

STEVENAGE BOROUGH COUNCIL

**PLANNING AND DEVELOPMENT COMMITTEE  
MINUTES**

Date: Wednesday, 17 July 2024

Time: 6.30pm

Place: Council Chamber

**Present:** Councillors: Claire Parris (Chair), Nazmin Chowdhury (Vice-Chair), Rob Broom, Forhad Chowdhury, Kamal Choudhury, Peter Clark, Akin Elekolusi, Lynda Guy, Coleen Houlihan, Ellie Plater, Graham Snell, Carolina Veres and Anne Wells

**Start / End** Start Time: 6.30pm  
**Time:** End Time: 8.20pm

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

The Chair congratulated the Planning Team for winning the Royal Town Planning Institute award for the East of England.

Apologies were received by Councillor Julie-Ashley Wren.

Councillor Graham Snell declared an interest in Item 5 relating to The Oval as he was a member of the All-Saints Church in Green JCC – Joint Church Council. He confirmed that he had not been involved in any discussions.

Councillor Nazmin Choudhury also declared an interest in Item 5 that she previously worked at The Oval Pharmacy but had not been involved in any discussions surrounding the application.

**2 MINUTES - 23 MAY 2024**

It was **RESOLVED** that the minutes of the Planning and Development Committee held on 23<sup>rd</sup> May 2024 be approved as a correct record and signed by the Chair.

**3 INFORMATION REPORT - DELEGATED DECISIONS**

It was **RESOLVED** that the Information Report – Delegated Decisions be noted.

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

It was **RESOLVED** that the Information Report – Appeals/Called in Applications be noted.

The Head of Planning and Enforcement gave an update to the Committee on the Local Plan Partial Review (2024).

The Head of Planning and Development advised that one of the keys areas for change was creation of policies in relation to climate change. Also some of the policies include improvement of the town and the infrastructure, creating a stronger position in terms of architecture of the town and emphasising the garden city principles with the town and country association.

The key amendments outlined in the review of the 2019 Local Plan were summarised as follows:

Climate change policies would be placed at the top of the Council's Strategic Planning Policies. The Council was seeking the right balance of new low carbon homes and investment in retrofitting existing homes, alongside new jobs, infrastructure whilst protecting the towns green spaces and cultural assets, echoing the Town and Country Planning Association Garden City principles that the original new town was founded on.

- Deletion of Policy SP1: Presumption in favour of sustainable development and replaced with new Policy SP1: Climate change to reflect the changed priority for the Local Plan to address climate change issues and challenges.
- Amendment of Policy SP2: Sustainable development in Stevenage included an amendment to clause A. which added an additional requirement for developments to demonstrate the promotion or provision of local green jobs during its construction or operation.
- Amendment to Policy SP11: Climate Change, flooding, and pollution to consider flooding and pollution only and replaced with Policy SP11: Flooding and pollution.

New chapter of detailed Climate Change policies:

Policy CC1: Energy efficiency which would set CO<sup>2</sup> emissions targets and contributions to a Carbon Offset Fund where these could not be met on-site.

Policy CC2: Heating and cooling to prevent overheating and limit the use of energy-dependent cooling systems.

Policy CC3: Water efficiency to set water use targets for new development.

Policy CC4: Energy infrastructure to encourage new ultra-low and zero carbon energy infrastructure.

Policy CC5: Carbon sinks to protect existing carbon sinks and encourage net gains in carbon sequestration.

Policy CC6: Green roofs and walls to encourage new green roofs and green walls.

Policy CC7: Digital connectivity to encourage the installation of high-speed digital infrastructure.

Policy CC8: The green economy to support the principles of a circular economy and encourage the creation of local green jobs.

Deletion of Policy FP1: Climate Change and replacement with new Policy FP1: Sustainable drainage to reflect change in Plan structure and to ensure that: Major and minor developments utilise sustainable drainage systems (SuDS) wherever possible; Surface water run-off is not increased; Developments incorporate green, surface level features (e.g. ponds and swales) wherever possible; and Underground attenuation features and impervious surfaces are only used where unavoidable.

Deletion of Policy FP2: Flood risk in Flood Zone 1 and Policy FP3: Flood risk in Zones 2 and 3 and replacement with new comprehensive Policy FP2: Flood risk management to emphasise: the protection and re-naturalisation of watercourses; the protection and potential future enhancement of flood defences; and the presence of other potential sources of flooding e.g. surface water and ground water.

Revision of Policy NH5: Trees and woodlands to provide: a strong presumption against the loss of deterioration of trees and woodland, a new tree replacement standard to apply to all losses of individual trees regardless of their health, ranging from 1 to 21 trees for each tree felled, woodland replacement in accordance with statutory biodiversity net gain (BNG), long-term management of any replacement woodland; and financial contributions where tree or woodland replacement cannot be provided on-site.

New Policy NH5b: Tree lined streets to reflect national planning policy on new streets being tree lined with trees.

Amended Policy TC4: Station Gateway Major Opportunity Area which changes allocation from zero carbon / low carbon employment office space and public realm and to reflect the two rounds of public consultation held on the Area Action Plan.

New Policy HO14: Houses in multiple occupation to clarify that proposals for new Houses in Multiple Occupation (HMOs) must have regard to relevant SPDs e.g. the Parking Provision and Sustainable Transport SPD 2020.

Amended Policy HO5: Windfall sites which removes duplication of other policy requirements as set out in the Local Plan.

New Policy GD2: Design certification which has been introduced to reflect national planning policy changes on design.

Policies and supporting text revised throughout to reflect the amended

Use Classes Order.

An Officer reported a new glossary to define various terms for the purposes of the Plan.

Other minor changes included change of textual references to Use Classes Orders since 2020 and updated based on practice with application of planning policies in determining planning applications since 2019.

Members were advised that in accordance with paragraph 48 of the NPPF (2023) with regards to the determination of planning applications, it states: Local planning authorities may give weight to relevant policies in emerging plans according to: a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given); b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

The Officer advised that the Council as Local Planning Authority would need to consider the Stevenage Local Plan 2011-2031 Partial Review (2024) as it is now material in the determination of all planning applications. The Addendum report provided a detailed assessment of the proposal against the relevant policies summarised below.

Policy HO5: Windfall sites Planning permission for residential development on unallocated sites would be granted where: a. The site was on previously developed land or is an underused urban site; and b. Proposals would not prejudice the Council's ability to deliver residential development on allocated sites.

Policy HO6: Redevelopment of existing homes Planning permission for schemes resulting in the change of use or redevelopment of existing homes for non-residential purposes will be granted where: a. It would

provide a small-scale social, health, community or leisure facility or a small-scale extension to an existing business use in the same building; and b. A suitable, alternative non-residential site was not available for the proposed use.

Policy HO10: Sheltered and supported housing on large developments in excess of 200 units, an element of sheltered and / or supported accommodation within use classes C3 should be provided where practicable and consistent with the above criteria as part of the general housing mix requirements of Policy HO9. The new neighbourhoods to the north and west of Stevenage should additionally include an element of accommodation in use class C2 as part of a comprehensive offer. Schemes that would result in a net loss of sheltered or supported housing will not normally be permitted.

Policy HO11: Accessible and adaptable housing at least 10% of dwellings within major residential developments to which Part M of the Building Regulations applies should comply with optional standard M4(3)(b) for wheelchair user dwellings, with a further 40% complying with optional standard M4(2) for accessible and adaptable dwellings. Minor residential developments which meet these standards will be strongly supported.

Policy TC11: New convenience retail provision New Class E(a) convenience retail floorspace provision will be expected to follow the sequential test and the Borough's retail hierarchy.

Policy HC1: District, local and neighbourhood centres – making sure the policy aligns with the use class order for shops.

