



PLANNING AND DEVELOPMENT COMMITTEE

Date: Wednesday, 31 March 2021
Time: 6.30pm
Location: Virtual via Zoom
Contact: Lisa Jerome 01438 242203
committees@stevenage.gov.uk

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

AGENDA

PART 1

1. APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

2. MINUTES - 2 MARCH 2021

To approve as a correct record the Minutes of the previous meeting held on 2 March 2021.

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3. 20/00736/FPM - THE BRAGBURY CENTRE

To consider variation of conditions 1 (Approved Plans), condition 3 (Materials), 11 (Bird Boxes), 12 (Bat Boxes), 14 (Construction Management Plan), 16 (Site Waste Management) 21 (Surface Water Drainage), 22 (Drainage Scheme), 25 (Site Investigation) and 27 (Remediation Scheme) attached to planning permission 18/00398/FPM.

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4. INFORMATION REPORT - DELEGATED DECISIONS

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

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5. 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.

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6. URGENT PART I BUSINESS

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

7. 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.

8. 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, 2 March 2021

Time: 6.30pm

Place:

Present: Councillors: Simon Speller (Chair), Maureen McKay (Vice-Chair), Doug Bainbridge, Sandra Barr, Laurie Chester, Michael Downing, Michelle Gardner, Jody Hanafin, Lizzy Kelly, Graham Lawrence, Graham Snell and Tom Wren

Start / End Start Time: 6.30pm
Time: End Time: 9.10pm

1 **APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST**

Apologies for absence were received from Councillor John Lloyd.

There were no declarations of interest.

2 **MINUTES - 3 FEBRUARY 2021**

It was **RESOLVED** that the minutes of the Planning and Development Committee meeting held on Wednesday 3 February 2021 be approved as a correct record and signed by the Chair subject to the following addition:

Item 4 – Stevenage Connection AAP – Members raise concerns regarding the safety of the pedestrian crossing, hygiene of the passenger lift and the potential highways impact on surrounding roads.

3 **20/00599/FP - 14 BRICK KILN ROAD, STEVENAGE**

The Committee considered an application for the change of use from single family dwelling (C3) into 8 bedroom HMO (sui generis).

The application was before the Committee for determination as it had been called in at the request of Councillor Lorraine Rossati and due to the fact that the applicant was Stevenage Borough Council.

The application was deferred at the Planning and Development Committee on 8 December 2020, as Members expressed concern regarding consultation and engagement with local residents. Members felt a more comprehensive and direct consultation with residents in the area by the Council's Housing Development team (the applicant) would allow people to fully understand the proposals and make representations.

The Senior Planning Officer advised the Committee that since the meeting on the 8 December 2020, the Council's Housing Development team (the applicant) had undertaken additional consultation with all properties on Brick Kiln Road.

The Chair then invited Mr Roger Buckley, a local resident and objector to the application to address the Committee. Mr Buckley's concerns related to:

- Security concerns;
- Adverse impact on character of area;
- Adverse impact on residential amenity;
- Too densely occupied resulting in cramped living conditions;
- Inadequate car parking;
- Lack of disabled parking;
- How will tenants be assessed to qualify for a room in the HMO?
- Concern that tenants will be drug addicts;
- Concern over increase in crime and anti-social behaviour;
- Inadequate consultation of residents;
- CCTV will be inadequate;

The Chair then invited the Assistant Director (Housing Development) at Stevenage Borough Council and the applicant to address the Committee. He advised that the further consultation had been carried out on Friday 17 December where officers from the Housing Development team had visited every property on Brick Kiln Road and delivered a letter outlining the Council's proposals for No.14. In addition Zoom meetings had also been held to consult with residents. He also confirmed that consultation with residents would continue as the development progressed to ensure any concerns were addressed.

In response to Members' questions, officers advised that the parking provision complied with the Council's Parking SPD and that the County Council as Highways Authority had no objections to the scheme. The management of the property would also be monitoring car ownership to ensure there were not too many vehicles parked at the property.

It was **RESOLVED:**

That planning permission be granted subject to the following conditions:

1. The development hereby permitted shall be carried out in accordance with the

following approved plans:

2020/32/01 rev F; 2020/32/02; 2020/32/03

- 2 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 3 The building works required to implement this permission shall be carried out only between the following times:

0800 to 1800 Mondays to Fridays
0830 to 1300 Saturdays
And not at all on Sundays and Bank Holidays.

The hours specified relate to activities which are audible at the site boundary.
4. The on-site parking spaces indicated on the approved drawing 2020/32/01 rev F shall be provided prior to the first use of the premises hereby permitted and permanently maintained thereafter.
5. The use of the premises shall be as an 8 bed House in Multiple Occupation only.
- 6 Prior to the first occupation arrangements shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

INFORMATIVES

1. Community Infrastructure Levy

Stevenage Borough Council adopted a Community Infrastructure Levy (CIL) Charging Schedule at Full Council on 27 January 2020 and started implementing CIL on 01 April 2020.

This application may be liable for CIL payments and you are advised to contact the CIL Team for clarification with regard to this. If your development is CIL liable, even if you are granted an exemption from the levy, please be advised that it is a requirement under Regulation 67 of The Community Infrastructure Levy Regulations 2010 (as amended) that CIL Form 6 (Commencement Notice) must be completed, returned and acknowledged by Stevenage Borough Council before building works start. Failure to do so will mean you risk losing the right to payment by instalments and a surcharge will be imposed. NB, please note that a Commencement Notice is not required for residential extensions if relief has been granted.

Stevenage's adopted CIL Charging Schedule and further details of CIL can be found on the Council's webpages at www.stevenage.gov.uk/CIL or by contacting the Council's CIL Team at CIL@Stevenage.gov.uk.

- 2 Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website: <http://www.hertfordshire.gov.uk/services/transtreets/highways/> or by telephoning 0300 1234047.
- 3 Parking and Storage of materials: The applicant is advised that all areas for parking, storage, and delivery of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx> or by telephoning 0300 1234047.
- 4 You are advised to contact the Council's Environmental Health department on env.health@stevenage.gov.uk or 01438 242908 / 242916 with regards to obtaining the relevant HMO licence.
- 5 To obtain advice regarding current Building Regulations please contact Hertfordshire Building Control Ltd. by emailing us at buildingcontrol@hertfordshirebc.co.uk or phoning us on 01438 879990.

To make a building regulations application please apply through our website portal at <https://www.hertfordshirebc.co.uk/contact-us/> payment can be made online or by phoning the above number after the application has been uploaded. Please phone Hertfordshire Building Control for fees guidance on 01438 879990.

Hertfordshire Building Control can also be contacted by post at Hertfordshire Building control Ltd., 4th Floor, Campus West, Welwyn Garden City, Hertfordshire, AL8 6BX.

Once a building regulations application has been deposited with relevant drawings and fee building work may commence. You will be advised in their acknowledgement letter of the work stages we need to inspect but in most instances these are usually:

- Excavation for foundations
- Damp proof course
- Concrete oversite
- Insulation
- Drains (when laid or tested)

- Floor and Roof construction
- Work relating to fire safety
- Work affecting access and facilities for disabled people
- Completion

Please phone Hertfordshire Building Control on 01438 879990 before 10.00am to ensure a same day inspection (Mon - Fri).

4 **20/00678/FPM - JOHN HENRY NEWMAN SCHOOL, HITCHIN ROAD, STEVENAGE**

The Committee considered an application for the re-development of part of the existing school site to include 2 new-build teaching blocks to replace existing blocks, a new entrance for the Sports Hall, the phased demolition of the existing blocks, new landscaped amenity grassland and new service connections to the new buildings and all retained blocks.

The application was before the Committee for determination as it was a major application.

The Principal Planning Officer gave an introduction to the Committee. She advised that the main issues for consideration in the determination of this application were its acceptability in land use policy terms, impact on the appearance of the area, impact upon the school playing field, ecology and trees, flood risk and drainage, climate change mitigation, residential/neighbouring amenities and means of access/parking.

In response to a question regarding access and highways, officers advised that it was important to note the proposal would not involve an increase in the number of students or staff at the School and as a result, the current impact the school had on the surrounding highway network would not be worsened by increased vehicular trips. As the planned admission number was not increasing, there was no Local Plan policy requirement to provide additional on-site car parking.

Officers also advised that the scheme had been developed to make the best use of the site while allowing the school to continue to operate during construction. The development would be phased so that the new two storey school building to the rear of the site can be constructed first, with the three-storey block and phased demolition of the existing buildings to follow afterwards.

It was **RESOLVED:**

That planning permission be granted subject to the following conditions:

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

137895-JWA-FB-00-DR-A-1000-S2-P01; 137895-JWA-FB-01-DR-A-1001-S2-P01; 137895-JWA-FB-02-DR-A-1002-S2-P01; 137895-JWA-FB-RF-DR-A-1003-S2-P01; 137895-JWA-FB-ZZ-DR-A-3001-S2-P01; 137895-JWA-FB-ZZ-DR-A-3002-S2-P01; 137895-JWA-RB-00-DR-A-1000-S2-P01; 137895-JWA-

RB-01-DR-A-1001-S2-P01; 137895-JWA-RB-RF-DR-A-1002-S2-P01; 137895-JWA-RB-ZZ-DR-A-3001-S2-P01; 137895-JWA-RB-ZZ-DR-A-3002-S2-P01; 137895-JWA-SB-00-DR-A-1000-S2-P01; 137895-JWA-SB-RF-DR-A-1001-S2-P01; 137895-JWA-SB-ZZ-DR-A-3001-S2-P01; 137895-WWA-00-00-DR-L-0001; 137895-WWA-00-00-DR-L-0002; 137895-WWA-00-00-DR-L-0003; 137895-WWA-00-00-DR-L-0004 P01; 137895-WWA-00-00-DR-L-0005; 137895-WWA-00-00-DR-L-0006; 137895-WWA-00-00-DR-L-0007; 137895-WWA-00-00-DR-L-0008; 137895-WWA-00-00-DR-L-0009; 137895-WWA-00-00-DR-L-0010; 137895-WWA-00-00-DR-L-0011; R-15172_102-106_ISSUE01 1; R-15172_102-106_ISSUE01 2; R-15172_102-106_ISSUE01 3; R-15172_102-106_ISSUE01 4; R-15172_102-106_ISSUE01 5; 137895-JWA-ZZ-ZZ-DR-A-0401-S2-P01; 137895-WWA-00-00-DR-L-0016; 137895-WWA-00-00-DR-L-0017; 137895-WWA-00-00-SP-L-0602-S2-P01

- 2 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 3 The Construction Methodology and Management Plan as approved shall be adhered to during the construction phase of the development.
- 4 The building works required to implement this permission shall be carried out only between the following times:

0800 to 1800 Mondays to Fridays
0830 to 1300 Saturdays
And not at all on Sundays and Bank Holidays.

The hours specified relate to activities which are audible at the site boundary.
- 5 The development hereby permitted shall be completed in accordance with the external materials specified within the Design and Access Statement by Jestico and Whiles dated November 2020 as approved.
- 6 The boundary treatments as set out on the External Materials Key Plan ref. 137895-WWA-00-00-DR-L-0002 submitted with this application shall be constructed in accordance with the details specified on the approved plan and permanently maintained accordingly.
- 7 All hard and soft landscaping shall be carried out in accordance with the approved details as set out in drawing numbers 137895-WWA-00-00-DR-L-0002 and 137895-WWA-00-00-DR-L-0008 to a reasonable standard in accordance with the relevant British Standards or other recognised Codes of Good Practice.
- 8 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the completion of the development.
- 9 All hard surfacing comprised in the approved details of landscaping shall be carried out within 3 months of the completion of the development.

- 10 Any trees or plants comprised within the scheme of landscaping, which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless otherwise agreed in writing by the Local Planning Authority.
- 11 No tree shown retained on the approved plans, or approved landscaping scheme, shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped within five years of the completion of development without the written approval of the Local Planning Authority.
- 12 No development shall take place above slab level until an Arboricultural Method Statement (AMS) which will fully addresses the complex phasing of tree protection measures and the nature of those measures is 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 and maintained until the conclusion of all site and building operations.
- 13 If during the course of development any contamination is found or suspected, works shall cease and the local planning authority shall be informed immediately. The local planning authority may request the nature and extent of any contamination to be investigated in order that a suitable remediation strategy can be proposed. The development shall not continue until any required remediation as agreed in writing by the local planning authority has been undertaken, and the local planning authority has confirmed it has been undertaken to its satisfaction.
- 14 The measures to address adaptation to climate change as set out within the Design and Access Statement by Jestico and Whiles dated November 2020 and the BREEAM Pre-Assessment prepared by RSK shall be implemented and permanently maintained in accordance with the approved details.
- 15 The development permitted by this planning permission shall be carried out in accordance with the Drainage Strategy, Flood Risk Assessment and Sustainable Drainage System Statement, dated October 2020, Rev. P02, Report Reference: 6506R001 FRA, prepared by BCAL Consulting and the drawings Proposed Drainage Layout Sheet 1 of 2, Drawing No. 137895-BCAL-00-00-DR-C-0050, Rev. P5, dated 21.01.21, prepared by BCAL Consulting and Proposed Drainage Layout Sheet 2 of 2, Drawing No. 137895-BCAL-00-00-DR-C-0051, Rev. P4, dated 21.01.21, prepared by BCAL Consulting and the following mitigation measures:
 1. Limiting the surface water run-off rates to a maximum of 2l/s for all rainfall events up to and including the 1 in 100 year + climate change event with discharge into the Thames Water Sewer
 2. Provide 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 (40%) event.
 3. Implement drainage strategy based on a dry swale with under-drain,

raingardens, geocellular attenuation and restricted discharge at 2l/s via a Hydro-Brake into the Thames Water surface water sewer.

