



PLANNING AND DEVELOPMENT COMMITTEE

Date: Tuesday, 3 September 2024
Time: 6.30pm,
Location: Council Chamber
Contact: Alex Marsh: (01438) 242587
committees@stevenage.gov.uk

Members: Councillors: C Parris (Chair), N Chowdhury (Vice-Chair), J Ashley-Wren, R Broom, F Chowdhury, K Choudhury, P Clark, A Elekolusi, L Guy, C Houlihan, E Plater, G Snell, C Veres and A Wells

AGENDA

PART 1

1. APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

2. MINUTES - 17 JULY 2024 & 12 AUGUST 2024

To approve as a correct record the Minutes of the previous meetings held on 17 July 2024 and 12 August 2024.
3 – 72

3. 24/00544/FP - 11-19 TOWN SQUARE

To consider alterations and refurbishment to include a new roof and replacement windows and fascia boards.
73 – 84

4. 22/00965/FPM - 224-230 BEDWELL CRESCENT

To consider demolition of existing semi-detached houses, sea cadets, nursery and scouts buildings to provide 57no new dwellings with associated parking, facilities and landscape. Reconfiguration of existing public car park.
85 – 138

5. INFORMATION REPORT - DELEGATED DECISIONS

To note a report on decisions taken by the Assistant Director Planning and Regulatory in accordance with his delegated authority.
139 – 152

6. INFORMATION REPORT - APPEALS/CALLED IN APPLICATIONS

To note a report on decisions taken by the Assistant Director Planning and Regulatory in accordance with his delegated authority.
153 – 154

7. URGENT PART I BUSINESS

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

8. EXCLUSION OF THE PRESS AND PUBLIC

To consider the following motions that:

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

9. URGENT PART II BUSINESS

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

Public Document Pack Agenda Item 2

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 Time: Start Time: 6.30pm
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 23rd 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 CO² 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 2,870m² 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 1,372m² (of which 1,098m² is convenience goods floorspace and 274m² 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 3885m² 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 or by contacting the Council's CIL Team at 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, 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.
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

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.

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. Application forms should be completed online via 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 12th 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

STEVENAGE BOROUGH COUNCIL

**PLANNING AND DEVELOPMENT COMMITTEE
MINUTES**

Date: Monday, 12 August 2024

Time: 6.30pm

Place: Council Chamber

Present: Councillors: Claire Parris (Chair), Nazmin Chowdhury (Vice-Chair), Julie Ashley-Wren, Forhad Chowdhury, Kamal Choudhury, Peter Clark, Lynda Guy, Ellie Plater, Graham Snell, Carolina Veres and Anne Wells

Start / End Start Time: 6.30pm

Time: End Time: 7.45pm

1 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were received from Councillors Rob Broom, Akin Elekolusi and Coleen Houlihan.

Cllr Ellie Plater declared that her husband was a ward councillor for Almond Hill in relation to Item 3 (Ellis Avenue). She assured the committee that there was no predetermination and that she was approaching the matter with an open mind.

Cllr Lynda Guy declared an interest as her property bordered Ellis Avenue. She stated that she had no predetermination and that she was approaching the matter with an open mind.

At this juncture the Chair reminded Members that a new voting procedure would be introduced as per an email circulated by the Assistant Director, Planning and Regulation. At the end of each item there would be a recorded vote with the Committee Clerk calling each Member to vote in turn. Members could vote for, against or abstain. Those who voted against the Officer's recommendation would be required to provide a planning justification for their decision.

2 24/00387/FPH - THE BARN, STEBBING FARM, FISHERS GREEN

The Chair introduced the item and welcomed two registered speakers, Mrs Valerie Quar and Dr Carl O'Brien.

The Team Leader (AD) provided background on the application. The barn, originally part of Stebbing Farm (a Grade II listed building), was converted to residential use in 1993 and was now a curtilage listed building. The application related to the retention of a timber-framed carport. The Committee were shown photographs illustrating the carport's visibility from neighbouring properties and public areas.

Mrs Quar advised that she was speaking on behalf of residents of Kessingland

Avenue, opposing the carport. The Committee was informed that the carport was out of character with the surrounding area, visually intrusive, and harmful to the heritage setting of Stebbing Farm. Mrs Quar highlighted the significant overbearing impact on the adjacent property at No. 3 Kessingland Avenue and claimed that it violated local and national planning policies.

Dr O'Brien acknowledged the retrospective nature of the application and emphasised efforts to mitigate the structure's impact by lowering its height and choosing materials that blended with the surroundings. Dr O'Brien apologised to the Committee for the oversight in not obtaining planning permission beforehand and noted that he had fully complied with the Local Planning Authority once informed of the requirement.

The Team Leader (AD) concluded and cited a heritage consultant's assessment that the carport did not harm the significance of the curtilage-listed barn or the Grade II listed Stebbing Farm. The Team Leader (AD) addressed concerns about the carport's impact on neighbouring properties and stated that, while it was visible, the structure did not have a substantial overbearing effect that would warrant refusal of planning permission. The Officer Recommendation was to grant retrospective planning permission.

The Chair inquired about the options available to Committee if they were to refuse the application. The Team Leader (AD) responded that the Committee would need to provide clear planning reasons for a refusal and authorise the serving of an enforcement notice. Options could include requiring the applicant to lower the roof or dismantle the carport entirely.

Some Members asked questions related to the height of the carport and the materials used. The Team Leader (AD) clarified that while the barn did not have permitted development rights due to its curtilage-listed status, most properties could build structures up to 2.5 metres in height within two metres of a boundary without planning permission. Regarding the roof materials, the Committee were informed that matching the barn's clay tiles would have required a steeper, and therefore higher, roof pitch, which had been avoided by using slate tiles to maintain a lower height.

The Head of Planning and Enforcement emphasised that the committee must decide on the application as it stood. If members wished to see the carport's height reduced, they would need to refuse the application and pursue enforcement action. He also clarified that there were no health and safety issues associated with the structure and reiterated the need for the committee to clearly articulate their grounds for refusal and any enforcement action.

A recorded vote* was then taken on the application and it was **RESOLVED** that retrospective planning permission be granted subject to the following conditions and informatives:

- 1 The development hereby permitted shall be retained in accordance with the following approved plans:
Elevation A0.100; Site Location Plan; Site Layout Plan.

INFORMATIVE

1 Public Information on Planning Applications

Warning: all information provided on your planning application is now publicly available. Individuals and organisations offering their services may contact you. The Council does not endorse or approve any builders, surveyors, trades persons or other supplier, and advises householders to obtain quotes/references, and check the legitimacy of any contractor who contacts them before making payment.

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 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, Campus East, Welwyn Garden City, Hertfordshire, AL8 6AE.

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 Biodiversity Net Gain

Applications where Biodiversity Net Gain is not required as application is for householder permission.

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 subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. A "householder application" means an application for planning permission for development for an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse which is not an application for change of use or an application to change the number of dwellings in a building.

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>.

*** Recorded Vote**

For - Councillors Julie Ashley-Wren, Kamal Choudhury, Forhad Chowdhury, Nazmin Chowdhury, Peter Clark, Lynda Guy, Claire Parris, Ellie Plater, Graham Snell, Carolina Veres and Anne Wells.

Against - 0

Abstentions - 0

Absent – Councillors Rob Broom, Akin Elekolusi and Coleen Houlihan

3 24/00064/FPM - 18 - 24 ELLIS AVENUE

The Senior Planning Officer introduced the application submitted by the Council's Housing and Development team. The proposal was to demolish two existing residential dwellings on the corner of Ellis Avenue and Walkern Road and replace them with a flatted development comprising eleven units.

The Committee were informed that the site currently consisted of two houses on a corner plot, surrounded by residential properties. The new development would include an undercroft parking area with flats above, and additional parking along the sides. The layout was adjusted following objections, with bin storage moved inside the building and cycle storage placed outside.

The Senior Planning Officer advised the Committee that Stevenage had a 5.59-year housing land supply. The development was considered a windfall site on partially developed land, fitted within the footprint of the existing buildings. The project was located in a sustainable area with good access to public transport, schools, healthcare, and other amenities.