Policy CC2: Heating and cooling - development proposals should optimise solar gain to limit overheating and minimise demand for energy dependent cooling systems, through the application of the following cooling hierarchy: a. Reduce the amount of heat entering a building through orientation, shading, high albedo materials, fenestration, insulation and the provision of green infrastructure b. Minimise internal

heat generation through energy efficient design c. Manage the heat within the building through exposed internal thermal mass and high ceilings d. Provide passive ventilation e. Provide mechanical ventilation f. Provide active cooling systems Major development proposals must demonstrate how this will be achieved through an energy statement. Permission will be refused for proposals which rely on energy dependent cooling systems unless it is demonstrated that their use is essential.

Policy CC3: Water efficiency - development Proposals involving the creation of new dwellings must ensure that water consumption did not exceed 110 litres per person per day, including external water use.

Policy CC6: Green roofs and walls - development proposals should incorporate green roofs and green walls unless there were clear and convincing reasons for not doing so. Where appropriate, development proposals which incorporate biosolar roofs will be strongly supported.

Policy CC7: Digital connectivity - development proposals should ensure that sufficient ducting space for full fibre connectivity infrastructure is provided to all end users unless an affordable alternative 1Gb/s capable connection is made available.

Policy CC8: The green economy - development proposals which demonstrate consistency with the principles of a circular economy would be strongly supported.

Policy NH5a: Trees and Woodland - all development proposals which involve works to, or within the vicinity of, existing trees, or woodland must be accompanied by an arboricultural impact assessment (AIA) at the application stage.

Policy NH5b: Tree lined streets - development proposals involving the creation of new streets must ensure that those streets are tree-lined unless there are clear, justifiable, and compelling reasons why this would be inappropriate.

Policy IT4: Transport assessments and travel plans Planning permission would be granted where: development would not have an unacceptable impact upon highway safety; the development reflected the principles of the Stevenage Mobility Strategy; schemes exceeding the relevant thresholds are accompanied by a satisfactory Transport Statement or Assessment, which demonstrated that the residual cumulative impacts of development were not severe.

Policy SP11: Flooding and Pollution – The Council would work to minimise flood risk and all forms of pollution.

Policy FP1: Sustainable Drainage, all major and minor development proposals must incorporate sustainable drainage systems (SuDS) unless there are clear and convincing reasons for not doing so.

FP2: Flood Risk management - all development proposals must: ensure that flood risk is not increased, whether on-site or elsewhere;

A Councillor queried how the policies affect planning applications that had been previously granted by the committee. The Head of Planning and Environment stated that the Council could not apply the policies to applications that had been granted permission prior to there being regulations. If the decision had been issued the council could not apply the policies but if not, it could be reassessed by officers and the committee. It was queried if appeals would be affected by the new policies, the Officer stated the inspectors were aware of the changes.

## 5 **23/00954/FPM - THE OVAL, STEVENAGE**

The Committee considered a report in respect of application 23/00954/FPM seeking planning permission for the comprehensive redevelopment of land at The Oval comprising: an Outline Application for a mixed use of development on parcels A, B and D to include 250 dwellings, 1200sqm of mixed commercial(Class E), Parking and public realm improvements including a New Market Square, up to 2650sqm of retail (Class E) and 220sqm mixed use (Class E and Sui Generis) and parking on Parcel C, and a Full Application for the construction of 91 Dwellings and shared communal facilities for Independent Living (Parcel E), community building including place of worship and public realm (Parcel F). Planning permission was being sought



for a phased development which meant some buildings and areas were subject to detailed planning permission and other areas were only outlined with appearance, access, landscaping, layout and scale reserved for future consideration.

The Team Leader stated The Oval Neighbourhood Centre was located to the northeast of Stevenage and formed one of the six original neighbourhoods following the town's designation as the first 'New Town' in 1946. It embodied many of the bold and experimental design principles characteristics of town planning in the 1950s, 60s and 70s including segregated traffic and pedestrian movements using underpasses and changing land uses, dedicated cycle ways, pedestrianised shopping precincts and deck access housing.

It was explained that the Oval Neighbourhood Centre was formed of a L-Shaped shopping parade running east-west. It was a pedestrianised street with a range of units on the ground floor and residential properties accessed via gated steps and decks above, the main shopping area has a range of independent retailers and service providers in the units. The residential properties included 22 two storeys, 3-bedroom flats which was accessed via the gated 'decks', the oval centre (including the residential part) was served by two carparks, the main car park is accessed from Vardon Road and provided easy pedestrian access into the main shopping street. A second car park was accessed via Jessop Road located to the north of the site, this car park was not used as much and had limited connectivity with the main shopping area.

Furthermore, the Team Leader stated that a large community centre was located to the east of the site, the building was constructed across several levels and housed the main community hall together with All Saints Church and the St Nicolas and St Martins family centre. The Times Club (including the Hillites Bar) was located on the southern part of the site. To the north of the community building was a children's play area which included a rectangular area of green space used informally for ball games and children's play. An enclosed community garden was located to the east which bound by hedgerows and trees and the Jehovah's Witness Hall to the south which was not within the application. The Parameter plan was shown within the report to explain the maximum development area and building heights of the buildings subject to outline approval and together with the submitted design code, explained the design framework for the proposed neighbourhood centre. The

Design Code would be subject to planning condition as part of any outline planning permission to ensure the overall design vision was consistently applied across both the detailed and outline phases in accordance with the masterplan.

The Proposed Development was allocated as a housing site within the Local Plan for around 275 new homes. It was also allocated as a Local Centre where policy allows development where the proposal is in keeping with the size and role of the centre would continue to provide a range of uses such as retail, light industrial, health, social, community, leisure and cultural uses. The oval was built to a bold design, but it has aged poorly and has had a negative perception amongst residents with a reputation for anti-social behaviour. A comprehensive regeneration programme has been part of the Council's agenda for over a decade but as the many of the buildings have reached the end of their lives planning permission was being sought for a complete redevelopment of the site.

It was explained the site had been divided into 6 parcels. The application for Detailed Planning Permission included:

- Parcel E would be redeveloped to provide 91 independent living apartments, a communal lounge, courtyard garden and parking within a building ranging between one and five storeys in height. Parcel E sits outside of the main Oval Neighbourhood Centre and could be redeveloped independently as the rest of the site using the existing access
- Parcel F (to the north) included the main community building incorporating a place of worship and surrounding amenity green space including the redesigned 'community' garden.

The application for outline permission included:

- Parcel C - up to 2,870m<sup>2</sup> of retail including a supermarket.
- Parcel B and D - up to 250 flats (1 and 2 bed), mixed use commercial, landscaping including the new play street and parking
- Parcel A – up to 8 x 4 bed family homes together with parking and private gardens

The Team Leader stated the redevelopment of the neighbourhood centre would take place over several years with the final project currently anticipated at being completed in late 2030, to ensure that existing residents and businesses could continue to operate, a detailed phasing strategy had been developed.

Phase 1 – involved the redevelopment of Hobbs Court (Parcel E) and the construction of the new community centre (Parcel F)

Phase 2 – involved the development of Parcel C which was occupied by the current community centre building (together with Times Club and Family Centre). These would be redeveloped as an anchor store by a supermarket, together with some smaller units that would enable relocation of the existing shops ahead of their demolition.

Phase 3 – would include Parcels A, B and D which included most of the residential units on the site together with some smaller commercial units on the ground floor to provide an active frontage to the new Market Square. Demolition of the existing centre would take place to enable this phase.