- 16 No development shall take place above slab level until the final design of the drainage scheme is completed and sent to the LPA for approval. The surface water drainage system will be based on the submitted Drainage Strategy, Flood Risk Assessment & Sustainable Drainage System Statement, dated October 2020, Rev. P02, Report Reference: 6506R001 FRA, prepared by BCAL Consulting and the drawings Proposed Drainage Layout Sheet 1 of 2, Drawing No. 137895-BCAL-00-00-DR-C-0050, Rev. P5, dated 21.01.21, prepared by BCAL Consulting and Proposed Drainage Layout Sheet 2 of 2, Drawing No. 137895-BCAL-00-00-DR-C-0051, Rev. P4, dated 21.01.21, prepared by BCAL Consulting. 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 up to and including the 1 in 100 year + 40% allowance for climate change event.
 2. Demonstrate appropriate SuDS management and treatment and inclusion of above ground features such as porous tarmac / permeable paving, swales and raingardens, reducing the requirement for any underground storage.
 3. Provision of half drain down times within 24 hours
 4. Silt traps for protection for any residual tanked elements.
 5. Details of the management of any areas of informal flooding up to the 1 in 100 year plus climate change event.
 6. Provision of an exceedance plan for events greater than the 1 in 100 year plus climate change event.
- 17 Upon completion of the drainage works for the site in accordance with the timing / phasing arrangements, the following must be submitted to and approved in writing by the Local Planning Authority:
1. Provision of a verification report (appended with substantiating evidence demonstrating the approved construction details and specifications have been implemented in accordance with the surface water drainage scheme). The verification report shall include photographs of excavations and soil profiles/horizons, installation of any surface water structure (during construction and final make up) and the control mechanism.
 2. Provision of a complete set of as built drawings for site drainage.
 3. A management and maintenance plan for the SuDS features and drainage network.
- 18 The playing field mitigation works, including the new cricket practice nets, the replacement artificial cricket wicket, long jump pit and shot put/hammer circle and reconfigured playing pitches shall be provided in accordance with Drawing Nos 137895-WWA-00-00-DR-L-0004 P01 (External Sports Strategy Summer), 137895-WWA-00-00-DR-L-0005 (External Sports Strategy Winter) and 137895-WWA-00-00-SP-L-0602-S2-P01 (The Saint John Henry Newman Catholic School All Weather Cricket Pitch Specification (November 2020)) and made available for use within 12 months of commencement of development.

- 19 Within 12 months of the removal of the contractors' compound the playing field must be reinstated and be available for use in accordance with the approved St John Henry Newman Compound Reinstatement scheme (Agrostis Sports Surface Consulting -November 2020).
- 20 The Travel Plan as submitted with this planning application shall be implemented, monitored and reviewed in accordance with the agreed travel plan targets to the satisfaction of the Local Planning Authority in consultation with Hertfordshire County Council as Highways Authority.
- 21 The recommendations and mitigation measures set out within the External Lighting Report by Hoare Lee and MEP Engineering dated November 2020 shall be implemented and permanently maintained in accordance with the approved details.

INFORMATIVES

1. Community Infrastructure Levy

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This application may be liable for CIL payments and you are advised to contact the CIL Team for clarification with regard to this. If your development is CIL liable, even if you are granted an exemption from the levy, please be advised that it is a requirement under Regulation 67 of The Community Infrastructure Levy Regulations 2010 (as amended) that CIL Form 6 (Commencement Notice) must be completed, returned and acknowledged by Stevenage Borough Council before building works start. Failure to do so will mean you risk losing the right to payment by instalments and a surcharge will be imposed. NB, please note that a Commencement Notice is not required for residential extensions if relief has been granted.

Stevenage's adopted CIL Charging Schedule and further details of CIL can be found on the Council's webpages at www.stevenage.gov.uk/CIL or by contacting the Council's CIL Team at CIL@Stevenage.gov.uk.

2. You are advised to prepare a management and maintenance plan, to ensure the SuDS features can be maintained throughout the development's lifetime. This should follow the manufacturers' recommendation for maintenance and/or guidance in the SuDS Manual by Ciria.
3. All Public Rights of Way including the cycle way adjacent to the site should remain unobstructed by vehicles, machinery, materials, tools and any other aspects of the construction during works. The safety of the public using the routes and any other routes to be used by construction traffic should be a paramount concern throughout the duration of the works, consequently safe passage past the site should be maintained at all times. The condition of the

route should not deteriorate as a result of these works, any adverse effects to the surface from traffic, machinery or materials (especially overspills of cement & concrete) must be made good by the applicant to the satisfaction of the Planning and Highway Authority. All materials must be removed at the end of the construction phase and not left on the Highway or Highway verges. Further details regarding Rights of Way can be obtained from the Rights of Way Unit at County Hall, Hertford.

4. To obtain advice regarding current Building Regulations please contact Hertfordshire Building Control Ltd. by emailing us at buildingcontrol@hertfordshirebc.co.uk or phoning us on 01438 879990.

To make a building regulations application please apply through our website portal at <https://www.hertfordshirebc.co.uk/contact-us/> payment can be made online or by phoning the above number after the application has been uploaded. Please phone Hertfordshire Building Control for fees guidance on 01438 879990.

Hertfordshire Building Control can also be contacted by post at Hertfordshire Building control Ltd., 4th Floor, Campus West, Welwyn Garden City, Hertfordshire, AL8 6BX.

Once a building regulations application has been deposited with relevant drawings and fee building work may commence. You will be advised in their acknowledgement letter of the work stages we need to inspect but in most instances these are usually:

- Excavation for foundations
- Damp proof course
- Concrete oversite
- Insulation
- Drains (when laid or tested)
- Floor and Roof construction
- Work relating to fire safety
- Work affecting access and facilities for disabled people
- Completion

Please phone Hertfordshire Building Control on 01438 879990 before 10.00am to ensure a same day inspection (Mon - Fri).

5 **20/00643/RMM - MATALAN - UNIT B-C, DANESTRETE, STEVENAGE**

The Committee considered an application for reserved Matters application for access, appearance, layout, landscaping and scale pursuant to outline planning permission reference 14/00559/OPM for residential development of up to 526 residential apartments and commercial units Class A1 (retail) A2 (professional and financial) A3 (restaurant) and A4 (drinking establishments) and A5 (hot food take away) with associated access, parking and landscaping following demolition of existing buildings.

The application was before the Committee for determination as it was a major application.

The Acting Development Control Manager gave an introduction to the Committee.

She advised that the main issues for consideration in the determination of this application were now the impact upon the character and appearance of the area; whether the design of the development was of high quality in accordance with policy; the effect of the proposed development of the amenities of existing neighbours; whether the development would provide an acceptable living environment for future residents; the impact of the development on the highway network; parking provision; flood risk, trees and landscaping/open space, ecology, sustainable construction and climate change.

The Committee was advised that the scheme would revitalise this under-utilised urban site which is dominated by surface parking. The introduction of high quality architecture, new landscaped open space, with ground floor commercial uses alongside much needed housing would help transform this part of Stevenage. The development would have a number of synergies with neighbouring sites, including the new bus interchange and neighbouring SG1 redevelopment. The proposal would make efficient and imaginative use of the site and provide for a tenure blind community in a distinctive new neighbourhood.

It was noted that the Applicant had actively worked with officers and The Design Council in order to enhance the overall design. It was considered that the design as proposed would deliver high quality, well-designed architecture which would enhance the wider regeneration of the town centre and deliver townscape and visual enhancements of the existing site and the wider area.

The Applicant sought a number of changes to the layout of the site in terms of vehicular access and parking provision, however officers advised that the Highways Authority did not consider that these changes would prejudice the safety and operation of the highway network.

In terms of affordable housing, the Assistant Director (Planning and Regulation) advised that the applicant was a social housing provider and would be encouraged by the Council to provide as much affordable housing as possible within the scheme.

With regard to the parking to serve the new development, a total of 109 spaces had been approved as part of the Outline permission. That was a shortfall of 64 spaces on the standards applied at the time. 52 spaces were now proposed and this complied with the recently adopted standards. Given the central location and the fact the site was highly accessible in relation to the town's bus and rail stations which were within close walking distance, the parking proposed within the development was considered by officers and the Highway Authority to be acceptable and would encourage the adoption of a more sustainable lifestyle of walking and cycling.

The Committee were circulated with addendum information as follows:

Paragraph 8.5.4 to be amended:

In addition to affordable housing, financial contributions were also required in accordance with the Hertfordshire County Council tool kit and contributions to Stevenage Borough Council. ~~for the maintenance of the Public Realm (although the precise figure is yet to be agreed) and the provision of the Primary School within the development site.~~ The previous applicant under the Outline planning application had agreed to provide contributions toward Primary and Nursery Education, Childcare and Library facilities. They had also agreed to provide contributions to SBC toward improvements to outdoor open space and children's play provision which would be calculated on the mix of residential units. These were secured by way of a S106 legal agreement.

Paragraph 9.2: to be deleted.

10. Recommendation (Amended Conditions and delegated authority to the Assistant Director of Planning and Regulation)

Paragraph 10.1 of the report is to be amended to read as follows:-

That Reserved Matters is GRANTED subject to the following conditions:

And any minor changes to the conditions listed below to be delegated to the Assistant Director of Planning and Regulation and the Chairman of the Planning and Development Committee.

It was **RESOLVED** that planning permission be granted subject to the following conditions:

That Reserved Matters is GRANTED subject to the following conditions:

1. Approved Plans

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

MTL-MLA-ZZ-00-DR-A-901100-P2; MTL-MLA-ZZ-01-DR-A-901101-P2; MTL-MLA-ZZ-02-DR-A-901102-P2; MTL-MLA-ZZ-03-DR-A-901103-P2; MTL-MLA-ZZ-04-DR-A-901104-P2; MTL-MLA-ZZ-05-DR-A-901105-P2; MTL-MLA-ZZ-06-DR-A-901106-P2; MTL-MLA-ZZ-07-DR-A-901107-P2; MTL-MLA-ZZ-08-DR-A-901108-P2; MTL-MLA-ZZ-09-DR-A-901109-P2; MTL-MLA-ZZ-10-DR-A-901110-P2; MTL-MLA-ZZ-11-DR-A-901111-P2; MTL-MLA-ZZ-12-DR-A-901112-P2; MTL-MLA-ZZ-13-DR-A-901113-P2; MTL-MLA-ZZ-14-DR-A-901114-P2; MTL-MLA-ZZ-15-DR-A-901115-P2; MTL-MLA-ZZ-16-DR-A-901116-P2; MTL-MLA-ZZ-17-DR-A-901117-P2; MTL-MLA-ZZ-18-DR-A-901118-P2; MTL-MLA-ZZ-19-DR-A-901119-P2; MTL-MLA-ZZ-20-DR-A-901120-P2; MTL-MLA-ZZ-21-DR-A-901121-P2; MTL-MLA-XX-EE-DR-A-902150-P1; MTL-MLA-XX-EE-DR-A-903100-P1; MTL-MLA-XX-EE-DR-A-903101-P1; MTL-MLA-XX-EE-DR-A-903102-P1; MTL-MLA-XX-EE-DR-A-903103-P1; MTL-MLA-XX-EE-DR-A-903104-P1; MTL-MLA-XX-EE-DR-A-903105-P1; MTL-MLA-XX-EE-DR-A-903106-P1; MTL-MLA-XX-EE-DR-A-903107-P1; MTL-MLA-XX-EE-DR-A-903108-P1; MTL-MLA-XX-EE-DR-A-903109-P1; MTL-MLA-XX-EE-DR-A-903110-P1; MTL-MLA-XX-XX-DR-A-903200-P1; MTL-MLA-XX-XX-DR-A-903201-P1; MTL-MLA-XX-XX-DR-A-

903202-P1; MTL-MLA-XX-XX-DR-A-903203-P1; MTL-MLA-XX-XX-DR-A-903204-P1; MTL-MLA-XX-XX-DR-A-903205-P1; MTL-MLA-XX-XX-DR-A-903206-P1; MLUK-799-A-SK-080-R02.

2. Two year time limit

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

3. External materials

Before any above-ground work is commenced on any individual phase of the development hereby permitted, samples of all external finishing materials shall be submitted to and approved in writing by the Local Planning Authority. This shall include:

- i) Facing and roof materials;
- ii) Balcony treatment;
- iii) Window material details;
- iv) The boundary treatment;
- v) External rainwater goods where permitted.

The development shall be carried out in accordance with the approved details and shall thereafter be retained.

4. Surfacing materials

No development (excluding any demolition and enabling works) of the development shall commence until details of the following matters in respect of the outline have been submitted and approved in writing by the Local Planning Authority:

- a) surfacing materials;
- b) contamination;
- c) green/brown roofs;
- d) cycle parking;
- e) electric vehicle parking provision; and
- f) tree protection in accordance with British Standards.

The development shall be carried out in accordance with the approved details.

5. Telecommunications/Satellite Strategy

Prior to occupation of each phase(s) of development within the application site, details of any associated communal telecommunications infrastructure and plant shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out strictly in accordance with the details approved and maintained as such thereafter.

6. External lighting

Prior to above ground works in each phase of development pursuant to condition 4, details of any external lighting (including access roads, footpaths and footways) proposed shall be submitted to and approved in writing by the

Local Planning Authority. The approved external lighting shall be provided before that phase of development is occupied.

7. Ecology

Prior to occupation of each phase(s) of development within the application site the measures detailed in the Ecological Impact Assessment (Non EIA) prepared by Ecologybydesign dated October 2020 shall be fully implemented.

8. Bird and Bat Boxes

Prior to above ground works for each phase of development, a strategy for the siting and maintenance of permanent nesting and roosting boxes within the façade and roof ledges of built structure and/or trees shall be submitted to and approved in writing by the Local Planning Authority. Nesting and roosting boxes shall be provided in accordance with the approved strategy prior to occupation of the relevant building.

9. Landscaping

No development shall take place above slab level for each phase of development until there has been submitted to and approved in writing by the Local Planning Authority, a scheme of soft and hard landscaping and details of the treatment of all hard surfaces. The scheme shall include details of all existing trees and hedgerows on the land and details showing all trees to be removed, or retained; together with details of all new planting to take place including species, size and method of planting.

10. Long term management

Any trees or plants comprised within the scheme of landscaping , which within a period of five years from the completion of any phase 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.

11. Energy and Sustainability statement

Prior to any occupation the measures detailed in the submitted Energy and Sustainability Statement to manage adaptability to climate change along with measures to manage overheating and cooling shall be implemented in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

12. Highways Accesses

Prior to the first occupation of Phase 2 of the development hereby permitted, the vehicular access(es) and egresses shall be provided and thereafter retained at the position(s) shown on the approved plan(s) drawing numbers 20164-MA-XX-XX-DR-C-0016 Rev P01 and 20164-MA-XX-XX-DR-C-0017 RevP01. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or

onto the highway carriageway.

13. Highways Visibility Splays

Prior to the first occupation of Phase 2 of the development hereby permitted, visibility splay(s) measuring 2.4 x 43 metres shall be provided to each side of the access(es) where it meets the highway and such splays shall thereafter be maintained at all times free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway.

14. Provision of Parking and Servicing Areas

Prior to the first occupation or use of the development hereby permitted, the proposed access, onsite cycle parking for that phase in accordance with SBC standards, servicing / loading, unloading / turning /waiting area(s) shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan(s)
(20164-MA-XX-XX-DR-C-0016 Rev P01, 20164-MA-XX-XX-DR-C-0017 Rev P01 and MTL-MLA-ZZ-00-DR-A-901100 Rev P2), and retained thereafter available for that specific use.

15. Parking Permits and Car Club

Prior to the occupation of 50% of the dwellings in Phase 1 hereby permitted, details of the following shall be submitted to and agreed in writing by the Local Planning Authority and thereafter be implemented:

- (i) 15 parking spaces to be secured, at the Applicant's expense, in Council owned car parks in the Town Centre; and
- (ii) The Applicant shall use best endeavours to encourage the use of a Car Club by future residents.