The Committee heard that the new flats would be of a similar height to surrounding properties, ensuring the development blended in with the existing neighbourhood. Although the proposal slightly contravened policies regarding private amenity space and car parking (providing 13 spaces instead of the required 15), its sustainable location and provision of cycle storage were seen as mitigating factors.

The Senior Planning Officer concluded by stating that the development would provide a minimum of three affordable housing units, exceeding policy requirements. Additionally, the project boasted a significant biodiversity net gain of 109%. The design met all internal space standards, and no major concerns were raised by Environmental Health or the Flood Authority. The Officer Recommendation was to grant planning permission.

The Chair invited the Applicant to address the Committee.

The Assistant Director, Housing Development elaborated on the rationale behind the application and highlighted that the existing properties were in disrepair. The new development was intended to address housing needs by providing modern,

affordable units. Although the planning application mentioned a minimum of three affordable units, the Council intended to make the entire development affordable housing. However, this was not stipulated in the application in order to retain financial flexibility for future borrowing and potential government grants.

Members asked questions related to traffic and parking concerns, terminology regarding affordable housing, the site plan, and ongoing consultation.

The Senior Planning Officer informed the Committee that a transport assessment had been carried out and reviewed by the Highways Authority, Hertfordshire County Council. The assessment concluded that the development would not significantly impact traffic safety.

The Senior Planning Officer clarified that the parking provision, while slightly below policy compliance, included good bicycle storage to encourage non-car transport.

The Senior Planning Officer clarified that what appeared to be trees on the plan were intended to represent hedging, not mature trees. Those hedges would be planted as saplings and would grow to a height that would be maintained by the council, typically to a height of around 1.82 metres, which was generally considered the standard height for boundary hedges. This height was sufficient to provide some level of privacy, but it would not reach the height of mature trees.

The Head of Planning and Enforcement explained that terminology used in the application and report in relation to affordable housing aligned with the national planning policy framework.

The Applicant confirmed that the consultation process would continue if the scheme were approved, focused on delivering the project with minimal disruption and considering residents' input on design details, such as boundary treatments.

A recorded vote* was then taken on the application and 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 affordable housing;
- Apprenticeships and construction jobs;
- Monitoring of Travel Plans;
- HCC contributions to improving sustainable transport (If they are found to meet Regulation 122 of the CIL Regulations);
- SBC Section 106 monitoring fee – 2.5% of total financial obligations (capped at £25,000); and
- HCC Monitoring Fee of £340 per trigger relating to HCC obligations.

The detail of which would be delegated to the Assistant Director of Planning and Regulation in liaison with the Council's appointed solicitor, along with delegated powers to the Assistant Director in liaison with the Council's appointed solicitor to enforce the obligations set out in the S106 Legal Agreement on behalf of Stevenage Borough Council and / or appoint another Planning Authority to enforce planning obligations on behalf of Stevenage Borough Council as and where legally required to

do so. 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:-

General

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:
2023/P0221-LP-B; 2023/P0221-010-A; 2023/P0221-CP-B; 2023/P0221-012-D; 2023/P0221-013-A; Arboricultural Impact Assessment Plan; Tree Constraints Plan; 2023/P0221-011-D; 2023/P0221-001-G; 2023/P0221-C001-D;
- 2 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 3 If, during development, contamination not previously identified is found to be present at the site, then no further development (unless otherwise agreed in writing by the Local Planning Authority) shall be carried out until the developer has submitted a remediation strategy detailing how this unsuspected contamination shall be dealt with and obtained written approval from the Local Planning Authority. The remediation strategy shall be implemented as approved.
- 4 Unless otherwise agreed in writing by the Local Planning Authority, no demolition or construction activities audible at the site boundary shall be carried out except between the hours of 08:00 to 18:00 Monday to Friday and 08:00 to 13:00 on Saturdays. For the avoidance of doubt, no such work shall be carried out on Sundays or Bank Holidays.
- 5 Any external lighting installed at the site shall be angled so as to avoid any spillage beyond the site boundaries unless otherwise agreed in writing by the Local Planning Authority.
- 6 The development to which this permission relates shall be carried out in accordance with the mitigation measures as specified in the Ecology Report by Turnstone Ecology Ltd dated 31 January 2024 unless otherwise agreed in writing by the Local Planning Authority.
- 7 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.
- 8 All planting, seeding and turfing 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.
- 9 Any trees or plants comprised within the approved plans 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.
- 10 On completion, the design of windows and ventilators to each dwelling shall achieve an acoustic performance which shall ensure that, when windows are closed and ventilators are open, noise levels do not exceed:
- 35 decibels (dB) (LAeq,16h) during the daytime (07:00 – 23:00) within bedrooms and living rooms;
 - 30dB (LAeq,16h) during the night (23:00 – 07:00) within bedrooms;
 - 45 dB (LAFmax) on more than ten occasions during any typical night (23:00 – 07:00) within bedrooms
- 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.
- 11 At least 50% of the residential units shall be Category 2: Accessible and Adaptable dwellings.

Pre-commencement

- 12 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. 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) Construction vehicle numbers, type, routing;
 - b) Access arrangements to site;
 - c) Traffic and pedestrian 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;

- k) Dust control measures during demolition and construction from plant and machinery, and vehicles.
- 13 No development shall take place (including demolition and site clearance) until detailed technical plans are submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority, which show the detailed engineering designs and construction of the vehicle access and associated highway works, dropped kerb, tactile paving, pedestrian visibility splays, etc.
- 14 No development shall take place (including demolition and site clearance) until a Site Waste Management Plan (SWMP) for the site 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.
- 15 No development shall take place (including demolition and site clearance) until 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, FRA & Drainage Strategy Drainage Strategy prepared by Lanmor Consulting revision 231652/DS/AG/RS/01 Rev B, dated 06 March 2024 and Drawing (reference 231652/DS/01 Rev C, and remain in perpetuity for the lifetime of the development unless agreed in writing by the Local Planning Authority.
- 16 No development shall take place (including demolition and site clearance) 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.

Pre-Slab Level

- 17 No development shall take place above slab level until a schedule and samples of the materials to be used in the construction of the external surfaces of the development 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.

- 18 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. The approved landscaping scheme shall be completed in accordance with the approved details prior to first occupation of any of the units within the development.
- 19 No development shall take place above slab level 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 prior to first occupation of any of the units within the development.

Prior to Occupation

- 20 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. 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.
- 21 Prior to the first occupation of the first unit hereby permitted the vehicular access and associated visibility splays shall be installed in accordance with the approved plans and thereafter retained and maintained at all times at the position shown.
- 22 Prior to the first occupation of the first unit hereby permitted, the bird boxes and bat bricks or boxes as specified in the Ecology Report by Turnstone Ecology Ltd dated 31 January 2024 shall be erected accordingly and thereafter permanently retained and maintained.
- 23 Prior to the first occupation of the first unit hereby approved the parking, turning, and servicing areas shown on drawing number 2023/P0221-001-G shall be provided, marked out and hard surfaced ready for use and shall be retained in that form and kept available for those purposes thereafter. The

hardstand areas shall be made of a porous material, or provision shall be made to direct surface water run-off water from the hardstanding to a permeable or porous area or surface within the curtilage of the building.

- 24 Prior to the first occupation of the first unit hereby permitted, the parking spaces shown on approved plan 2023/P0221-001-G shall be provided with the underlying infrastructure for connection to the electricity network to enable them to be served by an electric vehicle charging point.
- 25 Prior to the first occupation of the first unit hereby permitted, details of the secure cycle parking provision 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.
- 26 Prior to the first occupation of the first unit hereby permitted, the general waste and recycling stores and plant areas associated with the development shall be implemented in accordance with the details shown on approved plan 2023/P0221-001-G and retained and maintained accordingly for the lifetime of the development.

INFORMATIVE

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2 Community Infrastructure Levy

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

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

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 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, Campus East, Welwyn Garden City, Hertfordshire, AL8 6AE.

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 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 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.

6 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.

7 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.

8 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.

9 Hertfordshire County Council as Highways Authority

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.

10 Biodiversity Net Gain

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.

Based on the information available, this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply.