**Parcel E** - The proposal for Parcel E had been submitted in detail and involves residential development of 91 one- and two-bedroom flats designated for Retirement Living with communal facilities, associated parking and landscaping. Arranged across two buildings and ranging in height from one to five storeys around a secure courtyard, this included:

- 60 one-bedroom flats.
- 31 two-bedroom flats.
- Entrance foyer, office, staff facilities and storage.
- Flexible lounge, dining, and kitchenette.
- Hairdressing salon.
- Treatment, therapy, and hobby rooms
- Cycle and mobility scooter store with space for 20 bikes and 20/25 scooters
- 38 car parking spaces including 3 accessible parking spaces and 1 car club space.

The proposal included two buildings, which together would form a perimeter block around the site that faces outwards addressing the street with animated and active frontages. The buildings have been designed to respect the adjoining properties to the west and north, to ensure overshadowing or overlooking were avoided or mitigated. It was explained on the western boundary, the site is lower than the neighbouring properties so the building would be three storeys with a flat roof to reduce the overall height.

**Parcel F** – the proposal for parcel F was for a community church. All Saints Church, located at ground floor would include a place of worship with a capacity of 200 people. The community centre, which would share the main entrance with the church, would be arranged over three floors. There would be 53 car parking spaces located on the approach road with an additional 49 parking spaces. There would also be ten cycle spaces immediately outside the entrances and a further 14 adjacent to the play area. Additional cycle parking would also be available throughout the market square. It was explained Parcel F would provide two play areas with social space to the north and west of the Community Centre and a community garden to the east

of the building. The play area to the west of the building would be designed for younger children with adventure play features and the play area to the north of the building is designed for older children as well as providing social space for the Community Centre and the public. The redesigned Community Garden would remain in its current location.

**Parcel C** – the proposal for Parcel C was for a retail development including small retail units, a supermarket and an under-croft car park. The concept layout and scale would be arranged over three-storeys. The arrangement of the building would utilise the slope of the site to provide ground level access to all retail units to all retail units at upper ground floor level from the Market Square to the west and access to the lower ground floor car park, loading bay and lower ground supermarket entrance for the eastern access road. The smaller retail units would be located level with the market square and would be capable of being subdivided.

**Parcels A, B and D** – the proposal for Parcels A, B and D is the central location and largest assembly of land was identified for most of the proposed residential dwellings and small retail units. The proposal for land Parcel A is for townhouses with associated gardens and parking, for land parcels B and D the proposal was for a mixed-use development with flats at upper levels and retail space at ground floor. The planning application seeks outline permission for an upper limit of 250 residential units and 1200 squared commercial units. Indicative proposals are shown based on 236 residential units, which included:

- Parcel A: 8no 4-bedroom townhouses.
- Parcel B: 45no 1-bedroom, 69no 2-bedroom, 8no 3-bedroom flats (total 122 dwellings).
- Parcel D: 41no 1-bedroom, 62no 2-bedroom, 3no 3-bedroom flats (total 102 dwellings).
- Furthermore, there is indicative 1052 squared commercial space and 263 car parking spaces.
- Terrace of up to 8no three storey, four-bedroom townhouses were proposed within New Street complete with front and rear gardens, integral garages, and off-street parking as Parcel A.
- Parcels B and D would form two perimeter blocks joined together by a single lower ground floor car park.

Parcel B and D would form the change in level from west to east, a lower ground floor would be cut into the ground accommodating car parking beneath a podium courtyard whilst retail spaces would face east onto the proposed Market Square. At upper ground level the residential buildings would be arranged around two podium courtyard gardens forming two perimeter blocks. The two perimeter blocks would be separated by the

publicly accessible new 'Play Street'.

- The concept design acknowledged the proximity and relationships with adjacent properties and the need to respect overlooking distance and avoid overshadowing. Parcel A would be limited to three storeys with buildings set away from the northern boundary. Parcels B and D would range in height from 2-5 storeys above lower ground level. Buildings facing onto Jessop Road would be 4 storeys in height, whilst buildings to the Market Square would be storey taller above lower ground level.

The Team Leader stated the tree strategy given their age and maturity, many of the trees on and around the site would be retained and protected. However, to facilitate the development on Parcels E and F, and then in later phases where site levels are being altered there would be the loss of around 42 trees. The landscaping proposals indicated that over 258 trees were proposed across the site to help mitigate and offset the loss; which represented a replacement ratio of over 6:1.

Furthermore, several different facilities had been incorporated into the design of the site to accommodate and encourage active travel for all cyclists and pedestrians which would include:

- 2.0m footways alongside highways within the site.
- New crossing facilities at junctions.
- A new 3.0m footway/cycle link along Vardon Road along the site frontage extending from Vardon Road/Jessop Road junction to the Vardon road/Jessop Road/New Street junction to the north.
- A new 3m foot/cycleway along the eastern side of Jessop Road, extending from the Jessop Road/Vardon Road junction to the south, to the Jessop Road/New Street junction to the north.
- Semi-pedestrianised market square located within the development.
- Traffic calming measures to reduce vehicle speeds.
- A new raised table crossing facility along Jessop Road and a new zebra crossing on Vardon Road to encourage safe pedestrian access.
- Existing surface car parks which currently provided 160 vehicle and 20 cycle spaces for shoppers and visitors to the centre would be redeveloped as part of the scheme. Replacement parking was proposed which would

exceed the current car parking space: 260 car parking spaces and 524 cycle spaces.

The Applicant had also stated in the report that they would be contributing £150,000 towards the enhancement of existing bus routes serving The Oval Centre, £25,000 towards the provision of Real Time Information at the Vardon Road bus stops and £67,250 towards Bus Vouchers for the new residents.

In Conclusion it was explained the Local Plan was adopted by the Council in 2019 as of May 2024, the plan was 5 years old and therefore was out of date. This meant that the policies contained in the Local Plan had limited weight with greater weight applied to the policies in NPPF. In addition, the Council was currently subject to the most severe penalty under paragraph 11(d) of the NPPF due to it's under delivery of housing, notwithstanding it could have demonstrated a 5 year housing land supply. As this policy was now engaged, it meant the Local Plan housing policies would also be classed as out of date for this reason. The Team Leader stated the Council must apply the presumption in favour of sustainable development in its decision making and towards the need to deliver housing.

Councillors main concern were the residents currently living in the maisonettes and the likelihood of the current traders being able to trade or transferred elsewhere on the site. The Officer stated that in relation to the existing residents, over the last 8 years the housing had been acquired and the council was now in complete ownership. Residents who had moved in recently had moved in on an temporary licenses/tenancy and had fully acknowledged that they would be asked to move at a later date, provided with suitable alternatives and those that had secured tenancy would be moved onto the housing list to move to an area of their choice. The conversation with Shopkeepers had concluded that they all wanted better surroundings. The Committee questioned whether there are enough properties for rehousing of the residents. officers confirmed that there would be enough properties for rehousing of the residents at the oval.

Affordable housing was also a concern for members, it was queried whether current residents would be able to move back into their homes once the development had completed on a higher rent. It was explained that only a small number of residents would have an entitlement to move

back as part of their relocation, no assumption on rent levels but the ambition was to deliver more affordable housing. The timescale was queried by Members. Officers advised that the ambition was to start Phase 1 by early 2025, the demolition had already occurred and by 2030 the development would have commenced. Car parking was a concern for the committee and it was queried whether the parking management would be sourced in house or externally and if residents would not need to pay for parking. The Officer explained that the decision had not been made yet on the parking management and the idea was to not apply parking charges.

