercial vehicles if the residential road is to be adopted;
 - To secure a trigger clause/mechanism to ensure that the office development is brought forward.

The detail of which would be delegated to the Assistant Director of Planning and Regulation in liaison with the Council's appointed solicitor.

9.2 The proposal be subject to the following conditions:-

Definitions

'Commercial Development Plot' means the plot identified on drawing number PL113

'Residential Development Plot' means the plot identified on drawing number PL113

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

PL01; PL02; 8180606/6101 C .

REASON:- For the avoidance of doubt and in the interests of proper planning.

2 Development shall not commence in relation to the either the Residential Development Plot or Commercial Development Plot until details of the layout, scale, appearance and the

landscaping associated with that Development Plot (hereinafter called "the reserved matters") have been submitted to and approved in writing by the Local Planning Authority.

REASON: - To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.

- 3 All applications for the approval of the reserved matters shall include a statement to demonstrate how the reserved matters have been prepared in accordance with the development parameters set out on submitted plans:

PL03B; PL104A; PL105A; PL106; PL107; PL108A; PL109A.

REASON:- For the avoidance of doubt and in the interests of proper planning.

- 4 The total number of Residential Units (within Class C3) hereby permitted shall not exceed 88 dwellings and the height of the buildings within the Residential Development Plot shall be no greater than 7 storeys (excluding any roof top plant and core overrun).

REASON: - To ensure that the development does not adversely affect the safety and operation of the adjoining highway network and to ensure an acceptable impact on the character and appearance of the area.

- 5 The maximum gross internal floorspace (GIA) to be provided within the Commercial Development Plot shall not exceed 12,733 sq.m and the height of the office building shall be no greater than 7 storeys (excluding any roof top plant and core overrun).

REASON: - To ensure that the development does not adversely affect the safety and operation of the adjoining highway network and to ensure an acceptable impact on the character and appearance of the area.

- 6 Application(s) for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

REASON: - To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.

- 7 The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

REASON: - To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.

Commercial Development Plot

- 8 No development shall commence within the Commercial Development Plot (unless the Local Planning Authority agree that a set amount of development must first commence to enable compliance with this condition) until a remediation strategy to deal with the risks associated with contamination of the Commercial Development Plot, has been submitted to, and approved in writing by the local planning authority. This strategy shall include the following components:

1. A preliminary risk assessment which has identified:
 - All previous uses;
 - Potential contaminants associated with those uses;
 - A conceptual model of the site indicating sources, pathways and receptors;
 - A potentially unacceptable risks arising from contamination at the site.
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.

3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

REASON:- To ensure that the development does not constitute to, or is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 170 of the National Planning Policy Framework and adopted local plan policy FP5:Contaminated land.

- 9 Prior to any part of the Commercial Development Plot being brought forward into use, a verification report demonstrating the completion of works set out in the approved remediation strategy and include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

REASON:- To ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 170 of the National Planning Policy Framework and adopted local plan policy FP5:Contaminated land.

- 10 Prior to commencement of development within the Commercial Development Plot (unless the Local Planning Authority agree that a set amount of development must first commence to enable compliance with this condition) a monitoring and maintenance plan in respect of contamination, including a timetable of monitoring and submission of reports to the local planning authority, shall be submitted to and approved in writing by, the local planning authority. Reports as specified in the approved plan, including details of any necessary contingency action arising from the monitoring, shall be submitted to, and approved in writing by, the local planning authority.

REASON:- To ensure that the site does not pose any further risk to human health or the water environment by managing any ongoing contamination issues and completing all necessary long-term remediation measures. This is in line with paragraph 170 of the National Planning Policy Framework and adopted local plan policy FP5: Contaminated land.

- 11 If, during development of the Commercial Development Plot, contamination not previously identified is found to be present within the development plot, then no further development of that development plot (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall be implemented as approved.

REASON:- To ensure that the development does not contribute to, is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development. This is in line with paragraph 170 of the National Planning Policy Framework and adopted local plan policy FP5: Contaminated land.

- 12 No drainage systems for the infiltration of surface water to the ground for the Commercial Development plot are permitted other than with the written consent of the local planning authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.

REASON:- To ensure that the development does not contribute to, is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants. This is in line with paragraph 170 of the National Planning Policy Framework and adopted local plan policy FP5: Contaminated land.

- 13 Piling or any other foundation design using penetrative methods shall not be permitted within the Commercial Development Plot other than with the express consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant risk to groundwater. The development shall be carried out in accordance with the approved details.

REASON:- To protect groundwater environment, including groundwater. Some piling techniques can cause preferential pathways for contaminants to migrate to groundwater and cause pollution. A piling risk assessment should be submitted with consideration of the EA guidance. Given the site's location in SPZ1 we will also require a groundwater monitoring programme during any piling work at the site. This groundwater monitoring programme should incorporate mitigation measures to be adopted should piling works be noted to be adversely impacting on groundwater quality beneath the site.

- 14 A scheme for managing any borehole installed within the Commercial Development Plot for the investigation of soils, groundwater or geotechnical purposes shall be submitted to and approved in writing by the local planning authority. The scheme shall provide details of how redundant boreholes are to be decommissioned and how any boreholes that needs to be retained, post-development, for monitoring purposes with be secured, protected and inspected. The scheme as approved shall be implemented prior to the occupation of the Commercial Development Plot.

REASON:- To ensure that the development does not contribute to, is not put at unacceptable levels of water pollution caused by mobilise contaminants. This is in line with paragraph 170 of the National Planning Policy Framework and adopted local plan policy FP5: Contaminated land.

- 15 Prior to the use within the Commercial Development Plot commencing a Travel Plan, with the object of reducing employees travelling to the development by private car and the sustainable use of the office development as detailed on drawing PL103 B, has been submitted to and approved in writing by Local Planning Authority. The Travel Plan shall be implemented in accordance with the approved scheme on the occupation of the office building unless otherwise agreed in writing with the Local Planning Authority.

