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PLANNING AND DEVELOPMENT COMMITTEE

Date: Tuesday, 11 January 2022
Time: 6.30pm,
Location: Council Chamber
Contact: Lisa Jerome 01438 242203
committees@stevenage.gov.uk

Members: Councillors: S Speller (Chair), M McKay (Vice-Chair), D Bainbridge, M Arceno, A Brown, T Callaghan, M Creasey, M Downing, J Hanafin, G Lawrence CC, Mrs J Lloyd, A Mitchell CC, G Snell and T Wren

AGENDA

PART 1

1. APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

2. 21/01264/FPM - STATION CAR PARK NORTH

To consider the construction of a Multi Storey Car Park and Secure Cycle Stores to provide 622 car parking spaces of which 30no. are accessible, "Blue Badge" spaces 80 secure cycle spaces, and 27 motorcycle spaces with associated hard and soft landscaping works. Up to 25% of car parking spaces are to be provided with active Electric Vehicle charging point and up to 50% of car parking spaces are to be provided with passive Electric Vehicle charging infrastructure for future activation to suit demand. The MSCP is six storeys tall with a central photovoltaic canopy on the open top deck

Pages 3 – 30

3. 21/01204/FPM - LAND ADJACENT TO 108 OAKS CROSS, STEVENAGE

To consider the erection of 11no. modular homes (Use Class C3) and associated works.

Pages 31 – 70

4. LAND TO THE WEST OF THE A1(M) AND SOUTH OF STEVENAGE ROAD, TODDS GREEN

To consider the variation of conditions 1 (Approved Plans), 9 (Flood Risk Assessment), 10 (Drainage) and 27 (Vehicle Access) attached to planning permission 19/00123/FPM.

Pages 71 – 102

5. 21/01101/FP - 303 RIPON ROAD, STEVENAGE

To consider the conversion of 1 no. 4 bedroom dwelling to 3 no. studios, single storey front and rear extensions and conversion of garage including the change of use from public amenity land to residential use and associated parking.

Pages 103 – 122

6. 21/01149/FP - 36 HASTINGS CLOSE, STEVENAGE

Single storey front extension and change of use of land from public amenity to private residential.

Pages 123 – 134

7. INFORMATION REPORT - DELEGATED DECISIONS

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

Pages 135 – 154

8. 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.

Pages 155 – 156

9. URGENT PART I BUSINESS

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

10. 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.

11. URGENT PART II BUSINESS

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

Agenda Published 30 December 2021

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Meeting:	Planning and Development Committee	Agenda Item:
Date:	11 January 2022	
Author:	Rebecca Elliott	01438 242836
Lead Officer:	Zayd Al-Jawad	01438 242257
Contact Officer:	Rebecca Elliott	01438 242836

Application No:	21/01264/FPM
Location:	Station Car Park North, Lytton Way, Stevenage.
Proposal:	Construction of Multi Storey Car Park and Secure Cycle Stores to provide 622 car parking spaces of which 30no. are accessible "Blue Badge" spaces 80 secure cycle spaces, and 27 motorcycle spaces with associated hard and soft landscaping works. Up to 25% of car parking spaces are to be provided with active Electric Vehicle charging point and up to 50% of car parking spaces are to be provided with passive Electric Vehicle charging infrastructure for future activation to suit demand. The MSCP is six storeys tall with a central photovoltaic canopy on the open top deck.
Drawing Nos.:	210311-FTK-MSCP-XX-DR-AX-30604; 210311-FTK-MSCP-XX-DR-AX-30603; 210311-FTK-MSCP-XX-DR-AX-30602; 210311-FTK-MSCP-XX-DR-AX-30601; 210311-FTK-MSCP-XX-DR-AX-30504; 210311-FTK-MSCP-XX-DR-AX-30503; 210311-FTK-MSCP-XX-DR-AX-30502; 210311-FTK-MSCP-XX-DR-AX-30501; 210311-FTK-MSCP-XX-DR-AX-30106; 210311-FTK-MSCP-XX-DR-AX-30105; 210311-FTK-MSCP-XX-DR-AX-30104; 210311-FTK-MSCP-XX-DR-AX-30103; 210311-FTK-MSCP-XX-DR-AX-30102; 210311-FTK-MSCP-XX-DR-AX-30101; 210311-FTK-MSCP-XX-DR-AX-30100; 210311-FTK-MSCP-XX-DR-AUTHOR-90603; 210311-FTK-MSCP-XX-DR-AX-90602; 210311-FTK-MSCP-XX-DR-AX-90601; 210311-FTK-MSCP-XX-DR-AX-90102; 210311-FTK-MSCP-XX-DR-AX-90101; 210311-FTK-MSCP-XX-DR-AX-90100; Arbtech AIA 01; Arbtech TPP 01;
Applicant:	Stevenage Borough Council
Date Valid:	26 November 2021
Recommendation:	GRANT PLANNING PERMISSION.



1. SITE DESCRIPTION

- 1.1 The site is located on the western side of Lytton Way, close to its roundabout junction with Fairlands Way. The site is bounded to the west by Stevenage Train Station and associated railway lines, as well as the footway and cycleway connection running north south from Six Hills Way to the Old Town. The Station entrance and stairwells are located to the south of the site, along with the station drop-off point, taxi drop-off and cycle parking facilities. There are also northbound bus stops located outside this part of the station. To the north is an area of landscaping beyond the large retaining wall which emphasises the ground level differences between the site and the highway beyond. The site is currently used as surface long stay car parking for the station. There are some mature trees within the site, with landscaping generally located around the perimeter of the site.
- 1.2 The area is close to the town centre and forms part of the wider town centre regeneration plans for Stevenage. The site is designated as part of a Major Opportunity Area (MOA) (Policy TC4) in the Local Plan, and also abuts two other MOA's at the Leisure Park to the west of the railway and

2. RELEVANT PLANNING HISTORY

- 2.1 The site has historic records for a multi-storey car park (MSCP) dating from 2007 and 2010. Planning permission 07/00306/FP was granted permission for the erection of a MSCP in October 2007. The permission was subsequently extended by the then extension of time applications under planning permission 10/00449/EOT, approved in November 2010.

3. THE CURRENT APPLICATION

- 3.1 The application seeks planning permission for the erection of a six-storey MSCP with associated access road, disabled parking, electric vehicle charging, cycle parking, drainage and landscaping.

3.2 The site would be accessed utilising the existing surface car park entrance off Lytton Way. The existing barriers would be removed creating equal width entrance and exit lanes, with barriers located to the south of the site providing two lanes for queuing. Disabled parking would be provided at surface level external of the MSCP, with cycle parking accessed from the train station side of the site.

3.3 The application is being considered at Planning and Development Committee as it is a major application.

4. PUBLIC REPRESENTATIONS

4.1 The application has been publicised by neighbour letter, the placement of four site notices and an advert in the local paper. There has been 1 response received at the time of writing this report.

4.2 Objections –

I am a Fellow of the Institution of Highways and Transportation and a Stevenage resident for the last 38 years. For many years I commuted from Stevenage Station and used the northern car park. In the evening peak it is currently difficult to exit the car park when there are two exit lanes joining three lanes on Lytton Way. With this proposal there will only be one exit lane from the car park and only two lanes on Lytton Way to join. The applicant's own Transport Assessment indicates that the queues on Lytton Way will extend 282m back from the Fairlands Way roundabout, 175m metres beyond the exit from the car park. It is clear from this that cars leaving the car park will be trying to push into a slow moving queue of traffic and are likely to stop across the bus lane, not only blocking the movement of buses but creating a safety hazard. The applicant's modelling does not suggest that getting out of the car park will be a problem. This is because they have assessed the car park exit on its own and not considered the impact of adjacent junctions and queuing. The correct way of modelling this situation would be to use a micro simulation model like VISSIM.

As a Transport professional I feel I have to make these observations. I don't hold out much hope that the Council will take any notice particularly as they are the applicant and this proposal is a key element of the wider SG1 Masterplan.

4.3 Any further representations received will be reported at the committee meeting.

5. CONSULTATIONS

5.1 Hertfordshire County Council as Highways Authority

5.1.1 The Highway Authority note the submission of materials in support of the planning application, including the Transport Assessment (TA), dated November 2021. The Highway Authority notes the pre-application advice scoping meeting with the applicant's transport consultant, Markides Associates. The Highway Authority is content to note that the resulting TA is consistent with the scope agreed within the pre-application meeting held with the applicant's transport consultant.

5.1.2 The Highway Authority has considered the proposals for a MSCP to the north of Stevenage railway station. The proposals are also considered in the wider context of the Stevenage town centre regeneration where significant relevant changes are being made to town centre car parking. It is considered that the increase in trips owing to the proposals replacing the existing surface level car park with a larger MSCP do not have a material impact on the local highway network, in particular when considered against the net change in car parking numbers across the town centre.

5.1.3 The location of the proposed car park on the edge of the town centre is well placed to benefit from the excellent links on foot to both the Old and New Towns. In summary, the Highway Authority does not wish to restrict the grant of planning permission, subject to the aforementioned planning Conditions and Advisory Notes.

5.2 Wood Group UK Ltd (Drainage Consultants)

5.2.1 Drainage Strategy – Currently, there is a private surface water drainage network at the site that discharges to the Thames Water surface water network at the west of the site. A Drainage Survey Report is provided in Appendix D of the FRA. This report shows there should be a connection to a Thames Water sewer manhole '4251', though it is noted in the FRA that there are three existing manholes serving the site. However, the survey was abandoned due to mass root ingress (100% cross sectional area loss) in the drain, which was impassable by the CCTV inspection equipment. One of the assessments from the surveying company states 'Grade 5: Best practice suggests that this pipe is at a high risk of backing up or causing flooding.'

5.2.2 The drainage strategy proposal is based on attenuation and discharge into Thames Water surface water sewer network at a final restricted drainage rate of 2 l/s. Thames Water has confirmed that, subject to conditions, they have sufficient capacity, and no objections, to receiving this proposed rate. The restriction of the discharge rate to 2 l/s would provide a betterment to the existing situation which is estimated by the applicant to be an unrestricted rate (modified rational method, 15 min winter event estimates 1 in 1 year = 36.1 l/s, 1 in 30 year = 121.9 l/s and 1 in 100 year = 188.9 l/s). The HR Wallingford UK SUDS tool, Qbar estimate for the site is 0.75 l/s, the 1 in 1 year is 0.64 l/s and a 1 in 100 year of 2.39 l/s.

5.2.3 The proposals are to replace much of the existing, private, drainage network within the site. Water will be collected from the roof, as well as the internal drainage of 'dripped flows from each floor. The collected flows will be routed through a catchpit, for sediment control and a by-pass petrol interceptor before entering attenuation crates/tanks beneath the car park. A 'Quick Storage Estimate' calculation has been performed using MicroDrainage, for the 1 in 100 year return period rainfall event with 40% climate change allowance, using a controlled release rate of 2 l/s to estimate a requirement for a total attenuation volume of 423m³. A maintenance schedule has been outlined which is based on CIRIA SuDS guidance.

5.2.4 The drainage strategy considered both discharge of the runoff via infiltration and to a watercourse, but both are deemed not possible. Firstly, infiltration is discounted due to a historic BGS borehole record for the site identifying a 7m thick layer of brown clay. Secondly, the nearest watercourse, the Langley Brook, is identified as being 1.7 km from the site. Therefore, discharge to a sewer is deemed the most practical solution.

5.2.5 It is noted, however, that a geo-environmental site assessment has been undertaken, which included a borehole and five window samples across the site (See Figure 2 of the geo-environmental report for locations). The results of these surveys (Appendix F, page 5 of part 4 of the geo-environmental report) indicate that the ground under the site consists of approximately 0.4m of made ground on top of glaciofluvial deposits. The glaciofluvial deposits consists of sand, gravels and clay. Within the borehole a falling head test was also undertaken that demonstrates that infiltration is likely to be an option for the disposal of runoff.

5.2.6 The Drainage Strategy in Appendix I consists of annotated CAD drawing, which shows the collection network to be established as the car park which is routed to a subsurface tank. There are several annotations on the drawing that state:

- 'Existing connection to Thames Water network to be maintained.'
- 'Existing manhole and outgoing pipe to be repaired or replaced as required.'

- 'All petrol interceptors to be fitted with oil level alarms and to terminate in customer services or staff reception (to be agreed with architect/client). All interceptors to be vented.'

5.2.7 Based on the review of the proposal set out in the FRA/DS we recommend conditions to the Local Planning Authority, should planning permission be granted.

5.3 Network Rail

5.3.1 Network Rail own, operate and develop Britain's railway infrastructure. Our role is to deliver a safe and reliable railway. All consultations are assessed with the safety of the operational railway in mind and responded to on this basis. Following assessment of the details provided to support the above application, Network Rail has no objection in principle to the development, but below are some requirements which must be met,

Former Railway Land

5.3.2 This site may have been former railway land. It is incumbent upon the applicant to investigate all the covenants and understand any restrictions relating to the site which may take precedence over planning conditions. Please note that the comments contained in this response to the council do not constitute formal agreement of any existing covenants.

Works in Proximity to the Operational Railway Environment

5.3.3 Development Construction Phase and Asset Protection -
Due to the proximity of the proposed development to the operational railway boundary, it will be imperative that the developer liaise with our Asset Protection Team (contact details below) prior to any work taking place on site to ensure that the development can be undertaken safely and without impact to operational railway safety. Details to be discussed and agreed will include construction methodology, earthworks and excavations, use of crane, plant and machinery, drainage and boundary treatments. It may be necessary for the developer to enter into a Basic Asset Protection Agreement (BAPA) with Network Rail to ensure the safety of the operational railway during these works.

Boundary Treatments, Landscaping and Lighting

5.3.4 Lighting -
Where lighting is to be erected adjacent to the operational railway, the potential for train drivers to be dazzled must be eliminated. In addition, the location and colour of lights must not give rise to the potential for confusion with the signalling arrangements on the railway.

Additional Requirements

5.3.5 Glint and Glare -
Details of any reflective surfaces such as glazing or metal proposed in the construction of the car park should be provided in order that we may ascertain the effect the proposal will have on the operation of the adjacent railway particularly in terms of signal sighting and driver distraction. Glare from reflective surfaces can dazzle and distract train drivers and conflict with railway signals. The applicant should supply further details on this point before we can comment further.

5.4 SBC Arboricultural Manager

5.4.1 No comments received at the time of drafting this report.

5.5 Environmental Health

5.5.1 No comments received at the time of drafting this report.

5.6 Stevenage Borough Council Planning Policy

5.6.1 No comments received at the time of drafting this report.

5.7 Stevenage Borough Council Car Parks Department

5.7.1 No comments received at the time of drafting this report.

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 July 2021. This largely reordered the policy substance of the earlier 2012 and 2019 versions of the NPPF albeit with some revisions to policy. The Council are content that 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 and the PPG, with which Members are fully familiar, are both material considerations to be taken into account in determining this application.

6.3 Planning Practice Guidance

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 (Adopted 2019)

Policy SP1: Presumption for Sustainable Development;
Policy SP2: Sustainable Development in Stevenage;
Policy SP3: A Strong, Competitive Economy;
Policy SP5: Infrastructure;
Policy SP6: Sustainable Transport;
Policy SP8: Good Design;
Policy SP11: Climate Change, Flooding and Pollution;
Policy GD1: High Quality Design;

Policy TC4: Station Gateway MOA;
Policy IT4: Transport Assessments and Travel Plans;
Policy IT5: Parking and Access;
Policy IT6: Sustainable Transport;
Policy IT8: Public Parking Provision;
Policy FP1: Climate Change;
Policy FP2: Flood Risk in FZ1;
Policy FP7: Pollution

6.5 Supplementary Planning Documents

Parking Provision and Sustainable Transport SPD (2020)
Developer Contributions SPD (March 2021)
Impact of Development on Biodiversity SPD (March 2021)

6.6 Community Infrastructure Levy (CIL)

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. The proposal would fall within 'all other development' of the respective charging schedule table. This would mean the scheme is liable for CIL but would not be required to pay monies as the charge is set at £0 per square metre.

7. APPRAISAL

7.1.1 The main issues for consideration in the determination of this application are its acceptability in land use policy terms, CIL and S106, design, layout and impact on the character and appearance of the area, impact on the amenity of neighbouring properties, impact on the railway network, impact on the highway network, access, parking, drainage and flooding, trees, landscaping, biodiversity and contamination.

7.1.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that all planning applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

7.2 Land Use Policy Considerations

7.2.1 The provision of a multi-storey car park (MSCP) is a key criterion of Local Plan Policy TC4 for the Town Centre Station Major Opportunity Area (MOA). The redevelopment of the train station area is key for the long term sustainability, vitality and strong economy of Stevenage. The National Planning Policy Framework (NPPF)(July 2021) is clear in its aim to build a strong and competitive economy. Paragraph 81 states that Local Authorities should do this by creating conditions, in which businesses can invest, expand and adapt, with significant weight being given to the need to support economic growth and productivity. Furthermore, when looking at town centre vitality, Paragraph 86 of the NPPF states that 'planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation'.

7.2.2 It is appreciated that the provision of a MSCP will not specifically meet these criterions. However, the Local Plan clearly outlines the objectives of the Station MOA as a whole (including a new station building and entrance, reconfiguring Lytton Way and seeing the demolition of the Arts and Leisure Centre) to allow for better connections from the train station in to the town centre, which is currently completely segregated by Lytton Way and the Arts and Leisure Centre.

- 7.2.3 Furthermore, the existing arrangements of surface level car parks squeezed between Lytton Way, the railway line and the Police Station tot eh north of Lytton Way, and the train station itself should be addressed to provide a more welcoming sight for patrons entering and leaving Stevenage by train. Policy TC4 states that planning permission will be granted for –
- A regenerated train station;
 - New bus station;
 - High-density Use Class C3 residential units;
 - New multi-storey or basement car parking;
 - New Use Class B1 office premises;
 - A new Use Class C1 hotel; and
 - New Use Class A1 and Use Class A3 restaurant and café uses.
- 7.2.4 The provision of a MSCP in this allocated station location will provide a key component of the MOA and is therefore considered to accord with the policy and is considered acceptable in principle.

7.3 CIL and S106

- 7.3.1 The Council adopted the Community Infrastructure Levy (CIL) on 1 April 2020 and the CIL Charging Schedule specifies a payment for new floorspace in line with the following rates (plus appropriate indexation):

Development Type	CIL Rate (£ per square metre)	
	Zone 1: Stevenage Central, Stevenage West Urban Extension and North of Stevenage Extension	Zone 2: Everywhere else
Residential		
Market housing	£40/m ²	£100/m ²
Sheltered housing	£100/m ²	
Extra care housing	£40/m ²	
Retail development	£60/m ²	
All other development	£0/m ²	

As a major development the scheme would be liable for CIL. However, no payment is considered to be required as the proposal falls in to the all other development category which has a rate of £0 per square metre of floorspace.

- 7.3.2 In March of this year the Council adopted their Developer Contributions SPD to set out the Council’s approach to the use of S106 agreements to secure developer contributions from new developments. One of the requirements of the SPD seeks developers of major sites to enter into a S106 to provide a Local Employment Strategy, attempting to employ local residents and provide apprenticeship opportunities. Where this is not possible, the SPD requires that the developer provide a financial contribution in lieu of not achieving either or both targets set out in the SPD. The applicant has agreed to enter into a S.106 agreement to secure a Local Employment Strategy for this development.

7.4 Design, Layout and impact on the character and appearance of the area

Policy background

- 7.4.1 Paragraph 126 of the NPPF states that “The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve”. It goes on to state that “good design is a key aspect of sustainable

development, creates better places in which to live and work and helps make development acceptable to communities”.

7.4.2 Paragraph 130 of the NPPF sets out a number of requirements for new development, including that development:

- will function well and add to the overall quality of an area;
- is visually attractive as a result of good architecture; layout and appropriate and effective landscaping;
- is sympathetic to local character and history;
- establishes or maintains a strong sense of place;
- optimises the potential of the site to accommodate and sustain an appropriate amount and mix of development;
- creates places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

7.4.3 Paragraph 131 of the NPPF places great importance on the role of trees in helping to shape quality, well designed places “Trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change”.

7.4.4 Paragraph 132 of the NPPF states that applicants “should work closely with those affected by their proposals to evolve designs that take into account of the views of the community. Applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot”.

7.4.5 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.

7.4.6 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.

7.4.7 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.

7.4.8 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.

Proposal

7.4.9 The proposed site layout includes the utilisation of the existing single vehicle access slightly south of the centre of the eastern boundary. Vehicles would enter the site and turn immediately left (south) where two lanes run parallel to two barriers. Vehicles would then make a 180 degree turn to head northwards towards the MSCP, with cycle parking running the length of the southern boundary. Disabled bays are located on the northerly approach to the MSCP, with motorised two wheel vehicle parking outside of the MSCP in this surface level parking area also. The southern elevation of the MSCP includes both the vehicle entrance and exit's, with a tower in the south western corner providing lift and stairwell access for pedestrians. Pedestrian access in the form of a stairwell only is provided in the north eastern corner of the building.

7.4.10 The MSCP itself would be six storeys in height with the top level having an elevation height of approximately 17.5m. The lift shaft would have a height of approximately 19.1m in the south western corner of the building only. The external appearance of the buildings would incorporate both different metallic finishes on the main MSCP elevations, with the south western and north eastern pedestrian accesses being finished in golden coloured precast concrete panels, utilising both a grooved texture and smooth finish.

7.4.11 The design context of the main eastern and western elevations seeks to re-create the famous car park in Liverpool that depicts a famous picture of screaming The Beatles fans. This image is created using punctuated steel, with differing sized holes within the metal, and using lighter and darker shades of steel across the elevation. The effect from further away is that of a picture. The design has come about after significant consultation by the Council's Regeneration Team with Senior members and the Council's Leader.

7.4.12 The images to be portrayed on the western elevation showcase Stevenage's standing in the historic Mars landings, and the production of such equipment in the Stevenage offices of Airbus and other world renown businesses resident in the town. These would be seen from anyone passing through the town on the train, and from users of the train station, Leisure Park and industrial units and offices off Fulton Close. The eastern elevation which faces and can be seen from the Tesco on the eastern side of Lytton Way would show the town's motto 'The heart of a town lies in its people'.

7.4.13 The two 'end' elevations facing south and north would be finished with a perforated aluminium and expanded mesh panels creating a 3D triangular and diamond pattern. This creates texture, form and visual interest. A MSCP has a very specific purpose and it can be difficult to create visually attractive buildings, given their nature, scale and typically prominent positions. The proposed design is considered acceptable and with the use of varying materials and finishes the building is deemed to be of a high quality. The Design and Access

Statement submitted shows the design evolution of the MSCP and its context and impact on the setting of the wider area.

- 7.4.14 Whilst there are no buildings of this size within close proximity of the site, it is recognised that this area of Stevenage is characterised by a variety of larger buildings, including the Leisure Park to the south west, the offices and units on Fulton Close, the Train Station building, the Police Station to the south, residential high rise flats to the north of Fairlands Way and Lytton Way, The Tesco Superstore to the east on the opposite side of Lytton Way, and the Arts and Leisure Centre also on the eastern side of Lytton Way.
- 7.4.15 Subsequently, whilst the six storey building is going to have a significant visual impact on the site, especially given its current surface level appearance, the impact is not considered to be detrimental such that a refusal is warranted. Moreover, the scheme meets a key policy requirement for the Station Gateway as identified in the adopted Local Plan.

7.5 Impact on the Amenity of Neighbouring Properties

- 7.5.1 The only nearby building that would be impacted by the proposed development is the Train Station itself. This includes the covered concourse leading from the main station entrance, waiting areas and café offering towards the bridge connection to the east of Lytton Way and the Arts and Leisure Centre. The MSCP is of sufficient distance from the train station that it would not adversely impact its users.

7.6 Impact on the Railway Network

- 7.6.1 The site is separated from the railway line and associated platforms at Stevenage Train Station by the footway/cycleway that runs north/south to the subways at Fairlands Way and Six Hills Way. Whilst not physically adjacent Network Rail land, they have been consulted on the application and have provided comments in return. They raise no objection in principle subject to the imposition of conditions relating to a Development Construction Phase and Asset Protection to ensure adequate consideration has been given to construction methodology, earthworks and excavations, use of crane, plant and machinery, drainage and boundary treatments.
- 7.6.2 Furthermore, conditions have been requested relating to lighting and materials to ensure the proposal does not cause a potential distraction to drivers through glint and glare, dazzling the drivers. These conditions are considered to be reasonable and should be imposed if members are minded to approve the application.

7.7 Impact on the Highway Network and Access

- 7.7.1 Paragraph 110 of the NPPF sets out four points by which applications should ensure compliance. These are –
- a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;
 - b) safe and suitable access to the site can be achieved for all users;
 - c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code; and
 - d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.
- 7.7.2 The NPPF follows up these points in Paragraph 111 by stating that ‘development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.’

7.7.3 The proposal would utilise the existing 'in' 'out' access off Lytton Way to the north of the train station drop off and taxi area. The TA does acknowledge the planned wider highway works in this area, including further works agreed as part of the new bus interchange being constructed on the eastern side, and southbound side of Lytton Way.

7.7.4 Works that will be impacted by the proposed development are the agreed alterations to the bus lane, including a bus gate. The TA has shown these changes in its modelled plans and the bus lane proposals are fully considered when establishing the likely impact of the MSCP development on nearby junctions.

Trip Generation

7.7.5 The TA presents a clear methodology for assessing the trip generation of the proposed car park, including examination of existing survey data and car parking which is being displaced as part of the SG1 Masterplan and bus station proposals in order to examine the overall impact of the proposed MSCP. The resulting assessment work considers the impact of the MSCP and examines the changes to the other town centre car parks. It is noted that the proposed 626 space MSCP is designed to replace the existing 339 space surface level car park, an increase of 287 car parking spaces.

The TA presents the trip generation exercise, as summarised below:

Table 3.1 Existing Car Park Arrivals and Departures

	Arrivals	Departures	Peak Occupancy
Weekday			
07:00-08:00	124	0	304 (90%)
08:00-09:00	64	3	
17:00-18:00	15	57	
18:00-19:00	14	71	
Saturday			
08:00-09:00	2	3	2

Table 6.1 Proposed MSCP Rail Commuter-based Trip Generation - Weekday

Time	Arrivals	Departures	Total
07:00-08:00	124	3	127
08:00-09:00	64	0	64
17:00-18:00	15	57	72
18:00-19:00	14	71	85
Daily	386	382	768

Table 6.2 Town Centre Car Park Trip Generation Transfer - Weekday

Time	Arrivals	Departures	Total
07:00-08:00	94	4	98
08:00-09:00	125	8	133
17:00-18:00	25	90	115
18:00-19:00	67	65	132
Daily	523	541	1,064

Table 6.3 Proposed MSCP Total Trip Generation - Weekday

Time	Arrivals	Departures	Total
07:00-08:00	218	7	225
08:00-09:00	189	8	197
17:00-18:00	40	147	187
18:00-19:00	81	136	217
Daily	909	923	1,832

7.7.6 The local highway authority has noted that from surveys conducted in July 2021 that the utilisation of the existing car park remains below pre-pandemic levels, and as such, survey data taken before the pandemic has been used to form the base of the future demand of the car park. The displacement of car parking from other town centre car parks (that are being closed), has been added to these figures and the methodology for attributing a transfer of car parking trips is satisfactory. In summary, the Highway Authority is content to accept the trip generation. The consultant's exercise to forecast future demand at the car park, both using existing (pre-pandemic) demand and examining the impact of trips displaced from other town centre car parks (to be closed) is reasonable.

Junction Modelling

7.7.7 As Table 7.2 below notes, a number of car parks are being removed with the regeneration proposals, including car parking accessed from the southbound Lytton Way carriageway.

Table 7.2 Peak Hour Demand of Car Parks to be Removed with Regeneration

Car Park	Parking Provision to be removed	AM Peak (08:00-09:00)				PM Peak (17:00-18:00)			
		Arrivals		Departures		Arrivals		Departures	
		No.	%	No.	%	No.	%	No.	%
Southgate	211	70	39%	10	91%	2	6%	63	49%
Swingate South	89	42	23%	0	0%	15	43%	27	21%
Swingate	13	9	-	4	-	34	-	35	-
Danesgate	76	34	19%	0	0%	4	11%	19	15%
Leisure Centre	90	33	18%	0	9%	14	40%	20	16%
Total² (Excl. Swingate)	479	179	100%	11	100%	35	100%	129	100%

7.7.8 The proposals have been considered in the context of the wider Masterplan proposals for SG1 in terms of the changes in overall parking numbers and the attendant effect on the local highway network. It is noted that for both the new bus interchange (accessed from Lytton Way) and the SG1 Masterplan proposals that extensive modelling work was undertaken modelling the Stevenage town centre area. The local highway authority further notes that the west side of Lytton Way is characterised by large areas of car parking. The redistribution of some car parking trips, for example, from car parks (formally) accessed from the eastern side of Lytton Way such as Swingate, Danesgate and the Leisure Centre to the proposed MSCP is likely to have little material effect on the local highway network, including on existing travel patterns in terms of car park usage.

Pedestrian Access

7.7.9 There is no footway on the Lytton Way site frontage and at the southern edge of the car park; there is currently an area of footway which connects into the railway station. Drawing number 014-FTK-MSCP-XX-SK-A-9040-P0 contained within the TA illustrates the proposed pedestrian link to the south of the site into the railway station. It is noted that to achieve a zebra crossing from the development site into the railway station will rely upon third party land outside of the public highway. Some changes will need to be made to the current arrangements within the Network Rail (Stevenage railway station) car park forecourt, such as the location of one of the cycle parking stores. The Highway Authority seeks further understanding on how pedestrian access may be achieved for persons wishing to access the footpath/cycleway which runs parallel to the railway line. As noted within the TA document, the car park is not intended for the exclusive usage of rail commuters, and some users may wish, for example, to use the footpath/cycleway to access the Old Town. It is noted that the footpath/cycleway running parallel to the proposed MSCP and railway forms a part of the highway network maintainable at public expense. A condition is proposed to be imposed to seek this information.

Car Park Management Plan

7.7.10 In keeping with other significant planning applications within the town centre, including the new bus interchange and the SG1 Masterplan, the local highway authority has recommended the inclusion of a Car Park Management Plan through imposition of a condition on any approval. This shall seek to coordinate the usage of the proposed MSCP with the other car parks available within the town centre. The highway officer also notes that the plan should present a plan to inform the public of changes to the existing parking arrangements during the construction period and direct users to alternative car parking facilities.

Construction

7.7.11 The local highway authority has recommended the imposition of a planning Condition requiring the provision of a Construction Traffic Management Plan, taking account of the changes made to Lytton Way as a result of the bus station planning application and ensuring that the proposals do not prejudice this route in any way, including the consideration of any necessary traffic management measures. The Highway Authority further notes on the site's western frontage the presence of the footpath/cycleway (forming a part of the public highway), and structures including a retaining wall (given the level difference between the existing surface level car park and footpath/cycleway). The document should seek to ensure that any necessary works that could be undertaken from this side are fully considered, including the necessary investigation of potential highway structures such as the retaining wall. The proposals should also seek to ensure that the existing route may continue to be facilitated safely.

7.8 Parking

7.8.1 The MSCP proposes a total of 626 parking spaces, including disabled spaces. The Council's adopted Parking Standards and Sustainable Transport Supplementary Planning Document

was adopted in September 2020 and sets out the Council's strategy for the promotion of sustainable modes of transport. As such many developments, predominantly in the town centre should seek to reduce parking numbers.

- 7.8.2 Clearly, the provision of a MSCP goes against this ethos. However, the Local Plan clearly outlines the need for a better car parking provision at the train station where people can continue their journeys in a sustainable fashion, either on the train, or by foot in to the town centre. The MSCP proposal also allows for non-car modes of transport including cycling, motorised two wheelers, and close proximity access to direct bus links throughout the Borough.
- 7.8.3 Table 5 within the SPD clarifies the provision required of non-residential uses. For Rail Stations the SPD advises that each case is assessed on its own merits. There is not therefore a set provision, as one might find with residential, retail or commercial uses. The application has been supported by a Transport Assessment which has demonstrated the extent of public parking provision in the town centre, and, has also shown the occupancy of the existing car park from February 2020 prior to the main extent of lockdowns as a result of the COVID-19 pandemic. This showed the main use of the car park by commuters, with a 90% occupancy of the car park on weekdays.
- 7.8.4 The proposed MSCP replaces the existing 339 space surface level car park. The increased number of spaces to be provided takes account of the closure of nearby public surface level car parks which form part of the wider Town Centre regeneration. It is envisaged that the proposed MSCP will be used by more than just commuters, allowing for parking for town centre users, especially when the improved pedestrian connections to the town centre come forward as per the Local Plan aims and as identified in the planning permission for the Bus Interchange which is under construction.
- 7.8.5 Of the 626 spaces proposed, 30 are dedicated disabled bays which accords with the 5% provision required under the SPD. Furthermore, some of these disabled spaces are dedicated electric vehicle charging points (EVCP), making up some of the required 20% of EVCP required within the SPD. It is disappointing that the TA provided fails to acknowledge the Council's adopted SPD and in particular the provision of EVCP within the scheme. However, notwithstanding this overlook, the proposed floor plans clearly show the intent to provide EVCP on the ground, first and second floors, with a total of 118 spaces within the MSCP marked as being EVCP's. This provision is 8 spaces short of a policy compliant 125.2 spaces. There is obviously allowance within the MSCP to increase the number of EVCP spaces to meet the 20% requirement, and thus it is not considered a reason to refuse the application.
- 7.8.6 The SPD also includes details on the provision of spaces for powered two-wheeler vehicles such as motorbikes and mopeds. The SPD states that developers should be expected to allow for around 5% of the total stock of publicly accessible vehicle parking spaces to be for motorcycle use. The proposal includes the provision of 25 motorcycle spaces which is just under the 5% advisement, but is considered acceptable in this case, complementing the existing provision at the train station.
- 7.8.7 In terms of cycle parking there is no specified provision for a MSCP. The proposal includes 87 standard cycle parking spaces, with non-standard spaces also proposed for cycles such as cargo cycles, trikes, etc. The cycle parking provision does not form part of the MSCP itself and would be located on the southern side of the site, accessed from the existing drop-off/taxi area at the station, allowing for direct access on the nearby cycleway which is considered more acceptable for connectivity purposes.

7.9 Drainage

- 7.9.1 Following the service announcement of the Lead Local Flood Authority that they are currently not providing a consultation service because of extreme resourcing issues and severe workload backlogs, the Council have appointed Wood Group UK Ltd to undertake drainage and flooding assessments of planning applications on the Council's behalf.
- 7.9.2 The proposed development seeks to utilise attenuation and discharge into an existing Thames Water sewer at a rate of 2 l/s. Agreement to this has been given by Thames Water subject to the imposition of conditions. This is noted in the Drainage Assessment submitted. The assessment carried out by Woods examines the possibility of infiltration, stating this was possibly ruled out too quickly as a possible means of drainage, and whilst accepting that the attenuation and discharge as a means of drainage is acceptable, and would sufficiently allow for drainage of the proposal, Woods do recommend that further consideration of infiltration is given by the applicant.
- 7.9.3 The LPA have been advised that conditions should be imposed if it is minded to grant permission for the proposed MSCP. These conditions would include seeking further details of the consideration of infiltration; detailed design of surface water run-off; and adoption and maintenance.

7.10 Trees, Landscaping and Biodiversity

- 7.10.1 The NPPF and accompanying Planning Practice Guidance requires the Council to achieve measurable net gains in biodiversity at development sites and across the Borough. To achieve a biodiversity net gain, a development must deliver a minimum of 10% net gain post development, when compared with the pre-development baseline. The Council's recently adopted Biodiversity SPD (2021) requires all major and minor applications other than the following exemptions currently suggested by the Government to demonstrate a net gain in biodiversity:
- i. Permitted development;
 - ii. Householder development, including extensions;
 - iii. Nationally significant infrastructure, which falls within scope of the Planning Act 2008;
 - iv. Some brownfield sites with marginal viability and substantial constraints. It is expected that full details to be set out in secondary legislation, but considerations are likely to include where sites contain a high proportion of derelict land and buildings and only a small percentage of the site is undeveloped, land values are significantly lower than average, and the site does not contain any protected habitats; and
 - v. Developments that would not result in measurable loss or degradation of habitat, for instance change of use of or alterations to building
- 7.10.2 Policy NH5 of the adopted Local Plan (2019) states that development proposals will be expected to protect and retain individual trees within the development site and should include new planting where appropriate.
- 7.10.3 The application site clearly has limited biodiversity as existing due to its use as a surface level car park. The boundaries are largely marked with small trees and landscaping, with more notable mature trees located to the north of the existing car park. These trees are sited in an area of the car park that does not form part of this application site, and thus are not affected by the proposal. There are some smaller trees which are currently located on small kerbed areas and to the front of the site adjacent Lytton Way which are marked as being removed, as well as some groups of trees and landscaping on the western boundary. The application has been supported by an Ecology Report and Arboricultural Tree Survey and Method Statement.