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 (Phase Plans).

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>.

*** Recorded Vote**

For - Councillors Julie Ashley-Wren, Kamal Choudhury, Forhad Chowdhury, Nazmin Chowdhury, Peter Clark, Lynda Guy, Claire Parris, Ellie Plater, Graham Snell, Carolina Veres and Anne Wells.

Against - 0

Abstentions - 0

Absent – Councillors Rob Broom, Akin Elekolusi and Coleen Houlihan

4 **24/00419/FP - 463 - 467 CANTERBURY WAY**

The Senior Planning Officer led the Committee through the application which was for the refurbishment of a block of flats on Canterbury Way. The Committee were informed that the refurbishment was primarily focused on upgrading materials and improving the energy efficiency of the building.

The Committee heard that the application included changes to the balcony balustrades, panelling, doors and windows, as well as upgrading the roof. The visual alterations would be minimal.

The Senior Planning Officer advised the Committee that the balcony panels would be replaced with grey aluminium, the external storage doors would be updated to grey aluminium framed doors, the white windows would be replaced with white UPVC, and the roof would be upgraded to a slightly darker grey. The black balcony balustrades would remain but would be enhanced with improved materials.

The Committee were informed that the refurbishments would adhere to stringent energy efficiency standards, specifically PAS 2035, ensuring the building met current government regulations for retrofitting properties. The Officer Recommendation was to grant planning permission.

A recorded vote* was then taken on the application and it was **RESOLVED** that planning permission be granted subject to the following conditions and informatives:

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:
CDS585(ADC392) 463-467CW-01; CDS585-ADC392-AD-676;
CDS585(AD392) 463-467CW-03; CD-ADC392-463-467CW-04;
- 2 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 3 The external materials used in the development to which this permission relates shall be those detailed on the approved plans and in the accompanying planning submission documents unless otherwise agreed in writing by the local planning authority.

INFORMATIVE

- 1 **Public Information on Planning Applications**
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available. Individuals and organisations offering their services may contact you. The Council does not endorse or approve any builders, surveyors, trades persons or other supplier, and advises householders to obtain quotes/references, and check the legitimacy of any contractor who contacts them before making payment.

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 or by contacting the Council's CIL Team at CIL@Stevenage.gov.uk.

3 **Building Regulations**

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- 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 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 Biodiversity Net Gain

Applications where Biodiversity Net Gain is not required as development is considered De Minimis

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 below the de minimis threshold, meaning development which:
 - a) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and
 - b) impacts less than 25 square metres of onsite habitat that has

biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

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>

*** Recorded Vote**

For - Councillors Julie Ashley-Wren, Kamal Choudhury, Forhad Chowdhury, Nazmin Chowdhury, Peter Clark, Lynda Guy, Claire Parris, Ellie Plater, Graham Snell, Carolina Veres and Anne Wells.

Against - 0

Abstentions - 0

Absent – Councillors Rob Broom, Akin Elekolusi and Coleen Houlihan.

5 24/00418/FP - 99 - 103 CANTERBURY WAY

The Senior Planning Officer led the Committee through the application which was for the refurbishment of a block of flats on Canterbury Way. The Committee were informed that the refurbishment was primarily focused on upgrading materials and improving the energy efficiency of the building.

The Committee heard that the application included changes to the balcony balustrades, panelling, doors and windows, as well as upgrading the roof. The visual alterations would be minimal.

The Senior Planning Officer advised the Committee that the balcony panels would be replaced with grey aluminium, the external storage doors would be updated to grey aluminium framed doors, the white windows would be replaced with white UPVC, and the roof would be upgraded to a slightly darker grey. The black balcony balustrades would remain, but would be enhanced with improved materials.

The Committee were informed that the refurbishments would adhere to stringent energy efficiency standards, specifically PAS 2035, ensuring the building met current government regulations for retrofitting properties. The Officer Recommendation was to grant planning permission.

A recorded vote* was then taken on the application and it was **RESOLVED** that planning permission be granted subject to the following conditions and informatives:

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:
CDS585(ADV392)00-103CW-02 Rev P1; CD585(ADC392)99-103CW-03 Rev P1; CDS585(ADC392)99-103CW-01 Rev P1 Site Location Plan; CDS585(ADC392)99-103CW-04 Rev P1; CDS585(ADC392)-AD-676 Rev P1;
- 2 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 3 The external materials used in the development to which this permission relates shall be those detailed on the approved plans and in the accompanying planning submission documents unless otherwise agreed in writing by the local planning authority.

INFORMATIVE

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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.

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- Damp proof course
- Concrete oversite
- Insulation
- Drains (when laid or tested)
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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 **Biodiversity Net Gain**

Applications where Biodiversity Net Gain is not required as development is considered De Minimis

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 below the de minimis threshold, meaning development which:
 - a) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and
 - b) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

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>

*** Recorded Vote**

For - Councillors Julie Ashley-Wren, Kamal Choudhury, Forhad Chowdhury, Nazmin Chowdhury, Peter Clark, Lynda Guy, Claire Parris, Ellie Plater, Graham Snell, Carolina Veres and Anne Wells.

Against - 0

Abstentions - 0

Absent – Councillors Rob Broom, Akin Elekolusi and Coleen Houlihan.

6 24/00281/FP - 1-14 CAVALIER COURT

The Senior Planning Officer advised the Committee that the application pertained to the refurbishment of Cavalier Court, located on Ingleside Drive near the hospital. The work involved updating and upgrading various elements of the building, such as cladding, doors, windows, and roofing materials. While the refurbishment was more extensive than the previous applications, the overall visual appearance of the building will remain largely unchanged.

The Committee heard that the existing timber cladding, which had reached the end of its lifespan, would be replaced with new white UPVC cladding and associated fittings. New white UPVC double-glazed windows and iron-grey, matte-finished aluminium framed entrance doors would be installed. Steel external doors with digilocks would also be fitted. The roof covering, fascias, gutters, and downpipes would be renewed. The existing balustrading on balconies and ground floor patios will be replaced with black metal balustrades.

In response to a Member question regarding potential charges to leaseholders, the Senior Planning Officer advised the Committee that this aspect was not a planning

consideration and therefore not within the remit of the Planning and Development Committee.

A recorded vote* was then taken on the application and it was **RESOLVED** that planning permission be granted subject to the following conditions and informatives:

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: CD-ADC392-1-14CC-100 P1, CD-ADC392-1-14CC-101 P1, CD-ADC392-1-14CC-200 P1, CD-ADC392-1-14CC-201 P1, CD-ADC392-1-14CC-202 P1, CD-ADC392-1-14CC-203 P1;
- 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 development hereby permitted shall be as per the approved plans and associated documents to the satisfaction of the Local Planning Authority.

INFORMATIVE

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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.

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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 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.

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- Excavation for foundations
- Damp proof course
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- Drains (when laid or tested)
- Floor and Roof construction
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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 **Biodiversity Net Gain**

Applications where Biodiversity Net Gain is not required as development is considered De Minimis

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 below the de minimis threshold, meaning development which:
 - a) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and
 - b) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

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>

*** Recorded Vote**

For - Councillors Julie Ashley-Wren, Kamal Choudhury, Forhad Chowdhury, Nazmin Chowdhury, Peter Clark, Lynda Guy, Claire Parris, Ellie Plater, Graham Snell, Carolina Veres and Anne Wells.

Against - 0

Abstentions - 0

Not Present – Councillors Rob Broom, Akin Elekolusi and Coleen Houlihan.

7 INFORMATION REPORT - DELEGATED DECISIONS

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

8 INFORMATION REPORT - APPEALS/CALLED IN APPLICATIONS

It was **RESOLVED** that the Information Report – Appeals / Called In Decisions be noted.

9 URGENT PART I BUSINESS

There was none.

10 EXCLUSION OF THE PRESS AND PUBLIC

Not required.

11 URGENT PART II BUSINESS

There was none.