REASON: - To promote sustainable transport measures for residents, staff and customers.

- 16 No trees, scrub or hedges within the Commercial Development Plot, shall be removed during the bird nesting season (between the 1st March and 31st July inclusive in any year), unless searched beforehand by a suitably qualified ornithologist.

REASON: - Nesting birds are protected from disturbance under the Wildlife & Countryside Act 1981 (as amended).

- 17 No development within the Commercial Development Plot, including any site clearance or demolition works, shall commence until all trees within the development plot, and adjacent to it on Maxwell Road, which are to be retained have been protected by fencing or other means of enclosure in accordance with a detailed scheme submitted to and approved in writing by the Local Planning Authority. Such protection as may be agreed shall be inspected and approved by the Local Planning Authority prior to the commencement of the work and maintained until the conclusion of all site and building operations.

REASON: - To ensure that the retained trees are not damaged or otherwise adversely affected during site operations.

- 18 Within the tree protection areas to be fenced off in accordance with condition 17, there shall be no alteration to the ground level and they shall be kept clear of vehicles, materials, surplus soil, temporary buildings, plant and machinery.

REASON: - To ensure that the retained trees are not damaged or otherwise adversely affected during site operations.

- 19 No external lighting shall be installed on the office building 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 office development. Any external lighting shall accord with the details so approved.

REASON:- In order to protect the amenities and operations of neighbouring properties and to ensure any external lighting does not prejudice highway safety.

- 20 Prior to the commencement of the relevant part of development within the Commercial Development Plot, a Demolition/Construction Management Plan/Method Statement for the demolition and construction phases shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the works of demolition and construction of the development shall only be carried out in accordance with the approved statement. The Demolition/Construction Management Plan/Method Statement shall address the following matters:-

- (i) Details of construction phasing programme (including any pre-construction demolition or enabling works);
- (ii) Hours of operations including times of deliveries and removal of waste;
- (iii) Demolition and construction works between the hours of 0730 and 1800 on Mondays to Fridays and between the hours of 0830 and 1300 on Saturdays only.
- (iv) The site set-up and general arrangements for storing plant including cranes, materials, machinery and equipment, temporary offices and other facilities, construction vehicle parking and loading/unloading and vehicle turning areas;
- (v) Access and protection arrangements around the site for pedestrians, cyclists and other road users;
- (vi) Details of the provisions for temporary car parking during construction;
- (vii) The location of construction traffic routes to and from the site, details of their signing, monitoring and enforcement measures;
- (viii) Screening and hoarding;
- (ix) End of day tidying procedures;
- (x) Construction and storage compounds (including areas designated for car parking);
- (xi) Siting and details of wheel washing facilities;
- (xii) Cleaning of site entrances, site tracks and the adjacent public highway;
- (xiii) Control measures to manage noise and dust; and
- (xiv) Disposal of surplus materials.

REASON:- To minimise the impact of construction vehicles and to maintain the amenity of the local area.

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

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

- 22 No development shall take place within the Commercial Development Plot until the final design of the drainage scheme is complemented and sent to the LPA for approval. The surface water drainage system will be based on the submitted Flood Risk Assessment Technical Note, dated 8th May 2019. REF: U8603PM/KER/001 and the proposed surface water drainage strategy drawing, drawing No. FRA104, Rev; A, dated 08.05.2019, prepared by JPP Consulting Ltd. The scheme shall also include:

1. Detailed engineered drawings of the proposed SuDS features including their location, size, volume, depth and any inlet and outlet features including any connecting pipe runs and all corresponding calculations/modelling to ensure the scheme caters for all rainfall events and up to and including 1 in 100 year + climate change event.
2. Demonstrate an appropriate SuDS management and treatment train and inclusion of above ground features such as permeable paving etc. and reducing the requirement for any underground storage.

REASON:- To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site.

- 23 Upon completion of the drainage works within the Commercial Development Plot, a management and maintenance plan for the SuDS features and drainage network must be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

1. Provision of a complete set of as built drawings for site drainage.
2. Maintenance and operational activities.
3. Arrangements for adoption and any other measures to secure the operation of the scheme throughout its lifetime.

REASON:- To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

- 24 The development within the Commercial Development Plot shall not be occupied until the proposed accesses for vehicles, pedestrians and cyclists have been constructed as detailed on the approved drawings, and, the existing access to the west of the Development Plot has been closed and the existing footway/verge has been reinstated to the current specification of Hertfordshire County Council and to the Local Planning Authority's satisfaction.

REASON:- In order to protect highway safety and the amenity of other users of the public highway.

- 25 The gradient of the main access from Maxwell Road into the Commercial Development Plot shall not be steeper than 1 in 20 for the first 15m measured from the edge of the carriageway.

REASON: - To ensure a vehicle is approximately level before being driven off and on to the highway.

26 No development (including demolition) shall take place within the Commercial Development Plot until an Archaeological Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of archaeological significant and research questions; and:

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

REASON:- In order to protect potential heritage assets of archaeological interest.

27 No development shall take place within the Commercial Development Plot (unless the Local Planning Authority agree that a set amount of development must first commence to enable compliance with this condition) until any necessary on site archaeological works have been completed in accordance with the Written Scheme of Investigation approved under condition 26.

REASON:- In order to protect potential heritage assets of archaeological interest.

28 The development within the Commercial Development Plot shall not be occupied and used until the archaeological site investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition 26 and shall be submitted to the Local Planning Authority.

REASON:- In order to protect potential heritage assets of archaeological interest.

29 Prior to commencement of works above slab level within the Commercial Development Plot details of measures to reduce energy and water consumption to ensure the development is adaptable to climate change, shall be submitted to and approved in writing by the local planning authority. The measures shall thereafter be installed in accordance with the approved details.

REASON:- To ensure the development is adaptable to climate change.