- 7.10.4 The Ecology Report does not undertake a Defra Matrix examination of the existing Biodiversity due to the site being identified as previously developed land where there would not be significant loss of habitat. It does, however, assess the likely impact on wildlife at the site, including making an assessment on bat roosting and bird nesting. The likelihood of bat roosting is noted as poor, with bird nesting possible but low. It is proposed to include soft landscaping as part of the development, to provide an offset to the trees to be removed. Furthermore as a Council owned and led scheme the development will be subject to the provision of a 3 to 1 replanting ratio, to be agreed and implemented by the Council's Tree Manager.
- 7.10.5 Comments from the Council's Tree Manager had not been received at the time of drafting this report. However, with a suitable landscaping plan to be approved, it is considered the proposal would not result in an unacceptable Biodiversity and Ecological development, subject to suitably worded conditions.

7.11 Sustainability and Climate Change

- 7.11.1 The application has been supported by a Design and Access Statement which considers sustainability and technology. The MSCP has been designed to include photo-voltaic solar panels on the roofs of the cores and above the centre ramp on the top deck. The electricity generated is for use within the MSCP, contributing towards the demand of the lighting and the EVCP facilities. Generated power can also be stored in the on-site secure battery room, to be used out of daylight hours or when demand exceeds live supply from the panels.
- 7.11.2 The sustainability and technology design principles continue to elaborate and propose the following further measures –
- Low energy LED lighting with motion sensors;
 - Natural ventilation;
 - Modular construction system including steel frame circa. 15% lower embodied carbon than a concrete frame structure;
 - Future reuse and recycling of a modular, lean frame system.
- 7.11.3 Given the very simple use of the building, and the absence of heating, mechanical ventilation or similar, the proposed measures to alleviate carbon production and reduce the developments impact on climate change are considered to be acceptable.

7.12 Contaminated Land

- 7.12.1 The whole of the site is previously developed and has been used for the purposes of parking vehicles. There is therefore some potential for contamination from petrol and diesel, however small. The application has been accompanied by Geo-environmental Assessments which have been considered. The drainage details include the provision of petrol filters to protect groundwater.
- 7.12.2 The results of the site investigation contained in the assessment indicate that relevant contaminant linkages are absent based on laboratory testing. Therefore, the site is suitable for the end purpose. The assessment continues to advise that if unforeseen contamination be encountered during development that relevant measures are undertaken through consultation with a specialist. Appropriate conditions can be imposed to ensure this occurs should contamination be found during the construction phase of the development with suitable remediation measures to be agreed in writing by the Council.

7.13 Human Rights and Equalities

- 7.13.1 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.

- 7.13.2 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. 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
- 7.13.3 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.
- 7.13.4 It is not considered the proposed development would impact upon the protected characteristics under the Equality Act. This is because the proposal actively provides disabled parking positioned in the main car parks of each unit, in addition, buildings will have level access for wheel chair users as well as internal lifts, etc.

8. CONCLUSIONS

- 8.1 The provision of a MSCP in this station location is in accordance with adopted policy. The scale, design and layout of the MSCP is considered to be of high quality and whilst visually intrusive in the landscape is not detrimental to the character and appearance of the area. The proposed parking arrangements meet the requirements as set out in the Parking Standards SPD for disabled parking, EVCP, motorised two wheelers, and standard and non-standard cycle parking. Other matters pertaining to drainage, landscaping and impact on the local highway have all been found to be acceptable.

9. RECOMMENDATIONS

- 9.1 That planning permission be GRANTED subject to the signing of a S106 Agreement in respect of the following –
- Local employment and apprenticeships;
 - S278 highway works.

And subject to the following conditions, with any amendments to the head of terms and/or conditions listed in this report, be delegated to the Assistant Director of Planning and Regulation:-

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

210311-FTK-MSCP-XX-DR-AX-30604; 210311-FTK-MSCP-XX-DR-AX-30603; 210311-FTK-MSCP-XX-DR-AX-30602; 210311-FTK-MSCP-XX-DR-AX-30601; 210311-FTK-MSCP-XX-DR-AX-30504; 210311-FTK-MSCP-XX-DR-AX-30503; 210311-FTK-MSCP-XX-DR-AX-30502; 210311-FTK-MSCP-XX-DR-AX-30501; 210311-FTK-MSCP-XX-DR-AX-30106; 210311-FTK-MSCP-XX-DR-AX-30105; 210311-FTK-MSCP-XX-DR-AX-30104; 210311-FTK-MSCP-XX-DR-AX-30103; 210311-FTK-MSCP-XX-DR-AX-30102; 210311-FTK-MSCP-XX-DR-AX-30101; 210311-FTK-MSCP-XX-DR-AX-30100; 210311-FTK-MSCP-XX-DR-AUTHOR-90603; 210311-FTK-MSCP-XX-DR-AX-90602; 210311-FTK-MSCP-XX-DR-AX-90601; 210311-FTK-MSCP-XX-DR-AX-90102; 210311-FTK-MSCP-XX-DR-AX-90101; 210311-FTK-MSCP-XX-DR-AX-90100; Arbtech AIA 01; Arbtech TPP 01.

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

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

REASON:- To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

- 3 No development shall take place (including site clearance) until a detailed Construction Management Plan (CMP) has been 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 Plan. The Construction Management Plan shall include details of the following:

- a) Phasing of the development of the site, including all highway works;
- b) Construction vehicle numbers, type, routing;
- c) Traffic and pedestrian management requirements;
- d) Construction and storage compounds (including areas designated for car parking);
- e) Siting and details of wheel washing facilities;
- f) Cleaning of site entrances, site tracks and the adjacent public highway;
- g) Timing of construction activities to avoid school pick up/drop off times;
- h) Provision of sufficient on-site parking prior to commencement of construction activities;
- i) Hoarding, fencing, gates and any necessary footway closures;
- j) Demonstrate consultation with the Asset Protection Project Manager at Network Rail;
- k) Details of consultation and complaint management with local businesses and neighbours; and
- l) A Site Waste Management Plan (SWMP) including mechanisms to deal with environmental impacts such as air quality and dust control measures, noise and vibration restriction measures, light and odour and predicted and latterly actual waste arisings and how this is to be managed and where it is sent to.

REASON:- In order to protect highway safety and the amenity of other users of the public highway and rights of way, in the interests of amenities of neighbouring properties, and in order to reduce the level of waste generated during groundworks and construction phases of development and to recycle all waste materials where possible.

- 4 No development shall take place until a detailed surface water drainage scheme has been prepared, submitted to and approved in writing by the Local Planning Authority. The scheme should consider infiltration as a means of discharge in accordance with BRE Digest 365.

REASON:- To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site and to reduce the risk of flooding to the proposed development and future users.

5 No development shall take place until a final design of the drainage scheme for the site based on the principles set out in Condition 4, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is occupied. The scheme shall include:

- Updated surface water drainage calculation and modelling for all rainfall events up to and including the 1 in 100 year plus climate change event, including infiltration options;
- If infiltration is demonstrated to be impractical, and the current proposal to discharge to sewer is maintained, demonstrate that there is sufficient gradient and self-cleansing velocities along the connecting pipe between the outfall/flow control structure at the attenuation tank and the connection to Thames Water's sewer, in accordance with the Sewers for Adoption guidance;
- Updated full detailed surface water drainage plan showing the proposed discharge point to Thames Water sewer, the location of the proposed SuDS features, the pipe runs, size and node numbers;
- Detailed engineering drawings of the proposed SuDS features including their, size, volume, depth and any inlet and outlet features including any connecting pipe runs, node numbers along with all corresponding detailed calculations/modelling;
- In case of informal flooding within the site this should be shown on a plan including extent and depth;
- Exceedance flow paths for surface water for events greater than the 1 in 100 year + climate change.

REASON:- To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site and to reduce the risk of flooding to the proposed development and future users.

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

- Provision of complete set of as built drawings including the final drainage layout for site drainage network;
- Maintenance and operational activities for the lifetime of the development;
- Arrangements for adoption and any other measures to secure the operation of the scheme throughout its lifetime.

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

7 No development shall take place until the developer shall has complied fully with the requirements of the Department for Transport's DMRB Standard BD 2: Technical Approval of Highway Structures. The Approval in Principle and Design and Check Certification, accompanied by full structural details, shall be submitted to and approved in writing by the Local Planning Authority. All works shall proceed in accordance with the details submitted and Construction Compliance certification and documentation submitted to the Local Planning Authority.

REASON:- To ensure construction of a satisfactory development and in the interests of highway safety.

8 The multi-storey car park hereby approved shall be constructed in accordance with the materials and finishes as set out in Drawing numbers 210311-FTK-MSCP-XX-DR-AX-30501, 210311-FTK-MSCP-XX-DR-AX-30502, 210311-FTK-MSCP-XX-DR-AX-30503 and 210311-FTK-MSCP-XX-DR-AX-30504 to the satisfaction of and unless otherwise agreed in writing by the Local Planning Authority.

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

- 9 No site clearance 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 0800 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.
- 10 No development shall take place until details of any external lighting have been submitted to and approved in writing by the Local Planning Authority. The details should ensure that there is no potential for train drivers to be dazzled by the location and colour of any proposed lighting at the site.
REASON:- To ensure the train drivers on the adjacent railway line and within Stevenage railway station do not become dazzled by any external lighting to the detriment of railway safety and the safety of users of the train station and trains passing through Stevenage railway station and in the interests of light pollution.
- 11 No development shall take place until details of any reflective surfaces such as glazing and/or metal proposed in the construction of the car park has been agreed by Network Rail to ensure that the proposal will not have a detrimental impact on the operation of the adjacent railway particularly in terms of signal sighting and driver distraction. The development shall thereafter be carried out in accordance with the approved details.
REASON:- To ensure the safety and operational needs and integrity of the railway.
- 12 Prior to the use of the development hereby permitted, the vehicular access shall be provided and thereafter retained at the position shown on the approved plan drawing number 210311-FTK-MSCP-00-DR-AX-30100 Rev P3. 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.
REASON:- To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway.
- 13 Prior to the commencement of the use hereby permitted, a visibility splay measuring 2.4m x 66m shall be provided to each side of the access 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.
REASON:- To ensure construction of a satisfactory development and in the interests of highway safety.
- 14 Prior to first occupation/use of the development, a Car Parking Management Plan relating to public car parking shall be submitted to and approved in writing by the Local Planning Authority. It shall include the following:
- i. Details of car parking allocation and distribution;
 - ii. Operational details, and integration with other Stevenage Borough Council managed car parks within the town centre area;
 - iii. Scheme for signing car park and any real time capacity information system;
 - iv. Provision for Electric Vehicle Charging Points (which will serve as dual charging points with the capacity) in accordance with the approved plans;
 - v. Details of the infrastructure that will be provided as part of the development and subsequently, both within the site and off site as necessary, to enable the capacity of vehicle charging provision to be increased to an agreed figure in the future; and
 - vi. Monitoring required of the Car Park Management Plan to be submitted to and approved in writing in accordance with a time frame to be agreed by the Local Planning Authority.

The Car Parking Management Plan shall be fully implemented before the development is first occupied or brought into use (and updated at stages to be agreed through the Masterplan

build out), in accordance with a timeframe agreed by the Local Planning Authority, and thereafter retained for this purpose.

REASON:- In the interests of highway safety and to ensure sufficient available on-site car parking and the provision of adequate electric vehicle charging points that meets the needs of occupiers of the proposed development and in the interests of encouraging the use of sustainable modes of transport.

- 15 Notwithstanding the details indicated on the approved drawings no on-site works above slab level shall commence until a detailed scheme for the offsite highway improvement works to include pedestrian access to the railway station and footpath/cycleway (on the site's western boundary), have been submitted to and approved in writing by the Local Planning Authority. Prior to first use of the car park, the scheme(s) shall be implemented in accordance with the approved details.

REASON:- To ensure construction of a satisfactory development and that the highway improvement works are designed to an appropriate standard in the interest of highway safety and amenity.

- 16 Prior to the first occupation of the development hereby permitted full details of the secure and covered cycle parking stores shall be submitted to and approved in writing by the Local Planning Authority. Details shall also include how the stores are to be managed and maintained. The cycle stores shall thereafter be completed and ready for use in accordance with the approved details and thereafter retained for the sole use of cycle parking.

REASON:- To ensure adequate secure and covered cycle parking provision is available at all times to promote sustainable modes of transport.

- 17 The development hereby approved shall be constructed in accordance with the measures to address adaptation to climate change as laid out in the Design and Access Statement to include the following:

- Low energy LED lighting with motion sensors;
- Natural ventilation;
- Modular construction system including steel frame circa.

These measures shall then be permanently maintained in accordance with the approved details.

REASON:- To ensure the development is adaptable to climate change through provision of energy and water efficiency measures.

- 18 No development shall take place until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be completed in accordance with the approved plans.

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

- 19 All planting, seeding and turfing comprised in the approved landscaping details as agreed under condition 18 of this approval shall be carried out in the first planting and seeding seasons following the first occupation of the development hereby permitted or, the completion of the approved development whichever is the sooner.

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

- 20 All hard surfacing comprised in the approved landscaping details as specified in condition 19 of this approval shall be carried out prior to first occupation of the development hereby permitted or, the completion of the approved development, whichever is the sooner.

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

- 21 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.

- 22 No tree shown retained on the approved plans, or subsequently approved landscaping scheme, shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped within five years of the completion of development without the written approval of the Local Planning Authority.
REASON:- To ensure the protection of those trees which should be retained in the interests of visual amenity.
- 23 All areas of hedges, scrub or similar vegetation where birds may nest which are to be removed as part of the development, are to be cleared outside the bird-nesting season (March - August inclusive) or if clearance during the bird nesting season cannot be reasonably be avoided, a suitably qualified ecologist will check the areas to be removed immediately prior to clearance and advise whether nesting birds are present. If active nests are recorded, no vegetation clearance or other works that may disturb active nests shall proceed until all young have fledged the nest.
REASON:- Nesting birds are protected from disturbance under the Wildlife and Countryside Act 1981 (As amended).
- 24 Following removal of the identified trees in the Arboricultural Method Statement (AMS) and before any development commences, including any site clearance, all retained trees identified in the AMS shall be protected in accordance with the details as approved in the AMS. The protection measures shall be maintained until the conclusion of all site and building operations, unless otherwise agreed by the Local Planning Authority
REASON:- To ensure that the retained tree(s) are not damaged or otherwise adversely affected during site operations.
- 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 ensure that the site does not pose any risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is completed.
- 26 In the event that contamination is found at any time when carrying out the approved development that was not previously identified, 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 In the event that contamination is found at any time when carrying out the approved development that was not previously identified, as required under condition 25, 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.

The Council has acted Pro-Actively for the following reason:-

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

INFORMATIVE

1 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 Hertfordshire County Council as Highways Authority

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/businessanddeveloper-information/development-management/highways-developmentmanagement.aspx> or by telephoning 0300 1234047.

- 3 **Hertfordshire County Council as Highways Authority**
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 **Hertfordshire County Council as Highways Authority**
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.
- 5 **Hertfordshire County Council as Highways Authority**
Debris and deposits on the highway: It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made up carriageway, or any or other debris on a highway to the interruption of any highway user. 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 and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.
- 6 **Network Rail**
Fail Safe Use of Crane and Plant: All operations, including the use of cranes or other mechanical plant working adjacent to Network Rail's property, must at all times be carried out in a "fail safe" manner such that in the event of mishandling, collapse or failure, no materials or plant are capable of falling within 3.0m of the nearest rail of the adjacent railway line, or where the railway is electrified, within 3.0m of overhead electrical equipment or supports.
- With a development of a certain height that may/will require use of a crane, the developer must bear in mind the following. Crane usage adjacent to railway infrastructure is subject to stipulations on size, capacity etc. which needs to be agreed by the Asset Protection Project Manager prior to implementation.
- 7 **Network Rail**
Excavations/Earthworks: All excavations/ earthworks carried out in the vicinity of Network Rail property/ structures must be designed and executed such that no interference with the integrity of that property/ structure can occur. If temporary works compounds are to be located adjacent to the operational railway, these should be included in a method statement for approval by Network Rail. Prior to commencement of works, full details of excavations and earthworks to be carried out near the railway undertaker's boundary fence should be submitted for the approval of the Local Planning Authority acting in consultation with the railway undertaker and the works shall only be carried out in accordance with the approved details. Where development may affect the railway, consultation with the Asset Protection Project Manager should be undertaken. Network Rail will not accept any liability for any settlement, disturbance or damage caused to any development by failure of the railway infrastructure nor for any noise or vibration arising from

the normal use and/or maintenance of the operational railway. No right of support is given or can be claimed from Network Rail's infrastructure or railway land.

8 **Network Rail**

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

9 **Network Rail**

Demolition: Any demolition or refurbishment works must not be carried out on the development site that may endanger the safe operation of the railway, or the stability of the adjoining Network Rail structures. The demolition of buildings or other structures near to the operational railway infrastructure must be carried out in accordance with an agreed method statement. Approval of the method statement must be obtained from Network Rail's Asset Protection Project Manager before the development can commence.

10 **Network Rail**

Vibro-impact Machinery: Where vibro-compaction machinery is to be used in development, details of the use of such machinery and a method statement should be submitted for the approval of the Local Planning Authority acting in consultation with the railway undertaker prior to the commencement of works and the works shall only be carried out in accordance with the approved method statement.

11 **Network Rail**

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

12 **Network Rail**

Bridge Strikes: Applications that are likely to generate an increase in trips under railway bridges may be of concern to Network Rail where there is potential for an increase in 'Bridge strikes'. Vehicles hitting railway bridges cause significant disruption and delay to rail users. Consultation with the Asset Protection Project Manager is necessary to understand if there is a problem. If required there may be a need to fit bridge protection barriers which may be at the developer's expense.

13 **Network Rail**

Abnormal Loads: From the information supplied, it is not clear if any abnormal loads will be using routes that include any Network Rail assets (e.g. bridges and level crossings). We would have serious reservations if during the construction or operation of the site, abnormal loads will use routes that include Network Rail assets. Network Rail would request that the applicant contact our Asset Protection Project Manager to confirm that any proposed route is viable and to agree a strategy to protect our asset(s) from any potential damage caused by abnormal loads. I would also like to advise that where any damage, injury or delay to the rail network is caused by an abnormal load (related to the application site), the applicant or developer will incur full liability.

14 **Network Rail**

Two Metre Boundary: Consideration should be given to ensure that the construction and subsequent maintenance can be carried out to any proposed buildings or structures without adversely affecting the safety of, or encroaching upon Network Rail's adjacent land, and therefore all/any building should be situated at least 2 metres from Network Rail's boundary. This will allow construction and future maintenance to be carried out from the applicant's land, thus reducing the probability of provision and costs of railway look-out protection, supervision and other facilities necessary when working from or on railway land.

15 **Network Rail**

Encroachment: The developer/applicant must ensure that their proposal, both during construction, and after completion of works on site, does not affect the safety, operation or integrity of the operational railway, Network Rail and its infrastructure or undermine or damage or adversely affect any railway land and structures. There must be no physical encroachment of the proposal onto Network Rail land, no over-sailing into Network Rail airspace and no encroachment of foundations onto Network Rail land and soil. There must be no physical encroachment of any foundations onto Network Rail land. Any future maintenance must be conducted solely within the applicant's land ownership. Should the applicant require access to Network Rail land then must seek approval from the Network Rail Asset Protection Team. Any unauthorised access to Network Rail land or airspace is an act of trespass and we would remind the council that this is a criminal offence (**s55 British Transport Commission Act 1949**). Should the applicant be granted access to Network Rail land then they will be liable for all costs incurred in facilitating the proposal.

16 **Network Rail**

Access to the Railway: All roads, paths or ways providing access to any part of the railway undertaker's land shall be kept open at all times during and after the development.

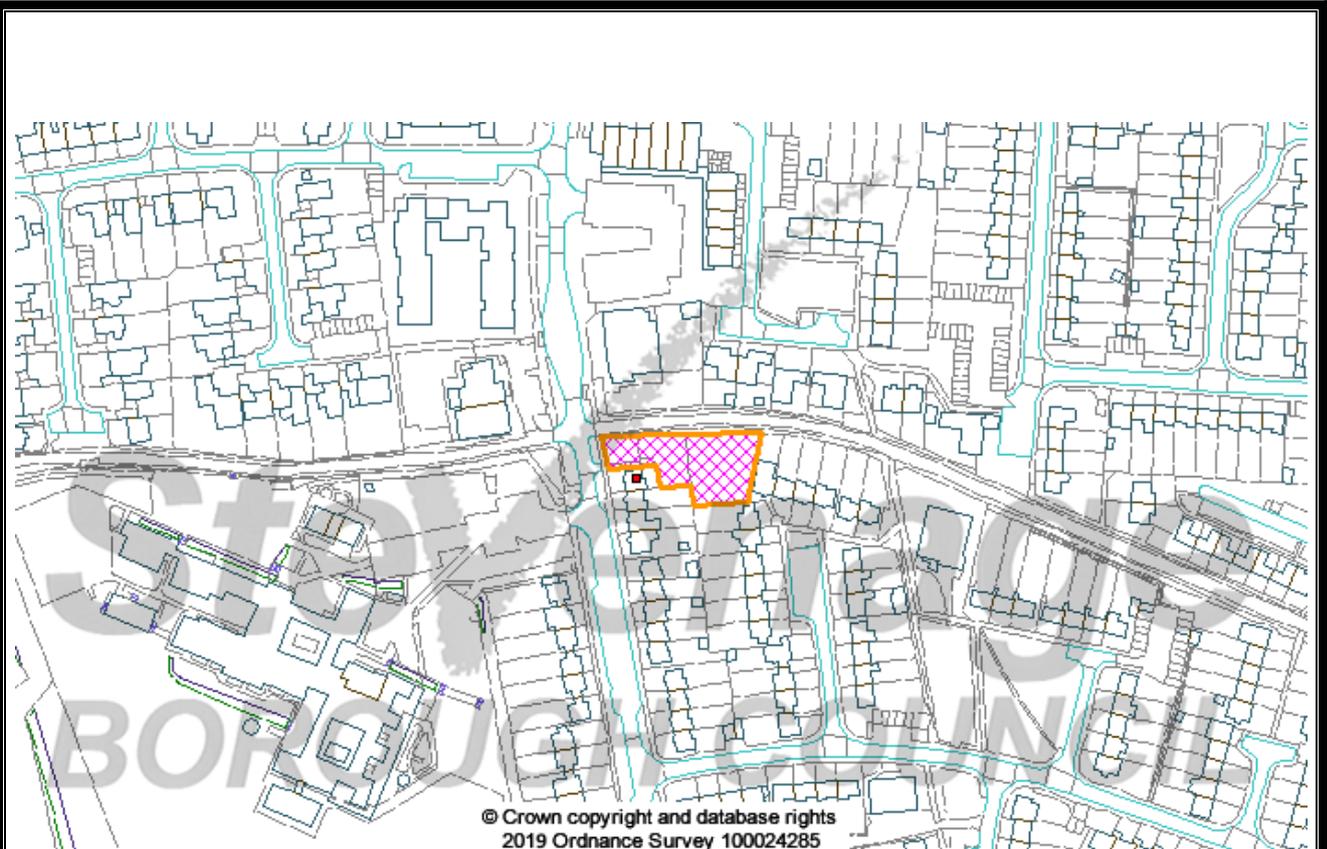
10. BACKGROUND DOCUMENTS

1. The application file, forms, plans and supporting documents having the reference number relating to this item.
2. Stevenage Borough Local Plan 2011 to 2031 adopted 2019.
3. Stevenage Borough Council Supplementary Planning Documents – Parking Provision adopted October 2020, Developer Contributions adopted March 2021, Impact of Development on Biodiversity adopted March 2021.
4. Responses to consultations with statutory undertakers and other interested parties referred to in this report.
5. Hertfordshire County Council's Local Transport Plan 4 adopted May 2018
6. Central Government advice contained in the National Planning Policy Framework July 2021 and Planning Policy Guidance March 2014.

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Meeting:	Planning and Development Committee	Agenda Item:
Date:	11 January 2022	
Author:	James Chettleburgh	01438 242266
Lead Officer:	Zayd Al-Jawad	01438 242257
Contact Officer:	Linda Sparrow	01438 242837

Application No:	21/01204/FPM
Location:	Land adjacent to 108 Oaks Cross, Stevenage.
Proposal:	Erection of 11no. modular homes (Use Class C3) and associated works.
Drawing Nos.:	21046wd2.01 A; 21046wd2.03 A; C7472/CE1; C7472/CE2; CHM-01 D5; CHM-83 D7; CHM-88 D4; CHM-89 D3; CHM-90 D3; CHM-D-02 D04; HILL23495-11A; HILL23495-12A; 9103-D-AIA A.
Applicant:	Stevenage Borough Council
Date Valid:	8 November 2021
Recommendation:	GRANT PLANNING PERMISSION.



Plan for information purposes only

1. SITE DESCRIPTION

- 1.1 The application site is located within Oaks Cross and comprises a 0.1ha area of land. The site is located adjacent to an Ancient Lane with associated hedgerow located to the north. The site comprised, before it was cleared and enclosed by a 1.8m high close board fence with concrete gravel board and posts, a detached garage and areas of hardstanding were present within the site. In terms of access, the site is served by an existing vehicular access off Oaks Cross. The site is adjoined to the south by 108 Oaks Cross which is a two-storey end of terrace dwellinghouse. The remaining area of the site is laid out to grass with a number of trees which run parallel along the sites northern border.
- 1.2 The surrounding area is characterised by predominantly two-storey dwellinghouses and to the north beyond the Ancient Lane with associated hedgerow lies the Pied Piper Public House. This also forms part of Oaks Cross neighbourhood centre which comprises three-storey buildings with ground floor retail with flats above which form a perimeter around a centralised parking court. To the north-west beyond the main highway lies Longmeadow Evangelical Church and to the west is Longmeadow Primary School.

2. RELEVANT PLANNING HISTORY

- 2.1 There is no relevant planning history for this site.

3. THE APPLICATION

- 3.1 This application seeks planning permission to demolish the existing garage and to erect 11 no. modular units that will be reserved for, and, occupied by the homeless. The homes would be sited around a private access and there would be the provision of associated cycle parking, a communal Air Source Heat Pump, soft and hard landscaping and associated parking.
- 3.2 The proposed units would have a floor area of 24 sq.m and be single-storey in height. These units have been designed as single accommodation and would comprise a sleeping area, kitchen and living area, together with a shower room and WC. The units will be fitted out with a fridge/freezer, washing machine and other essential items such as cutlery, plates and bed linen.
- 3.3 This application comes before the Council's Planning and Development Committee as the application is a Major residential development. In addition, the applicant is Stevenage Borough Council and objections have been raised against the application.

4. PUBLIC REPRESENTATIONS

- 4.1 Following notification of the application via letter, the erection of a site notice and being publicised in the local press, six representations against the application have been received. A summary of the objections raised are as follows:-

- Loss of light and overshadowing;
- Security;
- Noise and disturbance;
- Hazardous materials and generation of unacceptable levels of waste;
- Unacceptable generation of odours;
- Loss of trees;
- Overdevelopment of the site;
- Road access;
- Anti-social behaviour and increase in crime;
- Pose a safety issue for children who attend the nearby school;

- Need for supervision of future residents;
- A need for higher fencing for privacy and sound reduction;
- Impact on property values;
- Lack of consideration for local residents;
- Insufficient parking;
- Will impact on the operation of the highway through on-street parking;
- A need for increased police activity;
- The location of the homeless shelter is unacceptable to local residents due to proximity to existing local residents and the school;
- The houses should be located in a less residential area;
- Resources should really go towards rehabilitation of the homeless.

4.2 The aforementioned is not a verbatim of the objections which have been raised. Full copies of the representations received can be viewed on the Council's website.

5. CONSULTATIONS

5.1 Hertfordshire County Council as Highways Authority

5.1.1 Subject to the imposition of conditions and informatives, it is not considered that the proposed development would have an unreasonable impact on the safety and operation of the adjoining highways and consequently do not have any objections on highway grounds.

5.2 Hertfordshire County Council as Lead Local Authority

5.2.1 The Lead Local Authority (LLFA) is unable to respond to any new consultations. It is recommended to review their guidance on SuDS, Flood Risk management and Climate Change allowances. In addition, consideration of sites with ordinary water courses which will require Section 23 Consent under the Land Drainage Act 1991 from the LLFA where an ordinary watercourse is contained within a site.

5.2.2 When the LLFA has cleared their backlog on consultations, they will be working on the principle of addressing the most significant cases, triaging and prioritising. This means that for many applications, the LLFA will not be able to provide detailed comments or input. For this site the LLFA advise that the LPA require evidence of infiltration to BRE Digest 365 standards ensure the site can drain feasibly. As such, the LLFA would not consider a discharge mechanism to have been proven at present. Infiltration testing should be conducted at the proposed depth of infiltration and ideally in the same location. Moreover, runoff generated on all road areas on site including the access road and parking spaces should receive robust treatment prior to the final discharge.

5.3 Wood Group UK Ltd (Drainage Consultants)

5.3.1 The Drainage Statement extends to a total of 12 pages (including cover pages, contents and appendix cover sheets and two appendices (Appendix 1 comprising a Drainage (layout) Plan and Appendix 2 a data sheet for a proprietary product known as a 'Terrain Reduced Flow Rainwater Outlet' which is indicated as relating to the proposed 'blue roofs'). The technical content of the Drainage Statement is covered in 17 paragraphs.

5.3.2 A SuDS approach is proposed, comprising blue roofs for all buildings, permeable paving slabs and blocks for all hard ground surfaces, and infiltration by way of soakaway for the discharged surface water. Whilst the principle of infiltration would be supported as a sustainable approach to discharge, no evidence that such an approach would be suitable at the site has been provided. No details regarding the permeability of the underlying ground, contamination status, aquifer vulnerability, nor depth to groundwater have been presented in the Drainage Statement. The Contamination Assessment indicates that the site is

underlain by superficial deposits comprising glaciofluvial sand and gravel, which is classed as a Secondary A Aquifer, overlying bedrock geology comprising the HolyWell Nodular Chalk Formation and the New Pit Chalk Formation, a Principal Aquifer.

- 5.3.3 This geology should support infiltration, however, the Contamination Assessment indicates that the site is located in the Total Catchment of a groundwater Source Protection Zone and within an area at moderate risk of groundwater flooding, the implications of where are not considered in the Drainage Statement. Dimensions of the soakaway (cellular storage tank, 5m long, 3.5m wide and 0.8m deep, i.e. a total volume of 14m³) appear to be indicated in an accompanying Drainage Plan (DRG no. C7472/CE1, dated 21/10/2021), but no calculations are provided to support the sizing of this. It appears that no infiltration testing has been carried out to inform the dimensions proposed. There is no mention of any allowance for increase in rainfall intensity as a result of climate change. We would advise the LPA to require evidence of infiltration to BRE Digest 365 standards ensure the site can drain feasibly.
- 5.3.4 As such, we would not consider infiltration as a discharge mechanism to have been demonstrated as feasible at present. Infiltration testing should be conducted at the proposed depth of infiltration and ideally in the same location. A holistic approach to infiltration and ground conditions should be taken, whereby the contamination assessment takes account of the risk to groundwater associated with the proposed method of discharge (to the ground), and the proposed method of discharge is informed by the findings of the ground investigation/contamination assessment, including existing contaminative status, and depth to groundwater. Demonstration that runoff generated from road areas on site, including the access road and parking spaces, would have undergone suitable treatment prior to discharge should also be provided.
- 5.3.5 A greenfield run-off rate of 0.15 l/s is presented for the 1 in 1 year event, but no explanation is provided as to how this was determined. Based on a reported site area of 0.1087ha, this would relate to a low discharge rate of 1.38 l/s/ha for the 1 in 1 year event, which would be consistent with a permeable substrate capable of supporting an infiltration-based approach to discharge.
- 5.3.6 The Drainage Statement also indicates that all modular units would be served by 'blue roofs' (with attenuation provided on the roof of the building structures) and permeable paving (slabs or blocks) for all other hard surfaces. Presumably all other land cover would remain paving and landscaping, with no other hardstanding surfaces) would require minimal soakaway storage volume, thereby reducing any concerns relating to the lack of calculations to support the proposed dimensions of the soakaway. Furthermore, the Drainage Plan indicates that there would be scope to increase the size of this cellular storage tank if necessary (alongside potentially increasing its depth).
- 5.3.7 Despite not being referred to in the Drainage Statement, an engineering drawing showing typical drainage details for chambers, gullies, rodding points, pipe bedding and a cross section of the permeable paving was provided with the application. The suitability of these typical details for application at this site has not been discussed. For example, whether the depth of subgrade proposed for the permeable paving would be suitable for the proposed ground conditions and likely loadings on-site, for which no accompanying evidence has been provided to support the proposed design.
- 5.3.8 It is recommended that a Planning Condition requiring details of the proposed surface water drainage at the site, to be prepared in consultation with the Lead Local Flood Authority, be attached to any permission.
- 5.3.9 The proposed development falls entirely within Flood Zone 1, therefore passes the sequential test. The site use is considered appropriate within this flood zone under NPPF

guidance, meaning completion of the Exception Test is not required. The local policy requires that the approaches to both attenuation and disposal of surface water runoff follow standard hierarchies as set out in the SuDS Manual. Subject to provision of further details justifying the approach, these hierarchies have been followed.

5.3.10 Based on the review of the proposal set out in the FRA/DS we recommend the following conditions to the Local Planning Authority, should planning permission be granted.

- Infiltration Testing;
- Details design of the surface water run-off scheme;
- Adoption and maintenance.

5.4 Council's Environmental Health Section

Comments received 05 November 2021

5.4.1 Having read the noise assessment from Cass Allen (report ref. RP01-21155-R0). My main concern is the potential noise impact on the proposed dwellings from the existing commercial premises adjoining the site (the Pied Piper public house). This has been considered in the noise assessment report which recommends 'upgrading' the sound insulation to the modular homes and makes suggestions for the glazing configuration and wall construction that would result in acceptable internal noise levels.

5.4.2 However, when occupants open their windows they will be exposed to indoor noise levels well above the level referenced in the report (paragraph 5.5). This could give rise to future occupants of the site making complaints to the Council about noise from the pub, particularly during the summer months when occupants are likely to want to keep their windows open for much of the time and the pub beer garden adjacent to the site would generally be busier with customers. I note that Blocks C and D on the 'Proposed Site Layout' plan (Drawing no. 21046Wd201) are most likely to be affected by noise from the pub.

5.4.3 Given the above, I have recommended a condition in relation to the mitigation of noise from the existing commercial premises, if planning permission is granted. In relation to a scheme of noise mitigation measures, reliance on sound insulation of the proposed dwellings – assuming that this can be upgraded as suggested in the noise report, given that they are modular units – and on future occupants keeping their windows closed to achieve acceptable internal noise levels is not an ideal approach. An assessment should be made to determine whether other measures such as changes to the proposed site layout or the use of screening between the site and the adjoining commercial premises could achieve acceptable internal noise levels without reliance on windows to the dwellings being kept closed.

Comments received 22 December 2021

5.4.4 I have considered the additional information provided in the 'addendum' from Cass Allen to their noise assessment (RP01-21155-R0). With regard to noise from the pub adjacent to the site, I note the comments about the existing 'noise barrier' in place and the unfeasibility of achieving a significant further reduction in noise levels through either additional screening or site layout. I also note the comments about the overheating assessment that has been carried out for the proposed dwellings, indicating a reduced need for windows to be opened to maintain a comfortable indoor temperature.

5.4.5 In relation to noise from the MVHR, the addendum refers to a suggested specification for noise attenuation for the supply and extract ducting that would achieve the reference internal noise levels and states that the project team have agreed to include this in the design.

5.4.6 On the basis of the additional information provided and that the Council – via Housing Development – will be able to have oversight to ensure that the agreed design specifications for the MVHR, glazing and external wall construction of the modular units will achieve the noise limits set out in the noise assessment and addendum, I am in agreement that pre-commencement conditions for noise do not need to be included if planning permission is granted.

5.5 Police Crime Prevention Design Advisor

5.5.1 Thank you for inviting me to comment on the proposal to install eleven self-contained modular housing units at the above location. I have studied the documentation on the council's planning website and have the following comments to make. Having contacted the company responsible for constructing the units, Volumetric, for further information I am pleased to say that these units will be compliant with the Police preferred minimum security standard that is Secured by Design (SBD) Silver award.

5.5.2 I would therefore encourage the applicant to contact me, once planning permission has been granted with a view to seeking to achieve SBD accreditation. My only substantive concern is regarding the cycle storage provision, as this appears to be a storage rack that is open to the elements and not in a secure building. The reason for my concern is that cycle theft is a regular prevalent crime. In order to mitigate this, I would recommend that the cycle storage be in a secure storage building that is fitted with suitable secure racks (see the SBD guidance Home 2019 for further information or contact the local Crime Prevention Design Advisor at the Constabulary HQ). If this is done then the site should be able to achieve the SBD Gold award.

5.5.3 In view of the comments above the Police Crime Prevention Design Service (CPDS) support this application. We would request that an Informative be added to the grant of planning permission that Prior to construction the applicant will contact the Hertfordshire Constabulary CPDS with a view to seeking to achieve accreditation to the Police preferred minimum security standard that is Secured by Design. The reason for this is to ensure that the development is compliant with both National and Local Planning Policies, in addition, this will also demonstrate the discharge of obligations under Approved Document Q Security of Building Regulations.

