



## PLANNING AND DEVELOPMENT COMMITTEE

**Date:** Thursday, 10 February 2022  
**Time:** 6.30pm,  
**Location:** Council Chamber  
**Contact:** Ramin Shams - 01438 242308  
[committees@stevenage.gov.uk](mailto: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

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### AGENDA

#### **PART 1**

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

**2. MINUTES**

To approve as a correct record the Minutes of the previous meetings held on Thursday 9 December 2021 and Tuesday 11 January 2022.

Pages 3 – 82

**3. 21/00847/FP - CAR PARK, BRAGBURY END SPORTS GROUND, ASTON LANE, STEVENAGE**

Erection of five residential dwellings (Class C3), together with associated development including access, parking and landscaping

Pages 83 – 114

**4. 21/01256/FPH - 68 BASILS ROAD, STEVENAGE**

Retrospective planning permission for the demolition of the existing conservatory and erection of part two storey, part single storey rear extension.

Pages 115 – 124

**5. 20/00790/FP & 20/00791/FP - 107A-109A HIGH STREET, STEVENAGE**

Retrospective planning permission to retain Flats 6 and 7 as two bedroom units.

Pages 125 - 130

**6. 21/01231/FPH - 62 SOUTHWARK CLOSE, STEVENAGE**

Increase in front store width and height and associated entrance and fenestration alterations

Pages 131 – 138

**7. 21/01241/FP - WELLFIELD COURT, NORWICH CLOSE, STEVENAGE**

Proposed Smoking Shelter

Pages 139 – 146

**8. 21/01070/FPM - 145 SCARBOROUGH AVENUE, STEVENAGE**

Variation of condition 1 (Approved Plans) attached to planning permission 19/00136/FPM to include Brise Soleil, alterations to and the positioning of windows/doors, and an increase in the height of the Mansard roof feature by 300mm.

Pages 147 – 156

**9. 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 157 – 176

**10. 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 177 – 178

**11. URGENT PART I BUSINESS**

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

**12. 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.

### **13. URGENT PART II BUSINESS**

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

**NOTE:** Links to Part 1 Background Documents are shown on the last page of the individual report, where this is not the case they may be viewed by using the following link to agendas for Executive meetings and then opening the agenda for Thursday, 10 February 2022 – <http://www.stevenage.gov.uk/have-your-say/council-meetings/161153/>

Agenda Published 02 February 2022

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## STEVENAGE BOROUGH COUNCIL

### PLANNING AND DEVELOPMENT COMMITTEE MINUTES

Date: Thursday, 9 December 2021

Time: 6.30pm

Place: Council Chamber

**Present:** Councillors: Simon Speller (Chair), Maureen McKay (Vice Chair), Doug Bainbridge, Myla Arceno, Adrian Brown, Teresa Callaghan, Matt Creasey, Michael Downing, Jody Hanafin, Graham Lawrence CC, Mrs Joan Lloyd, Adam Mitchell CC, Graham Snell and Tom Wren

**Start / End Time:** Start Time: 06:30 pm  
End Time: 10.05 pm

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

There were no apologies for absence.

There were no declarations of interest.

#### 2 MINUTES

It was **RESOLVED** that the Minutes of the Planning and Development Committee meeting held on Tuesday 2 November 2021 be approved as a correct record and signed by the Chair.

#### 3 21/01150/CC - THE VALLEY SCHOOL, BROADHALL WAY, STEVENAGE

Application No:	21/01150/CC
Location	The Valley School, Broadhall Way, Stevenage
Proposal	Application for the proposed erection of a one-storey building for a replacement special needs school together with ancillary external play and teaching areas, landscaping, parking and other associated works, including demolition of existing caretaker's bungalow and provision of temporary construction access from Broadhall Way
Applicant:	Hertfordshire County Council
Recommendation:	No objection to the proposed development

The Assistant Director for Planning and Regulation presented the application for a proposed erection of a one-storey building for a replacement special needs school together with ancillary external play and teaching areas, landscaping, parking and other associated works including demolition of existing caretakers' bungalow and

provision of temporary construction access from Broadhall Way. The proposed building would be a single storey with its main entrance to the south.

He advised Members that the application came before the Committee as it was a consultation from Hertfordshire County Council (HCC) for a Major Development in Stevenage, and the statutory responsibility for determining the application rested with HCC, therefore, the Borough Council was a statutory consultee on this matter. HCC as the Local Planning authority had undertaken the necessary consultation with local residents.

The Council's Environmental Health recommended that during the course of development any contamination found or suspected, works should cease and the local planning authority shall be informed immediately. The development should not continue until any required remediation as agreed in writing by the local planning authority had been undertaken, and no burning of waste to be allowed on site.

The key issues in the determination of the application were outlined in the Officer report.

The Council's Parks and Leisure Team did not have any objection and the Police Crime Prevention and Design advisor fully supported the application.

Officer recommendation was therefore that the Borough Council did not have any objection to the proposed development.

Members debated the application, taking into account the Officer presentation and the Officer report. Members noted concern that the development would increase the congestion in the area, but supported the application as the benefits it would bring to the community outweighed any potential adverse impact.

It was **RESOLVED** that planning permission be granted, subject to the conditions as per the recommendations set out as follow:

That the Council raises No Objection to the proposed development. However, this is subject to the County Council ensuring the proposed development does not prejudice highway safety and has an acceptable drainage strategy. Furthermore, the Council recommends that appropriately worded conditions are imposed to any permission issued as specified in this committee report. Moreover, that the concerns raised in respect to landscaping and biodiversity net gain are sufficiently addressed before any formal decision is made by Hertfordshire County Council as the determining authority.

4      **21/00872/FP - GLADSTONE COURT, SPRING DRIVE, STEVENAGE,  
HERTFORDSHIRE SG2 8AY**

Application No:	21/00872/FP
Location	Gladstone Court, Spring Drive, Stevenage, Hertfordshire SG2 8AY

Proposal	Installation of a new heat dump for the roof solar panels on the south elevation of building at first floor level above the existing plant room doors
Applicant:	Stevenage Borough Council
Recommendation:	Grant Planning Permission

The Committee received a report seeking planning permission for the installation of a new heat dump for the roof solar panels on the south elevation of building at first floor level above the existing plant room doors.

The Assistant Director for Planning and Regulation advised Members that the application came before the Committee for consideration as the applicant was Stevenage Borough Council, otherwise it would be a delegated officer decision.

The application was for the installation of a new heat dump fan unit. The unit was to service the roof solar panels on the south elevation of the building at first floor level above the existing plant room doors. The Environmental Health undertook a Noise Impact Assessment, and recommended an acoustic screen to be installed to mitigate noise from the proposed heat dump unit.

The key issues in the determination of the application were outlined in the Officer report.

Members debated the application, taking into account the Officer presentation and the Officer report. Members noted that the application would not have any impact on the nearby amenities and supported the application.

It was **RESOLVED** that planning permission be granted, subject to the conditions as per the recommendations set out as follow:

That planning permission be GRANTED subject to the following conditions:-

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

CD-C392-Gladstone Court – 04 Revision P2; CD-C392-Gladstone Court – 11 Revision P2; CD-C392-Gladstone Court – 13 Revision P3.

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

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).

Prior to the first use of the heat dump fan unit, the acoustic screen as detailed on drawing number CD-C392-Gladstone Court – 13 Revision P3 and in the Noise Impact Assessment prepared by Spectrum Acoustic Consultants (ref.

AP1697/21322/0) shall be installed in accordance with the approved details. The acoustic screen shall thereafter be maintained in accordance with the manufacturer's specification and be permanently retained in its approved position until such time the heat dump fan unit is no longer required.

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

5 **21/00536/FPM - LAND TO THE NORTH WEST OF JUNCTION 7 OF THE A1(M)**

Application No:	21/00536/FPM
Location	Land To The North West Of Junction 7 Of The A1(M)
Proposal	Erection of electric vehicle charging station with ancillary retail unit, associated electrical infrastructure, car parking and landscaping
Applicant:	GRIDSERVE Sustainable Energy Ltd
Recommendation:	GRANT PLANNING PERMISSION

The Senior Planning Officer presented the application seeking permission for erection of an electric vehicle charging station with ancillary retail unit and associated electric infrastructure, car parking and landscaping. During the presentation, the Senior Planning Officer displayed maps, plans and photographs to demonstrate the location and character of the site.

The application site was situated to the north west of Junction 7 of the A1 (M) and to the south and west of Stevenage. The Site was made up of open countryside with the site lying within the Metropolitan Green Belt. To the south of the application site was the Novotel complex, and to the west and north of the site was an ancient semi natural woodland.

The application was a major development located within Green Belt and came before to the Committee as a major commercial scheme.

The key issues in the determination of the application were outlined in the Officer report.

The report addressed the key issues and Officer opinion was that:

- The tree which stand centrally in the application site could not be retained as this would prevent the site being constructed in the location, but this would be compensated extensively and replaced by a significant number of trees and soft landscaping to mitigate its loss.
- The benefit of the scheme would outweigh the loss of the tree.
- The development would not have a detrimental impact on the environment, and would have an acceptable drainage strategy and through enhancement measures which can be secured by condition.
- The proposal would also have a limited impact on local wildlife and biodiversity.



- It would not have any detrimental impact on the amenities of nearby residential properties.
- The development would also not have any impact on the archaeological significance and would accord with the Council's Parking standards.
- The application would not have any detrimental impact on the safety and operation of the highway network.
- The development would be a high quality and modern design, and the nearest building was the Novotel building.

Officer recommendation was therefore that Planning permission be granted given that the proposed development would accord with the policies contained in the adopted Local Plan (2019), the Council's Design Guide SPD 2009, and the Council's Parking Standards SPD 2020, the National Planning Policy Framework (NPPF) 2021.

Members debated the application, taking into account the Officer presentation and the Officer report. Members noted concern about footpath and cycle way, disabled car parking spaces, step free access and sustainability of the development.

Officers advised the Committee that the site would be used by those who would be willing to wait while their vehicle charges and it would not be a stand-alone destination for cycle and pedestrian travel. It would also help to create a sustainable transport charging hub. The site would also have a step free access. The development proposed had 31 spaces car parking spaces, two of which would be accessible spaces.

Members supported the application but ensured that the development should have sufficient arrangements for the disabled car parking spaces. Officer confirmed that an additional condition would be applied to planning conditions to ensure enough room and spaces for the disabled car parking.

It was **RESOLVED** that planning permission be granted, subject to the conditions as per the recommendations set out below, and an additional condition relating to disable parking spaces as follow:

- To ensure that there would be enough spaces for the disable car parking spaces with step free access.

That planning permission be GRANTED subject to the applicant having first entered into a S106 UU to secure Local employment and apprenticeships the detail of which would be delegated to the Assistant Director of Planning and Regulation in liaison with the Council's appointed solicitor. 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. These suggested conditions are as follows:-

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

following approved plans:

05-899-301-C; BOW-A0-ZZ-DR-A-0100; BOW-A0-ZZ-DR-A-0101; BOW-A0-ZZ-DR-A-0102; 8306-BOW-A0-ZZ-DR-A-0103; 8306-BOW-A0-ZZ-DR-A-0104; 8306-BOW-A0-ZZ-DR-A-0105; 8306-BOW-A0-ZZ-DR-A-0200; 8306-BOW-A0-ZZ-DR-A-0201; 8306-BOW-A0-ZZ-DR-A-0300; 8306-BOW-A0-ZZ-DR-A-0301; 8306-BOW-A0-ZZ-DR-A-0700; D02-01; 21/3746/E63/EX01; 21/3746/E63/EX02;

**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 buildings, energy storage containers and storage areas hereby permitted shall be as per the approved plans and documents to the satisfaction of the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

- 4 No development shall take place (including site clearance) until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority in consultation with the highway authority. Thereafter, the construction of the development shall only be carried out in accordance with the approved Plan.

The Construction Management Plan shall include the following additional matters;

- a) map showing the location of construction traffic routes to and from the site, details of their signing, monitoring and enforcement measures;
- b) access arrangements to the site;
- c) the date of start and finish of works on site;
- d) siting, methodology and facilities for wheel cleaning;
- e) site set up and general arrangements for storing plant including cranes, materials, machinery and equipment, temporary offices and other facilities;
- f) cleaning of site entrances, site access roads and the adjacent public highway;
- g) details of provisions for temporary car parking, loading/unloading and vehicle turning areas;
- h) hours of construction operations including times of deliveries and removal of waste;
- i) Demolition and construction works between the hours of 0730 and 1800 on Mondays to Fridays and between the hours of 0800 and 1300 on Saturdays only (These times relate to works which are audible at the boundary)
- j) the estimated number and type of vehicles per day/week;
- k) details of any vehicle holding area;
- l) details of the vehicle call up procedure;

- m) details of any changes to on-street waiting and loading restrictions that will be required;
- n) access and protection arrangements around the site for pedestrians, cyclists and other customers;
- o) coordination with other development projects in the vicinity;
- p) details of measures and training to reduce the danger posed to cyclists by HGVs, including membership of the Freight Operators Recognition Scheme or an approved equivalent;
- q) details of a construction phasing programme;
- r) where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements;
- s) details of a Site Waste Management Plan (SWMP) detailing actual waste arising and how waste is managed (i.e. re-used, recycled or sent off site for treatment or disposal) and where it is sent to. Further updates should be provided throughout the life of the development at an interim of two months or sooner should the level of waste be considered significant by the developer; and
- t) mechanisms and control measures to deal with environmental impacts such as noise and vibration, air quality, dust, light and odour.

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

- 5 Prior to first use of the improved access from Broadhall Way, the new access from Knebworth Park Road and circulation areas hereby permitted, the road layout shall be provided and thereafter retained at the position as identified on Proposed Site Layout with Dimensions drawing number 20/154/002/SKH/004 revision A in accordance with the highway specification to be agreed with Hertfordshire County Council and to the Local Planning Authority's satisfaction. 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 in accordance with Policy 5 of Hertfordshire's Local Transport Plan.

- 6 Prior to first use of the new access hereby permitted, visibility splays shall be provided, as identified on Proposed Mini Roundabout Visibility drawing number 20/154/002/SKH/006 revision A. The 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 in accordance with Policy 5 of Hertfordshire's Local Transport Plan.

- 7 The gradient of the accesses shall not be steeper than 1 in 20 for the first 15 metres from the edge of the carriageway of the Knebworth Park access road.

**REASON:-** To ensure a vehicle is level when exiting the access and to

safeguard the construction of a satisfactory access, in the interests of highway safety and amenity in accordance with Policy 5 of Hertfordshire's Local Transport Plan.

- 8 Prior to first occupation of the development hereby permitted the car parking spaces as detailed on drawing number 8306-BOW-A0-ZZ-DR-A-0105-P2 shall be surfaced and marked out or completed as applicable, in accordance with the approved plan and thereafter retained for the sole use of parking for the development hereby permitted and the cycle stores and bin stores as detailed on the same drawing shall be fully completed and ready for use in accordance with the approved plan and thereafter retained in that form.

**REASON:-** To ensure adequate off-street parking provision is available at all times so that the development does not prejudice the free flow of traffic or the conditions of general safety and to ensure the provision of cycle parking spaces and adequate waste and recycling storage.

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

- 1) Detailed infiltration tests conducted to BRE Digest 365 standards and geotechnical investigations to confirm the feasibility of discharge via infiltration and groundwater levels on site.
- 2) Detailed engineered drawings of the proposed SuDS features including cross section drawings, their size, volume, depth and any inlet and outlet features including any connecting pipe runs.
- 3) Final post-development network calculations for all storm events up to and including the 1 in 100 year + 40% climate change event with half drain down times.
- 4) Exceedance flow paths for surface water for events greater than the 1 in 100 year including climate change allowance.
- 5) Final detailed management plan to include arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its lifetime.

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

- 10 The development hereby permitted shall be carried out in accordance with the approved surface water drainage assessment in condition 9 and the following mitigation measures:

- 1) Limiting the surface water run-off generated by the critical storm events so that it will not exceed the surface water run-off rate of 2 l/s during the 1 in 100 year event plus 40% climate change event.
- 2) Providing storage to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event providing a minimum of 227.58m<sup>3</sup> (or such storage volume

agreed with the LLFA) of storage volume in underground attenuation tank and lined permeable paving cascade.

- 3) Discharge of surface water from the private network into the Thames Water surface water sewer, or to the ground if infiltration proven feasible. The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

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

- 11 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:

- a) Building Management System to ensure air tightness, temperature control and ventilation within the amenity hub building;
- b) Energy efficient LED lighting;
- c) Recycled grey water for flushing toilets;
- d) Solar Photovoltaic panels;
- e) SuDS drainage solutions including an infiltration pond;
- f) Use of natural daylighting where possible;

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.

- 12 The development hereby permitted shall be carried out in accordance with the ecological mitigation and enhancement measures as detailed in the 'Ecological Impact Assessment: July 2021'. This document shall be adhered to at all times during construction, including site clearance works, and during occupation of the development.

**REASON:-** To ensure protection of the natural environment

- 13 No development shall take place above slab level until there has been submitted to and approved by the Local Planning Authority a scheme of soft and hard landscaping, details of the treatment of all hard surfaces and the treatment of all boundaries including details of any walls, fences, gates or other means of enclosure. The scheme shall include details of all existing trees and hedgerows on the land and details showing all trees to be removed, or retained, together with details of all new planting to take place including species, size and method of planting. The approved boundary treatments shall be completed before the use hereby permitted is commenced or before the building(s) is occupied.

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

- 14 All planting, seeding and turfing comprised in the approved landscaping details as specified in condition 13 of this approval 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.

- 15 All hard surfacing comprised in the approved landscaping details as specified in condition 13 of this approval shall be carried out prior to 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.

- 16 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.

- 17 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.

- 18 No development, including site clearance, shall commence until the trees shown to be retained on the site, as identified on the approved plans, or subsequently approved landscaping scheme, have been protected by fencing or other means of enclosure in accordance with BS:5837:2012. Such protection shall be maintained until the conclusion of all site and building operations.

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

- 19 Within the areas to be fenced off in accordance with condition 18, there shall be no stockpiling of any materials or soil, no machinery or other equipment parked or operated, no traffic over the root system, no changes to the soil level, no excavation of trenches, no site huts, no fires lit and no dumping of toxic chemicals will be permitted and no retained trees shall be used for winching purposes.

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

- 20 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).

- 21 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 22 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 23.  
**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.
- 22 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.
- 23 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 21, 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.
- 24 Prior to first occupation of the development hereby permitted the external lighting to the site shall be installed, maintained and operated in accordance

with the details on drawing numbers 21/3746/E63/EX01 and 21/3746/E63/EX02. There shall be no other sources of external illumination.

**REASON:-** To minimise pollution of the environment and to safeguard the amenities of the locality and the appearance of the development.

- 25 No development shall take place until an Archaeological Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of archaeological significance and research questions and:

- 1) The programme and methodology of site investigation and recording
- 2) The programme and methodology of site investigation and recording as suggested by the evaluation
- 3) The programme for post investigation assessment
- 4) Provision to be made for analysis of the site investigation and recording
- 5) Provision to be made for publication and dissemination of the analysis and records of the site investigation
- 6) Provision to be made for archive deposition of the analysis and records of the site investigation [www.hertfordshire.gov.uk](http://www.hertfordshire.gov.uk)
- 7) Nomination of a competent person or persons/organisation to undertake the works set out within the Archaeological Written Scheme of Investigation.

**REASON:-** To ensure the preservation of potential remains of the site following archaeological investigation.

- 26 The development shall take place/commence in accordance with the programme of archaeological works set out in the Written Scheme of Investigation approved under condition 25.

**REASON:-** To ensure the preservation of potential remains of the site following archaeological investigation.

- 27 The development shall not be occupied/used until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition 25 and the provision made for analysis and publication where appropriate.

**REASON:-** To ensure the preservation of potential remains of the site following archaeological investigation.

## 6 21/00944/FPM - GARAGES AT DUNN CLOSE, STEVENAGE

Application No:	21/00944/FPM
Location	Garages at Dunn Close, Stevenage
Proposal	Demolition of existing garage blocks and their replacement with a development comprising a two storey supported housing building containing a mix of 21 no 1, 2 and 3 person units and associated facilities and a separate two storey terrace comprising 6 x one bedroom class C3 dwellings together with associated amenity areas, car and cycle parking bin store.



Applicant:	Stevenage Borough Council
Recommendation:	Grant Planning Permission

The Principal Planning Officer presented the application seeking permission for the demolition of existing garage blocks and their replacement with a development comprising of a two storey supported housing building containing a mix of 21no 1, 2, and 3 persons units and associated facilities and a separate two storey terrace comprising 6x one bedroom class C3 dwellings together with associated amenity areas, car and cycle parking bin store. During the presentation the Principal Planning Officer displayed maps, plans and photographs to demonstrate the location and character of the site.

The proposed application was for the sheltered living accommodation and its associated facilities. The application site was located on the western side of Dunn Close which was a spur road off Elder Way. On the southern boundary of the application site were two further garage blocks comprising of 36no single storey garages. The surrounding area comprised predominately two storey terraced dwelling houses set within regimented building lines. These properties constructed from stock red brick with their respective dual pitched roofs finished in bold roll concrete inter-locking tiles.

The Council had received 3 representations against the application, and a 51 signature petition in objection to the proposed development was also lodged. These were summarised within the Officer report.

The registered speaker Lynne Howard spoke as an objector to the application. She raised concerns about car parking spaces, and the impact the development would have on the available car parking spaces for residents. She described the road as narrow, and mentioned that this would have an impact on the service vehicle. She advised the Committee that the area had already had a history of drug dealings, and this would likely to increase.

Ash Ahmed the Assistant Director for Housing Development also a registered speaker for the application spoke in support of the application. He advised Members that the Council undertook outstanding consultation work to bring the application before the Committee. He mentioned that the area had suffered from the anti-social behaviour; however, there had been a reduction in crime since the demolition of the garages. There is an acute need for the housing and this application was a purpose built scheme. The development would be built to sustainable standards and would have renewable energy and added thermal efficiency. It would be affordable social rented, and would be accessible to all. It was led by a community consultation exercise, which had three in person consultations, a website was created for the consultation purpose which reached over 3k people.

The key issues in the determination of the application were outlined in the Officer report.

The Principal Planning Officer advised Members that the Police Crime Prevention Design Advisor (CPDA) had some concerns, as a result of engagement with the

CPDA; these concerns were addressed and the CPDA were in a position to fully support the application. Also the Herts and Middlesex Wildlife Trust were satisfied with the proposed application.

The HCC Fire and Rescue would not seek any further hydrants in this area, as there was a hydrant at the proposed southern site.

Officer recommendation was therefore that the Committee grant permission to the application.

Members debated the application, taking into account the Officer presentation, Officer report, statement from the registered speakers. A Member raised concerns about the communication process held between the resident and the Council, however, majority of Members were in support of the application, given the acute need for housing in wider Stevenage.

It was **RESOLVED** that planning permission be granted subject to the conditions as per the recommendations set out as follow:

That outline planning permission be GRANTED subject to the applicant having first entered into a S106 Unilateral Undertaking to secure/provide contributions towards:-

- Affordable Housing linked to Courtlands;
- Securing the provision of the supported housing units in perpetuity
- Apprenticeships and construction jobs;
- Management Company to manage areas of un-adopted open space and highways;
- S.106 monitoring fee.

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:

14020-P010-N; 14020-SK005-A; 14020-P011-D; 21128-MA-XX-DR-D-0500 – P01

**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 follows:-

- Roof finish – Concrete roof tiles/Stonewold grey;
- Facing brickwork – Yellow multi/stretcher bond;
- PV panels – Black/dark blue roof mounted panels;
- Fascias, soffits, gutters and downpipes – Black or Anthracite uPVC;
- Recess brick work detailing – 50mm recess with sailing course / buff multi;
- Solider Course around window heads;
- Windows and doors – uPVC anthracite grey;
- Vent/louvre – Metal anthracite grey.

Unless otherwise agreed in writing by the Local Planning Authority.

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

- 4 Notwithstanding the details set out in the application submission, no development shall take place above slab level until details of a hard and soft landscaping strategy and boundary treatment shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the following:

1. Details of all new planting to take place including species, size, quantity, location and method of planting;
2. Details of all boundary treatments including type, size, positions, heights and materials;
3. Details of any street furniture;
4. Details of tree pit designs and root protection measures (if required);
5. Details of all hardsurfacing areas to include type, size and materials.

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

- 5 All hard surfacing comprised in the approved landscaping details as specified in condition 4 of this approval shall be carried out prior to 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.

- 6 All planting, seeding and turfing comprised in the approved landscaping details as specified in condition 4 of this approval 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. In addition, the boundary treatment as approved shall also be installed prior to first occupation of the development hereby permitted.

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

- 7 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.

- 8 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.

- 9 No development shall take place above slab level until, a landscape management plan, including long term objective goals, management responsibilities (other than private domestic gardens and/or amenity areas) shall be submitted to and approved in writing by the Local Planning Authority. The landscape management and maintenance plan should be fully coordinated with the ecological management requirements and should include clearly defined details for monitoring of all landscape areas by suitably trained and qualified personnel. The development shall thereafter be carried out in accordance with the approved management plan.

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

- 10 Prior to the first occupation of the development hereby permitted the main vehicular accesses shall be provided 4.8 metres wide and thereafter both accesses shall be retained at the positions shown on the approved drawing number 14020-P010-M and any disused existing accesses have been reinstated to footway construction to the current specification of Hertfordshire County Council and to the local Planning Authority's satisfaction. 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 in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

- 11 Before the reconfigured accesses are first brought into use vehicle to vehicle visibility splays of 2.4 metres by 43 metres in a both directions shall be provided and permanently maintained. Within which there shall be no obstruction to visibility between 600 mm and 2.0 metres above the footway level. These measurements shall be taken from the intersection of the centre line of the permitted access with the edge of the carriageway of the highway respectively into the application site and from the intersection point along the edge of the carriageway.

**REASON:-** To ensure construction of a satisfactory development and in the interests of highway safety in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

- 12 Prior to the first use of the development hereby permitted 0.65 metre x 0.65 metre pedestrian visibility splays shall be provided and permanently maintained each side of the access. They shall be measured from the point

where the edges of the access way cross the highway boundary, 0.65 metres into the site and 0.65 metres along the highway boundary therefore forming a triangular visibility splay. Within which, there shall be no obstruction to visibility between 0.6 metres and 2.0 metres above the carriageway.

**REASON:-** To ensure construction of a satisfactory development and in the interests of highway pedestrian safety in accordance with Policies 5 and 7 of Hertfordshire's Local Transport.

- 13 No development shall take place until a Construction Management Plan has been submitted to and approved in writing by the local planning authority in consultation with the highway authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The Construction Management Plan shall include details of:

- a. Construction vehicle numbers, type, routing;
- b. Traffic management requirements;
- c. Construction and storage compounds (including areas designated for car parking);
- d. Siting and details of wheel washing facilities;
- e. Cleaning of site entrances, site tracks and the adjacent public highway;
- f. Timing of construction activities to avoid school pick up/drop off times;
- g. Provision of sufficient on-site parking prior to commencement of construction activities;
- h. Post construction restoration/reinstatement of the working areas and temporary access to the public highway;
- i. Demolition and construction works relating to this permission shall not be carried out on any Sunday or Bank Holiday, nor before 07.30 hours or after 18.00 hours on any weekdays, nor on any Saturday before 08.00 hours or after 13.00 hours. These times apply to work which is audible at the site boundary;
- j. Details of a Dust Management Plan to ensure emissions are controlled throughout the construction and demolition phases so as to prevent nuisance to the occupiers of neighbouring premises.