30 Noise resulting from the operation of any fixed plant within the commercial development plot introduced in connection with this planning consent shall not exceed the existing background level inclusive of any penalty for tonal, impulsive or other distinctive acoustic characteristics when measured or calculated according to the provisions of BS4142:2014.

REASON:- To protect the amenity of future residential occupiers of the development.

31 No development, including site clearance and demolition works, or any tree or vegetation removal, within the Commercial Development Plot shall take place until a Breeding Birds Survey for Black Redstarts is carried out, one in May and one in June in accordance with the recommendations detailed in the submitted Phase I Habitat Survey and Preliminary Bat Survey Update 2018 (prepared by 4 Acre Ecology Limited, Issue No. 2, issued on 22/01/2019).

REASON:- Nesting birds are protected from disturbance under the Wildlife & Countryside Act 1981 (as amended).

32 Prior to commencement of works above slab level within the Commercial Development Plot a scheme to provide suitable bird boxes shall be submitted to and approved in writing by the Local Planning Authority. The approved boxes shall be installed prior to the first occupation of the development.

REASON: - To increase opportunities for wildlife in new developments.

33 No development or demolition works shall take place on the FIRA building until an appropriate programme of historic building recording and analysis has been secured and implemented in accordance with a written scheme of investigation which has been submitted to and approved in writing by the local planning authority. The development shall be carried out at all times in strict accordance with the approved scheme, or such other details as may be subsequently agreed in writing by the Local Planning Authority.

REASON:- To ensure that an appropriate record is made of the historic building fabric that may be affected by the development'

Residential Development Plot

34 No development shall commence within the Residential Development Plot (unless the Local Planning Authority agree that a set amount of development must first commence to enable compliance with this condition) until a remediation strategy to deal with the risks associated with contamination of the Residential Development Plot, has been submitted to, and approved in writing by the local planning authority. This strategy shall include the following components:

1. A preliminary risk assessment which has identified:
 - All previous uses;
 - Potential contaminants associated with those uses;
 - A conceptual model of the site indicating sources, pathways and receptors;
 - A potentially unacceptable risks arising from contamination at the site.
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.
3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

REASON:- To ensure that the development does not constitute to, or is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 170 of the National Planning Policy Framework and adopted local plan policy FP5:Contaminated land.

35 Prior to any part of the Residential Development Plot being brought forward into use, a verification report demonstrating the completion of works set out in the approved remediation strategy and include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

REASON:- To ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph

170 of the National Planning Policy Framework and adopted local plan policy FP5:Contaminated land.

- 36 Prior to commencement of development within the Residential Development Plot (unless the Local Planning Authority agree that a set amount of development must first commence to enable compliance with this condition) a monitoring and maintenance plan in respect of contamination, including a timetable of monitoring and submission of reports to the local planning authority, shall be submitted to and approved in writing by, the local planning authority. Reports as specified in the approved plan, including details of any necessary contingency action arising from the monitoring, shall be submitted to, and approved in writing by, the local planning authority.
REASON:- To ensure that the site does not pose any further risk to human health or the water environment by managing any ongoing contamination issues and completing all necessary long-term remediation measures. This is in line with paragraph 170 of the National Planning Policy Framework and adopted local plan policy FP5: Contaminated land.
- 37 If, during development of the Residential Development Plot, contamination not previously identified is found to be present within the development plot, then no further development of that development plot (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall be implemented as approved.
REASON:- To ensure that the development does not contribute to, is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development. This is in line with paragraph 170 of the National Planning Policy Framework and adopted local plan policy FP5: Contaminated land.
- 38 No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the local planning authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.
REASON:- To ensure that the development does not contribute to, is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants. This is in line with paragraph 170 of the National Planning Policy Framework and adopted local plan policy FP5: Contaminated land.
- 39 Piling or any other foundation design using penetrative methods shall not be permitted within the Residential Development Plot other than with the express consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant risk to groundwater. The development shall be carried out in accordance with the approved details.
REASON:- To protect groundwater environment, including groundwater. Some piling techniques can cause preferential pathways for contaminants to migrate to groundwater and cause pollution. A piling risk assessment should be submitted with consideration of the EA guidance. Given the site's location in SPZ1 we will also require a groundwater monitoring programme during any piling work at the site. This groundwater monitoring programme should incorporate mitigation measures to be adopted should piling works be noted to be adversely impacting on groundwater quality beneath the site.
- 40 A scheme for managing any borehole installed within the Residential Development Plot for the investigation of soils, groundwater or geotechnical purposes shall be submitted to and approved in writing by the local planning authority. The scheme shall provide details of how redundant boreholes are to be decommissioned and how any boreholes that need to be retained, post-development, for monitoring purposes will be secured, protected and inspected. The scheme as approved shall be implemented prior to the occupation of the Residential Development Plot.

REASON:- To ensure that the development does not contribute to, is not put at unacceptable levels of water pollution caused by mobilise contaminants. This is in line with paragraph 170 of the National Planning Policy Framework and adopted local plan policy FP5: Contaminated land.

- 41 Prior to first occupation within the Residential Development Plot a Travel Plan, which shall include measures to help reduce residents travelling to the development by private car and to promote sustainable patterns of travel, shall be submitted to and approved in writing by Local Planning Authority. The Travel Plan shall be implemented in accordance with the details approved on the occupation of the first dwelling unless otherwise agreed in writing with the Local Planning Authority.

REASON: - To promote sustainable transport measures for residents, staff and customers.

- 42 No trees, scrub or hedges within the Residential Development Plot, shall be removed during the bird nesting season (between the 1st March and 31st July inclusive in any year), unless searched beforehand by a suitably qualified ornithologist.

REASON: - Nesting birds are protected from disturbance under the Wildlife & Countryside Act 1981 (as amended).