CHAIR

Meeting: Planning and Development Committee

Agenda Item:

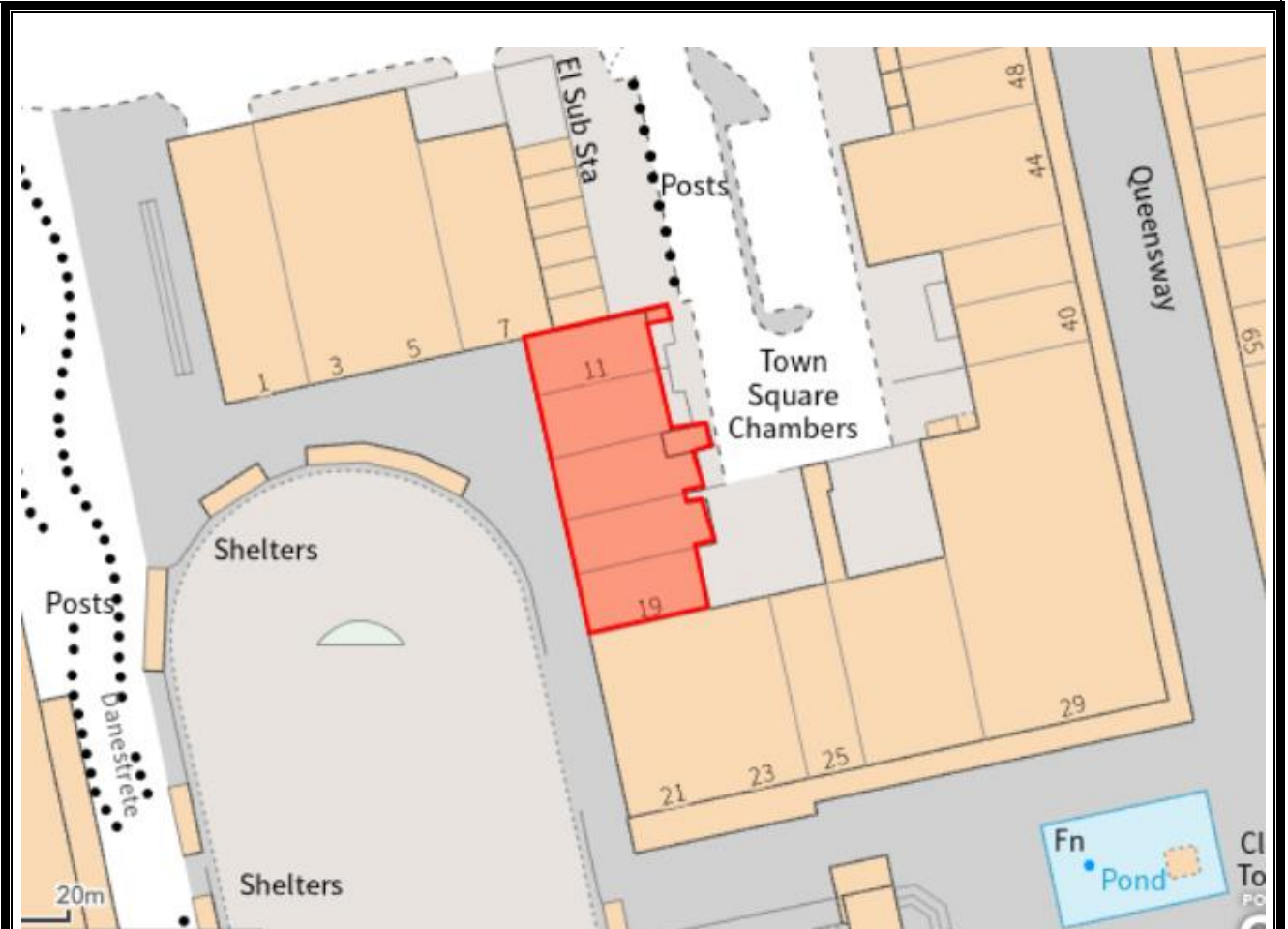
Date: 3 September 2024

Author: Rebecca Elliott

Lead Officer: Zayd Al-Jawad

Contact Officer: Rebecca Elliott

Application No:	24/00544/FP
Location:	11-19 Town Square, Town Centre, Stevenage.
Proposal:	Alterations and refurbishment to include a new roof and replacement windows and fascia boards.
Drawing Nos.:	Site Location Plan; SGEH-BBA-ZZ-RF-DR-A-2204; SGEH-BBA-ZZ-ZZ-DR-A-3002; SGEH-BBA-ZZ-ZZ-SH-A-7051; SGEH-BBA-ZZ-ZZ-SH-A-7751; SGEH-BBA-ZZ-RF-DR-A-2006; SGEH-BBA-ZZ-RF-DR-A-2104; SGEH-BBA-ZZ-ZZ-DR-A-3001; SGEH-BBA-ZZ-ZZ-DR-A-3003.
Applicant:	Stevenage Borough Council
Date Valid:	31 July 2024
Recommendation:	GRANT PLANNING PERMISSION.



Plan for information purposes only

1. SITE DESCRIPTION

- 1.1 The application site is located within the designated area of Stevenage Town Centre as well as the Town Square Conservation Area. The site comprises a pre-cast reinforced concrete three-storey flat roofed building which consists of crittall glazed windows, exposed stone aggregate panels and brickwork. 11-19 Town Square make up the north eastern most parade of units bounded to the west by the former bus station, now known as Event Island. No's 17 and 19 Town Square fall within the Town Centre Conservation Area.
- 1.2 To the south of the application site is the main Town Square which comprises the Grade II Listed Clock Tower and Surrounding pool. There is also the Grade II Listed Joy Ride which comprises a bronze mother and child sculpture by Franta Belsky. The sculpture is set on top of a platform with stairs and railings to either side. The buildings which form the main shopping parade of Queensway are generally uniform in design, being three-storeys in height with a shopping parade at ground floor level with the fenestration at first and second floor level comprising single-glazed crittall windows.

2. RELEVANT PLANNING HISTORY

- 2.1 Aside from historic applications for the development of the Town Centre post war, the history of the units in question is listed below.
- 2.2 85/2/0033A/85 Illuminated fascia and projecting signs. Advertisement consent granted on 18 October 1985
- 2.3 00/00542/AD Display of internally illuminated sign. Advertisement consent granted on 8 February 2001
- 2.4 00/00573/FP Change of use from A1 to A2 use (Solicitors Office). Permission granted on 13 March 2001
- 2.5 01/00037/FP Change of use from retail (A1) to food and drink (A3) use. Permission granted on 18 April 2001.
- 2.6 01/00446/AD Display of internally illuminated fascia and box projecting sign. Advertisement consent granted on 28 February 2002.
- 2.7 01/00447/FP Installation of new shopfront. Permission granted on 10 October 2001.
- 2.8 11/00428/AD Retention of 1no. internally illuminated fascia sign and 1no. internally illuminated projecting sign. Advertisement consent granted on 20 September 2011.
- 2.9 12/00377/AD Installation of 1no. externally illuminated fascia and 1no. internally illuminated projection sign. Advertisement consent granted on 28 September 2012.

3. THE CURRENT APPLICATION

- 3.1 The proposed development comprises external alterations to replace existing windows and fascia boards, as well as a new/replacement roof. The replacement of existing windows with double-glazed aluminium/composite windows would seek to match with Co-Space at No's 21-27 Town Square. Furthermore, shopfront fascia boards between ground and first floor with slatted timber is proposed. Surveys of the roof have shown a need for full replacement rather than piecemeal repairs. The new roof would be of a similar material and appearance as existing and would include new fascia boards at eaves level.

3.2 This application has been referred to the Planning and Development Committee as Stevenage Borough Council is the applicant and landowner.

4. PUBLIC REPRESENTATIONS

4.1 This planning application has been publicised by way of a site notice and neighbouring properties have been notified about the application via a letter. The application was also published in the local press as it is partially located within the Town Square Conservation Area. No observations have been received.