It was **RESOLVED** that the planning permission was GRANTED subject to the applicant having first entered a S106 Legal Agreement to secure/provide contributions towards:

1. Section 278 Agreement of the Highways Act 1980 (covering access works to Parcels E and F and future phases, bus stop works, reconfiguration of bus pick up/set-down area, remedial works to infill subway/facilitate at grade walkways, pedestrian and cyclist links into the site from adjoining local highway network and all other public realm works on highway land adopted by HCC as Highway Authority)
  - Section 38 Agreement of the Highways Act 1980 for new roads and areas to be adopted as public highway.
  - Street Development Agreement for internal roads/public realm not to be adopted including financial contribution towards Traffic Regulation Orders if required.
  - £6000 Travel Plan evaluation and support fee
  - £150,000 towards the enhancement of existing bus routes serving The Oval Centre (Hertfordshire County Council)
  - £25,000 towards the provision of Real Time Information at The Oval Centre bus stops (Hertfordshire County Council)
  - £67,250 towards Bus Vouchers (Hertfordshire County Council)
  - £TBC towards Indoor and Outdoor Sport (subject to confirmation from Sport England)
  - Management Company to manage areas of un-adopted public realm.

- Management and maintenance of publicly accessible and private open space
  - Clawback mechanism / overage clause in relation to provision of onsite affordable housing
  - Local Employment and Apprenticeships • Section 106 Agreement monitoring fee.
2. The detail of which would be delegated to the Assistant Director of Planning and Regulation in liaison with the Council's appointed solicitor, as well as the imposition of suitable safeguarding conditions.
  3. Authority would be 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 area as follows:

### **1. Approved Parameter Plan**

The submission of reserved matters within any development phase shall be in accordance with the following approved parameter plan unless otherwise agreed in writing by the Local Planning Authority: OVL-RTA-ZZ-ZZ-DR-A-0157 PL02

### **2. Approved Plans for Parcels E and F**

The development hereby permitted for parcels E and F shall be carried out in accordance with the following unless otherwise agreed in writing by the Local Planning Authority: OVL-RTA-ZZ-ZZ-DR-A-0001 PL03; OVL-RTA-ZZ-ZZ-DR-A-0003; OVL-RTA-ZZ-ZZ-DR-A0004 PL01; OVL-RTA-ZZ-ZZ-DR-A-0005 PL01; OVL-RTA-ZZ-ZZ-DR-A-0010 PL04; OVLRTA-ZZ-ZZ-DR-A-0016 PL03; OVL-RTA-ZZ-ZZ-DR-A-0017 PL03; OVL-RTA-ZZ-ZZ-DR-A0019 PL02; OVL-RTA-E-00-DR-A-0240 PL03; OVL-RTA-E-01-DR-A-0241 PL03; OVL-RTAE-02-DR-A-0242 PL03; OVL-RTA-E-03-DR-A-0243



PL03; OVL-RTA-E-04-DR-A-0244 PL03; OVL-RTA-E-RF-DR-A-0245 PL03; OVL-RTA-E-ZZ-DR-A-0340 PL03; OVL-RTA-EZZ-DR-A-0341 PL03; OVL-RTA-E-ZZ-DR-A-0440 PL03; OVL-RTA-E-ZZ-DR-A-0441 PL03; OVL-RTA-E-ZZ-DR-A-0442 PL03; OVL-RTA-E-ZZ-DR-A-0443 PL03; OVL-RTA-E-ZZ-DR-A0444 PL03; OVL-RTA-E-ZZ-DR-A-0445 PL03; OVL-RTA-E-ZZ-DR-A-0540 PL03; OVL-RTAF-00-DR-A-0250 PL03; OVL-RTA-F-ZZ-DR-A-0251 PL03; OVL-RTA-F-ZZ-DR-A-0350 PL03; OVL-RTA-F-ZZ-DR-A-0351 PL03; OVL-RTA-F-ZZ-DR-A-0450 PL03; OVL-RTA-F-ZZDR-A-0451 PL03; OVL-RTA-F-ZZ-DR-A-0550 PL03; OVL-RTA-ZZ-ZZ-DR-A-0155 PL02; OVL-RTA-ZZ-ZZ-DR-A-0156 PL02; D3246-FAB-ZZ-XX-DR-L-1002 P01; D3246-FAB-ZZXX-DR-L-1003 P02; ST3202-702-D; ST-3202-300-C; L002

Any request for an amendment to an approved plan(s) shall be accompanied by a report confirming that there are no new or different significant environmental impacts to those already assessed or by an appropriate report (or reports) which assesses any new or different significant environmental impacts.

### **3. Three Year Time Limit**

The parts of the development for which full planning permission has been granted (as per approved detailed site layout plans ref. OVL-RTP-ZZ-ZZ-DR-A-0155 PL02 and OVL-RTAZZ-ZZ-DR-A-0156 PL02 and the landscaping parameters in D3246-FAB-ZZ-XX-DR-L-1002 P01 and D3246-FAB-ZZ-XX-DR-L-1003 P02 shall be begun within a period of three years of the date of this planning permission.

### **4. Phasing Plan**

Accompanying the submission of reserved matters pursuant to this permission, the applicant shall submit a Plan showing the extent of the development phase to which that reserved matter submission relates, within the Outline Area shown on approved parameter plan ref. OVL-RTA-ZZ-ZZ-DR-A-0157 PL02 to the Local Planning Authority.

### **5. Details of Reserved Matters – Outline**

For the individual development phases for which outline permission is

granted as agreed pursuant to Condition 4 of this permission, no development on each development phase (excluding site clearance, demolition, enabling works, earthworks, investigations for assessing ground conditions, remedial works in respect of any contamination or other adverse ground conditions, diversion and laying of services within the boundary of the relevant phase and which are not connected to the wider services network, erection of any temporary means of enclosure and the temporary display of site notices or advertisements) shall commence until detailed plans for the relevant phase have been submitted to and approved in writing by the Local Planning Authority. These plans shall, as applicable, show the layout (including car parking provision, access and servicing arrangements, and waste management), scale (including existing and proposed levels), design, layout and external appearance of the buildings to be constructed and the landscaping to be implemented (hereinafter referred to as "the Reserved Matters") on that phase. The development of the relevant development phase shall only be carried out as approved.

## **6. Time Limit for Reserved Matters – Outline**

All applications for the approval of the Reserved Matters for a development phase agreed pursuant to Condition 4 of this permission shall be made to the Local Planning Authority not later than seven years from the date of this outline permission. The commencement of a development phase shall be begun not later than the expiration of three years from the date of the last reserved matter of that phase to be approved.

## **7. Construction hours of working**

No demolition, construction or maintenance activities audible at the boundary of the relevant phase and no deliveries of construction and demolition materials shall be undertaken outside the hours 07:30 hours to 18:00 hours Mondays to Fridays, 08:30 hours to 13:00 hours on Saturdays and not on a Sunday or Bank Holiday, unless otherwise agreed in writing with the Local Planning Authority.

## **8. Construction Traffic Management Plan**

Prior to the commencement of the development for which full planning permission is granted (Parcels E and F) a Construction Traffic Management Plan shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan.

Prior to the commencement of any development phase agreed pursuant to Condition 4 of this permission, a Construction Traffic Management Plan (CTMP) for that phase shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the construction of any development phase shall only be carried out in accordance with the approved CTMP for that phase unless otherwise agreed in writing by the Local Planning Authority.

The Construction Traffic Management Plan shall include details of:

- a) Phasing of the development of the site, including all highway works.
- b) Construction vehicle numbers, type, routing.
- c) Fencing, hoarding and scaffolding provision; d) Traffic and pedestrian management requirements.
- e) Construction storage compounds (including areas designated for car parking);
- f) On site welfare facilities.
- g) Siting and details of wheel washing facilities.
- h) Cleaning of site entrances, site tracks and the adjacent public highway.
- i) Timing of construction activities to avoid school pick up/drop off times; and j) Provision of sufficient on-site parking prior to commencement of construction activities

## **9. Site Waste Management Plan – Parcels E and F**

No development shall commence on Parcels E and F until a Site Waste Management Plan (SWMP) has been submitted to the Local Planning Authority and approved in consultation with the Waste Planning Authority. The SWMP should aim to reduce the amount of waste produced on site and should contain information including estimated types and quantities of

waste to arise from construction and waste management actions for each waste type. The development shall be carried out in accordance with the approved SWMP.