- 43 No development within the Residential Development Plot, including any site clearance or demolition works, shall commence until all trees within the development plot, and those adjacent to it on Maxwell Road, which are to be retained have been protected by fencing or other means of enclosure in accordance with a detailed scheme submitted to and approved in writing by the Local Planning Authority. Such protection as may be agreed shall be inspected and approved by the Local Planning Authority prior to the commencement of the work and maintained until the conclusion of all site and building operations.

REASON: - To ensure that the retained trees are not damaged or otherwise adversely affected during site operations.

- 44 Within the tree protection areas to be fenced off in accordance with condition 43, there shall be no alteration to the ground level and they shall be kept clear of vehicles, materials, surplus soil, temporary buildings, plant and machinery.

REASON: - To ensure that the retained trees are not damaged or otherwise adversely affected during site operations.

- 45 Prior to commencement of works above slab level within the Residential Development Plot, details of any external lighting, including the intensity of illumination and predicted light contours, shall be submitted to and approved in writing by the Local Planning Authority. Any external lighting shall accord with the details so approved.

REASON:- In order to protect the amenities and operations of neighbouring properties and to ensure any external lighting does not prejudice highway safety.

- 46 Prior to the commencement of the relevant part of development within the Residential Development Plot, a Demolition/Construction Management Plan/Method Statement for the demotion and construction phases shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the works of demolition and construction of the development shall only be carried out in accordance with the approved statement. The Demolition/Construction Management Plan/Method Statement shall address the following matters:-

(i) Details of construction phasing programme (including any pre-construction demolition or enabling works);

(ii) Hours of operations including times of deliveries and removal of waste;

- (iii) Demolition and construction works between the hours of 0730 and 1800 on Mondays to Fridays and between the hours of 0830 and 1300 on Saturdays only.
- (iv) The site set-up and general arrangements for storing plant including cranes, materials, machinery and equipment, temporary offices and other facilities, construction vehicle parking and loading/unloading and vehicle turning areas;
- (v) Access and protection arrangements around the site for pedestrians, cyclists and other road users;
- (vi) Details of the provisions for temporary car parking during construction;
- (vii) The location of construction traffic routes to and from the site, details of their signing, monitoring and enforcement measures;
- (viii) Screening and hoarding;
- (ix) End of day tidying procedures;
- (x) Construction and storage compounds (including areas designated for car parking);
- (xi) Siting and details of wheel washing facilities;
- (xii) Cleaning of site entrances, site tracks and the adjacent public highway;
- (xiii) Control measures to manage noise and dust; and
- (xiv) Disposal of surplus materials.

REASON:- To minimise the impact of construction vehicles and to maintain the amenity of the local area.

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

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

- 48 No development shall take place within the Residential Development Plot until the final design of the drainage scheme is complemented and sent to the LPA for approval. The surface water drainage system will be based on the submitted Flood Risk Assessment Technical Note, dated 8th May 2019. REF: U8603PM/KER/001 and the proposed surface water drainage strategy drawing, drawing No. FRA104, Rev; A, dated 08.05.2019, prepared by JPP Consulting Ltd. The scheme shall also include:

1. Detailed engineered drawings of the proposed SuDS features including their location, size, volume, depth and any inlet and outlet features including any connecting pipe runs and all corresponding calculations/modelling to ensure the scheme caters for all rainfall events and up to and including 1 in 100 year + climate change event.
2. Demonstrate an appropriate SuDS management and treatment train and inclusion of above ground features such as permeable paving etc. and reducing the requirement for any underground storage.

REASON:- To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site.

49 Upon completion of the drainage works within the Residential Development Plot, a management and maintenance plan for the SuDS features and drainage network must be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

1. Provision of a complete set of as built drawings for site drainage.
2. Maintenance and operational activities.
3. Arrangements for adoption and any other measures to secure the operation of the scheme throughout its lifetime.

REASON:- To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

50 The development within the Residential Development Plot shall not be occupied until the proposed accesses for vehicles, pedestrians and cyclists have been constructed as detailed on the approved drawings, and, the existing access serving the surface car park has been closed and the existing footway/verge has been reinstated to the current specification of Hertfordshire County Council and to the Local Planning Authority's satisfaction.

REASON:- In order to protect highway safety and the amenity of other users of the public highway.

51 The gradient of the main access from Maxwell Road into the Residential Development Plot shall not be steeper than 1 in 20 for the first 15m measured from the edge of the carriageway.

REASON:- To ensure a vehicle is approximately level before being driven off and on to the highway.

52 Prior to commencement of works above slab level within the Residential Development Plot a scheme to provide suitable bird boxes has been submitted to and approved in writing by the Local Planning Authority. The approved boxes shall be installed prior to the first occupation of any residential dwelling.

REASON:- To increase opportunities for wildlife in new developments.

53 No development (including demolition) shall take place within the Residential Development Plot until an Archaeological Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of archaeological significant and research questions; and:

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

REASON:- In order to protect potential heritage assets of archaeological interest.

54 No development shall take place within the Residential Development Plot (unless the Local Planning Authority agree that a set amount of development must first commence to enable

compliance with this condition) until any necessary on site archaeological works have been completed in accordance with the Written Scheme of Investigation approved under condition 53.

REASON:- In order to protect potential heritage assets of archaeological interest.

- 55 Prior to first occupation of the development within the Residential Development Plot the archaeological site investigation assessment shall be completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition 53 and submitted to the Local Planning Authority.

REASON:- In order to protect potential heritage assets of archaeological interest.

- 56 Prior to commencement of works above slab level within the Residential Development Plot details of measures to reduce energy and water consumption to ensure the development is adaptable to climate change, shall be submitted to and approved in writing by the local planning authority. The measures shall thereafter be installed in accordance with the approved details.

REASON:- To ensure the development is adaptable to climate change.