5.6 Thames Water

5.6.1 With regard to surface water drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Management of surface water from new developments should follow Policy SI 13 Sustainable drainage of the London Plan 2021. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required.

5.6.2 There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way.

5.6.3 Thames Water would advise that with regard to the waste water network and sewage treatment works infrastructure capacity, Thames Water would not have any objection to the above planning application, based on the information provided.

5.7 Herts and Middlesex Wildlife Trust

- 5.7.1 The applicant needs to submit a Biodiversity Net Gain Assessment. In accordance with the NPPF and Stevenage Planning and Biodiversity SPD and NE biodiversity metric must be used to assess the net impact of the development on biodiversity. It is expected to result in a small net loss in accordance with the submitted ecological report (Chapter 5.4, RPS). The report suggests that any shortfall can then be delivered on SBC land. This is acceptable and should be secured by condition e.g. derived from the template conditions contained in the Stevenage Planning and Biodiversity SPD.
- 5.7.2 The biodiversity metric should be completed before a decision can be made because proof of net gain is a requirement of planning and the figure that it generates must be included in the condition. A net gain is the baseline habitat score plus 10%.

5.8 Council's Parks and Amenities Section

- 5.8.1 Following a review of the application, there are no concerns with the proposal. It is noted that there is the intention for the landscaping to be managed and maintained by a management company.

5.9 Affinity Water

- 5.9.1 Following a review of the application, there are no comments to make.

5.10 NHS East and North Hertfordshire CCG

- 5.10.1 On this occasion, there is no request for developer contributions for Primary Care/GP, Acute, Community or Mental Health. There are no other observations to comment on.

5.11 Council's Waste Section

- 5.11.1 From what I can see, we have only allowed for 3x 1100ltr bins, which is fine. However we haven't allowed for any recycling, we would require space for at least 6x 360ltr bins. As the development is for homeless/single occupancy, there would still be a need for recycling requirements, but there can be a reduction from 3x 1100ltr bins for general waste down to 2x 1100ltr bins.

5.12 Council's Estate Department

- 5.12.1 No comments to make.

5.13 Council's Arboricultural Manager

- 5.13.1 I welcome the amendments on this latest plan, in particular because Block C appears to have been moved back from mature Hornbeam tree T003 which now will remain in situ and be protected (RPA, etc.). It also appears that the mature Cherry tree to the left rear corner of the site is being retained which is also welcomed. As already agreed last year (and you kindly funded), this tree (T003) should be overall reduced, and ivy killed off, sometime late January 2022 which will reduce the tree encroachment onto the proposed development and also compensate for any minor root damage during the construction stage.
- 5.13.2 Approximately a year ago, the overgrown vegetation (bramble and weeds) in the lane was cut back. On the cleared banks, also last winter, we planted some 300-400 new whips. Whilst they are currently still small, approximately 2-3 feet tall, the whips will eventually grow, in the next 4-5 years and recreate two rows of native hedgerow (Hawthorne, Blackthorn, Hazel and Field Maple) instead of the regrown mass of bramble.

5.13.3 With regards to the offer to plant more trees in the area, to compensate for the Acers removed at the front of the site, I would be minded to accept the 300-400 whips (trees) in the lane, already paid for and planted, as a replacement in advance, with no need, in my mind, for further planting.

5.13.4 There is a small error on the submitted Arboricultural Impact Assessment (AIA), in that the two trees now to be retained (T003 and T008) show as retained on the plans but the AIA has not been updated to reflect this and they are shown to be removed. This will need updating before sending to the Arboricultural Contractor.

5.14 Pre-application Consultation by SBC Housing Development (the Applicant)

5.14.1 Prior to the submission of a planning application, the Housing Development team conducted consultation with residents and organisations in the local area. Information was provided to key stake holders, including those residents in the local area on Raban Close and along Oaks Cross. As well as this, the school, nearby church and ward members were also consulted. This included:

1. Delivering 26 letters to residents outlining detailed plans of the scheme, including proposed usage and providing various means for residents to engage with us if they wished to learn more, including telephone and email correspondence.
2. Delivering letters to the Longmeadow Evangelical Church, Longmeadow Primary school, Barnardo's family support group and the Playhouse pre-school.
3. Responding to queries sent to the housing development inbox
4. Responding to telephone enquiries

5.14.2 As a result of this consultation exercise, a total of two residents responded asking for some additional information on the proposals which were provided and any questions were answered. The scheme received no objections from the local ward Members, with the one Member articulating that they were happy with how the scheme was progressing.

5.14.3 In terms of the response from local community groups, a follow up visit was arranged with the local school to answer a variety of questions in regards to the development. The local church also contacted us to offer their full support for the proposals.

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 July 2021. This largely reordered the policy substance of the earlier 2012 version of the NPPF albeit with some revisions to policy. The Council are content that 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.

- 6.2.2 Since November 2018, housing delivery has been measured against the Housing Delivery Test (HDT) as set out by the Government planning policy and guidance. The results of the HDT dictate whether a local planning authority should be subject to consequences to help increase their housing delivery. Where an authority's HDT score is less than 85% of its housing requirement, the Council must incorporate a 20% buffer into its housing supply calculations in line with paragraph 73 of the NPPF. Where an authority's score is below 75%, the Council will be subject to the HDT's most severe penalty and must apply the presumption in favour of sustainable development. The latest HDT results, published by the Ministry of Housing Communities and Local Government (MHCLG) (**now the Department for Levelling Up, Housing and Communities**) in January 2021, identifies that Stevenage only delivered 64% of its housing requirement. This is significantly below the 75% target and renders the adopted Local Plan housing policies as out of date. Consequently, Stevenage Borough Council must apply the presumption in favour of sustainable development in its decision making and give great weight towards the need to deliver housing.
- 6.2.3 The Council therefore, has to prepare an Action Plan to show how the Council is responding to the challenge of ensuring more homes are delivered in the Borough. It will have to be prepared in accordance with Planning Practice Guidance and analyse the reasons for under-delivery of new homes against the Government's requirements. It also has to set out clear actions on how to improve housing delivery. Consequently, Stevenage Borough Council is considering its position in relation to preparing an action plan to enhance housing supply on deliverable sites.
- 6.2.4 In terms of 5 year land supply, the Council has recently published the Five Year Land Supply Update (August 2021) which reveals that Stevenage has a 5.85 year supply of housing. A copy of the statement is found on: <https://www.stevenage.gov.uk/documents/planning-policy/monitoring/five-year-housing-land-supply-position-statement-august-2021.pdf>
- 6.2.5 However, since the Land West of Lytton Way (APP/K1935/W/20/3255692) appeal decision has been quashed by a High Court Consent Order, the Council will need to prepare an updated 5 year land supply report. This is because the Council can now only demonstrate a 5.20 year supply of housing following the quashing of the appeal decision.
- 6.2.6 The Council will also be commencing preliminary work into a potential review of its Local Plan, last adopted in May 2019. This is to ensure the policies within the Local Plan are up to date in accordance with the NPPF as well as ensuring the Council is delivering a sufficient supply of housing and employment.

6.3 Planning Practice Guidance

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 Adopted Local Plan (2019)

6.4.1 The policies set out below are relevant in the determination of this application:

Policy SP1: Presumption in favour of sustainable development;
Policy SP2: Sustainable development in Stevenage;
Policy SP5: Infrastructure;
Policy SP6: Sustainable transport;
Policy SP7: High quality homes;
Policy SP8: Good design;
Policy SP11: Climate change, flooding and pollution;
Policy SP12: Green infrastructure and the natural environment;
Policy 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: House types and sizes;
Policy HO10: Sheltered and supported housing;
Policy HO11: Accessible and adaptable housing;
Policy GD1: High quality design;
Policy FP1: Climate change;
Policy FP2: Flood risk in Flood Zone 1;
Policy FP5: Contaminated land;
Policy FP7: Pollution;
Policy FP8: Pollution sensitive uses;
Policy NH5: Trees and woodland.

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

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.

7. APPRAISAL

7.1.1 The main issues for consideration in the determination of this application are its acceptability in land use policy terms, affordable housing and planning obligations, visual impact of the development, impact upon neighbouring amenities, impact upon future amenities of residents, parking provision, highway implications, development and flood risk, impact on the environment, trees, landscaping and the Ancient Lane, biodiversity, ecology and protected species and loss of open space.

7.1.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that all planning applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

7.2 Land Use Policy Considerations

Compliance with the Council's Housing Policies

- 7.2.1 The NPPF (2021) states at paragraph 7 that the purpose of the planning system is to contribute to the achievement of sustainable development. The NPPF also stipulates that decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area. In addition, the Framework also sets out that sustainable development needs to be pursued in a positive way and at the heart of the framework is a "presumption on favour of sustainable development". Paragraph 62 of the NPPF (2021) requires that the planning system should deliver, inter alia, a mix of housing particularly in terms of tenure and price to support a wide variety of households in all areas. Paragraph 69 of the Framework sets out that small and medium sites can make an important contribution to meeting housing requirements in an area, and this includes supporting the development of windfall sites.
- 7.2.2 Paragraph 119 of the NPPF (2021) stipulates that planning policies and decisions should promote the effective use of land in meeting the need for homes such as through the use of brownfield sites (previously developed land) and the development of underutilised land.
- 7.2.3 The site is not allocated in the Local Plan and would therefore, be classed as windfall. Policy HO5 of the adopted Local Plan (2019) deals with windfall housing sites and states that permission will be granted where: the site is on previously developed land or is a small, underused urban site; there is good access to local facilities; there will be no detrimental impact on the environment and the surrounding properties; proposals will not prejudice the Council's ability to deliver residential development on allocated sites; and, the proposed development would not overburden existing infrastructure.
- 7.2.4 Taking the above issues in turn, the site is not classed as previously developed land as it comprises part of a residential garden area which falls within the curtilage of 108 Oaks Cross. As such, the proposed development is in conflict with Policy HO5. Therefore, an assessment has to be undertaken to determine whether the overall harm of development outweighs the benefits. This will be assessed in detail across the relevant sections of this Committee report which will form part of the overall planning balance assessment.
- 7.2.5 In terms of the second criteria, the site does have good access to facilities as it lies in close proximity of the Oaks Cross Neighbourhood Centre. In addition, there are a number of bus stops which are positioned less than 400m from the site and just to the north is a shared surface cycle and pedestrian route. In terms of impact on the environment, this will be considered in greater detail in the following sections of the report. In terms of allocated sites, the development will not prejudice the ability to deliver any allocated site and due to its limited scale combined with the nature of the proposal, it would not significantly overburden existing infrastructure.

- 7.2.6 Turning to the use of the proposed modular units as homeless accommodation, it is of note that the Stevenage and North Hertfordshire Strategic Housing Market Assessment (SHMA) includes a projection that there will be increasing demand for supported housing needs during the Local Plan period. The SHMA uses the Homes and Communities Agency Vulnerable and Older People Needs Estimation Toolkit to estimate an increased need between 2011 and 2031 for people with: alcohol misuse, learning disabilities, mental health problems, offenders, moderate physical/sensory disabilities, serious physical/sensory disabilities, refugees, rough sleepers and single homeless with support needs totalling 190 dwellings over the plan period. The Local Plan evidence base has therefore identified that there will be an increasing demand for supported living accommodation. Given there is need for a variety of accommodation, including for people who are homeless, this evidence base demonstrates there is a need for this type of development and this weighs in favour of the application.
- 7.2.7 In addition to the above, there is evidence to demonstrate that homelessness is on the rise, especially as a consequence of the recent Covid-19 pandemic. In December 2019, the housing and homelessness charity Shelter composed a report of Local Authorities estimated homeless levels. This report set out that there was an estimated 259,400 individuals who are homeless in England. This figure is made up of 4,677 rough sleepers with the remainder in temporary living accommodation. Therefore, it is further evident there is a growing need to provide accommodation for people who are homeless. As such, this development is devised to be a steppingstone between rough sleeping or reliance on hostels. The units themselves have been devised in consultation with homeless charities and they are designed to help the needs of vulnerable residents and provide them with a robust, safe and secure space they can live in.
- 7.2.8 Turning now to the housing delivery test and 5 year land supply, Paragraph 74 of the NPPF (2021) stipulates that strategic policies should include a trajectory illustrating the expected rate of housing delivery over the plan period, and all plans should consider whether it is appropriate to set out the anticipated rate of development for specific sites. Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old. The supply of specific deliverable sites should in addition include a buffer (moved forward from later in the plan period) of:
- a) 5% to ensure choice and competition in the market for land; or
 - b) 10% where the local planning authority wishes to demonstrate a five year supply of deliverable sites through an annual position statement or recently adopted plan, to account for any fluctuations in the market during that year; or
 - c) 20% where there has been significant under delivery of housing over the previous three years, to improve the prospect of achieving the planned supply.
- 7.2.9 Turning to Five Year Housing Land Supply, the Council issued an Update Housing Land Supply Document in August 2021. This document was produced following the Appeal Decision for Land West of Lytton Way (APP/K1935/W/20/3255692). It sets out that the Council can demonstrate a Housing Land Supply of 5.85 years for the period 1 April 2021 to 31 March 2026, using the Liverpool methodology and guidance from the NPPF and Planning Practice Guidance (PPG). Given this position, whilst the Council has failed to meet its Housing Delivery Test, this document demonstrates that the proposal is not fundamental in the Council's ability to meet its 5 year land supply, even when incorporating the 20% buffer.
- 7.2.10 Notwithstanding the above, since November 2018, housing delivery has been measured against the Housing Delivery Test (HDT) as set out by Government planning policy and guidance. The results of the HDT dictate whether a local planning authority should be

subject to consequences to help increase their housing delivery. Where an authority's HDT score is less than 85% of its housing requirement, the Council must incorporate a 20% buffer into its housing supply calculations in line with paragraph 74 of the NPPF. Where an authority's score is below 75%, the Council will be subject to the HDT's most severe penalty and must apply the presumption in favour of sustainable development.

- 7.2.11 The latest HDT results, published by MHCLG in January 2021, identify that Stevenage only delivered 64% of its housing requirement. This is significantly below the 75% target and as set out in paragraph 9.2.2 of this report, renders the adopted Local Plan housing policies as out of date. Consequently, Stevenage Borough Council must apply the presumption in favour of sustainable development in its decision making and, in substance, give great weight to the need to deliver housing. It is important to note that the presumption in favour of sustainable development as outlined in the NPPF kicks in if the Council fails either 5 year land supply, or the Housing Delivery Test (footnote 8 of Para. 11 of the NPPF). Therefore, whilst it can be demonstrated there is a 5 year land supply, the Council failed to meet its HDT requirement.
- 7.2.12 Given the aforementioned, as the Council has failed to meet the Government's Policy requirement in relation to supporting the delivery of housing in line with HDT, in accordance with the NPPF, as the presumption in favour of sustainable development kicks in, the Council must approve applications for housing development unless its impacts clearly outweigh the benefits.
- 7.2.13 In respect to Policy HO9 (House types and sizes) of the adopted Local Plan (2019), as the proposed development seeks to deliver smaller accommodation, it would be in accordance with this policy as it would help to balance the structural imbalances in the existing housing stock, i.e. due to the lack of smaller properties in the Borough as identified in the Local Plans supporting evidence base.
- 7.2.14 Taking the aforementioned assessment into consideration, it can be concluded that the proposed development would not accord with Policy HO5 of the adopted Local Plan (2019). This is because the proposed development would be delivered on land which is not defined as previously developed as defined by Annex 2 of the NPPF (2021). However, the proposed development does seek to deliver 11no. one person, homeless living accommodations. The evidence base which also supports the Local Plan (2019) includes a projection that there will be increasing demand for such housing during the Local Plan period (see paragraph 7.2.5). As such, this development would help to meet this growing demand.
- 7.2.15 Turning to policy HO10 of the adopted Local Plan (2019) states that planning permission for sheltered and supported housing schemes will be granted where:
- a) The site is well served by public transport;
 - b) There is good access to local services and facilities such as neighbourhood centres;
 - c) Appropriate levels of amenity space and parking for residents, visitors and staff are provided; and
 - d) The proposal is appropriately located.
- 7.2.16 Taking the above into consideration, as already established, the site is in a sustainable local location which is well served by public transport with good access to local facilities including Oaks Cross neighbourhood centre. In regards to amenity provision and parking, this is considered in greater detail in the relevant sections of this report. In terms of the sites location, it is appropriately located sitting within a well-established residential estate of Stevenage.

7.2.17 Consequently, it can be deduced that, despite the conflict with Policy HO5, the scheme is identified as being in a sustainable location with access to local services and facilities (see paragraph 7.2.5). The development would also deliver much needed housing due to the shortfall in housing delivery in the Borough as identified in paragraphs 7.2.9 to 7.2.11 of this report. Furthermore, and as evidence in paragraphs 7.2.6 and 7.2.7, there is a need for the delivery of accommodation which includes persons who are homeless. Moreover, the proposal would be acceptable in line with Policy HO10 in terms of criterion a, b and d.

7.2.18 Consideration of the effects of the development on the character of the area and neighbouring amenities, and the ability of the site to provide good living conditions for future residents as well as impact on the environment, biodiversity and infrastructure will be considered in the following sections of this report.

7.3 Affordable housing and planning obligations

7.3.1 Policy HO7 of the adopted Local Plan (2019) stipulates that planning permission would be granted for residential development which would maximise affordable housing provision. Taking this into consideration, there is a requirement to provide 25% of new homes to be affordable on previously developed sites. In this regard, there would be a requirement to provide 2.75 (rounded up to 3) affordable units.

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

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

7.3.3 In addition to the above, paragraph 65 of the NPPF (2021) stipulates that for major developments involving the provision for housing, planning decisions should expect at least 10% of the total number of homes to be made available for affordable home ownership (this includes affordable housing for rent, starter homes, discounted market sales housing and other routes including shared ownership, equity loans and other low cost homes (at a cost to at least 20% below market value)). However, the 10% requirement is part of the overall affordable housing contribution for the site.

7.3.4 The proposed development is seeking to deliver 11no. 1 person homeless living accommodations. Given this, as the proposed development does not seek the delivery of market housing, it would be exempt from providing affordable housing. However, to ensure these properties are retained as homeless living accommodation and not converted to market housing in the future, it is recommended a clause is added to any S.106 agreement in order to restrict the use of the properties for homeless living accommodation.

7.3.5 Turning to the recently adopted Developer Contributions SPD (2021), this SPD introduces a new requirement that developers of major development when signing an agreement with the Council, will need to:

- Attempt to fill 5% to 10% of construction jobs on-site associated with the development with Stevenage Residents;
- Attempt to fill 1 apprenticeship position per 10 construction jobs on-site with a Stevenage Resident or Student (cap requirement of 10 apprenticeships);

- Report whether or not these requirements are met; and
- Provide a financial contribution in lieu of not achieving either or both targets.

The applicant has agreed to the requirement to include a Construction Training Plan as part of the S.106 agreement.

7.3.6 In terms of monitoring, the Council Developer Contributions SPD set out that the Council will seek a monitoring fee of 2.5% of the value of the contributions being monitored. The fee would be capped at £25,000.00. The monitoring fee itself would be secured as part of any S.106 legal agreement.

7.3.7 Turning to the areas of open space on the site, including areas of highway which are not to be formally adopted by the Council or Hertfordshire County Council, it is recommended that the Legal Agreement secures the provision of a Management Company. This is to ensure that the areas of un-adopted open space and highways which form part of the development are properly managed and maintained during the lifetime of the development.

7.4 Visual impact of the development

7.4.1 Paragraph 126 of the NPPF states that “The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve”. It goes on to state that “good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities”.

7.4.2 Paragraph 130 of the NPPF sets out a number of requirements for new development, including that development:

- will function well and add to the overall quality of an area;
- is visually attractive as a result of good architecture; layout and appropriate and effective landscaping;
- is sympathetic to local character and history;
- establishes or maintains a strong sense of place;
- optimises the potential of the site to accommodate and sustain an appropriate amount and mix of development;
- creates places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

7.4.3 Paragraph 131 of the NPPF places great importance on the role of trees in helping to shape quality, well designed places “Trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change”.

7.4.4 Paragraph 132 of the NPPF states that applicants “should work closely with those affected by their proposals to evolve designs that take into account of the views of the community. Applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot”.

7.4.5 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.

- 7.4.6 Policy HO5: windfall sites require residential development on unallocated sites to not have a detrimental impact on the environment and on surrounding properties. The Council's Design Guide SPD (2009) generally reflects the aforementioned policies requiring development to respect surrounding buildings in terms of scale, massing, height and design. As such, it encourages good design as it can enhance the appearance of places.
- 7.4.7 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.
- 7.4.8 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.
- 7.4.9 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.
- 7.4.10 Paragraph 40 of the National Design Guide states that well-designed places are:
- Based on a sound understanding of the features of the site and the surrounding context, using baseline studies as a starting point for design;
 - Integrated into their surroundings so they relate well to them;
 - Influenced by and influence their context positively; and
 - Responsive to local history, culture and heritage.
- 7.4.11 This part of the application has been assessed against the key policy criteria on good design, as well as how the scheme meets the four key objectives in the National Design

Guide on what is considered as a well-designed place. The proposed development would comprise the construction of 11 no. 1 bedroom modular units. The modular homes have an internal area of 24 sq. m, and are single storey in height. The units themselves would measure approximately 7.98m in length, span 3.94m in width with an overall height of 3.08m with a flat roof design. The units would be constructed from steel lined external walls finished in a combination of dark grey and orange with aluminium framed windows (finished in grey) and doors (finished in orange). The units would have fully integrated gutters.

- 7.4.12 The units would be positioned around a private access with three units and dedicated cycle provision being provided at the northern part of the site. The eastern part of the site includes six units which are sighted at a slight angle from the north-east corner of the site. The last 2 units are positioned to the south. There would be a small paved area to the front of each of the units as a breakout space and there would be additional landscaping. The scheme also comprises a communal refuse store along with a communal Air Source Heat Pump.
- 7.4.13 The cycle store would measure approximately 6.52m in width, 2.06m in length with a height of 2.23m. In terms of the bin-store, this would have an L-shaped footprint measure a maximum of 5.36m in length, 3.77m in width with an overall height of 1.86m. The bin store and cycle store would be constructed from timber which will have a natural finish. In terms of the Communal Air Source Heat Pump, this would be housed in an enclosure measuring 1.89m in width, 1.31m in length and 3.0m in height. The housing would be constructed in aluminium cladding finished in grey.
- 7.4.14 Taking the aforementioned into consideration, it is noted that the proposed development in terms of its visual appearance would be out of character with the traditional style of housing in the area. However, the northern edge of the site would be screened by the mature hedge which forms part of the Ancient Lane. This established hedgerow would be further enhanced through new native planting which has been undertaken by the Council along with the retention of the mature Hornbeam Tree and Cherry Tree help to further soften the appearance of the development. At the front of the site, the planting of natural deciduous grass and evergreen hedging would form a natural screen as viewed from Oaks Cross once it has been fully established. There would also be additional landscape planting in the site comprising a mixture of hedge, shrub and further retention of 2 no. mature trees and the planting of 3 additional trees would help to visually enhance the site.
- 7.4.15 The units would also be screened from the south when travelling along Oaks Cross by the existing two-storey dwelling (108 Oaks Cross) and from longer views to the north by the public house and additional landscaping on the northern side of the Ancient Lane. Moreover, the units would be generally self-contained within the site with the bulk of the units of the units positioned to the rear so would only be visible from acute angles when one travels along Oaks Cross. Furthermore, the units are single-storey in height, so are deemed to be limited in size and scale so as to not appear dominating when viewed from the wider street.
- 7.4.16 Given the aforementioned assessment, the proposed development is therefore, considered acceptable in accordance with the policies on design in the adopted Local Plan (2019), the Design Guide SPD (2009), the NPPF (2021) and PPG.

7.5 Impact upon Neighbouring Amenity

- 7.5.1 In assessing the impact on neighbouring amenity, the Council's Design Guide sets out standards which should be met to safeguard the privacy and outlook of adjoining properties from new development. In this regard, when assessing developments which are single-storey in height, the recommended separation distances are as follows:

No of Storeys	Type of Separation	Min. distance (metres)
Between existing and new 2 storey or a mix of 1 and 2 storey dwellings.	Back to Back Back to Side	25m 15m
Between new 2 storeys or a mix of 1 and 2 storey	Back to Back Back to side	20m 12m
Over 2 storeys between existing and new dwellings	Back to Back Back to Side	35m 25m
Between new dwellings over 2 storeys in height.	Back to Back Back to Side	30m 20m

- 7.5.2 Following an assessment of the proposed development, the proposed 2no. units positioned in block B would be located approximately 9m from the rear elevation of no. 108 Oaks Cross. As such, the proposed development would fail to accord with the back-to-back requirements of the Design Guide SPD. However, the units would only be single-storey and between them and the rear garden or no. 108 Oaks Cross would be a 1.8m high close boarded fence. As such, as the units are single-storey, the bedroom windows of the modular units would look out onto the boundary fence. As such, they would not cause any loss of privacy.
- 7.5.3 In terms of outlook, the units would only project approximately 1.28m above the fence line and being set over 2m from the shared common boundary with number 108 Oaks Cross, it would not appear overbearing or create a significant loss of outlook to the owner / occupiers of the property.
- 7.5.4 Turning to the impact on number 21 Raban Close, the proposed units within Block A are located within approximately 4m from the flank (side) wall of this property. As a consequence, they fall below the 15m separation distance as defined in the Design Guide SPD. However, the flank elevation of this property does not comprise of any habitable windows. This combined with the fact the units are single-storey, there are no issues in relation to outlook or privacy.
- 7.5.5 Notwithstanding the above, it is noted that the three of the units in block A would fall in line with the rear garden area of 21 Raban Close. However, the proposed units have been set back between 2.9m to 5.16m to ensure they do not appear overbearing as viewed from the private garden area and ground floor habitable windows of the aforementioned property.
- 7.5.6 In relation to the impact on number 19 Raban Close, the southernmost unit of block A is positioned approximately 4m from the side elevation of this property. However, again there are no windows in the flank elevation which serve habitable rooms which would be affected by the proposed development. In terms of impact on the private garden area, the unit would be set between 3.3m to 3.8m from the shared common boundary. This combined with the presence of the 1.8m high close board fence would mean the units would not cause any issue with respect to outlook or privacy.
- 7.5.7 With respect to the impact on number 106 Oaks Cross, whilst the southernmost unit is positioned approximately 1m from the shared common boundary, they would be sited well over 10m from the rearward facing habitable windows of this property. In addition, being single-storey, they would have a limited projection over the boundary fence to cause any significant harm in terms of privacy or outlook.
- 7.5.8 In regards to sunlight, daylight and overshadowing, whilst concerns have been raised by local residents as to the developments potential impact, it is important to note that the units are sited due north of the nearest residential properties. This combined with the fact that they are single-storey, they do not breach the 45 degree line in plan or the 25 degree line as

set out in the BRE Sunlight and Daylight guidelines. In addition, whilst the garden area of number 21 Raban Close would be slightly affected by the new fence which has been erected, there are no restrictions on this site to erect a fence as a fence up to 2m in height could be erected via permitted development under Schedule 2, Part 2, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (As amended). As such, there would not be sufficient grounds to warrant refusal in this instance.

7.5.9 Given the aforementioned assessment, the proposal would not have a detrimental impact on the amenities of neighbouring residential properties. As such, the proposal would accord with the policies in the adopted Local Plan (2019), the Council's Design Guide SPD (2009), the NPPF (2021) and PPG. In regards to the impact of noise and light pollution on the amenities of neighbouring residents, these aspects have been considered in detail in section 7.10 of this report.

7.6 Impact upon future amenities of residents.

7.6.1 In considering a residential scheme of this nature it is also important to ensure that living conditions for any future occupiers are appropriate. In regards to private amenity space, there are no set standards for a development of this nature. As such, the nearest standard will be for apartments where there is a requirement to provide 50 sq.m of amenity space for schemes of up to 5 units, plus an additional, 10sq.m for every additional unit above 5.

7.6.2 Based on the number of units proposed, there would be a requirement to provide 110 sq.m of private amenity space. The proposed development does not seek to provide private amenity space in the traditional sense due to the nature of development. However, each modular unit does comprise a small, paved area which is provided to the front of each of the homes to provide a breakout space. There is also an area of approximately 151 sq.m of private landscaped amenity grassland at the southern part of the site which could be used as an area to sit out on. The site is also within walking distance to Shephalbury Park which provides an additional area of open space which could be utilised by future residents.

7.6.3 With regard to the requirements for new residential properties to meet Nationally Described Space Standards (NDSS) as defined by Policy GD1 of the adopted Local Plan (2019), for 1 bedroom, 1 person flats, there is a requirement to provide 37/39 sq.m of floorspace. The proposed units would only be approximately 24 sq.m in area. Given the aforementioned, the proposed units would be well below NDSS requirements. However, it is important to note that this development is for the creation of living accommodation i.e. temporary and emergency accommodation for people who are homeless. Consequently, this development is not designed to be a place of permanent residence and therefore, it considered that the proposal in this instance would not be required to meet NDSS requirements.

7.6.4 Turning to Policy HO11, this requires that for Major Developments, there will be a requirement to provide at least 50% of all new units to be accessible and adaptable dwellings. The units, whilst they are small, have been designed to meet Part M4(2) of the Building Regulations (Accessible and Adaptable dwellings). As such, they can be adapted for persons who have mobility issues. Therefore, and if the Council is minded to grant planning permission, it will require 50% of all new dwellings to be accessible and adaptable in accordance with Policy HO11.

7.6.5 In terms of outlook, privacy, sunlight and daylight, due to the siting and position of the proposed units, combined with their overall height, each unit would have an acceptable level of privacy and outlook. In addition, each unit would receive sufficient sunlight and daylight in accordance with BRE guidance.

7.7 Parking Provision

- 7.7.1 Policy IT5 of the adopted Local Plan (2019) states that planning permission will be granted where proposals comply with the parking standards set out in the plan. The Council's Parking Provision and Sustainable Transport SPD (2020) provide requirements for supported living accommodation based on 3 spaces per 4 units for small units (1-2 persons) and one space per unit for family units (3 persons +). The proposal includes the provision of 11 small units requiring a total of 6 car parking spaces.
- 7.7.2 However, the application site is located within residential accessibility zone 3, where the Council would seek between 75% to 100% of the maximum number of car parking spaces to serve the development. This equates to a total requirement of 4.5 to 6 car parking spaces. The proposed development would seek to provide 3 parking spaces which is 1.5 spaces below the Council's adopted Parking Standards SPD. Notwithstanding this, the car parking spaces are to be designated for visiting staff members only. These spaces would be utilised when occasional maintenance of the premises is undertaken or when staff do support visits.
- 7.7.3 As such, and due to the nature of the development, no parking will be made available for occupiers of the units. This is because the expectation is that residents of the facility will not have the means to own or run a vehicle of their own. However, the applicant has confirmed that prior to an offer for housing, a resident will be assessed to ensure that they do not require parking facilities and will be advised that parking provision is not available on-site. However, where their circumstances change, the applicant would seek to find suitable alternative accommodation.
- 7.7.4 Given the above, it is recommended that if the Council is minded to grant planning permission, a condition is imposed restricting the use of the parking area for staff and maintenance contractors only. In addition, a condition should also be imposed where a detailed management plan of the site is submitted to the Council as Local Planning Authority for its approval. This is to ensure that the parking is properly managed on-site and to ensure that residents who reside in the temporary accommodation do not use these spaces to park a private car.
- 7.7.5 Turning to disabled parking, in line with the Council's adopted Standards, 5% of the total number of spaces should be designated for disabled persons. In this regard, there would be a requirement to provide 1 disabled parking bay. The proposal seeks to provide 1 disabled parking bay in line with the Council's standards.
- 7.7.6 In regards to cycle parking, the Council's Parking Standards SPD stipulates for this development, there is the requirement to provide 1 long-term cycle space per 1-bedroom unit. Taking this requirement into consideration, there would be the provision of a cycle store. This would ensure that there is more than sufficient cycle parking to serve the development.
- 7.7.7 Turning to electric vehicle parking, the Car Parking SPD (2020) now introduces a minimum requirement for electric vehicle parking. The requirements for new developments would need to abide by the following:-
- All new car parking should be designed to fulfil a Passive Electrical Vehicle Charging Point standard (providing the necessary underlying infrastructure);
 - The blend of access to charging points provided within new developments;
 - A minimum of 20% of new parking on a site to have access to an active EV charging point;
 - A flexible approach to the requirement of charging facilities as technology changes.
- 7.7.8 The applicant has not provided any details of electric vehicle charging facilities as part of this application submission. Therefore, a condition would be imposed requiring details of electric vehicle charging facilities to serve this development to be submitted to and

approved in writing by the Local Planning Authority. This will allow staff and contractors who attend the site to be able to charge their vehicle.

- 7.7.9 In terms of existing on-site parking, the applicant has demolished the existing garage which was previously located on the site. However, this garage was no longer utilised by any residential properties, including number 108 Oaks Cross for the parking of motor-vehicles. This is because the garage, based on historic photographic evidence, appears to be insufficient in terms of its size to accommodate a modern motor-vehicle and it also appeared to have been in an extremely poor condition. Even if it was argued that the scheme did result in the loss of a parking space, it can be deduced that the overall benefits that the development would deliver, would outweigh the harm caused by the loss of this one parking space.
- 7.7.10 Given the aforementioned assessment, and through the use of appropriately worded conditions, there would be sufficient parking (including cycle parking, disabled parking and EV parking) in accordance with the Council's adopted Parking Standards. In addition, there is sufficient evidence to demonstrate that the applicant would not be required to deliver replacement parking following demolition of the garage. Therefore, the proposal would be in accordance with policies set out in the adopted Local Plan (2019), the Council's Parking Standards SPD (2020), the NPPF (2021) and PPG.

7.8 Highway implications

- 7.8.1 The proposed development seeks to utilise the existing access point off Oaks Cross to serve the new development. This existing access would be widened to 3.72m in width in order to accommodate a fire tender. The altered vehicle access, as confirmed by Hertfordshire County Council (HCC) as Highways Authority would have suitable vehicle-to-vehicle inter-visibility and pedestrian visibility in accordance with the Department for Transport (DfT) Manual for Streets.
- 7.8.2 In terms of pedestrian access, this would be taken off the existing footpath which leads to Oaks Cross. In terms of accessibility, the site is highly accessible by foot as it does lie within close proximity to an established cycle network which runs up to Shephalbury Park to the west and the A602 Broadhall Way to the east. The site is also located in close proximity to bus stops which are located on Oaks Cross and the site is also within a short walking distance to the neighbourhood centre. Consequently, the site is identified as being within a highly sustainable location.
- 7.8.3 With regards to waste collection, the bin store has been located within close proximity to the public highway so would be easily accessible for refuse teams. The site can also be easily accessed by emergency vehicles such as fire tenders. In terms of the parking areas, these have been designed to ensure that vehicles can safely manoeuvre within the site and egress onto the highway in a forward gear. Further, the provision of disabled parking and cycle parking, also accord with the County Council's Local Transport Plan 4.
- 7.8.4 In relation to traffic generation, due to the limited scale of the proposed development, it would not generate a significant increase in vehicle traffic which likely affects the overall operation of the highway network. With regards to the Construction Phase of development, the application is accompanied by a Construction Plan and Construction Transport Plan whereby HCC as Highways Authority have not raised any concerns with how construction will be managed as part of this development. As such, it is recommended that the Construction Plan and Construction Transport are secured by way of condition to ensure that during the construction phase, the development is carried out in accordance with the relevant details to ensure construction activities do not prejudice highway safety.
- 7.8.5 Given the aforementioned, subject to the imposition of appropriately worded conditions to ensure the development is acceptable in highway terms, it is not considered by HCC

Highways that the proposed development would prejudice the safety and operation of the highway network. Therefore, it can be concluded that the proposal would accord with the policies set out in the adopted Local Plan (2019), the County Council's Local Transport Plan 4 (2018), the NPPF (2021) and PPG. Turning to the suggested conditions themselves, if the Council was minded to grant permission these would cover the following:-

- Vehicle access to be an appropriate width and reinstatement of the footway; and
- The materials of the access road.

7.8.6 HCC as Highways Authority has also suggested an informative is imposed relating to highway related works associated with the development being in accordance with HCC Highway requirements.

7.9 Development and Flood Risk

7.9.1 The application site is located within Flood Zone 1 within the Environment Agency's flood risk map. Flood Zone 1 is defined as land having less than 1 in 100 annual probability of flooding, consequently, all developments are generally directed to Flood Zone 1. Notwithstanding this, the application which has been submitted to the Council is classified as a Major, therefore, in line with the Town and Country Planning (General Development Procedure) (England) Order 2015, the applicant has provided a Sustainable Urban Drainage Strategy.

7.9.2 The application is accompanied by the following:-

- Foundation 200 Oaks Cross Stevenage Drainage Statement for Hill Partnerships (October 2021) Reference: C7472 prepared by Walker Associates Consulting);
- Drainage Plan (Drg no. C7472/CE1, dated 21/10/2021);
- Tier 1 Contamination Risk Assessment (Document Reference: 66202214-SWE-ZZ-RP-J-0001, prepared by SWECO.