**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.

- 14 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 15 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 16.

**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.

- 15 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.
- 16 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 14, 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.
- 17 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.
- 18 The dwellings hereby permitted shall not be occupied until the cycle parking areas as detailed in the application submitted have been implemented accordingly. The cycle parking 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.
- 19 Prior to the first occupation of the development hereby permitted the car parking spaces (including EV charging facilities) as detailed on Drawing number 14020-P010-N shall be surfaced and marked out or completed as

applicable, in accordance with the approved plan and thereafter retained for the sole use of parking for the development hereby permitted.

**REASON:-** To ensure adequate off-street parking provision is available at all times so that the development does not prejudice the free flow of traffic or the conditions of general safety.

- 20 Prior to first occupation of the development hereby permitted, the energy efficiency measures as detailed in the Energy Statement prepared by Energy Test (dated: 26/07/2021) shall be implemented in accordance with the details as specified. In addition, water efficiency measures such as the use of dual flush toilets, aerated taps, smaller baths and water butts to reduce water consumption to 110 litres per person, per day shall also be implemented as part of this development. All measures to ensure the development is adaptable to climate change shall 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.

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

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

- 22 The development hereby permitted shall be carried out in accordance with the approved Flood Risk Assessment and Drainage Strategy prepared by Markides Associates (Document reference:- 21182-MA-XX-RP-D-DS01 dated 24 June 2021) and Drainage Strategy Addendum dated 26<sup>th</sup> October 2021, with the following mitigation measures delivered:

- 1) Limiting the surface water run-off generated by the critical storm events so that it will not exceed the surface water run-off rate of 2 l/s during the 1 in 100 year event plus 40% climate change event.
- 2) Providing storage to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event providing a minimum of 85m<sup>3</sup> (or such storage volume agreed with the LLFA) of storage volume in attenuation storage within a geo-cellular underground tank, permeable paving and rain gardens to provide inception storage with surface water runoff treated through a linear channel drain with a filter for water quality.
- 3) Discharge of surface water from the private network into the Thames Water surface water sewer, or to the ground if infiltration proven feasible.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

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

- 23 No development shall take place (excluding demolition and site clearance) until a detailed surface water drainage scheme for the site based on the approved drainage strategy and sustainable drainage principles, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including 1 in 100 year + climate change critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.
- 1) Detailed infiltration tests conducted to BRE Digest 365 standards and geotechnical investigations to confirm the feasibility of discharge via infiltration and groundwater levels on site.
  - 2) Detailed engineered drawings of the proposed SuDS features including cross section drawings, their size, volume, depth and any inlet and outlet features including any connecting pipe runs.
  - 3) Final post-development network calculations for all storm events up to and including the 1 in 100 year + 40% climate change event with half drain down times.
  - 4) Exceedance flow paths for surface water for events greater than the 1 in 100 year including climate change allowance.
  - 5) Final detailed management plan to include arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its lifetime.
- REASON:-** To prevent the increased risk of flooding, both on and off site.
- 24 Upon completion of the drainage works for the site and in accordance with the timing/phasing arrangement, a management and maintenance plan for the SuDS features and drainage network must be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:
1. Provision of a complete set of as built drawings for site drainage.
  2. Maintenance and operational activities.
  3. Arrangements for adoption and any other measures to secure the operation of the scheme throughout its lifetime.
- REASON:-** To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.
- 25 No development shall take place above slab level until a scheme for the provision of integrated bird and bat boxes along with details of a hedgehog highway and features for invertebrates as set out in the Biodiversity Net Gain Assessment prepared by Windrush Ecology dated June 2021, shall be submitted to and approved in writing by the Local Planning Authority. The ecological enhancement measures as detailed in this condition shall be implemented in accordance with the approved details and thereafter, permanently retained accordingly.
- REASON:-** In order to provide biodiversity net-gain and ecological enhancements on the development site.
- 26 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).
- 27 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).

- 28 Notwithstanding the details specified in the application submission, prior to the construction of the general waste and recycle store associated with the development hereby permitted, details of this store shall be submitted to and approved in writing by the Local Planning Authority. The bin store shall thereafter, be constructed in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

**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.

7 **21/00971/FPM - COURTLANDS, TODDS GREEN, STEVENAGE, HERTS, SG1 2JE**

Application No:	21/00971/FPM
Location	Courtlands, Todds Green, Stevenage, Herts, SG1 2JE
Proposal	Redevelopment of existing riding stables to provide 11no. three bedroom and 6no. four bedroom dwellings with associated access road, parking, landscaping, footpath connections, infiltration basin and pump station.
Applicant:	EHP Land and Development
Recommendation:	Grant Planning Permission

The Senior Planning Officer presented the application seeking permission for redevelopment of existing riding stables to provide 11no. three bedroom and 6no. four bedroom dwellings with associated access road, parking, landscaping footpath connections, infiltration basin and pump station. During the presentation the Senior Planning Officer displayed maps, plans and photographs to demonstrate the location and character of the site.

The application site was currently in use as riding stables and a riding school. The site comprised a number of old buildings, there were also two small dwellings within the site. To the north site was an extensive grassed paddock area with a large overhead power line, with the A602 highway beyond. To the east of the site was the East Coast Mainline railway. To the south-west of the site was Chantry Farm which was a mixture of residential and commercial enterprises and the residential site of

the Lodge. To the south of the site was the main hamlet of Todds Green which comprised of a mixture of residential premises. The village of Little Wymondley was located to the north of the site. The remaining surrounding area was rolling agriculture fields. The site was accessed from the main highway of Chantry Lane via the small access road of Old Chantry Lane which also served the Lodge and Chantry Farm.

The key issues in the determination of the application were outlined in the Officer report.

The Senior Planning Officer advised Members that the application was classified as a major housing scheme located within the Greene Belt. The site was not allocated for housing in the Local Plan. It was considered a departure from the development Plan.

The Council received representations from the residents which was summarised in the Officer report. The Hertfordshire County Council as the Highway Authority considered that the proposal would not have an impact on the safety and operation of the adjoining highway subject to the inclusion of highway informative and conditions. The Highway Authority suggested that the applicant would need to enter into a section 278 of the Highways Act 1980 agreement to address the footway provision and carriageway works joining to the adjacent local access road.

The HCC Fire and Rescue Services recommended that it would require a condition for the provision of fire hydrants to be provided and installed by the developer at no cost to the County or Fire and Rescue Services. This was to ensure the site had adequate supplies of water in the event of an emergency.

The proposed application would become more sustainable once completed, and the site was considered as brownfield land, and would also maximise the use of the brown field site.

The Wymondley Parish Council objected to the application, the Committee was informed that the Parish Council was outside the Stevenage Borough Council jurisdiction.

The Senior Planning Officer advised that the proposed development was considered to be acceptable as it would help the Council to meet its housing requirement over the Local Plan period. The proposed development would have 17 dwellings which would have great economic benefits during the construction phase, and future occupiers would likely to contribute to local services and facilities. The applicant would be required to contribute financially, if the target employment of Stevenage residents were not met in line with the Developer Contributions Supplementary Planning Document 2021. The benefits would be reasonable and further add weight in favour of the development. The officer recommendation was therefore that Committee grant permission to the application.

Members debated the application, taking into account the Officer presentation and the Officer report. Members raised concerns that there is no direct footpath to Chancery lane, and the development would be only for car owners, and ecologically

sound and sustainable.

The officers assured Members that an additional condition would set out a Section 106 agreement that would be discussed between the North Herts Council and the Hertfordshire County Council relating to develop a footpath.

It was **RESOLVED** that planning permission be granted, subject to the conditions as per the recommendations set out in the report, and an additional condition relating to the footpath as follow:

- A section 106 agreement to be discussed with the North Herts Council and the Hertfordshire County Council for the applicant to develop a footpath; and to secure ongoing maintenance for the on-site green spaces.

That planning permission be GRANTED subject to the applicant having first entered into a S.106 agreement to secure/provide contributions towards:-

- A financial contribution in lieu towards the provision of affordable with the Borough of Stevenage, or, in the event the Council purchases the application site, the development would deliver six affordable housing units at Dunn Close;
- Local Training Fund (if no local residents employed in the construction phase;
- Highway works
- Section 106 Monitoring fees.

The final detail of which would be delegated to the Assistant Director of Planning and Regulation in liaison with the Council's appointed solicitor. 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 issues, where such amendments or additions would be legally sound and most effectively deliver the development that the Planning Committee has resolved to approve.

That the proposal be subject to the following conditions:-

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: FIG D\_3 PUMPING STATION LAYOUT; 14043\_P027C LOCATION PLAN; 14043\_P030R SITE PLAN; 14043\_P031K HOUSE TYPES; 14043\_P037B SITE AREAS; 14043\_P038A SITE SECTIONS; ID-200-PLAN - EXISTING SITE PLAN; 14043\_P035C House Type 2; 14043\_P034D House Type 1;  
**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 dwellings hereby permitted shall be as per the approved plans and documents to the satisfaction of the Local Planning Authority unless otherwise agreed in writing by the Local Planning Authority.

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

- 4 No development shall take place (including demolition and site clearance) until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority in consultation with the highway authority. Thereafter, the construction of the development shall only be carried out in accordance with the approved Plan.

The Construction Management Plan shall include the following additional matters;

- 1) Construction vehicle numbers, type, routing;
- 2) Access arrangements to the site;
- 3) Traffic management requirements;
- 4) Construction and storage compounds (including areas designated for car parking, loading/unloading and turning areas);
- 5) Siting and details of wheel washing facilities;
- 6) Cleaning of site entrances, site tracks and the adjacent public highway;
- 7) Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times;
- 8) Provision of sufficient on-site parking prior to commencement of construction activities;
- 9) Post construction restoration/reinstatement of the working areas and temporary access to the public highway;
- 10) where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements.
- 11) Demolition and construction works between the hours of 0730 and 1800 on Mondays to Fridays and between the hours of 0800 and 1300 on Saturdays only (These times relate to works which are audible at the boundary)
- 12) hours of construction operations including times of deliveries and removal of waste;

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

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

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

- 6 Prior to the first occupation of the development hereby permitted the vehicular access shall be provided 5.0 m wide complete with a minimum 8.0 m radius kerb to the southern side of the carriageway and thereafter retained at the position shown on the approved drawing number 14043-P030-R and include a pedestrian link from the development to the existing footway network as shown on drawing 5565 / 002 revision A to the current specification of Hertfordshire County Council and to the local Planning Authority's satisfaction. 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 in accordance with Policy 5 of Hertfordshire's Local Transport Plan.
- 7 Prior to the first occupation of the development hereby permitted, details of secure cycle parking provision and bin storage shall be submitted to and approved in writing by the Local Planning Authority. The secure cycle parking facility shall thereafter be implemented in accordance with the approved details.  
**REASON:-** To ensure there is sufficient secure cycle parking provision in order to encourage a mode shift from the private car.
- 8 Prior to the first occupation of the development hereby permitted the car parking spaces as detailed on Drawing number 14043-P030-R shall be surfaced and marked out or completed as applicable, in accordance with the approved plan and thereafter retained for the sole use of parking for the development hereby permitted.  
**REASON:-** To ensure adequate off-street parking provision is available at all times so that the development does not prejudice the free flow of traffic or the conditions of general safety.
- 9 No development above slab level shall take place until 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.
- 10 No development shall take place (including demolition and site clearance) until a detailed surface water drainage scheme for the site has been submitted to and approved in writing by the Local Planning Authority. The drainage strategy should demonstrate the surface water run-off generated up to and including 1 in 100 year + climate change critical storm will not exceed the run-off from the existing site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

- 1) Detailed infiltration tests conducted to BRE Digest 365 standards and geotechnical investigations to confirm the feasibility of discharge via infiltration and groundwater levels on site.
- 2) Detailed engineered drawings of the proposed SuDS features including cross section drawings, their size, volume, depth and any inlet and outlet features including any connecting pipe runs.
- 3) Final post-development network calculations for all storm events up to and including the 1 in 100 year + 40% climate change event with half drain down times.
- 4) Exceedance flow paths for surface water for events greater than the 1 in 100 year including climate change allowance.
- 5) Final detailed management plan to include arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its lifetime.

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

- 11 The development hereby permitted shall be carried out in accordance with the approved surface water drainage assessment in condition 10 and the following mitigation measures:

- 1) Limiting the surface water run-off generated by the critical storm events so that it will not exceed the surface water run-off rate of 2 l/s during the 1 in 100 year event plus 40% climate change event.
- 2) Providing storage to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event providing a minimum of 440m<sup>3</sup> (or such storage volume agreed with the LLFA) of storage volume in attenuation storage within a basin, swales and permeable paving to provide inception storage and water quality benefits.
- 3) Discharge of surface water from the private network into the Anglian Water surface water sewer, or to the ground if infiltration proven feasible.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

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

- 12 Upon completion of the drainage works for the site and in accordance with the timing/phasing arrangement, a management and maintenance plan for the SuDS features and drainage network must be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

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

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

- 13 No development above slab level shall take place until details of measures to address adaptation to climate change and energy efficiency in line with Policy

FP1 of the Stevenage Local Plan (2019) and which should exceed the relevant Building Control Regulations have been submitted to and approved in writing by the Local Planning Authority. These measures shall then be implemented and permanently maintained in accordance with the approved details.

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

- 14 The development hereby permitted shall be carried out in accordance with the ecological mitigation and enhancement measures as detailed in the 'Preliminary Ecological Appraisal August 2021'. This document shall be adhered to at all times during construction, including site clearance works, and during occupation of the development.

**REASON:-** To ensure protection of the natural environment

- 15 No development shall take place above slab level until details of the 9 integrated swift boxes, 8 integrated bat boxes and hedgehog highways are submitted to and approved in writing by the local planning authority. These features must be integrated into the brickwork of the development and located in the most appropriate locations to ensure occupation. They shall be fully installed prior to occupation and retained as such thereafter.

**Reason:-** To conserve and enhance biodiversity in accordance with NPPF

- 16 No development shall take place above slab level until there has been submitted to and approved by the Local Planning Authority a scheme of soft and hard landscaping and details of the treatment of all hard surfaces and boundaries. The scheme shall include details of the following:

1. All existing trees and hedgerows on the land and details showing all trees to be removed, or retained;
2. Details of all new planting to take place including species, size, quantity, location and method of planting;
3. Details of all boundary treatments including type, size, positions, heights and materials;
4. Details of any street furniture
5. Details of tree pit designs and root protection measures;
6. Details of all hardsurfacing areas to include type, size and materials;
7. Details of the wild flower meadow

Soft landscaping details will need to take into consideration Network Rail's acceptable and unacceptable planting (see Informative No.8).

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

- 17 All planting, seeding and turfing comprised in the approved landscaping details as specified in condition 16 of this approval 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.

- 18 All hard surfacing and boundary treatments comprised in the approved landscaping details as specified in condition 16 of this approval shall be carried out prior to 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.

- 19 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.

- 20 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.

- 21 No development (excluding site clearance) shall take place until a landscape management plan, including long term objective goals, management responsibilities (other than private domestic gardens and/or amenity areas) shall be submitted to and approved in writing by the Local Planning Authority. The landscape management and maintenance plan should be fully coordinated with the ecological management requirements and should include clearly defined details for monitoring of all landscape areas by suitably trained and qualified personnel. The development shall thereafter be carried out in accordance with the approved management plan.

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

- 22 No development, including site clearance, shall commence until the trees shown to be retained on the site, as identified on the approved plans, or subsequently approved landscaping scheme, have been protected by fencing or other means of enclosure in accordance with BS:5837:2012. Such protection shall be maintained until the conclusion of all site and building operations.

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

- 23 Within the areas to be fenced off in accordance with condition 20, there shall be no stockpiling of any materials or soil, no machinery or other equipment parked or operated, no traffic over the root system, no changes to the soil level, no excavation of trenches, no site huts, no fires lit and no dumping of toxic chemicals will be permitted and no retained trees shall be used for winching purposes.

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

- 24 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).

- 25 No development shall take place above slab level until there has been submitted to and approved in writing by the Local Planning Authority in conjunction with Network Rail, details of the treatment of all boundaries including details of any walls, fences, gates or other means of enclosure. The approved boundary treatments shall be completed before the dwellings are occupied.

**REASON:-** To ensure a satisfactory standard of development in the interests of amenity and that it has an acceptable appearance.

- 26 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 25 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 26.

**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.

- 27 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.

- 28 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 24, 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.

- 29 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 in conjunction with Network Rail. There shall be no other sources of external illumination.

**REASON:-** To minimise pollution of the environment and to safeguard the safety of the adjacent Network Rail mainline railway.

- 30 On completion, the dwellings shall meet the following criteria, either:
- i. with windows open for ventilation or
  - ii. with windows closed and with mechanical purge and background ventilation, sufficient to comply with the current Building Regulations.

		Noise Level (dB)
Daytime Noise (07:00 - 23:00)	Inside living areas	< 35 LAeq, (16 hours)
Night-time Noise (23:00 - 07:00)	Inside bedrooms	< 30 LAeq, (8 hours) < 45 L <sub>Amax</sub> , Fast

Where mechanical purge ventilation is required to achieve the above standards with windows closed, this shall be designed so as to ensure that the ventilation system itself does not produce unacceptable levels of noise within each dwelling. All schemes for ventilation shall comply with the current edition of Approved Document F to the Building Regulations.

**REASON:-** To protect the amenity of future occupiers of the development

- 31 Prior to the approved development hereby permitted first being brought into use, details of the acoustic fencing including the sound insulation values shall be submitted to and approved in writing by the Local Planning Authority. The details shall be in accordance with the "Noise and Vibration Impact Assessment, Land at Courtlands Riding Stables", Report reference J04467R1, dated 7<sup>th</sup> September 2021 by Sound Planning Ltd. The development shall thereafter be implemented in accordance with the approved details, and shown to be effective, and shall be retained in

accordance with those details thereafter.

**REASON:-** To safeguard the amenities of nearby noise sensitive properties.

- 32 All windows within the dwellings hereby approved shall be glazed with triple glazing as shown on drawings 14043-P034-D and 14043-P035-C and shall be retained in that form thereafter.

**REASON:-** To safeguard the amenities of the occupiers of the approved dwellings.

- 33 No development shall take place above slab level until a scheme for the provision of adequate water supplies and fire hydrants, necessary for firefighting purposes at the site, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the scheme has been implemented in accordance with the approved details.

**REASON:-** To ensure adequate water infrastructure provision is made on site for the local fire service to discharge its statutory firefighting duties.

- 34 No works involving excavations shall be carried until the following has been submitted to and approved in writing by the Local Planning Authority in consultation with Affinity Water:

1. An Intrusive Ground Investigation to identify the current state of the site and appropriate techniques to avoid displacing any shallow contamination to a greater depth.
2. A Risk Assessment identifying both the aquifer and the abstraction point(s) as potential receptor(s) of contamination.
3. A Method Statement detailing the depth and type of excavations to be undertaken including mitigation measures to prevent and/or minimise any potential migration of pollutants to public water supply. Any excavations must be undertaken in accordance with the terms of the approved method statement.

**REASON:-** To avoid displacing any shallow contamination to a greater depth and to prevent and/or minimise any potential migration of pollutants to a public water supply abstraction which can cause critical abstractions to switch off resulting in the immediate need for water to be sourced from another location, which incurs significant costs and risks of loss of supply during periods of high demand.

- 35 Development shall not commence until a construction methodology has been submitted to and approved in writing by the Local Authority. The construction methodology shall demonstrate consultation with the Asset Protection Project Manager at Network Rail. The development shall thereafter be carried out in accordance with the approved construction methodology unless otherwise agreed in writing by the Local Planning Authority.

**REASON:-**

- 36 The dwellings hereby permitted shall not be occupied until the proposed accesses for vehicles, pedestrians and cyclists have been constructed as detailed on the approved drawings, the existing footway/verge has been reinstated and the new footway link from the site access south, to Stevenage

Road has been completed to the current specification of Hertfordshire County Council and to the Local Planning Authority's satisfaction.

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

- 37 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).

## 8 21/00754/FPM - ROEBUCK RETAIL PARK, LONDON ROAD, STEVENAGE

Application No:	21/00754/FPM
Location	Roebuck Retail Park, London Road, Stevenage
Proposal	Conversion of existing units at Roebuck Park to provide a self-storage facility (within Use Class B8) at Unit 3 and employment units for a flexible range of employment uses (within Use Classes E(g)(iii), B2 and/or B8) at Units B1, C2 and C3, together with the provision of three new build employment units either side of the existing terrace (Units A1, D1 and D2) for a flexible range of employment uses (within Use Classes E(g)(iii), B2 and/or B8), and associated works
Applicant:	Legal & General Property Partners (Industrial Fund) Ltd
Recommendation:	GRANT PLANNING PERMISSION

The Principal Planning Officer presented the application seeking permission to convert existing units at Roebuck Park to provide a self-storage at Unit 3 and employment units for a flexible range of employment uses at Units B1, C2 and C3, together with the provision of three new build employment units either side of the exiting terrace for a flexible range of employment uses and associated works. During the presentation the Principal Planning Officer displayed maps, plans and photographs to demonstrate the location and character of the site.

The application site comprised an existing retail park located to the west of London Road and to the south of Stevenage Town Centre. To the east of the site was London Road and to the north was the A602. The East Coast mainline railway was located to the west of the site. The site was adjoined to the south by a retail warehouse unit occupied by Dunelm.

The application site was not designated within the Local Plan, but fell within Flood Zone 1, which had a low probability of flooding. Three new build employment units

were proposed either side of the existing terrace.

The proposed application included the change of use of Unites B1, C2 and C3 from retail to a flexible range of employment uses. The site would look similar to its current look, but internal improvements would be made.

The key issues in the determination of the application were outlined in the Officer report.

The Council received only one letter of support which was summarised in the Officer report.

The Principal Planning Officer advised Members that 55 car parking spaces would be lost, and it would generate less car journeys; this was acceptable by the Highway Authority. She also clarified that there would not be any changes made to the access. She explained that an assessment of the proposal had also been carried out against national and local design, transport and environmental policies and found to be acceptable.

Officer recommendation was therefore that the Committee grant permission to the application.

Members debated the application, taking into account the Officer presentation and the Officer report. Members noted that the proposal was in conformity with the NPPF and the Development Plan, and supported the proposal.

It was **RESOLVED** that planning permission be granted subject to the conditions as per the recommendations as follow:

That planning permission be GRANTED subject to the applicant having first entered into a unilateral undertaking to secure/provide contributions towards:-

- Travel Plan monitoring fee
- Local Employment and Apprenticeships

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

The proposal be subject to the following conditions, the final details of which shall be delegated to the Assistant Director:-

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

PL1001 – 04; PL1102 – 05; PL1104 – 02; PL1110 - 03; PL1111 – 04; PL1125 – 04; PL1205 – 03; PL1206 – 03; PL1210 – 07; PL1211 – 06; PL1225 – 05; PL1226 – 04; PL1103 – 04; PL1201- 05; 20141-C4P-V1-00-DR-A-2000\_P6; 20141-C4P-V1-ZZ-DR-A-2101\_P3; 21086-1

**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 building works required to implement this permission shall be carried out only between the following times:

0730 to 1800 Mondays to Fridays

0800 to 1300 Saturdays

And not at all on Sundays and Bank Holidays.

The hours specified relate to activities which are audible at the site boundary.

**REASON:-** To satisfactorily protect the operation of adjoining businesses.

- 4 No piling shall take place until a Piling Method Statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the Local Planning Authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

**REASON:-** The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to significantly impact / cause failure of local underground sewerage utility infrastructure.

- 5 The development hereby permitted shall be completed in accordance with the external materials specified within drawing number PL1211 – 06 submitted to and approved by the Local Planning Authority.

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

- 6 Before any development commences, including any site clearance or demolition works, any trees on the site shall be protected by fencing or other means of enclosure in accordance with the recommendations within the Arboricultural Assessment and Method Statement by Barrell Tree Consultancy dated June 2021. Such protection shall be maintained until the conclusion of all site and building operations.

**REASON:-** To ensure that the retained tree(s) are not damaged or otherwise adversely affected during site operations.

- 7 Within the areas to be fenced off in accordance with condition 6, there shall be no alteration to the ground level and they shall be kept clear of vehicles, materials, surplus soil, temporary buildings, plant and machinery.

**REASON:-** To ensure that the retained tree(s) is not damaged or otherwise adversely affected during site operations.

- 8 No tree shown retained on the tree protection plan number 21086-1 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.

- 9 If any retained tree referred to in condition 8 is removed, uprooted or destroyed or dies within 5 years of the completion of development, a replacement tree should be planted in the same place and that tree shall be of such a size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

**REASON:-** To ensure the replacement of those trees which should be retained in the interests of visual amenity.

- 10 Replacement tree planting shall be carried out in accordance with the approved details as set out in the Arboricultural Assessment and Method Statement by Barrell Tree Consultancy dated June 2021 in accordance with the recommendations in BS 8545 (2014) *Trees: from nursery to independence in the landscape – Recommendations*.

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

- 11 Any replacement trees, 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.

- 12 All car parking spaces shown on drawing number PL1201 – 05 shall be provided, marked out and hard surfaced ready for use prior to the first occupation of the units and shall be retained in that form and kept available for those purposes thereafter.

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

- 13 The measures to address adaptation to climate change as set out within the Energy and Sustainability Statement by Cundall dated June 2021 shall be implemented and 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.

- 14 The development hereby permitted shall be carried out in accordance with the approved Flood Risk Assessment (version 1.2) and Surface Water Drainage Strategy (version 1.1) prepared by Weetwood dated November 2021.

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

- 15 No development shall take place until a detailed surface water drainage scheme for the site based on the approved drainage strategy and sustainable drainage principles, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the

surface water run-off generated up to and including 1 in 100 year + climate change critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

- 1) Detailed infiltration tests conducted to BRE Digest 365 standards and geotechnical investigations to confirm the feasibility of discharge via infiltration and groundwater levels on site.
- 2) Detailed engineered drawings of the proposed SuDS features including cross section drawings, their size, volume, depth and any inlet and outlet features including any connecting pipe runs.
- 3) Final post-development network calculations for all storm events up to and including the 1 in 100 year + 40% climate change event with half drain down times.
- 4) Exceedance flow paths for surface water for events greater than the 1 in 100 year including climate change allowance.
- 5) Final detailed management plan to include arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its lifetime.

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

- 16 Upon completion of the drainage works for the site and in accordance with the timing/phasing arrangement, a management and maintenance plan for the SuDS features and drainage network must be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:
1. Provision of a complete set of as built drawings for site drainage.
  2. Maintenance and operational activities.
  3. Arrangements for adoption and any other measures to secure the operation of the scheme throughout its lifetime.