The Applicant shall be released from obligation (i) detailed above upon the delivery of car parking in Phase 2 of the development hereby permitted.

16. Existing Access to be closed

Prior to the first occupation / use of the development hereby permitted, vehicular and pedestrian (and cyclist) access to and egress from the adjoining highway shall be limited to the access(es) shown on drawing number MTL-MLA-ZZ-00-DR-A-901100 P2 only. Any other access(es) or egresses shall be permanently closed, and the footway / highway verge shall be reinstated in accordance with a detailed scheme to be agreed with the Local Planning Authority, concurrently with the bringing into use of the new access(es).

17. Highway Works

No development shall commence until a detailed scheme for the offsite highway improvement works to facilitate a pedestrian crossing from the site frontage on Danesgate into the new bus interchange as indicated on drawing

number 20164-MA-XX-XX-DR-C-0017 Rev P01 have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to any occupation or use of the development hereby permitted.

18. Electric Vehicle Charging Points (EVCP)

Prior to the occupation of the Car Park hereby permitted, the details of the [siting, type and specification of EVCPs, the energy sources and the strategy/management plan for supply and maintenance of the EVCPs shall be submitted to and approved in writing by the Local Planning Authority. All EVCPs shall be installed in accordance with the approved details prior to occupation of each of the units and permanently maintained and retained.

19. Cycle Parking

Prior to the occupation of each relevant phase and/or use of the development hereby permitted, a scheme for the parking of cycles including details of the design, level and siting of the proposed parking shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented before the development is first occupied or brought into use and thereafter retained for this purpose.

20. Public Highway

The proposed new highway boundary(ies) or areas of public highway/realm under control of Stevenage Borough Council shall be marked out on site prior to commencement of construction of any part of the development fronting the highway.

21. Dedication of public highway

The proposed new highway boundary(ies) to facilitate a new public footway and cycleway on land fronting Lytton Way/Danesgate as illustrated on drawing number 20164-MA-XX-XX-DR-C-00 P02 HIGHWAYS AMENDMENTS PROPOSED WORKS AND ORDERS DRAFT shall be marked out on site prior to commencement of construction. No part of the development shall be occupied until the details have been approved in writing and an Agreement made under Section 38 of the Highways Act 1980 is in place.

22. Access Gates – Configuration

Prior to the first occupation /use of each relevant phase of the development hereby permitted any access gate(s), bollard, chain or other means of obstruction shall be hung to open inwards (permit fire tender access), set back, and thereafter retained a minimum distance of 6 metres from the edge of the highway.

23. Sustainable Drainage Systems

The development permitted by this planning permission shall be carried out in accordance with the approved surface water drainage assessment carried out by Conisbee reference MTL-CON-xx-xx-RP-C-000001 Version 3 dated 26 October 2020, the Designers Response to LLFA SuDS Review reference 200523/A Prais Version 1 dated 15 January 2021 and the following mitigation measures detailed within the FRA:

1. Limiting the surface water run-off generated by the critical storm events so that it will not exceed the surface water run-off rate of 17.5 l/s during the 1 in 100 year event plus 30% of climate change event.
2. Providing storage 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 providing a minimum of 255 m³ (or such storage volume agreed with the LLFA) of total storage volume in detention basins, rain gardens and attenuation tanks.
3. Discharge of surface water from the private drain into the Thames Water sewer network.

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.

24. Surface Water Drainage

No development shall take place until a detailed surface water drainage scheme for the site based on the approved drainage strategy and sustainable drainage principles, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including 1 in 100 year + climate change critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

1. Final, fully detailed drainage layout including detailed engineered drawings of the proposed SuDS features with cross section drawings, their size, volume, depth and any inlet and outlet features including all connecting pipe runs.
2. Final, detailed post-development network calculations including half drain down times up to and including the 1 in 100 year + 30% climate change event. Please note that the main site network to be modelled separately to the Highways network.
3. Evidence that any consequential flood risk to the highway up to the 1 in 100 year + climate change event can be managed without increasing flood risk to adjacent properties. If there is to be flooding, it should be managed effectively with third party agreement.

Upon completion of the drainage works 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. 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.

25. Delivery and Servicing Plan

Prior to the first occupation of each relevant phase of the development hereby permitted, a Delivery and Servicing Plan shall be submitted and approved in writing by the Local Planning Authority, in consultation with the Highway Authority.

26. Noise

Prior to first occupation of the proposed development, details of the proposed noise mitigation measures shall be submitted for approval to the Local Planning Authority. The noise mitigation measures shall be based upon “Redevelopment of the Matalan Site, Stevenage, Residential Planning Noise and Vibration Report” Report reference 20297-R03-C dated 26th October 2020 by Sandy Brown Associates. Following approval, the measures shall be maintained thereafter.

27. Noise

At the nearest noise sensitive premises, the cumulative noise levels from the operation of all new plant shall comply with the plant noise limits specified in Table 10 of “Redevelopment of the Matalan Site, Stevenage, Residential Planning Noise and Vibration Report” Report reference 20297-R03-C dated 26th October 2020 by Sandy Brown Associates.

28. Sound Attenuation

Before the use of the building for Sui Generis (former Use Class A4 or A5) purposes is commenced a scheme of sound attenuation works shall be submitted to the Local Planning Authority for written approval, installed and thereafter retained. The scheme of works shall be capable of restricting noise breakout from the A4 use to the flat above to levels complying with the following:

Bedrooms. Noise Rating Curve NR20 (2300 to 0700 hrs)

Living Rooms. Noise Rating Curve NR25 (0700 to 2300 hrs)

Noise Rating Curve shall be measured as a 15 minute linear Leq at the octave band centre frequencies 31.5 Hz to 8 kHz.

29. Deliveries and Servicing Hours

Deliveries and servicing by commercial vehicles shall only be made to or from the commercial premises between 0700 to 1800 hrs on any day, and at no other time without the prior agreement in writing of the Local Planning Authority.

30. Hours of operation

The Sui Generis (formerly A4 and A5) uses hereby permitted shall only

operate Monday to Saturday 10.00hrs to 23.00hrs and 10.00hrs to 22.00hrs on Sundays and Bank Holidays.

31. Extraction and ventilation

Details of the kitchen extract ventilation scheme to be used by Sui Generis uses (former A4 or A5 class) shall be submitted to the Local Planning Authority for approval. The extract ventilation system shall incorporate a three-stage carbon filtration or similar system based on current standards. Following approval and installation, the system shall thereafter be permanently maintained.

32. External Lighting

A detailed lighting scheme shall be undertaken and submitted to the Local Planning Authority for approval with details of all external lighting, including lighting required for pedestrian walkways, parking areas and security lighting and there shall be no external illumination erected, installed or operated on any part of the site other than in accordance with the approved details.

The following limits shall not be exceeded by the exterior light installations:

Sky Glow ULR (Max%) 5.0

Maximum light into windows Ev (lux) 07.00 to 23.00hrs 10 Lux; 23.00 to 07.00hrs 2 Lux

Source intensity I 07.00 to 23.00hrs 10 kcd; 23.00hrs to 07.00hrs 1 kcd

Building luminance 07.00 to 23.00hrs Average L 10 (cd/m sq)

33. Landscaping, Public Realm, children's play and Street Furniture

Prior to the first occupation of buildings in each phase of development pursuant to condition 4, a scheme of landscaping scheme including details of both hard and soft landscaping, street furniture, the pond and children's play for that relevant phase(s) shall be submitted and approved in writing by the local planning authority. The scheme shall also include a schedule of all trees (including tree pit design), shrub, plants and other vegetation planting which shall form part of any landscaping scheme. The scheme as approved shall be implemented within the first available planting season following the completion of each relevant phase(s) of development. Any trees, shrubs or plants that die within a period of two years (the period in which the developer is responsible for maintenance) from the completion of each relevant phase(s) of development, or are removed and/or become seriously damaged or diseased in that period, shall be replaced (and if necessary continue to be replaced) in the first available planting season with others of similar size and species, unless the Local Planning Authority gives written permission for any variation.

34. Planting Season

All planting, seeding or turfing comprised in the approved details of

landscaping shall be carried out in the first planting and seeding seasons following the first occupation of the each phase of development or the completion of the development whichever is the sooner.

35. Hard surfacing

All hard surfacing comprised in the approved details of landscaping shall be carried out within Three; months of the first occupation of each phase of the development or the completion of the development, whichever is the sooner.

36. Restriction on change of use

Notwithstanding the requirements of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that order) the non-residential units hereby permitted shall be used only for Use Classes E and Sui Generis (formerly A4 & A5) of the schedule to the Town and Country Planning (Use Classes) Order 1987 and for no other purposes (including Use Class C3 – Residential), unless agreed in writing or approved by way of separate planning permission

INFORMATIVES

HIGHWAY INFORMATIVES:

HCC as Highway Authority recommends inclusion of the following Advisory Note (AN) to ensure that any works within the highway are carried out in accordance with the provisions of the Highway Act 1980.

AN1) Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website:

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>

AN2) Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website:

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>

AN3) Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website:

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>

AN5) Construction standards for works within the highway: The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website:

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>

AN6) Estate Road Adoption: The applicant is advised that if it is the intention to request that

Hertfordshire County Council as Highway Authority adopt any of the highways included as part of this application as maintainable at the public expense then details of the specification, layout and alignment, width and levels of the said highways, together with all the necessary highway and drainage arrangements, including run off calculations must be submitted to the Highway Authority. No development shall commence until the details have been approved in writing and an Agreement made under Section 38 of the Highways Act 1980 is in place. The applicant is further advised that the County Council will only consider roads for adoption where a wider public benefit can be demonstrated. The extent of adoption as public highway must be clearly illustrated on a plan. Further information is available via the website:

<https://www.hertfordshire.gov.uk/services/highways-roadsand-pavements/business-and-developer-information/development-management/highwaysdevelopment-management.aspx>

Flooding

For further advice on what we expect to be contained within the FRA to support a planning application, please refer to our Developers Guide and Checklist on our surface water drainage webpage:

<https://www.hertfordshire.gov.uk/services/recycling-waste-and->

environment/water/surface-water-drainage/surface-water-drainage.aspx

Building Regulations

To obtain advice regarding current Building Regulations please contact Hertfordshire Building Control Ltd. by emailing us at buildingcontrol@hertfordshirebc.co.uk or phoning us on 01438 879990.

To make a building regulations application please apply through our website portal at <https://www.hertfordshirebc.co.uk/contact-us/> payment can be made online or by phoning the above number after the application has been uploaded. Please phone Hertfordshire Building Control for fees guidance on 01438 879990.

Hertfordshire Building Control can also be contacted by post at Hertfordshire Building control Ltd., 4th Floor, Campus West, Welwyn Garden City, Hertfordshire, AL8 6BX.

Once a building regulations application has been deposited with relevant drawings and fee building work may commence. You will be advised in their acknowledgement letter of the work stages we need to inspect but in most instances these are usually:

_____ [Excavation for foundations](#)

_____ [Damp proof course](#)

_____ [Concrete oversite](#)

_____ [Insulation](#)

_____ [Drains \(when laid or tested\)](#)

_____ [Floor and Roof construction](#)

_____ [Work relating to fire safety](#)

_____ [Work affecting access and facilities for disabled people](#)

_____ [Completion](#)

Please phone Hertfordshire Building Control on 01438 879990 before 10.00am to ensure a same day inspection (Mon - Fri).

Party Wall etc. Act 1996

Any work that affects a party wall, including foundations dug within 3.0m of a neighbouring building, may be controllable under the Act and may require approval from the adjoining owner(s). Party Wall Act matters are always civil matters and it is neither Stevenage Borough Council's nor Hertfordshire Building Control Ltd's remit to control or enforce Party Wall act matters. Please refer to the Government's explanatory booklet The Party Wall etc. Act 1996, a copy of which is available online at <https://www.gov.uk/government/publications/the-party-wall-etc-act-1996-revised-explanatory-booklet>

The Committee considered an application for the variation of condition 1 (Approved Plans) attached to planning permission 19/00253/FPM

The application was before the Committee for determination because the proposal seeks to amend the approved design of the Brise Soleil which was previously determined by the Committee.

The Development Control Manager gave an introduction to the Committee. He advised that the main issue for consideration of this application was the impact on the visual amenity of the area.

The Committee was advised that the utilisation of an extended brise soleil combined with the textured cladding to the building would significantly improve its visual appearance. This was because it would give the building a contemporary modern appearance and would help to break up visual mass. In addition, the use of the contrasting colours of the brise soleil louvres would also help to add variety and interest into the visual appearance of the building. In addition, the colours adopted for the Brise Soleil would give the building a softer appearance.

It was **RESOLVED:**

That planning permission be granted subject to the following conditions:

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

S170283-001 A; S170283-010 A; S170283-011 A; S170283-012 A; S170283-031 A; S170283-032 A.
2. The materials to be used in the construction of the development hereby permitted shall be in accordance with the details as specified in the application submission unless otherwise agreed in writing by the Local Planning Authority.
3. In the event that contamination is found at any time when carrying out the approved development that was not previously identified, the approved remediation scheme must be carried out in accordance with its terms prior to the re-commencement of any development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.
4. No demolition or construction works relating to this permission shall be carried out on any Sunday or Bank Holiday, nor before 07.30 hours or after 18.00 hours on any weekdays, nor on any Saturday before 09.00 hours or after 13.00 hours. The hours specified relate to works which are audible at the site

boundary.

5. The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment and Drainage Strategy Statement, prepared by AVIE Consulting Ltd dated 20.04.18, Rev No. A, and the following mitigation measures:
 1. Provide attenuation to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + 30% for climate change event.
 2. Implement drainage strategy based on restricted surface water discharge at 1.9l/s and an attenuation tank as indicated on the Proposed Drainage Layout, Drawing No. P2484-01-01, Rev C.

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.

6. 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. 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.
7. The construction works and operation of the proposed development site should be done in accordance with the relevant British Standards and Best Management Practices, thereby significantly reducing the groundwater pollution risk. It should be noted that the construction works may exacerbate any pollution. If any pollution is found at the site then the appropriate monitoring and remediation methods will need to be undertaken.
8. If contamination is found on or nearby the site, the disposal of surface water via infiltration is not recommended.
9. Any work involving excavations below the chalk groundwater table (for example piling or the implementation of a geothermal open/closed loop system) should be avoided. If these are necessary, a ground investigation should first be carried out to identify appropriate techniques and to avoid displacing any shallow contamination to a greater depth, which could impact the chalk aquifer.
10. Excavations are also likely to generate turbidity in the chalk aquifer, which could travel to the public water abstraction point and cause disruption to the

service. Mitigation measures should be secured by way of condition to minimise the risk. The applicant would need to give Affinity Water 15 days prior notification in advance of any such work, in order to intensify Affinity Waters monitoring and plan potential interruption of the service.