5. CONSULTATIONS

5.1 B.E.A.M.S Councils Historic Advisor

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

6. RELEVANT PLANNING POLICIES

6.1 Background to the Development Plan

6.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications be determined in accordance with the development plan unless material considerations indicate otherwise. For Stevenage, the statutory development plan comprises the following documents:

- The Stevenage Borough Council Local Plan 2011-2031 (adopted 2019)
- The Hertfordshire Waste Core Strategy & Development Management Policies Development Plan Document 2011-2026 (adopted 2012)
- The Hertfordshire Waste Site Allocations Development Plan Document 2011-2026 (adopted 2014)
- The Hertfordshire Minerals Local Plan Review 2002-2016 (adopted 2007)

6.2 National Planning Policy Framework

6.2.1 A revised National Planning Policy Framework (NPPF) was published in December 2023. This made significant changes to the September 2023 version and revised policy with respect to the following:

- maintaining supply and delivery of housing.
- making effective use of land with the allowance of mansard roof extensions to suitable properties.
- significant uplift in the average density of residential development can be seen as being inappropriate if the built form is out of character.
- strengthening policies around achieving well-designed and beautiful places.
- requirement for councils to prepare Local Design Codes.
- no longer a requirement to review or change Green Belt boundaries when plans are being prepared or updated.
- local planning authorities should now give significant weight to the need to support energy efficiency and low carbon heating improvements to existing buildings, both domestic and non-domestic.
- change to policies on Biodiversity.

6.2.2 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.

6.3 Planning Practice Guidance

6.3.1 The Planning Practice Guidance (“PPG”), with which Members are fully familiar, is an online resource containing guidance supplementing the NPPF. The PPG is a material consideration which should be taken into account in determining planning applications.

6.4 National Design Guide

6.4.1 The National Design Guide 2021 is Government guidance on the characteristics of well-designed places and demonstrates what good design means in practice. It has the same status as the PPG and should similarly be taken into account when determining planning applications.

6.5 Stevenage Borough Local Plan

6.5.1 The Local Plan policies most relevant to determining the application are as follows:

Policy SP1: Presumption in Favour of Sustainable Development

Policy SP2: Sustainable Development in Stevenage

Policy SP3: A Strong, Competitive Economy

Policy SP4: A Vital Town Centre

Policy SP8: Good Design

Policy SP13: The Historic Environment

Policy TC1: Town Centre

Policy TC5: Town Centre Core Major Opportunity Area

Policy GD1: High Quality Design

Policy NH10: Conservation Areas

6.6 Local Plan Partial Review (2024)

6.6.1 The council is currently carrying out a partial review and update of the local plan. On 5 July 2024, a schedule of proposed changes was published for the first stage of public consultation under regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). Paragraph 48 of the NPPF 2023 states that 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).

6.6.2 Where there are emerging policies which are relevant to the application, these will be highlighted in the main body of this report.

6.7 Supplementary Planning Documents

Stevenage Design Guide SPD (2023)

Town Square Conservation Area Management Plan SPD (2012)

6.8 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 application proposal would be CIL liable but would be exempt.

7. APPRAISAL

7.1.1 The main issues for consideration in the determination of this application are its design and visual impact on the conservation area as a heritage asset.

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

National Planning Policy Framework and Planning Practice Guidance

7.2.1 Chapter 12. Achieving well-designed and beautiful places of the NPPF (2023) stipulates that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. 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. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process. Where development is not well designed, permission should be refused.

7.2.2 The National Design Guide 2019, which was published by the Government, is a material consideration in the determination of planning applications. It states 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.

7.2.3 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.

Development Plan

7.2.4 Whilst the policies contained in the local plan have limited weight, Policy SP8 generally reflects the requirements of the NPPF in that it requires new development to achieve the highest standards of design and sustainability. In addition, Policy GD1 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.

- 7.2.5 The works proposed are fairly modest in scale and seek to make the first and second floors water and airtight to facilitate the use and occupation of the existing office spaces by a provider such as Co-Space, similar to 21-27 Town Square to the south. The replacement windows would appear like for like matching those at the neighbouring property, introducing double glazing in aluminium/composite frames, in colours to sympathetically match both the original and newer windows in this block.
- 7.2.6 The replacement fascia boards are limited to the area between the ground and first floor, above the shop fronts. Similar like for like replacements would see new slatted timber boards in this area. Additionally, the use of like for like materials to preserve the original aesthetic of the building is also proposed for the new roof and fascia boards at eaves level. Existing faults in the roof across No's 11-19 Town Square are substantial enough that it is more productive to replace the whole roof rather than propose piecemeal repair/replacement. Given this area of the proposal is not readily visible apart from substantially taller buildings, the scale of this replacement is acceptable.

7.3 Impact on Heritage Assets

National Planning Policy Framework and Planning Practice Guidance

- 7.3.1 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) states that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority should have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 7.3.2 Paragraph 199 of the NPPF (2023) states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Paragraph 200 goes on to state that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.
- 7.3.3 Paragraph 201 sets out that where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss.
- 7.3.4 In reference to paragraph 202, this sets out that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

Development Plan

- 7.3.5 Additional to the above, Policy SP13 of the Adopted Local Plan relates to the historic environment. This states that the council will preserve and enhance the most important area and characteristics of Stevenage. The policy goes on to state that the Council will:-
- a) Have carried out Heritage Impact Assessments for development sites within, or adjacent to, conservation areas. Site specific mitigation measures have been incorporated to minimise the impacts of development.

- b) Will use national guidance and legislation to review, designate and determine planning applications affecting heritage assets.
- c) Will protect areas of archaeological importance and other relevant heritage assets by applying the detailed policies set in this plan.

7.3.6 Policy GD1 of the Local Plan (2019) 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.

Supplementary Planning Document

7.3.7 The Town Centre Conservation Area Management Plan (2012) identifies the conservation area for the Town Centre area, as well as listed buildings, and non-listed local historic buildings of importance. The document also seeks to assess and identify threats and opportunities within the area and to provide a benchmark for assessing and managing change.

7.3.8 In respect of alterations and extensions to buildings in the conservation area the Management Plan states that alterations and extensions should not dominate an existing building's scale or alter the composition of its main elevations. Furthermore, the materials which are in use are those which were used as part of the construction of the first phase of the pedestrianised town centre, and therefore should be enhanced as far as possible to ensure that this connection with the New Town is maintained.

7.3.9 Two of the units within the site area, No's 17 and 19 Town Square are located within the Conservation Area, with the remaining units to the north affecting the setting of the Conservation Area. Within the Town Square to the south there are listed structures (Clock Tower and associated pool and the Joyride sculpture), although these are set apart from the site by built form along the northern edge of the main square, namely No's 21-27 Town Square which have undergone similar alterations to those proposed. Given the application site and listed structures are separated by neighbouring buildings, it is reasonable to determine that the proposed alterations would not cause harm to the listed structures.

7.3.10 Similarly, in terms of the visual impact of the proposed development on the Conservation Area as a Heritage Asset is considered to be less than substantial and at the lower end of the scale. The alterations would not undermine the main reasons behind the Conservation Area designation and overall form of the buildings within the Town Square. It is worthwhile noting here that the Town Centre redevelopment approved under planning reference 19/00743/FPM (the regeneration project referred to as 'SG1') which would see the demolition of the application site at some point in the next 10-15 years.

7.3.11 As such, the proposed works would positively impact the building visually by upgrading the windows and fascia's whilst maintaining the fenestration uniformity and opening sizes, until such a time this Phase of the Town Centre redevelopment is underway.

7.4 Other Matters

SG1 Development

7.4.1 As mentioned above, it is of note that the application site forms part of Phase 2 of the Town Centre redevelopment. As a consequence, it will come a time when reserved matters details are submitted to the Council for its approval and the application site and buildings to the north will need to be demolished. It has been made clear from a planning perspective that these works do not prejudice the ability for this Phase of the wider redevelopment to come forward, especially in light with relevant case (Supreme Court Decision Hillside Parks Ltd v Snowdonia National Park Authority (2022) UKSC 30, R (on the application of Fiske) v Test Valley Borough Council [2023] Court of Appeal, R (on the application of Dennis) v Southwark

LBC [2024] (High Court)). For reference, if an application comes forward which diverts or inhibits the ability to implement another permission which falls on the same land, it means the original permission is not implementable and therefore, no longer deemed to be a lawful permission.