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

- 17 No above ground works shall take place until a Local Employment Strategy prepared with reference to section 10 of the Council's Developer Contributions SPD (2021) is submitted to and approved by the Local Planning Authority. The development shall be completed in accordance with the agreed local employment targets.

**REASON:-** To ensure that the benefits of the development contribute to the economic growth of the town and subsequently benefit the town's residents and workforce.

- 18 The use of the units hereby approved shall be limited to Schedule 2, Part A, Class E (g)(iii), B2 and/or B8 of the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 relating to industrial processes and storage and distribution and shall be used for no other purposes.

**REASON:-** To prevent the unrestricted change of use to retail (Class E (a)) without paying the required CIL charge under the Council's adopted Community Infrastructure Levy Charging Schedule.



- 19 No above ground works shall take place until a scheme for the provision of adequate water supplies and fire hydrants, necessary for firefighting purposes at the site, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the scheme has been implemented in accordance with the approved details.  
**REASON:-** To ensure adequate water infrastructure provision is made on site for the local fire service to discharge its statutory firefighting duties.
- 20 Development shall not commence until a construction methodology has been submitted to and approved in writing by the Local Authority. The construction methodology shall demonstrate consultation with the Asset Protection Project Manager at Network Rail. The development shall thereafter be carried out in accordance with the approved construction methodology unless otherwise agreed in writing by the Local Planning Authority.  
**REASON:-** The safety, operational needs and integrity of the railway.
- 21 Development shall not commence until a Construction Traffic Management Plan 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 of:
- Construction vehicle numbers, type, routing;
  - Access arrangements to the site;
  - Traffic management requirements
  - Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas);
  - Siting and details of wheel washing facilities;
  - Cleaning of site entrances, site tracks and the adjacent public highway;
  - Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times;
  - Provision of sufficient on-site parking prior to commencement of construction activities;
  - Post construction restoration/reinstatement of the working areas and temporary access to the public highway;
  - where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements.
- 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.

9 **21/00057/FP - LAND AT WATERCRESS CLOSE, COOPERS CLOSE AND WALNUT TREE CLOSE, STEVENAGE**

Application No:	21/00057/FP
Location	Land at Watercress Close, Coopers Close and Walnut Tree Close, Stevenage.

Proposal	Erection of two detached dwelling houses including new site access from Watercress Close and 560sqm of publicly accessible open space to the south of the site.
Applicant:	SER Homes Ltd
Recommendation:	Grant Planning Permission

The Assistant Director for Planning and Regulations presented the application seeking permission for erection of two detached dwelling houses including new site access from Watercress Close and a 560sqm of publicly access open space to the south of the site. During the presentation, the he displayed maps, plans and photographs to demonstrate the location and character of the site.

The application site was a diamond shaped area of open space in private ownership which was located between and at the end of the cul-de-sacs of residential road Coopers Close and Watercress Close. To the south of the site was Walnut Tree Close. The open space had small spurs at the western, eastern and southern corners providing pedestrian access from road.

Previously the Council took an enforcement action against the owner of the site for the authorised erection of 2m high hoarding enclosing the open space between all three connecting road. The notice was appealed and the appeal dismissed as the inspector found the hoarding to be permitted development, as the land was private, therefore able to closed off.

The key issues in the determination of the application were outlined in the Officer report.

The Committee was informed if the application was approved, 56 percent of the site to be kept accessible to the public. It would be privately owned open space accessible to public. The design and layout were compliant. The Highway Authority considered it acceptable.

The Council received 49 objections and 5 letter of support, these were summarised in the Officer report.

The registered speaker Paul Brook spoke in opposition to the application. He advised Members that application site was identified as public open space in the original planning over 30 years ago. He stated that the site was a safe re-creation area for the neighbourhood. He mentioned that public should continue to have a right of access, and that approving the application would set precedent for other green spaces in Stevenage that are not owned by the Borough Council.

Members debated the application, taking into account the Officer presentation, the Officer report and the statement from the objector. Members raised concerns about the loss of the open spaces and the uncertainty around the usability and right of access if approved.

Members noted that approval of the application would set a precedent on using green spaces for development, and voted unanimously against the officer recommendation for approval.

It was **RESOLVED** that application 21/00057/FP be refused planning permission for the following reasons:

The proposed erection of 2 new residential units on local open space and the significant compromising of the usability and access of the land if approved would create an unacceptable precedent whereby privately owned amenity and open space can be removed. The result would cause significant harm to the local area, for which this space has been clearly designed and used as local open space; this space is a key element of place making for the local area. The combined direct loss of half of the existing open space, coupled with the significant deterioration in the access and usability of the remaining open space, undermines the acceptableness of the Windfall House Site policies H05, while it would also be contrary to policy NH6 which protects our local open spaces for all to use and enjoy.

The proposal is therefore contrary to Policy HO5 and NH6 of the Stevenage Borough Local Plan 2011 – 2031 (adopted 2019), the National Planning Policy Framework (2019) and Planning Practice Guidance.

**10 INFORMATION REPORT - DELEGATED DECISIONS**

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

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

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

**12 URGENT PART I BUSINESS**

None.

**13 EXCLUSION OF THE PRESS AND PUBLIC**

Not required.

**14 URGENT PART II BUSINESS**

None.

CHAIR

STEVENAGE BOROUGH COUNCIL

**PLANNING AND DEVELOPMENT COMMITTEE  
MINUTES**

Date: Tuesday, 11 January 2022

Time: 6.30pm

Place: Council Chamber

**Present:** Councillors: Simon Speller (Chair), Maureen McKay (Vice Chair), Doug Bainbridge, Myla Arceno, Adrian Brown, Teresa Callaghan, Matt Creasey, Michael Downing, Jody Hanafin, Graham Lawrence CC, Mrs Joan Lloyd, Adam Mitchell CC and Graham Snell

**Start / End**      Start Time:    6.30pm  
**Time:**            End Time:       9.40pm

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

Apologies for absence were submitted on behalf of Councillor Tom Wren.

There were no declarations of interest.

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

The Committee considered an application for the Construction of a Multi Storey Car Park and Secure Cycle Stores to provide 622 car parking spaces of which 30no. were 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 were to be provided with active Electric Vehicle charging point and up to 50% of car parking spaces were to be provided with passive Electric Vehicle charging infrastructure for future activation to suit demand. The MSCP was six storeys tall with a central photovoltaic canopy on the open top deck.

The application was considered by Committee as it was a major application and the applicant was Stevenage Borough Council.

The Principal Planning Officer gave an introduction to the Committee. She advised that the main issues for consideration in the determination of this application were its acceptability in land use policy terms, Community Infrastructure Levy (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.

Officers advised that the provision of a multi storey car park (MSCP) was a key criterion of the Local Plan for the Town Centre Station Major Opportunity Area (MOA). The redevelopment of the train station area was key for the long term sustainability, vitality and strong economy of Stevenage.

The Committee was provided details of the layout including access into the car park and exit back out onto Lytton Way and the high quality design of the car park including the images to be portrayed on the elevations. The scale, design and layout whilst visually intrusive in the landscape was not thought to be detrimental to the character and appearance of the area.

In relation to the impact on the highway network, it was noted that the Highway Authority had advised that the proposals were likely to have little material effect on the local highway network, including on existing travel patterns in terms of car park usage.

In terms of space configuration, officers advised that 30 were dedicated disabled bays and a total of 118 spaces being marked as dedicated Electric Vehicle Charging Points. There were also 87 standard cycle parking spaces, with non-standard spaces also proposed for cycles such as cargo cycles, trikes etc.

In response to a number of questions, Offices advised that:

- Although it was believed that the land was not contaminated, assessments had been undertaken and appropriate conditions imposed if any unforeseen contamination was encountered during development;
- The Highway Authority advised that the development was acceptable and was content with the consultant's forecast demand at the car park and the impact of trips displaced from other town centre car parks;
- It was hoped that the regeneration of the station was to happen in the future but this application was separate from that;
- There would be no net loss of car parking spaces in the Town Centre despite the loss of a number of surface level car parks;
- As opposed to previous applications on this site, this development was within the Council's control and funding had been secured which would ensure the development would happen;
- In relation to the provision of disabled spaces, the Assistant Director Planning and Regulation agreed that in consultation with the Chair of the Committee he would give consideration to the balance and the configuration of disabled parking spaces in the covered and uncovered areas within the car park;
- Cycle parking would be accessed through the existing drop off and pick up area;
- The Council would be managing the car park and monitor any inappropriate use of the disabled bays by non-blue badge holders;
- Concern was expressed that the Police had not been consulted on this application;
- The design of the car park would ensure it was fully functional with good manoeuvrability unlike some other multi storey car parks in the area;
- During construction, the south area car park would remain open and due to the numbers of people currently working from home there would be no issue in terms of parking capacity for commuters.

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

conditions and that:

1. The Assistant Director Planning and Regulation in consultation with the Chair of the Committee giving consideration to the balance and the configuration of disabled parking spaces in the covered and uncovered areas within the car park;
2. Subject to any comments made by the Police in relation to the safety concerns being considered by the Assistant Director Planning and Regulation in consultation with the Chair of the Committee and the Member raising the concerns.
3. 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.
- 2 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 3 No development shall take place (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.
- 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.
- 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.
- 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.

- 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.
- 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.
- 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.
- 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.
- 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.
- 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.

- 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.
- 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.
- 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.
- 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.
- 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.

- 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.
- 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.
- 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.
- 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.
- 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.
- 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.
- 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
- 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.

- 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.
- 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.

## **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](http://www.stevenage.gov.uk/CIL) or by contacting the Council's CIL Team at [CIL@Stevenage.gov.uk](mailto: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 Rails 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.

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

The Committee considered an application for the erection of 11no. modular homes (Use Class C3) and associated works.

The application was before the Committee as it was a major residential development. In addition, the applicant was Stevenage Borough Council and objections had been raised against the application.

The Senior Planning Officer gave an introduction to the Committee. She advised that the main issues for consideration in the determination of this application were its acceptability in land use policy terms, 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 space.

Officers advised that the scheme was identified as being in a sustainable location with access to local services and facilities. The development would also deliver much needed housing due to the shortfall in housing delivery in the Borough and a need for the delivery of accommodation which includes homeless persons.



In relation to the visual appearance, although out of character with the traditional style of housing in the area, the site would be screened by mature hedgerows and additional landscape planting. The units were also single storey in height and deemed to be limited in size and scale so as not to appear dominating when viewed from the wider street.

Car parking spaces on-site would be designated for visiting staff members only. As such and due to the nature of the development, no parking would be made available to the occupiers of the units as it was envisaged that they would not have the means to own or run a vehicle of their own. There would be one disabled parking bay in line with Council's standards.

In terms of crime prevention, it was noted that despite the concerns raised, the Police Crime Prevention Advisor considered the development would be acceptable subject to the implementation of Secure by Design measures.

In response to a number of questions raised by Members, Officers advised:

- There was no vehicular access onto Shephall Green Lane;
- Contributions to bio-diversity would likely be used to improve the Lane. Some work on the hedgerows and tidying the Lane had already begun;
- Those residents being housed in the units would have a Stevenage connection in compliance with the Council's duty to house local people;
- The units had a 60 year life cycle warranty;
- There would be no permanent manager on-site;
- The colour of the units was yet to be determined.

It was **RESOLVED** 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.

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

- 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.
- 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.
- 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.
- 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.
- 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.

- 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.
- 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.
- 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.
- 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.
- 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.
- 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.
- 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.
- 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.

- 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.
- 24 At least 50% of the residential units are Category 2: Accessible and Adaptable dwellings.
- 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.
- 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.
- 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.
- 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.

## **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](http://www.stevenage.gov.uk/CIL) or by contacting the Council's CIL Team at [CIL@Stevenage.gov.uk](mailto: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](mailto: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.

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

The Committee considered an application for the Variation of conditions 1 (Approved Plans), 9 (Flood Risk Assessment), 10 (Drainage) and 27 (Vehicle Access) attached to planning permission 19/00123/FPM.

The application had been referred to the Planning and Development Committee for decision. This was as a result of a number of technical changes to conditions; the layout of the approved development had changed to that which was originally approved under planning application 19/00123/FPM. As such, it was a different scheme to that which was previously determined by the Planning and Development Committee.

The Development Manager gave an introduction to the Committee. He advised that when considering applications of this type, local planning authorities were entitled to consider only the question of the conditions to which planning permission should be granted and must leave the original permission intact. In this instance, the other conditions imposed on the originally granted planning permission for this development 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.

The Committee was advised that the main issues for consideration of this application were, 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.

Officers advised that the proposed amendment to the layout was partly due to the proximity of the overhead powerlines but would not 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 would ensure the scheme would have a high quality visual environment as viewed from the wider streetscape.



In response to a question, the Development Manager confirmed that there would be no change in the proposed plot or garden sizes.

It was **RESOLVED** 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.

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

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

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

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

The boundary treatment would comprise the following:-

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

- 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.
- 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.
- 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 Torjursen (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.
- 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.
- 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.

- 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.

- 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.
- 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.
- 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.
- 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.
- 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.
- 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.

- 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.
- 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.
- 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.
- 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.
- 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.
- 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.
- 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.

- 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.
- 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.
- 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.
- 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.
- 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.

- 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:-

- 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).

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

- 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.

- 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.

- 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.

- 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.
- 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.
- 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.
- 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:-
  - Surface Finishes Sheet 1 of 4 (drawing number:- 10548-RPS-XX-XX-DR-C-0208 Rev T3);
  - Surface Finishes Sheet 2 of 4 (drawing number:- 10548-RPS-XX-XX-DR-C-0209 Rev T3);
  - Surface Finishes Sheet 3 of 4 (drawing number:- 10548-RPS-XX-XX-DR-C-0210 Rev T3);
  - Surface Finishes Sheet 4 of 4 (drawing number:- 10548-RPS-XX-XX-DR-C-0211 Rev T3).
- 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 steeper

than 1 in 20.

- 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.
- 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.
- 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 will 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.
- 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.

## **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](mailto: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 overflows 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](http://www.stevenage.gov.uk/CIL) or by contacting the Council's CIL Team at [CIL@Stevenage.gov.uk](mailto:CIL@Stevenage.gov.uk).

## **5            21/01101/FP - 303 RIPON ROAD, STEVENAGE**

The Committee considered an application for 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.

The application was before the Committee for determination as it had been called in at the request of a local Ward Member.

The Principal Planning Officer gave an introduction to the Committee. Following two previous refusals on this site, this was the third application for the conversion of the property which now involved widening the existing parking area to enable the parking of three vehicles and the relocation of a lamp column to create the space. The Principal Planning Officer advised that the main issues for consideration in the determination of the application were 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.

At this juncture, the Chair invited Mr Gordon Symons, a local resident and objector to the application to address the Committee. Mr Symons' concerns related to the unusually high number of public representations that had been submitted objecting to the application and the need to retain family housing in Stevenage.

The Chair then invited Councillor Claire Parris, St Nicholas Ward Member to address the Committee. Cllr Parris' concerns also related to the need for family housing in the area and the impact of this type of development on community cohesion. Concern was also expressed by Councillor Parris regarding the proposed removal/relocation of the lamppost and potential impact on other properties.

The Chair then invited Mr Graham Tennant, the applicant to address the Committee. Mr Tennant advised that the application would help Stevenage to meet its housing delivery targets and that these new properties would allow young people to own their own homes. He confirmed that the lamppost would be relocated rather than

removed and that during construction the noise and disruption would be kept to a minimum.

A number of points and concerns were raised by Members:

- In relation to the three parking spaces, officers confirmed that the parking standards which were set by Central Government would be met following the removal of the lamppost;
- The location for the re-sited lamppost would be agreed with the Street Lighting Design Team at Herts County Council;
- Commercial vehicles could not be banned from parking on the site;
- Officers advised that the number of occupants per unit was likely to be one but this could not be guaranteed as planning legislation could not limit the number of occupiers.

Following further consideration, it was moved by Councillor Doug Bainbridge, seconded by Councillor Teresa Callaghan and **RESOLVED** that application 21/01101/FP be refused planning permission for the following reasons:

- 1) The proposed conversion of the 4 bedroom family dwelling to 3 no. 1 bedroom studios combined with the conversion of similar properties to HMOs or flats within Ripon Road would further erode the provision of family homes which are needed to create a balanced and sustainable community. The proposed development is therefore, contrary to Policies SP7 and HO9 of the Stevenage Borough Local Plan 2011 – 2031 (adopted 2019), the NPPF (2021) and PPG.
- 2) The proposed development would comprise the reduction of the private garden area to hardsurfacing to create surface parking combined with the front and rear extensions and the conversion of the property, including the garage to create 3 no. 1 bedroom studios would result in an overdevelopment of the site resulting in a detrimental impact to the character and appearance of the street scene of this part of Ripon Road. Therefore, the proposed development would be contrary to Policies SP8 and GD1 of Stevenage Borough Local Plan 2011 – 2031 (adopted 2019), the Council's Design Guide SPD (2009), the NPPF (2021) and PPG.
- 3) The proposed relocation of the existing street light would result in an area to the rear of the property which would not be properly illuminated and this would create an unwelcoming environment which could give rise to a fear of crime. Therefore, the proposed development would be contrary to Policies SP8 and GD1 of Stevenage Borough Local Plan 2011 – 2031 (adopted 2019), the Council's Design Guide SPD (2009), the NPPF (2021) and PPG.

## 6 **21/01149/FP - 36 HASTINGS CLOSE, STEVENAGE**

The Committee considered an application for a single storey front extension and change of use of land from public amenity to private residential.

The application was before the Committee for determination as the applicant and

landowner was Stevenage Borough Council and there had been objections to the proposal.

The Senior Planning Officer gave an introduction to the Committee. She advised that the main issues for consideration in the determination of the application were 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.

In response to a question, the Senior Planning Officer advised that the area of amenity land although open in nature with no access restrictions, was too small to be considered an area of meaningful open space for leisure activities for members of the public. Members agreed that the general issue of the loss of amenity space across the Town should be considered and reviewed by Officers and Councillors at a future date.

It was **RESOLVED:**

That planning permission be granted subject to the following conditions:

1. The development hereby permitted shall be carried out in accordance with the following approved plans:  
  
2021/42/01; 2021/42/02;
2. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
3. The materials to be used in the construction of the 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.
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.

## **INFORMATIVES**

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

This application may be liable for CIL payments and you are advised to contact the CIL Team for clarification with regard to this. If your development is CIL liable, even if you are granted an exemption from the levy, please be advised that it is a requirement under Regulation 67 of The Community Infrastructure Levy Regulations 2010 (as amended) that CIL Form 6 (Commencement Notice) must be completed, returned and acknowledged by



Stevenage Borough Council before building works start. Failure to do so will mean you risk losing the right to payment by instalments and a surcharge will be imposed. NB, please note that a Commencement Notice is not required for residential extensions if relief has been granted.

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

## **2 Building Regulations**

To obtain advice regarding current Building Regulations please contact Hertfordshire Building Control Ltd. by emailing us at [building.control@hertfordshirebc.co.uk](mailto: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).

## **3 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>

- 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.
- 6 **Hertfordshire County Council as Highways Authority**  
Construction standards for new vehicle access: Where works are required within the public highway to facilitate the 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 website  
<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/dropped-kerbs/dropped-kerbs.aspx> or by telephoning 0300 1234047.
- 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](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>.

**7 INFORMATION REPORT - DELEGATED DECISIONS**

Noted.

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

None.

**9 URGENT PART I BUSINESS**

None.

**10 EXCLUSION OF THE PRESS AND PUBLIC**

Not required.

**11 URGENT PART II BUSINESS**

None.

**CHAIR**

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**Meeting:** Planning and Development  
Committee

**Agenda Item:**

**Date:**

**Author:** Ailsa Davis

07702 874529

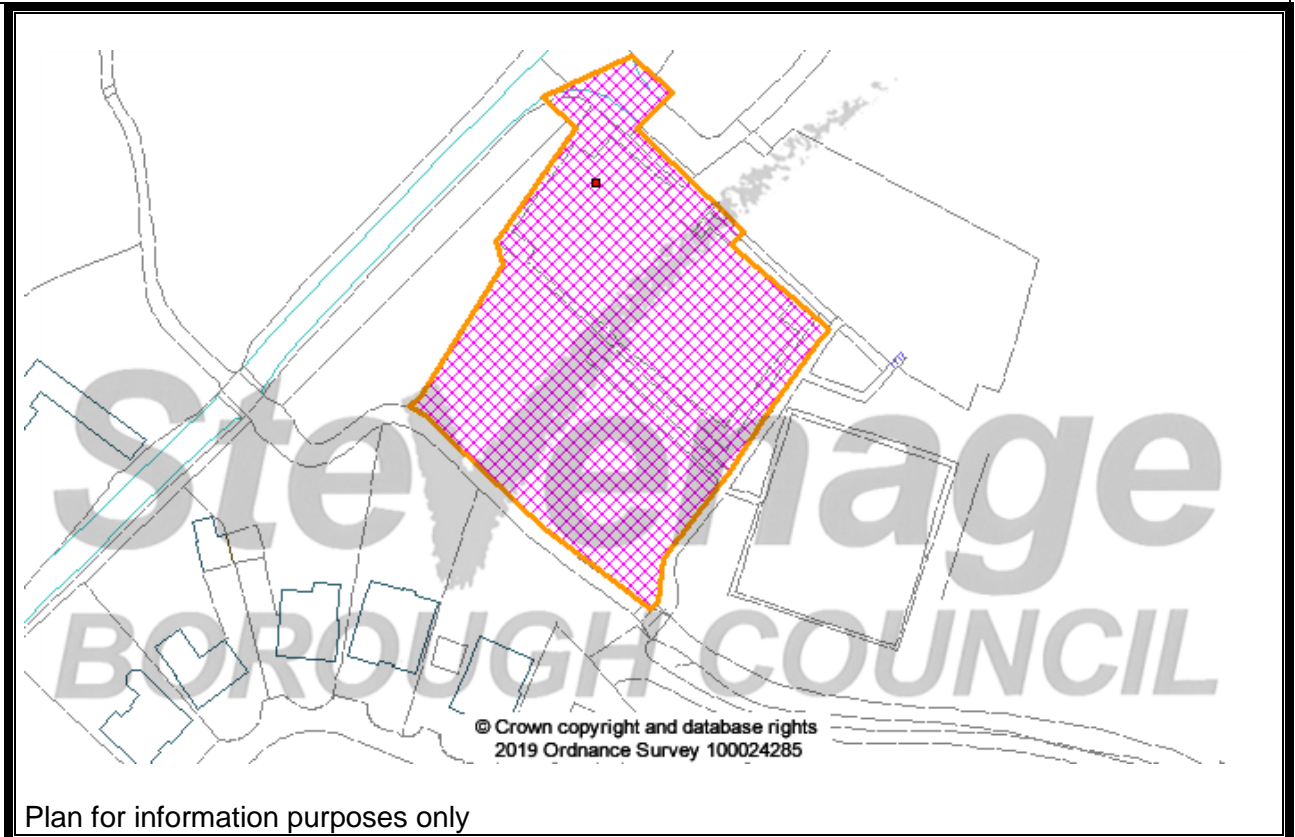
**Lead Officer:** Zayd Al-Jawad

01438 242257

**Contact Officer:** Ailsa Davis

07702 874529

Application No:	21/00847/FP
Location:	Car Park, Bragbury End Sports Ground, Aston Lane, Stevenage
Proposal:	Erection of five residential dwellings (Class C3), together with associated development including access, parking and landscaping
Drawing Nos.:	2279-10-RevB; 2279-11-RevC; 2279-12-RevA; 2279-13-RevA; 2279-14-RevA; 2279_16; 2279-21-RevA; RLA.LBE.003; 1583-KC-XX-YTREE-TCP01RevB; 1583-KC-XX-YTREE-TPP01RevB; 2279-15-RevH; RLA.LBE.004 REV A
Applicant:	Iceni Projects
Date Valid:	2 August 2021
Recommendation:	GRANT PLANNING PERMISSION.



## 1. SITE DESCRIPTION

- 1.1 The application site comprises a 0.18 hectare area of walled scrubland located to the south of the Bragbury End Sports Ground carpark, to the east of Aston Lane and north of

Sacombe Mews. The land is accessed through the sports ground car park via the vehicular access off Aston Lane, which is a single lane rural road. The land is surrounded by a brick wall and a mature tree belt along the western boundary with Aston Lane. Running along the southern boundary is Stevenage Brook and the dwellings of Sacombe Mews beyond. The north and east of the site is adjoined by the Bragbury End Sports Ground car park and training pitches used by Stevenage Football Club.

- 1.2 The surrounding area is rural in character, located on the southern edge of Stevenage. To the west of Aston Lane is Stevenage Golf Club with agricultural land and woodland beyond in all other directions. The site is designated within the Stevenage Local Plan (2019) as an allocated housing site for up to 8 dwellings under Policy HO1/2 and falling within an Area of Archaeological Significance. The adjacent Aston Lane is also identified as being an 'Ancient Lane', under Policy NH3 (Green Corridors). According to the Environment Agency's (EA) Flood Map for Planning Purposes, the site is located within fluvial Flood Zones 1, 2 and 3 (low to high probability) due to its relatively steep topography.
- 1.3 The surrounding land, with the exception of the application site and Sacombe Mews to the south, is designated as Green Belt. The land to the south east of the site is also designated as a strategic housing site within the Local Plan (Policy HO4), with 150 dwellings allocated to the north of the A602. It is considered this is a green field transition site going from the built up character of Bragbury End to the south to the open Green Belt to the west, north and east.

## **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 for the erection of five residential dwellings (Class C3), together with associated development including access, parking and landscaping. The development proposal comprises 5 x five bedroom detached dwellings opening up onto private gardens at the rear of each property. The proposed dwellings would be three storeys in height, with accommodation within the gable roofing.
- 3.2 The proposed design, materiality and architectural approach make reference to key local styles, through a modern high-quality residential design. The proposed dwellings have been designed to share a material palette of brick, render, tiles and weatherboarding. Vehicular access would be from the existing access point onto Aston Lane and shared with the neighbouring Stevenage FC training ground. A new gated access point would be provided off this for both the Football Club and the housing development. The existing access would be split into two, to avoid potential conflict between the residential dwellings and the football club, with a new wall separating the two and providing appropriate security.
- 3.3 In total, 15 parking spaces are proposed for residents with each dwelling having access to three parking spaces. Further, the development makes provision for visitors by designating a further three visitor spaces.
- 3.4 This application comes before the Council's Planning and Development Committee as the application has been 'called in' by Cllr Simon Speller, Ward Member for Shephall and Chair of the Planning and Development Committee.

## **4. PUBLIC REPRESENTATIONS**

- 4.1 Following notification of the application via letter, the erection of two site notices and being publicised in the local press, no representations have been received.

## **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 Herts and Middlesex Wildlife Trust**

- 5.2.1 No objection, subject to the imposition of a condition requiring the submission of a landscape and ecological management plan (LEMP).

### **5.3 Environment Agency**

#### **5.3.1 Objection 1: Building next to a main river**

We object to this application as it involves works within 8 metres of the Stevenage Brook main river. As submitted, it is unlikely that we would grant a flood risk activity permit for this application.