11. Prior to the first occupation of the development hereby permitted, a scheme of soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of all existing trees on the land and details showing all trees to be removed (if any) together with details of all new planting to take place including species, size and method of planting. All planting, seeding or turfing comprised in the approved details of landscaping scheme shall be carried out in the first planting and seeding seasons following the completion of the development.
12. Any trees or plants within the scheme of landscaping, which within a period of five years from the completion of the development, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless otherwise agreed in writing by the Local Planning Authority.

7 **THE IMPACT OF DEVELOPMENT ON BIODIVERSITY SUPPLEMENTARY PLANNING DOCUMENT**

The Planning Policy Manager presented the report on the adoption of the SBC Impact of Development on Biodiversity Supplementary Planning Document (SPD). Members expressed views on the report before submission to Executive on Wednesday 10 March 2021.

The Committee was advised that the SPD outlined:

- How the Council would assess planning applications, which would have an impact on biodiversity;
- The information applicants would need to provide to enable the Council to apply the Government metric to quantify and assess impacts; and
- The standards expected for impact calculations and any offset delivery.

In response to a question, officers agreed to investigate the use of maps and in particular local woodland areas which appeared to be missing.

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

8 **DEVELOPER CONTRIBUTIONS SUPPLEMENTARY PLANNING DOCUMENTS**

The Planning Policy Manager presented the report on Adoption of the SBC Developer Contributions Supplementary Planning Document (SPD) 2021. Members expressed views on the report before submission to Executive on Wednesday 10 March 2021.

The Committee was advised that the aim of the SPD was to set out the Council's proposed approach to the use of Section 106 agreements to secure developer

contributions from new developments. This would assist planning officers, applicants, service providers, Councillors and members of the public through the planning application process, ensuring that the process is fair and transparent and applied consistently.

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

9 **INFORMATION REPORT - DELEGATED DECISIONS**

Noted.

10 **INFORMATION REPORT - APPEALS/CALLED IN APPLICATIONS**

Noted.

11 **URGENT PART I BUSINESS**

None.

12 **EXCLUSION OF THE PRESS AND PUBLIC**

Not required.

13 **URGENT PART II BUSINESS**

None.

CHAIR

Meeting: Planning and Development Committee **Agenda Item:**

Date: 31 March 2021

Author: James Chettleburgh 01438 242266

Lead Officer: Zayd Al-Jawad 01438 242257

Contact Officer: James Chettleburgh 01438 242266

Application No: 20/00736/FPM

Location: The Bragbury Centre, Blenheim Way, Stevenage.

Proposal: Variation of conditions 1 (Approved Plans), condition 3 (Materials), 11 (Bird Boxes), 12 (Bat Boxes), 14 (Construction Management Plan), 16 (Site Waste Management) 21 (Surface Water Drainage), 22 (Drainage Scheme), 25 (Site Investigation) and 27 (Remediation Scheme) attached to planning permission 18/00398/FPM.

Drawing Nos.: 19063.wd2.01; 19063.A1.wd2.01; 19063.A1.wd2.02; 19063.A1.wd2.03; 19063.A1.wd2.04; 19063.A1.wd2.05; 19063.A1.wd2.06; 19063.A1.wd2.101; 19063.A1.wd2.102; 19063.A2.wd2.01; 19063.A2.wd2.02; 19063.A2.wd2.03; 19063.A2.wd2.04; 19063.A2.wd2.05; 19063.A2.wd2.06; 19063.A2.wd2.101; 19063.A2.wd2.102; 19063.A2.wd2.103; 19063.A4.wd2.02; 19063.A4.wd2.03; 19063.A4.wd2.04; 19063.A4.wd2.05; 19063.A4.wd2.101; 19063.A4.wd2.102; 19063.A4.wd2.103; 19063.A4.wd2.104; 19063.A5.wd2.01; 19063.A5.wd2.101 .

Applicant: Hill Residential

Date Valid: 02 December 2020

Recommendation: GRANT PLANNING PERMISSION.



Plan for information purposes only

1. SITE DESCRIPTION

- 1.1 The application site is currently designated as a neighbourhood centre. The site is bordered by Hertford Road which is located to the north, Watton Road to the east, Stirling Close to the west and Kenilworth Close to the south. The site, which has an area of 1.6 hectares (ha), currently comprises Asquith Court which is sheltered living accommodation, a three storey residential block of flats, 2 no. semi-detached dwellinghouses, 2 no. bungalows, the community centre and parade of shops. Asquith Court is two-storeys in height with a combination roof consisting of cat slides and gable-ends. The building itself is constructed from a mixture of buff multi-stock brick with parts of the first floor level clad in timber. The roof of the sheltered accommodation is clad in bold roll concrete inter-locking tiles with timber soffits with black uPVC gutters and downpipes. The fenestration detailing of the Walpole Court comprises of uPVC windows and doors which are symmetrically aligned and evenly spaced.
- 1.2 To the north of Asquith Court is a three storey residential block of flats with a double mono-pitched roof. The block itself is constructed from a stock red brick with the roof clad in concrete inter-locking tiles. On the flank elevations at second floor level the elevations are finished in timber cladding. To the east of this residential block is a pair of semi-detached, two-storey properties which front onto Stirling Close. These properties have gable-end roofs and are constructed from facing brick with tiled roofs. In regards to the two bungalows, these also front onto Stirling Close. These properties have a mono-pitched roof and constructed from a mixture of brick with timber cladding. The bungalows also comprise of an attached flat roofed canopy.
- 1.3 In regards to the existing Kenilworth Close neighbourhood centre, the centre comprises two no. single-storey buildings and a surface car park. The main building, which fronts onto the surface car park which is accessed off of Hertford Road, consists of 4 no. retail units. Immediately to the west of the small parade of shops is the detached single-storey community centre.
- 1.4 Turning to the surrounding area, to the south of the application site lies Walpole Court which is a sheltered housing development. The building itself is constructed from a mixture buff multi-stock brick with parts of the first floor level clad in timber. The roof of the sheltered accommodation is clad in bold roll concrete inter-locking tiles with timber soffits with black uPVC gutters and downpipes. The fenestration detailing of the Walpole Court comprises of uPVC windows and doors which are symmetrically aligned and evenly spaced. The Walpole Court site also comprises six bungalows which form a staggered terrace with hipped roofs. These properties are constructed from red and buff brick with a band of grey bricks. The roofs of the bungalows are clad in concrete inter-locking tiles
- 1.5 To the south-west/west of the application site is the residential development of Cragside and a residential block of flats on Blenheim Way. The development at Cragside comprises two residential terraces which front onto a centralised parking courtyard. The terraces themselves, which are uniform in design, are constructed from a mixture of red and buff brick with a grey brick band with their respective roofs clad in concrete inter-locking tiles. There is also a standalone pair of semi-detached properties which are of the same design as the terraced properties. To the north of Cragside off Blenheim Way (to the north-west of the site) lies a three storey residential block of flats with a double mono-pitched roof. The block itself is constructed from a stock red brick with the roof clad in concrete inter-locking tiles. On the flank elevations at second floor level the elevations are finished in timber cladding. To the west of the community centre beyond Watton Road is the residential development of Balmoral Close. This consists of a mixture if three storey blocks of flats and terraced houses.
- 1.6 To the east of the application is residential development in Blenheim Way and Stirling Close. The developments in both the aforementioned roads generally comprise of uniform,

two-storey terraced properties set within regimented building lines and regular shaped plots. These properties have been constructed from a stock buff brick with their roofs finished in bold roll inter-locking concrete tiles. To the north of the application site beyond Hertford Road is Petworth Close. This estate generally comprises of two-storey detached properties which are generally uniform in design, constructed from buff facing brick with gable-end roofs clad in concrete tiles set within spacious plots.

2. RELEVANT PLANNING HISTORY

- 2.1 Planning application 2/0111/84 sought permission for a community centre. This application was granted planning permission in April 1984.
- 2.2 Planning application 2/0327/84 sought permission for the change of use of a shop to a doctors surgery. This application was granted planning permission in October 1984.
- 2.3 Planning application 2/0435/87 sought permission for the installation of two lifts and motor rooms. This application was granted planning permission in November 1987.
- 2.4 Planning application 2/0338/97 sought permission for a three storey extension to house a lift shaft for Asquith Court. This application was granted planning permission in December 1997.
- 2.5 Planning application 13/00393/FP sought permission for the retention of 1 no. ATM. This application was granted planning permission in October 2013.
- 2.6 Planning application 18/00398/FPM sought permission for the Demolition of the existing community centre, neighbourhood centre, Asquith Court sheltered accommodation and various residential dwellings and the construction of a mixed use development with 169 no. dwellings (Including independent living) and 4no. retail units across various blocks. This application was granted planning permission in October 2019.
- 2.7 Prior Approval application 19/00505/PADEMO sought prior approval for the demolition and clearance of various buildings:-
- 1) 1 to 32 Asquith Court, Stirling Close, Stevenage, SG2 8UJ
 - 2) 70 & 72, Stirling Close, Stevenage, SG2 8UJ
 - 3) 74 to 96, Stirling Close, Stevenage, SG2 8UJ
 - 4) Community Centre, Kenilworth Close, Stevenage SG2 8TB
 - 5) 3, 3a, 5 and 5a Kenilworth Close SG2 8TB (Retail units).
- Prior approval was not required and the decision was issued in September 2019.
- 2.8 Discharge of condition application 20/00575/COND sought to discharge condition 11 (bird boxes and 12 (bat boxes) attached to planning permission reference 18/00398/FPM. These conditions were discharged in October 2020.
- 2.9 Discharge of condition application 20/00576/COND sought to discharge conditions 14 (Construction Management) and 16 (Waste Management) attached to planning permission 18/00398/FPM. These conditions were discharged in December 2020.
- 2.10 Discharge of condition application 20/00577/COND sought to discharge conditions 25 (Site investigation) and 27 (Detailed remediation scheme) attached to planning permission number 18/00398/FPM. These conditions were discharged in October 2020.
- 2.11 Discharge of condition application 20/00707/COND sought to discharge conditions 21 (Surface Water Drainage) and 22 (Detailed Drainage Scheme) attached to planning permission 18/00398/FPM. These conditions were discharged in February 2021.

- 2.12 Discharge of condition application 21/00047/COND sought to discharge condition 19 (Acoustics) attached to planning permission 18/00398/FPM. This application is pending consideration.

3. THE CURRENT APPLICATION

- 3.1 This application seeks to vary conditions 1 (Approved Drawings), 3 (Materials), 11 (Bird Boxes), 12 (Bat Boxes), 14 (Construction Management Plan), 16 (Site Waste Management Plan), 21 (Surface Water Drainage), 22 (Drainage Scheme), 25 (Site Investigation) and 27 (Remediation Scheme). For reference, these conditions state the following:-

Condition 1 (Approved Drawings)

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

16059.01.A4.WD2.01A; 16059.01.A4.WD2.02; 16059.01.A4.WD2.03A;
16059.01.A4.WD2.04A; 16059.01.A4.WD2.05A; 16059.01.A4.WD2.101;
16059.01.A4.WD2.102A; 16059.01.A4.WD2.103A; 16059.01.A4.WD2.104A;
16059.01.A5.WD2.01A; 16059.01.A5.WD2.101A; 16059.01.SU1.01; 16059.01.SU1.02;
16059.01.SU1.03; 16059.01.WD2.01B; 16059.01.WD2.101A; 16059.01.A1.WD2.01B;
16059.01.A1.WD2.101A; 16059.01.A1.WD2.102A; 16059.01.A2.WD2.01A;
16059.01.A2.WD2.02A; 16059.01.A2.WD2.03A; 16059.01.A2.WD2.04A;
16059.01.A2.WD2.05A; 16059.01.A2.WD2.06A; 16059.01.A2.WD2.101A;
16059.01.A2.WD2.102A; 16059.01.A2.WD2.103A; 16059.01.wd2.05A; 16059.wd2.02A;
16059.01.wd2.03A; 16059.01.wd2.04A; 16059.01.A1.wd2.06A.

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

- 3.2 In terms of amendments to the design, the various alterations to the scheme are detailed as follows:-

- Change of the Zinc cladding and Petrarch Alabaster Panels on the frames on Blocks A1 and A2 with grey facing bricks and render on the framing features;
- Re-configuration of curtain wall glazing system to the retail units in Block A1;
- Alterations to the plant rooms on the roof of Blocks A1 and A2;
- Re-configuration of curtain wall glazing at ground floor level in Block A2 serving the on-site facilities (Restaurant, café, health & beauty and treatment suites);
- Omission of curtain wall glazing system on stair cores on northern and western elevations with introduction of windows on Block A2;
- Omission of curtain walling on elevation E (western) and replaced with windows and on elevation F oval windows on frame feature changed to standard windows on Building A2;
- Alteration to access at the rear of Block A1;
- Re-locating Block A2 by 2m to avoid a high voltage cable;
- Changing of the Zinc roof cladding on Houses A4 to concrete tiles;
- Raising of roof on northern elevation of A4 Flats and omission of dormer features;
- Re-positioning of Juliette windows on northern elevation of A4 Flats;
- Changing of the Zinc cladding (including the roof) to grey facing brick and concrete roof tiles on A4 Flats; and
- Re-alignment of angled eastern wall on A4 Flats.

- 3.3 A copy of the proposed Site Layout Plan is attached in **Appendix One**.

Condition 3 (Materials)

No development, above slab level, shall commence until a schedule and sample of the materials to be used in the construction of the external surfaces of the development hereby permitted has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

REASON:- To ensure the finished appearance of the development enhances the visual amenities of the area.

Condition 11 (Bird Boxes)

No development shall take place, above slab level, until a scheme for the provision of bird boxes have been submitted to and approved in writing by the Local Planning Authority. Prior to the first occupation of the development hereby permitted, the boxes shall be installed in accordance with the approved scheme and retained thereafter.

REASON:- To increase roosting opportunities for birds and to compensate for lost opportunities for nesting birds.

Condition 12 (Bat Boxes)

No development shall take place, above slab level, until a scheme for the provision of bat boxes have been submitted to and approved in writing by the Local Planning Authority. Prior to the first occupation of the development hereby permitted, the boxes shall be installed in accordance with the approved scheme and retained thereafter.

REASON:- To increase roosting opportunities for bats.

Condition 14 (Construction Management Plan)

Prior to the commencement of development, a Construction Management Plan/Method Statement shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the construction of the development shall only be carried out in accordance with the approved statement. The 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 or operations including times of deliveries and removal of waste; materials, machinery and equipment, temporary offices and other facilities, construction vehicle parking and loading/unloading and vehicle turning areas;
- (iv) Access and protection arrangements around the site for pedestrians, cyclists and other road users;
- (v) Details of the provisions for temporary car parking during construction;
- (vi) The location of construction traffic routes to and from the site, details of their signing, monitoring and enforcement measures;
- (vii) Screening and hoarding;
- (viii) End of day tidying procedures;
- (ix) Construction and storage compounds (including areas designated for car parking);
- (x) Siting and details of wheel washing facilities;

(xi) Cleaning of site entrances, site tracks and the adjacent public highway; and

(xii) Disposal of surplus materials.