- 7.4.2 Given the aforementioned, any lease contract agreed with the proposed occupier and the Council as landowner must refer to indicative timings relating to reserved matters submission requirements and occupation of the building. This is to ensure that this permission does not inhibit the ability to deliver the future phases, specifically phase 2 of the SG1 development.

8. CONCLUSIONS

- 8.1 In summary, the proposed external alterations to replace existing windows, roof and fascia boards would have a positive impact on the building aesthetic and wider visual impact on the Conservation Area and its setting. Moreover, the proposed works would not cause any undue harm to the setting of the listed structures.
- 8.2 Given the above, the proposed development accords with the Policies contained within the adopted Local Plan (2019), the Council's Supplementary Planning Documents, the NPPF (2023) and NPPG (2023).

9. RECOMMENDATIONS

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

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan; SGEH-BBA-ZZ-RF-DR-A-2204; SGEH-BBA-ZZ-ZZ-DR-A-3002; SGEH-BBA-ZZ-ZZ-SH-A-7051; SGEH-BBA-ZZ-ZZ-SH-A-7751; SGEH-BBA-ZZ-RF-DR-A-2006; SGEH-BBA-ZZ-RF-DR-A-2104; SGEH-BBA-ZZ-ZZ-DR-A-3001; SGEH-BBA-ZZ-ZZ-DR-A-3003

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).

Pro-active Statement

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

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.

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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
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- Insulation
- Drains (when laid or tested)
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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

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5 **Biodiversity Net Gain**

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- 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 below the de minimis threshold, meaning development which:
 - a) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and
 - b) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

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>

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 January 2023 and Town Square Conservation Area Management Plan SPD 2012.
- 3. Stevenage Borough Local Plan 2011-2031 adopted 2019.

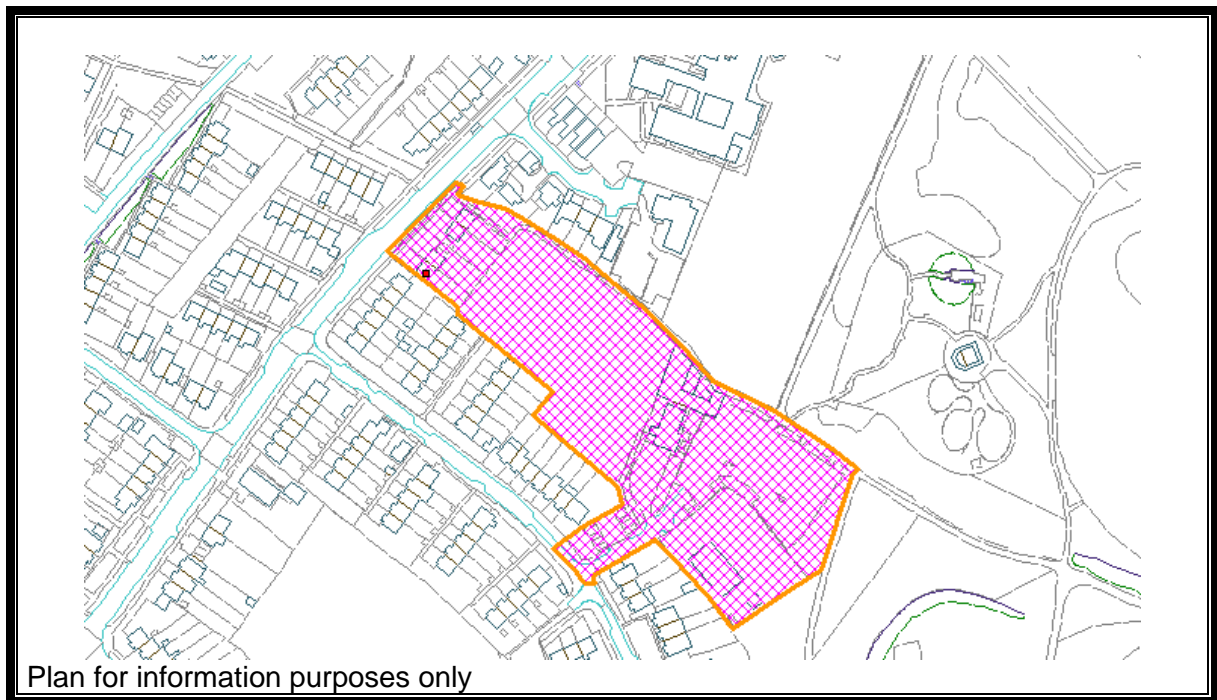
4. Responses to consultations with statutory undertakers and other interested parties referred to in this report.
5. Central Government advice contained in the National Planning Policy Framework 2023 and Planning Policy Guidance.

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Meeting:	Planning and Development Committee	Agenda Item:
Date:	3 September 2024	
Author:	Ailsa Davis	07702 874529
Lead Officer:	Zayd Al-Jawad	01438 242257
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Application No:	22/00965/FPM
Location:	224-230 Bedwell Crescent, Stevenage
Proposal:	Demolition of existing semi-detached houses, sea cadets, nursery and scouts buildings to provide 57no new dwellings with associated parking, facilities and landscape. Reconfiguration of existing public car park.
Drawing Nos.:	18068SU1.01; 18068SU1.02; 18068SU1.03; 18068SU1.04; 18068SU1.05; 18068SU1.06; 18068SU1.101; K61-BRP-00-00-DR-A-0102-P08; K61-BRP-00-00-DR-A-0107-P05; K61-BRP-00-00-DR-A-0108-P03; K61-BRP-00-00-DR-A-0210-P02; K61-BRP-00-00-DR-A-0211-P02; K61-BRP-00-00-DR-A-0212-P02; K61-BRP-00-00-DR-A-0213-P02; K61-BRP-00-00-DR-A-0214-P02; K61-BRP-00-00-DR-A-0215-P02; K61-BRP-00-00-DR-A-0216-P02; K61-BRP-00-00-DR-A-0217-P02; K61-BRP-00-00-DR-A-0300-P03; K61-BRP-00-00-DR-A-0301-P03; K61-BRP-00-00-DR-A-0302-P03; K61-BRP-00-00-DR-A-0303-P03; K61-BRP-00-00-DR-A-0304-P03; K61-BRP-00-00-DR-A-0305-P03; K61-BRP-00-00-DR-A-0306-P03; K61-BRP-00-00-DR-A-0307-P03; K61-BRP-00-00-DR-A-0308-P03; 6529.011-F; SHF.1732.005.ENZ.XX.01.DR.L.45.101-PL01; SHF.1732.005.ENZ.XX.01.DR.L.45.102-PL02; SHF.1732.005.ENZ.XX.01.DR.L.45.103-PL02; SHF.1732.005.ENZ.XX.01.L.SC.45.101-PL02.
Applicant:	Stevenage Borough Council
Date Valid:	2 November 2022
Recommendation:	GRANT PLANNING PERMISSION



1. SITE DESCRIPTION

- 1.1 The application site measures 1.5 hectares in area and is located on the western edge of Fairlands Valley Park, to the south of Bedwell Crescent and east of Shephall View. The site comprises a mixture of uses including residential, public grassed amenity space, garage block, public car park, children's day nursery and community buildings (Sea Cadets and 5th Stevenage Air Scouts Hut) clustered to the north west boundary of Bedwell Crescent and towards the southern boundary of the site which adjoins Fairlands Valley Park. The site currently only has one single lane vehicular access from Shephall View adjacent to the garage block between Nos. 37 and 39. Pedestrian access is available from both Shephall View and Bedwell Crescent, as well as Fairlands Valley Park.
- 1.2 The site sits within an established residential area comprising predominantly two-storey terraced dwellinghouses set within regimented building lines. These properties are constructed from stock red brick with their respective dual pitched roofs finished in bold roll concrete inter-locking tiles.

2. RELEVANT PLANNING HISTORY

- 2.1 The site has been subject to pre-application discussions since 2021. Members resolved to grant planning permission subject to a s106 legal agreement to secure various planning obligations in July 2023. Planning permission was never granted due to failure to get approval for the drainage strategy or complete the s106 agreement. An amended scheme is now proposed and revised plans and updated technical documents have been submitted for consideration. A re-consultation of all previous consultees and neighbours has been carried out.
- 2.2 The site is still within the ownership of Stevenage Borough Council (the applicant); however, it is under offer from Keepmoat Homes Ltd. The amended scheme reflects how Keepmoat Homes wish to see the site developed. Subject to planning permission, the site would be sold and built out by Keepmoat Homes.