#### **Overcoming Objection 1**

The applicant can overcome our objection by:

- Removing any flow obstructions from the area of floodplain by maintaining the floodplain as an open space. Ideally the buffer zone should incorporate the whole flood zone corridor which not only removes any obstructions to flow, and ensures that ground levels are not raised, but also provides a valuable green infrastructure asset and provides a natural buffer to the ancient woodland to the north of the site. If there is reasonable justification provided as to why this cannot be achieved, it would need to be demonstrated that there will be no increase in flood risk as a result of the obstructions (from obstructions to flood flow routes or caused by debris blockages).
- Relocating the proposed structures a minimum of 8 metres away from the main river and by demonstrating that the proposed development would restrict essential maintenance and emergency access.
- Providing a Management Plan to show how the space will be managed to ensure there is no increase in flood risk for the lifetime of the development.

#### **5.3.2 Objection 2: Inadequate FRA**

In the absence of an acceptable Flood Risk Assessment (FRA) we object to this application and recommend that planning permission is refused.

The submitted FRA does not comply with the requirements for site-specific flood risk assessments, as set out in paragraphs 30 to 32 of the Flood Risk and Coastal Change section of the planning practice guidance and Policy FP3(c) of your Local Plan.

#### **Overcoming Objection 2**

The applicant should revise their FRA to include:

- A map illustrating the ground levels (as indicated by the topographical survey rather than Lidar data) together with the extent of the design floodplain, as derived from the modelled flood levels.
- An overlay map of the proposed development illustrating ground levels to demonstrate that the proposed ground raising and more vulnerable elements of the development are located outside of the floodplain and in Flood Zone 2.
- The applicant should provide a management plan to set out how the space will be managed to ensure no increase in flood risk elsewhere over the lifetime of the development.
- The applicant should revise their FRA to demonstrate that raised finished flood levels, can be provided to prevent internal flooding of the development and damage to people and property.

5.3.3 Additional information was provided to overcome the Environment Agency objection and updated comments were received dated 25 January 2022 confirming the amended plans are acceptable from a flood risk perspective and the Environment Agency has no objection to the proposed development.

#### **5.4 Council's Arboriculture and Conservation Manager**

5.4.1 No comments received to date. Any comments received will be reported verbally.

#### **5.5 HCC Historic Environment Advisor, Hertfordshire LEADS (Archaeology)**

5.5.1 Previous archaeological investigation in the immediate vicinity has demonstrated a large degree of modern 20th century make for the existing sports facilities (ref: 17/0082). Therefore, in this instance, I consider that the development is unlikely to have a significant impact on heritage assets of archaeological interest and I have no comment to make upon the proposal.

#### **5.6 Council's Environmental Health Officer**

5.6.1 No objection, subject to the imposition of conditions relating to contaminated land and hours of construction.

#### **5.7 Hertfordshire Fire and Rescue (Fire Hydrants)**

5.7.1 The following planning application will require a condition for the installation of a fire hydrant, to ensure all proposed dwellings have sufficient water in the event of an emergency.

## **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 2022, identifies that Stevenage delivered 79% of its housing requirement in 2021. This is above the 75% target, but still less than 85%. Consequently, Stevenage Borough Council must include the 20% buffer in its 5 year housing land supply calculations, which it already does.
- 6.2.3 The Council also 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 recently published the Five Year Land Supply Update (August 2021) which reveals that Stevenage had 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 5.24 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 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 SP13: The Historic 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 HO9: House types and sizes;  
Policy GD1: High quality design;  
Policy FP1: Climate change;  
Policy FP2: Flood risk in Flood Zone 1;  
Policy FP3: Flood risk in Flood Zones 2 and 3;  
Policy FP5: Contaminated land;  
Policy FP7: Pollution;  
Policy FP8: Pollution sensitive uses;  
Policy NH3: Green Corridors;  
Policy NH5: Trees and woodland;  
Policy NH9: Areas of archaeological significance.

### **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

### **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 development is CIL liable at £100/sqm.

## **7. APPRAISAL**

- 7.1.1 The main issues for consideration in the determination of this application are its acceptability in land use policy terms, 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.

- 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 site is allocated in the Local Plan under Policy HO1/2 for up to 8 dwellings. The policy states planning permission will be granted for residential development on allocated sites where the proposed development satisfactorily demonstrates how any site specific considerations have been properly addressed and / or incorporated into the proposal. With regards to this site, the policy excerpt below from the Local Plan references the following site specific considerations:

	that a lower level will still meet the needs of the centre.
Bragbury End sports ground car park	<ul style="list-style-type: none"> <li>Within Area of Archaeological Significance - assessment will be required.</li> <li>Flood Risk Assessment required - within flood risk area.</li> <li>Preserve or enhance the setting of adjacent listed buildings.</li> <li>Emphasis on high quality landscaping within and / or around the development to reduce impact of greenfield development and create transition to Green Belt beyond.</li> <li>Satisfactory vehicular access will need to be ensured.</li> <li>Special consideration to sustainable transport measures due to edge-of-town location.</li> <li>An Ancient Lane runs along the site boundary.</li> <li>Suitable location to provide aspirational housing.</li> </ul>
Burwell Road neighbourhood centre	<ul style="list-style-type: none"> <li>Community facilities to be retained or reprovided, or their loss justified.</li> <li>Garages to be retained or reprovided, unless it can be demonstrated that they</li> </ul>

- 7.2.4 With regards to the housing delivery test and 5 year land supply, 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.
- 7.2.5 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 set out that the Council could 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). 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 5.24 year supply of housing following the quashing of the appeal decision.
- 7.2.6 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.
- 7.2.7 The latest HDT results, published by MHCLG in January 2022, identify that Stevenage delivered 79% of its housing requirement in 2021. This is above the 75% target, but still less than 85%. Consequently, Stevenage Borough Council must include the 20% buffer in its 5 year housing land supply calculations, which it already does. As this is an allocated housing site within the Local Plan, the housing proposed under this application forms part of the Council's five year housing land supply and is considered acceptable in principle, subject to addressing the site specific considerations outlined in paragraph 7.2.3 above.
- 7.2.8 In respect to Policy HO9 (House types and sizes) of the adopted Local Plan (2019), the proposed development seeks to deliver five larger five bedroom aspirational homes. Criterion (c) states aspirational homes should be provided in appropriate sites where they would complement the prevailing character. Supporting paragraph 9.69 refers to the shortage of larger homes within Stevenage and seeks to ensure a modest proportion of aspirational homes are provided in suitable locations. Policy HO1/2 identifies the application site as being suitable for larger aspirational homes. On this basis, it is considered the proposed house type (detached) and size (five bedrooms) on this site is compliant with Policy HO9 and appropriate for this edge of town location.

- 7.2.9 Taking the aforementioned assessment into consideration, it can be concluded that the proposed development is acceptable in land use policy terms as this is an allocated housing site and the principle of larger, aspirational homes in this location has been established by Policy HO1/2.
- 7.2.10 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 Visual impact of the development**

- 7.3.1 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”.
- 7.3.2 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.
- 7.3.3 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”.
- 7.3.4 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.
- 7.3.5 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.
- 7.3.6 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.

7.3.7 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.

7.3.8 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.

7.3.9 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.

7.3.10 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 5 no. 5 bedroom detached dwellings. However, it is noted the 'TV room' on the third floor is large enough to be a sixth bedroom if desired. The dwellings would measure approximately 9.14m in width and 13.5m in depth. The eaves height of each dwelling would be 4.87m with a ridge height of 8.5m. The roof design would be of the 'jerkinhead' style, incorporating a half-hip on the main roof, front and rear dormer windows and gable end projections reflecting the footprint.

7.3.11 In terms of appearance, the properties have been designed to a high standard. Each dwelling would look slightly different in terms of its external finish to provide variety and architectural interest. Whilst the crown element of the roof design is large, it is considered to be acceptable in this instance given this is a standalone site outside of an existing residential area, adjacent to the Stevenage FC training ground and screened from the west and south by mature trees and vegetation. The external finish palette would comprise a

mixture of white render and dark brickwork, with dark framed aluminium windows and a dark slate roof.

- 7.3.12 With regards to layout, the site has been designed to accommodate 5 detached houses to run along the rear of the walled garden, with the gardens running down to the southwest at the lower level to the rear towards Stevenage Brook. It is envisaged that the rear wall of the walled plot would be removed so that the occupants would have access to the lower garden level. The frontage of the site has been laid out with a communal driveway and parking for each property, with 3 parking spaces per dwelling. In addition, 3 visitor parking spaces would be provided giving 18 spaces in total. The main entrance to the site off Aston Lane currently serves the Bragbury End Sports Ground, which provides the Stevenage Football Club training ground and car park which is shown on the Proposed Site Plan.
- 7.3.13 The Sports Club entrance and the housing entrance have been delineated by way of a new wall and widening the driveway, so that both the new housing development and the Sports Club have a drive wide enough for vehicles entering and exiting the site at the same time. There is a landscaped linear island separating the two drives where the access road nears Aston Lane. Both entrances would be gated to provide security for both sites. The application site would allow a refuse vehicle to enter and exit. A swept path analysis has been provided to show the turning head is adequate for a refuse vehicle and fire appliance. There is a communal bin store area adjacent to the site entrance for collection of waste to accommodate the individual bins from each property.
- 7.4.14 With regards to landscaping, the layout and footprint of the proposed dwellings has been designed to sit within a landscaped setting retaining the mature tree belt along the boundary with Aston Lane, which would also screen the dwellings from the road. Small areas of planting would be introduced in front of the dwellings and adjacent to the site entrance in the north western corner. A native scrub border in line with the recommendations contained within the Preliminary Ecological Appraisal would be created along the south eastern boundary. The proposed rear gardens would slope down towards Stevenage Brook. The rear boundary, comprising a metal mesh fence planted with native scrub species would be sited 8m from the Brook to allow for flood attenuation and maintenance by the Environment Agency. The 8m buffer would also provide a wildlife area enhanced with grassland and shade tolerant perennials and shrubs.
- 7.4.15 Taking the aforementioned into consideration, it is considered that the low density, high quality designed dwellings set within an attractive landscaped setting sympathetic to the ancient lane running along the western boundary and Stevenage Brook to the south would respect the semi-rural / edge of town character of the site and would represent an acceptable transition to the Green Belt beyond. The proposed development is therefore, considered acceptable in terms of its design and appearance 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 on setting of Listed Bragbury House**

- 7.5.1 The application site lies approximately 100m to the north of the Grade II listed Bragbury House, which the listing description describes as:

*C18 or earlier small country house, remodelled and enlarged early C19, further enlarged in recent past. Cement rendering, tiled roof gabled either end of front and with 3 hipped dormers. 2 storeys and attics, 2 storey semi-octagonal bay on right, 5:3 windows, mainly sashes, those on ground floor without glazing bars. Central 2 storey graceful early C19 verandah. Round attic windows in gables.*

- 7.5.2 The Planning (Listed Buildings and Conservation Areas) Act 1990 contains 'statutory duties' that apply to this application:

S.66: The decision maker shall have special regard to the desirability of preserving the setting of listed buildings (relates to the indirect impact on the statutory listed Bragbury House).

- 7.5.3 Case Law has determined that in this context 'preserve' is taken to mean 'to do no harm'. The NPPF requires 'great weight' to be given to conserving the significance of designated heritage assets (199). This is regardless of whether any harm may be 'substantial harm' or 'less than substantial harm' (199). Any harm should require 'clear and convincing' justification (200). If a development proposal would lead to less than substantial harm, this harm should be weighed against the public benefits of the proposal (201).
- 7.5.4 In undertaking that balancing, Case Law has confirmed that the presumption to preserve in the 1990 Act is a strong one and must be given 'considerable importance and weight'. For instance, less than substantial harm is not a less than substantial planning issue. However, that presumption is not irrefutable and can be outweighed by circumstances important enough to justify it. A decision maker that has followed the processes set out in the NPPF can be considered to have discharged their duties under the 1990 Act. The balancing, however, is not 'equal' the presumption to preserve must come first.
- 7.5.5 In respect of this proposal, planning permission was granted in 2006 for a residential development of 15 dwellings known as 'Sacombe Mews' located immediately south of the application site across Stevenage Brook comprising 9 large, detached houses and 6 mews houses. Bragbury House itself has been converted into flats. The Sacombe Mews development sits within the grounds of Bragbury House and in between Bragbury House and the application site. As such, the immediate setting of Bragbury House is dominated by the Sacomb Mews development. It is considered the application proposal sited 100m to the north beyond the Sacomb Mews dwellings, across the Brook and screened by the mature trees along the Brook would preserve the setting of the Grade II listed country house under S.66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and would be in accordance with Local Plan Policy SP13 'The Historic Environment'.

## **7.6 Archaeology**

- 7.6.1 The site lies within Area of Archaeological Significance No. 15, which encompasses the medieval and later settlement of Bragbury End. A desk based archaeological assessment has been submitted with the application, which advises based on the known archaeology, the site is judged to have a generally limited archaeological potential, with only a low potential for Roman, medieval and post-medieval archaeology, and a low to moderate potential for prehistoric and Anglo-Saxon remains. The most significant potential of the site is for surviving remnants of a former walled garden, which formed part of the Bragbury House grounds and date from the early 19th century. The existing brick walls within the site are in a poor state of repair, extensively damaged and partially demolished. The former gardens walls are therefore not regarded as a significant heritage asset.
- 7.6.2 The HCC Historic Environment officer has advised previous archaeological investigation in the immediate vicinity has demonstrated a large degree of modern 20th century make for the existing sports facilities (Stevenage FC training ground) to the north. Therefore, the proposed development is considered unlikely to have a significant impact on heritage assets of archaeological interest.



## 7.7 Impact on Neighbouring Amenity

- 7.7.1 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 two storeys 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

- 7.7.2 The proposed dwellings would have a back to back separation distance from the rear of the dwellings in Sacombe Mews, across Stevenage Brook of a minimum of 63m. This exceeds the above standards. The presence of mature trees along the Brook would also serve to visually screen the proposed development from Sacombe Mews to the south. There are no other residential properties sited in close proximity to the application site.
- 7.7.3 Due to the generous separation distance and presence of mature trees, it is considered the proposal would not have a detrimental impact on the amenities of the neighbouring residential properties on Sacombe Mews by reason of overbearing impact or loss of privacy, light or outlook. 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 7.12 of this report.

## 7.8 Impact upon future amenities of residents

- 7.8.1 In considering a residential scheme of this nature it is also important to ensure that living conditions for any future occupiers are appropriate. In regards to private amenity space, the Council's Design Guide (2009) states the minimum standard garden space for a terraced or semi-detached family dwelling should normally be 50 square metres. Each dwelling should normally have a minimum rear garden depth of 10m. The shape and slope of the garden should ensure that it is useable. Larger detached houses will generally be required to provide a larger rear garden area. To ensure privacy, the garden should normally be enclosed by a 1.8m high close boarded fence or wall. Direct access should be afforded to rear gardens for activities such as refuse storage, cycle parking and maintenance. All rear gardens and communal open spaces should generally enjoy a reasonable amount of sunlight and have a relatively open outlook.
- 7.8.2 Each dwelling would be provided with a rear garden ranging from 310m<sup>2</sup> to 500m<sup>2</sup> in area with a depth of 23.7m, excluding the patio. The gardens would be enclosed by timber featherboard boundary fencing and have a southerly aspect looking towards Stevenage Brook with direct side access to the front. It is considered the gardens would provide a generous, pleasant area of usable private amenity space for future occupiers, which would enjoy plenty of sunshine due to their southerly orientation and would exceed the minimum size requirements set out within the Design Guide (2009).

- 7.8.3 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 a 5 bedroom, 8 person occupancy (4 double bedrooms 1 single) three storey dwelling, there is a requirement to provide 134m<sup>2</sup> of floorspace. The proposed dwellings would be 266m<sup>2</sup> in area, in excess of the standards. The dwellings would therefore provide an acceptable internal living environment for future occupiers.
- 7.8.4 In terms of outlook, privacy, sunlight and daylight, due to the siting and position of the proposed dwellings combined with their overall height, each property would have an acceptable level of privacy and outlook. In addition, each dwelling would receive sufficient sunlight and daylight in accordance with BRE guidance.
- 7.8.5 It can be concluded that the proposed dwellings would provide an acceptable internal and external living environment for future occupiers and 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.

## **7.9 Parking Provision**

- 7.9.1 Policy IT5 of the adopted Local Plan (2019) states that planning permission will be granted where proposals comply with the parking standards set out in the plan. The Council's Parking Provision and Sustainable Transport SPD (2020) provide requirements for 4+ bedroom dwellings of 2.5 spaces per dwelling, giving a total requirement for 12.5 spaces (rounded up to 13). Visitor spaces must be provided at a standard of 0.25 spaces per dwelling. If parking is to be allocated, which it is understood it is these should be in addition to the above standards giving a total requirement of 1.25 space (rounded down to one). The application site does not fall within an Accessibility Zone and therefore the maximum provision is expected to be provided.
- 7.9.2 The proposal is seeking to provide a total of 18 parking spaces, equating to 3 spaces per dwelling and 3 visitor spaces. This is in excess of the policy requirements. It is accepted that the size and type of dwelling proposed is likely to lead to greater parking requirements, given future occupancy could be up to 8/9 people and combined with the site's location on the edge of town, the proposed parking provision in excess of the standards is considered acceptable in this instance.
- 7.9.3 In regards to cycle parking, the Council's Parking Standards SPD stipulates for this development, there is the requirement to provide a minimum of 15 long term and 1 short term cycle parking spaces (3 per dwelling). The Transport Note advises the development would provide 16 cycle parking spaces in total, although no details of this have been shown on the application drawings. As such, there would be sufficient provision of cycle parking to encourage sustainable travel to/from the site. The Transport Note states secure and covered cycle storage would be provided within rear garden sheds. However, no details have been provided. It is accepted that there is space for sufficient cycle parking to be provided within the rear gardens and it could be secured via a planning condition should planning permission be granted.
- 7.9.4 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.

- 7.9.5 The Transport Note advises parking provision in the proposed development would provide facilities for EV charging of vehicles. All allocated spaces would be designed to a passive EV charging point standard, along with 20% active EV charging points being in the unallocated visitor spaces (1 space). The installation of passive infrastructure would allow individual homeowners to install their own EV charging point easily, if they purchased an electric vehicle.
- 7.9.6 Given the aforementioned assessment, and through the use of an appropriately worded condition regarding cycle parking, there would be sufficient parking (including cycle parking, and EV parking) in accordance with the Council's adopted Parking Standards. With regards to disabled parking, as the parking provision would be allocated to each dwelling and not communal, there would be no policy requirement to demarcate any space(s) as disabled. Therefore, the proposal would be in accordance with policies set out in the adopted Local Plan (2019), the Council's Parking Provision SPD (2020), the NPPF (2021) and PPG.

## **7.10 Highway implications**

### *Access*

- 7.10.1 The proposed site plan (ref. 2279\_15\_REVH) shows the existing vehicular access on Aston Lane as shared with Stevenage Football Club training ground complex and car park. The proposals are for the access to have two separate gated entrances. These are to be set back 12m from the back edge of the carriageway which the Highway Authority consider acceptable. The width of the access driveway into the proposed site is approximately 4.5m with 5.0m width to the training ground. It is likely two vehicles would not be able to pass however; there is space for a vehicle to wait.
- 7.10.2 Aston Lane has a 60mph posted speed limit which requires a visibility splay of 2.4m x 215m. The applicant has provided a speed survey, which demonstrates speed survey data recorded between the 1st and 7th of November 2021. The data has shown the 85th percentile speed north bound to be 53.9 mph equal to a visibility splay of 55.7m and south bound 85th percentile 36.1mph equal to a visibility splay of 56.1m. The Highway Authority considers the proposed visibility splays to be acceptable.
- 7.10.3 The Highway Authority considers the submitted vehicle tracking details for the refuse and recycling vehicle, box van and large saloon car to be acceptable and demonstrate vehicles would be able to access the site and manoeuvre safely.

### *Pedestrian Access*

- 7.10.4 The site is approx. 340m from the junction with Broadwater Lane and Sacombe Mews (privately maintained road). Pedestrians would have to walk along Aston Lane to reach Broadwater Lane by crossing the access to Sacombe Mews, which has a pedestrian dropped kerb and tactile paving on the Broadwater Lane side. There are no pedestrian facilities from Broadwater Lane to the site. The nature, narrow width, high bank areas and fencing, no lighting and in many places overgrown vegetation would make walking along Aston Lane unsafe for pedestrians and cyclists. Furthermore, vehicles cannot pass and have to give-way at certain points between the junction of Broadwater Lane and the proposed and existing access.
- 7.10.5 In discussions with the applicant, a betterment of the access would help in some way to mitigate the lack of pedestrian access. This would take the form of lighting around the access from Aston Lane and signage along Aston Lane to the junction with Broadhall Way

displaying pedestrians in the road / triangular warning signs. This would be secured via an Offsite Highway Works condition should planning permission be granted.

#### *Trip Rates*

- 7.10.6 Section 56 of the Transport Note states that Trip Rate Information Computer System (TRICS) has been used in assessing likely trip generation from the proposed development. The Highway Authority accepts the basis upon which survey sets have been selected. The Transport Note presents that the proposed development would generate between 2-3 vehicle trips in the AM (08:00 – 09:00) and PM (17:00 – 18:00) peaks. Such level of trips amounts to approximately 1 additional vehicle every 20 minutes across an hour in the AM and PM, which the Highway Authority considers would not present an unacceptable impact on local highway conditions.

#### *Refuse / Recycling*

- 7.10.7 There would be a secure bin store adjacent to the entrance gates with sufficient space provided at the collection location/area for refuse vehicles to access the collection point. Refuse vehicles would enter through the existing access off Aston Lane and set down to collect from the temporary collection point. The Highway Authority has confirmed there is sufficient available space within the existing site access to allow for a refuse vehicle to manoeuvre on access and egress. The proposed refuse arrangements are considered acceptable.
- 7.10.8 Subject to the imposition of appropriately worded conditions to ensure the development is acceptable in highway terms, it is not considered by the 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. Turning to the suggested conditions themselves, if the Council was minded to grant permission these would cover the following:-
- Offsite highway improvement works to include lighting and signage; and
  - Provision of cycle parking.
- 7.10.9 The Highway Authority has also suggested informatives are imposed relating to highway related works associated with the development being in accordance with HCC Highway requirements.

### **7.11 Development and Flood Risk**

- 7.11.1 According to the Environment Agency's (EA) Flood Map for Planning Purposes, the application site is located within fluvial Flood Zones 1, 2 and 3 (low to high probability) due to its relatively steep topography. The proposed development has been located sequentially, with the proposed dwellings and car parking sited in Flood Zones 1 and 2; this is in accordance with the guidance included in the Level 2 SFRA (AECOM, 2016). The Site benefits partially from the presence of informal flood defences. According to the EA's Risk of Flooding from Rivers and Sea (RoFRS) map, which considers the type, condition and crest height of flood defences, the site has a Very Low to Medium risk of flooding from Rivers and the Sea. The areas proposed for the dwellings and car parking have a Very Low and Medium risk of flooding; however the site could potentially be at risk from flooding due to blockage or failure of local culverts, bridges and/or weirs associated with the Stevenage Brook adjacent to the Site.

7.11.2 The application is accompanied by the following:-

- Flood Risk Assessment by GeoSmart Information Ltd (December 2021);
- Sustainable Drainage Assessment by GeoSmart Information Ltd (February 2021).

7.11.3 The sustainable urban drainage strategy (SuDS) for this scheme comprises the use of rainwater harvesting, permeable paving and five soakaways. Permeable paving would provide some water quality benefits (interception and filtration) prior to infiltrating to ground. The five soakaways, one located within each plot garden, would attenuate a minimum of 71m<sup>3</sup> of rainwater collected from the residential roofs before infiltrating to ground. Soakaway dimensions of 4m length, 2m width, 2m depth and 95% porosity would provide a total individual attenuation of 15.2m<sup>3</sup>. The proposed SuDS strategy would ensure surface water runoff is stored on-site in SuDS features for the 1 in 100 year event including a 40% allowance for climate change and 10% allowance for urban creep and will not cause flooding to the proposed development in accordance with DEFRA's non-statutory technical standards (DEFRA, 2015).

7.11.4 Should site investigations confirm the underlying ground conditions are not conducive to infiltration, the condition and capacity of the surface watercourse (Stevenage Brook) would be confirmed and permission obtained from the Environment Agency or other authorities for proposed outfalls and any other permits required. Where discharging to the surface watercourse is not viable due to flood risk, the capacity of the public sewer network and permission to connect would be confirmed with the utility provider.

7.11.5 As part of the site falls within Flood Zones 2 and 3, the Environment Agency was consulted. The EA initially objected, requiring the applicant to provide the details outlined in paragraphs 5.3.1 and 5.3.2 above to demonstrate the Flood Risk Assessment would comply with the requirements for site-specific flood risk assessments, as set out in paragraphs 30 to 32 of the Flood Risk and Coastal Change section of the planning practice guidance and Policy FP3(c) of the Local Plan (2019). On receipt of the amended site layout plan and Flood Risk Assessment, the Environment Agency withdrew their objection to the scheme.

7.11.6 The proposed development is considered to be in accordance with Local Plan Policies FP2 – Flood Risk in Zone 1 and FP3 – Flood Risk in Zones 2 and 3 and would not lead to an increased risk of surface water flooding or fluvial flooding from Stevenage Brook.

## **7.12 Impact on the environment**

7.12.1 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 Phase One investigation desk top study to assess any contamination on the site and whether or not it originates on the site.

### Air Quality

7.12.2 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).

7.12.3 In order to mitigate the construction phase, it is recommended a condition is imposed to any permission issued requiring the applicant to prepare and submit a Construction Management Plan, which details measures on controlling levels of dust and air pollutions which are generated during the construction phase of development. With regards to the operational aspect of the development, the Council's Environmental Health Section has not

raised any concerns with respect to the residential development of the site and its impact on air quality.

#### Noise Pollution

- 7.12.4 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.
- 7.12.5 Dealing firstly with the impact of noise from the construction phase of the development, detailed measures would be set out in the Construction Management Plan which would be submitted via a planning condition prior to the commencement of development. Through the CMP, the hours in which noisy activities take place would 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 would enforce the condition accordingly. Consequently, the imposition of such a condition controlling the hours of construction is supported by the Council's Environmental Health Section.
- 7.12.6 With regards to noise which could arise during the operational phase of development, the Council's Environmental Health Section has not raised any concerns with respect to the residential development of the site and noise.

#### Light Pollution

- 7.12.7 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.
- 7.12.8 Turning to the operational side of the development, the applicant has not submitted a detailed lighting strategy. Given the potential of the site to provide a habitat for foraging bats (see paragraph 7.14.3), it is considered expedient to request details of external lighting via a planning condition should planning permission be granted. This is to ensure any lighting would not disrupt the foraging habitat of bats or lead to light pollution across the wider area. In terms of lighting associated with the construction aspect of the proposed development, this would be covered by the Construction Management Plan, the submission of which would be subject to a planning condition.

### **7.13 Trees, landscaping and the Ancient Lane**

- 7.13.1 Policy NH3 Green Corridors of the adopted Local Plan (2019) identifies that Aston Lane (NH3/1) is defined as an ancient lane which is located along the north western site boundary and also comprises the site entrance. 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 proposals:
- 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.