#### **10. Site Waste Management Plan – Outline**

No development shall commence on any individual development phase as agreed pursuant to Condition 4 of this permission until a Site Waste Management Plan (SWMP) has been submitted to the Local Planning Authority and approved in consultation with the Waste Planning Authority. The SWMP should aim to reduce the amount of waste produced on site and should contain information including estimated types and quantities of waste to arise from construction and waste management actions for each waste type. The development shall be carried out in accordance with the approved SWMP.

#### **11. New Access – Parcel E**

Prior to the first occupation of the development hereby permitted, the vehicular access shall be provided and thereafter retained at the position shown on the approved plan, drawing number ST3202-702-D Vardon Rd - Independent Living Access. 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.

#### **12. New Access – Parcel F (Interim Arrangement)**

Prior to the first use of the development hereby permitted, the vehicular access(es) shall be provided and thereafter retained at the position(s) shown on the approved plan(s) drawing number ST-3202-300-C Indicative Phasing Plan – Access, Phase 1. 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. Visibility Splays**

Prior to the first occupation or use of the development (for each attendant phase) hereby permitted, a visibility splay measuring 2.4 x 43 metres shall be provided to each side of the access(es) where it meets the highway (on Jessop Road and Vardon Road), and such splays shall thereafter be always maintained free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway.

#### **14. Provision of Parking and Servicing Areas**

Prior to the first occupation or use of the development hereby permitted, the proposed access, onsite car and cycle parking, servicing / loading, unloading / turning / waiting area(s) shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan(s) drawing number OVL-RTA-ZZ-ZZ-DR-A-0155 Rev PL02 Proposed Site Plan (Parcel E) and OVL-RTA-ZZ-ZZ-DR-A-0156 Rev PL02 Proposed Site Plan (Parcel F) and retained thereafter available for that specific use.

#### **15. Travel Plan(s)**

In conjunction with the Framework Travel Plan, draft or Full Travel Plans for each development phase (to include the residential, retirement living and commercial elements) shall be submitted to the Local Planning Authority. The plans shall make provision for relevant surveys, review and monitoring mechanisms, targets, further mitigation, timescales, phasing programme and on-site management responsibilities. It shall be implemented and subject to regular review in accordance with the above approved details. (The agreed travel plans are to be appended to the S106 agreement). Prior to first occupation/use, an updated site wide Framework Travel Plan (upon completion of the full Masterplan) and Travel Plans for each use (by Parcel) shall be submitted to and agreed in writing by the Local Planning Authority, in consultation with the Highway Authority.

#### **16. Cycle Parking**

Prior to the first occupation and/or use of the development hereby

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

### **17. Phase 2a – Parcel F Access – Outline**

Prior to the first use of the development hereby permitted, the vehicular access(es) shall be provided and thereafter retained at the position(s) shown on the approved plan(s) drawing number ST3202-705-G Vardon Road - New Street Access and drawing number ST-3202- 301 Indicative Phasing Plan – Access, Phase 2a. 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.

### **18. Phase 2b – Access – Outline**

Prior to the first use of Phase 2b of the development hereby permitted, the vehicular access(es) and internal circulation routes shall be provided and thereafter retained at the position(s) shown on the approved plan(s) drawing number ST-3202-302 Indicative Phasing Plan – Access Phase 2b. 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.

### **19. Phase 3 – Outline**

No more than 122 residential units shall be occupied within parcels A and B until the vehicular access(es) are provided and thereafter retained at the position(s) shown on the approved plan(s) drawing numbers ST-3202-303 Indicative Phasing Plan - Access and Bus Stops, Phase 3 and ST3202-703-F Jessop Rd/New Street Access. 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.

## **20. Bus Stops – Outline**

Prior to commencement of Phase 2a, a scheme for the relocation of the bus stop pair named “The Oval Centre” shall be submitted to and approved in writing by the Local Planning Authority. The bus stops shall thereafter be moved in accordance with the approved plan and attendant supporting infrastructure prior to commencement of any construction activity on Phase 2a.

## **21. Car Parking Management Plan (Phases 2a/b and 3) – Outline**

Prior to first occupation/use of the development, the Car Parking Management Plan relating to public car parking shall be updated and submitted to and approved in writing by the Local Planning Authority. It shall include the following:

i. Details of car parking allocation and distribution (according to phase of development); 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. A scheme for the provision and parking of cycles; v. Provision for Electric Vehicle charging points (which will serve as dual charging points with the capacity); vi. 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 vii. 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. Pursuant to the above, prior to the commencement of any development phase, 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.

## **22. Existing Access – Closure (Phase 3) – Outline**

No more than 122 residential units shall be occupied within parcels A and B until the vehicular and pedestrian (and cyclist) access to and egress from the adjoining highway is limited to the access(es) shown on drawing number OVL-RTA-ZZ-ZZ-DR-A-0150 PL04 only. Any other access(es) or egresses shall be permanently closed, and the footway and highway verge shall be reinstated in accordance with a detailed scheme to be agreed with the Local Planning Authority, concurrently with the bringing into use of the new access.

### **23. Public Highway – Outline**

The proposed new highway boundary(ies) or areas of public highway/realm under control of Stevenage Borough Council as illustrated on drawing number ST3202-720-B Proposed Highway Adoption Strategy (which are proposed for adoption), shall be marked out on site prior to commencement of construction of any part of the development fronting the highway.

### **24. Stopping Up (Removal) of Highway Rights – Outline**

No development shall commence on phase 3 until such time as Stopping Up Order(s) to remove all highway rights over the land as illustrated on drawing number ST3202-720-B are successfully obtained.

### **25. Highway Improvements (Phase 3) – Offsite (Design Approval) – Outline**

Prior to commencement of Phase 3 of the development, no on-site works above slab level shall commence until a detailed scheme for the offsite highway improvement works as indicated on drawing numbers ST3202-713-F Site Access Strategy, ST3202-719-A Off-Site Highway Improvements Plan and ST3202-806-D Cycle Strategy have been submitted to and approved in writing by the Local Planning Authority.

### **26. Highway Improvements (Phase 3) – Offsite (Implementation /**



## **Construction) – Outline**

Prior to the first use of the development hereby permitted the offsite highway improvement works referred to in condition 25 shall be completed in accordance with the approved details.

### **27. Highways Structures – Outline**

No development shall commence until the developer shall has complied fully with the requirements of the current version of National Highways DMRB Standard CG 300: Technical Approval for Highway Structures. The Approval in Principle and Design and Check Certification, accompanied by full structural details, shall be submitted 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.

### **28. Detailed Highways Plans – Outline**

Prior to the commencement of development within any development phase as agreed pursuant to Condition 4 of this permission, full details in relation to the design of estate roads (in the form of scaled plans and / or written specifications) for each phase shall be submitted to and approved in writing by the Local Planning Authority to detail the following: a) Roads; b) Footways c) Cycleways; d) External public lighting; e) Minor artefacts, structures and functional services; f) Foul and surface water drainage; g) Visibility splays; h) Access arrangements including temporary construction access i) Hard surfacing materials; j) Parking areas for vehicles and cycles; k) Loading areas; and l) Turning and circulation areas. The development shall be implemented in accordance with those approved plans.