- 57 As part of any reserved matters application relating to the Residential Development Plot, the applicant shall submit a full noise assessment in line with BS4142: 2014 in regards to noise from nearby commercial premises on the adjacent industrial estate. In addition, the noise assessment will also need to consider noise arising from road and air transport sources. The applicant shall also submit a detailed scheme for ensuring that internal noise levels do not exceed those specified in BS8233:2014 in so far as to the living rooms, dining rooms and bedrooms in the residential development. In addition, details shall also be provided with respect to ventilation and thermal comfort arrangements which would be utilised within the residential development. None of the dwellings shall be occupied until such a scheme has been implemented in accordance with the approved details, and shown to be effective, and it shall be retained in accordance with those details thereafter.

REASON:- To ensure that residents of the development do not suffer undue noise and disturbance from traffic on the adjoining highway and the operation of nearby businesses, including the proposed office development as detailed in the application submission.

- 58 No development, including site clearance and demolition works, or any tree or vegetation removal, within the Residential Development Plot shall take place until a Breeding Birds Survey for Black Redstarts is carried out, one in May and one in June in accordance with the recommendations detailed in the submitted Phase I Habitat Survey and Preliminary Bat Survey Update 2018 (prepared by 4 Acre Ecology Limited, Issue No. 2, issued on 22/01/2019).

REASON:- Nesting birds are protected from disturbance under the Wildlife & Countryside Act 1981 (as amended).

- 59 Prior to commencement of works above slab level within the Residential Development Plot a scheme to provide suitable bird boxes shall be submitted to and approved in writing by the Local Planning Authority. The approved boxes shall be installed prior to the first occupation of any residential dwelling.

REASON: - To increase opportunities for wildlife in new developments.

Pro-active Statement

Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant at the pre-application stage and during the determination process which lead to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the National Planning Policy Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

INFORMATIVE

1 Environment Agency

The developer should follow the risk management framework provided in CLR11, Model Procedures of Land Contamination, when dealing with land affected by contamination. Refer to the Environment Agency Guiding principles for land contamination that are required in order to assess risks to controlled waters from the site. The Local Authority can advise on risk receptors such as human health. Consider using the National Quality Mark Scheme for Land Contamination Management which involves the use of competent persons to ensure that land contamination risks are appropriately managed. In addition, to consideration should be made to the Environment Agency's approach to groundwater protection February 2018 version 1.2.

Refer to the contaminated land pages on GOV.UK for more information. It is expected the site investigations to be carried out in accordance with best practice guidance for site investigations on land affected by land contamination, for example British Standards, when investigating potentially contaminated sites and groundwater, and references with these documents:

- BS5930:2015 Code of practice for site investigations;
- BS10175:2011 A1:2013 Code of practice for investigation of potentially contaminated sites;
- BS ISO 5667-22:2010 Water quality, sampling, Guidance on the design and installation of groundwater monitoring points;
- BS ISO 5667-11:2009 Water quality, sampling, Guidance on sampling of groundwater's (A minimum of 3 groundwater monitoring boreholes are required to establish the groundwater levels, flow patterns and groundwater quality, more monitoring locations may be required to establish the conceptual model);
- Use MCERTS accredited methods for testing contaminated soils at the site.
- A Detailed Quantitative Risk Assessment (DQRA) for controlled waters using the results of the site investigations with consideration of the hydrogeology of the site and the degree or any existing groundwater and surface water pollution should be carried out.

The verification plan should include proposals for a groundwater monitoring programme to encompass regular monitoring for a period date before, during and after ground works. For example, monthly monitoring before, during and for a least the first quarter after completion of ground works, and then quarterly for the remaining 9-month period. Where SuDS are proposed, infiltration SuDS should not be located in unsuitable and unstable land affect by contamination or solution features.

Where infiltration SuDS are to be used for surface run-off from roads, car parking and public or amenity areas, they should have a suitable series of treatment steps to prevent the pollution of groundwater. For the immediate drainage catchment areas used for handling and storage of chemicals and fuel, handling and storage of waste, lorry, bus and coach of parking turning areas, infiltration SuDS are not permitted without an environmental. Further advice in the updated CIRIAL SuDS manual should be used as reference.

2 Hertfordshire Highways (Amend)

Prior to the commencement of development the applicant shall contact Hertfordshire County Council as Highways Authority on 0300 123 4047 in order to obtain the requirements to arrange a site visit to agree condition survey of the approach of the highway leading to the development likely to be used by large articulated and rigid vehicles to the development. Under the provisions of Section 59 of the Highways Act 1980 the

developer may be liable for any damage caused to the public highway as a result of traffic associated with the development. Hertfordshire County Council as Highways Authority may also require an Officer presence during movements of larger loads.

The County Council also note that there are no electric vehicle charging points included in the scheme. Due to the absence of this facility being part of the 'Roads in Hertfordshire Design Guide' through the planning process, the developer will be encouraged to provide such facilities off the highway within their parking schemes, until such time as EVCP's are incorporated into the Highway Design Guide.

3 Thames Water

With regards to surface water drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water, we would have no objection. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required.

4 Ecology

As part of any reserved matters application relating to landscaping, it is recommended that where possible, brush or log-piles should be created at the edge of the site if any tree/shrub clearance is undertaken, to provide wildlife stacks for invertebrates and small mammals. In addition, any closed board fencing as part of any boundary treatment should have Hedgehog gaps placed in them (150mm wide and 100mm high) to allow them and other small animals access throughout the site and area.

5 Trees and Landscaping

As part of any reserved matters application relating to landscaping, the Council's Arboricultural Manager recommends that the following tree works should part of any landscaping scheme submitted to the Council for its approval:-

1. Removal of 2 no. Poplar Trees in the North East corner of Block 1;
2. 30% reduction of first row of trees on the Eastern boundary by Blocks 1 and 2;
3. 30% reduction of the two Lime trees by the South Eastern corner of the site;
4. 30% overall reductions on the two groups of Maple trees on the northern boundary near Block 4 and Office Block;
5. Removal (including stump grinding) of the two Maple trees on the North side by the sub-station.