7.9.3 The drainage strategy for this scheme comprises the use of blue roofs for all buildings, permeable paving slabs and blocks for hard ground surfaces and infiltration by way of soakaway for the discharged surface water. The soakaway which comprises a cellular storage tank (5m long, 3.5m wide and 0.8m i.e. total volume 14m³) is indicated in the drawings which have been submitted.

7.9.4 Following the service announcement of the Lead Local Flood Authority that they are currently not providing a consultation service because of extreme resourcing issues and severe workload backlogs, the Council have appointed Wood Group UK Ltd to undertake drainage and flooding assessments of planning applications on the Council's behalf.

7.9.5 The Council's Drainage Consultant has advised that no infiltration testing has been carried out to inform the dimensions proposed for the soakaway. Therefore, they advise the evidence of infiltration to BRE Digest 365 standards should be undertaken to ensure the site can drain feasibly. As such, the consultant advises that infiltration as a discharge mechanism has not been demonstrated as feasible. Therefore, infiltration needs to be conducted at the proposed depth of infiltration and ideally at the same location. The consultant advised that a holistic approach to infiltration and ground conditions should be taken, whereby the contamination assessment takes account of the risk to groundwater associated with the proposed method of discharge (to the ground), and the proposed method of discharge is informed by the findings of the ground investigation/contamination assessment, including existing contaminative status, and depth to groundwater. Demonstration that runoff generated from road areas on site, including the access road and parking spaces, would have undergone suitable treatment prior to discharge should also be provided.

- 7.9.6 In terms of run-off rate, a greenfield run-off rate of 0.15 l/s is presented for the 1 in 1 year event. However, the Council's consultant advises that no explanation is provided as to how this was determined. Based on a reported site area of 0.1087ha, this would relate to a low discharge rate of 1.38 l/s/ha for the 1 in 1 year event, which would be consistent with a permeable substrate capable of supporting an infiltration-based approach to discharge.
- 7.9.7 The Drainage Statement also indicates that all modular units would be served by 'blue roofs' (with attenuation provided on the roof of the building structures) and permeable paving (slabs or blocks) for all other hard surfaces. The consultant advises that such an approach (blue roofs, permeable paving and landscaping, with no other hardstanding surfaces) would require minimal soakaway storage volume, thereby reducing any concerns relating to the lack of calculations to support the proposed dimensions of the soakaway. Furthermore, the Drainage Plan indicates that there would be scope to increase the size of this cellular storage tank if necessary (alongside potentially increasing its depth).
- 7.9.8 Despite not being referred to in the Drainage Statement, an engineering drawing showing typical drainage details for chambers, gullies, rodding points, pipe bedding and a cross section of the permeable paving was provided with the application. The suitability of these typical details for application at this site has not been discussed. For example, whether the depth of subgrade proposed for the permeable paving would be suitable for the proposed ground conditions and likely loadings on-site, for which no accompanying evidence has been provided to support the proposed design.
- 7.9.9 Taking the above into consideration, the consultant advises that a planning condition is imposed requiring details of the proposed surface water drainage at the site if the Council is minded to grant planning permission. Further conditions on infiltration-testing, and once a detailed drainage design is agreed, a condition covering adoption and maintenance of the drainage strategy. With these conditions in place, a suitable drainage strategy can be secured as part of this development.

7.10 Impact on the environment

- 7.10.1 The application site according to historic OS Maps of the site, sets out that prior to the site being developed out in the 1960s, the site was part of open fields. Therefore, there would be very low risk of contamination.
- 7.10.2 Following consultation with the Council's Environmental Health Section, they do not raise any concerns from a land contamination perspective subject to the imposition of conditions. The conditions imposed would require a remediation strategy is submitted for approval in the event contaminants are identified during the construction phase of development.

Groundwater

- 7.10.3 The application site is located within a Source Protection Zone 3 for potable water. However, no concerns have been raised by Thames Water or Affinity Water with respect to potential impact from the development on this Source Protection Zone. This is due to the limited risk of contaminants being present on this site.

Air Quality

- 7.10.4 Policy FP7 of the adopted Local Plan (2019) states that all development proposals should minimise, and where possible, reduce air, water, light and noise pollution. Looking at air quality and air pollution specifically, The Air Quality Annual Status Report (ASR) 2019 by Stevenage Borough Council identifies that the development site is not located within or in close proximity to an Air Quality Management Area (AQMA). In terms of Air Quality in the

nearby area surrounding the development site, the nearest diffusion tubes and their readings in the aforementioned Report are as follows:-

- Tube 2 (Ashdown Road) – 17.5 NO₂ µg/m³;
- Tube 3 (Monksview) – 18.1 NO₂ µg/m³

The data above shows that the readings do not exceed the NO₂ annual mean objective of 40µg/m³. This generally shows that the Air Quality in the area is within national guidelines.

- 7.10.5 In order to mitigate the construction phase, it is recommended a condition is imposed on any permission issued. This condition would require the applicant to adhere to the Construction Management Plan which details measures on controlling levels of dust and air pollutions which are generated during the construction phase of development.
- 7.10.6 With regards to the operational aspect of the development, due to its limited scale, the proposed development would give rise to a very small rise in NO₂ emissions which in accordance with IAQM/EPUK guidance is identified as having a negligible impact at all receptors in the area. As such, the need for additional mitigation has not been identified as being required. As such, the Council's Environmental Health Section has not raised any concerns with respect to the operational impact the development would have on air quality.

Noise Pollution

- 7.10.7 With respect to noise, Policy FP8: Pollution Sensitive Uses stipulates that planning permission for pollution sensitive uses will be granted where they will not be subjected to unacceptably high levels of pollution exposure from either existing, or proposed pollution generating uses.
- 7.10.8 Dealing firstly with the impact of noise from the construction phase of the development, detailed measures are set out in the Construction Management Plan which accompanies this application. Through the CMP the hours in which noisy activities take place are to be controlled along with the imposition of relevant mitigation measures being put in place to minimise the impact of noise from construction activities. Moreover, if a breach were to take place, the Council can enforce the condition accordingly. Consequently, the imposition of such a condition is supported by the Council's Environmental Health Section.
- 7.10.9 With regards to noise which could arise during the operational phase of development, the site would be operated and managed by Stevenage Borough Council. As such, if any complaints arose regarding tenants who would be housed within the development, these would be dealt with by the Borough Council's Housing Teams accordingly. Notwithstanding, it is recommended a management plan for this site is secured by way of condition.
- 7.10.10 In terms of noise which is generated from the MVHR (Mechanical Ventilation and Heat Recovery System) / Communal Air Source Heat Pump, the Cass Allen noise assessment (RP01-21155-R0 dated 08 October 2021) and the addendum letter by Cass Allen (LR01-21155-R0 dated 20 December 2021) provides details of noise mitigation measures for the MVHR. In addition, the assessment sets out the measures used to for the proposed units to ensure that a suitable living environment can be achieved. Following consultation with the Environmental Health Section, they consider the mitigation measures which will be put in place are acceptable. In this regard, the development would a suitable living environment and it should not cause any significant issues in terms of the external plant in relation to neighbouring properties.
- 7.10.11 Notwithstanding the above, to ensure the relevant mitigation measures are put in place, a suitably worded condition would be imposed if the Council was minded to grant planning permission.

Light Pollution

7.10.12 In terms of light pollution, Policy FP7: Pollution of the adopted Local Plan (2019) requires all development proposals should minimise, where possible, light pollution. Applications for development where pollution is suspected must contain sufficient information for the application to make a full assessment on impacts. Planning permission will be granted where it can be demonstrated that the development will not have unacceptable impacts on:

- a. the natural environment, general amenity and the tranquillity of the wider area which includes light pollution;
- b. health and safety of the public; and
- c. The compliance with statutory environmental quality standards.

7.10.13 Turning to the operational side of the development, the applicant has not submitted a detailed lighting strategy. However, to ensure that any external lighting does not prejudice highway safety or cause a substantive nuisance to neighbouring residential properties, a condition should be imposed to any permission issued. Details which would need to be provided as part of an overall lighting strategy should include:-

- Description of the proposed hours of operation, light spillage and column heights (if required);
- A layout plan of the proposed site showing beam orientation;
- Details of the proposed equipment design;
- Details of the expected impact on neighbouring properties and roads;
- A statement of any proposed measures to mitigate for the possible impact of the development (i.e. planting of trees, hedges and shrubs).

7.10.14 In terms of lighting associated with the construction aspect of the proposed development, this is dealt with as part of a Construction Management Plan.

7.11 Trees, landscaping and the Ancient Lane.

7.11.1 Policy NH3 Green Corridors of the adopted Local Plan (2019) identifies that Shephall Green Lane (NH3/15) is defined as an ancient lane which is located just to the north of the application site. As such, the proposal could potentially have an impact on the Ancient Lane. Therefore, regard is given to the following criterion set out under Policy NH3, i.e. planning permission will be granted where:

- a) would not have a substantive adverse effect upon a Green Corridor;
- b) Retain and sensitively integrate any Green Corridor which must be crossed or incorporated into the site layout;
- c) Provide replacement planting, preferably using local native species, where hedgerow removal is unavoidable; and
- d) Reasonably contribute towards the improvement of Green Corridors in the vicinity of the application site.

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

7.11.3 Dealing firstly with the Ancient Lane, the applicant advises that works were agreed about a year ago (23/12/2020) to undertake works along the Lane as part of a contribution to improvements to the wider area. The specification below was provided by the Council's Arboricultural Manager, and a contribution of £6,712 was paid by Housing Development towards the works:

Total cost of £8,712 which includes:

- Cut down and clear all poor condition vegetation and debris on both sides of the lane for the length of the proposed development (approx. 100 metres in total see map with area surrounded in red line below);
- Replant the whole section with native species whips, leaving appropriate gaps for the entrances to the site;
- Overall reduce mature Hornbeam tree by 30% and kill off Ivy from trunk (to mitigate in advance for any inevitable ground disturbance during the built);
- Fell/poison multi stem self-set Maple trees to the front corner of the site.

- 7.11.4 Much of the clearance and tidying works have taken place already, but no new planting has been undertaken as an early version of the scheme proposals saw entrances taken directly off of the Lane into some of the units (as alluded to above). Current proposals have been designed to take all accesses off of Oaks Cross, so the line of the replacement hedgerow can remain uninterrupted.
- 7.11.5 With regards to trees, approx. 8 trees were removed from the site earlier in the year, as agreed with the Council's Arboricultural Manager back in May. As these trees are not protected, the applicant would not have required consent from the Council as Local Planning Authority. In regards to Category B Trees as identified in the updated Arboricultural Assessment, Trees T003 (Hornbeam) and T008 (Cherry) which were previously shown as being removed are now to be retained. The applicant, as detailed in the amended plans, has also moved the communal ASHP plant to the south in order for tree T008 to be retained.
- 7.11.6 Following consultation with the Council's Arboricultural Manager, he welcomes the retention of the Category B trees as they are key features which help to define the Ancient Lane. In addition, and as advised by the Arboricultural Manager, it was agreed last year (and was funded by the applicant), that tree (T003) should be overall reduced, and ivy killed off, sometime late January 2022 which will reduce the tree encroachment onto the proposed development and also compensate for any minor root damage during the construction stage.
- 7.11.7 In addition to the above, the Council's Arboricultural Manager advises that approximately a year ago, the overgrown vegetation (bramble and weeds) in the lane were cut back. On the cleared banks, also last winter, we planted some 300-400 new whips. Whilst they are currently still small, approximately 2-3 feet tall, the whips will eventually grow, in the next 4-5 years, and recreate two rows of native hedgerow (Hawthorne, Blackthorn, Hazel and Field Maple) instead of the regrown mass of bramble. With regards to the offer to plant more trees in the area, to compensate for the Acers removed at the front of the site, the Council's Arboricultural Manager has advised that he is minded to accept the 300-400 whips (trees) in the lane, already paid for and planted, as a replacement in advance, with no need, in their opinion, for further planting.
- 7.11.8 In terms of tree protection, the Arboricultural Impact Assessment prepared by Hayden's Arboricultural Consultants (document reference 9103, dated 22 December 2021, Revision A) and drawing number 9103-D-AIA A provide details of the measures in accordance with BS5837:2012 which need to be put in place prior to commencement of development. These measures once in place, will ensure that any retained tree is not detrimentally effected by the proposed development. With respect to the overall construction of development, where works would affect the root protection areas of any retained tree, the aforementioned plans and assessment provide details of the construction methodology in these areas. This will ensure that any works within the Root Protection Areas do not cause any damage to the retained tree. The Council's Arboricultural Manager has not raised any concerns with respect to protection measures and the construction methodology.

- 7.11.9 Taking the above into consideration, through the use of an appropriately worded condition, the tree protection measures will need to be put in place prior to any construction works taking place. In addition, that the construction methodology is strictly adhered too. Through these measures, the development would not have a detrimental impact on any tree which is to be retained.
- 7.11.10 In regards to soft landscaping drawing HILL23495-11A provides details of a planting specification for trees, shrubs and amenity grass areas. With respect to hard landscaping, this HILL23495-12A, this would comprise a mixture of permeable paving in a stretcher bond pattern, permeable asphalt and granite gravel. Following consultation with the Council's Parks and Amenities Officer, he does not raise any concerns with the proposed landscaping strategy. In addition, the Council's Arboricultural Manager does not raise any concerns either. As such, and subject to an appropriately worded condition, the proposed landscaping strategy once delivered would help to create a well-designed development in line with policy requirements.
- 7.11.11 In terms of landscape management, the application is accompanied by a landscape management plan prepared by Hill and ACD Environmental (Document reference: HILL23495 man, dated Oct 2021) which includes details of a maintenance schedule and the body responsible for maintaining the soft landscaping on the site. This management plan ensures that the landscaping strategy for this site is kept to a high standard. As such, it is recommended this management plan is secured by way of condition.

7.12 Biodiversity, Ecology and Protected species

- 7.12.1 The NPPF and accompanying Planning Practice Guidance requires the Council to achieve measurable net gains in biodiversity at development sites and across the Borough. To achieve a biodiversity net gain, a development must deliver a minimum of 10% net gain post development, when compared with the pre-development baseline. The Council's recently adopted Biodiversity SPD (2021) requires all major and minor applications other than the following exemptions currently suggested by the Government to demonstrate a net gain in biodiversity:
- i. Permitted development;
 - ii. Householder development, including extensions;
 - iii. Nationally significant infrastructure, which falls within scope of the Planning Act 2008;
 - iv. Some brownfield sites with marginal viability and substantial constraints. It is expected that full details to be set out in secondary legislation, but considerations are likely to include where sites contain a high proportion of derelict land and buildings and only a small percentage of the site is undeveloped, land values are significantly lower than average, and the site does not contain any protected habitats; and
 - v. Developments that would not result in measurable loss or degradation of habitat, for instance change of use of or alterations to building
- 7.12.2 The site is approximately 0.1 ha in size and comprises recently cleared land that is currently revegetating with species characteristic of disturbed, waste and urban garden habitats, with some mounds of garden waste resulting from recent site clearance works. The site is located in an urban setting and is bordered by residential properties to the south and west, by a belt of trees and scrub and a public footpath to the north and by Oaks Cross road to the west. The wider environment is generally urban in nature comprising a mixture of residential buildings along with hardstanding, trees and amenity grassland. The application is accompanied by a Biodiversity Net Gain Assessment and Ecological Appraisal to assess the potential for the site and adjoining habitats to have species that receive legal protection at either UK and/or European level. The survey comprised a desk top study from Hertfordshire Biological Records Centre and from the multi-agency

Geographical Information for the Countryside (MAGIC). A field survey was also undertaken along with a Bat Survey.

- 7.12.3 The Ecological Appraisal identifies that there are no impacts on any designated sites are expected as a result of construction or use of the development. In addition, no habitats of conservation interest were present on site. The development will result in the loss of some scrub to the north of the site and some mature trees, but this is not considered to be a significant impact given the small size of the site. The majority of the site is not considered to have any potential for protected species in its current condition.
- 7.12.4 The scrub and trees to the north of the site have potential for nesting birds, and it is therefore recommended that any further tree works or scrub removal is undertaken outside of the bird breeding season (which runs from March – August inclusive). If habitat removal during the breeding season is unavoidable, any trees or scrub to be removed should be checked by an ornithologist no more than 28 hours before works commence. Any active nests found should be left undisturbed until the chicks have fledged.
- 7.12.5 Most of the trees remaining on site have no bat roost potential. There is a large multi-stemmed Hornbeam on the north boundary which has a dense Ivy cover on the trunks and is therefore considered to have low-moderate bat roost potential. As this tree will be retained, it is not considered that any further surveys are necessary. However, if any further works are proposed to this tree that would affect the trunks, it is recommended that a bat emergence survey is undertaken to determine whether any roosts are present that might be affected by such works. It is also recommended that any external lighting is directed away from this tree and from the north boundary in general, to minimise any potential impacts on foraging or commuting bats that might use the footpath north of the site.
- 7.12.6 No other impacts on protected species would occur as identified in the Ecological Appraisal. In terms of recommendations, it does recommend, apart from the landscape planting, the provision of bird and bat boxes which are to be installed on retained trees.
- 7.12.7 With regards to biodiversity net gain and following recent correspondence with Herts and Middlesex Wildlife Trust, the applicant has undertaken a Biodiversity Net Gain calculation utilising the Defra Metric. The calculation identified that the baseline value of the site is 0.35 habitat units, the total net habitat unit change is -0.16 units meaning the post-intervention value of the site is 0.19. To get to 10% net gain the applicant will need to provide contributions to provide a total of 0.385 units (the baseline of 0.35 + 10%) which is a provision of 0.195 habitat units off-site.
- 7.12.8 At the time of writing this report, Herts and Middlesex Wildlife Trust were re-consulted on the Biodiversity Net Gain Calculation but had not provided any updated comments. Therefore, if any comments are received in advance of the Planning and Development Committee, their comments would be reported accordingly. In addition, it is recommended that delegated powers be given to the Assistant Director of Planning and Regulation in consultation with the Chairman, to secure any additional conditions which may be requested by the Wildlife Trust. In addition, as the site cannot meet 10% net-gain, a financial contribution is likely to be required in order to off-set this shortfall within Stevenage. Therefore, it is also recommended that delegated powers be given to the Assistant Director of Planning and Regulation in consultation with the Chairman to secure any financial obligations which may be required to off-set biodiversity shortfall which would form part of a S106 Legal Agreement.

7.13 Loss of open space

- 7.13.1 In assessing the loss of open green space which forms part of the application site to the west of the site and to the rear of the garage blocks, Policy NH6 stipulates that for

development of any existing, unallocated open spaces, development would be permitted where:

- A) the loss of the open space is justified having regard to:
- i. the quality and accessibility of the open space;
 - ii. the existence, or otherwise, or any interventions to improve the quality or access;
 - iii. whether the open space is serving its function and purpose; and
 - iv. whether alternative space(s) remain available for community use, and
- B) Reasonable compensatory provision is made.

7.13.2 The application site is, in part, formed of grassed amenity space which is located to the front of the site. The space forms part of a larger collection of open spaces surrounding the wider area of Oaks Cross, acting as a buffer between the highway and residential properties to the west and north of the garages. The area of green space to be incorporated into the application site is small compared to the total area of green space in this location. The remaining space will continue to provide a break in the built form of the surrounding area. As such, it is considered the loss of this small area of open space will not harm the function or amenity of the remaining space of which it is part and is therefore acceptable.

7.14 Other Matters

Sustainable construction and climate change

- 7.14.1 Policy FP1 of the adopted Local Plan (2019) stipulates that planning permission will be granted for development that can incorporate measures to address adaptation to climate change. New developments will be encouraged to include measures such as:
- Ways to ensure development is resilient to likely variations in temperature;
 - Reducing water consumption to no more than 110 litres per person per day, including external water use;
 - Improving energy performance of buildings;
 - Reducing energy consumption through efficiency measures;
 - Using or producing renewable or low carbon energy from a local source; and
 - Contributing towards reducing flood risk through the use of SuDS or other appropriate measures.
- 7.14.2 The application is supported by detailed Water Efficiency Measures Calculation (BRE Water Efficiency Calculator), Carbon Emissions Reduction Measures Report (Carbon Emissions Reduction Statement by Volumetric dated August 2020) along with the sustainability measures set out in the Building Control Compliance Statement (prepared by Volumetric 2020). It is set out that the units would be served by a communal Air Source Heat Pump. The units themselves would comprise insulation layers on all respective walls and floors with high air tightness to reduce leakage. Low energy lighting would be installed throughout with all appliances fitted being energy efficient. The measures in place would reduce the carbon footprint of the development by 39.17%.
- 7.14.3 In terms of water efficiencies, the use of dual flush cisterns, flow rate controlled taps showers, washing machines and dishwashers to ensure that the total consumption on site is no more than 110 litres per person per day.
- 7.14.4 Given the above, and subject to conditions, it would ensure the development is designed in order to be adaptable to climate change as well as ensure a suitable waste management plan is provided.

Waste and Recycling

- 7.14.5 The Design Guide (2009) states, provision should be made within new development for the storage and collection of waste from a site. The submitted plans indicate that sufficient provision for general waste and recycling for this site. In addition, the bin stores are located within acceptable drag distances for future occupiers as well as refuse collectors. As such, a condition would be imposed to ensure the stores are provided prior to first occupation of the development.

Crime Prevention/anti-social behaviour/security

- 7.14.6 In regards to crime prevention, it is noted that despite the concerns raised by local residents, the Police Crime Prevention Design Advisor considers the development would be acceptable subject to the implementation of Secure by Design measures. The applicant has sought to engage with the Crime Prevention Design Advisor during the course of the application and improvements have been made to enable them to support the scheme. Such matters would also form part of any future Building Regulations approval under Part Q. Notwithstanding this, an informative can be imposed to any decision issued to require the applicant to continue to engage with the Police Crime Prevention Advisor in regards to Designing out Crime.

Community Infrastructure Levy

- 7.14.7 As indicated above, the Council adopted CIL on 1 April 2020 and the CIL Charging Schedule specifies a payment for new floorspace in line with the following rates (plus appropriate indexation):

Development Type	CIL Rate (£ per square meter)	
	Zone 1: Stevenage Central, Stevenage West Urban Extension and North of Stevenage Extension	Zone 2: Everywhere else
Residential		
Market housing	£40/m ²	£100/m ²
Sheltered housing	£100/m ²	
Extra care housing	£40/m ²	
Retail development	£60/m ²	
All other development	£0/m ²	

- 7.14.8 CIL is a non-negotiable charge. The exact charge will be determined by the Council's CIL officer after an application has been granted in accordance with the CIL Charging Schedule and the Community Infrastructure Levy Regulations 2010 (as amended). Opportunities for relief or exemption from the CIL charge exist and will be taken into account in the calculation of the final CIL charge.
- 7.14.9 CIL replaces the need for S106 agreements to specify financial and/or land contributions for non-site-specific infrastructure projects. This allows infrastructure to be planned on a borough-wide scale rather than on a site-by-site basis as mitigation against the impacts of individual proposals. A CIL Form 1: Additional Information has been submitted along with the application.

Equality, Diversity and Human Rights

- 7.14.10 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.
- 7.14.11 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.
- 7.14.12 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.
- 7.14.13 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.
- 7.14.14 In terms of inclusive access, the scheme has been designed to be DDA (Disability Discrimination Act) compliant. In addition, in accordance with Policy HO11: Accessible and Adaptable Housing of the adopted Local Plan (2019), as this is a major scheme at least 50% of all new dwellings will need to be category 2: accessible and adaptable dwellings. Whilst this would be secured via condition, the applicant has provided details to demonstrate that 50% of the units will meet Accessible and Adaptable Housing Standards.
- 7.14.15 The scheme also seeks to deliver the necessary disabled parking provision in accordance with the Council's adopted Parking Standards SPD (2020). The bays will meet the relevant size standards and have been located in an appropriate location in close proximity to the entrance of the main residential building.

8. CONCLUSIONS

- 8.1 In summary, it is acknowledged that there would be a conflict with Policy HO5 of the adopted Local Plan (2019). However, it can be concluded that the development would deliver significant public benefits which would outweigh the policy conflict in this instance. This is because the homeless living accommodation would meet an identified shortfall and need as supported by the evidence base in the Local Plan. Furthermore, as the Council has failed the HDT, great weight must be given to the delivery of housing, which is deemed to meet Paragraphs 8 and 11 of the NPPF in terms of sustainable development. In addition to this, the site is identified to be in a sustainable location within Stevenage with development being delivered on previously developed land in accordance with Policy HO5. Moreover, whilst the proposal would result in the loss of a small area of structural open space, the overall benefits of the development outweigh the loss of this space. Furthermore, it does not form any public function and there would still be sufficient public open space within the surrounding area. In addition, the overall benefits of this development would outweigh any harm caused by the loss of this small area of structural open space.
- 8.2 The scheme would, subject to conditions, not have a detrimental impact on the character and appearance of the area and it would not harm the amenities of neighbouring residential properties. Furthermore, the scheme would have acceptable living standards, would have sufficient off-street parking and would not prejudice highway safety and a suitable drainage

strategy can be secured through appropriately worded conditions. The development would not have a detrimental impact on the environment and a suitable landscaping strategy can be delivered to compensate for the loss of any existing trees and impact on the Ancient Land / Green Corridor. In addition, whilst the scheme would not deliver biodiversity net gain, a financial contribution can be sought to help off-set any shortfall. Moreover, the development would be adaptable to climate change. The scheme would also comprise sufficient general waste and recycle storage.

- 8.3 Given the aforementioned, whilst there is a policy conflict with Policy HO5, the development would on balance; accord with the majority of the policies in the adopted Local Plan (2019) as well as the Council's adopted Supplementary Planning Documents. It would accord with the policies set out in the NPPF (2021) and PPG. In addition, it has been identified in the overall planning balance, that the overall benefits of the scheme outweigh the policy conflict identified. Therefore, it is recommended that planning permission be granted.

9. RECOMMENDATIONS

- 9.1 That planning permission be GRANTED subject to the applicant having first entered into a S106 legal agreement to secure/provide contributions towards:-

- Securing the provision of the supported housing units for the homeless to remain in perpetuity;
- Apprenticeships and construction jobs;
- Management Company to manage areas of un-adopted open space and highways;
- Securing the provision of a 10% net gain in Biodiversity off-site within Stevenage;
- S.106 monitoring fee.

- 9.2 The detail of which would be delegated to the Assistant Director of Planning and Regulation in liaison with the Council's appointed solicitor, as well as the imposition of suitable safeguarding conditions, with authority given to the Assistant Director of Planning and Regulation in consultation with the Chair of Planning Committee, to amend or add to the suggested draft conditions set out in this report, prior to the decision notice being issued, where such amendments or additions would be legally sound and most effectively deliver the development that the Planning Committee has resolved to approve. These suggested conditions are as follows:-

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:
21046wd2.01 A; 21046wd2.03 A; C7472/CE1; C7472/CE2; CHM-01 D5; CHM-83 D7; CHM-88 D4; CHM-89 D3; CHM-90 D3; CHM-D-02 D04; HILL23495-11A; HILL23495-12A; 9103-D-AIA A.
REASON:- For the avoidance of doubt and in the interests of proper planning.
- 2 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON:- To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).
- 3 The materials to be used in the construction external elevations of the development hereby permitted shall be as specified in the application submission unless otherwise agreed in writing by the Local Planning Authority.
REASON:- To ensure the development has an acceptable appearance.

- 4 All planting, seeding and turfing comprised in soft landscaping as detailed in drawing number HILL23495-11A shall be carried out in the first planting and seeding seasons following the first use of the site or the completion of the development whichever is the sooner.
REASON:- To ensure a satisfactory appearance for the development.
- 5 Any trees or plants comprised within the approved plans or subsequently approved landscaping scheme, which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless otherwise agreed in writing by the Local Planning Authority.
REASON:- To ensure a satisfactory appearance for the development.
- 6 No tree shown retained on the approved plans, or subsequently approved landscaping scheme, shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped within five years of the completion of development without the written approval of the Local Planning Authority.
REASON:- To ensure the protection of those trees which should be retained in the interests of visual amenity.
- 7 Following the planting of the approved soft landscaping strategy, the landscape management plan prepared by Hill and ACD Environmental (Document reference: HILL23495 man, dated Oct 2021) which includes details of a maintenance schedule and the body responsible for maintaining the soft landscaping on the site shall be implemented accordingly. This management plan shall remain in place during the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.
REASON:- To ensure a satisfactory appearance for the development.
- 8 All hard surfacing as specified in hard landscaping drawing HILL23495-12A shall be carried out prior to the first use of the site or the completion of the development, whichever is the sooner. The hardsurfacing area shall be permanently maintained during the lifetime of the development.
REASON:- To ensure a satisfactory appearance for the development.
- 9 No development shall take place (excluding site clearance) until the tree protection measures as detailed in the Arboricultural Impact Assessment prepared by Hayden's Arboricultural Consultants (document reference 9103, dated 22 December 2021, Revision A) and drawing number 9103-D-AIA A have been implemented accordingly. The tree protection measures shall remain in place until the development has been completed. In addition, the methodology of construction for works which are to be undertaken within the root protection areas of those trees which are to be retained shall be carried out in accordance with the documents and plans specified in this condition.
REASON:- To ensure the protection of those trees which should be retained in the interests of visual amenity.
- 10 The entire width of the widened access shall be reconstructed in a hard surfacing material for the first 5.00 metres from the channel of the adjacent carriageway.
REASON:- To ensure construction of a satisfactory development, in the interests of highway safety, to prevent loose material from passing onto the public highway which may be detrimental to highway safety, in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).
- 11 The development hereby permitted shall be carried out in accordance with the Construction Phase Health and Safety Plan prepared by Hill dated 19/10/2021 and Construction Transport Management Plan prepared by Hill (document reference PDN05-G3-12.02.2018) unless otherwise agreed in writing by the Local Planning Authority.

REASON:- In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan.

- 12 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 13 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 14.

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

- 13 In the event that contamination is found at any time when carrying out the approved development that was not previously identified, 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.

- 14 In the event that contamination is found at any time when carrying out the approved development that was not previously identified, as required under condition 12, 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.

- 15 Prior to first occupation of the development hereby permitted details of external lighting to the site shall be submitted to the Local Planning Authority and approved in writing. There shall be no other sources of external illumination.

REASON:- To minimise pollution of the environment and to safeguard the safety of the adjacent highway network.

- 16 The dwellings hereby permitted shall not be occupied until the cycle storage areas as detailed in the application submission have been implemented accordingly. The cycle storage areas shall be retained and maintained accordingly during the lifetime of the development.

REASON:- To ensure that adequate cycle parking is provided in accordance with the Council's adopted supplementary planning documents.

- 17 The dwellings hereby permitted shall not be occupied until the general waste and recycle store associated with the development hereby permitted shall be implemented in accordance with the details as specified in the application submission.

REASON:- To ensure the general waste and recycle store is of a sufficient size to accommodate the number of bins which are required for this development. In addition, to ensure the proposed bin store has an acceptable appearance.

- 18 Prior to first occupation of the development hereby permitted, details of the siting, type and specification of Electric Vehicle Charging Points (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, unless otherwise agreed in writing by the Local Planning Authority.

REASON:- In order to provide facilities to charge electric vehicles and to help reduce the impact of vehicle emissions on the local environment.

- 19 Prior to first occupation of the development hereby permitted the car parking spaces as detailed in drawing number 21046wd2.01 A and HILL23495-12A shall be surfaced and marked out in accordance with the approved details and shall thereafter be permanently retained and shall only be used for the parking of motor-vehicles only.

REASON:- To ensure there is sufficient off-street parking to serve the development hereby permitted.

- 20 Prior to first occupation of the development hereby permitted, a detailed site management plan of how the site will be managed and operated, including details of parking management and safeguarding protocols for future occupiers of the development shall be submitted to and approved in writing by the Local Planning Authority. The site management plan shall thereafter be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

REASON:- In order to protect the amenities of neighbouring properties and the safety and well-being of the occupiers of the site as well to manage on-site parking provision.

- 21 Infiltration testing should be in accordance with BRE Digest 365 which should be carried out at the location of any infiltration measure(s). Where infiltration is not possible, evidence that approval has been sought from the relevant water authority should be provided for any connection into a public surface water sewer.

REASON:- To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site. To reduce the risk of flooding to the proposed development and future users.

- 22 No development shall take place until a final design of the drainage scheme for the site based on the principles set out in Condition 21, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is occupied. The scheme shall include:

- Updated surface water drainage calculations and modelling for all rainfall events up to and including the 1 in 100 year plus climate change event, including infiltration options.
- Updated full detailed surface water drainage plan showing the proposed discharge point, the location of the proposed SuDS features, any pipe runs and size.
- Detailed engineered drawings of the proposed SuDS features including their, size, volume, depth and any inlet and outlet features including any connecting pipe runs along with all corresponding detailed calculations/modelling.
- Exceedance flow paths for surface water for events greater than the 1 in 100 year plus climate change.

REASON:- To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site. To reduce the risk of flooding to the proposed development and future users.

- 23 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 include:
- Provision of complete set of as built drawings including the final drainage layout for site drainage network.
 - Maintenance and operational activities for the lifetime of the development.
 - Arrangements for adoption and any other measures to secure the operation of the scheme throughout its lifetime.

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

- 24 At least 50% of the residential units are Category 2: Accessible and Adaptable dwellings.
REASON:- To ensure the development will meet the increase in demand for accessible and adaptable units for elderly and disabled residents in accordance with Policy HO11 of the Stevenage Borough Local Plan 2011 – 2031 (adopted 2019).

- 25 All areas of hedges, scrub or similar vegetation where birds may nest which are to be removed as part of the development, are to be cleared outside the bird-nesting season (March – August inclusive) or if clearance during the bird nesting season cannot be reasonably be avoided, a suitably qualified ecologist will check the areas to be removed immediately prior to clearance and advise whether nesting birds are present. If active nests are recorded, no vegetation clearance or other works that may disturb active nests shall proceed until all young have fledged the nest.
REASON:- Nesting birds are protected from disturbance under the Wildlife & Countryside Act 1981 (as amended).

- 26 The noise mitigation measures as detailed in the Cass Allen noise assessment (RP01-21155-R0 dated 08 October 2021) and the addendum letter by Cass Allen (LR01-21155-R0 dated 20 December 2021) shall be implemented in accordance with the approved details.
REASON:- To ensure there is an acceptable living environment for future occupiers and neighbouring residential properties.

- 27 Prior to the first occupation of the development hereby permitted, provision of bird and bat boxes as specified in the Ecological Appraisal prepared by RPS (Document reference ECO02143 C dated 28 October 2021) shall be erected accordingly and thereafter permanently retained and maintained.
REASON:- To provide suitable roosting and nesting opportunities for bats and birds as an ecological enhancement of the site.

- 28 The Water Efficiency Measures (BRE Water Efficiency Calculator) and Carbon Emissions Reduction Measures (Carbon Emissions Reduction Statement by Volumetric dated August 2020) along with the sustainability measures set out in the Building Control Compliance Statement (prepared by Volumetric 2020) shall be implemented in accordance with the approved details.
REASON:- To ensure the development is adaptable to climate change.

Pro-active Statement

Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant at the pre-application stage and during the determination process which lead to improvements to the scheme. The Council has

therefore acted pro-actively in line with the requirements of the National Planning Policy Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

INFORMATIVES

1 Drainage

The drainage system has been designed to attenuate to the 1 in 1 year rainfall event, which is more stringent than required. The 1 in 2 year rainfall event is acceptable.

Blue roofs may not be appropriate in this case due to the structural requirements of the buildings. As set out in Chapter 12 of the SuDS Manual the 'Extensive' blue green roof option would be more appropriate. The SuDS Manual defines 'Extensive roofs to '...*, have low substrate depths (and therefore low loadings on the building structure), simple planting and low maintenance requirements; they tend not to be accessible.*

2 Hertfordshire County Council Highways

HCC recommends inclusion of the following highway informative to ensure that any works within the public highway are carried out in accordance with the provisions of the Highway Act 1980: Construction standards for new and widened vehicle access: Where works are required within the public highway to facilitate the widened or new vehicular access, the Highway Authority require the construction of such works to be undertaken to their satisfaction and specification, and by a contractor who is authorised to work in the public highway. If any of the works associated with the construction of the access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, statutory authority equipment etc.) the applicant will be required to bear the cost of such removal or alteration.

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/droppedkerbs/> or by telephoning 0300 1234047.

3 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 .

4 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>

5 Building Regulations

To obtain advice regarding current Building Regulations please contact Hertfordshire Building Control Ltd. by emailing us at building.control@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).

6 Police Crime Prevention Design Service

Prior to construction the applicant will contact the Hertfordshire Constabulary CPDS with a view to seeking to achieve accreditation to the Police preferred minimum security standard that is Secured by Design. The reason for this is to ensure that the development is compliant with both National and Local Planning Policies, in addition, this will also demonstrate the discharge of obligations under Approved Document 'Q' – Security of Building Regulations".

7 Arboricultural Impact Assessment

Before an Arboricultural Contractor is employed to undertake the works to the trees, the Arboricultural Impact Assessment will need to be updated to ensure that trees T003 and T008 are marked as being retained as per the approved soft landscaping scheme.