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

Condition 16 (Site Waste Management Plan)

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

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

Condition 21 (Surface Water Drainage)

The development permitted by this planning permission shall be carried out in accordance with the approved submitted Surface Water drainage Strategy Rev. final v2.0, dated November 2018, prepared by JBA, and the following mitigation measures detailed within the FRA:

1. Implementing an appropriate drainage strategy based on infiltration, using appropriate SuDS measures as shown on drawing No. 2017s6007-001 Rev.P01, No.2017s6007-002 Rev. P01 and No.2017s6007-003 Rev.P01.

2. 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 + 40% to climate change.

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 and storage of surface water from the site. In addition, to reduce the risk of flooding to the proposed development and future occupants.

Condition 22 (Drainage Scheme)

No development shall take place until a detailed surface water drainage scheme for the site based on the approved drainage strategy and sustainable drainage principles, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run off generated up to and including 1 in 100 year + climate change critical storm will not exceed the run off from the existing site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the following approved details before the development is completed:

1. Infiltration tests in line with the BRE 365 methodology in the exact location of the geocellular soakaway, in a representative site where single soakaways are proposed to be installed and in a representative site where permeable pavement is being proposed. Infiltration tests to be carried out at the depth of the base of the proposed infiltration features and information regarding the strata layers should be included.

2. Updated detailed surface water calculations and modelling presented solely for the Site A (N), including detailed design calculation and modelling for SuDS features proposed for Site A (N) (single soakaways and the tanked permeable pavement) for all rainfall events up to and including the 1 in 100 years + climate change. Half drain times to be included.

3. Updated clearly labelled drainage layout plan showing pipe networks. This plan should show any pipe 'node numbers' that have been referred to in network calculations and it should also show invert and cover levels of manholes.

4. Provision of details of all proposed SuDS features, including their size, volume, depth and any inlet and outlet features including any connecting pipe runs, node numbers and all corresponding calculations/modelling.

5. Exceedance flow paths for surface water for events greater than the 1 in 100 year + climate change, including extent and depth of the flooded areas shown on the modelling.

REASON:- To prevent the increased risk of flooding, both on and off site.

Condition 25 (Site Investigation)

No development shall take place until a site investigation of the nature and extent of contamination has been carried out in accordance with a methodology which has previously been submitted to and approved in writing by the local planning authority. The results of the site investigation shall be made available to the local planning authority before any development begins. If any significant contamination is found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the local planning authority. The site shall be remediated in accordance with the approved measures before the properties are occupied.

If, during the course of development, any contamination is found which has not been identified in the site investigation, additional measures for the remediation of this contamination shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures.

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

Condition 27 (Remediation Scheme)

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

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

- 3.4 This current application before the Council has been referred to the Planning and Development Committee for its decision. This is because, whilst there are a number of changes to conditions which are technical in nature, the overall visual appearance of the development has been altered to that which was originally approved under planning application 18/00398/FPM. As such, it is a different scheme to that which was previously determined by the Planning and Development Committee.

4. PUBLIC REPRESENTATIONS

- 4.1 This planning application has been publicised by way of a site notice and neighbouring properties have been notified about the application via a letter. The application was also published in the local press as it is a major application. At the time of drafting this report,

two objections were received, one with no address (so carrying very limited weight) and one from 6 Walpole Court. A summary of the objections raised are as follows:-

- Concern the scheme will be less environmentally restorative;
- Concern about the loss of habitat and foraging areas for nesting birds;
- There has been significant clearance works of trees and undergrowth on the south side of Blenheim Way by Network Rail;
- There are bats in the area and there has been destruction of their habitat;
- Reduction in drainage provision would be unacceptable especially due to extreme weather events being more common;
- How will the Council enforce the retention of the necessary boxes;
- The scheme should have retained more trees for foraging bats;
- The Council has allowed too much of the natural habitat to be decimated;
- Why are the applicants wanting to reword and remove conditions, are they seeking to remove the boxes at a later date, why were they not compliant when originally submitted?.

4.2 Please note that the aforementioned is not a verbatim of the comments and representations which have been received. However, a full version of the comments and representations which have been received are available to be viewed on the Council's website.

5. CONSULTATIONS

5.1 Hertfordshire County Council as Highways Authority

5.1.1 It is confirmed that the requirement of planning condition 14 (Construction Management Plan) in respect to planning permission 18/00398/FPM has been met. The Construction Management Plan submitted is deemed to be acceptable in line with the criteria of the condition.

5.2 Hertfordshire County Council as Minerals and Waste Authority

5.2.1 The Site Waste Management Plan (SWMP) submitted to support the application is comprehensive and sets out all the necessary details the Waste Planning Authority expects to see included. The introduction of the SWMP clearly identifies how the document will be considered and maintained at each phase of the project (i.e. pre-construction, construction and post construction). The document provided is therefore acceptable to the Waste Planning Authority.

5.3 Herts and Middlesex Wildlife Trust.

5.3.1 The number, model and location of the bat and bird boxes are acceptable. However, it should be stipulated that the boxes are installed as high as possible under the roof line. The report should be adapted to reflect this.

5.4 Thames Water

5.4.1 Thames Water confirms the surface water condition referenced can be discharged based on the information submitted. With regard to water supply, this comes within the area covered by the Affinity Water Company.

5.5 Hertfordshire County Council as Lead Local Flood Authority

5.5.1 It is noted that the applicant seeks to amend the wording of condition SuDS and drainage related conditions (21, 22 and 23) to be compliance led conditions. A separate application

has been submitted for the discharge of conditions 21, 22 and 23 (20/00707/COND) where detailed comments have been provided on the drainage information. The LLFA have outstanding concerns in relation to the proposed drainage strategy and have requested additional information. Therefore, it is advised the LPA should not recommend the re-wording of the conditions.

5.6 Council's Environmental Health Section

- 5.6.1 The findings in the report and the measures being taken are acceptable. However, there is concern with the request to have the contamination conditions removed. The conditions existing to ensure the strategy is complied with, which enables the Council to enforce against if required.

6. RELEVANT PLANNING POLICIES

6.1 Background to the Development Plan

- 6.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that the decision on the planning application should be in accordance with the development plan unless material considerations indicate otherwise. For Stevenage the statutory development plan comprises:

- The Stevenage Borough Council Local Plan 2011-2031
- Hertfordshire Waste Development Framework 2012 and Hertfordshire Waste Site Allocations Development Plan Document (adopted 2012 and 2014); and
- Hertfordshire Minerals Local Plan 2002 – 2016 (adopted 2007).

6.2 Central Government Advice

- 6.2.1 A revised National Planning Policy Framework (NPPF) was published in February 2019. This largely reordered the policy substance of the earlier 2012 version of the NPPF, albeit with some revisions to policy. The policies in the Local Plan are in conformity with the revised NPPF and that the Local Plan should be considered up to date for the purpose of determining planning applications. The NPPF provides that proposals which accord with an up to date development plan should be approved without delay (para.11) and that where a planning application conflicts with an up to date development plan, permission should not usually be granted (para.12). This indicates the weight which should be given to an up to date development plan, reflecting the requirements of section 38(6) of the 2004 Act. The NPPF with which Members are fully familiar, is a material consideration to be taken into account in determining this application.

6.3 Planning Practice Guidance

- 6.3.1 The PPG contains guidance supplementing the NPPF and with which Members are fully familiar. The PPG is a material consideration to be taken into account together with the National Design Guide (2019) which has the same status as the PPG.

6.4 Stevenage Borough Local Plan 2011-2031 (2019)

Policy SP1: Presumption in favour of sustainable development;
Policy SP2: Sustainable Development in Stevenage;
Policy SP4: A vital Town Centre;
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 TC11: New convenience retail provision;
 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 HO1: Housing Allocations;
 Policy HO5: Windfall Sites;
 Policy HO7: Affordable housing targets;
 Policy HO8: Affordable housing tenure, mix and design;
 Policy HO9: Housing types and sizes;
 Policy HO10: Sheltered and supported housing;
 Policy HO11: Accessible and adaptable housing;
 Policy GD1: High Quality Design;
 Policy HC1: District, local and neighbourhood centres;
 Policy HC2: Local Shops;
 Policy HC4: Existing health, social and community facilities;
 Policy HC5: New health, social and community facilities;
 Policy FP1: Climate Change;
 Policy FP2: Flood Risk in Flood Zone 1;
 Policy FP4: Flood storage reservoirs and functional floodplain;
 Policy FP7: Pollution;
 Policy NH5: Trees and woodland;
 Policy NH6: General protection for open space;
 Policy NH7: Open space standards.

6.5 Supplementary Planning Documents

Parking Provision Supplementary Planning Document October 2020
 Stevenage Design Guide Supplementary Planning Document January 2009.
 The Impact on Biodiversity SPD 2021
 Developer Contributions SPD 2021

6.6 Community Infrastructure Levy

- 6.6.1 Stevenage Borough Council adopted a Community Infrastructure Levy Charging Schedule in 2020. This allows the Council to collect a levy to fund infrastructure projects based on the type, location and floorspace of a development (Please paragraph 7.9.1 which covers CIL).

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 conditions referred to above would impact on the approved scheme and whether any additional conditions are warranted.
- 7.2 The main issues for consideration of this application are, therefore, the acceptability of the proposed changes to the scheme in respect of affordable housing and Section 106 obligations, impact on the appearance of the area, impact upon residential amenity, impact on the environment, impact on Ecology, Development and Flood Risk.

7.3 Affordable Housing and Financial Contributions

- 7.3.1 Policy HO7 of the Emerging Local Plan (2016) states that planning permission will be granted for residential developments that maximise affordable housing provision. For developments on previously developed land, 25% of the dwelling units on these sites should be affordable. In regards to the proposed development, whilst the proposal seeks to provide 169 new dwelling units, there are 48 dwelling units which are to be demolished in order to facilitate the construction of the development. Therefore, the Council can only seek affordable housing provision and financial contributions on the net addition which in this instance is 121 dwellinghouse units. Taking this into consideration, there is a requirement to provide 31 affordable housing units. Policy HO7 continues that planning permission will be refused where these targets are not at least achieved unless:-
- a) Developers robustly demonstrate that the target cannot be achieved due to site specific constraints resulting in higher than normal costs, which affect its viability; or
 - b) Meeting the requirements would demonstrably and significantly compromise other policy objectives.
- 7.3.2 Turning to affordable housing tenure, mix and design, Policy HO8 of the same document states that where affordable housing is secured through Policy HO7, 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 The applicant, under the original planning permission, provided a policy compliant affordable housing scheme. In addition, it is important to note that this original application was brought forward in conjunction with the Walpole Court application. The Walpole Court application which was also approved by the Council sought planning permission for the provision of 60 dwellings (Planning Reference: 18/00399/FPM). These applications are linked in terms of affordable housing, where the affordable housing requirement for the Walpole Court development (6 units) would be provided within the proposed development under this application.
- 7.3.4 In terms of overall mix of affordable housing, the originally approved scheme comprised of 100% affordable/social rented units. These units would not be more than 80% of market rent value in accordance with the definition of affordable housing in the NPPF (2019). The policy compliant affordable housing requirement for the original permission (including that for Walpole Court) as well as the overall affordable housing mix was secured as part of a S.106 agreement.
- 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 number of units proposed, the following contributions would be sought:-

Stevenage Borough Council	Financial Contribution
Open outdoor space	£5,715.85
Children's play space	£6,333.78
Gardening Club	£4,500.00
Greenspace and Ecological Improvements	£25,000.00
Community or Ecological Amenity Infrastructure	£85,000.00
Total	£126,549.63
Hertfordshire County Council	
Primary Education	£88,690.00
Secondary Education	£32,706.00
Library	£10,184.00
Youth Services	£841.00
Sustainable Transport	£26,000
Total	£158,421
Overall total	£284,970.63

- 7.3.6 In terms of the financial obligations which have been listed above, it can be confirmed that the applicant, following correspondence with the Council's CIL Officer, have paid all of the relevant financial obligations (including Indexation).
- 7.3.7 Separately, Hertfordshire County Council had also previously sought the provision of a fire hydrant within the development. Moreover, there was also a requirement to provide CCTV cameras as required by the Council's CCTV Section.
- 7.3.8 Taking the above into consideration, if Members were minded to grant this planning application, then there would be a requirement for the applicant to enter into a Deed of Variation (DoV) to the original S.106 agreement. This DoV to the original S.106 would bind the applicant to the original obligations which included the agreed level of affordable housing, the provision of fire hydrants as well as the provision of CCTV cameras which were originally secured by the Council.

7.4 Impact on the Character and Appearance of the Area

- 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.
- 7.4.3 The National Design Guide (2019) which was published by National Government is a material consideration in the determination of planning applications. It sets out that

Buildings are an important component of places and proposals for built development are a focus of the development management system. However, good design involves careful attention to other important components of places. These include:

- the context for places and buildings;
- hard and soft landscape;
- technical infrastructure – transport, utilities, services such as drainage; and
- social infrastructure – social, commercial, leisure uses and activities.

7.4.4 A well-designed place is unlikely to be achieved by focusing only on the appearance, materials and detailing of buildings. It comes about through making the right choices at all levels, including:

- the layout;
- the form and scale of buildings;
- their appearance;
- landscape;
- materials; and
- their detailing.

7.4.5 The Guide further iterates that all developments are made up of these components put together in a particular way. As such, the choices made in the design process contribute towards achieving the ten characteristics and shape the character of a place. For reference, these ten characteristics are as follows:-

- Context – enhances the surroundings;
- Identity – attractive and distinctive;
- Built form – a coherent pattern of built form;
- Movement – accessible and easy to move around;
- Nature – enhanced and optimised;
- Public spaces – safe, social and inclusive;
- Uses – mixed and integrated;
- Homes and buildings – functional, healthy and sustainable;
- Resources – efficient and resilient;
- Lifespan – made to last.

7.4.6 One of the key changes to the scheme is the substitution of all the approved cladding for brickwork on the buildings. This is in order for the development to comply with fire safety and building requirements for the flatted developments. The proposal also seeks to rationalise the windows across the development scheme in order to enhance the commercial and living spaces. This is to improve internal layouts and fit out arrangements for future occupiers.

7.4.7 The access which would serve Block A1 would be reconfigured and designed to provide an enhanced entrance into the building when one enters from the rear parking area. This entails a full height glazed entrance below the projecting white brick framed feature which is positioned above this entrance. This amendment would improve legibility and creates a focal point combined with improving the architectural character and appearance of the building.

7.4.8 Block A2 has been moved approximately 2m east of its approved location. This is in order to avoid an underground voltage cable which could delay the delivery of the new homes. The eastern elevation on Block A4 has been re-designed to give a cleaner and symmetrical elevation with the omission of the dormer features. This amendment would not harm the overall visual appearance of the approved development. There are also some minor changes to the design of the Block A4 and A5 houses. This consists of an amendment to

window design as well as the porch canopies which help to frame the front entrances of the dwellinghouses.