10. BACKGROUND DOCUMENTS

1. The application file, forms, plans and supporting documents having the reference number relating to this item.
2. Stevenage Borough Council Supplementary Planning Documents – Parking Provision adopted January 2012 and Stevenage Design Guide adopted October 2009.
3. Stevenage Borough Local Plan 2011-2031 adopted 2019.
4. Hertfordshire County Council's Local Transport Plan 4 adopted May 2018.
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 February 2019 and Planning Policy Guidance March 2014.

Meeting: Planning and Development
Committee

Agenda Item:

Date:

IMPORTANT INFORMATION - DELEGATED DECISIONS

Author – Technical Support 01438 242838

Lead Officer – Zayd Al-Jawad 01438 242257

Contact Officer – Dave Rusling 01438 242270

The Assistant Director of Planning and Regulation has issued decisions in respect of the following applications in accordance with his delegated authority:-

1. Application No : 18/00500/COND
Date Received : 13.08.18
Location : Former John Lewis Plc Cavendish Road Stevenage Herts
Proposal : Discharge of condition 10 (travel plan) attached to planning application no: 15/00702/FPM
Date of Decision : 09.07.19
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**

2. Application No : 19/00241/FPH
Date Received : 18.04.19
Location : 13A Holly Copse Stevenage Herts SG1 1QT
Proposal : Replacement of existing windows and doors on front elevation with bi-folding doors together with a replacement roof with one roof light on the existing conservatory
Date of Decision : 05.07.19
Decision : **Planning Permission is GRANTED**

3. Application No : 19/00243/FPH
Date Received : 23.04.19
Location : 18 Tates Way Stevenage Herts SG1 4WP
Proposal : Retention of single storey rear extension and garage conversion
Date of Decision : 10.07.19
Decision : **Planning Permission is GRANTED**
4. Application No : 19/00279/FP
Date Received : 07.05.19
Location : 45 Four Acres Stevenage Herts SG1 3PL
Proposal : Change of use from public amenity land to residential use
Date of Decision : 24.07.19
Decision : **Planning Permission is GRANTED**
5. Application No : 19/00281/TPTPO
Date Received : 08.05.19
Location : 20 Petworth Close Stevenage Herts SG2 8UP
Proposal : Reduce large limb by approximately 2m from branch tips and also remove all dead wood of 1 no Scots Pine tree (T25) protected by TPO 20
Date of Decision : 05.07.19
Decision : **CONSENT TO CARRY OUT WORKS TO A TREE, THE SUBJECT OF A TREE PRESERVATION ORDER**
6. Application No : 19/00287/FP
Date Received : 13.05.19
Location : 22 Basils Road Stevenage Herts SG1 3PX
Proposal : Part demolition of existing building and erection of 2no two bedroom dwellings
Date of Decision : 11.07.19
Decision : **Planning Permission is GRANTED**

7. Application No : 19/00293/LB
Date Received : 14.05.19
Location : Barclay Secondary School Walkern Road Stevenage Herts
Proposal : Replacement of external doors and sidelights
Date of Decision : 05.07.19
Decision : **Listed Building Consent is GRANTED**
8. Application No : 19/00301/FP
Date Received : 16.05.19
Location : 91 Raleigh Crescent Stevenage Herts SG2 0ED
Proposal : Change of use from public amenity land to residential use for driveway
Date of Decision : 11.07.19
Decision : **Planning Permission is GRANTED**
9. Application No : 19/00302/FPH
Date Received : 16.05.19
Location : 10 Marlowe Close Stevenage Herts SG2 0JJ
Proposal : Two storey side extension
Date of Decision : 12.07.19
Decision : **Planning Permission is GRANTED**

10. Application No : 19/00303/FPH
Date Received : 17.05.19
Location : 9 Beane Avenue Stevenage Herts SG2 7DL
Proposal : Two storey rear extension, first floor side extension, first floor front extension and rear dormer window.
Date of Decision : 10.07.19
Decision : **Planning Permission is REFUSED**

For the following reason(s);

The proposal, by virtue of its overall size, design, scale, and massing, would appear bulky and result in an incongruous form of development which would be detrimental to the architectural composition of the original dwelling to the detriment of the visual amenities of the area. Additionally, the proposal does not follow the guidance for extensions, roof extensions and dormer windows as set out in the Stevenage Design Guide 2009 and is therefore contrary to Policies GD1 and SP8 of the Stevenage Local Plan 2011 - 2031 (2019), the Council's Design Guide SPD (2009), the NPPF (2019) and NPPG (2014).

Planning permission has been refused for this proposal for the clear reasons set out in this decision notice. The Council acted pro-actively through positive engagement with the applicant in an attempt to narrow down the reasons for refusal but fundamental objections could not be overcome. The Council has therefore acted pro-actively in line with the requirements of the National Planning Policy Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

The inclusion of a balcony on the roof of the two storey rear extension, and the proposed first floor window in the rear elevation and second floor window in the side elevation of the first floor side extension, will result in an unacceptable loss of privacy to the occupiers of neighbouring properties. The proposal is therefore contrary to the Stevenage Design Guide 2009 and Policies GD1 and SP8 of the Stevenage Borough Local Plan 2011-2031 (2019), the NPPF (2019) and NPPG (2014).