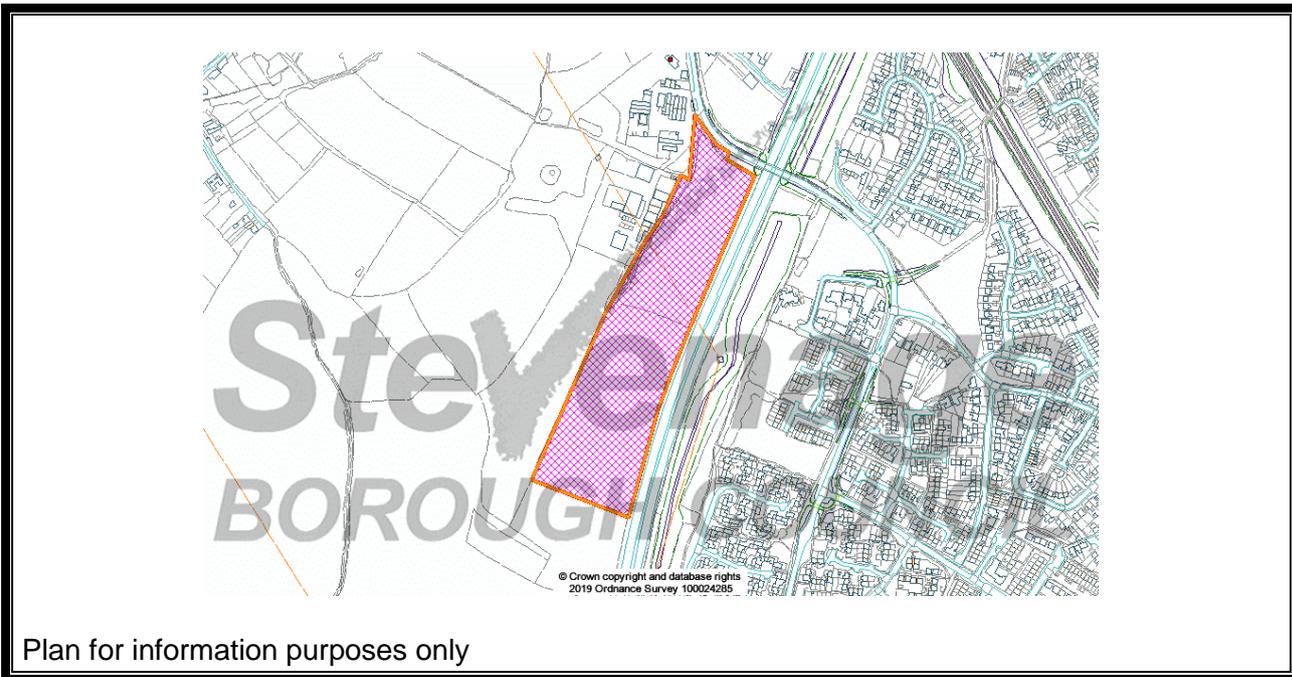
13. BACKGROUND DOCUMENTS

1. The application file, forms, plans and supporting documents having the reference number relating to this item.
2. Stevenage Borough Council Supplementary Planning Documents – Parking Provision adopted October 2020, Stevenage Design Guide adopted October 2009, The impact of Development on Biodiversity adopted March 2021, Stevenage Borough Council Developer Contributions adopted March 2021.
3. Stevenage Borough Local Plan 2011-2031 adopted 2019.
4. Hertfordshire County Council's Local Transport Plan 4 adopted May 2018.
5. Responses to consultations with statutory undertakers and other interested parties referred to in this report.
6. Central Government advice contained in the National Planning Policy Framework July 2021 and Planning Policy Guidance March 2014.

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Meeting:	Planning and Development Committee	Agenda Item:
Date:	11 January 2022	
Author:	James Chettleburgh	01438 242266
Lead Officer:	Zayd Al-Jawad	01438 242257
Contact Officer:	James Chettleburgh	01438 242266

Application No:	20/00682/FPM
Location:	Land to west of A1(M) and south of Stevenage Road, Todds Green, Stevenage.
Proposal:	Variation of conditions 1 (Approved Plans), 9 (Flood Risk Assessment), 10 (Drainage) and 27 (Vehicle Access) attached to planning permission 19/00123/FPM.
Drawing Nos.:	SO01D; SO02 A; SO03; SK01H; SK05 D; SK06 D; SK07 A;; SK20 B; SK21 B; SK22 A; SK23 A; SK24 B; SK25 B; SK26 C; SK27 C; SK28 C; SK29 A; SK30 B; SK31 B; SK32 B; SK33 B; SK34 B; SK35 C; SK36 C; SK37 C; SK38 B; SK39 C; SK40 C; SK41 A; SK42 A; SK43 A; SK44 C; SK45 C; SK46 C; SK47 C; SK48 C; SK49 B; SK50 B; SK51 C; SK52 C; SK53 A; SK54 A; SK55 A; SK56 A; SK57 A; SK58 A; SK59 A; SK60 A; SK61; SK62; SK63; SK64 A; SK65 A; SK68; SK71 B; SK72 C; SK73 C; SK74 C; SK75 C; SK76 C; SK77; SK78; SK79; SK80; SK81; SK82; SK83; SK84; SK85; SK86; SK87; SK88; SK100; SK101; SK102; SK103; SK104; SK105; SK200; SK201A; SK202A; SK203B; SK204B; SK205.1A; SK205.2A; SK206B; SK207B; SK208B; SK209A; SK210A; SK211B; SK212B; SK213.1; SK213.2A; SK214B; SK215B; SK216B; LC 00331 01 G; 21172/SITEPLAN/1002/T6;21172/SITEPLAN/1003/T6; 21172/SITEPLAN/004/T6; 21172/SITEPLAN/1005/T5.
Applicant:	Taylor Wimpey UK Ltd
Date Valid:	13 November 2020
Recommendation:	GRANT PLANNING PERMISSION.



1. SITE DESCRIPTION

- 1.1 The application site is located in the north-western area of the Borough of Stevenage to the west of the A1(M) motorway and to the south of Fishers Green in Todds Green. The site is allocated in the adopted Local Plan (2019) as a West of Stevenage Safeguarded Corridor (Policy IT2) and it is a rectangular parcel of land which is approximately 5.6 hectares in area. It comprises agricultural fields which are punctuated by mature hedgerows, trees and vegetation. The land is set down from Stevenage Road and Fishers Green due to the sloping and undulating topography of the application site and the surrounding area. The site also straddles the border with North Hertfordshire District Council.
- 1.2 To the west of the application site is Shangri-La farm which comprises a mixture of commercial and light industrial premises along with agricultural fields and paddocks. To the east, beyond the A1(M) motorway is the main urban area of Stevenage including Fishers Green Common. To the north and north-west beyond Fishers Green and Stevenage Road is the hamlet of Todds Green. The hamlet of Todds Green comprises a mixture of detached and semi-detached properties which are of varying architectural styles and designs along with farms, agricultural holdings and stables.

2. RELEVANT PLANNING HISTORY

- 2.1 Planning application 01/00506/OP sought outline permission for the development of approximately 3,600 dwellings and business premises, shops and other uses, leisure, social and community facilities, open space and landscaping and provision of infrastructure, highways and public transport. This application was withdrawn in August 2013.
- 2.2 Planning application 01/00423/OP sought outline permission for the development of approximately 5,000 dwellings and business premises (B1 and B2); shops (A1, A2 and A3), leisure, social and community facilities (D1 and D2); open space and landscaping, provision of infrastructure, highways. This application was refused by the Secretary of State in October 2005.

- 2.3 Planning application 19/00123/FPM sought permission for the erection of 133 dwellings with associated amenity and open space provision, landscaping and access. This application was granted planning permission in September 2020.
- 2.4 Discharge of condition application 20/00580/COND sought to discharge conditions 3 (Materials) and 4 (Boundary Treatment) attached to planning permission 19/00123/FPM. The conditions were discharged November 2020.
- 2.5 Discharge of condition application 20/00581/COND seeks to discharge condition 10 (flood risk assessment) attached to planning permission reference 19/00123/FPM. This application is pending consideration.
- 2.6 Discharge of condition application 20/00582/COND sought to discharge condition 15 (Construction Management Plan) attached to planning permission reference 19/00123/FPM. The condition was discharged in December 2020.
- 2.7 Discharge of condition application 20/00583/COND seeks to discharge condition 28 (Roads) attached to planning permission reference 19/00123/FPM. This application is pending consideration.
- 2.8 Discharge of condition application 20/00584/COND seeks to discharge condition 21 (external lighting) attached to planning permission reference 19/00123/FPM. This application is pending consideration.
- 2.9 Discharge of condition application 20/00585/COND seeks to discharge condition 30 (infrastructure) attached to planning permission reference 19/00123/FPM. This application is pending consideration.
- 2.10 Discharge of condition application 20/00586/COND seeks to discharge condition 32 (Sustainable modes of travel) attached to planning permission reference 19/00123/FPM. This application is pending consideration.
- 2.11 Discharge of condition application 20/00587/COND seeks to discharge condition 34 (visibility splays) attached to planning permission reference 19/00123/FPM. This application is pending consideration.
- 2.12 Discharge of condition application 20/00588/COND sought to discharge condition 36 (Road surface finishes) attached to planning permission reference 19/00123/FPM. This condition was discharged in November 2020.
- 2.13 Discharge of condition application 20/00589/COND seeks to discharge condition 37 (access roads) attached to planning permission reference 19/00123/FPM. This application is pending consideration.
- 2.14 Discharge of condition application 20/00590/COND seeks to discharge condition 26 (energy statement) attached to planning permission reference 19/00123/FPM. This application is pending consideration.
- 2.15 Discharge of condition application 20/00591/COND sought to discharge condition 29 (Servicing and Delivery Plan) attached to planning permission reference 19/00123/FPM. This condition was discharged in May 2021.
- 2.16 Discharge of condition application 20/00592/COND seeks to discharge conditions 33 (Street Maintenance) and 35 (visibility splays) attached to planning permission reference 19/00123/FPM. This application is pending consideration.

- 2.17 Discharge of condition application 20/00636/COND sought to discharge condition 12 (Landscape and Ecological Management Plan) attached to planning permission reference 19/00123/FPM. The conditions were discharged in April 2021.
- 2.18 Discharge of condition application 20/00668/COND sought to partially discharge condition 15 (Construction Plan and Method Statement) attached to planning permission reference 19/00123/FPM. This condition was partially discharged in November 2020.
- 2.19 Discharge of condition application 20/00733/COND sought to discharge condition 40 (Management of Boreholes) attached to planning permission reference 19/00123/FPM. This condition was discharged in February 2021.

3. THE CURRENT APPLICATION

- 3.1 The application before the Council seeks to vary conditions 1 (Approved Plans), 9 (Flood Risk Assessment), 10 (Drainage) and 27 (Vehicle Access) attached to planning permission 19/00123/FPM. For reference, these conditions state the following:-

Condition 1 (Approved Plans)

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

SK77; SK78; SK79; SK80; SK81; SK82; SK83; SK84; SK85; SK86; SK87; SK88; SK01G; SK03D; SK04D; SK05D; SK06D; SK100; SK101; SK102; SK103; SK104; SK105; SK201A; SK202A; SK203B; SK204B; SK205.1A; SK205.2A; SK206B; SK207B; SK208B; SK209A; SK210A; SK211B; SK212B; SK213.1A; SK213.2A; SK214A; SK215B; SK216B; SK20B; SK21B; SK22A; SK23A; SK24B; SK25B; SK26C; SK27C; SK28C; SK29A; SK30B; SK31B; SK32B; SK33B; SK34B; SK35C; SK36C; SK37C; SK38B; SK39C; SK40C; SK41A; SK42A; SK43A; SK44C; SK45C; SK46C; SK47C; SK48C; SK49B; SK50B; SK51C; SK52C; SK53A; SK54A; SK55A; SK56A; SK57A; SK58A; SK59A; SK60A; SK61; SK62; SK63; SK64A; SK68; SK65A; SK66A; SK67; SK69A; SK70; SK71B; SK72C; SK73C; SK74C; SK75C; SK76C; SO01D; SO02A; LC 00331 01G; LC 00331 02; SK02A; SK03D; SK06.1; SK06.2; SK07.1; SK08A; SK200A;

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

- 3.2 In terms of amendments to the approved development, specifically its layout, the houses which are located within plots 42 to 46 as well as Flat Block K2 would be moved south of their approved position. This is because when the detailed design of the development was drawn up, it was identified that the scaffolding required to construct these buildings being located within close distance to the overhead powerlines.
- 3.3 Given the aforementioned, the site layout has been amended to ensure the buildings when being constructed by the applicant, are not located too close to the overhead powerlines which poses a significant health and safety issue.

Condition 9 (Flood Risk Assessment)

The development permitted by this planning permission shall be carried out in accordance with the Flood Risk Assessment carried out by BWB reference TGS-BWB-ZZ-XX-RP-YE-0001_FRA dated February 2019; Sustainable Drainage Statement carried out by BWB reference TGS-BWB-ZZ-XX-RP-CD-0001_SDS dated February 2019 and Technical Note carried out by BWB reference TGS-BWB-

ZZ-XX-YE-0002_TN Revision P02 S2 dated 28 June 2019 and the following mitigation measures:-

1. Limiting the surface water run-off generated by the 1 in 100 year + 40% allowance for climate change event critical storm so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site.
2. Provide attenuation to ensure no increase in surface water run-off for all rainfall events up to and including the 1 in 100 year + 40% allowance climate change event.
3. Implement drainage strategy as indicated on the drainage strategy drawing reference TGS-BWB-XX-ZZ-DR-CD-0004 and TGS-BWB-ZZ-XX-CD-DR-0006 and to include above ground SuDS features.
4. Implemented drainage strategy to include daylighting of northern culvert with online detention basin with low flow channel for existing watercourses with detention basin as indicated on drawing TGS-BWB-XX-ZZ-DR-CD-0004.
5. Implement drainage strategy to incorporate the central watercourse with detention basin indicated on drawing TGS-BWB-ZZ-XX-CD-DR-0006.

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

Condition 10 (Drainage)

The development permitted by this planning permission shall be carried out in accordance with the Flood Risk Assessment carried out by BWB reference TGS-BWB-ZZ-XX-RP-YE-0001_FRA dated February 2019; Sustainable Drainage Statement carried out by BWB reference TGS-BWB-ZZ-XX-RP-CD-0001_SDS dated February 2019 and Technical Note carried out by BWB reference TGS-BWB-ZZ-XX-YE-0002_TN Revision P02 S2 dated 28 June 2019. 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 climate change event.
2. Details regarding any areas of informal flooding (events those exceeding 1 in 30 years rainfall event), this should be shown on a plan with estimated extents and depths.
3. Details of final exceedance routes, including those for an event which exceeds to 1:100 + 40% allowance climate change rainfall event.
4. Details relating to the works to be carried out on the ordinary watercourses.

The scheme shall be fully implemented and subsequently maintained, 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 storage of and disposal of surface water from the site.

- 3.4 Due to the proposed layout changes prescribed in paragraph 3.3, the drainage strategy has been altered to reflect these proposed design changes. The Flood Risk Assessment which accompanied the original planning application itself would not be amended as part of this planning application.

Condition 27 (Vehicle Access)

Prior to the commencement of development hereby permitted, the vehicular accesses shall be provided and thereafter retained at the position shown on the approved in principle drawing number General Arrangement drawing number 17 941 - SK01 revision G. The principal access road shall be provided 6.75 metres wide [except for some minor traffic calming features shown on the drawing] complete with

10.0 metres radius kerbs. Thereafter, the internal access roads connected to the principal access road shall be provided at least 5.5 metres wide completed with 8.0 metres radius kerbs to the specification of Hertfordshire County Council from the date of this permission and to the Local Planning Authority's satisfaction. Arrangement shall be made for surface water drainage intercepted and disposed of separately so that it does not discharge from on onto the highway carriageway.

REASON:- To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway.

3.5 This condition currently required the main access to the site to be provided before construction commences. However, the existing trigger point of "Prior to commencement of development" means the access cannot be delivered. The proposal seeks to amend the condition to be "Prior to the occupation of the first residential unit".

3.6 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 layout of the approved development has changed to that which was originally approved under planning application 19/00123/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 application has been publicised by way of a site notice and nearby properties have also been notified by letter. The application was also published in the local press as it's a major application. At the time of drafting this report, 5 objections were received. A summary of the objections raised are as follows:-

- The applicant should conduct a traffic assessment for Eastbourne Avenue and its junction with Clovelly Way (similar roundabout at junction of Fishers Green (West) and Clovelly Way) with a view of constructing a mini roundabout in order to help manage increased traffic flows / reduce collisions;
- A substantial felling of trees on the highway embankment will need to be undertaken in order to achieve acceptable visibility splays for the Toucan Crossing;
- Officers misled the planning committee regarding the pedestrian crossing;
- Development will exacerbate surface water flooding issues in the area;
- Unacceptable development in the Green Belt;
- Will set an unacceptable precedent for development on greenfield sites / rural areas;
- The infrastructure cannot support the development;
- The developer should look at delivering alternative access to the site;
- Development should be located on brownfield sites which would reduce the need to deliver housing development on green belt sites.

5. CONSULTATIONS

5.1 Hertfordshire County Council as Highways Authority

5.1.1 Notwithstanding the approved drawings attached to planning permission 19/00123/FPM; the swept path analysis drawings 10548-RPS-XX-XX-DR-C-1004 and 10548-RPS-XX-XX-DR-C-1005 revision P1; show a smaller vehicle than was originally used on the swept path analysis of the initial submission, therefore Hertfordshire County Council as Highways Authority cannot confirm that the Variation of Condition 27 for the vehicular accesses is acceptable in highway terms.

5.2 Hertfordshire County Council as Lead Local Flood Authority

- 5.2.1 Hertfordshire County Council (HCC) as Lead Local Flood Authority (LLFA) note that we would have no comment regarding condition 27 as it does not relate to surface water drainage or flood risk. We understand it is proposed to relocate plots 42-46 and flat block K2 slightly south, and as such the drainage strategy needs to be slightly amended.
- 5.2.2 The LLFA advise that they have no objection in principle to updating the drainage strategy to reflect the updated location of plots 42-26 and flat block K2, however as per our recent response dated 16 November 2020 to application reference 20/00581/COND, we have several objections to the currently proposed drainage strategy.
- 5.2.3 Therefore, at present the LLFA objects to the proposed variation of conditions 9 and 10 to consider the latest drainage strategy prepared by RPS on the same basis as our previous letter.

5.3 Council's Arboricultural Manager

- 5.3.1 The proposed modified access road is deemed acceptable from an Arboriculture and Conservation view point. It is considered that the proposed pruning of the two Oak trees and the removal of the young Aspen groups is less damaging than the alternative access through the lane.

6. RELEVANT PLANNING POLICIES

- 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 July 2021. This largely reordered the policy substance of the earlier 2012 version of the NPPF albeit with some revisions to policy. The Council are content that 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.
- 6.2.2 Since November 2018, housing delivery has been measured against the Housing Delivery Test (HDT) as set out by the Government planning policy and guidance. The results of the HDT dictate whether a local planning authority should be subject to consequences to help increase their housing delivery. Where an authority's HDT score is less than 85% of its housing requirement, the Council must incorporate a 20% buffer into its housing supply calculations in line with paragraph 73 of the

NPPF. Where an authority's score is below 75%, the Council will be subject to the HDT's most severe penalty and must apply the presumption in favour of sustainable development. The latest HDT results, published by the Ministry of Housing Communities and Local Government (MHCLG) (**now the Department for Levelling Up, Housing and Communities**) in January 2021, identifies that Stevenage only delivered 64% of its housing requirement. This is significantly below the 75% target and renders the adopted Local Plan housing policies as out of date. Consequently, Stevenage Borough Council must apply the presumption in favour of sustainable development in its decision making and give great weight towards the need to deliver housing.

- 6.2.3 The Council therefore, has to prepare an Action Plan to show how the Council is responding to the challenge of ensuring more homes are delivered in the Borough. It will have to be prepared in accordance with Planning Practice Guidance and analyse the reasons for under-delivery of new homes against the Government's requirements. It also has to set out clear actions on how to improve housing delivery. Consequently, Stevenage Borough Council is considering its position in relation to preparing an action plan to enhance housing supply on deliverable sites.
- 6.2.4 In terms of 5 year land supply, the Council has recently published the Five Year Land Supply Update (August 2021) which reveals that Stevenage has a 5.85 year supply of housing. A copy of the statement is found on:
<https://www.stevenage.gov.uk/documents/planning-policy/monitoring/five-year-housing-land-supply-position-statement-august-2021.pdf>
- 6.2.5 However, since the Land West of Lytton Way (APP/K1935/W/20/3255692) appeal decision has been quashed by a High Court Consent Order, the Council will need to prepare an updated 5 year land supply report. This is because the Council can now only demonstrate a 5.20 year supply of housing following the quashing of the appeal decision.
- 6.2.6 The Council will also be commencing preliminary work into a potential review of its Local Plan, last adopted in May 2019. This is to ensure the policies within the Local Plan are up to date in accordance with the NPPF as well as ensuring the Council is delivering a sufficient supply of housing and employment.

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 SP5: Infrastructure;
Policy SP6: Sustainable transport;
Policy SP7: High quality homes;
Policy SP8: Good design;
Policy SP11: Climate change, flooding and pollution;
Policy SP12: Green infrastructure and the natural environment;
Policy SP13: The historic environment;
Policy IT2: West of Stevenage safeguarded corridors;
Policy IT3: Infrastructure;
Policy IT4: Transport assessments and travel plans;
Policy IT5: Parking and access;

Policy IT6: Sustainable transport;
Policy IT7: New and improved links for pedestrians and cyclists;
Policy HO5: Windfall sites;
Policy HO7: Affordable housing targets;
Policy HO8: Affordable housing tenure, mix and design;
Policy HO9: House types and sizes;
Policy HO11: Accessible and adaptable housing;
Policy GD1: High quality design;
Policy HC8: Sports facilities in new developments;
Policy FP1: Climate change;
Policy FP2: Flood risk in Flood Zone 1;
Policy FP5: Contaminated land;
Policy FP7: Pollution;
Policy FP8: Pollution sensitive uses;
Policy NH5: Trees and woodland;
Policy NH6: General protection for open space;
Policy NH7: Open space standards.

6.4 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

6.5 Community Infrastructure Levy Charging Schedule

- 6.5.1 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.

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, highway implications, development and flood risk and trees.

7.3 Affordable housing and planning obligations

- 7.3.1 Policy HO7 of the adopted Local Plan (2019) 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 originally confirmed under planning permission 19/00123/FPM that the development would comprise 30% affordable units. As such, the development would be policy compliant in this instance. With respect to the exact location of the affordable units, the affordable housing tenure mix, size of the units, this was previously agreed with the Council's Housing Development Section.

7.3.4 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 commuted payments. Based on the number of units proposed, the following contributions were secured as part of the Section 106 Agreement.

Stevenage Borough Council	Financial Contribution
Biodiversity improvements	£10,800.00
Biodiversity maintenance – 20 years	£68,176.75
Total (based on current figures provided)	£78,976.75
Hertfordshire County Council	
Sustainable Transport – financial contributions towards the continuation of the bus service.	£510,000.00
Travel Plan Contribution	£6,000.00
Total	£516,000
NHS and CCG	

GMS GP provision.	£94,078.84
Total	£94,078.84
Overall Total	£689,055.59

7.3.5 Further to the above, the S.106 agreement under the original planning permission (19/00123/FPM) also secured the provision of fire hydrants. In addition, it secured the provision and on-going maintenance of the play areas as well as secured the provision of a maintenance company. Moreover, the original agreement also set out a schedule of associated Section 278 Highway Works.

7.3.6 Taking the above into consideration, if Members were minded to grant this application planning permission, 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 would bind the applicant to the original obligations which were secured under planning permission 19/00123/FPM. It can be confirmed that the DoV has been engrossed by all parties and if the Council is minded to grant permission, then the S.106 DoV would be completed accordingly in advance of the permission being issued.

7.4 Community Infrastructure Levy

7.4.1 As indicated above, the Council adopted CIL on 1 April 2020 and the CIL Charging Schedule specifies a payment for new floorspace in line with the following rates (plus appropriate indexation):

Development Type	CIL Rate (£ per square metre)	
	Zone 1: Stevenage Central, Stevenage West Urban Extension and North of Stevenage Extension	Zone 2: Everywhere else
Residential		
Market housing	£40/m ²	£100/m ²
Sheltered housing	£100/m ²	
Extra care housing	£40/m ²	
Retail development	£60/m ²	
All other development	£0/m ²	

7.4.2 CIL is a non-negotiable charge. The exact charge will be determined by the Council's CIL officer after an application has been granted in accordance with the CIL Charging Schedule and the Community Infrastructure Levy Regulations 2010 (as amended). Opportunities for relief or exemption from the CIL charge exist give an example of what these exemptions might be and will be taken into account in the calculation of the final CIL charge.

7.4.3 CIL replaces the need for S106 agreements to specify financial and/or land contributions for non-site-specific infrastructure projects. This allows infrastructure to be planned on a borough-wide scale rather than on a site-by-site basis as mitigation against the impacts of individual proposals. A CIL Form 1: Additional Information has been submitted along with the application. Following an assessment of the proposed development, the CIL liability for this development would be approximately £1,452,896.00 (This is calculated utilising the gross internal floor area which is generated by the proposed development and then this floor area is charged at £100 per sq.m). Even when you apply the exemptions (if agreed by the Council) on the affordable housing floorspace, the liability for this development would still be

approximately £1,130,989.00. The CIL charge for the development would be index linked based on when the development is commenced on-site. A CIL liability notice would be issued once planning permission is granted (subject to the Planning and Development Committee approving this application).

7.4.4 With regards to how the CIL monies are spent, the ultimate decision lies with Stevenage Borough Council as the collecting authority. However, Hertfordshire County Council could put forward a bid for monies which could potentially go towards the following:-

- Primary Education;
- Secondary Education;
- Nursery Education;
- Youth Facilities; and
- Libraries

7.4.5 The Council's Parks and Amenities Section could also make a bid for monies which could go towards Open Outdoor Sport Facilities. For reference, the aforementioned i.e. education, youth facilities, libraries and open outdoor sport are not site specific so they were not secured under the S.106 legal agreement in accordance with the relevant CIL Regs at the time.

7.5 Impact on the Character and Appearance of the Area

7.5.1 Paragraph 126 of the NPPF states that "The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve". It goes on to state that "good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities".

7.5.2 Paragraph 130 of the NPPF sets out a number of requirements for new development, including that development:

- will function well and add to the overall quality of an area;
- is visually attractive as a result of good architecture; layout and appropriate and effective landscaping;
- is sympathetic to local character and history;
- establishes or maintains a strong sense of place;
- optimises the potential of the site to accommodate and sustain an appropriate amount and mix of development;
- creates places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

7.5.3 Paragraph 131 of the NPPF places great importance on the role of trees in helping to shape quality, well designed places "Trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change".

7.5.4 Paragraph 132 of the NPPF states that applicants "should work closely with those affected by their proposals to evolve designs that take into account of the views of the community. Applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot".

7.5.5 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.

7.5.6 Policy HO5: windfall sites require residential development on unallocated site to not have a detrimental impact on the environment and on surrounding properties. The Council's Design Guide SPD (2009) generally reflects the aforementioned policies whereby it seeks development to respect surrounding buildings in terms of scale, massing, height and design. As such, it encourages good design as it can enhance the appearance of places.

7.5.7 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.

7.5.8 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.

7.5.9 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.

7.5.10 Paragraph 40 of the National Design Guide states that well-designed places are:

- Based on a sound understanding of the features of the site and the surrounding context, using baseline studies as a starting point for design;
- Integrated into their surroundings so they relate well to them;

- Influenced by and influence their context positively; and
- Responsive to local history, culture and heritage.

7.5.11 The proposal as detailed in paragraph 3.2 seeks to amend the approved layout of the development, more specifically, to move the residential dwellings within plots 42 to 46 as well as apartment block K2. These are located centrally within the development site between the proposed central green to the north and the proposed country side green to the south. The proposal does not seek any amendments to the approved visual appearance of the buildings.

7.5.12 The dwellings (Plots 42 to 46) and residential apartment block (Block K2) would move approximately 10m south of their approved location under permission 19/00123/FPM. This is due the proximity of the overhead powerlines which is a health and safety issue regarding the arcing distance between the top of the scaffolding required to construct the houses and the overhead powerlines.

7.5.13 However, by moving these properties from their approved position, it does result in a reduction in the overall width of the Countryside Green from approximately 43m (Max) to 29m (Min) down to 36m (Max) to 24m (Min). Notwithstanding this, in order to compensate for this, the Central Green would increase from approximately 68m in length to approximately 75m in length. The space would also increase in width from approximately 37m (Max) to 41m (Max). As such, the proposed enlargement of the Central Green would compensate for the reduction in the size of the Countryside Green.

7.5.14 In summary, it is not considered that the proposed amendment to the layout of the specified development would harm the overall approved visual appearance of the scheme as previously considered by the Council. In addition, there would still be an acceptable level of open space which ensures the scheme would have a high quality visual environment as viewed from the wider streetscape.

7.6 Impact upon residential amenity

7.6.1 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 residential properties within the development would still have adequate amenity areas and set sufficient distant apart to ensure the privacy of each dwelling unit is acceptable in line with the Council's Design Guide SPD.

7.7 Highway implications

7.7.1 As set out in paragraph 3.5, condition 27 attached to the original planning permission currently requires the main access to the site to be provided before construction commences. However, the existing trigger point of "Prior to commencement of development" means the access cannot be delivered. The proposal seeks to amend the condition to be "Prior to the occupation of the first residential unit". In terms of the principle of amending the trigger point of condition 27, Hertfordshire County Council as Highways Authority did not raise any concerns.

7.7.2 Turning to the proposed amendments to the site's internal layout as detailed in Section 7.5 of this report, the application is accompanied by drawing number 10548-RPS-XX-XX-DR-C-1004 and 10548-RPS-XX-DR-C-1005 revision P1. These plans show a detailed swept path analysis of waste collection vehicles to demonstrate how larger vehicles can safely manoeuvre within the site. Given the plans show a smaller vehicle used, Hertfordshire County Council has raised concerns accordingly.

7.7.3 Notwithstanding the above, under discharge of condition application 20/00591/COND (Discharge of condition 29 – Servicing and Delivery Plan), the applicant provided extensive details of swept path analysis for fire tenders, buses and refuse collection vehicles. For reference, this condition stated the following:

No development shall take place until a Servicing and Delivery Plan has been submitted to and approved in writing by the Local Planning Authority. The Servicing and Delivery Plan shall contain the delivery and servicing requirements, waste collection points for the proposed development, a scheme for coordinating deliveries and servicing for the proposed development, areas within the development site that will be used for loading and manoeuvring of delivery and servicing vehicles, and circulation route and constructed in accordance with the approved details. Thereafter, the route shall be maintained in accordance with those approved details.

REASON:- In the interests of maintaining highway efficiency and safety.

7.7.4 The relevant plans which accompanied the discharge of condition application, which also included details of the proposed amended site layout as detailed under this application (20/00682/FPM) were as follows-

- Vehicle Tracking - Fire Tender Sheet 1 (drawing number:- 10548-RPS-XX-XX-DR-C-1001 T3);
- Vehicle Tracking - Fire Tender Sheet 2 (drawing number:- 10548-RPS-XX-XX-DR-C-1002 T3);
- Vehicle Tracking - Bus (Drawing number:- 10548-RPS-XX-XX-DR-C-1003 T3);
- Vehicle Tracking - Refuse Sheet 1 (Drawing number:- 10548-RPS-XX-XX-DR-C-1004 T3);
- Vehicle Tracking - Refuse Sheet 2 (Drawing number:- 10548-RPS-XX-XX-DR-C-1005 T3).

7.7.5 Following consultation with Hertfordshire County Council as Highway Authority as part of the application process for 20/00591/COND, they advised that the details submitted met the reasons and purposes for the condition. They stated and quote “although the swept path analysis of the waste collection vehicle is not as the agreed waste collection vehicle tracking to be used, which was for the 12.1 m vehicle, the amended swept path analysis showing the 11.999 m Vulture 3025(N) vehicle the details shown have been considered by HCC as being acceptable”.

7.7.6 Given the aforementioned, whilst Hertfordshire County Council as Highways Authority have not provided any updated comments on this application which is before the Council, it is clearly evident that they do not have any concerns with the amended development layout as they advise the swept path details are acceptable. Therefore, it can be concluded that larger vehicles can safely manoeuvre within the development site without prejudicing highway. Therefore, the proposed amendments sought to the respective conditions are deemed to be acceptable from a highways perspective.

7.8 Development and Flood Risk

7.8.1 The proposed layout changes prescribe that the drainage strategy needs to be amended as previously approved by Hertfordshire County Council (HCC) as Lead Local Flood Authority. Following initial consultation with the LLFA, they have advised that they have no objection in principle to updating the drainage strategy to reflect the updated location. However, they do have concerns with the details set out in discharge of condition application 20/00581/COND (Discharge of Condition 10 (flood risk assessment) attached to planning permission reference number 19/00123/FPM).

- 7.8.2 In terms of the concerns raised, the latest comments received from the LLFA on the above application (letter dated 03 November 2021) set out the following:-
- The LLFA was pleased to see the provision of permeable paving in the northern yard. This part of the site will discharge to the south to manhole S47 before discharging to Basin 3. The access road will also drain to Basin 3, as well as the area to the south from manhole S40.
 - The applicant needs to clarify how runoff generated on the site itself (not including flows entering the site via the ordinary watercourse to the east) will be restricted prior to its discharge to the ordinary watercourse, including the locations of any flow controls;
 - Basin 2 will discharge the southern part of the site via hydrobrake at 17.7l/s to the mapped ordinary watercourse west of the site, however, it is not indicated how flows from the parts of the site draining via Basin 3 will be restricted;
 - At this stage, the LLFA would also expect half drain down times for all SuDS features on site, however, these have not been provided. These half drain times should not exceed 24 hours;
 - Any updates to the scheme in accordance with the above will need to be supported by revised drawings / calculations where appropriate.
- 7.8.3 Firstly, dealing with the application which is before the Council, the proposal is merely seeking to amend the layout of development with the conditions amended accordingly and not to discharge the respective conditions. As such, and as advised by the LLFA, there are no concerns from a drainage perspective to amend the conditions to reflect the amended layout.
- 7.8.4 Notwithstanding this, with regards to the concerns outlined in relation to discharge of condition application 20/00581/COND as detailed above, it is recommended that condition 10 of planning permission 19/00123/FPM is re-imposed (Condition 9 as listed in Section 9 of this report) if the Council is minded to grant planning permission. This will ensure that any outstanding drainage matters can be resolved and the condition, thereafter, discharged once the LLFA has agreed the drainage strategy is deemed to be acceptable for this development.

7.9 Trees

- 7.9.1 The application is accompanied by a tree protection plan (drawing number 10018 TPP 01) which details the following:-
- Removal of a group of trees in order to install an aluminium trackway as part of the temporary access for development;
 - Pruning and crown reduction works to a number of trees;
 - Root protection measures for construction of the aluminium trackway;
 - Protective fencing in accordance with BS5837:2012.
- 7.9.2 Following consultation with the Council's Arboricultural Manager, they consider the tree protection measures, removal of the identified tree group and works to the trees are deemed to be acceptable from an Arboricultural perspective. With regards to any trees which are being lost, the development is seeking to deliver a significant number of new trees as part of the overall approved landscaping strategy.. Therefore, the proposed tree planting schedule as set out in the approved landscaping strategy would compensate for any tree which has to be removed as part of the highway access works.

7.10 Other matters

Equality, Diversity and Human Rights

- 7.10.1 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.
- 7.10.2 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.
- 7.10.3 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.
- 7.10.4 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.
- 7.10.5 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.

Green Belt

- 7.10.6 It is noted that objections have been raised regarding the development having a detrimental impact on the openness of the Green Belt. Whilst the majority of Todds Green does fall within the Metropolitan Green Belt, including parts of the hamlet which fall under the jurisdiction of North Hertfordshire District Council, the application site was not previously identified as falling within the Green Belt under the Stevenage District Plan Second Review 1991 – 2011 (2004). In addition, this site is still not designated as Green Belt under the adopted Stevenage Borough Local Plan 2011 to 2031 (adopted May 2019).

Impact on the highway network / alternative access and highway arrangements

- 7.10.7 It is noted that concerns have been raised about the impact this development would have on the local highway network. In addition, local residents recommend that alternative access arrangements / highway arrangements should be considered in order to reduce the impact the development would have on the local highway network.
- 7.10.8 It needs to be advised that the principle of development has already been established as being acceptable under planning permission 19/00123/FPM. As such, matters around the impact on the highway network have already been determined as being acceptable, as confirmed by Hertfordshire County Council as Highways Authority at the time the application was determined. Therefore, it would

not be reasonable to require the applicant to consider alternative access and/or highway arrangements as part of this application as it merely seeks to amend the approved plans under planning permission 19/00123/FPM.