- 7.4.9 In summary, the proposed alterations to the development would not erode the approved architectural design of the scheme as previously considered by the Council. In addition, these changes would not harm the visual amenities of the wider street scene as the scheme still retains its contemporary modern design.

7.5 Impact upon residential amenity

- 7.5.1 It is not considered that the proposed changes would impact on the amenities of neighbouring properties. This is because the proposal does not seek to bring the buildings closer to residential properties which are located outside of the application site. In addition, the proposal, in terms of shifting Block A2, would still allow for an acceptable separation distance of approximately 32m between itself and Block A1. This would still allow future occupiers of both buildings to have suitable amenity standards in terms of privacy, outlook as well as sunlight and daylight.

7.6 Impact on the Environment

- 7.6.1 As part of the application submission, the applicant has provided a Phase 2 Geo-environmental Assessment prepared by MLM Group (Report reference 724476-MLM-ZZ-CC-RP-J-0001 dated August 2020). The report identified arsenic contamination in near surface soils which could potentially impact upon human health during construction and / or operation of development. There is also soil leachate which contains copper, nickel and zinc which would potentially impact upon surface water and groundwater quality. However, at present there were no ground water contaminants identified and no issues with ground gas or radon.

Given the above, the suggested remediation of the site is detailed below:-

- Clean capping of soil in garden and landscape areas;
- Installation of services in corridors of clean soil;
- Health and safety requirements working in the ground.

- 7.6.2 The applicant has also provided a Remediation Strategy and Verification Plan prepared by MLM Group (Report reference 724476-MLM-ZZ-CC-RP-J-0002 dated September 2020). This strategy goes into more detail as to the measures identified in the Contamination Report as well as suggesting an upgrade to potable water supply pipes. Following consultation with the Council's Environmental Health Section, they have advised they are content with the findings and recommendations in the Phase 2 Geo-Environmental Assessment. Furthermore, they consider the detailed remediation strategy would mitigate the impact of identified contaminants on the site on the wider environment as well as human health.

- 7.6.3 Notwithstanding the above, the Environmental Health Section did not agree with the applicants original proposal to have the contamination conditions to be removed from the planning permission. This is because these conditions require the developer to carry out the necessary remediation strategy in accordance with the specifications set out in the report. In addition, the conditions allow the Council to enforce the requirements of the condition if they are not strictly adhered too from a remediation perspective. As such, following negotiations with the applicant, they have agreed the conditions to be varied whereby they would be bound to the requirements of the condition in terms of implementing the approved remediation strategy. In addition, if planning permission were to be granted, conditions would be re-imposed to require further detailed remediation to be submitted to the Council as the Local Planning Authority in the event contaminants are identified which were not previously identified in the Geo-Environmental Assessment (Conditions 23 and 24).

7.7 Impact on Ecology

- 7.7.1 This application is accompanied by a Bat and Bird Box Scheme (Report by The Environment Partnership, document reference 8220.001 dated October 2020). The bat boxes which would be utilised in the development (Schwegler 1FR Bat Tube) are to suit the assemblage of bats identified present within the site following bat surveys. These boxes would be attached to the proposed houses. Turning to the proposed bird boxes (Manthorpe Swift Brick), these boxes have been chosen to suit the common bird species which have been identified as present. The boxes have been designed to blend in with the developments brick work.
- 7.7.2 Following consultation with the Herts and Middlesex Wildlife Trust, they consider the proposed bird and bat boxes are deemed to be acceptable. However, this is subject to the proposed boxes being located at a high level under the roofline of the buildings. Taking this requirement into consideration, it is recommended a condition is imposed requiring the bird and bat boxes to be installed at high level and to be in place prior to first occupation of the development. With these in place, they would help to enhance the overall biodiversity of the development site in accordance with the Council's Impact of Development on Biodiversity SPD (2021).
- 7.7.3 Given the above, the requirements of conditions 11 and 12 of planning permission 18/00398/FPM have been met. However, the full requirement of the condition cannot be fully discharged until the bird and bat boxes have been installed in accordance with the approved details. As such, the amended conditions which would be imposed if permission were to be granted would require these bird and boxes to be installed on the relevant dwellinghouses prior to their first occupation.

7.8 Development and Flood Risk

- 7.8.1 Turning to the proposed amendment to the drainage conditions (i.e. 21 and 22), the applicant sought to amend condition 21 for the development to be carried out in accordance with the Drainage Strategy and for condition 22 to be removed. As noted in paragraph 5.5.1, Hertfordshire County Council as Lead Local Flood Authority (LLFA) raised concerns as the strategy which was originally submitted was deemed acceptable at the time. However, since these comments were received by the LLFA, the Council has discharged application 20/00707/COND which relates to the aforementioned conditions (see paragraph 2.18).
- 7.8.2 The drainage strategy, as submitted with the discharge of condition application, is based on infiltration and initial testing was carried out at planning application stage. The proposed infiltration rates for the drainage design have been based on the results of the testing outlined in the JBA report approved at planning stage. Further infiltration testing has been carried out in the site at various locations around the site and has returned varying rates depending on the depth and position of the test on the site. As a result of the varying rates found, a design rate of $1.71 \times 10^{-6} \text{m/s}$ has been adopted for the large, deeper geocellular soakaways and a rate of $1 \times 10^{-5} \text{m/s}$ has been assumed for the smaller individual house soakaways. The half drawing down times have also been provided and tests have been carried out at depth for the SuDS features.
- 7.8.3 A drainage plan and engineering drawings of the proposed SuDS features had also been provided. The drainage strategy for site consists of permeable paving for the private driveways and parking areas, bio-retention areas and soakaways. There are also two large geo-cellular soakaways to accommodate the maximum predicted flood. The permeable paving has been sized to accommodate the 1 in 100 year plus climate change event. Private soakaways have been increased in size to accommodate the 1 in 30 year event without flooding. The drainage strategy states that water will be disbursed within private garden areas where it will infiltrate back to ground.

7.8.4 Following consultation with Hertfordshire County Council as Lead Local Flood Authority (LLFA) on this application, they consider the site can be adequately drained based on the information provided by the applicant and as set out above. In addition, Thames Water considers the details provided regarding foul water and management of surface water are deemed to be acceptable.

7.8.5 Given the aforementioned, it considered that conditions 21 and 22 can be altered to recommend that the drainage strategy shall be implemented in accordance with the approved details set out under discharge of condition application 20/00707/COND. With respect to condition 23, it has been agreed with the applicant that this condition should be retained. This is because it is a compliance condition which requires details of the implemented drainage strategy in terms of its management and maintenance to be submitted to the Council for its written approval. In addition, the LLFA will not agree to its removal. As such, this condition would be imposed if the Council was minded to grant planning permission.

7.9 Other Matters

Community Infrastructure Levy

7.9.1 The proposed amendments to the approved development does not seek to increase the approve level of floorspace to that already approved. Therefore, this development would not be subject to any CIL liability in this instance.

Equality, Diversity and Human Rights

7.9.2 Consideration has been given to Articles 1 and 8 of the First Protocol of the European Convention on Human Rights. It is not considered that the decision would result in a violation of any person's rights under the Convention.

7.9.3 When considering proposals placed before Members it is important that they are fully aware of and have themselves rigorously considered the equalities implications of the decision that they are taking.

7.9.4 Rigorous consideration will ensure that proper appreciation of any potential impact of that decision on the Council's obligations under the Public Sector Equalities Duty. As a minimum this requires decision makers to read and carefully consider the content of any Equalities Impact Assessment (EqIA) produced by officers.

7.9.5 The Equalities Act 2010 requires the Council when exercising its functions to have due regard to the need to (a) eliminate discrimination, harassment, victimisation and other conduct prohibited under the Act; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and (c) foster good relations between persons who share protected characteristics under the Equality Act and persons who do not share it. The protected characteristics under the Equality Act are: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion and belief; sex and sexual orientation.

7.9.6 It is not considered that the proposed amendments detailed under this application would have an impact on persons with protected characteristics under the Equality Act.

8. CONCLUSIONS

8.1 In summary, and subject to conditions, the principle of the proposed amendments sought under this Section 73 application are acceptable. In addition, these changes would not have a detrimental impact on the character and appearance of the development or the visual

amenities of the wider street scene. Furthermore, they would not impact on the amenities of neighbouring properties and there would suitable mitigation measures to manage contamination. There would also be a suitable surface water drainage system and there would be an acceptable provision of bird and bat boxes to enhance the sites biodiversity.

- 8.2 Given the aforementioned, the proposed development under this Section 73 application is considered to be acceptable in line with the Council adopted Local Plan, Planning and Design Guide SPD (2009), the Council's Car Parking Standards SPD (2020), the NPPF (2019) and NPPG (2014).

9. RECOMMENDATIONS

- 9.1 That planning permission be GRANTED subject to the applicant having first entered into and completed a Deed of Variation to the S106 legal agreement to secure:-

- Provision of a fire hydrant;
- Securing on-site provision of affordable housing;
- Secure provision of CCTV cameras.

The detail of which be delegated to the Assistant Director of Planning and Regulation in liaison with the Council's appointed solicitor and subject to the following conditions:-

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

19063.wd2.01; 19063.A1.wd2.01; 19063.A1.wd2.02; 19063.A1.wd2.03; 19063.A1.wd2.04;
19063.A1.wd2.05; 19063.A1.wd2.06; 19063.A1.wd2.101; 19063.A1.wd2.102;
19063.A2.wd2.01; 19063.A2.wd2.02; 19063.A2.wd2.03; 19063.A2.wd2.04;
19063.A2.wd2.05; 19063.A2.wd2.06; 19063.A2.wd2.101; 19063.A2.wd2.102;
19063.A2.wd2.103; 19063.A4.wd2.02; 19063.A4.wd2.03; 19063.A4.wd2.04;
19063.A4.wd2.05; 19063.A4.wd2.101; 19063.A4.wd2.102; 19063.A4.wd2.103;
19063.A4.wd2.104; 19063.A5.wd2.01; 19063.A5.wd2.101 .

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

- 2 The external surfaces of the buildings (including the dwellings) hereby permitted shall be carried out in accordance with the approved Materials Palette as specified in application reference 20/00736/FPM as received on 02 December 2020.

REASON:- To ensure the finished appearance of the development enhances the visual amenities of the area.

- 3 Notwithstanding the details specified in the application submission, no public realm landscaping works shall commence until a scheme of soft and hard landscaping and details of the treatment of all hard surfaces has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of all new planting to take place including species, size and method of planting as well as details of landscape management (including long term design objectives, management responsibilities and maintenance responsibilities for all landscape areas). The approved landscaping scheme shall be implemented within the first available planting season following the first occupation of the buildings or the completion of the development whichever is the sooner.

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

- 4 Any trees or plants comprised within the scheme of landscaping, which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless otherwise agreed in writing by the Local Planning Authority.

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

- 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.

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

- 6 No external lighting shall be installed on site unless details of such lighting, including the intensity of illumination and predicted light contours, have first been submitted to, and approved in writing the Local Planning Authority prior to first occupation of the development. Any external lighting shall accord with the details so approved.

REASON:- In order to protect the amenities and operations of neighbouring properties and to ensure any external lighting does not prejudice highway safety. In addition, to ensure the development does not have a detrimental impact on foraging bats.

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

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

- 8 No development, including site clearance, shall commence until the trees as specified on drawing numbers 9575 TPP 02 Rev A (1/3) A; 9575 TPP 02 Rev A (2/3) A; 9575 TPP 02 Rev A (3/3) A (Arboricultural Impact Assessment, prepared by Aspect Arboriculture, Report reference 9575_AIA.001 dated October 2018) to be retained on the site have been protected by fencing in accordance with the vertical tree protection fencing detailed in the Arboricultural Impact Assessment. In addition, all works which are to be undertaken within the Root Protection Areas of trees which are to be retained as specified on the aforementioned drawings shall be undertaken in accordance with the details specified in the Arboricultural Impact Assessment.

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

- 9 Within the areas to be fenced off in accordance with condition 9, there shall be no alteration to the ground levels and they shall be kept clear of vehicles, materials, surplus soils, temporary buildings and machinery.

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

- 10 Prior to the first occupation of each dwelling hereby permitted the bird (Manthorpe Swift Brick) as detailed in application reference 20/00736/FPM submitted 02 December 2020 shall be installed as high as possible under the roofline in accordance with the approved scheme and retained thereafter.

REASON:- To increase roosting opportunities for birds and to compensate for lost opportunities for nesting birds.

- 11 Prior to the first occupation of each dwelling hereby permitted any bat (Schwegler 1FR Bat Tube) boxes associated with that dwelling detailed in application reference 20/00736/FPM submitted 02 December 2020 shall be installed as high as possible under the roofline in accordance with the approved scheme and retained thereafter.

REASON:- To increase roosting opportunities for bats.

12 Prior to the first occupation of the dwellinghouses hereby permitted, the parking areas as shown on drawing number 16059.01.wd2.01 B shall be surfaced (in either a porous material or provision shall be made for surface water drainage to be contained within the site) and marked out accordingly and shall not thereafter be used for any purpose other than the parking of vehicles for the development hereby approved.

REASON:- To ensure adequate parking provision at all times so that the development does not prejudice the free flow of traffic or the conditions of general safety along the adjacent highway, or the amenities and convenience of existing local residents.

13 The Construction Management Plan/Method Statement as detailed in application reference 20/00736/FPM submitted 02 December 2020 shall be carried out in accordance with the approved details, or any such scheme that is submitted to and approved in writing by the Local Planning Authority, which cover the following requirements:-

- (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) 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;
- (iv) Access and protection arrangements around the site for pedestrians, cyclists and other road users;
- (v) Details of the provisions for temporary car parking during construction;
- (vi) The location of construction traffic routes to and from the site, details of their signing, monitoring and enforcement measures;
- (vii) Screening and hoarding;
- (viii) End of day tidying procedures;
- (ix) Construction and storage compounds (including areas designated for car parking);
- (x) Siting and details of wheel washing facilities;
- (xi) Cleaning of site entrances, site tracks and the adjacent public highway; and
- (xii) Disposal of surplus materials.

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

14 The development hereby permitted shall not be occupied until the proposed accesses have been constructed as identified on drawing number 16059.01.wd2.01 B the existing accesses have been closed and the existing footway 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.