- 7.13.2 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.
- 7.13.3 Dealing firstly with the Ancient Lane, the site boundary running along the lane comprises young, mixed vegetation including some holly, ash and elm saplings. Within the band of vegetation stand some visually significant trees. These include Wellingtonia and one large English oak tree of category A and B value. The Arboriculture Impact Assessment submitted with the application has surveyed the trees along the Ancient Lane boundary with the application site and concludes the proposed development would result in no tree loss along Aston Lane and can be achieved without material harm to any of the retained trees. Given the Highway Authority have also confirmed the access would provide the appropriate visibility splays (without tree or vegetation removal), it is considered the access and proposed development would not have a substantive adverse effect upon the Green Corridor and is therefore acceptable under Policy NH3.
- 7.13.4 With regards to trees, as mentioned above there is a band of young, mixed vegetation including some holly, ash and elm saplings along Aston Lane. Within the band of vegetation stand some visually significant trees. These include Wellingtonia and one large English oak tree. On the southern boundary is a row of predominantly holly and yew with occasional sycamore sapling. Within the row are a group of larger sycamore. Beyond the southern boundary, within the gardens of residential properties in Sacombe Mews is a mixture of deciduous trees. In the southeast corner is a group of mixed ornamental trees of some visual significance.
- 7.13.5 The Arboriculture Impact Assessment confirms the proposals seek to retain all the significant trees at and adjoining the site and are designed to avoid material harm to the retained trees. The landscaping strategy would also involve the planting of additional trees throughout the development to supplement the already well tree'd location and result in a net gain of tree cover.
- 7.13.6 The proposed dwelling closest to the boundary with Aston Lane would intercept the root protection area of trees 2 and 3. Tree 2 is a Wellingtonia and tree 3 is an English oak. As such, the Arboriculture Impact Assessment recommends the use of specialist foundations to minimise the likelihood of encountering roots. It also recommends some pruning of the oak tree (number 3) to provide clearance from the dwelling and further, careful and selective pruning of the tree crown to reduce the propensity for future limb loss. The report advises the necessary pruning would not materially impact the health of the tree nor the overall amenity the tree provides. The use of specialist foundations and pruning can be secured via planning conditions should planning permission be granted.
- 7.13.7 In terms of tree protection during construction, the Arboriculture Impact Assessment prepared by Keen Consultants and drawing number 1583-KC-XX-YTREE-TPP01RevB provide details of the measures in accordance with BS5837:2012 which need to be put in place prior to commencement of development. These measures need to be implemented in advance of construction and maintained until such time as soft landscape proposals require their removal. In some instances specialist construction techniques or approaches are indicated on the protection plan. These would be implemented in accordance with site progress. In order to ensure the protective and specialist measures are understood, implemented and maintained, a scheme of monitoring and supervision would be put in

place. These measures once in place would ensure that any retained tree is not detrimentally affected by the proposed development.

- 7.13.8 Taking the above into consideration, through the use of an appropriately worded condition, the tree protection measures would need to be put in place prior to any construction works taking place. In addition, that the construction methodology is strictly adhered to. Through these measures, the development would not have a detrimental impact on any tree which is to be retained.
- 7.13.9 In regards to hard and soft landscaping, drawing RLA.LBE.004 REV A provides details of a planting specification for trees, shrubs and amenity grass areas. The landscaping strategy includes the provision of a new wildlife buffer area between Stevenage Brook and the rear garden boundaries, which would be enhanced with grassland and shade tolerant perennials and shrubs. With respect to hard landscaping, this would comprise permeable paving for all car parking and rear patio areas. Subject to appropriately worded conditions, the proposed landscaping strategy once delivered would help to create a well-designed development in line with policy requirements.

## **7.14 Biodiversity, Ecology and Protected species**

- 7.14.1 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
- 7.14.2 The site is approximately 0.18ha in size and comprises twelve habitat types, namely; Scattered Scrub, Scattered Broadleaved Trees, Semi-improved Calcareous Grassland, Tall Ruderal, Amenity Grassland, Introduced Shrub, Species-poor Hedge and Trees, brick wall, bare ground, concrete hard standing and four shipping containers. The site is located in a semi-rural setting and is bordered by Stevenage Brook and residential properties to the south, Stevenage FC training ground to the north and east. The application is accompanied by a Biodiversity Net Gain Assessment and Preliminary 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.
- 7.14.3 The Ecological Appraisal identifies that there would be no impact on any designated sites as a result of construction or use of the development. In terms of roosting bats, Tree TN2, located outside the site boundary, was identified as having low potential to support roosting



bats. With regards to foraging and commuting bats, the site was identified as having moderate habitat suitability. With regards to badgers, the site was considered to provide some limited foraging and commuting opportunities. In terms of great crested newts, the site was considered to be of very limited value during the terrestrial phase of their lifecycle. In terms of reptiles, the site was identified as having moderate potential to support reptiles providing foraging, commuting, basking and hibernating opportunities. Finally, with regards to nesting birds the site was identified as having potential to support nesting birds.

- 7.14.4 In terms of recommendations, the report suggests that a sensitive lighting scheme be adhered to during the construction and operational phases of the proposed development to mitigate any impact on foraging bats. With regards to badgers, the report recommends that during construction works; all excavations should be excavated individually and back filled immediately after where possible. Where this is not possible excavations must be covered to prevent badgers (or other animals) becoming trapped. In terms of great crested newts, the report recommends excavation works or actions that would impact upon potential GCN hibernation features should be carried out outside the GCN hibernation season (October to March inclusive). It is recommended vegetation clearance be conducted during the aquatic phase of the GCN lifecycle (i.e. between mid-March and mid-June). With regards to reptiles, it is recommended that any excavation works or actions that would impact upon potential reptile hibernation features should be carried out outside the reptile hibernation season (October to March inclusive). It is recommended that a sensitive vegetation clearance approach be adopted when removing suitable habitat. The timing of these works should coincide with reptiles being active (i.e. between April – September inclusive). In terms of nesting birds, it is recommended habitat clearance works should be undertaken outside the main nesting bird season. Should this not be possible, all trees and buildings must be inspected by an ecologist to determine the presence/absence of any nesting birds immediately prior to clearance.
- 7.14.5 Turning to ecological enhancements, the report suggests the installation and maintenance of artificial bat bricks or bat tubes into any new buildings and installation of bat boxes on to suitable retained trees to increase the roosting opportunities for bats within the site. The provision of bird boxes installed on retained trees is also recommended. Consideration should also be given to the installation of a 'Beebrick' into the new dwellings. Areas should be set aside for ecological landscaping to increase the biodiversity value of the site. Consideration should also be given to the planting of a native species rich hedgerow along all the site boundaries. It is also noted the proposed garden boundary fencing includes the provision of ground level holes (130mmx130mm) for hedgehog movement. The inclusion of the above enhancements into the final scheme can be secured by way of a condition should planning permission be granted.
- 7.14.6 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 0.76 habitat units and the post-intervention value of the site is 0.88 habitat units. The total net unit change including all on site and off site habitat retention, creation and enhancement is +0.12 units, giving a total net gain of 15.98%. This exceeds the requirements of the Council's Biodiversity SPD (2021), which requires a minimum of 10% net gain.
- 7.14.7 Herts and Middlesex Wildlife Trust have confirmed they have no objection, provided that all management regimes to achieve the stated condition scores in the metric are secured by a Landscape and Ecology Management Plan (LEMP), which can be attached as a condition should planning permission be granted.

## 7.15 Other Matters

### Sustainable construction and climate change

7.15.1 Policy FP1 of the adopted Local Plan (2019) stipulates that planning permission will be granted for development that can incorporate measures to address adaptation to climate change. New developments will be encouraged to include measures such as:

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

7.15.2 Details on how the development would incorporate measures to address adaptation to climate change have not been submitted. A planning condition is therefore recommended to secure this prior to commencement of development to ensure the development is designed to be adaptable to climate change.

### Community Infrastructure Levy

7.15.3 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 <sup>2</sup>	£100/m <sup>2</sup>
Sheltered housing	£100/m <sup>2</sup>	
Extra care housing	£40/m <sup>2</sup>	
Retail development	£60/m <sup>2</sup>	
All other development	£0/m <sup>2</sup>	

7.15.4 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.

7.15.5 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

- 7.15.6 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.
- 7.15.7 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.
- 7.15.8 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.
- 7.15.9 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, the application site is an allocated housing site within the Local Plan, identified as being suitable for aspirational housing. The development of the site for 5 larger detached dwellings is therefore considered acceptable in principle. On consideration of the details of the proposal, it can be concluded the scheme would subject to conditions, not have a detrimental impact on the character and appearance of the area or the amenities of neighbouring residential properties. Furthermore, the scheme would have acceptable living standards, would have sufficient off-street parking and the proposed access arrangements would not prejudice highway safety. A suitable drainage strategy can be secured through appropriately worded conditions. The development would not have a detrimental impact on the environment, flood risk, archaeology or the setting of nearby listed buildings. It has been demonstrated a high quality landscaping strategy can be delivered, which would enhance the ecological value of the site, protect the Ancient Land / Green Corridor and the Stevenage Brook watercourse.
- 8.2 Given the aforementioned, 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 outline planning permission be GRANTED 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. The suggested conditions are as follows:-

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

2279-10-RevB; 2279-11-RevC; 2279-12-RevA; 2279-13-RevA; 2279-14-RevA; 2279\_16; 2279-21-RevA; RLA.LBE.003; 1583-KC-XX-YTREE-TCP01RevB; 1583-KC-XX-YTREE-TPP01RevB; 2279-15-RevH; RLA.LBE.004 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 No demolition or construction works relating to this permission shall be carried out on any Sunday or Bank Holiday, nor before 07.30 hours or after 18.00 hours on any weekdays, nor on any Saturday before 08.00 hours or after 13.00 hours. These times apply to work which is audible at the site boundary.

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

- 4 No development shall take place until a schedule and samples of the materials to be used in the construction of the external surfaces of the dwellings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

- 5 All planting, seeding and turfing comprised in soft landscaping as detailed in drawing number RLA.LBE.004 REV A 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.

- 6 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.

- 7 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.

- 8 No development shall take place until a landscape and ecological management plan (LEMP) has been submitted to, and approved in writing by, the local planning authority. The content of the LEMP shall ensure the delivery of the agreed number of habitat and hedgerow units as a minimum (0.88 habitat units, 0.40 hedgerow units) to achieve a net gain in biodiversity and include the following:

- a) Description and evaluation of features to be managed.
- b) Aims and objectives of management.
- c) Appropriate management actions for achieving target condition for habitats as described in the approved metric.
- d) Preparation of a work schedule (including a 30 year work plan capable of being rolled forward in perpetuity), clearly marked on plans.
- e) Details of the body or organisation responsible for implementation of the plan.
- f) Ongoing monitoring plan and remedial measures to ensure habitat condition targets are met.
- g) Details of species selected to achieve target habitat conditions as identified in approved metric, definitively stated and marked on plans.
- h) Details of make, model and location of 5 integrated bat boxes, 5 integrated swift boxes, 2 integrated bee bricks, hedgehog highways between all garden barriers.

The LEMP shall also include details of the legal and funding mechanism(s) by which the longterm implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

**REASON:-** To provide a net gain in biodiversity.

- 9 Prior to the first occupation of the development hereby permitted, provision of bird and bat boxes, bee bricks and hedgehog highways between garden boundary fencing as specified in the landscape and ecological management plan (LEMP) referred to in condition 8 shall be erected accordingly and thereafter permanently retained and maintained.

**REASON:-** To provide suitable roosting and nesting opportunities for bats, birds and bees and movement for hedgehogs as an ecological enhancement of the site.

- 10 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).

- 11 All hard surfacing and boundary treatments as specified in landscape drawing RLA.LBE.004 REV A shall be carried out prior to the first use of the site or the completion of the development, whichever is the sooner and shall be permanently maintained during the lifetime of the development.  
**REASON:-** To ensure a satisfactory appearance for the development and as an ecological enhancement of the site .
- 12 No development shall take place (excluding site clearance) until the tree protection measures as detailed in the Arboricultural Impact Assessment prepared by Keen Consultants (document reference 1583-KC-XX-YTREE-TreeSurvey-and-ImpactAssessment-RevB, dated July 2021) and drawing numbers 1583-KC-XX-YTREE-TPP01RevB and 1583-KC-XX-YTREE-TCP01RevB 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.
- 13 Prior to occupation of the dwelling located within the root protection area of tree 3 (English Oak) as identified on tree protection plan 1583-KC-XX-YTREE-TPP01RevB, the tree shall be pruned to provide clearance from the dwelling along with selective pruning of the tree crown to reduce the potential for future limb loss.  
**REASON:-** To ensure the protection of those trees which should be retained in the interests of visual amenity.
- 14 No development shall take place until a Construction Traffic Management Plan 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 of:
  - a. Construction vehicle numbers, type, routing;
  - b. Access arrangements to the site;
  - c. Traffic management requirements
  - d. Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas);
  - 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 (including delivery times and removal of waste) and to avoid school pick up/drop off times;
  - h. Provision of sufficient on-site parking prior to commencement of construction activities;
  - i. Post construction restoration/reinstatement of the working areas and temporary access to the public highway;
  - j. where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements.**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.
- 15 Notwithstanding the details indicated on the submitted drawings, no on-site works above slab level shall commence until a detailed scheme for the offsite highway improvement works, to include lighting of the access and signage in the form of pedestrians in the road / triangular warning signs between Broadhall Way and the access to the site have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.

**REASON:-** To ensure the provision of adequate cycle parking that meets the needs of occupiers of the proposed development and in the interests of encouraging the use of sustainable modes of transport in accordance with Policies 1, 5 and 8 of Hertfordshire's Local Transport Plan (adopted 2018).

- 16 No development shall take place until a plan for cycle parking should be submitted in accordance with (Cycle Infrastructure Design' DfT Local Transport Note 1/20 (July 2020) and approved in writing by the Local Planning Authority. Prior to first occupation the approved scheme shall be fully implemented and thereafter retained for this purpose.

**REASON:-** To ensure the provision of adequate cycle parking that meets the needs of occupiers of the proposed development and in the interests of encouraging the use of sustainable modes of transport in accordance with Policies 1, 5 and 8 of Hertfordshire's Local Transport Plan (adopted 2018).

- 17 No above ground works shall take place until a scheme for the provision of adequate water supplies and fire hydrants, necessary for firefighting purposes at the site, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the scheme has been implemented in accordance with the approved details.

**REASON:-** To ensure adequate water infrastructure provision is made on site for the local fire service to discharge its statutory firefighting duties

- 18 No development shall take place until a Phase One investigation desk top study should be undertaken. Should anything be identified from this study further investigations will be required and a report produced and 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:
  - human health,
  - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
  - adjoining land,
  - groundwaters and surface waters,

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

**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.

- 19 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 18, 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.

- 20 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.

- 21 Prior to the occupation of the dwellings hereby permitted, the development shall include provision for each dwelling to be served by an active electric vehicle 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).
- 22 Prior to first occupation of the development hereby permitted the car parking spaces as detailed in drawing number 2279-15-RevH 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.
- 23 No development shall take place above slab level until details of measures to address adaptation to climate change have been submitted to and approved in writing by the Local Planning Authority. These measures shall then be implemented and permanently maintained in accordance with the approved details.  
**REASON:-** To ensure the development is adaptable to climate change through provision of energy and water efficiency measures.
- 24 No development shall take place above slab level until details of the proposed external lighting strategy has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be completed in accordance with the approved details.  
**REASON:-** To ensure a satisfactory appearance for the development and to protect the residential amenity of existing residents.

### **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**

HCC recommends inclusion of the following highway informatives to ensure that any works within the public highway are carried out in accordance with the provisions of the Highway Act 1980: 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.

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.

Construction Management Plan (CMP): The purpose of the CMP is to help developers minimise construction impacts and relates to all construction activity both on and off site that impacts on the wider environment. It is intended to be a live document whereby different stages will be completed and submitted for application as the development progresses. A completed and signed CMP must address the way in which any impacts associated with the proposed works, and any cumulative impacts of other nearby construction sites will be mitigated and managed. The level of detail required in a CMP will depend on the scale and nature of development. The CMP would need to include elements of the Construction Logistics and Community Safety (CLOCS) standards as set out in our Construction Management template, a copy of which is available on the County Council's website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>

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.

Avoidance of surface water discharge onto the highway: The applicant is advised that the Highway Authority has powers under section 163 of the Highways Act 1980, to take appropriate steps where deemed necessary (serving notice to the occupier of premises adjoining a highway) to prevent water from the roof or other part of the premises falling upon persons using the highway, or to prevent so far as is reasonably practicable, surface water from the premises flowing on to, or over the footway of the highway.

## **2 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](http://www.stevenage.gov.uk/CIL) or by contacting the Council's CIL Team at [CIL@Stevenage.gov.uk](mailto:CIL@Stevenage.gov.uk).

### **3 Building Regulations**

To obtain advice regarding current Building Regulations please contact Hertfordshire Building Control Ltd. by emailing us at [building.control@hertfordshirebc.co.uk](mailto: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).

### **4 Police Crime Prevention Design Service**

Prior to construction, it is recommended the applicant 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 Environmental permit**

The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)
- on or within 16 metres of a sea defence
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03708 506 506. The applicant should not assume that a permit will automatically be forthcoming once

planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

### **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.
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:**

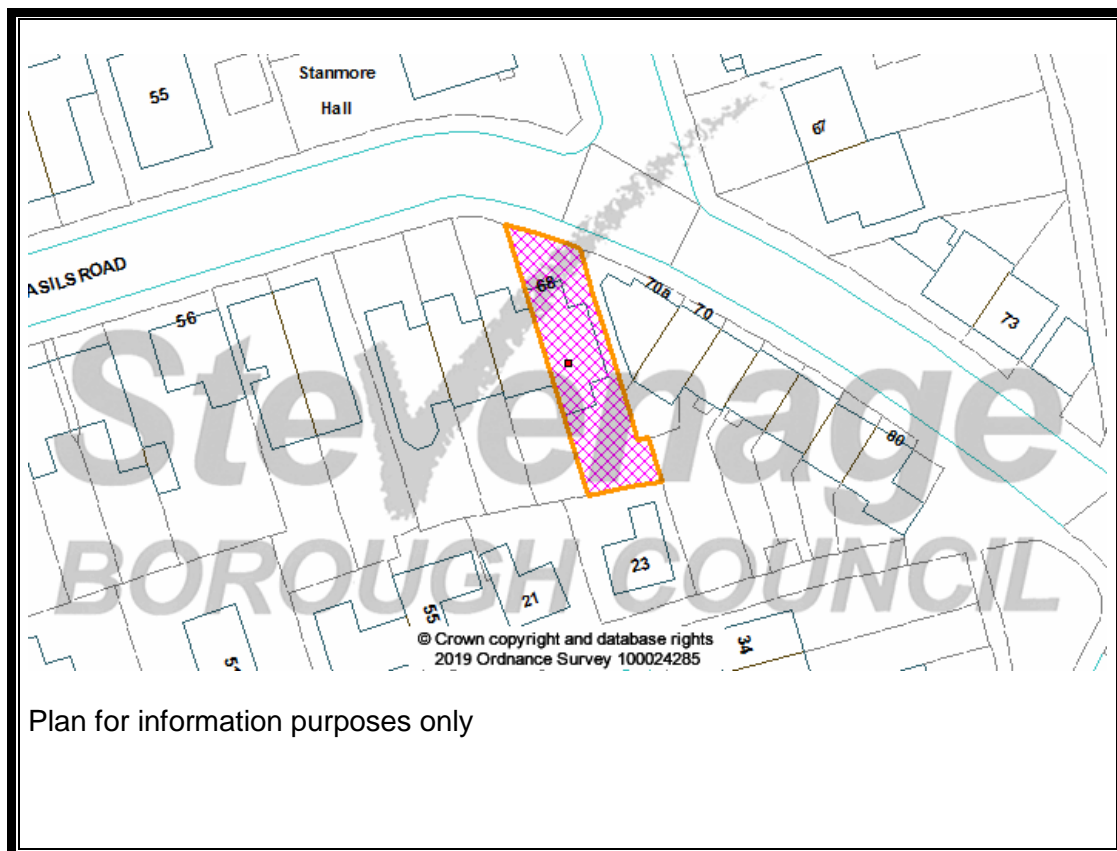
**Date:** 10 February 2022

**Author:** Linda Sparrow      01438 242837

**Lead Officer:** Zayd Al-Jawad      01438 242257

**Contact Officer:** Linda Sparrow      01438 242837

Application No:	21/01256/FPH
Location:	68 Basils Road, Stevenage
Proposal:	Retrospective planning permission for the demolition of the existing conservatory and erection of part two storey, part single storey rear extension
Drawing Nos.:	Site Location Plan; 5; 4; 3; 2; 1; 6;
Applicant:	Mr Robert Hayward
Date Valid:	8 December 2021
Recommendation:	REFUSE PLANNING PERMISSION AND SERVE AN ENFORCEMENT NOTICE



## **1. SITE DESCRIPTION**

- 1.1 The application site is an end of terrace dwelling on the southern side of Basils Road, opposite the junction with Stanmore Road. The property is constructed with red brick and dual pitched tiled roof. At the front, the first floor is clad with dark brown hanging tiles and there is a 3m deep original projection on this same front elevation which was originally an integral garage but which has been converted into habitable accommodation at the application site at some point in the past. The terrace within which the property is situated, is staggered slightly, such that the front elevation of the properties are approximately 1m behind the front elevation of the neighbour to the west.
- 1.2 The four properties in this terrace are identical in design and materials although not all of them have retained the original integral garage; some have been converted and replaced the garage door with brickwork and a window.
- 1.3 The driveway to the front of the property is approximately 6.5m long which is only long enough to accommodate one vehicle. However, the application does not seek to create any additional bedrooms so the off-street car parking provision will not be affected.
- 1.4 The properties to the east of the site are of a different style and are rendered and painted cream. No.70A Basils Road is a triangular shaped dwelling, created by the subdivision of No.70 into two dwellings in 1990s. This neighbour does not appear to have any private amenity space and its windows and doors at the rear are approximately 2m from the side elevation of the application property. This neighbour does not extend beyond the rear elevation of the application property. No.70 Basils Road is at an angle to the application property owing to the curvature of the road. In this regard, their rear elevation is more directed towards the bottom of the application site's rear garden.
- 1.5 To the rear of the site are two bungalows, Nos. 21 and 23 Victoria Close, although only No.23 is directly behind the application site. These bungalows have very small curtilages and the rear garden of No.23 is between 2m and 5.5m deep from the rear elevation of the property to the application site's rear boundary fence.

## **2. RELEVANT PLANNING HISTORY**

- 2.1 None.

## **3. THE CURRENT APPLICATION**

- 3.1 This application seeks retrospective planning permission to retain a part two storey, part single storey rear extension which began construction in July 2021. An enforcement investigation was opened in October 2021 after the Council became aware works were underway without the benefit of planning permission. For completeness, the applicant advises that he attempted to make contact with the Planning Department prior to commencing works to ascertain if permission was required. After receiving no response, he believed the works were permitted development and commenced building. It should be noted that the email address the applicant used to make contact with the Council was incorrect which is why it was not received or actioned and no attempts to follow up the lack of response were made. This application before the Council seeks to regularise the breach in planning control which has occurred.
- 3.2 At ground floor, the extension measures 5.2m wide, 2.4m deep, 2.7m high to the eaves and 3m high to the ridge with a mono-pitched roof. This element is set approximately 0.2m off the shared boundary with No. 66 Basils Road.

- 3.3 At first floor, the extension measures 3.5m wide, 2.4m deep, 4.5m high to the eaves and 6.3m high to the ridge with a dual pitched gable front roof. This element is set approximately 2m off the shared boundary with No.66 Basils Road.
- 3.4 The extension is approximately 0.3m from the shared boundary with Nos.70 and 70A Basils Road and approximately 9.5m from the shared boundary with No.23 Victoria Close.
- 3.5 The application comes before the Planning and Development Committee is because should the Committee be minded to agree with the officer's recommendation to refuse planning permission then in accordance with the Council's Constitution, the Planning Committee will need to consider where it is expedient to take further action in relation to the breach in planning control as outlined in Sections 10 through to 12 of this report.

## **4. PUBLIC REPRESENTATIONS**

- 4.1 The application has been publicised by neighbour letters and a site notice. No comments have been received.

## **5. CONSULTATIONS**

- 5.1 No consultees.

## **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;

## **6.5 Supplementary Planning Documents**

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**

- 7.1.1 The main issues for consideration in the determination of this application are the impact on the character and visual amenity of the area and the impact on neighbour amenity.
- 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 Design and Impact on Visual Amenity**

- 7.2.1 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*”
- 7.2.2 Policy SP8 of the adopted Local Plan (2019) requires new development to achieve the highest standards of design and sustainability which can deliver substantial improvements to the image and quality of the town’s built fabric. Policy GD1 of the Local Plan generally requires all forms of development to meet a high standard of design which includes form of built development, elevational treatment and materials along with how the development would integrate with the urban fabric, its relationship between buildings, landscape design and relevant aspects of sustainable design. 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.
- 7.2.3 The National Design Guide (2019) which was published by National Government is a material consideration in the determination of planning applications. It sets out that Buildings are an important component of places and proposals for built development are a focus of the development management system. However, good design involves careful attention to other important components of places. These include:
- the context for places and buildings;
  - hard and soft landscape;



- technical infrastructure – transport, utilities, services such as drainage; and
- social infrastructure – social, commercial, leisure uses and activities.

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

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

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

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

7.2.6 The rear garden is fully bounded by residential gardens, although it can be glimpsed between the two single storey dwellings at the rear of site. As the extension is already underway, and appears almost finished in terms of the external brickwork and roofing, it can be seen from this rear public vantage point.

7.2.7 The materials that have been used are similar to the materials used in the construction of the existing dwelling and the design is acceptable. This is because the extension reflects the architectural style of the application property. In addition to this, the ridge line is lower than the existing dwelling and as such, the extension does not appear over dominant or incongruous and appears as a subservient addition to the main dwelling. For these reasons, the extension is not considered to harm the visual amenities of the area and complies with Policies GD1 and SP8 of the Stevenage Borough Local Plan 2011 - 2031 (2019), the Council's Design Guide SPD (2009), National Planning Policy Framework (2021) and the Planning Practice Guidance (2014).

### **7.3 Amenity of Neighbours**

7.3.1 Turning to the impact on neighbouring properties, the attached neighbour, No.66, is located to the west of the application site. As such, an assessment of the impact on the daylight and sunlight levels of this neighbour is required. The properties in the terrace all appear to have the same layout; in this regard, the room to the rear of the property is a full width lounge-diner which is served by a single door on the eastern side of the room and a larger patio door on the western side of the room. The two storey element of the extension passes the 45-degree test against this single door on the elevations and the plans; the single storey element passes on the elevations but fails on the plans. However, given that this room contains another, larger patio door on this rear elevation, it is not considered that the extension will result in an overly

detrimental impact on the daylight and sunlight of this neighbouring habitable room. There are no windows in the side elevation facing this neighbour so no overlooking or loss of privacy would occur in this regard. At 2.4m deep, it is not considered that the extension will result in a harmful outlook from their rear rooms, and the two storey element is set off by the boundary by approximately 3m so that it would not appear over dominant from the rear rooms or immediate patio area.