Toucan / Pedestrian crossing

- 7.10.9 There have been representations received regarding details of a toucan crossing under this application as well as concerns raised that the committee was previously misled around pedestrian access. With regards to the plans submitted with the application, it does provide additional details of a toucan crossing. However, there will be a condition (Condition 31) if the Council is minded to grant planning permission which deals with the toucan crossing. The condition will require detailed plans to be provided, including any requirements to remove tree(s) to allow the provision of suitable visibility splays with details themselves requiring written approval by the Council. In addition, Hertfordshire County Council as Highways Authority would be consulted on the application and would have to advise whether or not this crossing (including any tree removal) is acceptable from a highways perspective. As such, the plan which accompanies this application with respect to details on the toucan crossing must only be treated as indicative.
- 7.10.10 Turning to the concerns raised regarding misleading the planning committee, no formal complaint was lodged to ascertain through investigation as to whether or not the Committee was misled by officers. Furthermore, the planning decision was not challenged by Judicial Review if it was felt that the Council has erred in its decision with regards to pedestrian access and/or impacts of the development on the highway network. Moreover, Hertfordshire County Council as Highways Authority were consulted on the original application (19/00123/FPM) and raised no objections, subject to the imposition of appropriate conditions and obligations which were to be secured by way of a S.106 Legal Agreement.

Development will set an unacceptable precedent.

- 7.10.11 Whilst these concerns are noted, each application has to be assessed on its merits in accordance with relevant planning policy, guidance and legislation which is adopted at both the national and the local level. As such, whilst one development may be acceptable in a certain location within the Borough, a similar development in another location within the Borough may not be acceptable in planning terms as it could fall within for example the Metropolitan Green Belt.

8. CONCLUSIONS

- 8.1 In summary, and through the use of appropriated worded conditions and the securing of planning obligations through a S.106 DoV to mitigate the development's impact, it is not considered that the proposed amendment to the layout of the specified development would harm the overall approved visual appearance of the scheme as previously considered by the Council. In addition, there would still be an acceptable level of open space which ensures the scheme would have a high quality visual environment as viewed from the wider streetscape.
- 8.2 The proposed amendments to the scheme would not prejudice the safety and operation of the highway network and an acceptable drainage strategy can be secured through the use of a condition. Moreover, there are no arboricultural related issues with the amendments which are proposed under this application.
- 8.3 Given the above, the proposed amendments as detailed under this application accord with the policies set out in the adopted Local Plan (2019), the Council's Supplementary Planning Documents, the NPPF (2021) and associated Planning

Practice Guidance. Therefore, it is recommended that planning permission be granted.

9. RECOMMENDATIONS

9.1 That planning permission be GRANTED subject to the applicant having first entered into a Deed of Variation to the S106 agreement to secure/provide contributions towards:-

- The provision of 30% affordable housing;
- Biodiversity improvement works and maintenance to Fishers Green Common;
- Sustainable Transport and Infrastructure contribution;
- Travel Plan contribution;
- Trees and plants from UK nurseries;
- Secure the provision and on-going maintenance of the play areas;
- Secure the provision of a maintenance company for the development;
- GP Provision;
- Provision of fire hydrants; and
- Associated Section 278 Highway Works.

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

9.2 In addition, the imposition of suitable safeguarding conditions, with authority given to the Assistant Director of Planning and Regulation in consultation with the Chair of Planning Committee, to amend or add to the suggested draft conditions set out in this report, prior to the decision notice being issued, where such amendments or additions would be legally sound and most effectively deliver the development that the Planning Committee has resolved to approve

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

SO01D; SO02 A; SO03; SK01H; SK05 D; SK06 D; SK07 A; SK20 B; SK21 B; SK22 A; SK23 A; SK24 B; SK25 B; SK26 C; SK27 C; SK28 C; SK29 A; SK30 B; SK31 B; SK32 B; SK33 B; SK34 B; SK35 C; SK36 C; SK37 C; SK38 B; SK39 C; SK40 C; SK41 A; SK42 A; SK43 A; SK44 C; SK45 C; SK46 C; SK47 C; SK48 C; SK49 B; SK50 B; SK51 C; SK52 C; SK53 A; SK54 A; SK55 A; SK56 A; SK57 A; SK58 A; SK59 A; SK60 A; SK61; SK62; SK63; SK64 A; SK65 A; SK68; SK71 B; SK72 C; SK73 C; SK74 C; SK75 C; SK76 C; SK77; SK78; SK79; SK80; SK81; SK82; SK83; SK84; SK85; SK86; SK87; SK88; SK100; SK101; SK102; SK103; SK104; SK105; SK200; SK201A; SK202A; SK203B; SK204B; SK205.1A; SK205.2A; SK206B; SK207B; SK208B; SK209A; SK210A; SK211B; SK212B; SK213.1; SK213.2A; SK214B; SK215B; SK216B; LC 00331 01 G; 21172/SITEPLAN/1002/T6; 21172/SITEPLAN/004/T6; 21172/SITEPLAN/1005/T5;

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

2 The external surfaces of the development hereby permitted shall be constructed in the following approved materials:-

o Facing Brick (Plots 10 - 24, 42 - 125) in Wienerberger Orange Multi Gilt Stock;

- o Facing Brick (Plots 1-9, 25-32, 33-41, 126-133 (Apartment Blocks)) in Trinity Cream Gilt Stock;
- o Contrasting Brick (Plots 1-9, 25 - 32, 33-41, 126-133 (Apartment Blocks)) in Wienerberger Orange Multi Gilt Stock;
- o Roof Tiles (Plots 10 - 24, 42 - 125) in Forticrete, Gemini red;
- o Roof Tiles (Plots 1-9, 25 - 32, 33-41, 126-133 (Apartment Blocks)) in Forticrete Gemini - Slate Grey;
- o Rainwater Pipes in PVC-U black;
- o Windows in PVC-U white;
- o Front doors in IG Entrance Doors PVC-U with timber frames;
- o Rear doors in IG PVC-U frames finishes in white; and
- o Porch entrances with Stormking GRP canopies.

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

- 3 The boundary treatment, including any retaining walls, shall be constructed in accordance with the following approved details:-

- o External Works and Boundary Treatment Sheet 1 of 4 (Drawing number:- 21172/SITE PLAN/1001 T3);
- o External Works and Boundary Treatment Sheet 2 of 4 (Drawing number:- 21172/SITE PLAN/1002 T5);
- o External Works and Boundary Treatment Sheet 3 of 4 (Drawing number:- 21172/SITE PLAN/1003 T5);
- o External Works and Boundary Treatment Sheet 4 of 4 (Drawing number:- 21172/SITE PLAN/1004 T5);

The boundary treatment would comprise the following:-

- o Brick Wall at 1.8m in height;
- o Brick Wall at 0.45m in height;
- o Close boarded fence at 1.8m in height;
- o Retaining wall with close boarded fence at 1.8m in height;
- o Metal railings at 1.2m in height; and
- o Picket fencing at 1m in height.

In addition, the 4.00m to 8.00m high acoustic fence shall be erected in accordance with the following approved plans:-

- 21172/SITE PLAN/PL01 P1;
- 1005834 1 of 4;
- 1005834 2 of 4;
- 1005834 3 of 4;
- 1005834 4 of 4.

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.

- 4 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.

- 5 No removal of trees, scrubs or hedges shall be carried out on site between 1st March and 31st August inclusive in any year, unless a pre-works survey of the vegetation to be removed and surrounding vegetation, is undertaken immediately prior to removal by a suitable qualified, and approved confirmed by the local planning authority.

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

- 6 The noise mitigation measures as specified in the documents listed below, shall be erected/installed in accordance with the approved details prior to first occupation of the development hereby permitted:-

- Acoustic Report Memorandum - Matt Torjurssen (20th January 2021 - 17977c-1);
- Air Quality Assessment Report - Ana Grossinho (10th October 2020 - 2020/10/1509/002);
- Acoustic Fence Setting Out - RPS (19th February 2020 - 17977B 1 R3).

The noise mitigation measures are detailed as follows:-

- Erection of an acoustic barrier (dealt with under application 21/00806/COND);
- Plot specific glazing specifications;
- Plot specific built fabrications;
- Plot specific ventilation.

REASON:- To protect the amenity of future occupiers of the development from noise from road traffic sources.

- 7 No properties shall be occupied until confirmation has been provided that either all wastewater network upgrades required to accommodate the additional flows from the development have been completed or a housing and infrastructure phasing plan has been submitted to and approved in writing by the local planning authority in consultation with Thames Water to allow additional properties to be occupied. Where a housing and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan.

REASON:- The development may lead to sewage flooding and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional flows anticipated from the new development. Any necessary reinforcement works will be necessary in order to avoid sewer flooding and/or potential pollution incidents.

- 8 The development permitted by this planning permission shall be carried out in accordance with the Flood Risk Assessment carried out by BWB reference TGS-BWB-ZZ-XX-RP-YE-0001_FRA dated February 2019; Sustainable Drainage Statement carried out by BWB reference TGS-BWB-ZZ-XX-RP-CD-0001_SDS dated February 2019 and Technical Note carried out by BWB reference TGS-BWB-ZZ-XX-YE-0002_TN Revision P02 S2 dated 28 June 2019 and the following mitigation measures:-

1. Limiting the surface water run-off generated by the 1 in 100 year + 40% allowance for climate change event critical storm so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site.

2. Provide attenuation to ensure no increase in surface water run-off for all rainfall events up to and including the 1 in 100 year + 40% allowance climate change event.

3. Implement drainage strategy as indicated on the drainage strategy drawing reference TGS-BWB-XX-ZZ-DR-CD-0004 and TGS-BWB-ZZ-XX-CD-DR-0006 and to include above ground SuDS features.

4. Implemented drainage strategy to include daylighting of northern culvert with online detention basin with low flow channel for existing watercourses with detention basin as indicated on drawing TGS-BWB-XX-ZZ-DR-CD-0004.

5. Implement drainage strategy to incorporate the central watercourse with detention basin indicated on drawing TGS-BWB-ZZ-XX-CD-DR-0006.

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

9 The development permitted by this planning permission shall be carried out in accordance with the Flood Risk Assessment carried out by BWB reference TGS-BWB-ZZ-XX-RP-YE-0001_FRA dated February 2019; Sustainable Drainage Statement carried out by BWB reference TGS-BWB-ZZ-XX-RP-CD-0001_SDS dated February 2019 and Technical Note carried out by BWB reference TGS-BWB-ZZ-XX-YE-0002_TN Revision P02 S2 dated 28 June 2019. 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 climate change event.

2. Details regarding any areas of informal flooding (events those exceeding 1 in 30 years rainfall event), this should be shown on a plan with estimated extents and depths.

3. Details of final exceedance routes, including those for an event which exceeds to 1:100 + 40% allowance climate change rainfall event.

4. Details relating to the works to be carried out on the ordinary watercourses.

The scheme shall be fully implemented and subsequently maintained, 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 storage of and disposal of surface water from the site.

10 Upon completion of each phase of the drainage works, a complete set of as built drawings for the site drainage management should 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 and overland flow route management

3. Details of any inspection and sign-off requirements for completed elements of the drainage systems.

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

- 11 The landscape and ecological management plan (LEMP) prepared by Aspect Ecology (Report reference:- 6061-LEMP.vf1/SF/LN/ES/DS dated 10 March 2021 shall be implemented in accordance with the approved details specified within the LEMP.
REASON:- In order to improve and enhance biodiversity within the development site and the surrounding so as to offset its impact.
- 12 The bat and bird box strategy as detailed in the approved plans and ecological report shall be fully installed prior to first occupation of dwelling units 16; 18; 21 to 23; 25 to 32 to 41; 46; 48 to 50; 53; 55; 56; 69; 72; 73; 83; 85; 91; 95; 114 to 116; 118 and 124 hereby permitted. The bat and bird boxes shall be retained thereafter.
REASON:- In order to enhance roosting opportunities for bats and nesting opportunities for birds.
- 13 Notwithstanding the provisions of Class A of Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revising, revoking and re-enacting that Order with or without modification), no internal or external alterations shall take place to any garage, which would preclude its use for housing motor vehicles and/or bicycles unless permission is granted on an application made to the Local Planning Authority.
REASON:- To ensure that alterations are not carried out which would preclude the use of the garages for the parking of motor-vehicles or bicycles and to ensure the development remains in accordance with the Council's adopted Parking Standards.
- 14 The Construction Management Plan/Method Statement as approved under discharge of condition application 20/00582/COND and the Site Waste Management Plan approved under discharge of condition application 20/00668/COND shall be strictly adhered to during the construction phases of the development hereby permitted.
REASON:- To minimise the impact of construction vehicles and to maintain the amenity of the local area.
- 15 In the event contamination is found during site clearance and/or construction phase of the development, the applicant must undertake an appropriate investigation and provide a remediation strategy which is to be submitted to and approved in writing by the Local Planning Authority. This investigation and assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site. Moreover, it must include:
 (i) a survey of the extent, scale and nature of contamination;
 (ii) an assessment of the potential risks to:
 o human health,
 o property (existing or proposed) including buildings, crops, livestock, pets,
 o woodland and service lines and pipes,
 o adjoining land,
 o groundwaters and surface waters,
 o ecological systems.
 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.
REASON:- To prevent harm to human health and pollution of the water environment in accordance with Government policy set out in the National Planning Policy Framework.

- 16 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.
- 17 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.
- 18 Prior to the first occupation of dwelling units 1 to 9; 25 to 32; 33 to 41 and 126 to 133 hereby permitted the approved refuse and recycle stores shall be constructed in accordance with the details submitted with this application 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.
- 19 Prior to the first occupation of dwelling units 1 to 9; 25 to 32; 33 to 41 and 126 to 133; hereby permitted the approved secure cycle parking areas and public cycle parking shall be constructed in accordance with the approved details submitted with this planning application 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.
- 20 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.
- 21 The landscaping scheme as detailed in the approved drawings shall be implemented in the first available planting season prior to 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.

- 22 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.
- 23 No development, including site clearance, shall commence until the trees as specified in the Arboricultural Impact Assessment, prepared by BWB (dated February 2019) 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.
- 24 Within the areas to be fenced off in accordance with condition 23, 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.
- 25 Prior to the first occupation of the dwellings hereby permitted, the measures to ensure the development is adaptable to climate changes as detailed in the Energy Statement (prepared by energist dated 15th February 2019) (As amended by AES Sustainability Consultants - Sustainability Strategy) shall have been installed and implemented across the whole development in accordance with the approved details.
REASON:- To ensure that the development is adaptable to climate change.
- 26 Prior to the commencement of development hereby permitted, the vehicular accesses shall be provided and thereafter retained at the position shown on the approved in principle drawing number General Arrangement drawing number 17 941 - SK01 revision G. The principal access road shall be provided 6.75 metres wide [except for some minor traffic calming features shown on the drawing] complete with 10.0 metres radius kerbs. Thereafter, the internal access roads connected to the principal access road shall be provided at least 5.5 metres wide completed with 8.0 metres radius kerbs to the specification of Hertfordshire County Council from the date of this permission and to the Local Planning Authority's satisfaction. Arrangement shall be made for surface water drainage intercepted and disposed of separately so that it does not discharge from on onto the highway carriageway.
REASON:- To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway.
- 27 Prior to first occupation of the development hereby permitted, full details (in the form of scaled plans and written specifications) to illustrate the following:-
- i) roads;
 - ii) footways;
 - iii) cycleways;
 - iv) visibility splays;
 - v) access arrangements;
 - vi) parking provision in accordance with adopted standards;
 - vii) bus stops;

viii) turning area.

Have been submitted to and approved in writing by the Local Planning Authority. The details for i) to viii) shall thereafter be constructed in accordance with the approved details.

REASON:- To ensure suitable, safe and satisfactory planning and development of the site.

- 28 The Servicing and Delivery Plans which contain details of the delivery and servicing requirements, waste collection points for the proposed development, as well as a scheme for coordinating deliveries and servicing for the proposed development, areas within the development site that will be used for loading and manoeuvring of delivery and servicing vehicles, and circulation route shall be constructed in accordance with the following approved plans:-

- o Vehicle Tracking - Fire Tender Sheet 1 (drawing number:- 10548-RPS-XX-XX-DR-C-1001 T3);
- o Vehicle Tracking - Fire Tender Sheet 2 (drawing number:- 10548-RPS-XX-XX-DR-C-1002 T3);
- o Vehicle Tracking - Bus (Drawing number:- 10548-RPS-XX-XX-DR-C-1003 T3);
- o Vehicle Tracking - Refuse Sheet 1 (Drawing number:- 10548-RPS-XX-XX-DR-C-1004 T3);
- o Vehicle Tracking - Refuse Sheet 2 (Drawing number:- 10548-RPS-XX-XX-DR-C-1005 T3).

Thereafter, the route shall be maintained in accordance with the approved details.

REASON:- In the interests of maintaining highway efficiency and safety.

- 29 The provision of infrastructure both within the development site and on the wider routes that the proposed public transport service will travel to facilitate the delivery of the public transport strategy, shall comprise of, but is not limited to the following:-

- 1) high quality bus stop facilities to include raised height kerbs and shelters;
- 2) real time information signs at key stops.

Details of future locations of all bus stops within the development site shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development works. The bus stops will need to be clearly marked out on-site during construction of the internal road to ensure visibility for future residents and the wider community.

REASON:- To ensure proper management of the development layout in the interests of highway safety and efficiency.

- 30 Upon first occupation of any dwelling, the provision of two vouchers per dwelling entitling the residents to 12 months free bus travel within the area travelling to Stevenage Town Centre covered by a PlusBus season ticket will be made available. Residents will be able to apply for the vouchers via a scheme to be outlined in the Travel Plan to be approved. The vouchers are to be valid for exchange during the first six months following the occupation of the respective dwelling unit.

REASON:- To ensure management of a modal shift and encourage use of sustainable modes of travel within Stevenage.

- 31 Notwithstanding the details as set out in the drawings which accompany this planning application submission, A network of footways/cycleways linking all areas of the development with the railway station, bus station and Stevenage Town Centre, which shall include a toucan crossing along Fishers Green in an appropriate location close to the new junction, shall be provided prior to occupation of any dwelling. The route shall be detailed and identified on a drawing showing appropriate hard surfacing, illustrated with a minimum width of 2.0 metres where possible or shared use provision with a cycleway with a minimum width of 3.0 metre shall be submitted to, prior to the commencement of development above slab level, and approved in writing by the Local Planning Authority. The network of footways/cycleways shall be implemented in accordance with the approved details and retained thereafter.
REASON:- To ensure management of a modal shift and encourage use of sustainable modes of travel within Stevenage.
- 32 Prior to the occupation of any dwellings, full details shall be submitted to and approved in writing by the Local Planning Authority of the proposed arrangements for the future management and maintenance of the proposed streets within the development. Following the provision of such streets in accordance with the approved details, the streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time an agreement has been entered into under Section 38 of the Highways Act 1980 or a Private Management and Maintenance Company has been established in accordance with the approved details.
REASON:- To ensure satisfactory development of the site and to ensure the estate roads are managed and maintained thereafter, to a suitable and safe standard.
- 33 Prior to the commencement of the development, visibility splays measuring 2.4 metres x 53 metres to the north west and 2.4 metres x 54 metres to the south east shall be provided to each side of the main access onto Fishers Green and the visibility splays shall thereafter be maintained at all times free from any obstructions between 600mm and 2.0 metres above the level of the adjacent highway carriageway.
REASON:- To ensure construction of a satisfactory development and in the interests of highway safety.
- 34 Prior to the first occupation of the development hereby permitted, visibility splays measuring 2.4 metres x 43 metres shall be provided each side of each access where it meets the highway and such splays shall thereafter be maintained at all times free from any obstructions between 600mm and 2.0 metres above the level of the adjacent highway carriageway.
REASON:- To ensure construction of a satisfactory development and in the interests of highway safety.
- 35 The hardsurfaced areas, including roads, associated drainage details, driveways and car parking areas shall be carried out in accordance with the following approved details:-
- o Surface Finishes Sheet 1 of 4 (drawing number:- 10548-RPS-XX-XX-DR-C-0208 Rev T3);
 - o Surface Finishes Sheet 2 of 4 (drawing number:- 10548-RPS-XX-XX-DR-C-0209 Rev T3);
 - o Surface Finishes Sheet 3 of 4 (drawing number:- 10548-RPS-XX-XX-DR-C-0210 Rev T3);
 - o Surface Finishes Sheet 4 of 4 (drawing number:- 10548-RPS-XX-XX-DR-C-0211 Rev T3).

- REASON:-** To ensure that internal roads, drainage and parking areas are to highway standards and requirements set by Hertfordshire County Council as Highways Authority.
- 36 Prior to the first occupation of the development hereby permitted, the gradient of the main access road shall not be steeper than 1 in 50 for the first 12m thereafter the main access and internal access roads shall not be not steeper than 1 in 20.
REASON:- In order to protect highway safety and amenity of other users of the public highway and rights of way.
- 37 No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the local planning authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.
REASON:- To ensure that the development does not contribute to, is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants.
- 38 Piling or any other foundation design using penetrative methods shall not be permitted within the development other than with the express consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant risk to groundwater. The development shall be carried out in accordance with the approved details.
REASON:- To protect groundwater environment, including groundwater. Some piling techniques can cause preferential pathways for contaminants to migrate to groundwater and cause pollution. A piling risk assessment should be submitted with consideration of the EA guidance. Given the site's location in SPZ2 we will also require a groundwater monitoring programme during any piling work at the site. This groundwater monitoring programme should incorporate mitigation measures to be adopted design should piling works be noted to be adversely impacting on groundwater quality beneath the site.
- 39 The scheme for managing any borehole installed within the development for the investigation of soils, groundwater or geotechnical purposes which provides details of how redundant boreholes are to be decommissioned and how any boreholes that need to be retained, post-development, for monitoring purposes with be secured, protected and inspected which have been detailed in the approved Borehole Decommissioning Strategy (Prepared by RSK, dated 11th November 2020, Reference:- 1920238 L05 (00)), shall be implemented prior to the occupation of the Residential Development Plot.
REASON:- To ensure that the development does not contribute to, is not put at unacceptable levels of water pollution caused by mobilise contaminants. This is in line with paragraph 170 of the National Planning Policy Framework and adopted local plan policy FP5: Contaminated land.
- 40 Notwithstanding the provisions of Classes B and C of Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revising, revoking or re-enacting that Order with or without modification) no loft conversions including dormer windows / roof extensions, or roof lights and openings shall be constructed on the dwellinghouse(s) hereby permitted unless permission is granted on an application made to the Local Planning Authority.
REASON:- To enable the Local Planning Authority to fully consider the effects of development normally permitted by that Order to safeguard the amenities of the neighbouring properties from overlooking/loss of privacy and to ensure sufficient parking is available.

The Council has acted Pro-Actively for the following reason:-

Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted pro-actively in line with the requirements of the National Planning Policy Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

INFORMATIVE

Hertfordshire County Council as Lead Local Flood Authority

Any works taking place within and/or over the culvert or within 3m of the top of the bank of the ordinary watercourse will require prior written consent from Hertfordshire County Council regardless of any planning permission. Any works proposed to be carried out that may affect the flow within an ordinary watercourse will require the prior written consent from the Lead Local Flood Authority under Section 23 of the Land Drainage Act 1991. This includes any permanent and or temporary works regardless of any planning permission.

Hertfordshire County Council as Highways Authority

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>

AN4. 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 38 and 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 noted below:

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

AN5. Rights of Way

Before commencement of the proposed development, the applicant shall contact Hertfordshire County Council's Rights of Way Service:

<http://www.hertfordshire.gov.uk/services/envplan/countrysideaccess/row/>

(Tel: 0300 123 4047, email at row@hertfordshire.gov.uk) to obtain their requirements for the ongoing maintenance of the surface of the Public Right of Way that routes through the site along the proposed development.

Reason: To ensure the surface of the Public Right of Way does not deteriorate as a result of an increase in vehicle movements using the access, in the interests of pedestrian safety on a Public Right of Way.

The Public Right of Way should remain unobstructed by vehicles, machinery, materials, tools and any other aspects of the construction during works.

The safety of the public using the route and any other routes to be used by construction traffic should be a paramount concern during works, 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) should be made good by the applicant to the satisfaction of this Authority.

All materials should be removed at the end of the construction and not left on the Highway or Highway verges.

If the above conditions cannot reasonably be achieved, then a Temporary Traffic Regulation Order would be required to close the affected route and divert users for any periods necessary to allow works to proceed. A fee would be payable to Hertfordshire County Council for such an order.

Reason: To ensure the surface of the Public Right of Way does not deteriorate as a result of an increase in vehicle movements using the access, in the interests of pedestrian safety on a Public Right of Way.

Arboricultural Impact

Although the Arboricultural Impact Assessment mentions the need for an arboriculturalist if any large roots are encountered, it is suggested the whole section of the fence near the tree line should be supervised. Also, as this type of work could potentially weaken the root system and therefore, the trees stability, it is also suggested a Highways England inspector would want to be aware of this matter. This also applies to the aerial part of the tree as considerable amount of their crowns would have to be cut back to accommodate the installation of the high fence.

Cadent Gas

Affected Apparatus

The apparatus that has been identified as being in the vicinity of your proposed works is:

Low or Medium pressure (below 2 bar) gas pipes and associated equipment. (As a result it is highly likely that there are gas services and associated apparatus in the vicinity).

Requirements

BEFORE carrying out any work you must:

Carefully read these requirements including the attached guidance documents and maps showing the location of apparatus.

Contact the landowner and ensure any proposed works in private land do not infringe Cadent and/or National Grid's legal rights (i.e. easements or wayleaves). If the works are in the road or footpath the relevant local authority should be contacted.

Ensure that all persons, including direct labour and contractors, working for you on or near Cadent and/or National Grid's apparatus follow the requirements of the HSE Guidance Notes HSG47 - 'Avoiding Danger from Underground Services' and GS6 –

'Avoidance of danger from overhead electric power lines'. This guidance can be downloaded free of charge at <http://www.hse.gov.uk>

In line with the above guidance, verify and establish the actual position of mains, pipes, cables, services and other apparatus on site before any activities are undertaken.

GUIDANCE

Excavating Safely - Avoiding injury when working near gas pipes:

<https://www.nationalgrid.com/sites/default/files/documents/24410-Excavating%20Safely%20Leaflet%20Gas.pdf>

Standard Guidance

Essential Guidance document:

<http://www2.nationalgrid.com/WorkArea/DownloadAsset.aspx?id=8589934982>

General Guidance document:

<http://www2.nationalgrid.com/WorkArea/DownloadAsset.aspx?id=35103>

Excavating Safely in the vicinity of gas pipes guidance (Credit card):

<https://www.nationalgrid.com/sites/default/files/documents/24413-Excavating%20Safely%20Credit%20Card%20Gas.pdf>

Excavating Safely in the vicinity of electricity cables guidance (Credit card):

<https://www.nationalgrid.com/sites/default/files/documents/24414ExcavatingSafelyCreditCardElectricity.pdf>

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.

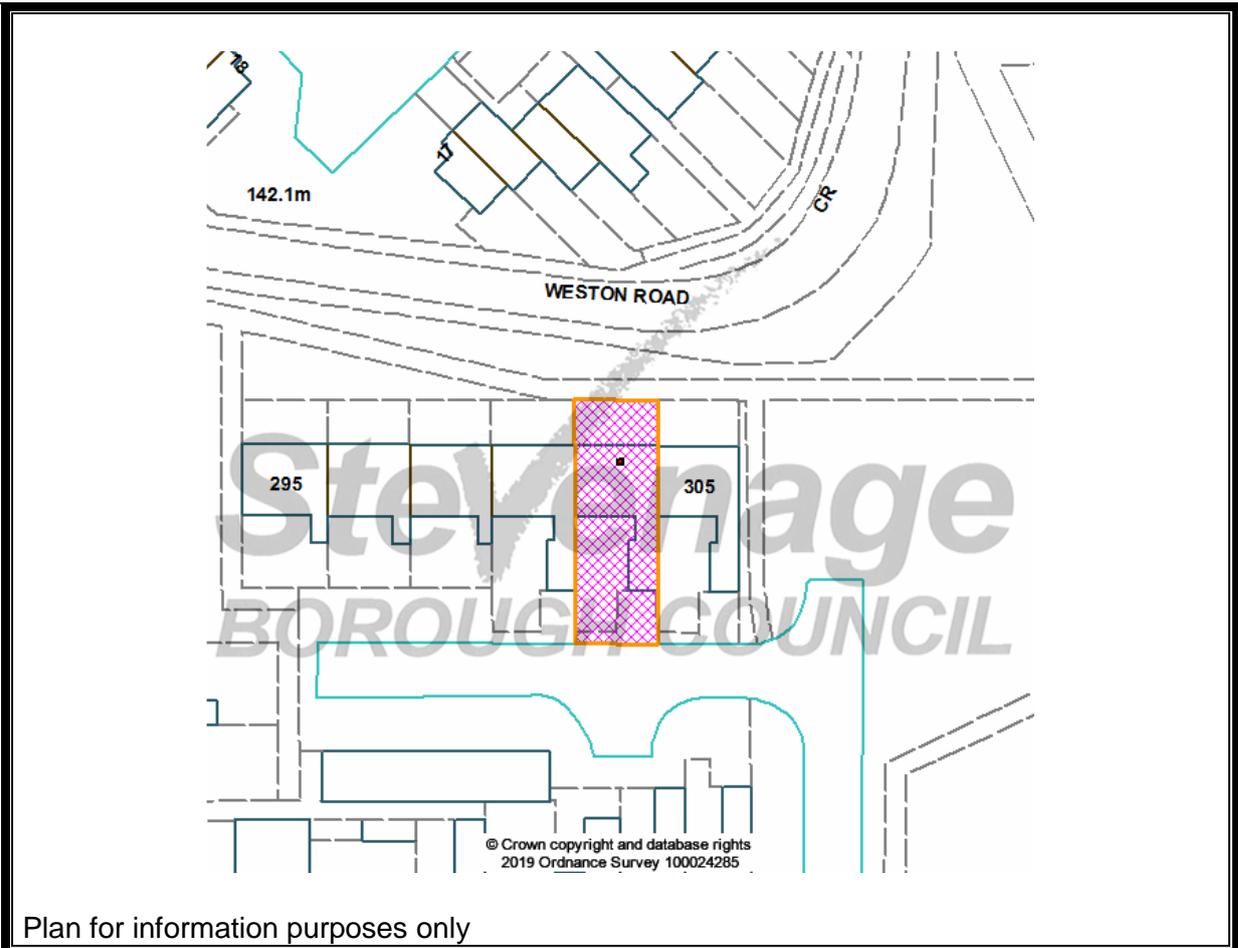
Stevenage's adopted CIL Charging Schedule and further details of CIL can be found on the Council's webpages at www.stevenage.gov.uk/CIL or by contacting the Council's CIL Team at CIL@Stevenage.gov.uk.

10. BACKGROUND DOCUMENTS

1. The application file, forms, plans and supporting documents having the reference number relating to this item.
2. Stevenage Borough Council Supplementary Planning Documents – Parking Provision adopted October 2020, Stevenage Design Guide adopted October 2009, Developer Contributions SPD 2021, Impact on Biodiversity SPD 2021.
3. Stevenage Borough Local Plan 2011-2031 adopted 2019.
4. Hertfordshire County Council's Local Transport Plan 4 adopted May 2018.
5. Responses to consultations with statutory undertakers and other interested parties referred to in this report.
6. Central Government advice contained in the National Planning Policy Framework February 2021 and Planning Policy Guidance March 2014.
7. Community Infrastructure Levy 2010 (as amended).

Meeting:	Planning and Development Committee	Agenda Item:
Date:	11 January 2022	
Author:	Ailsa Davis	
Lead Officer:	Zayd Al-Jawad	01438 242257
Contact Officer:	Ailsa Davis	07702 874529

Application No:	21/01101/FP
Location:	303 Ripon Road, Stevenage
Proposal:	Conversion of 1 no. 4 bedroom dwelling to 3 no. studios, single storey front and rear extensions and conversion of garage including the change of use from public amenity land to residential use and associated parking
Drawing Nos.:	21/SPE/000; 21/SPP/000; 21/001; 21/002; 21/102; 21/101 REV A
Applicant:	Mr G Tennant
Date Valid:	13 October 2021
Recommendation:	GRANT PLANNING PERMISSION.



1. SITE DESCRIPTION

- 1.1 The application site comprises a mid-terrace two storey dwelling located on the northern side of Ripon Road, and to the north of the adjacent spur road that provides vehicular access to the rear of the 'Radburn' property. The residential area is characterised by terraced dwellings facing on to footpaths and open spaces, with vehicular access to the rear and via communal parking areas, leading off of the main highway by smaller spur roads. The property has an attached single garage projecting along the eastern boundary into the garden.

2. RELEVANT PLANNING HISTORY

- 2.1 Planning permission was refused in February 2021 (ref: 20/00784/FP) for the conversion of the existing property to 2no: Studio flats and 1 No: 1 bedroom flat, conversion of garage and single storey front and rear extensions for the following reasons:

- 1 The internal amenity space of the proposed flats would be below the nationally described space standards set out in Appendix C of the Stevenage Borough Local Plan 2011-2031 (adopted 2019) and would thus be contrary to Policy GD1 of the Stevenage Borough Local Plan 2011-2031 which requires proposals to at least meet the nationally described space standards. This would lead to unsatisfactory living conditions for future occupiers of the proposed residential accommodation and result in an overdevelopment of the site.
- 2 The proposal fails to demonstrate that adequate provision for car parking can be provided on site in accordance with the Council's standards set out in the Parking Provision Supplementary Planning Document (2020). The proposal would, therefore be likely to result in on-street parking contrary to Policy IT5 of the Stevenage Borough Local Plan 2011 to 2031 (adopted 2019), the Council's Parking Provision SPD (2020), the National Planning Policy Framework (2018) and Planning Practice Guidance (2014).

- 2.2 Following the refusal of application 20/00784/FP, discussions took place with the applicant to address the reasons for refusal. It was advised to reduce the size of the bedrooms to below 11.5sqm and provide shower rooms rather than bathrooms, to make the flats studios which would meet the minimum floor area requirement for a 1 bed studio as set out within the Nationally Described Space Standards. With regards to parking, the applicant was advised that any sale of the strip of land under ownership of the Council would be dependent on planning permission being granted for its change of use from public amenity land to private residential land, which would be required to implement the proposed development.

- 2.3 A second application was submitted in May 2021. All flats were shown as studios with bedrooms less than 11.5sqm in area and shower rooms, which met the minimum floor area requirement for a 1 bed studio as set out within the Nationally Described Space Standards. This refusal reason had therefore been overcome. However, planning permission was refused again in June 2021 (ref. 21/00504/FP) for the conversion of 1 no. 4 bedroom dwelling to 3 no. studios, single storey front and rear extensions and conversion of garage including the change of use from public amenity land to residential use and associated parking for the following reason:

- 1 The proposal would comprise substandard parking spaces which fail to accord with the requirements set out under Manual for Streets 8.3.58 and the Council's Parking Provision SPD (2020) and would likely result in vehicles overhanging the highway which would prejudice highway safety. In addition, the proposal also fails to demonstrate that adequate provision for car parking can be provided on site in accordance with the Council's standards set out in the Parking Provision

Supplementary Planning Document (2020). The proposal would therefore also result in on-street parking giving rise to conditions prejudicial to the safe and free flow of traffic along this stretch of Ripon Road. The proposal is therefore, contrary to Policy IT5 of the Stevenage Borough Local Plan 2011 to 2031 (adopted 2019), the Council's Parking Provision SPD (2020), the National Planning Policy Framework (2019) and Planning Practice Guidance (2014).

- 2.4 This latest application has been submitted again for 3 no. studio flats and 3 off street parking spaces; however the proposals now involve widening the existing parking area to enable the parking of three vehicles with the applicant's intention to remove and relocate the lamp column (subject to agreement with the Highway Authority), which would create the extra space to achieve the necessary parking area width.

3. THE APPLICATION

- 3.1 This application seeks planning permission for the conversion of the existing 4 bedroom dwelling to 3 no. studio flats, single storey front and rear extensions and the conversion of the garage. Planning permission is also being sought for the change of use of the strip of land bordering the highway shown hatched on drawing no: 21/01 rev A from public amenity land to residential use to facilitate the provision of 3 off street parking spaces. This land is currently in third party ownership by Stevenage Borough Council and it is understood the applicant is seeking to purchase the land, subject to it receiving planning permission for its change of use from public amenity space to residential, which would be required to implement the proposed development. The same drawing shows the position of the existing lamp column to be relocated.
- 3.2 This application comes before the Council's Planning and Development Committee as the application has been 'called in' at the request of the Ward Member.