11. Application No : 19/00316/FP
Date Received : 23.05.19
Location : 50 Warwick Road Stevenage Herts SG2 0QS
Proposal : Erection of two storey side extension, single storey rear extensions and loft conversion incorporating 2no. rear dormer windows to facilitate the conversion of existing 3 bed dwelling into 2no. 3 bed dwellings. Creation of associated parking to the rear and front.
Date of Decision : 11.07.19
Decision : **Planning Permission is GRANTED**
12. Application No : 19/00317/FP
Date Received : 23.05.19
Location : 50 Lingfield Road Stevenage Herts SG1 5SL
Proposal : Change of use from Highway land and amenity land to residential use
Date of Decision : 24.07.19
Decision : **Planning Permission is GRANTED**
13. Application No : 19/00321/FP
Date Received : 25.05.19
Location : Longmeadows Symonds Green Lane Stevenage Herts
Proposal : Variation of Condition 3 (Materials) attached to Planning Permission number 16/00645/FP to change window material
Date of Decision : 11.07.19
Decision : **Planning Permission is GRANTED**
14. Application No : 19/00322/FP
Date Received : 25.05.19
Location : Greenside School Shephall Green Stevenage Herts
Proposal : Single storey extension
Date of Decision : 22.07.19
Decision : **Planning Permission is GRANTED**

15. Application No : 19/00323/FPH
Date Received : 26.05.19
Location : 8 Byron Close Stevenage Herts SG2 0JE
Proposal : Single storey side/rear extension
Date of Decision : 26.07.19
Decision : **Planning Permission is GRANTED**
16. Application No : 19/00324/HPA
Date Received : 28.05.19
Location : 112 Broad Oak Way Stevenage Herts SG2 8RB
Proposal : Single storey rear extension which will extend beyond the rear wall of the original house by 4.38m, for which the maximum height will be 3.7m and the height of the eaves will be 2.85m
Date of Decision : 05.07.19
Decision : **Prior Approval is NOT REQUIRED**
17. Application No : 19/00325/FP
Date Received : 29.05.19
Location : 14 Park View Stevenage Herts SG2 8PU
Proposal : Demolition of garage, conservatory and utility room and erection of 1no 1 bedroom detached dwelling and garage.
Date of Decision : 25.07.19
Decision : **Planning Permission is GRANTED**
18. Application No : 19/00326/FPH
Date Received : 29.05.19
Location : 122 Valley Way Stevenage Herts SG2 9DD
Proposal : Part two storey and part single storey rear extension
Date of Decision : 05.07.19
Decision : **Planning Permission is GRANTED**

19. Application No : 19/00327/FPH
Date Received : 29.05.19
Location : 63 Blenheim Way Stevenage Herts SG2 8TD
Proposal : Single storey front extension
Date of Decision : 25.07.19
Decision : **Planning Permission is GRANTED**
20. Application No : 19/00328/FPH
Date Received : 29.05.19
Location : 46 Jupiter Gate Stevenage Herts
Proposal : Erection of Car Port
Date of Decision : 11.07.19
Decision : **Planning Permission is GRANTED**
21. Application No : 19/00329/FPH
Date Received : 30.05.19
Location : 36 Mildmay Road Stevenage Herts SG1 5TW
Proposal : Single storey front extension
Date of Decision : 26.07.19
Decision : **Planning Permission is GRANTED**
22. Application No : 19/00331/TPCA
Date Received : 30.05.19
Location : 121 Chancellors Road Stevenage Herts SG1 4TZ
Proposal : Fell 1 No. Silver Birch (T1)
Date of Decision : 04.07.19
Decision : **CONSENT TO CARRY OUT WORKS TO A TREE IN A CONSERVATION AREA**

23. Application No : 19/00334/FPH
Date Received : 31.05.19
Location : 11 Lower Sean Stevenage Herts SG2 9XN
Proposal : Single and two storey rear extensions together with an additional clear glazed window in the side elevation at first floor
Date of Decision : 17.07.19
Decision : **Planning Permission is GRANTED**
24. Application No : 19/00335/CLPD
Date Received : 31.05.19
Location : 14 Sweyns Mead Stevenage Herts SG2 0JZ
Proposal : Certificate of Lawfulness Development for proposed garage conversion
Date of Decision : 25.07.19
Decision : **Certificate of Lawfulness is APPROVED**
25. Application No : 19/00336/FPH
Date Received : 31.05.19
Location : 14 Sweyns Mead Stevenage Herts SG2 0JZ
Proposal : Two storey side extension
Date of Decision : 25.07.19
Decision : **Planning Permission is GRANTED**
26. Application No : 19/00337/CLPD
Date Received : 31.05.19
Location : 10 Ten Acres Crescent Stevenage Herts SG2 9US
Proposal : Certificate of lawful development for proposed single storey rear extension
Date of Decision : 22.07.19
Decision : **Certificate of Lawfulness is APPROVED**

27. Application No : 19/00338/CLPD
Date Received : 03.06.19
Location : 62 Alleyns Road Stevenage Herts SG1 3PP
Proposal : Proposed loft conversion with insertion of dormer to rear elevation and 2no rooflights to front elevation.
Date of Decision : 25.07.19
Decision : **Certificate of Lawfulness is APPROVED**
28. Application No : 19/00339/FPH
Date Received : 03.06.19
Location : 62 Alleyns Road Stevenage Herts SG1 3PP
Proposal : Single storey rear and side extension.
Date of Decision : 29.07.19
Decision : **Planning Permission is GRANTED**
29. Application No : 19/00340/CLPD
Date Received : 03.06.19
Location : 10 Ten Acres Crescent Stevenage Herts SG2 9US
Proposal : Certificate of lawful development for 3no. dormer windows on rear roof slope and 3no. velux rooflights on front roof slope to facilitate a loft conversion
Date of Decision : 22.07.19
Decision : **Certificate of Lawfulness is APPROVED**
30. Application No : 19/00341/FPH
Date Received : 03.06.19
Location : 10 Ten Acres Crescent Stevenage Herts SG2 9US
Proposal : 2no. dormer windows to front roof slope
Date of Decision : 22.07.19
Decision : **Planning Permission is GRANTED**