- 15 The Site Waste Management Plan (SWMP) which details how waste materials as a result of the proposed demolition and/or construction methods shall be disposed of, and detail the level of soil to be imported to the site as submitted with application reference 20/00736/FPM dated 02 December 2020 shall be strictly adhered too during the course of construction of the development hereby permitted, or any such scheme that is submitted to and approved in writing by the Local Planning Authority.
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.
- 16 Prior to the first occupation of each dwelling hereby permitted the approved secure cycle parking areas and public cycle parking for the relevant dwelling shall be constructed in accordance with the details approved under Condition 1 and shall be permanently retained in that form thereafter.
REASON:- To ensure that there is sufficient cycle parking provision in accordance with the Council's adopted standards is maintained for all dwellings and the development as a whole on site in perpetuity.
- 17 Prior to the first occupation of each dwelling hereby permitted the approved refuse and recycle stores for the relevant dwelling shall be constructed in accordance with the details approved under condition 1 and shall be permanently retained in the form.
REASON:- To ensure that there is sufficient refuse/recycle provision in accordance with the Council's standards and maintained for all dwellings and the development as a whole in perpetuity.
- 18 The design of windows and ventilators to each dwelling shall achieve an acoustic performance which shall ensure that, when windows are closed, the following noise levels are not exceeded:
- (i) An average of 35 decibels (dB) (LAeq) during the daytime (07:00 – 23:00) within bedrooms and living rooms
 - (ii) An average of 40 dB (LAeq) during the daytime (07:00 – 23:00) within dining rooms
 - (iii) An average of 30 dB (LAeq) during the night (23:00 – 07:00) within bedrooms
 - (iv) A maximum of 45 dB (LAmax,F) on more than ten occasions during any typical night (23:00 – 07:00) within bedrooms.
- REASON:-** To ensure that residents of the development do not suffer undue noise disturbance from traffic on the adjoining highway as well as noise generated from the nearby East Coast railway line.
- 19 No development shall take place, above slab level, until details of Electric Vehicle Charging Points have been submitted to and approved in writing by the Council as the Local Planning Authority. The approved Electric Vehicle Charge Points shall be installed in accordance with the approved details and thereafter permanently retained.
REASON:- In order to provide facilities to charge electric vehicles and to help reduce the impact of vehicle emissions on the local environment.
- 20 The development permitted by this planning permission shall be carried out in accordance with the approved submitted Surface Water drainage Strategy Rev. final v2.0, dated November 2018, prepared by JBA, and the following mitigation measures detailed within the FRA:
1. Implementing an appropriate drainage strategy based on infiltration, using appropriate SuDS measures as shown on drawing No. 2017s6007-001 Rev.P01, No.2017s6007-002 Rev. P01 and No.2017s6007-003 Rev.P01.

2. 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 + 40% to climate change.

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 and storage of surface water from the site. In addition, to reduce the risk of flooding to the proposed development and future occupants.

21 The detailed surface water drainage scheme for the site based on the approved drainage strategy and sustainable drainage principles as submitted and approved by Hertfordshire County Council as Lead Local Flood Authority under discharge of condition application 20/00707/COND which demonstrated the surface water run off generated up to and including 1 in 100 year + climate change critical storm will not exceed the run off from the existing site following the corresponding rainfall event. The approved scheme shall subsequently be implemented in accordance with the following approved details before the development is completed.

REASON:- To prevent the increased risk of flooding, both on and off site.

22 Upon completion of the drainage works 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 also include:

1. Final confirmation of management and maintenance requirements
2. Provision of complete set of as built drawings for both site drainage

REASON:- To reduce the risk of flooding to the proposed development and future occupants.

23 Upon completion of the development a final management and maintenance plan must be supported by a full set of as-built drawings, a post construction location plan of the SuDS components cross-referenced with a maintenance diagram to secure the operation of the scheme throughout its lifetime.

REASON:- To prevent the increase risk of flooding, both on and off site.

24 The remediation measures as detailed in Phase 2 Geo-environmental Assessment (Prepared by MLM Group, document reference:- 724476-MLM-ZZ-XX-RP-J-0001, dated August 2020) and remediation strategy and verification report (Prepared by MLM Group, document reference 724476-MLM-ZZ-XX-RP-J-0002, dated September 2020) to remediate the contaminants which have been identified shall be implemented in order to render the site suitable for the development hereby permitted. The site shall be remediated in accordance with the approved measures before the properties are occupied.

If, during the course of development, any contamination is found which has not been identified in the site investigation, additional measures for the remediation of this contamination shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures.

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

25 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 26, which is subject to the approval of the Local Planning

Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 27.

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

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

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

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

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

- 28 Prior to the first occupation of the ground floor retail units as detailed on drawing numbers 16059.01.wd2.01 B and 16059.01.A1.wd2.01 B, a scheme for the installation of equipment to control the emission of fumes and smell from these premises and/or for the installation of any external plant and equipment such air conditioning units and refrigeration units shall be submitted to and approved in writing by the Local Planning Authority and the approved scheme shall be implemented prior to the first occupation of these units. All equipment installed as part of the scheme shall thereafter be operated and maintained in accordance with the manufacturer's instructions.

REASON:- To protect the amenities of the occupiers of adjoining properties and the development.

- 29 Prior to first occupation of the dwellings hereby permitted, details of all boundary treatment which includes walls, fences or other means of enclosure, including any retaining walls, have been submitted to and approved in writing by the Council as the Local Planning Authority. The boundary treatment, including any retaining wall, shall be constructed in accordance with the approved details. Thereafter, the hereby approved boundary treatment(s) shall be permanently retained and maintained.

REASON:- To ensure that the finished appearance of the development will enhance the character and visual amenities of the area.

Pro-active Statement

Planning permission has been granted for this proposal. The Council acted pro-actively through early engagement with the applicant at the pre-application stage which led to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the National Planning Policy Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.

INFORMATIVE

Environmental Health

The ventilation system for each dwelling shall incorporate continuous mechanical supply and extract with heat recovery conforming to the current edition of Approved Document F to the Building Regulations and designed so as to ensure that the ventilation system itself does not produce unacceptable levels of noise within each dwelling.

Thames Water

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

In the car parking areas, it is recommended that a petrol/oil interceptor be fitted to ensure that local watercourses are not polluted from potential oil polluted discharges.

Hertfordshire Constabulary Crime Prevention Design Advisor.

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

Hertfordshire County Council as Highways Authority.

Works to be undertaken on the adjoining highway shall be constructed to the satisfaction of the Highway Authority and in accordance with Hertfordshire County Council publication Roads in Hertfordshire Highway Design Guide. Before proceeding with the proposed development, the applicant shall contact on 0300 1234 047 to obtain the requirements for a section 278 agreement for the associated road works as part of the development. This should be carried out prior to any development work is carried out.

REASON:

To ensure that work undertaken on the highway is constructed to the current Highway Authority's specification, to an appropriate standard and by a contractor who is authorised to work in the Public Highway.

Prior to commencement of the development the applicant shall contact Network Management North at NM.North@hertfordshire.gov.uk or call on 0300 1234 047 to obtain the requirements to arrange a site visit to agree a condition survey of the approach of the highway leading to the development likely to be used for delivery 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. Herts County Council may require an Officer presence during movements of larger loads.

Hertfordshire County Council as Lead Local Flood Authority

The applicant has not carried out ground contamination investigation for this site. Contamination on site can condition the suitability of the entire drainage strategy which

is based in infiltration. We therefore recommend the LPA to contact the Environment Agency in respect to this.

The LPA will need to satisfy itself that the proposed SuDS features can be maintained for its lifetime and we recommend the LPA obtains a maintenance and adoption plan from the applicant.

10. BACKGROUND DOCUMENTS

1. The application file, forms, plans and supporting documents having the reference number relating to this item.
2. Stevenage District Plan Second Review 1991-2011.
3. Stevenage Borough Council Supplementary Planning Documents – Parking Provision SPD adopted October 2020; Design Guide SPD 2009; Developer Contributions SPD 2021; Impact of development on Biodiversity SPD 2021.
4. Stevenage Borough Local Plan 2011-2031 Publication Draft.
5. Responses to consultations with statutory undertakers and other interested parties referred to in this report.
6. Central Government advice contained in the National Planning Policy Framework February 2020 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 – James Chettleburgh 01438 242266

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 : 20/00378/NMA
Date Received : 10.07.20
Location : Land At Webb Rise Stevenage Herts SG1 5QU
Proposal : Non material amendment to planning permission reference number 19/00485/FPM to visitor on-street parking and landscape design to front gardens plots 1-10 and 61-66
Date of Decision : 26.02.21
Decision : **Non Material Amendment AGREED**

2. Application No : 20/00685/FP
Date Received : 16.11.20
Location : 29 The Muntings Stevenage Herts SG2 9DN
Proposal : Single storey side extension to facilitate the change from a 6 room HMO to a 8 room HMO
Date of Decision : 08.03.21
Decision : **Planning Permission is REFUSED**

For the following reason(s);

The proposed intensification of the House of Multiple Occupation (HMO) from 6 beds to 8 beds would result in an unacceptable overdevelopment of the site brought about from the increased size and amount of extensions proposed and the poor proposed parking provision layout in the rear garden of the site. The additional level of extensions and hardstanding for the parking areas would have a harmful impact on the character and appearance of the property and the wider street scene. If approved the proposal would be contrary to Policy GD1 of the Stevenage Borough Local Plan 2011-2031 (2019), the adopted Parking Provision and Sustainable Transport SPD (2020), the National Planning Policy Framework (2019) and the Planning Practice Guidance (2014).

The proposed provision of two parking spaces and associated hardstanding and manoeuvring area in the rear garden of No.29 The Muntings and immediately adjacent the boundary with No.30 The Muntings would reduce the rear garden size and would intensify the use of motor vehicles within close proximity of the external amenity area of the HMO to the detriment of the occupiers of the HMO. Furthermore, it would result in undue harm to the occupiers of the neighbouring property No.30 The Muntings by virtue of the siting of the parking spaces immediately adjacent the boundary. This would lead to an unacceptable nuisance of light and disturbance from headlights and engines that is not currently experienced at the properties. If approved the proposal would be contrary to Policy GD1 of the Stevenage Borough Local Plan 2011-2031 (2019), the National Planning Policy Framework (2019) and the Planning Practice Guidance (2014).

3. Application No : 20/00733/COND
Date Received : 01.12.20
Location : Land To West Of A1(M) And South Of Stevenage Road Todds Green Stevenage Herts
Proposal : Discharge of condition 40 (Management of Boreholes) attached to planning permission reference number 19/00123/FPM
Date of Decision : 24.02.21
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**
4. Application No : 20/00788/FPH
Date Received : 28.12.20
Location : 85 Peartree Way Stevenage Herts SG2 9EA
Proposal : Single storey front infill extension
Date of Decision : 23.02.21
Decision : **Planning Permission is GRANTED**
5. Application No : 21/00002/CLED
Date Received : 05.01.21
Location : 52 Oaks Cross Stevenage Herts SG2 8LR
Proposal : Certificate of lawfulness for an existing rear garden outbuilding
Date of Decision : 22.02.21
Decision : **Certificate of Lawfulness is APPROVED**
6. Application No : 21/00004/FP
Date Received : 05.01.21
Location : ASDA Stores Ltd Monkswood Way Stevenage Herts
Proposal : Removal of an existing Click & Collect canopy and associated steelworks and the construction of a new canopy and associated steelworks in a different location, and the construction of an external Click & Collect pod to be used as storage and associated coldrooms.
Date of Decision : 24.02.21
Decision : **Planning Permission is GRANTED**

7. Application No : 21/00005/AD
Date Received : 05.01.21
Location : ASDA Stores Ltd Monkswood Way Stevenage Herts
Proposal : 4no. internally illuminated canopy signs
Date of Decision : 24.02.21
Decision : **Advertisement Consent is GRANTED**
8. Application No : 21/00007/FPH
Date Received : 06.01.21
Location : 5 School Close Stevenage Herts SG2 9TY
Proposal : Single storey front extension
Date of Decision : 24.02.21
Decision : **Planning Permission is GRANTED**
9. Application No : 21/00008/FPH
Date Received : 07.01.21
Location : Theydon Rectory Lane Stevenage Herts
Proposal : Single storey side extension following demolition of existing
Date of Decision : 24.02.21
Decision : **Planning Permission is GRANTED**

10. Application No : 21/00012/FPH
Date Received : 11.01.21
Location : 14 Eastbourne Avenue Stevenage Herts SG1 2EX
Proposal : Extension to existing front dormer and creation of bay window and canopy to front elevation
Date of Decision : 09.03.21
Decision : **Planning Permission is REFUSED**
- For the following reason(s);
- The extension to the existing front dormer window by reason of its size and design would be detrimental to the architectural form of the original pair of semis to the detriment of the visual amenities of the area. The proposal is therefore contrary to Policies GD1 and SP8 of the Stevenage Local Plan 2011 - 2031 (2019), the Council's Design Guide SPD (2009), the National Planning Policy Framework (2019) and National Planning Practice Guidance (2014).
11. Application No : 21/00017/FPH
Date Received : 13.01.21
Location : 14 Bandley Rise Stevenage Herts SG2 9LS
Proposal : Single storey front extension
Date of Decision : 01.03.21
Decision : **Planning Permission is GRANTED**
12. Application No : 21/00021/FPH
Date Received : 14.01.21
Location : 25 Basils Road Stevenage Herts SG1 3PY
Proposal : Single storey rear extension
Date of Decision : 11.03.21
Decision : **Planning Permission is GRANTED**

13. Application No : 21/00022/FPH
Date Received : 14.01.21
Location : 17 Burns Close Stevenage Herts SG2 0JN
Proposal : First floor side extension over existing garage, part two storey, part single storey rear extension and roof alterations to existing garage
Date of Decision : 09.03.21
Decision : **Planning Permission is GRANTED**
14. Application No : 21/00023/FPH
Date Received : 14.01.21
Location : 18 Eliot Road Stevenage Herts SG2 0LH
Proposal : Single storey front extension
Date of Decision : 24.02.21
Decision : **Planning Permission is GRANTED**
15. Application No : 21/00026/TPTPO
Date Received : 15.01.21
Location : 157 Fairview Road Stevenage Herts SG1 2NE
Proposal : Felling of 1no. Beech Tree (T7) protected by TPO 79
Date of Decision : 04.03.21
Decision : **CONSENT TO CARRY OUT WORKS TO A TREE, THE SUBJECT OF A TREE PRESERVATION ORDER**
16. Application No : 21/00027/AD
Date Received : 15.01.21
Location : Co-op 3 Filey Close Stevenage Herts
Proposal : 1 no illuminated logo sign at fascia level, 1 no unilluminated fascia sign and 1 no illuminated projection sign
Date of Decision : 08.03.21
Decision : **Advertisement Consent is GRANTED**