4. PUBLIC REPRESENTATIONS

- 4.1 Following notification of the application via letter and the erection of a site notice, 16 representations have been received against the proposed development. The following comments were received from the occupiers of Nos. 287, 301, 269, 289, 299, 305, 291, 295, 297 Ripon Road, Cllr Parris as Ward Member for St Nicholas and the owner of Heatherdale, Woodlands Road, Froncysyllte whose parents lived in the application property from 1973 – 2020:

- Proposed floor plans inaccurate and not to scale;
- Not enough space in cul-de-sac for additional on street parking;
- Parking area shown on drawing cannot accommodate 3 cars leaving required 1m clearance space to lamppost;
- Vehicles not shown to correct scale;
- Inadequate private amenity space;
- No bin storage;
- Need for family housing in Stevenage, not one bed flats;
- Loss of light at the front of our home, due to the proposed porch extension (No.301);
- Three flats is an overdevelopment of site;
- Flats still don't comply with minimum nationally described space standards;
- Concern that flats do not comply with fire safety regulations;
- Concerns with previous applications have not been addressed;
- Do not want any cars to have the ability to encroach on my private driveway if there is no separation barrier between No.303 and 301;
- Flats are too small;
- Inadequate parking;
- Private amenity space too small and does not meet standards in Design Guide;

- Increased noise disturbance, due to poor sound insulation;
- Threat of damage to garden during construction (No.305);
- Loss of light at the front and back of our home, due to the proposed sloping roof of the porch at the front and over the garage at the back (No.305);
- Submitted plans are factually incorrect;
- Proposal represents the loss of a rare and affordable family home;
- It proposes unacceptable parking arrangements;
- Access – two of the properties' residents would have to walk from the parking area at the back of the property, around the end of the terrace, to reach their front doors on the far side of the terrace;
- The additional traffic generated by the new development would be damaging to the amenity of neighbours;
- It could set a precedent for others; the whole character of the area would be changed, with the likely negative impact on the value of our homes;
- The proposed development in the rear studio and the first floor development do not appear to have any walls between the kitchen and the bedroom. Is this safe?
- I cannot see how the proposed parking for 3 cars could be safely and sympathetically done. The applicant should also think about the ongoing parking issues around this area for existing residents;
- I also want to ensure there is no window overlooking the neighbours;
- Proposal would harm environment and increase congestion;
- Proposal would be detrimental to the character of the current quiet and tranquil neighbourhood;
- 3 x 1 bedroom flats will more than likely have up to 2 people living there and in this could mean a car for each person living there. There is not enough free space in the small cul-de-sac to accommodate the potential for 6 cars to be parked here – we already have the access roadway being utilised from the dwellings in the next road along for extra parking so there are no space to accommodate any extra cars / visitors;
- The internal amenity space of flat 2 would be below the nationally described space standards set out in Appendix C of the Stevenage Borough Local Plan 2011-2031 (adopted 2019);
- Unaware of any 'parkland' in the immediate area that could be used as outdoor amenity space;
- Based on the ratio's in the application drawing, I do not think that the flat that does have outside space has the quoted 18sqm;
- No provision for the storage of waste and recycling;
- Proposal does not comply with Local Plan Policy SP1 'Presumption in favour of Sustainable Development';
- Stevenage does not need more flats;
- Where the lamppost would be relocated without imposing on another house;
- This application should not be viewed as new. This is merely an amendment to the first application so should be dealt with as such. We, the neighbours feel that we are being treated as fools. We are expected to continue to repeat ourselves about the concerns that we have. To what end? Are we expected to give up or grow weary of the process and "just let it happen"?
- No communication with residents on the removal / relocation of the lamp column;
- Inappropriate development of a property in the middle of a terrace of 4 bedroom family houses which have a pleasant front outlook in a quiet residential area;
- Loss of a rare and affordable family home;
- Poor access - two of the properties' residents would have to walk from the parking area at the back of the property, around the end of the terrace, to reach their front doors on the far side of the terrace;
- Additional traffic damaging to the amenity of the neighbours;
- Threat of damage to our garden through construction activity (No.305);
- Development could set a precedent for others, changing the whole character of the area.

- Converting the house to flats will breach the original covenants set by the Stevenage Development Corporation to maintain the house as a one family household. The intention of this restriction is to keep this area of Ripon Road as a family area.

4.2 The aforementioned is not a verbatim of the objections which have been raised. Full copies of the representations received can be viewed on the Council's website.

5. CONSULTATIONS

5.1 Hertfordshire County Council as Highways Authority

Comments dated 20 October 2020

5.1.1 The proposals are to widen the existing parking area to enable the parking of 3 vehicles. Drawing MMB-303RR-PA 02 Rev B demonstrates 3 parked vehicles on a parking area of approx. 8 x 4.8m. This is incorrect furthermore; the three vehicle representations are not to scale and give a false appearance of adequate parking size. Having visited the site and measured 1m from the lamp column (a requirement to prevent vehicle strike of the column when manoeuvring). From this point the distance to the side fence of No.305 is 6.55m. Manual for Streets 8.3.58 states 'The recommended dimensions of off street parking bays are that they are laid out as a rectangle at least 4.8m long by 2.4 m wide for the vehicle'. Three vehicle parking spaces therefore require a minimum width of 7.2m.

5.1.2 In respect of the depth of the parking area in front of the existing garage, is by the same standard inadequate. Having measured this on site the distance is 4.6m from the garage to the back edge of the carriageway. This would cause a vehicle to overhang the carriageway by 400mm. The Highway Authority is unable to extend the grant of planning permission at this time for the reasons discussed above.

5.1.3 Following receipt of the above comments, the applicant offered to pay to remove and relocate the lamp column to enable the required 7.2m parking area width to be achieved for 3 vehicles. This offer was accepted by the Highway Authority, subject to agreeing an alternative location. The agent also filmed himself measuring the depth from the garage to the back edge of the carriageway as 4.8m, which is the required minimum depth as stated by the Highway Authority Manual for Streets 8.3.58. The film was submitted to the Highway Authority and the case officer visited the site again to check the distance. On visiting the site again, the Highway Officer confirmed the distance was actually 4.8m and provided an updated consultation response.

Comments dated 16 November 2021

5.1.4 The proposals are to widen the existing parking area to enable the parking of three vehicles. Drawing no. 21/101 demonstrates 3 parked vehicles on a parking area of approx. 7.9 x 4.8m. This now takes account of the intention to remove and replace the lamp column allowing for the extra space to achieve the parking recommendation. Having visited the site and re-measured the depth of the parking area in front of the existing garage, I am satisfied that a 4.8m distance measured from the back edge of the carriageway can be achieved.

5.1.5 Notice is given under article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission, subject to a condition requiring the new location for the lamp column is agreed with the Highway Authority prior to the commencement of development.

5.2 Council's Environmental Health Section

5.2.1 If planning permission is to be granted, then it is recommended conditions are imposed covering the following:

- Contaminated Land;
- Noise.

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 July 2021. This largely reordered the policy substance of the earlier 2012 version of the NPPF albeit with some revisions to policy. The Council are content that 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.

6.2.2 Since November 2018, housing delivery has been measured against the Housing Delivery Test (HDT) as set out by the Government planning policy and guidance. The results of the HDT dictate whether a local planning authority should be subject to consequences to help increase their housing delivery. Where an authority's HDT score is less than 85% of its housing requirement, the Council must incorporate a 20% buffer into its housing supply calculations in line with paragraph 73 of the NPPF. Where an authority's score is below 75%, the Council will be subject to the HDT's most severe penalty and must apply the presumption in favour of sustainable development. The latest HDT results, published by the Ministry of Housing Communities and Local Government (MHCLG) (**now the Department for Levelling Up, Housing and Communities**) in January 2021, identifies that Stevenage only delivered 64% of its housing requirement. This is significantly below the 75% target and renders the adopted Local Plan housing policies as out of date. Consequently, Stevenage Borough Council must apply the presumption in favour of sustainable development in its decision making and give great weight towards the need to deliver housing.

6.2.3 The Council therefore, has to prepare an Action Plan to show how it is responding to the challenge of ensuring more homes are delivered in the Borough. It will have to be prepared in accordance with Planning Practice Guidance and analyse the reasons for under-delivery of new homes against the Government's requirements. It also has to set out clear actions on how to improve housing delivery. Consequently, Stevenage Borough Council is

considering its position in relation to preparing an action plan to enhance housing supply on deliverable sites.

6.2.4 In terms of 5 year land supply, the Council has recently published the Five Year Land Supply Update (August 2021) which reveals that Stevenage has a 5.85 year supply of housing. A copy of the statement is found on:

<https://www.stevenage.gov.uk/documents/planning-policy/monitoring/five-year-housing-land-supply-position-statement-august-2021.pdf>

6.2.5 However, since the Land West of Lytton Way (APP/K1935/W/20/3255692) appeal decision has been quashed by a High Court Consent Order, the Council will need to prepare an updated 5 year land supply report. This is because the Council can now only demonstrate a 5.20 year supply of housing following the quashing of the appeal decision.

6.2.6 The Council will also be commencing preliminary work into a potential review of its Local Plan, last adopted in May 2019. This is to ensure the policies within the Local Plan are up to date in accordance with the NPPF as well as ensuring the Council is delivering a sufficient supply of housing and employment.

6.3 Planning Practice Guidance

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 Adopted Local Plan (2019)

6.4.1 The policies set out below are relevant in the determination of this application:

Policy GD1 - High Quality Design ;
Policy SP8 - Good Design ;
Policy IT5 - Parking and Access ;
Policy SP1 - Presumption for Sustainable Development ;
Policy HO5 - Windfall Sites ;
Policy SP7 - High Quality Homes ;
Policy HO9 - House Types and Sizes.

6.5 Supplementary Planning Documents

Parking Provision Supplementary Planning Document (2020)
Stevenage Design Guide Supplementary Planning Document (2009)

6.6 Community Infrastructure Levy

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. This proposal is CIL liable.

7. APPRAISAL

7.1.1 The main issues for consideration in the determination of this application are the acceptability in land use policy terms, impact on the character and appearance of the area, impact on the amenities of future occupiers and neighbouring properties and car parking provision.

- 7.1.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that all planning applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

7.2 Land Use Policy Considerations

Compliance with the Council's Housing Policies

- 7.2.1 The NPPF states at paragraph 7 that the purpose of the planning system is to contribute to the achievement of sustainable development. The NPPF also stipulates that decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area. In addition, the Framework also sets out that sustainable development needs to be pursued in a positive way and at the heart of the framework is a "presumption on favour of sustainable development". Paragraph 62 of the NPPF (2021) requires that the planning system should deliver, inter alia, a mix of housing particularly in terms of tenure and price to support a wide variety of households in all areas. Paragraph 69 of the Framework sets out that small and medium sites can make an important contribution to meeting housing requirements in an area, and this includes supporting the development of windfall sites.
- 7.2.2 Paragraph 119 of the NPPF stipulates that planning policies and decisions should promote the effective use of land in meeting the need for homes such as through the use of brownfield sites (previously developed land) and the development of underutilised land.
- 7.2.3 The proposed site is undesignated in the adopted Stevenage Borough Local Plan 2011-2031 (2019) and is therefore, regarded as a 'windfall site'. Policy HO5 of the Local Plan (2019) (windfall sites) stipulates that proposals should not prejudice the Council's ability to deliver residential development on allocated sites, and it does not overburden existing infrastructure.
- 7.2.4 In accordance with Policy HO5, residential developments on windfall sites must have a good level of access to local facilities. The site is approximately 800m to the nearest small neighbourhood centre on Canterbury Way to the south. Public transport is readily accessible as there are bus routes along both Ripon Road and Canterbury Way. As such, the application site is considered to have an acceptable level of access to local facilities and alternative forms of travel to the private car and, therefore, deemed to be within a sustainable location.
- 7.2.5 Criterion (c) of Policy HO5 states that there should be no detrimental effect on the environment and the surrounding or adjoining properties. This issue will be assessed in detail in the following sections considering the impact on the character and appearance of the area and the impact on neighbouring amenity. Further to the above, Policy HO5 also requires that there is access to local facilities and that residential proposals include opportunities to access alternative forms of travel to private motorised transport. As identified above, the site has good access to local facilities and services and also good access to the public transport network. The site has been demonstrated to be in a sustainable location and as such would comply with criterion (e) of the Policy HO5 of the Local Plan.
- 7.2.6 Finally, criterion (d) of Policy HO5 of the Local Plan requires proposals not to prejudice the Council's ability to deliver residential development on allocated sites. The site is not located near any allocated housing sites. In this regard, the development is not considered to be contrary to the aforementioned policy.

- 7.2.7 Paragraph 74 of the NPPF stipulates that strategic policies should include a trajectory illustrating the expected rate of housing delivery over the plan period, and all plans should consider whether it is appropriate to set out the anticipated rate of development for specific sites. Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old. The supply of specific deliverable sites should in addition include a buffer (moved forward from later in the plan period) of:
- a) 5% to ensure choice and competition in the market for land; or
 - b) 10% where the local planning authority wishes to demonstrate a five year supply of deliverable sites through an annual position statement or recently adopted plan, to account for any fluctuations in the market during that year; or
 - c) 20% where there has been significant under delivery of housing over the previous three years, to improve the prospect of achieving the planned supply.
- 7.2.8 The Council issued an Update Housing Land Supply Document in August 2021. This document was produced following the Appeal Decision for Land West of Lytton Way (APP/K1935/W/20/3255692). It sets out that the Council can demonstrate a Housing Land Supply of 5.85 years for the period 1 April 2021 to 31 March 2026, using the Liverpool methodology and guidance from the NPPF and Planning Practice Guidance (PPG).
- 7.2.9 However, since the issuing of the Housing Land Supply Document, the Council received a copy of the Consent Order from the High Court signed by Mr James Strachan QC (Sitting as Deputy Judge of the High Court) which quashed the appeal decision APP/K1935/W/20/3255692 / Planning application 19/00474/FPM – Land West of Lytton Way, Stevenage. The decision was quashed on the ground that it was accepted by the Secretary of State of Levelling Up, Housing and Communities that the inspector made an error of fact in regards to Five Year Housing Land Supply. Therefore, it was agreed by the Secretary of State of Levelling Up, Housing and Communities that the Planning Appeal Decision by W Clark dated 20 August 2021 should be quashed.
- 7.2.10 Notwithstanding the above, since November 2018, housing delivery has been measured against the Housing Delivery Test (HDT) as set out by Government planning policy and guidance. The results of the HDT dictate whether a local planning authority should be subject to consequences to help increase their housing delivery. Where an authority's HDT score is less than 85% of its housing requirement, the Council must incorporate a 20% buffer into its housing supply calculations in line with paragraph 74 of the NPPF. Where an authority's score is below 75%, the Council will be subject to the HDT's most severe penalty and must apply the presumption in favour of sustainable development.
- 7.2.11 The latest HDT results, published by MHCLG in January 2021, identify that Stevenage only delivered 64% of its housing requirement. This is significantly below the 75% target and renders the adopted Local Plan housing policies as out of date. Consequently, Stevenage Borough Council must apply the presumption in favour of sustainable development in its decision making and, in substance, give great weight to the need to deliver housing. It is important to note that the presumption in favour of sustainable development as outlined in the NPPF kicks in if the Council fails either 5 year land supply, or the Housing Delivery Test (footnote 8 of Para. 11 of the NPPF). Therefore, whilst it can be demonstrated there is a 5 year land supply, the Council failed to meet its HDT requirement.
- 7.2.12 As the Council has failed to meet the Government's Policy requirement in relation to supporting the delivery of housing in line with the Housing Delivery Test, in accordance with the NPPF and the presumption in favour of sustainable development kicks in, the Council must approve applications for housing development unless its impacts clearly outweigh the benefits.

- 7.2.13 In respect to Policy HO9 (House types and sizes) of the adopted Local Plan (2019), as the proposed development seeks to deliver smaller accommodation, it would be in accordance with this policy as it would help to balance the structural imbalances in the existing housing stock, i.e. due to the lack of smaller properties in the Borough as identified in the Local Plan supporting evidence base.
- 7.2.14 Policy SP7 identifies that there is a need to provide 7,600 new homes within Stevenage and this policy allocates 1,950 new homes to be provided elsewhere in the Borough. Taking this into consideration, the proposed development would support the Council's ambition in delivering a number of homes which fall outside the designated sites.
- 7.2.15 Setting aside the impact upon the character and appearance of the area and the amenities of the adjoining properties and future occupiers, which are considered elsewhere in this report, the application is considered to be acceptable in land use policy terms.

7.3 Impact on Character and Appearance of the Area

- 7.3.1 The proposed ground floor plan would see the separation of the floor space into 3no. studio flats with front to rear layouts. Flat 2 includes the widened garage conversion and front extension and flat 1 includes the rear extension which would be increased by 3m in depth. Flat 3 on the first floor would be accessed through the front extension.
- 7.3.2 In respect of the external changes to the property, the single storey front extension, which provides a porch entrance for flats 2 and 3, would measure 1.2m deep, 6.3m wide, 2.2m high to the eaves and 2.9m high to the ridge with a mono-pitched roof. To the rear, the proposed extension off the existing dwelling would measure 3m deep, 4.1m wide, 2.2m high to the eaves and 3.7m high to the ridge with a mono-pitched roof. Additionally, the existing garage roof would be raised in line with the rear extension for 2m and the remaining 4.8m of length would be widened by 0.8m but retain its original flat roof.
- 7.3.3 By virtue of the siting and orientation of the site, both the front and rear elevations of the property are visible from the highway and public realm. The existing property is a four bedroom dwelling with a rear garden and attached garage. The garage is to be converted and extended to living accommodation to create a bedroom and bathroom for ground floor flat 2 and the single storey extension is proposed off the rear elevation and attached to the side elevation of the existing utility. The extension would provide access to the ground floor flat 1, with the single storey front extension providing access to flats 2 and 3.

Front extension

- 7.3.4 The proposed front extension is modest in size and subservient in appearance. The depth of projection is within the Council's adopted Design Guide allowance of 1.5m. The front garden area is small in size, at approximately 1.4m in depth. The front of the terrace faces onto a footpath connection through the estate and a dense area of trees and hedgerow. As such, the visual impact of the front extension would be minimal, as it would not be overly visible from wider views. The use of matching materials would help the extension blend with the existing property and area visually. The proposed front extension is not considered to detrimentally impact on the character and visual amenity of the area.

Rear extension

- 7.3.5 Visually, the proposed rear extension and garage conversion would not detrimentally impact on the character and visual amenity of the area. Whilst the rear elevation would be visible from the public realm, the extension would be contained within the patio area and screened by the existing boundary treatments, and the replacement of the garage door with brickwork and a window is considered to represent a minor elevational change. The proposed 3m depth would be within the 3.5m recommended maximum depth set out within the Design Guide (2009) and is considered acceptable and proportionate in scale to the host dwelling.
- 7.3.6 On balance therefore, the proposed extensions and external alterations to the property to facilitate the flat conversion would not appear harmful to the character or appearance of the cul-de-sac or the wider area. It is therefore considered the proposal is acceptable in this regard.

7.4 Impact upon Neighbouring Amenity

Front extension

- 7.4.1 It is considered the proposed front extension would not adversely affect the amenity of the attached neighbours at Nos.301 and 305. It would be sited 0.7m from the shared boundary with No.305 and 0.8m from the shared boundary with No.301 and at only 1.2m deep; the depth of projection is within the Council's adopted Design Guide allowance of 1.5m. As such, it is considered the extension would not cause an overbearing impact or loss of light to the neighbours. The extension passes the BRE 45° test for daylight and sunlight in both plan form and elevation.

Rear extension

- 7.4.2 The proposed rear extension is not considered to detrimentally impact on the amenity of the neighbouring properties. The 3m extension would adjoin the boundary with the existing attached garage at No.301 and a maximum 1m of the roof would be visible, which is considered a minor visual impact. As such, it is not considered the rear extension would result in a loss of amenity to the occupiers of No.301. In terms of impact on No.305 to the east, a maximum 1m of the roof of the proposed rear extension would be visible to the occupiers of this dwelling over and above the existing garage wall and boundary fence. It is considered this increase in height over a depth of 2.5m along the shared boundary would not result in a loss of light to the occupiers of No.305, nor harm the outlook from existing rear habitable rooms. No flank windows are proposed on the flank elevation facing No.305; therefore the proposal would not result in a loss of privacy. As the mono-pitch roof of the proposed rear extension would extend over the existing flat roof garage, it is not considered that access could be gained to the flat roof of the garage by the future occupiers of the first floor flat.
- 7.4.3 On this basis, the proposed extensions are not considered to harm the amenity of the occupiers of the neighbouring dwellings and the proposal is considered acceptable in this regard.

7.5 Impact upon future amenities of residents

Private Amenity Space

- 7.5.1 The proposed site layout plan shows the use of the existing rear patio as external amenity space for flat 1, with access to this flat from the rear only. The area would measure

approximately 16sqm, which is considered an acceptable size to allow occupiers of this flat to sit out. The patio area would also be occupied by the secured cycle storage and refuse store serving all 3 flats. Access to these would be available for the occupiers of flats 2 and 3 as well. However, the remaining space is still considered usable amenity space for flat 1. The Design Guide (2009) does not specify any minimum requirements for private amenity space for flat conversions and therefore the issue is assessed on a site by site basis. The provision of an external private amenity area for all flats in a converted property is not always achievable and that is accepted in this case.

Internal Living Standards

- 7.5.2 Policies GD1 and SP8 of the Local Plan (2019) relate to High Quality and Good Design. These policies state that planning permission will be granted where the proposed scheme, under criterion j. meets, and where possible, exceeds the nationally described space standards. Appendix C of the Local Plan (2019) sets out the minimum gross internal floor space standards for dwellings which is in line with the Government's nationally described space standards. With regards to number of bed spaces (occupancy), if a bedroom measures less than 11.5sqm, it is considered it would support a single bed only in accordance with minimum standards and therefore the floor area of the flat will be assessed based on single person occupancy.
- 7.5.3 The minimum internal sizes have been measured as 47sqm for the first floor flat (flat 3), 42sqm for flat 1 and 39sqm for flat 2 on the ground floor. As all three flats have bedrooms less than 11.5sqm, the 1 bedroom single person occupancy standard would apply which requires a minimum total floor area of 39sqm. All flats meet or exceed the minimum size standard for a single bed/1 person flat and therefore it is considered would provide an acceptable living environment for future occupiers.
- 7.5.4 With regards to the potential occupancy of the flats by two people rather than one as assessed above, it would be a decision for the owner and not for the Planning Authority to control or limit occupancy. The Planning Authority has assessed the future living environment based on the plans submitted against the relevant nationally described space standards and found the proposal to meet or exceed the minimum requirements.
- 7.5.5 With regards to sound insulation between the flats, this would be covered by Building Regulations. They require a sound test to be undertaken and a certificate provided to show that the level of noise between properties is within acceptable limits before they would sign off the works. In this regard, the amenities of the occupiers of the flats, and the amenities of neighbouring properties could be protected from excessive and intrusive noise levels.

7.6 Parking Provision

- 7.6.1 Policy IT5 of the adopted Local Plan (2019) states that planning permission will be granted where proposals comply with the parking standards set out in the plan. The Parking Provision SPD (2020) sets a base standard of 1 space per one bed unit. Taking these standards into consideration, combined with the fact that the application site is not located in an accessibility zone, the maximum number of spaces would be required. In this instance, 3 spaces should be provided – one space per flat.
- 7.6.2 The proposed floor plan shows three spaces to the rear, including use of existing garden land and land within third party ownership, which is subject to a change of use from public amenity land to residential use under this application proposal. The existing four bedroom dwelling requires three parking spaces to comply with the Council's Parking Provision SPD (2020). One space is provided in the garage and one provided in front of the garage. As

such, only the garage parking space falls entirely on land within the applicant's control. In this case, the garage conversion would result in the loss of this on-site space.

- 7.6.3 In order to address this, planning permission is being sought for a change of use of the strip of land hatched on the proposed floor plan to the rear of the property, from public amenity land to residential use to form part of the residential curtilage. The proposals also seek to widen the existing parking area to enable the parking of three vehicles, including the removal and relocation of the lamp column currently sited on the boundary with No.301. Drawing no. 21/101 rev A demonstrates 3 parking spaces on a parking area of 8m x 4.8m. Following a second site visit to re-take measurements, the Highway Authority officer has advised that the required 7.2m x 4.8m parking area for 3 vehicles could be achieved, subject to a planning condition requiring the relocation of the lamp column prior to commencement of development. On the basis of this assessment, it is considered that a change of use of the proposed parking area from public amenity land to residential use would be acceptable as the relevant parking standards would be met.
- 7.6.4 In regards to cycle parking, the Council's Parking Standards SPD stipulates for this development, there is the requirement to provide 1 long-term cycle space per flat. The proposed floor plan shows secure cycle parking for 3 bikes within the rear patio area, which would be accessible to the occupiers of all 3 flats. As such, the proposal meets the relevant requirements in terms of cycle parking and is considered acceptable in this regard.
- 7.6.5 Turning to electric vehicle parking, the Car Parking SPD (2020) introduces a minimum requirement for electric vehicle parking. The requirements for new developments would need to abide by the following:-
- All new car parking should be designed to fulfil a Passive Electrical Vehicle Charging Point standard (providing the necessary underlying infrastructure);
 - The blend of access to charging points provided within new developments;
 - A minimum of 20% of new parking on a site to have access to an active EV charging point;
 - A flexible approach to the requirement of charging facilities as technology changes.
- 7.6.6 The applicant has not detailed any provision for EV charging points within the proposed parking area. As such, a planning condition would be added should planning permission be granted to provide each parking space with an EV charging point prior to occupation.
- 7.6.7 With regards to the requirement for visitor parking, the Parking Provision SPD (2020) advises visitor spaces must be provided at a standard of 0.25 spaces per dwelling. If parking is to be allocated, these will be in addition to the above standards. Where a significant proportion of parking is unallocated, additional visitor spaces would preferably not be provided. It is understood the proposed parking spaces would not be allocated and as such, there would be no policy requirement to provide a designated visitor parking space.
- 7.6.8 Given the aforementioned assessment, there would be sufficient parking (including cycle parking) in accordance with the Council's adopted Parking Standards, subject to the successful relocation of the lamp column to be agreed with the Highway Authority prior to commencement of development. Subject to this, the proposal would be in accordance with policies set out in the adopted Local Plan (2019), the Council's Parking Standards SPD (2020), the NPPF (2021) and PPG.

7.7 Highway implications

- 7.7.1 The existing access is by way of flat kerbs which are suitable and enable the parking of three vehicles. Any new hard standing / driveway should be of a bound material to reduce

the risk of loose surface dressings entering the highway. The location and vehicular to vehicular visibility from the existing access is considered to be acceptable and in accordance with 'Manual for Streets (MfS)' and 'Roads in Hertfordshire: A Design Guide'. In terms of emergency access, the nature of the site puts the proposals / access within 45 meters from the public highway (as required in accordance with MfS 6.7.2). Subject to the suggested planning condition and informatives, this level of development is unlikely to generate any extra movements which would ultimately lead to demonstrable harm to the highway network in terms of free flow and capacity therefore; the Highway Authority would not wish to restrict the grant of planning permission.

- 7.7.2 Given the aforementioned, subject to the imposition of appropriately worded conditions to ensure the development is acceptable in parking terms, it is not considered by HCC Highway Authority that the proposed development would prejudice the safety and operation of the highway network. Therefore, it can be concluded that the proposal would accord with the policies set out in the adopted Local Plan (2019), the County Council's Local Transport Plan 4 (2018), the NPPF (2021) and PPG.

7.8 Other Matters

Waste and Recycling

- 7.8.1 The Design Guide (2009) states, provision should be made within new development for the storage and collection of waste. The proposed floor plan indicates that there would be sufficient refuse facilities for 2 x bins per flat in a refuse store sited within the rear patio area, which would be accessible to the occupiers of all 3 flats. The bins would be accessible to be wheeled out onto the cul-de-sac on collection day and the provision is considered acceptable.

Accuracy of submitted plans

- 7.8.2 The plans submitted with the previously refused applications were prepared by a different architectural consultant to the plans under consideration here. Dimensions have been provided on the plans, which have also been drawn to scale. The measurements taken from the plans during the assessment of this application match the dimensions given by the architect. The Highway Authority case officer has visited the site twice to measure the proposed parking area. The Planning Authority has no reason to consider the plans submitted with this application to be inaccurate.

Loss of family sized housing

- 7.8.3 There is no policy within the Local Plan which seeks to prevent the conversion of larger homes into flats within Stevenage. As such, there is no policy basis to refuse this application on the principle of the loss of a single family dwelling. The provision of a Covenant on the title deed restricting the use of the property to a single family dwelling is not a material planning consideration under town planning legislation.

Fire Safety

- 7.8.4 The Building Control Regulations would require the flats to meet all standards in terms of fire safety and a building control officer would sign this off during construction, should planning permission be granted.

Impact on Property Values

- 7.8.5 The impact of a proposed development on property values is not a material planning consideration under the NPPF or the Town and Country Planning Act (1990) and cannot be considered as part of the determination process.

Community Infrastructure Levy

- 7.8.6 As indicated above, the Council adopted CIL on 1 April 2020 and the CIL Charging Schedule specifies a payment for new floorspace in line with the following rates (plus appropriate indexation):

Development Type	CIL Rate (£ per square meter)	
	Zone 1: Stevenage Central, Stevenage West Urban Extension and North of Stevenage Extension	Zone 2: Everywhere else
Residential		
Market housing	£40/m ²	£100/m ²
Sheltered housing	£100/m ²	
Extra care housing	£40/m ²	
Retail development	£60/m ²	
All other development	£0/m ²	

- 7.8.7 CIL is a non-negotiable charge. The exact charge will be determined by the Council's CIL officer after an application has been granted in accordance with the CIL Charging Schedule and the Community Infrastructure Levy Regulations 2010 (as amended). Opportunities for relief or exemption from the CIL charge exist and will be taken into account in the calculation of the final CIL charge.
- 7.8.8 CIL replaces the need for S106 agreements to specify financial and/or land contributions for non-site-specific infrastructure projects. This allows infrastructure to be planned on a borough-wide scale rather than on a site-by-site basis as mitigation against the impacts of individual proposals. A CIL Form 1: Additional Information has been submitted along with the application. This development proposal is CIL liable.

Equality, Diversity and Human Rights

- 7.8.9 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. It is not considered that the decision would result in a violation of any person's rights under the Convention.
- 7.8.10 When considering proposals placed before the Council as Local Planning Authority, it is important that it is fully aware of and has themselves rigorously considered the equalities implications of the decision that they are taking. Therefore, rigorous consideration has been undertaken by the Council as the Local Planning Authority to ensure that proper appreciation of any potential impact of the proposed development on the Council's obligations under the Public Sector Equalities Duty.
- 7.8.11 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.

- 7.8.12 It is considered that the decision has had regard to this duty. The development would not conflict with either Stevenage Borough Council's Equality Policy or the commitments set out in our Equality Objectives, and would support the Council in meeting its statutory equality responsibilities.

8. CONCLUSIONS

- 8.1 In summary, there is no policy within the adopted Local Plan (2019) that prevents the conversion of single family dwellings into flats, therefore the principle of the conversion is considered acceptable in land use policy terms. An assessment has been undertaken to confirm all three flats meet or exceed the nationally described spaces standards for studio flats as set out in appendix C of the Local Plan and the proposed extensions would not harm the amenity of neighbouring properties. Private amenity space is being provided, along with secure cycle and refuse storage. Subject to the relocation of the lamp column (subject to planning condition and agreement with the Highway Authority), there is space to park 3 vehicles at the rear in accordance with standards. In light of the aforementioned assessment, it can be concluded that the application proposal would not represent an over development of the site and is considered acceptable.
- 8.2 The development would accord with the relevant policies in the adopted Local Plan (2019) as well as the Council's adopted Supplementary Planning Documents. It would accord with the policies set out in the NPPF (2021) and PPG. Therefore, it is recommended that planning permission be granted.

9. RECOMMENDATIONS

- 9.1 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:

21/SPE/000; 21/SPP/000; 21/001; 21/002; 21/102; 21/101 REV A

REASON:- For the avoidance of doubt and in the interests of proper planning.
 - 2 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON:- To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).
 - 3 The proposed relocation of the lamp column shall be agreed in writing with the Highway Authority and the details agreed shall be submitted to and approved by the Planning Authority prior to commencement of development.
REASON:- To ensure construction of a satisfactory development and in the interests of highway safety and amenity in accordance with Policies 5 and 7 of Hertfordshire's Local Transport Plan (adopted 2018).
 - 4 The materials to be used in the construction of the external surfaces of the front and rear extensions hereby permitted shall be similar to the materials used in the construction of the original dwelling to the satisfaction of the Local Planning Authority.

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

- 5 The proposed cycle and refuse storage hereby approved and as shown on drawing number: 21\101 REV A shall be constructed and made ready for use prior to the occupation of the flats.

REASON:- To ensure construction of a satisfactory development and to promote sustainable development in accordance with Policies 5, 19 and 20 of Hertfordshire's Local Transport Plan (adopted 2018).

- 6 The land within the parking area hereby approved and as shown on drawing number: 21\101 REV A shall be constructed and made ready for use prior to the occupation of the flats. The provision shall thereafter be retained for the purposes of parking in perpetuity.

REASON:- To ensure adequate off-street parking is provided in accordance with the Council's adopted Parking Standards Planning Document, preventing additional cars from parking on-street and in the interests of highway safety.

- 7 The land within the parking area hereby approved and as shown on drawing number: 21\101 REV A not within the control of the owner of No.303 Ripon Road shall be purchased from the Council prior to the occupation of the approved flats.

REASON:- To ensure adequate off-street parking is provided in accordance with the Council's adopted Parking Standards Planning Document, preventing additional cars from parking on-street and in the interests of highway safety.

- 8 The proposed parking area hereby approved and as shown on drawing number: 21\101 REV A shall be made of a porous material, or provision shall be made to direct surface water run-off water from the hardstanding to a permeable or porous area or surface within the curtilage of the dwellinghouse.

REASON:- In the interest of visual amenity and to ensure the development is sustainable and accords with the aspirations of Class F, Part 1 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 2015.

- 9 Prior to the occupation of the development hereby permitted, each parking space shall incorporate an Electric Vehicle ready domestic charging point.

REASON:- To ensure construction of a satisfactory development and to promote sustainable development in accordance with Policies 5, 19 and 20 of Hertfordshire's Local Transport Plan (adopted 2018).

Pro-active Statement

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

INFORMATIVES

1 Hertfordshire County Council Highways

New or amended vehicle crossover access (section 184): Where works are required within the public highway to facilitate a new or amended vehicular access, the Highway Authority require the construction of such works to be undertaken to their satisfaction and specification, and by a contractor who is authorised to work in the public highway. If any of the works associated with the construction of the access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates,

bus stop signs or shelters, statutory authority equipment etc.) the applicant will be required to bear the cost of such removal or alteration.

Before works commence the applicant will need to apply to the Highway Authority to obtain their permission, requirements and for the work to be carried out on the applicant's behalf. Further information is available via the County Council website at:

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-toyour-road/dropped-kerbs/dropped-kerbs.aspx> or by telephoning 0300 1234047.

- 2 **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 County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

- 3 **Obstruction of highway:** 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 County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

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Work relating to fire safety
Work affecting access and facilities for disabled people
Completion

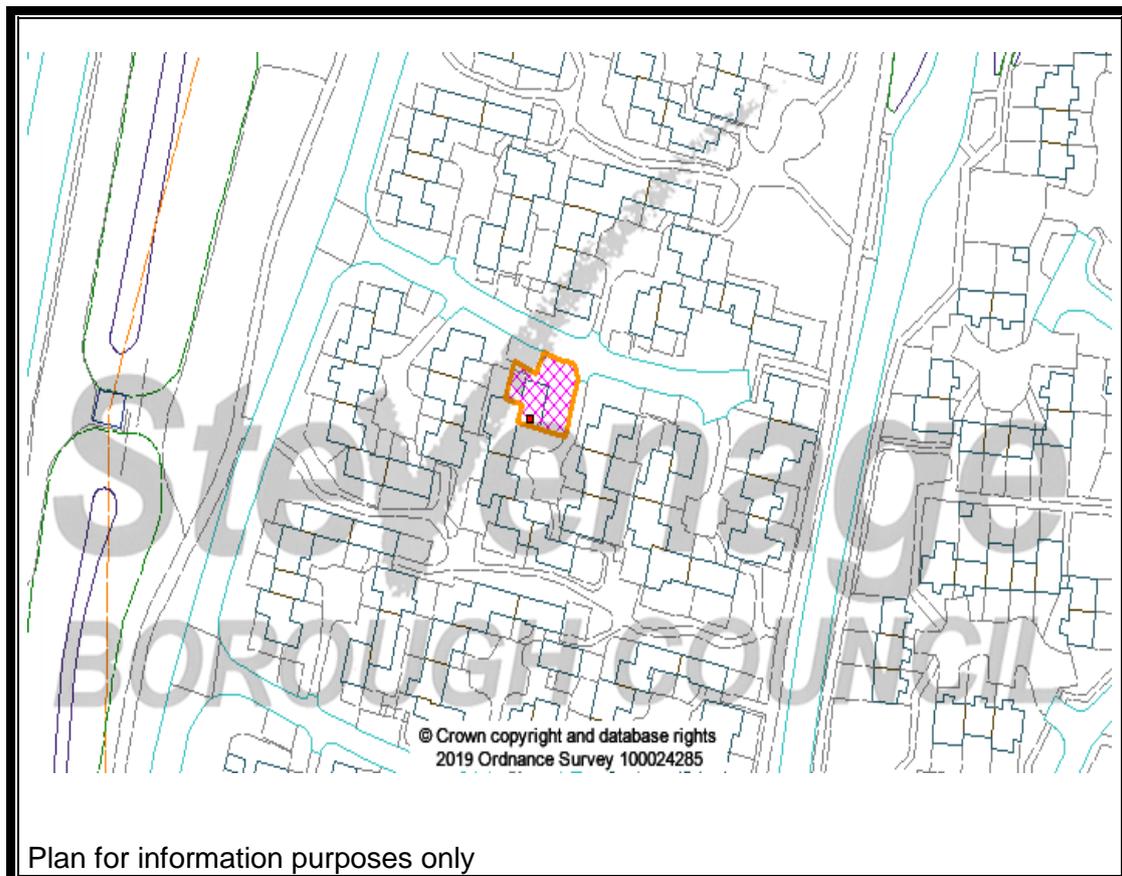
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10. **BACKGROUND DOCUMENTS**

1. The application file, forms, plans and supporting documents having the reference number relating to this item.
2. Stevenage Borough Council Supplementary Planning Documents – Parking Provision adopted October 2020, Stevenage Design Guide adopted October 2009, The impact of Development on Biodiversity adopted March 2021, Stevenage Borough Council Developer Contributions adopted March 2021.
3. Stevenage Borough Local Plan 2011-2031 adopted 2019.
4. Hertfordshire County Council's Local Transport Plan 4 adopted May 2018.
5. Responses to consultations with statutory undertakers and other interested parties referred to in this report.
6. Central Government advice contained in the National Planning Policy Framework July 2021 and Planning Policy Guidance March 2014.