31. Application No : 19/00342/CLPD
Date Received : 04.06.19
Location : 408 York Road Stevenage Herts SG1 4EN
Proposal : Certificate of lawfulness for a garage conversion
Date of Decision : 12.07.19
Decision : **Certificate of Lawfulness is APPROVED**
32. Application No : 19/00343/FPH
Date Received : 04.06.19
Location : 41 Sefton Road Stevenage Herts SG1 5RJ
Proposal : Single storey rear extension.
Date of Decision : 26.07.19
Decision : **Planning Permission is GRANTED**
33. Application No : 19/00346/FPH
Date Received : 05.06.19
Location : 6 Carters Close Stevenage Herts SG2 9QA
Proposal : Proposed loft conversion
Date of Decision : 29.07.19
Decision : **Planning Permission is GRANTED**
34. Application No : 19/00347/TPCA
Date Received : 05.06.19
Location : Sheen Cottage Rectory Lane Stevenage Herts
Proposal : Thin 1no. Fir Tree by 20% and lift by 20% .
Date of Decision : 22.07.19
Decision : **CONSENT TO CARRY OUT WORKS TO A TREE IN A CONSERVATION AREA**

35. Application No : 19/00349/TPCA
Date Received : 05.06.19
Location : 1 Nycolles Wood And 3 The Close Stevenage Herts SG1 4GR
Proposal : Crown reduction by 3m on 1no. Beach tree located at 1 Nycolles Wood. Crown reduction by 2-3m on 1no. Pine tree, crown reduction by 2m on 7no. Conifer trees and crown reduction by 1.5m on 1no. Beach tree and 1no. Conifer tree, all located at 3 The Close
Date of Decision : 10.07.19
Decision : **CONSENT TO CARRY OUT WORKS TO A TREE IN A CONSERVATION AREA**
36. Application No : 19/00353/FPH
Date Received : 11.06.19
Location : 179 Bedwell Crescent Stevenage Herts SG1 1ND
Proposal : Single storey front extension
Date of Decision : 26.07.19
Decision : **Planning Permission is GRANTED**
37. Application No : 19/00355/HPA
Date Received : 11.06.19
Location : 179 Bedwell Crescent Stevenage Herts SG1 1ND
Proposal : Single storey rear extension which will extend beyond the rear wall of the original house by 6 metres, for which the maximum height will be 3.15 metres and the height of the eaves will be 3 metres.
Date of Decision : 04.07.19
Decision : **Prior Approval is NOT REQUIRED**

38. Application No : 19/00358/FPH
Date Received : 12.06.19
Location : 6 Marlowe Close Stevenage Herts SG2 0JJ
Proposal : Single storey side extension
Date of Decision : 31.07.19
Decision : **Planning Permission is GRANTED**
39. Application No : 19/00362/FPH
Date Received : 13.06.19
Location : 42 Eliot Road Stevenage Herts SG2 0LL
Proposal : Single storey front extension
Date of Decision : 26.07.19
Decision : **Planning Permission is GRANTED**
40. Application No : 19/00363/FPH
Date Received : 14.06.19
Location : 14 Wetherby Close Stevenage Herts SG1 5RX
Proposal : Garage conversion
Date of Decision : 31.07.19
Decision : **Planning Permission is GRANTED**
41. Application No : 19/00365/FPH
Date Received : 14.06.19
Location : 10 St. Andrews Drive Stevenage Herts SG1 4UY
Proposal : Single storey rear extension
Date of Decision : 11.07.19
Decision : **Planning Permission is GRANTED**

42. Application No : 19/00370/TPTPO
Date Received : 20.06.19
Location : 65 Sparrow Drive Stevenage Herts SG2 9FB
Proposal : Reduction of 1no. Ash tree (T1) by 30% protected by TPO 38
Date of Decision : 26.07.19
Decision : **CONSENT TO CARRY OUT WORKS TO A TREE, THE SUBJECT OF A TREE PRESERVATION ORDER**
43. Application No : 19/00373/COND
Date Received : 21.06.19
Location : 119B Hertford Road Stevenage Herts SG2 8SH
Proposal : Discharge of condition 3 (Materials) attached to planning permission reference number 17/00154/FP
Date of Decision : 10.07.19
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**
44. Application No : 19/00387/CLPD
Date Received : 28.06.19
Location : 1 Leslie Close Stevenage Herts SG2 9NB
Proposal : Certificate of Lawfulness for a single storey rear extension
Date of Decision : 26.07.19
Decision : **Certificate of Lawfulness is APPROVED**
45. Application No : 19/00398/NMA
Date Received : 04.07.19
Location : 83 Torquay Crescent Stevenage Herts SG1 2RH
Proposal : Non Material Amendment to planning application 18/00606/FPH to add 1no. porch window
Date of Decision : 10.07.19
Decision : **Non Material Amendment AGREED**

BACKGROUND PAPERS

1. The application files, forms, plans and supporting documents having the reference number relating to these items.
2. Stevenage Borough Local Plan 2011-2031 adopted May 2019.
3. Stevenage Borough Council Supplementary Planning Documents – Parking Provision adopted January 2012 and the Stevenage Design Guide adopted October 2009.
4. Responses to consultations with statutory undertakers and other interested parties.
5. Central Government advice contained in the National Planning Policy Framework February 2019 and National Planning Practice Guidance 2014 (as amended).
6. Letters received containing representations.

Meeting: Planning and Development
Committee

Agenda Item:

Date: Tuesday 13 August 2019

INFORMATION REPORT - APPEALS / CALLED IN APPLICATIONS

Author – Linda Sparrow 01438 242837

Lead Officer – Zayd Al-Jawad 01438 242257

Contact Officer – David Rusling 01438 242270

1. APPEALS RECEIVED

1.1 None.

2. DECISIONS AWAITED

2.1 18/00461/ENF, 4 Oakdell. Appeal against serving of Enforcement Notice relating to the construction of a timber bridge over the brook.

2.2 19/00165/FP, Land at 68 Wildwood Lane. Appeal against refusal of planning permission for the demolition of existing double garage. Erection of detached three-bedroom house and integral garage. Erection of replacement single garage to no. 68.

2.3 17/00730/ENF, 18b Boulton Road. Appeal against serving of Enforcement Notice relating to an unauthorised gym operating from the premises.

3. DECISIONS RECEIVED

3.1 None.

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