- 7.3.2 The neighbour to the east, No.70A is triangular in shape with little to no amenity space. It is sited so that its rear elevation projects approximately 0.8m beyond the rear elevation of the original application dwelling and therefore the two storey extension as built is approximately 1.7m beyond the southern corner edge of this neighbour. There are no windows in the side elevation of the extension so no overlooking or loss of privacy would occur. Having looked at the most recent planning application at this neighbouring property in 2018 (18/00497/FPH), the rear elevation of this neighbour contains an obscure glazed toilet window closest to the extension and a living room window approximately 4.5m in from the edge of the dwelling. At first floor the windows serve a bathroom and a landing, neither of which are considered habitable rooms. The living room at ground floor is dual aspect, however the other window faces due north so will receive little natural light and very little sunlight.
- 7.3.3 The extension projects approximately 1.7m beyond the edge of this neighbouring property's rear elevation, and being two storey on this side, it is considered that it would reduce the amount of natural daylight and sunlight reaching down to the ground floor windows. The extension fails the 45-degree test on the plans.
- 7.3.4 Whilst the ground floor windows would be obscured from view by the high level timber boundary fencing, when standing in the rear habitable room, the two storey extension would obscure the skyward views and pose an oppressive view from this window, to the detriment of the outlook from this habitable room.
- 7.3.5 Further, the Council's adopted Design Guide (2009) requires a minimum separation distance of 15m for two storey extensions between the rear of one property and side of another. In this regard, the side of the extension is approximately 2.5m from the rear of this neighbour which is unacceptably below the required minimum. This would further exacerbate the over bearing and dominant appearance of this extension from the rear windows of this neighbour.
- 7.3.6 The neighbour at No.70 is angled such that they look down the application site's rear garden and with no windows in the side elevation there would be no overlooking or loss of privacy. However, as above, the side of the two storey extension will be approximately 3.5m from the rear elevation of this neighbour which is also unacceptably below the required minimum of 15m for back to side separations as laid out in the Design Guide (2009).
- 7.3.7 The property to the rear, No.23 Victoria Close is a single storey bungalow. There is a projection of 3m off the rear elevation of the main dwelling but owing to the extensive soft landscaping in both gardens, it is not visible from the windows in the rear elevation of the extension. The back to back separation distance in the Design Guide (2009) is 25m. The extension as built is approximately 12m from the rear elevation of the projection on the bungalow and approximately 15m from the rear elevation of the main dwelling. As before, this separation distance is considered unacceptably below the required minimum standard and will result in an unacceptable harmful impact on the living conditions of the occupiers of this neighbouring property in both their rear habitable room and from their rear garden. Given the very small rear garden of this neighbouring property, the two storey element of the extension appears overly dominant and imposing in views from this property's rear garden.
- 7.3.8 The impact from substandard separation distances was upheld at appeal (reference APP/K1935/D/20/3263519) at 10 Gorleston Close (20/00496/FPH) for a similar two storey rear extension. The Inspector concluded that the substandard separation distance would harm the living conditions of the neighbour to the rear, especially in regards to privacy and that the use

of obscure glazing to the bedroom windows to try to mitigate the issues would not be acceptable as the use of such glazing would then harm the outlook from these habitable rooms and would not be reasonable.

- 7.3.9 For these reasons, the two storey element of the extension as built is considered to have an unacceptable impact on the living conditions of neighbouring occupiers and is therefore contrary to Policies GD1 and SP8 of the Stevenage Borough Local Plan 2011 - 2031 (2019), the Council's Design Guide SPD (2009), National Planning Policy Framework (2021) and the Planning Practice Guidance (2014).

## **7.4 Equalities Impact Statement**

- 7.4.1 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.
- 7.4.2 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.
- 7.4.3 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.
- 7.4.4 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.
- 7.4.5 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, whilst it is considered that the proposed development would not harm the character and visual amenity of the area, it is considered that the two storey element of the extension harms the amenities of neighbouring properties by way of the substandard separation distances between the extension and properties at No.70 and 70A Basils Road and No.23 Victoria Close, resulting in harm to their privacy, outlook and appearing as an over dominant form of development. The application is, therefore, recommended for refusal.
- 8.2 Should the Committee be minded to refuse the application then it will be necessary to consider further action as outlined in sections 10, 11 and 12 of this report below.

## **9. RECOMMENDATION**

- 9.1 That planning permission is REFUSED for the following reasons:-

- 1 The proposed extension, by virtue of its proximity to the rear elevation of No. 23 Victoria Close fails to meet the required minimum back to back separation distance as laid out in Chapter 6 of the Council's adopted Design Guide (2009) and would therefore likely result in an unacceptable outlook and loss of privacy for the occupiers of this neighbouring property, having a harmful impact on the habitable room windows and private rear garden which detracts from the privacy and residential amenity of this neighbouring property. The development is, therefore, contrary to Policies GD1 and SP8 of the Stevenage Borough Local Plan 2011 - 2031 (2019), the Council's Design Guide SPD (2009), National Planning Policy Framework (2021) and the Planning Practice Guidance (2014).
- 2 The proposed extension, by virtue of its proximity to the rear elevation of Nos. 70 and 70A Basils Road fails to meet the required minimum back to side separation distance as laid out in Chapter 6 of the Council's adopted Design Guide (2009) and would therefore likely result in an unacceptable outlook and loss of privacy for the occupiers of these neighbouring properties, having a harmful impact on the habitable room windows and private rear gardens which detracts from the privacy and residential amenity of these neighbouring properties. The development is, therefore, contrary to Policies GD1 and SP8 of the Stevenage Borough Local Plan 2011 - 2031 (2019), the Council's Design Guide SPD (2009), National Planning Policy Framework (2021) and the Planning Practice Guidance (2014).

## **10. FURTHER CONSIDERATIONS**

- 10.1 Having recommended refusal of the retrospective planning application, a decision needs to be made as to whether or not the Council should undertake enforcement action against the breach of planning control which has occurred in this instance.
- 10.2 As set out previously in this report, it is considered that the existing development, by way of the substandard separation distances results in harm to the occupiers of the neighbouring properties at Nos. 70 and 70A Basils Road and No.23 Victoria Close. The two storey element of the development results in an unacceptable level of overlooking to No.23 Victoria Close resulting in a loss of privacy and by proximity to this dwellings' rear elevation, results in an over dominant form of development which detrimentally harms the outlook from this property's rear garden and rear habitable rooms. The proximity of the two storey extension to the rear elevations of Nos. 70 and 70A Basils Road results in an unacceptable outlook from these neighbouring properties and in respect of No.70A, results in an exacerbation of the lack of natural daylight and sunlight to the windows on their rear elevation.
- 10.3 Given the aforementioned comments, should the Committee agree with the recommendations set out in section 9 of this report to refuse planning permission, authorisation is sought to take enforcement action to secure the removal of only the first floor element of the development as the single storey element of the development is considered acceptable. It is considered that a period of six months from the date of the decision is deemed reasonable in line with the Government's Planning Practice Guidance (2014).

## **11. FURTHER RECOMMENDATION**

- 11.1 That an Enforcement Notice be issued and served by the Assistant Director of Planning and Regulation, subject to the Borough Solicitor being satisfied, requiring the removal of the first floor element of the existing rear extension. The precise terms of the Enforcement Notice, including all time periods, to be delegated to the Assistant Director of Planning and Regulation.
- 11.2 That, subject to the Borough Solicitor being satisfied with the evidence, the Assistant Director of Planning and Regulation be authorised to take all steps necessary, including prosecution or any other litigation/works in default to secure compliance with the Enforcement Notice.

- 11.3 That in the event of any appeal against the Enforcement Notice, the Assistant Director of Planning and Regulation be authorised to take any action required to defend the Enforcement Notice and any appeal against the refusal of planning permission.

## **12. REMEDY REQUIRED**

- 12.1 Within six months of the date of refusal of planning permission, to remove the first floor element of the existing two storey rear extension.

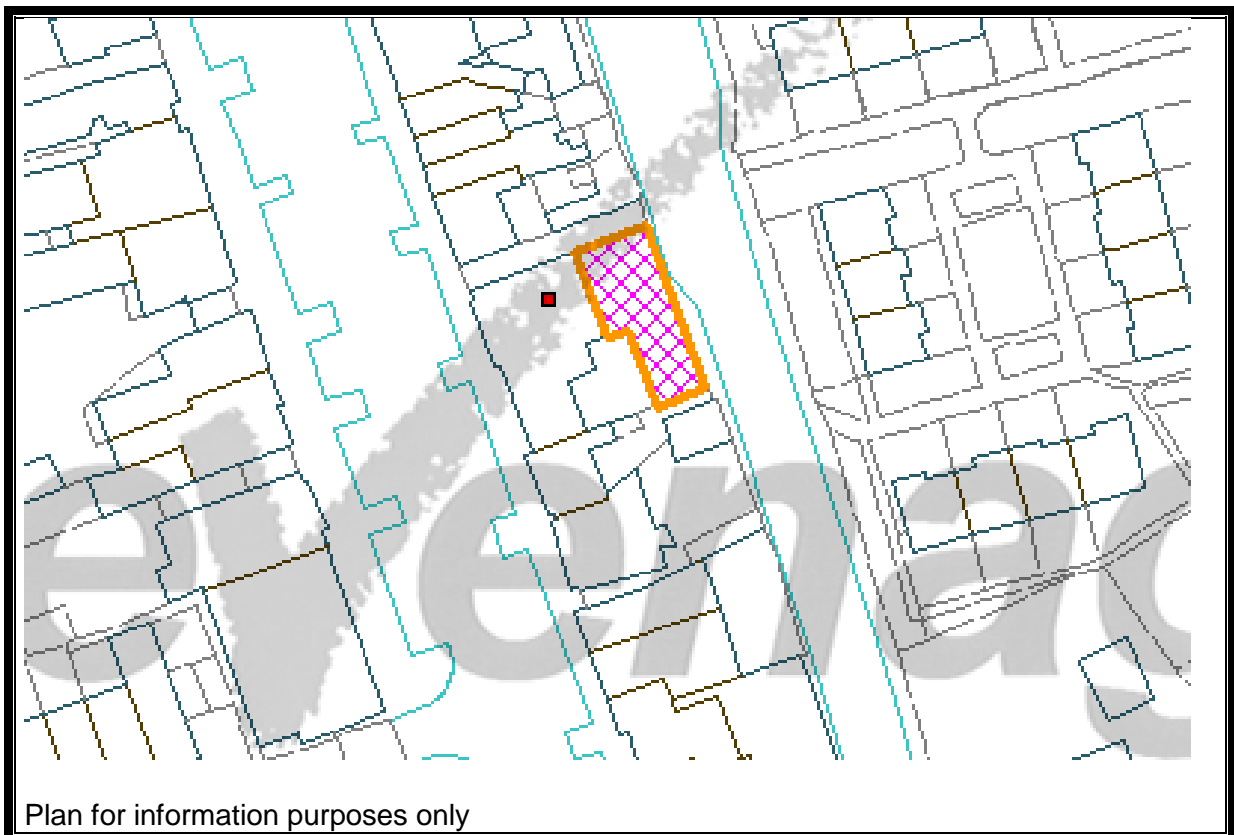
## **13. BACKGROUND DOCUMENTS**

1. The application file, forms, plans and supporting documents having the reference number relating to this item.
2. Stevenage Borough Council Supplementary Planning Documents – Stevenage Design Guide adopted October 2009.
3. Stevenage Borough Local Plan 2011 – 2031 adopted 2019.
4. Responses to consultations with statutory undertakers and other interested parties referred to in this report.
5. Central Government advice contained in the National Planning Policy Framework July 2021 and Planning Policy Guidance March 2014.

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<b>Meeting:</b>	<b>Planning and Development Committee</b>	<b>Agenda Item:</b>
<b>Date:</b>	<b>10 February 2022</b>	
<b>Author:</b>	<b>Rebecca Elliott</b>	01438 242836
<b>Lead Officer:</b>	<b>Zayd Al-Jawad</b>	01438 242257
<b>Contact Officer:</b>	<b>Rebecca Elliott</b>	01438 242836

Application No:	20/00790/FP & 20/00791/FP
Location:	107A-109A High Street, Stevenage.
Proposal:	Retrospective planning permission to retain Flats 6 and 7 as two bedroom units
Drawing Nos.:	PL01, PL02, PL03, PL04, PL05, PL06, PL07, PL08, PL09, PL10, PL11, Site Location Plan
Applicant:	Mr S Orlinski
Date Valid:	12 January 2021
Recommendation:	REFUSE PLANNING PERMISSION AND SERVE AN ENFORCEMENT NOTICE.



## **1. SITE DESCRIPTION**

- 1.1 The application property is situated to the rear of a courtyard of flat conversions behind the original buildings fronting the High Street. The property is largely visible from Church Lane to the rear and east of the High Street. The property is set within the Old Town Conservation Area, and although not a listed building, it is surrounded by listed buildings on the High Street frontage and some on Church Road. The street scene is a variety of differing roof heights. Planning permission was approved in 2017 for conversion and alterations to the roof to provide 2no. one bedroom flats.
- 1.2 The ground floor of no's 107-109 High Street fronting the road is currently in A5 use, with residential accommodation above and within the three storey buildings projecting eastwards forming the small courtyard type area. The 2017 application included the introduction of improved headroom to the lower and northern end roof to Church Lane by raising the ridge to be coincidental with the ridge to Shepherds Path. The conversion and works have taken place and the internal layout subsequently being changed to provide two bedrooms within the flat.

## **2. RELEVANT PLANNING HISTORY**

- 2.1 The site has historic records for various applications relating to different flats within the address, and also the ground floor uses. For clarity the below applications relate to the flats in question.
- 2.2 13/00488/FP Alterations to existing roofscape to form 2no. 1 bedroom flats. 23.12.2013 application permitted.
- 2.3 17/00305/FP Alterations to existing roof to form 2no. 1 bedroom flats. 04.07.2017 application permitted.

## **3. THE CURRENT APPLICATION**

- 3.1 The current applications seek retrospective permission for the retention of the second bedroom in flat 6 (Unit A) and flat 7 (Unit B). The works have been partially carried out with the installation of timber beams and some stud work.
- 3.2 The application comes before the Planning and Development Committee because should the Committee be minded to agree with the officer's recommendation to refuse planning permission then in accordance with the Council's Constitution, the Planning Committee will need to consider whether it is expedient to take further action in relation to the breach in planning control as outlined in Sections 10 through to 12 of this report.

## **4. PUBLIC REPRESENTATIONS**

- 4.1 The application has been publicised by neighbour letter, site notice and a newspaper advert. No observations received.

## **5. CONSULTATIONS**

### **5.1 Hertfordshire County Council as Highways Authority**

- 5.1.1 The Local Highway Authority does not wish to restrict the grant of permission.

### **5.2 Environmental Health**



- 5.2.1 No specific comments relating to the planning applications. However, we are in the process of ascertaining whether or not the building complies with building regulations. If it does not comply with the building regulations, it may be classed as a section 257 HMO.

## **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 GD1: High Quality Design;  
Policy NH10: Conservation Areas;  
Policy IT5: Parking and Access;

### **6.5 Supplementary Planning Documents**

Parking Provision and Sustainable Transport SPD (2020)  
Old Town Conservation Area Management Plan (2012)

### **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.

## **7. APPRAISAL**

7.1.1 The principle of residential development in the roof area of the respective building has already been established and internal alterations substantially completed following approval of application ref: 17/00305/FP. Therefore, the main issues for consideration in the two applications presented are the visual impact of the amended layout, impact on neighbouring amenity, impact on the amenities of future occupiers and 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 Visual Impact of the Amended Layout**

7.2.1 The proposed alterations do not include or require any external alterations to the property, and therefore the proposals would preserve the external appearance of the property and the wider conservation area.

### **7.3 Impact on Neighbouring Amenity**

7.3.1 Given the siting of the flats in the roof space of the building with mainly roof lights for light and ventilation the amended layout would not have a detrimental impact on the amenity of any neighbouring properties in terms of loss of privacy/overlooking.

### **7.4 Impact on the Amenities of Future Occupiers**

7.4.1 The layout changes see the provision of a second bedroom within part of the approved bedroom and bathroom areas. Changes to the hallway have also been made to make more space for the re-positioning of the bathroom within the flat. Both bedrooms would have a window and /or roof light.

7.4.2 A site visit was carried out viewing the internal layout of the flats. This was completed due to concerns over the resultant usable living space within the second bedroom, due to the sloped eaves of the roof within the mansard design. On plan, the bedroom would appear to exceed the national standards at 9.8 square metres, with the original master bedroom measuring 14 square metres. However, as witnessed on site, the room is largely restricted by the positioning of the support timbers, as the flat is within the roof space.

7.4.3 Consequently, the usable living space, with headroom of at least 1.5m is questioned. Some of the floor plans show a possible representation of the eaves, although it is difficult to distinguish if this is the case. Further plans have been requested from the agent, over several emails and is the reason for the application taking so long to reach a decision. No further details have been provided and as it is not clear on the submitted plans that the proposed alterations, which have been started on site but have not been completed, would result in two bedrooms of a size that meets the minimum space standard requirements of 7.5 and 11.5 square metres.

7.4.4 Therefore, the proposal fails to demonstrate it meets this requirement, as adopted by the Local Plan and this cannot be overcome at this time. It is therefore considered that insufficient information is available to approve the application.

### **7.5 Parking Provision**

7.5.1 In respect of parking provision, there is no on-site parking provision and this was deemed acceptable in the 2017 application. The 2020 parking standards SPD allows for a further

reduction in parking than the previous 2012 standards for the High Street because of its sustainable location. Given the level of available car parks in close proximity of the site, along with excellent bus, cycle and footpath links, the lack of a car parking space is considered acceptable in this case.

## **8. CONCLUSIONS**

- 8.1 The further conversion of flat 6 and 7 to provide 2no. two bedroom flats instead of 2no. one bedroom flats as approved under ref: 17/00305/FP is considered to be unacceptable as it has not been evidenced that the internal alterations would not prejudice the living standards of future occupiers by ensuring adequate head height and room size standards as required by the National Technical Standards and the Local Plan. This is based on the established positioning of internal beams and the eaves slope of the mansard roof impacting on the proposed positioning of the second bedrooms.
- 8.2 Should the Committee be minded to refuse the application then it will be necessary to consider further action as outlined in sections 10, 11 and 12 of this report below.

## **9. RECOMMENDATIONS**

- 9.1 That planning permission be REFUSED based on the following reasons, and that following refusal the Local Planning Authority be authorised to serve an Enforcement Notice to seek the development be completed in accordance with the approved plans of application ref: 17/00305/FP.
- 1 The proposed development fails to demonstrate that the provision of two bedrooms would meet the minimum space standards for bedroom sizes as required under the Technical Standards and if approved the development would fail to provide an acceptable standard of living for its future occupiers. The proposal does not accord with Policy GD1 of the Stevenage Borough Local Plan 2011-2031 (2019), Nationally Described Space Standards (2015)(as amended), National Planning Policy Framework (2021) and National Planning Practice Guidance (2014).

## **10. FURTHER CONSIDERATIONS**

- 10.1 Having recommended refusal of the retrospective planning applications, a decision needs to be made as to whether or not the Council should undertake enforcement action against the breach of planning control which has occurred in this instance.
- 10.2 As set out previously in this report, it is considered that the existing development, by way of the lack of supporting evidence showing adequate living space standards for the second bedrooms, because of the internal supporting timber beams structure and mansard roof eaves, that the provision of a second bedroom in each flat would result in a poor and substandard living arrangement for future occupiers.
- 10.3 Given the aforementioned comments, should the Committee agree with the recommendations set out in section 9 of this report to refuse planning permission, authorisation is sought to take enforcement action to secure the removal of any internal works carried out to provide each second bedroom. It is considered that a period of four months from the date of the Enforcement Notice being issued is deemed reasonable in line with the Government's Planning Practice Guidance (2014).

## **11. FURTHER RECOMMENDATION**

- 11.1 That an Enforcement Notice be issued and served by the Assistant Director of Planning and Regulation, subject to the Borough Solicitor being satisfied, requiring the removal of all internal alterations that have taken place in flats 6 and 7 at 107A - 109A – High Street, Stevenage to provide two bedrooms be removed. The precise terms of the Enforcement Notice, including all time periods, to be delegated to the Assistant Director of Planning and Regulation.
- 11.2 That, subject to the Borough Solicitor being satisfied with the evidence, the Assistant Director of Planning and Regulation be authorised to take all steps necessary, including prosecution or any other litigation/works in default to secure compliance with the Enforcement Notice.
- 11.3 That in the event of any appeal against the Enforcement Notice, the Assistant Director of Planning and Regulation be authorised to take any action required to defend the Enforcement Notice and any appeal against the refusal of planning permission.

## **12. REMEDY REQUIRED**

- 12.1 Within four months of the date of the Enforcement Notice being served all internal alterations that have taken place to provide a second bedroom in each flat shall be removed.

## **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 – Stevenage Design Guide adopted October 2009.
- 3. Stevenage Borough Local Plan 2011 – 2031 adopted 2019.
- 4. Responses to consultations with statutory undertakers and other interested parties referred to in this report.
- 5. 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:**

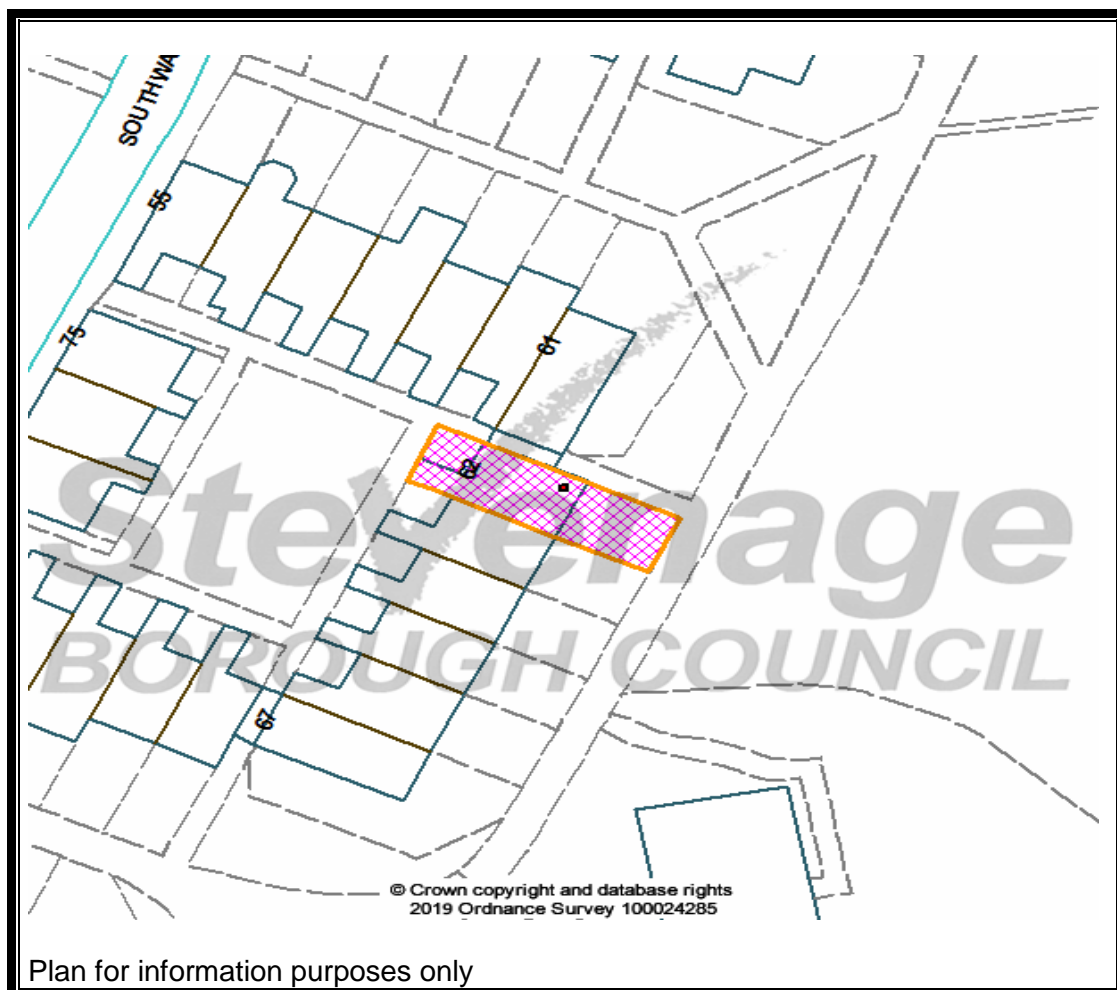
**Date:** 10 February 2022

**Author:** Linda Sparrow      01438 242837

**Lead Officer:** Zayd Al-Jawad      01438 242257

**Contact Officer:** Linda Sparrow      01438 242837

Application No:	21/01231/FPH
Location:	62 Southwark Close, Stevenage
Proposal:	Increase in front store width and height and associated entrance and fenestration alterations
Drawing Nos.:	01; 02; 03; 04; 05; 06; 07; 08; 09;
Applicant:	Stevenage Borough Council
Date Valid:	15 November 2021
Recommendation:	GRANT PLANNING PERMISSION



## **1. SITE DESCRIPTION**

- 1.1 The application property is an end of terrace dwelling on the eastern side of Southwark Close. The properties in this part of Southwark Close are arranged around a central square of public space with all properties having the front entrance door facing in to the centre of the space. There is no vehicular access to the property, with only public footpaths to the front, northern side and rear. The property is constructed with buff coloured brick and a dual pitched tiled roof. On the southern side of the front elevation is an existing front projection which extends the full length of the curtilage to the public pedestrianised highway. All properties in this area have the same front projection so that each property front curtilage is semi-private and can only be viewed from directly facing the property.

## **2. RELEVANT PLANNING HISTORY**

- 2.1 None.

## **3. THE CURRENT APPLICATION**

- 3.1 The application seeks planning permission to widen the existing front projection to accommodate a disabled level access shower and erect a small extension to this projection to create a new entrance porch. The large window on the front elevation serving the living room would be made smaller as a result.
- 3.2 The existing projection would be widened from 2.2m wide to 2.4m wide. The height would increase from 2.5m high to 2.7m high. The roof would remain a flat roof design.
- 3.3 The new entrance porch would measure 1.1m wide, 1.2m deep and 2.7m high with a flat roof.
- 3.4 The application comes before the Planning and Development Committee as Stevenage Borough Council is the property owner and applicant.

## **4. PUBLIC REPRESENTATIONS**

- 4.1 The application has been publicised by neighbour letters. No comments have been received.

## **5. CONSULTATIONS**

- 5.1 No consultees.

## **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;

## **6.5 Supplementary Planning Documents**

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**

- 7.1.1 The main issues for consideration in the determination of this application are the impact on the character and visual amenity of the area and the impact on neighbour amenity.
- 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 Design and Impact on Visual Amenity**

- 7.2.1 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*”

- 7.2.2 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.
- 7.2.3 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.
- 7.2.4 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.
- 7.2.5 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.
- 7.2.6 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.