### **29. Maintenance of Streets – Outline**

Prior to the occupation of the dwellings within any development phase as agreed pursuant to Condition 4 of this permission, full details shall be

submitted to and approved in writing by the Local Planning Authority in relation to the proposed arrangements for future management and maintenance of the proposed streets within that phase. Following the provision of such streets, the streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement is 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.

### **30. Off-Site Walking and Cycling Routes – Phase 3 – Outline**

Prior to the commencement of development within phase 3 and pursuant to Condition 4 of this permission, a scheme of off-site pedestrian and cycle improvements, as shown on approved in principle drawing numbers ST3202-707 (Jessop Road North Cycle Strategy) and ST3202-719-A (Off-Site Highway Improvements Plan) shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.

### **31. External materials – Parcels E and F**

The development to which this permission relates shall be carried out in accordance with the external materials specified within drawings OVL-RTA-E-ZZ-DR-A-0440 PL03; OVLRTA-E-ZZ-DR-A-0441 PL03; OVL-RTA-E-ZZ-DR-A-0442 PL03; OVL-RTA-E-ZZ-DR-A-0443 PL03; OVL-RTA-E-ZZ-DR-A-0444 PL03; OVL-RTA-E-ZZ-DR-A-0445 PL03; OVL-RTA-EZZ-DR-A-0540; OVL-RTA-F-ZZ-DR-A-0450 PL03; OVL-RTA-F-ZZ-DR-A-0451 PL03; OVLRTA-F-ZZ-DR-A-0550 PL03 as approved or any alternatives to be submitted to and approved by the Local Planning Authority.

### **32. Masterplan Design Code**

For each development phase for which outline permission is granted as agreed pursuant to Condition 4 of this permission, the submission of reserved matters relating to the design and external appearance of the building(s) shall be in accordance with the approved Masterplan Design Code dated November 2023 or an alternative Design Code submitted to

and approved by the Local Planning Authority.

### **33. Landscape Design Code**

For each individual development phase for which outline permission is granted as agreed pursuant to Condition 4 of this permission, the submission of reserved matters in relation to the landscaping strategy shall be in accordance with the approved Landscape Design and Access Statement D3246-FAB-XX-XX-RP-L-9000 Revision P03 and Planting Schedule D3246-FAB-XX-XX-RP-L-0300 Revision P01 or an alternative submitted to and approved by the Local Planning Authority.

### **34. Tree Strategy**

For each individual development phase for which outline permission is granted as agreed pursuant to Condition 4 of this permission, the submission of reserved matters in relation to tree planting shall be in accordance with the approved Tree Strategy within the Landscape Design and Access Statement revision P03 by Fabrik and Tree Protection Plan ref. L002 or an alternative Strategy submitted to and approved by the Local Planning Authority.

### **35. Landscaping – Parcels E and F**

All hard and soft landscaping shall be carried out in accordance with the approved details as set out in detailed landscape general arrangement plans ref: D3246-FAB-ZZ-XX-DR-L-1002 P01 and D3246-FAB-ZZ-XX-DR-L-1003 P02 to a reasonable standard in accordance with the relevant British Standards or other recognised Codes of Good Practice.

### **36. Local Equipped Areas of Play – Parcel F**

Before any works commence on the Local Equipped Areas of Play within Parcel F, details of the Local Equipped Areas of Play shall be submitted to and approved by the Local Planning Authority. The approved landscaping

and play equipment shall be fully installed prior to first use and retained thereafter.

37. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the completion of Parcels E and F.

38. All hard surfacing comprised in the approved details of landscaping shall be carried out within 6 months of the completion of Parcels E and F, or, prior to first occupation of in relation to each building(s) within Parcels E and F hereby permitted, whichever is the earliest.

39. 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.

40. No tree shown on the 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.

41. Before any development commences, including any site clearance or demolition works, any trees on the site to be retained shall be protected by fencing or other means of enclosure. Such protection shall be maintained until the conclusion of all sites and building operations.

42. Within the areas to be fenced off in accordance with condition 40; 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.

**43. Hedge/shrub clearance outside bird nesting period**

All areas of hedges, scrub or similar vegetation where birds may nest which are to be removed as part of the development of a phase, are to be

cleared outside the bird-nesting season (March - August inclusive) or if clearance during the bird-nesting season cannot reasonably be avoided, a suitably qualified ecologist will check the areas to be removed within the relevant phase immediately prior to clearance and advise whether nesting birds are present. If active nests are recorded within the relevant phase, no vegetation clearance or other works that may disturb active nests shall proceed within that phase until all young have fledged the nest.

#### **44. Swift Bricks – Parcels E and F**

No development shall take place in respect of Parcels E and F until written details are submitted to and approved by the Local Planning Authority of the model and location of 20 integrated Swift bricks, to be fully installed prior to occupation and retained thereafter.

#### **45. Swift Bricks – Outline**

No development shall take place within any development phase as approved pursuant to condition 4 of this permission, until written details are submitted to and approved by the Local Planning Authority of the model and location of 60 integrated Swift bricks, to be fully installed prior to occupation and retained thereafter.

#### **46. Supermarket (Parcel C)**

The total net floorspace of the supermarket within parcel C shall be restricted to a maximum of 1,372m<sup>2</sup> (of which 1,098m<sup>2</sup> is convenience goods floorspace and 274m<sup>2</sup> is comparison goods floorspace).

#### **47. Contamination**

If during a particular phase of development contamination that has not been previously identified is found, 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 submitted to and approved in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report must be submitted to and approved in writing by the Local Planning Authority.

#### **48. Climate Change Mitigation – Parcels E and F**

The measures to address adaptation to climate change as set out within the Sustainability Statement and BREEAM Pre-assessment for Parcel F ref. 11931-WCL-ZZ-ZZ-RP-Y-0-002, Energy Strategy for Parcel F ref. 11931-WCL-FZ-ZZ-RP-Y-0001, Sustainability Statement for Parcel E ref. 11931-WCL-ZZ-ZZ-RP-Y-1-002 and Energy Strategy for Parcel E ref. 11931-WCL-EZ-ZZ-RP-Y-0001 shall achieve minimum BREEAM Excellent (Parcel F only) and be implemented in relation to building(s) within Parcels E and F and permanently maintained in accordance with the approved details.

#### **49. Climate Change Mitigation – Outline**

Each application for the Reserved Matters submitted pursuant to condition 5 of this permission shall include an Energy and Sustainability Statement detailing requirements of how the building(s) in each development phase are adaptable to climate change (detailing renewable energy technologies as well detailing measures to control overheating and cooling demand in the building(s)). The details shall also include a management plan and maintenance strategy/schedule for the operation of the technologies, a servicing plan (if applicable) and a noise assessment (if applicable). The measures for adaptation to climate change as well as managing overheating and cooling shall be implemented in accordance with the details approved pursuant to condition 5 of this permission.

#### **50. Noise – Parcel E**

Prior to occupation of the retirement living accommodation, an updated report shall be submitted to and approved in writing by the Local Planning Authority based on “Noise Report for Planning, The Oval, Stevenage” Report Reference A2015 R01C dated 31 October 2023 by Ion Acoustics,

which details the measures to be implemented to address the noise issues relating to Ventilation and Overheating. Following approval, the measures shall be implemented and maintained thereafter.

#### **51. Noise – Parcel F**

Prior to first use of the community centre and church building, the noise mitigation measures in respect of plant noise (attenuators and a sound barrier) shall be implemented in accordance with the details specified in Section 10.1 of “The Oval Community Centre, Stevenage, Acoustic Design Report, Report Reference A2015 R03, dated 20 December 2023 by Ion Acoustics Ltd.

#### **52. Community Building Operating Hours – Parcel F**

Unless otherwise agreed in writing by the Local Planning Authority, the use of the community centre and church building in parcel F for the purposes hereby permitted shall operate only between the hours of 09.00 and 21.00 seven days a week and until midnight 24 times a year.