17. Application No : 21/00029/FPH
Date Received : 18.01.21
Location : 77 Brook Drive Stevenage Herts SG2 8TP
Proposal : Single storey side extension
Date of Decision : 03.03.21
Decision : **Planning Permission is GRANTED**
18. Application No : 21/00030/CLPD
Date Received : 18.01.21
Location : 20 Fairview Road Stevenage Herts SG1 2NR
Proposal : Certificate of lawfulness for a garage conversion and 2no. outbuildings in rear garden
Date of Decision : 01.03.21
Decision : **Certificate of Lawfulness is APPROVED**
19. Application No : 21/00032/FP
Date Received : 18.01.21
Location : Garages 83-89 Collenswood Road Stevenage Herts SG2 9HG
Proposal : Demolition of 7no. existing garages and replacement with 6no. garages
Date of Decision : 12.03.21
Decision : **Planning Permission is GRANTED**
20. Application No : 21/00036/CLPU
Date Received : 20.01.21
Location : Austins Funeral Directors 74A High Street Stevenage Herts
Proposal : Certificate of lawfulness for proposed use of premises as a funeral directors
Date of Decision : 17.03.21
Decision : **Certificate of Lawfulness is APPROVED**

21. Application No : 21/00037/FP
Date Received : 20.01.21
Location : 4 The Glebe Chells Way Stevenage Herts
Proposal : Replace the existing shopfront, formed of glazing set in perimeter steel frame, with new aluminium shopfront.
Date of Decision : 12.03.21
Decision : **Planning Permission is GRANTED**
22. Application No : 21/00039/FPH
Date Received : 21.01.21
Location : 83 Wigram Way Stevenage Herts SG2 9UX
Proposal : Single storey rear extension and front porch
Date of Decision : 10.03.21
Decision : **Planning Permission is GRANTED**
23. Application No : 21/00041/FP
Date Received : 22.01.21
Location : 25 North Road Stevenage Herts
Proposal : Change of use from Class C3 (Dwellinghouse) to Class C2 Use (Residential Institution) for care of 3 children aged between 8-18.
Date of Decision : 11.03.21
Decision : **Planning Permission is GRANTED**
24. Application No : 21/00045/FPH
Date Received : 25.01.21
Location : 69 Sparrow Drive Stevenage Herts SG2 9FB
Proposal : Loft conversion including 3no. dormer windows on rear roof slope and 3no. velux windows on front roof slope
Date of Decision : 12.03.21
Decision : **Planning Permission is GRANTED**

25. Application No : 21/00046/FPH
Date Received : 26.01.21
Location : 10 Wellington Road Stevenage Herts SG2 9HR
Proposal : Single storey front extension
Date of Decision : 12.03.21
Decision : **Planning Permission is GRANTED**
26. Application No : 21/00050/PADEMO
Date Received : 28.01.21
Location : Unit 7 Stevenage Leisure Park Kings Way Stevenage
Proposal : Prior approval for the demolition of a single storey restaurant unit
Date of Decision : 22.02.21
Decision : **Prior Approval is REQUIRED and GIVEN**
27. Application No : 21/00058/NMA
Date Received : 29.01.21
Location : Land Bounded By Lytton Way, Danesgate And London Road Stevenage Herts SG1 1XH
Proposal : Non material amendment to planning permission reference number 20/00135/FPM to alter shelter design of coach stand in Lytton Way, landscaping details, roof lighting over concourse area, ancillary Building external appearance, location of PVs, location of opening vents, bus boarding screen height, amendment to bus boarding point doors, and levels and Ancillary building internal parapet wall material.
Date of Decision : 11.03.21
Decision : **Non Material Amendment AGREED**

28. Application No : 21/00056/CLPD
Date Received : 31.01.21
Location : 17 Raban Close Stevenage Herts SG2 8JT
Proposal : Certificate of lawfulness for proposed single storey rear extension
Date of Decision : 03.03.21
Decision : **Certificate of Lawfulness is APPROVED**
29. Application No : 21/00060/COND
Date Received : 01.02.21
Location : The Bragbury Centre Kenilworth Close Stevenage Herts
Proposal : Discharge of condition 3 (materials) attached to planning permission reference number 18/00398/FPM
Date of Decision : 19.02.21
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**
30. Application No : 21/00063/AD
Date Received : 02.02.21
Location : Glaxo Sycamore House Leyden Road Stevenage Herts
Proposal : Installation of stainless steel illuminated front fascia sign
Date of Decision : 04.03.21
Decision : **Advertisement Consent is GRANTED**
31. Application No : 21/00065/FPH
Date Received : 03.02.21
Location : 7 Elbow Lane Stevenage Herts SG2 8LP
Proposal : Single storey rear extension
Date of Decision : 11.03.21
Decision : **Planning Permission is GRANTED**

32. Application No : 21/00076/HPA
Date Received : 05.02.21
Location : 44 St. Margarets Stevenage Herts SG2 8RF
Proposal : Single storey rear extension which will extend beyond the rear wall of the original house by 4.06 metres, for which the maximum height will be 3.22 metres and the height of the eaves will be 2.92 metres
Date of Decision : 04.03.21
Decision : **Prior Approval is NOT REQUIRED**
33. Application No : 21/00090/HPA
Date Received : 10.02.21
Location : 69 Brook Drive Stevenage Herts SG2 8TP
Proposal : Single storey rear conservatory which will extend beyond the rear wall of the original house by 6.00 metres, for which the maximum height will be 3.50 metres and the height of the eaves will be 2.30 metres.
Date of Decision : 10.03.21
Decision : **Prior Approval is NOT REQUIRED**
34. Application No : 21/00094/FP
Date Received : 11.02.21
Location : 10 Stevenage Leisure Park Kings Way Stevenage Herts
Proposal : Alterations to the shopfront
Date of Decision : 12.03.21
Decision : **Planning Permission is GRANTED**

35. Application No : 21/00095/AD
Date Received : 11.02.21
Location : 10 Stevenage Leisure Park Kings Way Stevenage Herts
Proposal : 1 no. internally illuminated door sign, 4 no. internally illuminated signs to all elevations; 1 no. internally illuminated totem sign (utilising the existing fitting) 2 no. illuminated poster boxes, 8 no. non illuminated Five Guys branded Breeze Screens.
Date of Decision : 12.03.21
Decision : **Advertisement Consent is GRANTED**
36. Application No : 21/00103/COND
Date Received : 15.02.21
Location : Glaxo Sycamore House Leyden Road Stevenage Herts
Proposal : Discharge of conditions 3 (materials) and 6 (bin store and cycle enclosure materials) attached to planning reference number 19/00720/FP
Date of Decision : 15.03.21
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**
37. Application No : 21/00112/FPH
Date Received : 17.02.21
Location : 68 Barnwell Stevenage Herts SG2 9SN
Proposal : Front porch
Date of Decision : 15.03.21
Decision : **Planning Permission is GRANTED**

BACKGROUND PAPERS

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 2020.
3. Stevenage Borough Local Plan 2011-2031 adopted May 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.

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Meeting: Planning and Development
Committee

Agenda Item:

Date: Tuesday 2 March 2021

INFORMATION REPORT - APPEALS / CALLED IN APPLICATIONS

Author – Linda Sparrow 01438 242837

Lead Officer – Zayd Al-Jawad 01438 242257

Contact Officer – James Chettleburgh 01438 242266

1. APPEALS RECEIVED

1.1 None.

2. DECISIONS AWAITED

2.1 20/00384/FP, 8A Magellan Close. Appeal against refusal of permission for the Variation of condition 11 (no new windows and doors) attached to planning permission 16/00791/FP to allow insertion of a roof light and gable window to be added to the dwellings.

2.2 20/00146/FP, 330 Canterbury Way. Appeal against refusal of permission for the erection of 1no. one bedroom dwelling.

2.3 19/00474/FPM, Land West of Lytton Way. Appeal against refusal of planning permission for the demolition of existing office building (Use Class B1) and structures, and the construction of seven apartment buildings comprising 576 dwellings (Use Class C3) together with internal roads, parking, public open space, landscaping, drainage and associated infrastructure works.

2.4 20/00697/FPH, 10 Gorleston Close. Appeal against refusal of planning permission for the erection of first floor cantilevered rear extension.

3. DECISIONS RECEIVED

3.1 Appeal decision received for 20/00228/FPH against the refusal of permission for two storey front, side and rear extensions at 30 Orchard Crescent.

Main issues

3.2 The main issues are the effects of the proposal on the character and appearance of the local area and the effect on neighbouring amenities.

Reasons

3.3 The proposal would add significant width to the property which would erode the symmetry of the pair of semi's and appear incongruous as the double gable feature on the rear would be discordant with the existing dwelling.

3.4 The inspector concluded that the development would have an adverse impact on the character and appearance of the area and would conflict with Policies GD1 and SP8 of the Local Plan (2019) and the Design Guide SPD (2009).

- 3.5 The projection of the extension, along with its height, would have a significant enclosing effect upon the gardens of Nos. 28 and 32, leading to an overbearing effect on these spaces. Further, it would appear overbearing on the rear windows of the adjoining neighbour and result in a poor outlook.
- 3.6 Whilst the development would not result in a loss of daylight or sunlight, this does not outweigh the significant impacts identified. The Inspector stated that even if the development complied with the 45-degree test for daylight and sunlight, it would not overcome the concerns with regards to outlook.
- 3.7 The Inspector concluded that the development would therefore have an adverse impact on the living conditions of neighbouring properties and it would not therefore comply with Policies GD1 and SP8 of the Local Plan (2019) and the Design Guide SPD (2009).

Other matters

- 3.8 The appellants concerns regarding the manner in which the application was assessed by the Council were noted, however the Inspector limited his assessment to the planning matters before him.
- 3.9 The Inspector noted that the development would not have an impact on the highway system but this was only one consideration before him. This did not outweigh the conclusions made above.

Conclusion

- 3.10 Appeal dismissed; copy of the decision notice attached.



Appeal Decision

Site visit made on 26 January 2021

by **Benjamin Clarke BA (Hons.) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: Friday, 19 February 2021

Appeal Ref: APP/K1935/D/20/3263393

30 Orchard Crescent, Stevenage SG1 3EN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Paul Elkington against the decision of Stevenage Borough Council.
 - The application Ref: 20/00228/FPH, dated 27 April 2020, was refused by notice dated 27 August 2020.
 - The development is a proposed demolition of existing side garage and existing rear extension to form a new double storey front, side, and part rear extension, installation of rooflight and solar panels.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - the effect of the development upon the character and appearance of the surrounding area; and
 - the effect of the development upon the living conditions of the occupiers of adjoining properties.

Reasons

Character and appearance

3. The appeal site contains a semi-detached house alongside other dwellings of comparable proportions. There are relatively wide gaps between dwellings, which gives the surrounding area an open, suburban character. The appeal site is near to Bridge Road, which is located on land that is on a higher level than the appeal site.
4. The proposed extension would add a significant amount of width to the dwelling and would have a height comparable to the original house. This is concerning as this would lead to an erosion of the symmetry that exists between the appellant's dwelling and the adjoining house at 28 Orchard Crescent. Given that the proposed extension would be readily viewed from different vantage points within the road, the development, in this regard, would appear incongruous.

5. Although some screening would be offered by other dwellings in the vicinity, the overall screening effect would be limited and therefore would not overcome the incongruous form arising from the side extension.
6. The proposed rear extension would feature two rear gables, which would project into the rear garden. This, combined with the scale of the extension, would form a bulky addition to the house and results in a dwelling that is significantly larger than the existing building and those on neighbouring plots. In result, the proposed development would be discordant.
7. This is a concern given that the appeal site would be visible from Bridge Road, which is sited on higher land. Therefore, despite being to the rear of the property, the form of the proposed extension would be readily apparent and would erode the character and appearance of the surrounding area.
8. I note that the appeal site contains some existing structures within the rear garden. However, these have much smaller proportions than the proposed extension. In result, they do not have the same effects as the proposed development would have. Therefore, their presence does not overcome my previous concerns.
9. Although the proposed rear extension would feature a lower height than the original house, the eaves height would be comparable to the existing dwelling. This, along with the projection and roof shape, would mean that the proposed extension would not appear to be a subordinate addition and would contribute towards an erosion of the area's character.
10. I therefore conclude that the proposed development would have an adverse effect upon the character and appearance of the surrounding area. The development, in this regard, would conflict with Policies GD1 and SP8 of the Stevenage Local Plan 2011-2031 (2019) (the Local Plan) and the Stevenage Design Guide Supplementary Planning Document (2009) (the SPD). These, amongst other matters, seek to ensure that developments make a positive contribution to the its location and surroundings; preserve the most important characteristics of Stevenage; and extensions should appear subservient.

Living conditions

11. The proposed development would extent a semi-detached dwelling. The existing building is attached to No. 28. In addition, the appeal site is next to 32 Orchard Crescent, although this house is not attached to the appellant's dwelling. The boundaries of the appeal site's rear garden are marked by hedges and low wooden fences.
12. By reason of the projection of the extension and its height, the proposed development would result in a significant enclosing effect upon the garden at No. 32. This is because the neighbouring dwelling is located further forward on the plot and therefore the side elevation of the side and rear extension would be readily perceptible when viewed from the adjoining garden. This would lead to an overbearing effect upon this space.
13. In addition, the projection and overall height of the extension would have a significant enclosing and overbearing effect upon the adjoining property at No. 32. This would include the dwelling's rear windows.

14. Although the highest part of the extension would be set back from the shared boundary between the appeal site and No. 28, the height and mass of the rear extension in its entirety would remain readily perceptible when viewed from the neighbouring property. This would occur irrespective of the fact that the extension's proportions would be smaller when closest to the boundary with No. 28
15. By reason of the relatively even topography between the two sites and the limited boundary treatments, the development would still have a significant enclosing and overbearing effect upon the neighbouring property's rear garden and rear elevation windows.
16. There is some debate regarding the precise distance that the two-storey extension is set back from the shared boundary between No. 28. However, the form and design of the extension is such that the proposed development, in its entirety would be visible from the neighbouring property's rear windows and garden. This increase in built form would result in a loss of outlook for the neighbouring occupiers.
17. Owing to the orientation of the appeal site, the proposed development would not cause a loss of light to the occupiers of the neighbouring properties. However, this would not outweigh my previous concerns.
18. My attention has been drawn to a '45-degree test' within the SPD. However, this test is designed to ensure that a proposed development would not affect light levels at neighbouring properties. Therefore, even if I were to conclude that the proposed development would comply with this test, it would not overcome my concerns with regards to the effect of the development upon the levels of outlook experienced by the occupiers of neighbouring properties.
19. I therefore conclude that the proposed development would have an adverse effect upon the living conditions of the occupiers of neighbouring properties. The development, in this regard, would conflict with Policies GD1 and SP8 of the Local Plan, and the SPD. These, amongst other matters, seek to ensure that new developments do not have an adverse effect upon neighbouring uses and the surrounding area; be constructed to a good standard of design; and maintain the living conditions of neighbours.

Other Matters

20. I note concerns raised by the appellant regarding the manner in which the application was assessed by the Council. However, in considering this appeal, I have limited my assessment to the planning matters before me.
21. Although the proposed development would not have an adverse effect on the highway system, this is only one of the matters that must be considered. In result, it does not outweigh my conclusions in respect of the Main Issues.

Conclusion

22. For the preceding reasons, I conclude that the appeal should be dismissed.

Benjamin Clarke

INSPECTOR

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