- 7.2.7 The front curtilage of the property is highly visible in the public domain within the small square of properties. It can be glimpsed through the alleyway from the public parking area to the west of the site.
- 7.2.8 All the properties have a similar front projection. The proposal to widen the existing projection from 2.2m wide to 2.4m wide is minimal and would be barely perceptible in the street scene. The increase in height from 2.5m to 2.7m, again is deemed to be minimal, although this would be more perceptible as it would be taller than the surrounding projections. However, the works would be read against the two-storey main dwellinghouse so would appear proportionate and secondary. In this regard, it is not considered that the alterations to the existing projection would have a harmful impact on the visual amenities of the street scene.
- 7.2.9 Turning to the creation of the new entrance porch, at 1.1m wide, 1.2m deep and 2.7m high, this aspect of the proposal due to its limited size and scale would not dominate the remaining front curtilage and there would still be a reasonable amount of space between the porch and the public footpath. Owing to the existing projection, it would only be seen from directly in front of the property and from the northern side. As such, the proposed porch addition would not cause visual harm to the amenities of the wider street scene.
- 7.2.10 For these reasons, the proposed development is considered not to harm the character and appearance of the area and is acceptable in this regard.

### **7.3 Amenity of Neighbours**

- 7.3.1 The proposed works would not project deeper than the existing projection so there would be no worsening of the outlook from the attached neighbour in this regard. Further, the 0.2m increase in the height of the roof of the existing single-storey projection is not considered to be of such an increase that it would have a detrimental impact on the amenities of the occupiers of the adjoining terraced property.
- 7.3.2 In terms of the neighbours to the north, the existing layout has an entrance door and full height glazing facing these neighbours. The proposed development, whilst 1.1m closer to these neighbours, would have an entrance door and small window facing them. In this regard, it is not considered that the proposed development would worsen any existing impacts on these neighbours, especially as the entrance door and glazing panel of the neighbour to the north serves a habitable room.
- 7.3.3 For these reasons, the proposed development is considered not to harm the amenities of neighbouring properties and is acceptable in this regard.

### **7.4 Equalities Impact Statement**

- 7.4.1 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.
- 7.4.2 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.
- 7.4.3 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.

- 7.4.4 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.
- 7.4.5 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 proposed development would not harm the character and visual amenity of the area, nor would it harm the amenities 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:  
01; 02; 03; 04; 05; 06; 07; 08; 09;  
**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 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 No access shall be provided to the roof of the extension by way of windows, doors or staircases and the roof of the extension hereby permitted shall not be used as a balcony or sitting out area.  
**REASON:-** To protect the amenities and privacy of the occupiers of adjoining properties.

### **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**

## 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](http://www.stevenage.gov.uk/CIL) or by contacting the Council's CIL Team at [CIL@Stevenage.gov.uk](mailto:CIL@Stevenage.gov.uk).

## 2 **Building Regulations**

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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).

## 3 **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>

## **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 – Stevenage Design Guide adopted October 2009.
3. Stevenage Borough Local Plan 2011 – 2031 adopted 2019.
4. Responses to consultations with statutory undertakers and other interested parties referred to in this report.
5. Central Government advice contained in the National Planning Policy Framework February 2021 and Planning Policy Guidance March 2014.

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

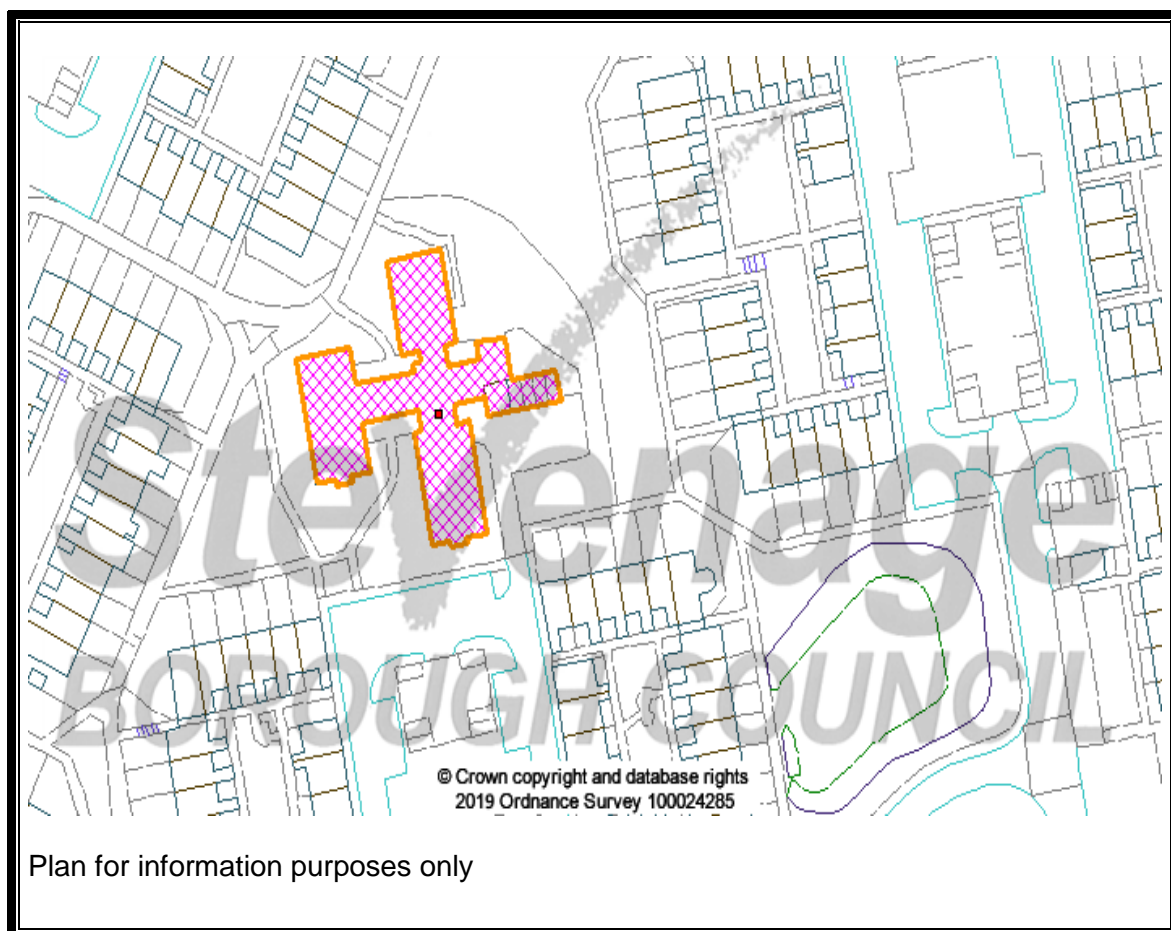
**Date:** 10 February 2022

**Author:** Linda Sparrow    01438 242837

**Lead Officer:** Zayd Al-Jawad    01438 242257

**Contact Officer:** Linda Sparrow    01438 242837

Application No:	21/01241/FP
Location:	Wellfield Court, Norwich Close, Stevenage
Proposal:	Proposed Smoking Shelter
Drawing Nos.:	LH-001; Shelter Dimensions; Open Fronted Smoking Shelters Specification Sheet;
Applicant:	Stevenage Borough Council
Date Valid:	10 December 2021
Recommendation:	GRANT PLANNING PERMISSION



## **1. SITE DESCRIPTION**

- 1.1 The application property is a two storey building comprising three main buildings connecting off a central link corridor with a fourth connected building on the eastern side which is single storey that contains the main entrance and storage units. The property is constructed of buff coloured brick with a dual pitched tiled roof.
- 1.2 The building is situated on the northern side of Norwich Close and is surrounded by two storey residential dwellings to the north, east and west whilst to the south is the main car parking area of Norwich Close.
- 1.3 On the western boundary is a large area of public open space.

## **2. RELEVANT PLANNING HISTORY**

- 2.1 20/00510/FP Erection of Air Source Heat Pumps and associated enclosure. 12.01.2021. Permission Granted.

## **3. THE CURRENT APPLICATION**

- 3.1 The application seeks planning permission to erect a singular smoking shelter on the western side of the southern building.
- 3.2 The shelter will be 1.05m deep, 3.05m long and 2.25m high and constructed of polycarbonate glazing walls with a reinforced glass fibre roof around a steel framework.

## **4. PUBLIC REPRESENTATIONS**

- 4.1 The application has been publicised by neighbour letters and a site notice. No comments have been received.

## **5. CONSULTATIONS**

- 5.1 No consultees.

## **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;

### **6.5 Supplementary Planning Documents**

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**

- 7.1.1 The main issues for consideration in the determination of this application are the impact on the character and visual amenity of the area and the impact on neighbour amenity.
- 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 Design and Impact on Visual Amenity**

- 7.2.1 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*”
- 7.2.2 Policy SP8 of the adopted Local Plan (2019) requires new development to achieve the highest standards of design and sustainability which can deliver substantial improvements to the image and quality of the town’s built fabric. Policy GD1 of the Local Plan generally requires all

forms of development to meet a high standard of design which includes form of built development, elevational treatment and materials along with how the development would integrate with the urban fabric, its relationship between buildings, landscape design and relevant aspects of sustainable design. 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.

7.2.3 The National Design Guide (2019) which was published by National Government is a material consideration in the determination of planning applications. It sets out that Buildings are an important component of places and proposals for built development are a focus of the development management system. However, good design involves careful attention to other important components of places. These include:

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

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

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

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

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

7.2.6 The area of land on which the shelter will be erected is highly visible in the street scene owing to the low level boundary hedging around the perimeter of the site. The area is fully laid to grass with some tall mature trees scattered around the area.

7.2.7 The shelter is relatively small in size and being predominantly clear glazed it is not considered that it would appear obtrusive in the street scene when seen against the backdrop of soft landscaping and the buildings.

7.2.8 For these reasons, the proposed development is considered not to harm the character and appearance of the area and is acceptable in this regard.



### **7.3 Amenity of Neighbours and Occupiers of Wellfield Court**

- 7.3.1 The proposed shelter would be sited away from the public footpath and would be approximately 32m from the rear elevation of the closest residential dwelling, No.18 Norwich Close. In this regard, it is not considered that the shelter, or the use of the shelter would give rise to any detrimental harm to the occupiers of the surrounding residential dwellings.
- 7.3.2 There are a number of windows along the western elevation of the building serving the rooms within Wellfield Court. The shelter would be sited close to these windows, and, in the summer months when open, the use of the shelter could give rise to a detrimental impact on the occupiers of the building. Given the property is owned and operated by the Council; it would be for the management of the building to deal with issues arising on site from use of on-site facilities.
- 7.3.3 For these reasons, it is considered that the proposed smoking shelter would not have a detrimental impact on neighbouring properties and any harm arising to residents of the building could be managed by the Council as building owner and operator.

### **7.4 Equalities Impact Statement**

- 7.4.1 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.
- 7.4.2 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.
- 7.4.3 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.
- 7.4.4 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.
- 7.4.5 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 It is considered that the proposed development would not harm the character and visual amenity of the area, nor would it harm the amenities 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:  
LH-001; Shelter Dimensions; Open Fronted Smoking Shelters Specification Sheet;  
**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 construction of the smoking shelter hereby permitted shall be as per the approved specification documents to the satisfaction of the Local Planning Authority.  
**REASON:-** To ensure the development has an acceptable appearance.

### **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

### 1 **Community Infrastructure Levy**

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## **10. BACKGROUND DOCUMENTS**

1. The application file, forms, plans and supporting documents having the reference number relating to this item.
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**Meeting:** Planning and Development Committee      **Agenda Item:**

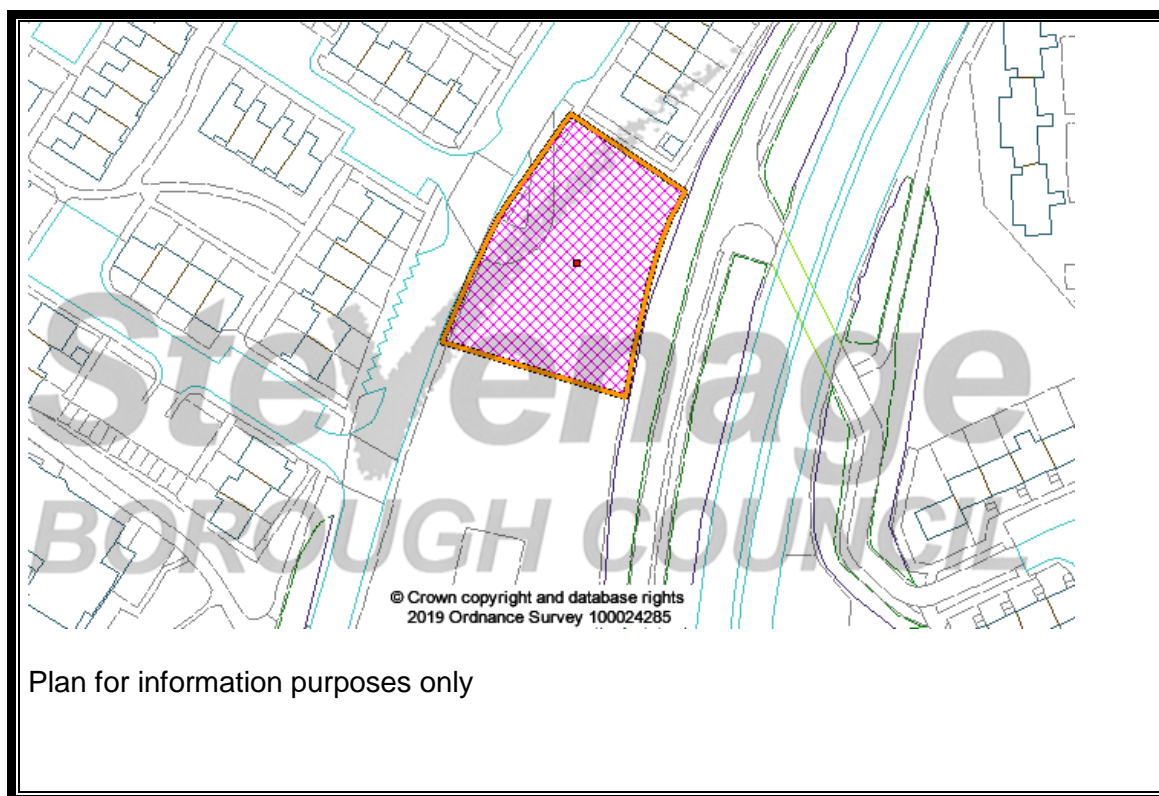
**Date:** 10 February 2022

**Author:** Rebecca Elliott      01438 242836

**Lead Officer:** Zayd Al-Jawad      01438 242257

**Contact Officer:** Rebecca Elliott      01438 242836

Application No:	21/01070/FPM
Location:	145 Scarborough Avenue, Stevenage
Proposal:	Variation of condition 1 (Approved Plans) attached to planning permission 19/00136/FPM to include Brise Soleil, alterations to and the positioning of windows/doors, and an increase in the height of the Mansard roof feature by 300mm.
Drawing Nos.:	13835-W-001-B; 13835-W-002-E; 13835-W-003-E; 13835-W-004-E; 13835-W-006-D; 13835-W-007-C; 7967-100-01; 7967-100-02; 7967-100-03; RT18013_100_PL6
Applicant:	Stevenage Borough Council
Date Valid:	29 September 2021
Recommendation:	GRANT PLANNING PERMISSION



## **1. SITE DESCRIPTION**

- 1.1 145 Scarborough Avenue is the site of the former 'Annexe' community centre on Scarborough Avenue, which has now been substantially built out under planning application reference 19/00136/FPM for the demolition of existing community centre and erection of 29no one, two and three bedroom flats over a semi-basement car park with associated landscape works. The site is located on the eastern side of Scarborough Avenue close to the local neighbourhood centre to the south east and Gunnels Wood Road which runs parallel to the east. To the south is a large green open space with children's play equipment. The north boundary abuts a footpath accessing the pedestrian and cycle routes along Gunnels Wood Road and towards Fairview Road. The eastern boundary abuts a large steep grass bank with multiple mature trees lining the boundary. The existing access is located centrally on the western boundary.
- 1.2 Scarborough Avenue is characterised by terraced dwellings within areas of open space, a large green area with play equipment to the south, and local neighbourhood services located to the south west within the Filey Close large neighbourhood centre, which has two storey flats above. The former community centre was single storey and occupied the eastern side of the plot.

## **2. RELEVANT PLANNING HISTORY**

- 2.1 07/00417/FP – Planning permission for the erection of a new shed and associated hard stand. Permission granted on 12.10.2007.
- 2.2 17/00883/PADEMO – Prior approval for the demolition of existing community centre. Approval given on 15.01.2018.
- 2.3 19/00136/FPM - Demolition of existing community centre and erection of 29no one, two and three bedroom flats over a semi-basement car park with associated landscape works. Permission granted on 24.01.2020.
- 2.4 20/00550/COND - Discharge of conditions 4 (Bin Stores), 5 (Landscaping), 9 (Site Waste Management), 11 (Noise), 17 (Construction Management Plan) and 18 (Electric Vehicle Charging Points) attached to planning permission reference 19/00136/FPM. Pending consideration at time of drafting.

## **3. THE CURRENT APPLICATION**

- 3.1 The current application seeks to vary condition 1 (Approved plans) of planning permission 19/00136/FPM to include Brise Soleil on the south western elevation, alterations to and the positioning of windows/doors on the south western and north eastern elevations, and an increase in the height of the Mansard roof feature by 300mm to screen the solar PV panels.
- 3.2 The application comes before the Planning and Development Committee as Stevenage Borough Council is the applicant and the owner of the site. In addition, this application is also classed as a Major residential development and the proposed changes are considered material.

## 4. PUBLIC REPRESENTATIONS

- 4.1 The application has been publicised by neighbour letters, the posting of a site notice to the frontage of the site on North Road, and an advertisement has been placed in the local newspaper. No observations have been received.

## 5. CONSULTATIONS

### 5.1 Environmental Health

- 5.5.1 No change to our comments made in respect of the application 19/00136/FPM.

## 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 2022, identifies that Stevenage delivered 79% of its housing requirement in 2021. This is above the 75% target, but still less than 85%. Consequently, Stevenage Borough Council must include the 20% buffer in its 5 year housing land supply calculations, which it already does.
- 6.2.3 The Council also 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 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 5.24 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 Stevenage Borough Local Plan**

SP1 Presumption in Favour of Sustainable Development  
SP2 Sustainable Development in Stevenage  
SP5 Infrastructure  
SP6 Sustainable Transport  
SP7 High Quality Homes  
SP8 Good Design  
SP11 Climate Change, Flooding and Pollution  
IT5 Parking and Access  
HO1 Housing Allocations  
HO5 Windfall Sites  
HO7 Affordable Housing Targets  
HO8 Affordable Housing Tenure, Mix and Density  
HO9 House Types and Sizes  
HO11 Accessible and Adaptable Housing  
GD1 High Quality Design  
FP1 Climate Change  
FP2 Flood Risk in Flood Zone 1  
NH5 Trees and Woodland  
NH7 Open Space Standards  
HC4 Existing Health, Social and Community Facilities

## **7 APPRAISAL**

- 7.1 As the proposals seek only to amend the approved plans for relatively small but nevertheless material changes, the main issues relating to land use acceptability, affordable housing provision and S106 contributions, design, scale and the impact of the building on the character and appearance of the area; landscaping and trees; access and parking; waste; noise; drainage and climate change have not changed since the approval in 2020 and as such will



not be expanded on in this report, with the original committee report attached as an addendum for reference.

- 7.2 The main issues for consideration in this case are the design and visual impact of the 300mm roof height increase on the Mansard element, visual and amenity impact on the revised window/door positions and designs, and the visual and practical impact of the Brise Soleil installed.

### **7.3 Raising of the Roof**

- 7.3.1 The larger southern element of the building is three storeys in height, with the second floor partially constructed within a Mansard roof form. The proposed amended plans seek to relocate solar PV panels approved on the Mansard elevation to the flat roof and to raise the top lip of the Mansard by 300mm to provide a safety edge protection to the solar PV panels to be installed on the flat roof.

- 7.3.2 The small increase of 300mm would bring the Mansard roof element flush in height with the flat roof brick element of the three storey building on the western side of this south block. The additional height is considered minimal and would not adversely impact the appearance of the building or its setting within the wider area.

### **7.4 Window / Door Opening Alterations**

#### **7.4.1 South Western Elevation**

- 7.4.1.1 The placement of three of the sets of window/door openings on the western side of the south western elevation are being changed to create a better internal living environment and layout for future occupiers. This alteration removes the previously approved stagger of the openings between each floor, resulting in a more straightforward finish to the exterior of the building.

- 7.4.1.2 The proposed changes on this elevation do not impact on amenity levels of any neighbouring properties as they overlook the open space. The proposals are therefore considered acceptable.

#### **7.4.2 North Western Elevation**

- 7.4.2.1 The placement of three sets of window/door openings on the southern side of the north western elevation are being moved, similar to the south western elevation above, to remove the approved stagger and form a linear appearance within the elevation. Also, the new positioning of the windows would make the internal living environment and layout of the rooms better for the future occupiers, creating increased wall space for furniture, and a better relationship with the room doorway.

- 7.4.2.2 The approved plans showed the plant room louvre on the ground floor of this elevation. This is to be removed and replaced with a set of matching window/doors, which would fit with the grain of fenestration on the elevation, and with the changes noted in 7.4.2.1 above would not detrimentally impact the visual appearance of the building or wider area.

#### **7.4.3 North Eastern Elevation**

- 7.4.3.1 The proposed changes to window/door openings on this elevation entail the removal of door openings and Juliet style railings and replacement with window and openings and panels to match those to the east. The changes relate to three windows running vertically, so one per floor. This change has been proposed to allow greater internal wall space for future occupiers allowing for better furniture placement within the flats affected. The changes are in-keeping with approved window openings on this elevation and would not detrimentally impact the building appearance or that of the wider area.

## **7.5 Brise Soleil**

- 7.5.1 The approved application was conditioned to require mitigation measures against noise and thermals within the proposed flats. Details pertaining to this still require formal discharge and will be imposed on the current application if approved. However, the proposed external alterations include the introduction of Brise Soleil shields/canopies on the south western elevation, above the approved (and proposed) openings. Brise Soleil are projecting structures, like a canopy, that sit above window or door openings on an elevation and provide a level of shadowing to be created within the room served by the respective opening. The proposed Brise Soleil would be wooden, with a slatted form, projecting approximately 1m off the elevation.
- 7.5.2 The introduction of this type of structure on the side elevation of the building, being highly visible from the open space and surrounding street scene, is considered to be acceptable and would not harm the appearance of the building or the character and amenity of the area. The design and materials are considered to compliment the approved building design and form.

## **7.6 Other matters**

- 7.6.1 The proposed plans do show two other areas of note that were included on the original approved application but were not correctly shown on the plans submitted and later approved. This has been picked up and included on this application to ensure the plans all tally up correctly. The two areas include the external staircase to the rear and south eastern elevation of the northern wing of the building, leading from the ground floor in to the external amenity space associated with the development to the north of the site. The second area is the projecting gable on the 'front' north western elevation which was not shown on the side elevation and has been added for the avoidance of doubt. This does not introduce a new gable projection, which was clearly shown on the forward facing elevation view, it simply clarifies the building appearance from the side view, for the avoidance of doubt.

## **8 CONCLUSIONS**

- 8.1 It is considered that the proposed minor changes, albeit material, do not adversely impact on the visual appearance of the building or the wider area. The changes have no impact on the amenities of neighbouring properties as no new openings are being formed. The internal living conditions for future occupiers are also being improved. The Brise Soleil would help mitigate the thermals of the south facing units, and their design and projection off the building would not be of detriment to the scheme. The imposition of the same conditions as ref 19/00136/FPM is proposed, unless the wording can be altered to take account of details already discharged as part of this approval.

## **9 RECOMMENDATION**

- 9.1 That planning permission be GRANTED subject to the following conditions and the transfer of the signed S106 legal agreement which has secured and/or provides:-
- Primary and Secondary Education;
  - Sustainable transport improvement;
  - The improvement of Children's play space and outdoor sports provision
  - Affordable Housing

With delegated powers given to the Assistant Director of Planning and Regulation to agree any changes to the proposed imposed conditions.

1. The development hereby permitted shall be carried out in accordance with the following approved plans: 13835-W-001-B; 13835-W-002-E; 13835-W-003-E; 13835-W-004-E; 13835-W-006-D; 13835-W-007-C; 7967-100-01; 7967-100-02; 7967-100-03; RT18013\_100\_PL6  
**REASON:-** For the avoidance of doubt and in the interests of proper planning
2. The development hereby permitted shall be constructed in accordance with the materials and finishes as set out for the approved building in the application.  
**REASON:-** To ensure the development has an acceptable appearance and is of a high standard finish.
3. No development shall take place until details of the approved bin store have been submitted to and approved in writing by the Local Planning Authority.  
**REASON:-** To ensure a satisfactory standard of development in the interests of amenity and that it has an acceptable appearance.
4. No development shall take place above slab level until there has been submitted to and approved by the Local Planning Authority a scheme of soft and hard landscaping and details of the treatment of all hard surfaces. The scheme shall include details of all existing trees and hedgerows on the land and details showing all trees to be removed, or retained, together with details of all new planting to take place including species, size and method of planting, and boundary treatments.  
**REASON:-** To ensure a satisfactory appearance for the development.
5. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the first occupation of the building(s) or the completion of the development whichever is the sooner.  
**REASON:-** To ensure a satisfactory appearance for the development.
6. All hard surfacing comprised in the approved details of landscaping shall be carried out prior to the first occupation of the building or the completion of the development, whichever is the sooner.  
**REASON:-** To ensure a satisfactory appearance for the development.
7. 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.
8. The development hereby approved shall be carried out and completed in accordance with the Site Waste Management Plan (SWMP) agreed under planning application reference 20/00550/COND.  
**REASON:-** In order to reduce the level of waste generated during the demolition and construction phases of development and to recycle all waste materials where possible.
9. No construction work relating to this permission shall be carried out on any Sunday, Public or Bank Holiday nor at any other time, except between the hours of 0730 and 1800 on Mondays to Fridays and between the hours of 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.
10. No development shall take place until a scheme for protecting the proposed dwellings from noise from road traffic has been submitted to and approved in writing by the local planning authority. None of the dwellings shall be occupied until such a scheme has been implemented in accordance with the approved details, and shown to be effective, and it shall be retained in accordance with those details thereafter.

**REASON:** To protect the amenity and ensure a suitable internal and external acoustic environment for future occupiers of the development.