#### **53. Hours of operation for non-residential uses – Outline**

Each application for the Reserved Matters submitted pursuant to condition 5 of this permission shall include details of the hours of operation for the non-residential uses, to be agreed by the Local Planning Authority prior to first use.

#### **54. Ecology**

The recommendations and mitigation measures set out within the Preliminary Ecological Appraisal by Ecology By Design dated November 2023 in respect of Parcels E and F and each development phase as agreed pursuant to condition 4 shall be implemented and permanently maintained in accordance with the approved details.

## **55. Ecology – Bats**

The recommendations and mitigation measures set out within the Ecological Impact Assessment (non-EIA) Hobbs Court and Hobbs Court Bungalows by Ecology By Design dated November 2023 in respect of bats shall be implemented and permanently maintained in accordance with the approved details.

## **56. External Lighting**

The development to which this permission relates in respect of Parcels E and F and each development phase as agreed pursuant to condition 4, shall be carried out in accordance with the Lighting Strategy within the Landscape Design and Access Statement revision P03 by Fabrik as approved or any alternatives to be submitted to and approved by the Local Planning Authority.

## **57. Fire Hydrants**

No buildings within Parcels E and F, and each respective development phase as agreed pursuant to condition 4, shall be occupied until a scheme for the provision of adequate water supplies and fire hydrants, necessary for firefighting purposes within each area, has been submitted to and approved in writing by the Local Planning Authority. The buildings within Parcels E and F / development phases shall not be occupied until the scheme has been implemented in accordance with the approved details for each.

## **58. Surface Water Drainage – Parcels E and F**

Prior to the commencement of development (for Parcels E and F), construction drawings of the surface water drainage network, associated sustainable drainage components and flow control mechanisms and a construction method statement shall be submitted and agreed in writing by the local planning authority. The scheme shall then be constructed as per



the agreed drawings, method statement, Indicative Drainage Strategy (ST-3202-500-B, March 2024), Flood Risk Assessment (ST3202/FRA-2312-Rev1, December 2023) and LLFA Response (ST3202/240315, March 2024), remaining in perpetuity for the lifetime of the development unless agreed in writing by the Local Planning Authority. No alteration to the agreed drainage scheme shall occur without prior written approval from the Local Authority.

## **59. Surface Water Drainage – Outline**

Prior to or in conjunction with the submission of each reserved matters application (parcels A, B, C and D), in accordance with the Indicative Drainage Strategy (ST-3202-500-B, March 2024), Flood Risk Assessment (ST3202/FRA-2312-Rev1, December 2023) and LLFA Response (ST3202/240315, March 2024), detailed designs of a surface water drainage scheme incorporating the following measures shall be submitted to and agreed with the Local Planning Authority. The approved scheme will be implemented prior to the first occupation of the development. The scheme shall address the following matters:

1. Surface water runoff rates will be attenuated to the proposed runoff rates as stated in section 12.4.2 of the Drainage strategy (within Appendix H of Flood Risk Assessment (ST3202/FRA-2312-Rev1, December 2023). These proposed runoff rates must not include climate change.
2. Provision of surface water attenuation storage, sized and designed to accommodate the volume of water generated in all rainfall events up to and including the critical storm duration for the 3.33% AEP (1 in 30 year) plus climate change and 1% AEP (1 in 100) rainfall events plus climate change.
3. Detailed designs, modelling calculations and plans of the of the drainage conveyance network in the:
  - 3.33% AEP (1 in 30 year) critical rainfall event plus climate change to show no flooding outside the drainage features on any part of the site.
  - 1% AEP (1 in 100 year) critical rainfall plus climate change event to show, if any, the depth, volume and storage location of any flooding outside the drainage features, ensuring that flooding does not occur in any part of a building or any utility plant susceptible to water (e.g. pumping station or electricity substation) within the development. It will also show that no

runoff during this event will leave the site uncontrolled.

4. Consideration and investigation into the impact of the existing flow path from the north to the proposed buildings. Flood resistant and flood resilience measures should be provided, including raising finished floor levels. Finished ground floor levels of properties are a minimum of 300mm above expected flood levels of all sources of flooding (including the surface water flow path, SuDS features and within any proposed drainage scheme) or 150mm above ground level, whichever is the more precautionary.
5. Details of how all surface water management features to be designed in accordance with The SuDS Manual (CIRIA C753, 2015), including appropriate treatment stages for water quality prior to discharge.
6. A maintenance and management plan detailing the activities required and details of who will adopt and maintain the all the surface water drainage features for the lifetime of the development.

## **60. SuDS Survey and Verification Report**

Upon completion of the surface water drainage system, including any SuDS features, and prior to the first use of the development; a survey and verification report from an independent surveyor shall be submitted to and approved in writing by the Local Planning Authority. The survey and report shall demonstrate that the surface water drainage system has been constructed in accordance with the details approved pursuant to condition 1 or 2. Where necessary, details of corrective works to be carried out along with a timetable for their completion, shall be included for approval in writing by the Local Planning Authority. Any corrective works required shall be carried out in accordance with the approved timetable and subsequently re-surveyed with the findings submitted to and approved in writing by the Local Planning Authority.

## **61. SuDS Maintenance and Management**

The development hereby approved shall not be occupied until details of the maintenance and management of the sustainable drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall be implemented prior to

the first occupation of the development hereby approved and thereafter managed and maintained in accordance with the approved details in perpetuity. The Local Planning Authority shall be granted access to inspect the sustainable drainage scheme for the lifetime of the development. The details of the scheme to be submitted for approval shall include:

1. A timetable for its implementation.
2. Details of SuDS feature and connecting drainage structures and maintenance requirement for each aspect including a drawing showing where they are located.
3. A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime. This will include the name and contact details of any appointed management company.

## **62. Temporary drainage measures**

Development shall not commence until details and a method statement for interim and temporary drainage measures during the demolition and construction phases have been submitted to and approved in writing by the Local Planning Authority. This information shall provide full details of who will be responsible for maintaining such temporary systems and demonstrate how the site will be drained to ensure there is no increase in the off-site flows, nor any pollution, debris and sediment to any receiving watercourse or sewer system. The site works and construction phase shall thereafter be carried out in accordance with approved method statement, unless alternative measures have been subsequently approved by the Local Planning Authority.

## **63. CCTV**

No buildings within Parcels E and F, and each respective development phase as agreed pursuant to condition 4, shall be occupied until details of the proposed CCTV arrangements have been submitted to and approved by the Local Planning Authority. The CCTV arrangements

shall be implemented in accordance with the approved details prior to first occupation of each building or development phase:

#### **64. Mix and Tenure – Retirement Living Accommodation**

Prior to first occupation of the retirement flats in Parcel E, details of the final mix and tenure of the accommodation shall be submitted to and approved by the Local Planning Authority.

#### **65. Ventilation Equipment / Plant**

Prior to the first occupation of the non-residential units to be used within use class E hereby permitted for each phase, a scheme for the installation of equipment to control the emission of fumes and smell from the premises including any air conditioning equipment, for that relevant phase shall be submitted to and approved in writing by the Local Planning Authority and the approved scheme shall be implemented prior to the first occupation of these units. All equipment installed as part of the scheme shall thereafter be operated and maintained in accordance with the manufacturer's instructions.

#### **66. Public Art**

Prior to first occupation of the supermarket within Parcel C, details of the public art to be displayed on the building in accordance with the Council's Cultural Strategy shall be submitted to and approved in writing by the Local Planning Authority. The public art shall be implemented in accordance with the approved details and permanently maintained thereafter.