Meeting: Planning and Development Committee **Agenda Item:**
Date: 11 January 2022
Author: Linda Sparrow 01438 242837
Lead Officer: Zayd Al-Jawad 01438 242257
Contact Officer: Linda Sparrow 01438 242837

Application No:	21/01149/FP
Location:	36 Hastings Close, Stevenage
Proposal:	Single storey front extension and change of use of land from public amenity to private residential
Drawing Nos.:	2021/42/01; 2021/42/02
Applicant:	Stevenage Borough Council
Date Valid:	25 October 2021
Recommendation:	GRANT PLANNING PERMISSION



1. SITE DESCRIPTION

- 1.1 The application site is a one bedroom semi-detached bungalow on the southern side of Hastings Close which is in the ownership of Stevenage Borough Council (SBC). The property occupies the corner plot at the entrance to a small cul-de-sac. The property has a small private rear garden on the western side of the dwelling and there is a fairly large area of grass at the front (east) of the property. This area of grass and shrubs is also in the ownership of SBC. To the north-west of the property is a small area of communal car parking. The attached neighbour of No.35 is a two storey dwelling which joins to the application site by way of a cat-slide roof from its front elevation. The application property's kitchen window is adjacent to the neighbour's front door and directly overlooks their front curtilage. The property is constructed of buff coloured bricks with a dual pitched tiled roof.

2. RELEVANT PLANNING HISTORY

- 2.1 None.

3. THE CURRENT APPLICATION

- 3.1 The application seeks permission for a single storey front extension and creation of one disabled parking space. Both elements of the work would be constructed on the SBC owned public highway land and would therefore require a change of use from public highway land to private residential land.
- 3.2 The proposed extension would measure 3.1m deep, 6.7m wide, 2.5m high to the eaves and 3.5m high to the ridge with a hipped roof and would provide one bedroom, storage and entrance hall.
- 3.3 The disabled parking space would measure 2.8m wide and 5.4m long.
- 3.4 The application comes before the Planning and Development Committee as Stevenage Borough Council is the land owner and there have been objections to the proposal.

4. PUBLIC REPRESENTATIONS

- 4.1 The application has been publicised by neighbour letters and the posting of a site notice. Comments have been received from Nos.9, 14, 31, 32 and 35 Hastings Close. A summary of the comments raised is as follows:
- Would adversely affect the character and appearance of the area;
 - The occupier of No.35 has maintained this land and it should be retained as is;
 - Unacceptable amount of noise and disruption during building works;
 - Construction traffic will block the access roads;
 - Property should be allocated 'as is' and not altered to fit proposed occupiers;
 - Block paved driveway that will be altered is owned and shared by all houses in the cul-de-sac – what assurances do we have this won't be damaged?
 - Do not need another disabled space;
 - As the person who has maintained this area, at personal expense, why was I not informed this land would be developed?
 - Will No.17 be enlarged as well?
 - Not enough one bed bungalows in the Town so why are the existing ones being changed?

- 4.2 Please note that the above is not a verbatim copy of the comments which have been received. To view a full copy of the objections which have been received, they are available to view on the Council's website.

5. CONSULTATIONS

5.1 SBC Estates Services

- 5.1.1 No objections raised; the land is designated as adopted Highway which will require a stopping up order to remove the highway status.

5.2 Herts County Council as Highway Authority

- 5.2.1 This level of development is unlikely to generate any extra movements which would ultimately lead to demonstrable harm to the highway network in terms of free flow and capacity. Therefore the highway authority would not wish to restrict the grant of planning permission.

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 July 2021. This largely reordered the policy substance of the earlier 2012 version of the NPPF albeit with some revisions to policy. The Council are content that 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 and the PPG, with which Members are fully familiar, are both material considerations 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 (Adopted 2019)

Policy GD1 - High Quality Design;
Policy SP8 - Good Design;
Policy IT5 - Parking and Access;
Policy NH6 - General Protection for Open Space.

6.5 Supplementary Planning Documents

Parking Provision Supplementary Planning Document October 2020;
Stevenage Design Guide Supplementary Planning Document January 2009.

6.6 Community Infrastructure Levy Charging Schedule

- 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.

7. APPRAISAL

- 7.1 The main issues for consideration in the determination of this application are the loss of the open space, the impact on the character and visual amenity of the area, impact on neighbour amenity and car parking provision.

7.2 Loss of the Open Space

- 7.2.1 The area of land in question is currently in the ownership of Stevenage Borough Council and is designated as an area of informal open space and is protected by Policy NH6 of the adopted Local Plan. Policy NH6 for general protection of open space states that the loss of unallocated open space should have regard to the quality and accessibility of the open space, whether the open space is serving its function and purpose, and whether alternate space(s) would remain available for community use.
- 7.2.2 The area of land in question is sited immediately adjacent the eastern, western and northern elevations of the property, in an L-shape. It measures approximately 7.3m deep off the front elevation of the dwelling, runs at approximately 15.3m long across the front of the property and is approximately 13.2m deep across the northern elevation.
- 7.2.3 The land currently forms an area of informal grassed amenity land with adopted highway status. The area of land in question is predominantly laid to grass with some shrubs planted against the north and east elevations of the property. A number of small wooden crate planters have been placed sporadically on the land and it has been edged all the way round with buff pavers. It is our understanding from the comments received that the owner of No.35 Hastings Close has been maintaining this area and it is he who has created the paving edging and the planters.
- 7.2.4 Whilst the land is open in nature, with no access restrictions, it is too small to be considered an area of meaningful open space for leisure activities by members of the public. Further, given its situation, immediately adjacent the application property it has the appearance of a private front garden. It is acknowledged that given the private maintenance of this public space, it does present a very pleasant visual appearance in the street scene.
- 7.2.5 The application does not propose to remove the public status of all the land, but rather only enough to erect the small extension and create one parking space. The remainder of the land would remain as it is and is considered to be large enough after development to still have a positive impact on the street scene.
- 7.2.6 The loss of the small amount of amenity space within the larger area of land is not considered to detrimentally impact the form and function of the surrounding structural open space. Larger more useable areas of open space and woodland are located within reasonable proximity of the site. In Policy terms therefore, the change of use this area of amenity land is considered acceptable.

7.3 Design and Impact on Visual Amenity

- 7.3.1 In terms of design, Paragraph 126 of the NPPF (2021) states that “*the creation of high quality, beautiful and sustainable buildings is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development*”, whilst Paragraph 130 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 134 then goes on to re-iterate that “*development that is not well design should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents*”
- 7.3.2 Paragraph 130 of the NPPF also states that “developments should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users”. It is recognised that there is likely to be a significant increase in the aged population within the Town with a trend towards elderly and disabled residents to stay in their own homes rather than move into a residential institution or retirement home. As a result, more new homes will need to meet, and existing homes be adapted to meet, accessible and adaptable standards. In this regard, the Council are proposing to adapt an existing property within their housing stock to meet the needs of an existing tenant who requires an accessible dwelling.
- 7.3.3 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. The Council’s Design Guide SPD (2009) generally reflects the aforementioned policies, whereby it seeks development to respect surrounding buildings in terms of scale, massing, height and design. As such, it encourages good design as it can enhance the appearance of places.
- 7.3.4 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.
- 7.3.5 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.

- 7.3.6 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.
- 7.3.7 The proposed front extension has been designed to be subservient to the host dwelling with a lower ridge line, a hipped roof to reduce bulk and is set off the boundary with No. 35 by approximately 2.7m. It would be constructed of matching brickwork and roof tiles to ensure a cohesive design that minimises the impact on the visual amenities of the street scene.
- 7.3.8 The proposed extension would be highly visible in the street scene from a number of public vantage points. It is acknowledged that there are no other extensions of this type in Hastings Close, however, each application is assessed on its own individual merits. The extension would not project beyond the northern side boundary of the property and so would not extend beyond this established building line which forms the main line of housing along the length of Hastings Close. There is no such building line on the front (east) elevation as the properties in the cul-de-sac follow the u-shape curve of the road and the application site sits almost entirely forward of the attached neighbour. The cul-de-sac by its nature is not a through road, and is fairly short, truncated by the neighbouring properties so that the proposed extension would not interfere with an open street scene.
- 7.3.9 Accordingly, the proposed extension is not considered to unduly harm the visual amenities of the street scene. Additionally, the proposed change of use is not considered to visually harm the character of the area. A large amount of land would be retained. The northern most section of the land would not have buildings or enclosures erected and so would retain the openness of the main highway of Hastings Close that is currently enjoyed.

7.4 Amenity of Neighbours

- 7.4.1 The proposed extension would be set in approximately 2.7m from the southern side boundary which adjoins No.35. In this regard, the attached neighbour would not have sight of the extension from their front entrance or rooms at the front of their house. The neighbour to the north, No.9 Hastings Close is approximately 17m from the proposed extension and the new bedroom window in the northern side elevation which is considered to be a sufficient distance such that no detriment would occur to the privacy of the occupiers of either dwelling. There are no windows proposed in the front elevation overlooking No.29 to the east.
- 7.4.2 The existing front entrance door on the eastern elevation would be relocated; whilst it would remain on the same eastern side of the dwelling, it would be turned 180-degrees to face south. However, owing to the set back of the extension from the boundary, it would not interfere with the access to No.35.
- 7.4.3 For these reasons, the proposed extension is not considered to harm the amenities of neighbouring properties.

7.5 Car Parking and Highway Impacts

- 7.5.1 The application site is currently a one bedroom dwelling which requires one parking space. The proposal would increase the number of bedrooms by 1, resulting in a two bedroom dwelling. This would require 1.5 spaces, rounded up to two. The property does not currently have any off-street car parking spaces so we would seek the net gain of one space.
- 7.5.2 The application seeks to provide one car parking space. This space is shown on the plans to be a designated disabled space which measures 2.8m wide and 5.4m long. This is 0.4m wider and 0.6m longer than a standard parking space to allow for disabled persons to enter and exit the vehicle safely. Hertfordshire County Council as Highways Authority have assessed the application and raised no concerns or objections in relation to the development.
- 7.5.3 Comments were received relating to the block paved access road being altered which is a private access, with shared responsibility of the houses who use it for access to their dwellings. The submitted plans do not indicate that this shared driveway will be altered. The existing footpath which serves the application site will be relocated so a new dropped kerb for this will be required but this is the extent of the work. Any legalities arising from this work would be for the owners and the Council as developer to deal with under the relevant laws and legislations.

7.6 Other Matters

- 7.6.1 Comments have been received relating to the maintenance of the land by another local resident, with the consent of the Council. The ongoing maintenance of this land would be a matter for the Parks and Amenities department to deal with and any arrangements which may be in place are not a material planning consideration.
- 7.6.2 Comments received regarding why the property is being enlarged are not a material planning consideration. The property is in the ownership of the Council and the decision as to which properties are enlarged/altered or not is down to the housing and investment departments, depending on tenant requirements.

7.7 Equalities Impact Statement

- 7.7.1 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.
- 7.7.2 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.
- 7.7.3 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.
- 7.7.4 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.

- 7.7.5 In terms of inclusive access, the proposal seeks to adapt SBC housing stock to meet the needs of an existing disabled tenant in order that they may continue to live independently.

8. CONCLUSIONS

- 8.1 It is considered that the change of use from amenity land to residential garden accords with adopted policy and would not harm the character and visual amenity of the area, nor the amenity of neighbouring properties. The application is, therefore, recommended for approval.

9. RECOMMENDATION

- 9.1 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:

2021/42/01; 2021/42/02;

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

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

REASON:- To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

- 3 The materials to be used in the construction of the external surfaces of the single storey front extension hereby permitted shall match the materials used in the construction of the original dwelling to the satisfaction of the Local Planning Authority.

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

- 4 The parking space shown on drawing number 2021/42/01 shall be provided, marked out and hard surfaced ready for use prior to the first occupation of the extension and shall be retained in that form and kept available for those purposes thereafter.

REASON:- To ensure that adequate parking facilities are available within the site and that there is no detriment to the safety of adjoining highways.

The Council has acted Pro-Actively for the following reason:-

- 1 Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted pro-actively in line with the requirements of the National Planning Policy Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

INFORMATIVES

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<https://www.gov.uk/government/publications/the-party-wall-etc-act-1996-revised-explanatory-booklet>

4 **Hertfordshire County Council as Highways Authority**

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.

5 **Hertfordshire County Council as Highways Authority**

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.

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7 **Hertfordshire County Council as Highways Authority**

Stopping up of the highway: Highway rights will need to be extinguished across the area of land affected in accordance with a Stopping Up Order, to be made by the Secretary of State for the Department of Transport, under Section 247 of the Town and Country Planning Act 1990 before development can commence. Further information is available on the Planning Portal at:

https://www.planningportal.co.uk/info/200187/your_responsibilities/40/other_permissions_you_may_require/14 and on the government website:

<https://www.gov.uk/government/publications/stopping-up-and-diversion-of-highways>.

10. BACKGROUND DOCUMENTS

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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 : 19/00280/COND
Date Received : 08.05.19
Location : Land At Chadwell Road Norton Green Stevenage Herts
Proposal : Discharge of condition 19 (Noise attenuation) attached to planning permission 15/00101/FPM
Date of Decision : 30.11.21
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**

2. Application No : 21/00315/FP
Date Received : 29.03.21
Location : 73 Queensway Town Centre Stevenage Herts
Proposal : Change of Use from E(a) to E(b)/Sui Generis (formerly A1 (shops) to A3/A5 (cafes & restaurants/hot food takeaway)
Date of Decision : 15.12.21
Decision : **Planning Permission is REFUSED**

For the following reason(s);

The proposal fails to demonstrate that it would accord with Policy TC8 by introducing a non-retail use in a primary retail frontage unit. As such the Local Planning Authority has not been able to assess the required information to meet the requirements of the policy. The proposal would not therefore be in accordance with Policies SP4 and TC8 of the Stevenage Borough Local Plan 2011-2031 (2019), the National Planning Policy Framework (2021) and National Planning Practice Guidance (2014) to the detriment of the Town Centre shopping area.

3. Application No : 21/00787/COND
Date Received : 15.07.21
Location : Garages And Forecourt Area To Rear Of 13-19 The Chace Stevenage Herts SG2 8QS
Proposal : Discharge of condition 4 (Submission of Landscaping Scheme) and condition 10 (Details of Boundary Treatment) attached to planning permission number 20/00672/FP
Date of Decision : 17.12.21
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**

4. Application No : 21/00922/AD
Date Received : 20.08.21
Location : Roundabout At Junction Of London Road And Hertford Road
Stevenage Herts
Proposal : Erection of 3no. non-illuminated sponsorship signs placed on
the roundabout
Date of Decision : 07.12.21
Decision : **Advertisement Consent is REFUSED**

The Inscribed Circle Diameter (ICD) of the roundabout for the
proposed signage is less than the 28 metre requirement.
Therefore, the proposed sponsorship signage would be
unacceptable in highway safety terms.
5. Application No : 21/00923/AD
Date Received : 20.08.21
Location : Roundabout At Great Ashby Way And Bray Drive Stevenage
Herts SG1 6AB
Proposal : Erection of 4no. non-illuminated sponsorship signs on
roundabout.
Date of Decision : 29.11.21
Decision : **Advertisement Consent is GRANTED**
6. Application No : 21/00961/AD
Date Received : 01.09.21
Location : Roundabout At Junction Of Hitchin Road/Coreys Mill Lane
Stevenage Herts
Proposal : Erection of 4no. non-illuminated sponsorship signs placed on
Hitchin Road/Coreys Mill Lane roundabout
Date of Decision : 07.12.21
Decision : **Advertisement Consent is GRANTED**

7. Application No : 21/00963/AD
Date Received : 01.09.21
Location : Roundabout At Junction Of Great Ashby Way And Canterbury Way Stevenage Herts
Proposal : Erection of 3no. non-illuminated signs placed on Canterbury Way/Great Ashby Way roundabout
Date of Decision : 30.11.21
Decision : **Advertisement Consent is REFUSED**

The Inscribed Circle Diameter (ICD) of the roundabout for the proposed signage is less than the 28 meter requirement. Therefore, the proposed sponsorship signage would be unacceptable in highway safety terms.
8. Application No : 21/00969/AD
Date Received : 02.09.21
Location : Roundabout At Junction With Broadhall Way, Oaks Cross And Shephall Way Stevenage Herts
Proposal : Erection of 4no. non-illuminated sponsorship signs placed on Broadhall Way/Shephall Way roundabout, 3no. non-illuminated sponsorship signs placed on Broadhall Way/Gresley Way roundabout and 4no. non-illuminated signs placed on Gresley Way/Broadwater Lane roundabout
Date of Decision : 17.12.21
Decision : **GRANT AND REFUSAL OF CONSENT**
9. Application No : 21/00973/AD
Date Received : 02.09.21
Location : Roundabout At Junction Of Gunnels Wood Road And Six Hills Way And Roundabout At Junction Of London Road And B And Q Superstore Stevenage Herts
Proposal : Erection of 4no. non-illuminated sponsorship signs on Gunnels Wood Road/Six Hills Way roundabout and 3no. non-illuminated sponsorship signs on London Road/B&Q roundabout
Date of Decision : 30.11.21
Decision : **Advertisement Consent is GRANTED**

10. Application No : 21/00984/AD
Date Received : 07.09.21
Location : A602 Broadhall Way And Gunnels Wood Road Roundabout Stevenage Herts
Proposal : Erection of 4no. non-illuminated sponsorship signs on Broadhall Way and Gunnels Wood Road roundabout, 4no. non-illuminated sponsorship signs on London Road and Roaring Meg roundabout and 4no. non-illuminated sponsorship signs London Road and Monkswood Way roundabout
Date of Decision : 17.12.21
Decision : **Advertisement Consent is GRANTED**
11. Application No : 21/00985/AD
Date Received : 07.09.21
Location : Six Hills Way And Gresley Way Roundabout Stevenage Herts
Proposal : Erection of 3no. non-illuminated sponsorship signs on Six Hills Way and Gresley Way roundabout, 5no. non-illuminated sponsorship signs on Six Hills Way and Chells Way roundabout, 4no. non-illuminated sponsorship signs on Six Hills Way and Shephall Way roundabout and 4no. non illuminated sponsorship signs on Gresley Way and Magpie Crescent roundabout.
Date of Decision : 30.11.21
Decision : **GRANT AND REFUSAL OF CONSENT**
12. Application No : 21/01008/FP
Date Received : 10.09.21
Location : 213 Hydean Way Stevenage Herts SG2 9YH
Proposal : Single storey front and rear extensions and change of use of public amenity space to residential for a two storey side extension
Date of Decision : 14.12.21
Decision : **Planning Permission is GRANTED**

13. Application No : 21/01022/FPH
Date Received : 15.09.21
Location : 162 Fairview Road Stevenage Herts SG1 2NE
Proposal : Two storey rear extension existing flat roof to be changed to mono pitch with roof lights and part garage conversion
Date of Decision : 29.11.21
Decision : **Planning Permission is GRANTED**
14. Application No : 21/01027/FPH
Date Received : 16.09.21
Location : 74 Whitney Drive Stevenage Herts SG1 4BJ
Proposal : First floor side extension
Date of Decision : 30.11.21
Decision : **Planning Permission is GRANTED**
15. Application No : 21/01046/COND
Date Received : 23.09.21
Location : Marshgate Car Park St. Georges Way Stevenage Herts
Proposal : Discharge of condition 18 (Piling Method Statement) attached to planning permission reference 21/00627/FPM
Date of Decision : 29.11.21
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**
16. Application No : 21/01053/FPH
Date Received : 27.09.21
Location : 19 Barley Croft Stevenage Herts SG2 9NP
Proposal : Part single, part two storey rear extension
Date of Decision : 30.11.21
Decision : **Planning Permission is GRANTED**

17. Application No : 21/01055/FPH
Date Received : 28.09.21
Location : 6 Harvey Road Stevenage Herts SG2 0BG
Proposal : Part two storey, part single storey rear extension, change of use of highway land and creation of 2no. parking spaces with retaining wall
Date of Decision : 20.12.21
Decision : **Planning Permission is GRANTED**
18. Application No : 21/01056/FPH
Date Received : 28.09.21
Location : 11 Cornfields Stevenage Herts SG2 7RB
Proposal : Retrospective garage conversion
Date of Decision : 30.11.21
Decision : **Planning Permission is GRANTED**
19. Application No : 21/01067/FPH
Date Received : 29.09.21
Location : 45 Homestead Moat Stevenage Herts SG1 1UE
Proposal : Single storey rear extension and garage conversion including raising height of garage roof
Date of Decision : 15.12.21
Decision : **Planning Permission is GRANTED**

20. Application No : 21/01071/TPTPO
Date Received : 30.09.21
Location : 154 Fairview Road Stevenage Herts SG1 2NE
Proposal : Fell 1 No Sycamore tree (T11) protected by TPO 79; Sycamore (T2) to be crown raised by 1-2 meters to prevent buses/lorries causing damage to overhanging branches and allow more light under canopy.
Date of Decision : 29.11.21
Decision : **REFUSE WORKS TO A TREE, THE SUBJECT OF A TREE PRESERVATION ORDER**
- For the following reason(s):
- There is insufficient reason or evidence to support the proposed removal of 1 no. Norway Maple (*Acer Platanoides*) and through crown reduction by 20-25% and the removal of deadwood, the tree would be in a good condition and vigour. Further, the Norway Maple is a high amenity value tree which is beneficial to the visual character of Fairview Road. Therefore, its removal would have a detrimental impact on the visual amenities of the area. Consequently, the proposal does not accord with Policy NH5 of the adopted Local Plan (2019), The Town and Country Planning (Tree Preservation) (England) Regulations 2012, the NPPF (2021) and Planning Practice Guidance.
21. Application No : 21/01074/FPH
Date Received : 01.10.21
Location : 9 Shackledell Stevenage Herts SG2 9AE
Proposal : Part single-storey, part two-storey rear extension
Date of Decision : 01.12.21
Decision : **Planning Permission is GRANTED**
22. Application No : 21/01077/FP
Date Received : 04.10.21
Location : 19-21 Middle Row Stevenage Herts SG1 3AW
Proposal : Removal of condition 3 (operating hours) attached to planning permission reference number 13/00009/FP
Date of Decision : 07.12.21
Decision : **Planning Permission is GRANTED**

23. Application No : 21/01081/FPH
Date Received : 04.10.21
Location : 16 Boxfield Green Stevenage Herts SG2 7DR
Proposal : Part first floor, part two storey side extension and conversion of the existing garage to habitable accommodation
Date of Decision : 01.12.21
Decision : **Planning Permission is GRANTED**

24. Application No : 21/01082/FPH
Date Received : 04.10.21
Location : 122 York Road Stevenage Herts SG1 4HF
Proposal : Single storey front and rear extension following demolition of existing garage
Date of Decision : 29.11.21
Decision : **Planning Permission is REFUSED**

For the following reason(s);

The proposed single-storey front extension by reason of its depth would appear bulky and overdominant in views along the street and destroy the harmony or balance between the existing houses in this part of York Road. It would therefore be contrary to Policies GD1 and SP8 of the Stevenage Borough Local Plan 2011 - 2031 (2019), the Council's Design Guide SPD (2009), the National Planning Policy Framework (2021) and the Planning Practice Guidance (2014).

The proposed single-storey rear extension by reason of its height and roof design would result in an incongruous form of development, detrimental to the architectural composition of the application property and the visual amenities of this part of York Road. It would therefore be contrary to Policies GD1 and SP8 of the Stevenage Borough Local Plan 2011 - 2031 (2019), the Council's Design Guide SPD (2009), the National Planning Policy Framework (2021) and the Planning Practice Guidance (2014).

The proposed single-storey front extension by reason of its depth would have a detrimental effect on the outlook from and light to the neighbouring dwelling to the north at No.120 York Road. It would therefore be contrary to Policies GD1 and SP8 of the Stevenage Borough Local Plan 2011 - 2031 (2019), the Council's Design Guide SPD (2009), the National Planning Policy Framework (2021) and the Planning Practice Guidance (2014).

25. Application No : 21/01083/FPH
Date Received : 04.10.21
Location : 5 The Hedgerows Stevenage Herts SG2 7DQ
Proposal : Single storey rear extension
Date of Decision : 29.11.21
Decision : **Planning Permission is GRANTED**
26. Application No : 21/01086/FPH
Date Received : 05.10.21
Location : 7 Newbury Close Stevenage Hertfordshire SG1 4TE
Proposal : Garage conversion to include raising the garage roof, installation of a dormer window and erection of external staircase.
Date of Decision : 17.12.21
Decision : **Planning Permission is GRANTED**
27. Application No : 21/01087/FP
Date Received : 05.10.21
Location : Boots UK Ltd 54 High Street Stevenage Herts
Proposal : Replacement shop front and erection of metal railings and gate.
Date of Decision : 29.11.21
Decision : **Planning Permission is GRANTED**
28. Application No : 21/01099/FPH
Date Received : 08.10.21
Location : 106 Lonsdale Road Stevenage Herts SG1 5EU
Proposal : Single storey rear extension
Date of Decision : 30.11.21
Decision : **Planning Permission is GRANTED**

29. Application No : 21/01100/FPH
Date Received : 08.10.21
Location : 28 Fishers Green Stevenage Herts SG1 2JA
Proposal : Proposed timber framed swimming pool enclosure to rear of existing garden.
Date of Decision : 01.12.21
Decision : **Planning Permission is GRANTED**
30. Application No : 21/01104/FPH
Date Received : 11.10.21
Location : 9 Kilner Close Stevenage Herts SG1 5AZ
Proposal : Part two storey, part single storey front extension
Date of Decision : 16.12.21
Decision : **Planning Permission is GRANTED**
31. Application No : 21/01105/FPH
Date Received : 11.10.21
Location : 163 Collenswood Road Stevenage Herts SG2 9HD
Proposal : Two storey rear and single storey front extension
Date of Decision : 03.12.21
Decision : **Planning Permission is REFUSED**
- For the following reason(s);
- The proposed development, if approved, would result in inadequate car parking provision to serve the property in line with the Council's adopted parking standards. This is likely to result in additional on-street parking which would give rise to conditions prejudicial to the free flow of traffic and conditions of highway safety in the vicinity of the application site. The proposal is therefore contrary to Policy IT5 of the Stevenage Borough Local Plan 2011 - 2031 (2019), the Council's Parking Provision SPD (2020), the National Planning Policy Framework (2021) and the National Planning Practice Guidance (2014).

32. Application No : 21/01108/FP
Date Received : 11.10.21
Location : MBDA UK Six Hills Way Stevenage Herts
Proposal : Erection of new visitor entrance lobby and staff entrance to Building 1300
Date of Decision : 01.12.21
Decision : **Planning Permission is GRANTED**
33. Application No : 21/01112/CLPD
Date Received : 12.10.21
Location : 77 Beane Avenue Stevenage Herts SG2 7DL
Proposal : Certificate of lawfulness for proposed Loft conversion with rear dormer and velux windows to the front
Date of Decision : 30.11.21
Decision : **Certificate of Lawfulness is REFUSED**

For the following reason(s);

Under planning permission reference 3/01946/84RP, the permitted development rights were removed for all enlargements, improvement or other alterations as defined under Class I(a) Schedule 1 of the Town and Country Planning General Development Order 1977. As such, the loft conversion and dormer window will require planning permission.
34. Application No : 21/01120/TPTPO
Date Received : 15.10.21
Location : 31 Eliot Road Stevenage Herts SG2 0LL
Proposal : Crown reduce by 2/3m crown thin by 20% remove of dead wood to 1No: Oak Tree (T2) protected by TPO 113
Date of Decision : 09.12.21
Decision : **CONSENT TO CARRY OUT WORKS TO A TREE, THE SUBJECT OF A TREE PRESERVATION ORDER**

35. Application No : 21/01121/FP
Date Received : 15.10.21
Location : Highfield Court Grace Way Stevenage Herts
Proposal : The refurbishment and extension of an existing roof terrace to provide larger external amenity space to include; new bi-fold doors, wheelchair accessible door with mobility threshold to communal living space, new external platform lift, new external storage below extended terrace enclosed by timber fencing with double access gates, new permeable resin bound paving and footpaths
Date of Decision : 03.12.21
Decision : **Planning Permission is GRANTED**
36. Application No : 21/01124/FP
Date Received : 16.10.21
Location : Unit 8 Roaring Meg Retail Park London Road Stevenage
Proposal : Remodelling of existing restaurant including, black metal over-cladding, alterations to roofline, addition of glazing and timber and metal screens, alterations to existing external seating area and replacement duct
Date of Decision : 07.12.21
Decision : **Planning Permission is GRANTED**
37. Application No : 21/01125/AD
Date Received : 16.10.21
Location : Unit 8 Roaring Meg Retail Park London Road Stevenage
Proposal : Erection of 1no. internally illuminated LED lettering sign; 1no. internally illuminated LED logo sign; 1no. internally illuminated menu box sign; and 1no. externally illuminated timber lettering sign on the roof
Date of Decision : 07.12.21
Decision : **Advertisement Consent is GRANTED**

38. Application No : 21/01126/FP
Date Received : 18.10.21
Location : 56 Austen Paths Stevenage Herts SG2 0NR
Proposal : Change of use from a 6-bedroom House of Multiple Occupation (HMO) Class C4, to a 7-bedroom HMO (Sui Generis), 3 x car parking spaces; 8-bicycle parking spaces, and location of 7-bin storage facilities to the rear driveway
Date of Decision : 13.12.21
Decision : **Planning Permission is REFUSED**
- For the following reason(s);
- The proposal would fail to allow adequate provision for space within the site for the parking of vehicles associated with the development which would lead to conditions detrimental to vehicular and pedestrian safety and, as such, would result in an unsatisfactory form of development. The development, if permitted, would result in additional on street parking in the vicinity of the application site which would be prejudicial to general provisions of highway safety and convenience contrary to Policy IT5 of the Stevenage Borough Local Plan 2011 - 2031 (2019), the Council's Parking Provision SPD (2020), Hertfordshire Local Transport Plan 4 (2018), The department for Transport Manual for Streets (2007), Roads in Hertfordshire A Guide for New Development third edition (2011) and advice in the National Planning Policy Framework (2021) and the National Planning Practice Guidance (2014).
39. Application No : 21/01128/AD
Date Received : 18.10.21
Location : Land To West Of A1(M) And South Of Stevenage Road Todds Green Stevenage Herts
Proposal : Erection of 1no. hoarding, 2no. V-signs and 4no. flags.
Date of Decision : 14.12.21
Decision : **Advertisement Consent is GRANTED**

40. Application No : 21/01129/FPH
Date Received : 19.10.21
Location : 2 Sacombe Mews Stevenage Herts SG2 8SB
Proposal : Single storey rear extension following removal of existing conservatory
Date of Decision : 16.12.21
Decision : **Planning Permission is GRANTED**

41. Application No : 21/01133/FPH
Date Received : 20.10.21
Location : 25 Barham Road Stevenage Herts SG2 9HX
Proposal : Two storey side extension
Date of Decision : 07.12.21
Decision : **Planning Permission is GRANTED**

42. Application No : 21/01135/FPH
Date Received : 20.10.21
Location : 20 Trent Close Stevenage Herts SG1 3RS
Proposal : First floor side extension
Date of Decision : 15.12.21
Decision : **Planning Permission is REFUSED**

For the following reason(s);

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

43. Application No : 21/01137/AD
Date Received : 20.10.21
Location : Warren James 38A Queensway Town Centre Stevenage
Proposal : Fascia sign and projecting sign
Date of Decision : 15.12.21
Decision : **Advertisement Consent is GRANTED**
44. Application No : 21/01138/CLPD
Date Received : 20.10.21
Location : 197 Telford Avenue Stevenage Herts SG2 0AR
Proposal : Certificate of Lawfulness for proposed single storey rear extension
Date of Decision : 06.12.21
Decision : **Certificate of Lawfulness is APPROVED**
45. Application No : 21/01139/FPH
Date Received : 20.10.21
Location : 275 Vardon Road Stevenage Herts SG1 5PZ
Proposal : Proposed single storey front extension
Date of Decision : 14.12.21
Decision : **Planning Permission is GRANTED**
46. Application No : 21/01156/FPH
Date Received : 25.10.21
Location : 14 Letchmore Road Stevenage Herts SG1 3JD
Proposal : Demolition of existing side and rear extension and erection of a part single-storey, part first floor rear extension, insertion of front rooflights and rear dormer window
Date of Decision : 17.12.21
Decision : **Planning Permission is GRANTED**

47. Application No : 21/01163/FP
Date Received : 26.10.21
Location : Garages Adjacent No 127 Scarborough Ave Stevenage Herts
Proposal : Demolition of existing garages and replacement with two blocks of 6 no. garages on existing slab and foundations
Date of Decision : 23.12.21
Decision : **Planning Permission is GRANTED**
48. Application No : 21/01164/CLPD
Date Received : 27.10.21
Location : 32 Manchester Close Stevenage Herts SG1 4TQ
Proposal : Certificate of lawfulness for proposed single storey rear extension
Date of Decision : 06.12.21
Decision : **Certificate of Lawfulness is APPROVED**
49. Application No : 21/01166/TPCA
Date Received : 28.10.21
Location : 5 Shephall Green Stevenage Herts SG2 9XR
Proposal : Fell 1No: Malus tree (T1) in front garden and grind stump.
Date of Decision : 07.12.21
Decision : **CONSENT TO CARRY OUT WORKS TO A TREE IN A CONSERVATION AREA**
50. Application No : 21/01181/NMA
Date Received : 01.11.21
Location : Matalan Site Danestrete Stevenage Herts
Proposal : Non material amendment to reserved matters approval reference number 20/00643/RMM to amend condition 4 to remove pre-commencement requirement
Date of Decision : 30.11.21
Decision : **Non Material Amendment AGREED**

51. Application No : 21/01180/FPH
Date Received : 02.11.21
Location : 7 Buckthorn Avenue Stevenage Herts SG1 1TT
Proposal : Single storey rear extension and alterations to existing side extension
Date of Decision : 17.12.21
Decision : **Planning Permission is GRANTED**
52. Application No : 21/01185/NMA
Date Received : 02.11.21
Location : Chells Manor Chells Lane Stevenage Herts
Proposal : Non material amendment to planning permission reference number 18/00415/FP to site location of proposed building
Date of Decision : 29.11.21
Decision : **Non Material Amendment AGREED**
53. Application No : 21/01193/FPH
Date Received : 04.11.21
Location : 4 - 6 Bragbury Lane Stevenage Herts SG2 8TJ
Proposal : Construction of single storey garden room
Date of Decision : 17.12.21
Decision : **Planning Permission is GRANTED**
54. Application No : 21/01223/NMA
Date Received : 11.11.21
Location : 2 Plash Drive Stevenage Herts SG1 1LW
Proposal : Non material amendment to planning permission reference number 21/00956/FPH to recess of part front facing wall and alterations to windows and doors to proposed single storey front extension
Date of Decision : 03.12.21
Decision : **Non Material Amendment AGREED**

55. Application No : 21/01274/COND
Date Received : 29.11.21
Location : The Bragbury Centre Kenilworth Close Stevenage Herts
Proposal : Discharge of condition 19 (electrical vehicle charging points) attached to planning permission reference number 20/00736/FPM
Date of Decision : 02.12.21
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**

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: 11 January 2022

INFORMATION REPORT - APPEALS / CALLED IN APPLICATIONS

Author – James Chettleburgh 01438 242266

Lead Officer – Zayd Al-Jawad 01438 242257

Contact Officer – James Chettleburgh 01438 242266

1. APPEALS RECEIVED

1.1. None.

2. DECISIONS AWAITED

2.1. None.

3. CALLED IN APPLICATIONS

3.1. None

4. DECISIONS RECEIVED

4.1. None.

5. BACKGROUND PAPERS

1. The application file, forms, plans and supporting documents having the reference number relating to this item.
2. Stevenage Borough Local Plan 2011 – 2031 May 2019.
3. Stevenage Borough Council Supplementary Planning Documents – Parking Provision adopted October 2020, Stevenage Design Guide adopted October 2009, The impact of Development on Biodiversity adopted March 2021, Stevenage Borough Council Developer Contributions adopted March 2021.
4. Hertfordshire County Council's Local Transport Plan 4 adopted May 2018.
5. Central Government advice contained in the National Planning Policy Framework July 2021 and National Planning Policy Guidance March 2014.

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