11. Before the accesses are first brought into use vehicle to vehicle visibility splays of 2.4 metres by 43 metres in a both directions shall be provided and permanently maintained, within which there shall be no obstruction to visibility between 600 mm and 2.0 metres above the footway level. These measurements shall be taken from the intersection of the centre line of the permitted access with the edge of the carriageway of the highway respectively into the application site and from the intersection point along the edge of the carriageway.  
**REASON:-** To ensure construction of a satisfactory development and in the interests of highway safety.
12. Prior to the first use of the development hereby permitted 0.65 metre x 0.65 metre pedestrian visibility splays shall be provided and permanently maintained each side of the access. They shall be measured from the point where the edges of the access way cross the highway boundary, 0.65 metres into the site and 0.65 metres along the highway boundary therefore forming a triangular visibility splay. Within which, there shall be no obstruction to visibility between 0.6 metres and 2.0 metres above the carriageway.  
**REASON:-** To ensure construction of a satisfactory development and in the interests of highway pedestrian safety
13. The gradient of the main access shall not be steeper than 1 in 10 from the back edge of the footway.  
**REASON:-** To ensure a vehicle is approximately level before being driven off and on to the highway.
14. Prior to the first occupation of the development hereby permitted the car parking spaces as detailed on drawing number 13835-W-001-B shall be surfaced and marked out in accordance with the approved plan and shall be made of porous material, or provision shall be made to direct surface water run-off from the hardstanding to a permeable or porous area or surface within the curtilage of the site. They shall be retained in that form and kept available for the sole use of parking for the development hereby permitted.  
**REASON:-** To ensure that adequate parking and servicing facilities are available within the site, that there is no detriment to the safety of adjoining highways, in the interest of visual amenity and to ensure the development is sustainable.
15. The development hereby approved shall be carried out and completed in accordance with the Construction Management Plan as approved under planning application reference 20/00550/COND.  
**REASON:-** In order to protect highway safety and the amenity of other users of the public highway and rights of way.
16. The development hereby approved shall be carried out and completed in accordance with the Electric Vehicle Charging Points details as approved under planning application reference 20/00550/COND, and shall thereafter be permanently retained.  
**REASON:-** In order to provide facilities to charge electric vehicles and to help reduce the impact of vehicle emissions on the local environment.
17. Prior to occupation details of measures to address adaptation to climate change and energy efficiency shall be submitted to and approved in writing by the Local Planning Authority. These measures shall then be implemented and permanently maintained in accordance with the approved details.  
**REASON:-** To ensure the development is adaptable to climate change through provision of energy and water efficiency measures.

## Informatives

Works to be undertaken on the adjoining highway shall be constructed to the satisfaction of the Highway Authority and in accordance with Hertfordshire County Council publication Roads in Hertfordshire Highway Design Guide. Before proceeding with the proposed development, the applicant shall use the HCC website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx> or call on 0300 1234 047 to obtain the requirements for a section 278 agreement for the associated road works as part of the development. This should be carried out prior to any development work is carried out.

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

Prior to commencement of the development the applicant is advised to contact the 0300 1234 047 to arrange a site visit to agree a condition survey of the approach of the highway leading to the development likely to be used for delivery vehicles to the development. Under the provisions of Section 59 of the Highways Act 1980 the developer may be liable for any damage caused to the public highway as a result of traffic associated with the development. Herts County Council may require an Officer presence during movements of larger loads, or videoing of the movements may be considered.

The proposed development should achieve Secured by Design (SBD) accreditation in order for it to comply with current Building Regulations. The Police Crime Prevention Design Advisor can be contracted by telephone on 01707 355227

## 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.

## 10. BACKGROUND DOCUMENTS

1. The application file, forms, plans and supporting documents having the reference number relating to this item.
2. Emerging Stevenage Local Plan 2011-2031.
4. Stevenage Borough Council Supplementary Planning Documents – Parking Provision adopted September 2020.
5. Hertfordshire County Council Local Transport Plan LTP4 2018-2031
6. Central Government advice contained in the National Planning Policy Framework February 2021 and the National Planning Policy Guidance 2014, as amended.
7. Responses to consultations with statutory undertakers and other interested parties referred to in this report.

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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 :      21/00451/COND  
  
            Date Received :      27.04.21  
  
            Location :              83 Penn Road Stevenage Herts SG1 1HT  
  
            Proposal :              Discharge of conditions 5 (climate change and energy efficiency) and 6 (boundary treatments) attached to planning permission reference number 18/00406/FP  
  
            Date of Decision :      11.01.22  
  
            Decision :              **The Condition(s)/Obligation(s) cannot be discharged but are deemed Acceptable**  
  
                                         Please note that the condition(s) cannot be discharged given that a breach of planning control has occurred in this instance. However, the Local Planning Authority would not seek any enforcement action against the breach at this time. Notwithstanding this, the Local Planning Authority still reserves the right to undertake enforcement action if a further breach of the condition(s) occurs at a later date.
  
2.      Application No :      21/00506/COND  
  
            Date Received :      05.05.21  
  
            Location :              83 Penn Road Stevenage Herts SG1 1HT  
  
            Proposal :              Discharge of condition 4 (Bin and cycle stores) attached to planning permission reference number 18/00406/FP  
  
            Date of Decision :      11.01.22  
  
            Decision :              **The discharge of Condition(s)/Obligation(s) is APPROVED**

3. Application No : 21/00843/CPA  
Date Received : 30.07.21  
Location : 50 High Street Stevenage Herts SG1 3EF  
Proposal : Prior approval for change of use from offices (Use Class B1(a)) to 2no. residential flats (Use Class C3).  
Date of Decision : 21.01.22  
Decision : **Prior Approval is REQUIRED and GIVEN**
4. Application No : 21/00924/AD  
Date Received : 20.08.21  
Location : Roundabout At Broadhall Way And Valley Way Stevenage Herts  
Proposal : Erection of 4no. non-illuminated sponsorship signs on roundabout  
Date of Decision : 30.12.21  
Decision : **Advertisement Consent is REFUSED**  
  
The proposed sponsorship signs exceed the maximum height requirements of 700mm with the proposal being 1.2m in height. Furthermore, the sponsorship sign exceeds the minimum width clearance from the kerb of 0.5m. Therefore, the proposed sign is considered to be acceptable in terms of highway safety.
5. Application No : 21/00927/FPH  
Date Received : 22.08.21  
Location : 50 Buckthorn Avenue Stevenage Herts SG1 1TU  
Proposal : Two storey side extension and garage conversion to form annexe.  
Date of Decision : 26.01.22  
Decision : **Planning Permission is GRANTED**



6. Application No : 21/00962/AD  
Date Received : 01.09.21  
Location : Roundabout At Junction Of Clovelly Way And Rutherford Close Stevenage  
Proposal : Erection of 4no. non-illuminated sponsorship signs placed on Clovelly Way/Rutherford Close roundabout  
Date of Decision : 30.12.21  
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.
7. Application No : 21/00976/FP  
Date Received : 06.09.21  
Location : 10 Middle Row Stevenage Herts SG1 3AW  
Proposal : Installation of ventilation canopy and extraction system  
Date of Decision : 21.01.22  
Decision : **Planning Permission is GRANTED**
8. Application No : 21/00977/AD  
Date Received : 06.09.21  
Location : 10 Middle Row Stevenage Herts SG1 3AW  
Proposal : 1no. externally illuminated timber fascia sign  
Date of Decision : 21.01.22  
Decision : **Advertisement Consent is GRANTED**

9. Application No : 21/00986/AD  
Date Received : 07.09.21  
Location : Fairlands Way And Gresley Way Roundabout Stevenage Herts  
Proposal : Erection of 4no. non-illuminated sponsorship signs on Fairlands Way and Gresley Way roundabout, 4no. non-illuminated sponsorship signs on Martins Way and Birdwing Walk roundabout, 3no. non-illuminated sponsorship signs on Martins way and Gresley Way roundabout and 3no. non-illuminated sponsorship signs on Gresley Way and Glanville Crescent roundabout  
Date of Decision : 30.12.21  
Decision : **GRANT AND REFUSAL OF CONSENT**  
The Inscribed Circle Diameter (ICD) of the roundabout STE18 Fairlands Way and Gresley Way for the proposed signage is less than the 28 meter requirement. Therefore, the proposed sponsorship signage on this roundabout would be unacceptable in highway safety terms.
10. Application No : 21/01043/FPH  
Date Received : 22.09.21  
Location : 82 Mobbsbury Way Stevenage Herts SG2 0HX  
Proposal : Demolition of existing side garage and construction of single storey rear and side extension.  
Date of Decision : 19.01.22  
Decision : **Planning Permission is GRANTED**
11. Application No : 21/01076/FPH  
Date Received : 03.10.21  
Location : 109 Minehead Way Stevenage Herts SG1 2JH  
Proposal : Single storey rear extension, front lean to extension and partial garage conversion including raising of existing rear garage roof  
Date of Decision : 05.01.22  
Decision : **Planning Permission is GRANTED**

12. Application No : 21/01134/COND  
Date Received : 20.10.21  
Location : 63 Whitney Drive Stevenage Herts SG1 4BH  
Proposal : Discharge of condition 3 (Tree Protection), 4 (Tree Protection) and 5 (Construction details) attached to planning permission reference number 21/00734/FPH  
Date of Decision : 05.01.22  
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**
13. Application No : 21/01154/FPH  
Date Received : 25.10.21  
Location : 40 Knights Templars Green Stevenage Herts SG2 0JY  
Proposal : Construction of a rear dormer window and raising the ridge height  
Date of Decision : 21.01.22  
Decision : **Planning Permission is REFUSED**  
For the following reason(s);
14. 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**

15.      Application No :    21/01171/FP  
            Date Received :   30.10.21  
            Location :         53-67 Jessop Road Stevenage Herts SG1 5LQ  
            Proposal :         Replacement of dark brown boarding to parts of first floor  
                                     external walls with dark brown fibre cement boarding  
            Date of Decision :   29.12.21  
            Decision :         **Planning Permission is GRANTED**
16.      Application No :    21/01172/FP  
            Date Received :   30.10.21  
            Location :         107-121 Jessop Road Stevenage Herts SG1 5LH  
            Proposal :         Replacement of dark brown boarding to parts of first floor  
                                     external walls with dark brown fibre cement boarding  
            Date of Decision :   29.12.21  
            Decision :         **Planning Permission is GRANTED**
17.      Application No :    21/01173/FP  
            Date Received :   30.10.21  
            Location :         207-221 Jessop Road Stevenage Herts SG1 5LR  
            Proposal :         Replacement of dark brown boarding to parts of first floor  
                                     external walls with dark brown fibre cement boarding  
            Date of Decision :   29.12.21  
            Decision :         **Planning Permission is GRANTED**

18. Application No : 21/01184/TPTPO  
Date Received : 02.11.21  
Location : 18 Chancellors Road Stevenage Herts SG1 4AP  
Proposal : Reduction of crown, up to 25%, back to suitable growth points and the removal of Ivy to Hornbeam Tree (G2) protected by Tree Preservation Order 10 (Amended Description)  
Date of Decision : 26.01.22  
Decision : **CONSENT TO CARRY OUT WORKS TO A TREE, THE SUBJECT OF A TREE PRESERVATION ORDER**
19. Application No : 21/01190/FP  
Date Received : 04.11.21  
Location : 8 Park Place Town Centre Stevenage Herts  
Proposal : Change of use from existing retail shop (Class Ea) to hot food takeaway (Sui Generis)  
Date of Decision : 14.01.22  
Decision : **Planning Permission is GRANTED**
20. Application No : 21/01197/COND  
Date Received : 04.11.21  
Location : Site Office Marshgate Car Park St. Georges Way Stevenage  
Proposal : Discharge of condition 13 (External lighting) attached to planning permission 21/00627/FPM  
Date of Decision : 13.01.22  
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**

21.      Application No :    21/01198/FP  
             Date Received :    05.11.21  
             Location :            162 Grace Way Stevenage Herts SG1 5AG  
             Proposal :            Removal of existing vertical timber cladding and concrete hung  
                                         tile cladding to parts of first floor external walls and replacement  
                                         with new fire rated fibre cement weatherboarding  
             Date of Decision :    29.12.21  
             Decision :            **Planning Permission is GRANTED**
22.      Application No :    21/01201/FP  
             Date Received :    05.11.21  
             Location :            3A Stevenage Leisure Park Kings Way Stevenage Herts  
             Proposal :            Change of Use to Class E (d) (Indoor sport, recreation or fitness  
                                         (not involving motorised vehicles or firearms or use as a  
                                         swimming pool or skating rink)  
             Date of Decision :    07.01.22  
             Decision :            **Planning Permission is GRANTED**
23.      Application No :    21/01205/FP  
             Date Received :    05.11.21  
             Location :            192 - 200 Grace Way Stevenage Herts SG1 5AG  
             Proposal :            Removal of existing vertical timber cladding and concrete hung  
                                         tile cladding to parts of first floor external walls and replacement  
                                         with new fire rated fibre cement weatherboarding  
             Date of Decision :    17.01.22  
             Decision :            **Planning Permission is GRANTED**

24. Application No : 21/01206/FP  
Date Received : 06.11.21  
Location : 83 Penn Road Stevenage Herts SG1 1HT  
Proposal : Variation to condition 1 (approved plans) attached to planning permission reference number 18/00406/FP to add dormer windows  
Date of Decision : 13.01.22  
Decision : **Planning Permission is GRANTED**
25. Application No : 21/01207/CLPD  
Date Received : 06.11.21  
Location : 57 Chepstow Close Stevenage Herts SG1 5TT  
Proposal : Certificate of lawfulness for a single storey rear extension  
Date of Decision : 06.01.22  
Decision : **Certificate of Lawfulness is REFUSED**  
  
For the following reason(s);  
  
Under planning permission reference 2/0383/93, the permitted development rights were removed for all enlargements, improvement or other alterations as defined under Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 1988 (as amended). As such, the single storey rear extension will require planning permission.
26. Application No : 21/01209/FPH  
Date Received : 08.11.21  
Location : 103 Broad Oak Way Stevenage Herts SG2 8RB  
Proposal : Single storey rear extension and first floor side extension above existing Annex  
Date of Decision : 26.01.22  
Decision : **Planning Permission is GRANTED**

27. Application No : 21/01213/FPH  
Date Received : 09.11.21  
Location : 49 Webb Rise Stevenage Herts SG1 5QE  
Proposal : Demolition of existing outbuilding and single storey rear extension.  
Date of Decision : 18.01.22  
Decision : **Planning Permission is GRANTED**
28. Application No : 21/01214/FPH  
Date Received : 09.11.21  
Location : 9 Woodfield Road Stevenage Herts SG1 4BP  
Proposal : Erection of front garage extension and alterations to front boundary wall including new entrance gates  
Date of Decision : 07.01.22  
Decision : **Planning Permission is GRANTED**
29. Application No : 21/01215/FP  
Date Received : 09.11.21  
Location : 7 Medalls Path Stevenage Herts SG2 9DX  
Proposal : Change of use from amenity land to hardstanding for parking of 2 vehicles  
Date of Decision : 30.12.21  
Decision : **Planning Permission is GRANTED**
30. Application No : 21/01218/TPTPO  
Date Received : 10.11.21  
Location : 117 Chancellors Road Stevenage Herts SG1 4TZ  
Proposal : Reduce back limb by 40% to reduce over hanging over road  
Reduce by 20% and remove deadwood to 1No: Oak tree (T24) protected by TPO 22  
Date of Decision : 04.01.22  
Decision : **CONSENT TO CARRY OUT WORKS TO A TREE, THE SUBJECT OF A TREE PRESERVATION ORDER**



31. Application No : 21/01225/FPH  
Date Received : 12.11.21  
Location : 12 St. Davids Close Stevenage Herts SG1 4UZ  
Proposal : Single storey rear extension.  
Date of Decision : 20.01.22  
Decision : **Planning Permission is GRANTED**
32. Application No : 21/01227/FPH  
Date Received : 12.11.21  
Location : 20 Fellowes Way Stevenage Herts SG2 8BW  
Proposal : Single storey front extension  
Date of Decision : 31.12.21  
Decision : **Planning Permission is GRANTED**
33. Application No : 21/01244/FP  
Date Received : 17.11.21  
Location : 42 Sandown Road Stevenage Herts SG1 5SF  
Proposal : Erection of 1 no. 4 bed detached house  
Date of Decision : 14.01.22  
Decision : **Planning Permission is GRANTED**
34. Application No : 21/01245/TPCA  
Date Received : 17.11.21  
Location : 6 Julians Road Stevenage Herts SG1 3ES  
Proposal : Reduce by 2-3 metres in height and laterally to 1no: Ash tree (T1)  
Date of Decision : 23.12.21  
Decision : **CONSENT TO CARRY OUT WORKS TO A TREE IN A CONSERVATION AREA**

35. Application No : 21/01248/TPTPO  
Date Received : 18.11.21  
Location : 1 - 12 Tippet Court Stevenage Herts SG1 1XR  
Proposal : Crown reduce by 25% to 1No: Ash Tree (T32) and 1No: Norway Maple (T33) protected by TPO31 to allow more light into the property flats  
Date of Decision : 10.01.22  
Decision : **CONSENT TO CARRY OUT WORKS TO A TREE, THE SUBJECT OF A TREE PRESERVATION ORDER**
36. Application No : 21/01249/CLPD  
Date Received : 18.11.21  
Location : 14 Chells Way Stevenage Herts SG2 0LA  
Proposal : Certificate of Lawfulness for proposed single storey rear extension  
Date of Decision : 07.01.22  
Decision : **Certificate of Lawfulness is APPROVED**
37. Application No : 21/01255/HPA  
Date Received : 23.11.21  
Location : 28 Turpins Rise Stevenage Herts SG2 8QR  
Proposal : Single storey extension which will extend beyond the rear wall of the original house by 4.70m, for which the maximum height will be 3.94m and the height of the eaves will be 2.55m  
Date of Decision : 06.01.22  
Decision : **Prior Approval is NOT REQUIRED**
38. Application No : 21/01258/FPH  
Date Received : 24.11.21  
Location : 41 Boxfield Green Stevenage Herts SG2 7DR  
Proposal : Single storey front extension and two storey side extension  
Date of Decision : 13.01.22  
Decision : **Planning Permission is GRANTED**

39. Application No : 21/01260/FPH  
Date Received : 25.11.21  
Location : 38 Grove Road Stevenage Herts SG1 3NU  
Proposal : Single storey rear extension  
Date of Decision : 19.01.22  
Decision : **Planning Permission is GRANTED**
40. Application No : 21/01262/CLPD  
Date Received : 25.11.21  
Location : 4 Spencer Way Stevenage Hertfordshire SG2 8GD  
Proposal : Certificate of lawfulness for single storey side extension  
Date of Decision : 19.01.22  
Decision : **Certificate of Lawfulness is REFUSED**
- For the following reason(s);
- On the basis of the information submitted, following the demolition of the garage, the width of the proposed extension would be more than half the width of the original dwelling. Therefore the development would fail to accord with Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015, and therefore, requires planning permission.
- On the basis of the information submitted, the proposed extension would be extending beyond the principal elevation of the existing garage fronting a highway. Therefore the development would fail to accord with Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015, and therefore, requires planning permission.
41. Application No : 21/01263/FPH  
Date Received : 26.11.21  
Location : 2 Beech Drive Stevenage Herts SG2 9TA  
Proposal : Single Storey Front Extension  
Date of Decision : 06.01.22  
Decision : **Planning Permission is GRANTED**

42. Application No : 21/01268/FPH  
Date Received : 26.11.21  
Location : 56 Alleyns Road Stevenage Herts SG1 3PP  
Proposal : Part first-floor, part two-storey rear extension.  
Date of Decision : 17.01.22  
Decision : **Planning Permission is GRANTED**
43. Application No : 21/01278/COND  
Date Received : 29.11.21  
Location : Chells Way Service Station Chells Way Stevenage Herts  
Proposal : Discharge of condition 9 - construction management plan of planning permission 20/00558/OP  
Date of Decision : 10.01.22  
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**
44. Application No : 21/01280/CLPD  
Date Received : 30.11.21  
Location : 13 Manchester Close Stevenage Herts SG1 4TQ  
Proposal : Certificate of Lawfulness for proposed single storey rear extension  
Date of Decision : 24.01.22  
Decision : **Certificate of Lawfulness is APPROVED**
45. Application No : 21/01282/FPH  
Date Received : 30.11.21  
Location : 20 Headingley Close Stevenage Herts SG1 3RU  
Proposal : Single storey front extension, garage conversion and erection of a single storey rear extension, following demolition of rear conservatory  
Date of Decision : 18.01.22  
Decision : **Planning Permission is GRANTED**

46. Application No : 21/01285/FPH  
Date Received : 01.12.21  
Location : 8 West Reach Stevenage Herts SG2 9AS  
Proposal : Single storey rear extension  
Date of Decision : 25.01.22  
Decision : **Planning Permission is GRANTED**
47. Application No : 21/01289/CLPD  
Date Received : 03.12.21  
Location : 14 Barclay Crescent Stevenage Herts SG1 3NA  
Proposal : Certificate of Lawfulness for proposed Construction of dormer to facilitate loft conversion  
Date of Decision : 17.01.22  
Decision : **Certificate of Lawfulness is APPROVED**
48. Application No : 21/01294/FPH  
Date Received : 07.12.21  
Location : 234 Mildmay Road Stevenage Herts SG1 5SR  
Proposal : Two-storey front extension  
Date of Decision : 11.01.22  
Decision : **Planning Permission is GRANTED**
49. Application No : 21/01297/PADEMO  
Date Received : 07.12.21  
Location : Swingate House Danestrete Stevenage Herts  
Proposal : Prior approval for demolition of Swingate House  
Date of Decision : 30.12.21  
Decision : **Prior Approval is NOT REQUIRED**

50. Application No : 21/01298/CLPD  
Date Received : 07.12.21  
Location : 16 Woodfield Road Stevenage Herts SG1 4BP  
Proposal : Certificate of lawfulness (proposed) for the erection of an outbuilding  
Date of Decision : 31.12.21  
Decision : **Certificate of Lawfulness is APPROVED**
51. Application No : 21/01299/FPH  
Date Received : 08.12.21  
Location : 1 Brimstone Drive Stevenage Herts SG1 4FX  
Proposal : Part two storey, part single storey side extension, single storey front and rear extensions, partial garage conversion and outbuilding  
Date of Decision : 27.01.22  
Decision : **Planning Permission is GRANTED**
52. Application No : 21/01303/FPH  
Date Received : 08.12.21  
Location : 31 Lawrence Avenue Stevenage Herts SG1 3JX  
Proposal : Single storey rear extension  
Date of Decision : 27.01.22  
Decision : **Planning Permission is GRANTED**
53. Application No : 21/01304/TPCA  
Date Received : 09.12.21  
Location : 115 Chancellors Road Stevenage Herts SG1 4TZ  
Proposal : Removal of 1No: Cedar tree (T1) This tree is to be removed to ground level  
Date of Decision : 20.01.22  
Decision : **CONSENT TO CARRY OUT WORKS TO A TREE IN A CONSERVATION AREA**

54. Application No : 21/01307/FPH  
Date Received : 10.12.21  
Location : 49 Shephall View Stevenage Herts SG1 1RW  
Proposal : Single storey front extension and change of use from public amenity space to private residential land for a single storey side extension and hardstand to the front of the property for parking of one vehicle  
Date of Decision : 24.01.22  
Decision : **Planning Permission is GRANTED**
55. Application No : 21/01308/FP  
Date Received : 10.12.21  
Location : 260 - 268 Grace Way Stevenage Herts SG1 5AL  
Proposal : Removal of existing vertical timber cladding and concrete hung tile cladding to parts of first floor external walls and replacement with new fire rated fibre cement weatherboarding.  
Removal of existing uPVC communal entrance doors and windows and replacement with new aluminium entrance doors and curtain walling system.  
Removal of existing roof tiles and replacement with new flat concrete tiles to match existing colour.  
Date of Decision : 11.01.22  
Decision : **Planning Permission is GRANTED**
56. Application No : 21/01312/FP  
Date Received : 10.12.21  
Location : 284 - 286 Grace Way Stevenage Herts SG1 5AN  
Proposal : Removal of existing vertical timber cladding and concrete hung tile cladding to parts of first floor external walls and replacement with new fire rated fibre cement weatherboarding.  
Removal of existing uPVC communal entrance doors and windows and replacement with new aluminium entrance doors and curtain walling system.  
Removal of existing roof tiles and replacement with new flat concrete tiles to match existing colour.  
Date of Decision : 11.01.22  
Decision : **Planning Permission is GRANTED**

57. Application No : 21/01313/FPH  
Date Received : 11.12.21  
Location : 1 Keats Close Stevenage Herts SG2 0JD  
Proposal : Part double and part single storey side extension  
Date of Decision : 10.01.22  
Decision : **Planning Permission is GRANTED**
58. Application No : 21/01319/NMA  
Date Received : 14.12.21  
Location : 98 Telford Avenue Stevenage Herts SG2 0AJ  
Proposal : Non material amendment to planning permission reference number 21/00617/FPH to reduce length of extension and alter side fenestration  
Date of Decision : 10.01.22  
Decision : **Non Material Amendment AGREED**
59. Application No : 21/01320/FP  
Date Received : 14.12.21  
Location : 390- 398 Grace Way Stevenage Herts SG1 5AR  
Proposal : Removal of existing vertical timber cladding and concrete hung tile cladding to parts of first floor external walls and replacement with new fire rated fibre cement weatherboarding  
  
Removal of existing uPVC communal entrance doors and windows and replacement with new aluminium entrance doors and curtain walling system.  
  
Removal of existing roof tiles and replacement with new flat concrete tiles to match existing colour.  
Date of Decision : 11.01.22  
Decision : **Planning Permission is GRANTED**



60. Application No : 21/01331/FPH  
Date Received : 15.12.21  
Location : 206 Broadwater Crescent Stevenage Herts SG2 8ER  
Proposal : Single storey front extension  
Date of Decision : 21.01.22  
Decision : **Planning Permission is GRANTED**
61. Application No : 21/01332/FP  
Date Received : 15.12.21  
Location : Hampson Park Community Centre Pin Green Community Association Hampson Park Webb Rise  
Proposal : Proposed external canopy  
Date of Decision : 12.01.22  
Decision : **Planning Permission is GRANTED**

## **BACKGROUND PAPERS**

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

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**Meeting:** Planning and Development  
Committee

**Agenda Item:**

**Date:** Thursday 10 February 2022

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

Author – Linda Sparrow 01438 242837

Lead Officer – Zayd Al-Jawad 01438 242257

Contact Officer – James Chettleburgh 01438 242266

### **1. APPEALS RECEIVED**

- 1.1 21/00638/PATELE, Junction of Corton Close and Fishers Green Road. Appeal against refusal of prior approval for 1no. 18 metre Phase 8 Monopole with a wraparound cabinet and associated ancillary works

### **2. DECISIONS AWAITED**

- 2.1 20/00198/FPH, 55A Whitney Drive. Appeal against refusal of planning permission for a single storey front garage.
- 2.2 21/00308/FPH, 21 Augustus Gate. Appeal against refusal of planning permission for a part two storey, part single storey side and single storey front extensions.

### **3. DECISIONS RECEIVED**

- 3.1 21/00333/HPA, 2 Grace Way. Appeal against refusal of prior approval for the enlargement of the dwellinghouse by construction of an additional storey for which the maximum height will be 9.504m.
- 3.2 We were notified by the Planning Inspectorate on 7 January 2022 that this appeal has been withdrawn by the applicant. No details or reasons have been provided.

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