3. THE APPLICATION

- 3.1 This application seeks planning permission for the demolition of a pair of semi-detached dwellings (Nos. 224 – 230 Bedwell Crescent) to create a new two-way vehicular access from Bedwell Crescent into the site. The former sea cadets, day nursery and scouts buildings would also be demolished to provide 57no. new dwellings with associated parking, facilities and landscaping. The proposals would also include the reconfiguration and re-surfacing of the existing public car park to provide 53no. spaces.
- 3.2 The overall quantum of development remains unchanged, while the broad parameters also remain largely similar to the previous scheme considered by the planning committee ('the approved scheme'). A total of 57 no. dwellings is still proposed, together with a similar layout and mix of housing. There was previously a mix of 33 no. 2, 2.5 and 3-storey detached and semi-detached houses on plots 1-33 and 24 no. 1, 2 and 3 bedroom flats set within one large, dual fronted, four storey block. The amended scheme comprises 28 houses and 29 'Cluster Homes' comprising 29no. 2 bed 3 person dwellings, 6no. 3 bed 5 person dwellings, 22no. 4 bed 7 person dwellings.
- 3.3 The amended scheme retains dwellings in mostly the same location (shown now numbered on plots 1-20 and 50-57) that reflects the previous layout, but makes some notable changes facilitated by replacing the proposed apartment block:
- Dwellings in plots 24-25 would be removed and the land incorporated within the site.
 - The existing (5 bay) garages and vehicular access would be retained. Vehicular access to the proposed housing from Shephall View would be restricted with a pedestrian footpath only.
 - Semi-detached houses previously on plots 20-23 that overlooked the rear gardens of 25-35 Shephall View would be replaced by 'Cluster Homes' orientated side on rather than back-to-back.
 - The large apartment block would be replaced by 29 no. 2 bedroom Cluster Homes. These would be set in the same broad location, but across five modestly sized two storey blocks instead. The Cluster Homes would be served by shared surfaces and improved amenity areas.
- 3.4 The proposed housing would continue to be private open market. Previously, this planning application was considered alongside the application submitted for 10A and 10B Burwell Road (ref. 22/00437/FPM) for the demolition of existing 2no. semi-detached houses and erection of 20 no. flats, which has been granted planning permission. The two schemes were linked, as the Burwell Road application was earmarked to provide the required affordable housing quota for this site. This is no longer the case. Details on how the development's affordable housing quota would be provided are discussed later in the report. The Sea Cadets and the 5th Stevenage Scouts have been relocated to alternative premises within the town and these buildings are now vacant.
- 3.5 The majority of the site, located on the northwestern side is allocated under Local Plan Policy HO1(15) for the provision of housing and with the requirement for a satisfactory vehicular access to be provided. The policy intimates the provision of 25 houses. The existing car park for Fairlands Valley Park which is located to the southeast of the site is protected under the Principal Open Space (POS) policy NH1/1. The area of the site which currently accommodates the Scouts, Sea Cadets and Day Nursery buildings is not allocated within the Local Plan.
- 3.6 This application comes before the Council's Planning and Development Committee as the application is a Major residential development. In addition, the applicant is Stevenage Borough Council.

4. PUBLIC REPRESENTATIONS

Original consultation (2022)

4.1 Following notification of the application via letter, the erection of site notice and being publicised in the local press, 76 representations against the application have been received and one general comment relating to the provision of swift boxes. A summary of the objections received are as follows:

- Increased pressure on parking, traffic and pollution
- Loss of Sea Cadets and Scouts
- Sea Cadets and Scouts should be re-provided in shared facilities on site
- Loss of light
- Loss of Archery and Shooting Club who use Scout Hut
- Loss of green space
- Loss of trees, hedges and wildlife
- Views of Fairlands Valley Park from flats and safeguarding issues for children
- Increase in anti-social behaviour from the flats
- Not enough spaces in public car park
- Not enough car parking for each house
- Not enough infrastructure to support new housing – more pressure on schools/doctors
- Over development of the site
- Loss of garages
- Buildings should be two storeys only
- Plots 24 and 25 would be detrimental to amenity of No.37 Shephall View
- Substation should be located elsewhere away from No.37 Shephall View
- Proposed footpath adjacent to plot 25 inadequate
- Noise and disturbance from construction
- Existing parking used for school drop off and pick up
- Site has covenants on it which prevent development
- Greater commitment needed to building sustainable homes
- Proposed replacement community facilities in Pin Green too small

Re-consultation on amended layout (2024)

4.2 Following a re-consultation of adjoining neighbours and everyone who made a representation to the original scheme, the erection of a site notice and being re-publicised in the local press, 7 representations against the latest proposal have been received together with video footage of Bedwell Crescent at the point of the proposed access. A summary of the objections received are as follows:

- Increased pressure on parking (including insufficient public parking being provided as part of the reconfigure car park at Shephall View / Fairlands Valley), traffic and air pollution on Bedwell Crescent and surrounding road network
- Loss of Sea Cadets and Scouts
- Sea Cadets and Scouts should be re-provided in shared facilities on site
- Existing traffic and pedestrian footfall on Bedwell Crescent cannot support two-way bell mouth access serving 57 houses and Fairlands Valley Park
- Not enough spaces in public car park
- Issues with anti-social behaviour which will be associated with the development.
- The development would be out of character in terms of scale, height and built form.
- Replacement trees will not immediately mitigate the loss of habitat.
- The proposal will result in a loss of bat roosts at 228/230 Bedwell Crescent,
- Loss of the existing properties which provide emergency accommodation for vulnerable people in the town,

- The development will have a detrimental impact on air quality.
- There is insufficient infrastructure to support this development.
The Council should redevelop the site as a community space for the general public and local with a small shop for the lakes.

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

5. CONSULTATIONS

5.1 Hertfordshire County Council as Highway Authority

5.1.1 Notice is given under article 22 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission subject to conditions. The conditions would cover the following:

- New access
- Reconfigured access
- Visibility splays
- Provision of parking and servicing areas
- Electric vehicle charging points
- Cycle parking
- Construction management plan

5.1.2 The County Council will also seek a financial contribution of £389,082 (HCC Toolkit - £6626 per dwelling x 57) to improve sustainable transport facilities and services for passenger transport users who are using the development.

5.1.3 Based on the submission, it is unlikely given the quantum of the development that the increase in the traffic associated with the development would lead to an adverse impact on highway safety.

5.1.4 Following a minor positional change to the setting out of plots 1 to 4, reconfiguration of allocated parking for plots 1 to 5 and reconfiguration of affected rear gardens due to clarification of the position/extent of land classed as highway at Bedwell Crescent, an amended proposed site plan was submitted. The Highway Authority was re-consulted on 13 August 2024. Any updated comments received will be reported at the committee meeting.

5.2 HCC as Lead Local Flood Authority

Comments dated 19 June 2024

5.2.1 Thank you for your re-consultation regarding the above application (received 28 May 2024) for the demolition of existing semi-detached houses, sea cadets, nursery and scouts buildings to provide 57no new dwellings with associated parking, facilities and landscape plus reconfiguration of existing public car park. We object to this planning application in the absence of an acceptable Flood Risk Assessment (FRA) and Drainage Strategy relating to:

- Further consideration of the flow path along Bedwell Crescent.
- No updated report and calculations to support the new drainage layout.

5.2.2 Reason: To prevent flooding in accordance with National Planning Policy Framework paragraphs 173, 175 and 180 by ensuring the satisfactory management of local flood risk, surface water flow paths, storage and disposal of surface water from the site in a range of

rainfall events and ensuring the SuDS proposed operates as designed for the lifetime of the development.