#### **67. Commercial to Residential Permitted Development**

Notwithstanding the provisions of Class MA, Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revising, revoking or re-enactive

that Order with or without modification), no development consisting of a change of use of a building and any land within its curtilage from a use falling within Class E (commercial, business and service) of Schedule 2 to the Use Classes Order to a use falling within Class C3 (dwellinghouses) of Schedule 1 to that Order shall take place unless permission is granted on an application made to the Local Planning Authority.

#### **68. Maximum number of residential units**

The maximum number of residential units on the site shall be restricted to 327 units, unless otherwise agreed in writing by the Local Planning Authority. Any request under this condition shall be accompanied by a report confirming that there are no new or different significant environmental impacts to those already assessed or by an appropriate report (or report(s)) which assess any new or different significant environmental impacts.

#### **69. Limits on retail/leisure/community floorspace**

For the non-residential elements of the development (excluding the Supermarket – Parcel C) hereby permitted under this permission no more than 3885m<sup>2</sup> of gross internal area (GIA) of floorspace shall be provided unless otherwise agreed in writing with the Local Planning Authority. Any request under this condition shall be accompanied by a report confirming that there are no new or different significant environmental impacts to those already assessed or by an appropriate report (or report(s)) which assesses any new or different significant environmental impacts.

#### **70. Refuse and Recycling – Parcels E and F**

Prior to the first occupation of Parcels E and F, the general waste and recycling facilities for the relevant parcel shall be implemented in accordance with the details specific in the application submission.

## INFORMATIVES

1. 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).

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-licenses/business-licenses.aspx> or by telephoning 0300 1234047

2. 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-andpavements/business-and-developer-information/developmentmanagement/highways-development-management.aspx> or by telephoning 0300 1234047.

3. 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.
4. 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.
5. Avoidance of surface water discharge onto the highway: the applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road

improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/businessanddeveloper-information/developmentmanagement/highways-developmentmanagement.aspx> or by telephoning 0300 1234047.

6. 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 Sections 38 and 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website:

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

7. 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/businessand-developer-information/development-management/highways-developmentmanagement.aspx>.

8. An application for a "stopping up" order to extinguish highway rights over the land will need to be made. In this respect, this initially needs to be made to Hertfordshire County Council:

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/apply-for-a-stopping-up-order-on-a-highway.aspx>

- If this proposal is acceptable to the highway authority, then you would need to either make an application to the County Council, as highway authority, for a highway "stopping up" order under Section 116 of the Highways Act 1980 for the area of land in question. Any such application together with a plan showing the area concerned should be sent to Legal Services, Hertfordshire County Council, County Hall, Pegs Lane, Hertford, SG13 8DE. The costs of making such an order would be in the region of £3000 - £4000 which includes the formal consultation and application to the Magistrates Court.
  - ii) Alternatively, if any such request is in conjunction with the redevelopment of the property, then you may wish to apply for a "stopping up" Order pursuant to Section 247 of the Town and Country Planning Act 1990. All such applications would need to be made to the Secretary of State's National Transport Casework Team ([nationalcasework@dft.gsi.gov.uk](mailto:nationalcasework@dft.gsi.gov.uk), see also the DfT website); and iii) In the meantime, I would point out that when an area of highway is "stopped up" then the surface of the land reverts back to the original owner of the subsoil of the land. This may or not be the applicant. Details of the ownership of land may be available at the Land Registry, Leicester Office, Westbridge Place, Leicester, LE3 5DR. Their telephone number is 0300 006 0411. Land Registry can also be contacted by e-mail on [customersupport@landregistry.gov.uk](mailto:customersupport@landregistry.gov.uk).
9. The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to contact the Hertfordshire County Council Bridge Asset Manager in connection with the requirements of Department for Transport Standard CG 300: Technical Approval of Highway Structures. Further details can be obtained from the Highway Authority by telephoning 0300

1234047 or by email: [highway.structures@hertfordshire.gov.uk](mailto:highway.structures@hertfordshire.gov.uk)

10. Travel Plan (TP): A TP, in accordance with the provisions as laid out in Hertfordshire County Council's Travel Plan Guidance, would be required to be in place from the first occupation/use until 5 years post occupation/use. A £1,200 per annum (overall sum of £6000 and index-linked RPI March 2014) Evaluation and Support Fee would need to be secured via a Section 106 agreement towards supporting the implementation, processing and monitoring of the full travel plan including any engagement that may be needed. Further information is available via 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> OR by emailing [travelplans@hertfordshire.gov.uk](mailto:travelplans@hertfordshire.gov.uk).
  
11. During the demolition and construction phase of the development, the guidance in BS5228-1:2009 (Code of Practice for Noise Control on Construction and Open Sites) should be adhered to.
  
12. The applicant is advised to 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 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.
  
13. A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing [trade.effluent@thameswater.co.uk](mailto:trade.effluent@thameswater.co.uk). Application forms should be completed online via [www.thameswater.co.uk](http://www.thameswater.co.uk). Please refer to the Wholesale; Business customers; Groundwater discharges section.
  
14. Applications where Biodiversity Net Gain is not required as application is a major application submitted prior to 12 February 2024. The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition ("the biodiversity gain condition") that development may not begin unless: a) a biodiversity gain plan

has been submitted to the planning authority, and b) the planning authority has approved the plan. The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be Stevenage Borough Council. There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not apply. Based on the information available, this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because the following statutory exemption or transitional arrangement is considered to apply. 1. Development which is 'major development (within the meaning of article 2 (1) of the Town and Country Planning (Development Management Procedure) (England Order 2015) where; 2. A application for planning permission was made before 12<sup>th</sup> February 2024. Where the local planning authority considers that the permission falls within paragraph 19 of Schedule 7A to the Town and Country Planning Act 1990, the permission which has been granted has the effect of requiring or permitting the development to proceed in phases. The modifications in respect of the biodiversity gain condition which are set out in Part 2 of the Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024 apply. Biodiversity gain plans are required to be submitted to, and approved by, the planning authority before development may be begun, and, if subject to phased development, before each phase of development may be begun. If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans. The Biodiversity Gain Plan must include, in addition to information about steps taken or to be taken to minimise any adverse effect of the development on the habitat, information on arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat. The planning authority can only approve a Biodiversity Gain Plan if satisfied that the adverse effect of the development on the biodiversity of the irreplaceable habitat is minimised and appropriate arrangements have been made for the purpose of compensating for any impact which do not include the use of biodiversity credits. More information can be found in the Planning Practice Guidance online at <https://www.gov.uk/guidance/biodiversity-net-gain>

## 6 URGENT PART I BUSINESS

At this juncture the Head of Planning Enforcement gave an update on the Icon Building Appeal. A cost claim was lodged against SBC by Hill Residential Limited as they believed the reasons for refusal were unreasonable and the Council did not have sufficient evidence to demonstrate the issue around car parking. The Head of Planning and Enforcement stated the inspector had given the Council 7 days to

issue a rebuttal and a rebuttal was issued by officers on behalf of the Council. The next stage in terms of process would be to issue a statement of comment grounds which was in progress and a statement around section 106 and CIL and a main statement of case to defend SBC i.e., why the application was refused by the Council.

7 **EXCLUSION OF THE PRESS AND PUBLIC**

To consider the following motions that: 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. That Members consider the reasons for the following reports (if any) being in Part II and determine whether or not maintaining the exemption from disclosure of the information contained therein outweighs the public interest in disclosure.

8 **HMO QUARTERLY REPORT (Q1 2024/25)**

This report was provided to the committee with the quarterly update (Q4 of 2023/24) with regards to the Planning Department investigation of HMO properties within Stevenage.

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

9 **URGENT PART II BUSINESS**

There were none.

**CHAIR**