Comments dated 31 July 2024

- 5.2.3 Thank you for your reconsultation regarding the above application (received 4 July 2024) for the demolition of existing semi-detached houses, sea cadets, nursery and scouts' buildings to provide 57no new dwellings with associated parking, facilities and landscape plus reconfiguration of existing public car park. We object to this planning application in the absence of an acceptable Flood Risk Assessment (FRA) and Drainage Strategy.
- 5.2.4 Reason: To prevent flooding in accordance with National Planning Policy Framework paragraphs 173, 175 and 180 by ensuring the satisfactory management of local flood risk, surface water flow paths, storage and disposal of surface water from the site in a range of rainfall events and ensuring the SuDS proposed operates as designed for the lifetime of the development.
- 5.2.5 We will consider reviewing this objection if the issues highlighted on the accompanying Planning Application Technical Response document are adequately addressed. The main points of this are:
- Clarification into the chosen discharge rate from the site and the ownership of the asset it is proposed to discharge to.
 - Updated drainage calculations (to incorporate urban creep, as well as a climate change allowance on the 3.33% AEP event).

Comments dated 16 August 2024

- 5.2.6 The requested drainage calculations are welcomed, but note the updates (presumably the inclusion of urban creep allowance) results in flooding out of the network during the design storm. This can be permitted if the flooding is annotated on a site plan and measures in place to stop it flowing off site uncontrolled during the design storm and prevented from affecting the proposed dwellings. This annotation has been provided and measures in place in some locations to control it (such as raised kerbs), though some areas of flooding are less clear in terms of how it would be controlled. This probably can be designed out at detailed design stage, but ideally we need assurance how these minor flooded areas would be managed on site at this stage.
- 5.2.7 Also understood the total discharge rate is 5.5l/s. This is betterment over the 1:100 year and 1:30 year runoff rates, but still more than 1:1/QBAR which the case officer referred to in their previous comments. I think this is likely okay, but will need to check as the case officer is more familiar with the site. The ownership matter seems to be resolved.
- 5.2.8 The applicant is reviewing the measures to control the identified flooding during the design storm in the relevant areas and will provide this information to the LLFA in due course. At the time of writing this report no further comments from the LLFA have been received. If comments are received prior to the meeting and/or the drainage strategy is agreed, an update will be provided. Otherwise, it is anticipated Members will agree to delegated powers being granted to the Assistant Director of Planning and Regulation to impose any conditions advised on any response provided after the committee meeting.
- 5.2.9 A decision will not be issued until the S106 Legal Agreement associated with the development has been signed, which will allow time for comments to be received. Therefore, comments will be fully considered prior to a decision being issued. However, if the LLFA continues to raise an objection to this application and their concerns cannot be overcome, then this application will be referred back to the Planning and Development Committee for its decision.

5.3 Hertfordshire County Council Growth and Infrastructure Unit

5.3.1 No objection, subject to a Secondary Education Contribution towards new secondary education provision at the former Barnwell East site/ land at Redwing Close and/or provision serving the development (£597,292) index linked to BCIS 1Q2022).

5.4 Council's Environmental Health Section

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

- Contaminated Land
- Noise

5.5 Police Crime Prevention Design Advisor

5.5.1 Thank you for inviting me to comment on this proposal. I had previously commented on these plans when they were at the 'pre-app' stage. At that time, I did have several concerns, especially around the parking arrangements. I am pleased to say that these issues have been addressed in this application. I would strongly recommend that, should this project be granted planning permission it should seek to gain accreditation to the Police preferred minimum security standard that is Secured by Design.

5.6 Thames Water

5.6.1 No objection, subject to an informative relating to a groundwater risk management permit.

5.7 Affinity Water

5.7.1 No objection.

5.8 Herts and Middlesex Wildlife Trust

5.8.1 No objection, subject to conditions requiring 15 integrated swift boxes and 4 integrated bat boxes, a bat license and a biodiversity net gain management plan.

5.9 Hertfordshire Fire and Rescue (Fire Hydrants)

5.9.1 This will require a condition for the provision and installation of hydrants, at no cost to the county council, or Fire and Rescue service. This is to ensure there are adequate water supplies available for use in the event of an emergency.

5.10 Sport England

5.10.1 Sport England has no comments to make on this additional information consultation. Therefore, please refer to Sport England's previous responses for our current position on this application which for the benefit of doubt have not been superseded and remain extant.

Original Comments dated 4 November 2022

5.10.2 The proposed development does not fall within either our statutory remit (Statutory Instrument 2015/595), or non-statutory remit (National Planning Policy Guidance (PPG) Par. 003 Ref. ID: 37-003-20140306), therefore Sport England has not provided a detailed response in this case but would wish to give the following advice to aid the assessment of this application.

- 5.10.3 General guidance and advice can however be found on our website: https://www.sportengland.org/how-we-can-help/facilities-and-planning/planning-forsport#planning_applications. If the proposal involves the loss of any sports facility then full consideration should be given to whether the proposal meets Par. 99 of National Planning Policy Framework (NPPF), link below, is in accordance with local policies to protect social infrastructure and any approved Playing Pitch Strategy or Built Sports Facility Strategy that the local authority has in place.
- 5.10.4 If the proposal involves the provision of a new sports facility, then consideration should be given to the recommendations and priorities set out in any approved Playing Pitch Strategy or Built Sports Facility Strategy that the local authority may have in place. In addition, to ensure they are fit for purpose, such facilities should be designed in accordance with Sport England, or the relevant National Governing Body, design guidance notes: <http://sportengland.org/facilities-planning/tools-guidance/design-and-cost-guidance/>.
- 5.10.5 If the proposal involves the provision of additional housing (then it will generate additional demand for sport. If existing sports facilities do not have the capacity to absorb the additional demand, then new and/or improved sports facilities should be secured and delivered in accordance with any approved local policy for social infrastructure, and priorities set out in any Playing Pitch Strategy or Built Sports Facility Strategy that the local authority has in place.
- 5.10.6 In line with the Government's NPPF (including Section 8) and PPG (Health and wellbeing section), consideration should also be given to how any new development, especially for new housing, will provide opportunities for people to lead healthy lifestyles and create healthy communities. Sport England's Active Design guidance can be used to help with this when developing or assessing a proposal. Active Design provides ten principles to help ensure the design and layout of development encourages and promotes participation in sport and physical activity.

5.11 HCC Minerals and Waste Policy

- 5.11.1 No objection, subject to a condition securing a Site Waste Management Plan.

5.12 East of England Ambulance Service NHS Trust

- 5.12.1 The proposed development is likely to have an impact on Stevenage emergency ambulance stations within the vicinity of the application site. EEAST are in a unique position that intersects health, transport and community safety and does not have capacity to accommodate the additional growth resulting from the proposed development to achieve nationally set blue light response times. EEAST would therefore expect these impacts to be fully assessed and mitigated.
- 5.12.2 The development and change of use from existing semi-detached houses, sea cadets, nursery and scouts buildings and garages to housing would give rise to a need for improvements to capacity, in line with emerging Integrated Care System estates strategy which can be met by:
- Provision of additional medical equipment to manage the increased number of incidents from the growing population in order to maintain mandated ambulance response times and treatment outcomes. The range of equipment includes stretchers, carry chair, tracks, power chair, scoop, spine board, power load, wheelchair, Corpuls (patient monitoring units with integrated defibrillator/pacemaker, ECG etc).
 - Recruiting, training and providing new equipment for additional Community First Responders (CFRs) to support the proposed development and the community as a whole.

5.12.3 Table 1 shows the population likely to be generated from the proposed development. The capital required to create additional emergency ambulance services to support the population arising from the proposed development is calculated to be £16,313.

Table 1 Capital Cost calculation of additional health services arising from the development proposal

Additional Population Growth (net gain)	ICS Activity Rate ²	Ambulance Cost ³	Total
127	0.19	£675	£16,313

¹ Calculated assuming 2.4 persons for each dwelling average household for Stevenage Borough Council

² Calculated Hertfordshire and West Essex Census 2020 population (1.5m) and 2021-2 EEAST emergency activity volume (288,262)

³ EEAST ambulance infrastructure cost (2021)

5.12.4 It is unclear when the development may be delivered and if the site is listed in the Local plan and features on the housing trajectory for the local authority or indeed if permission will be granted. But should this development materialise, it will have an impact on emergency ambulance healthcare provision in the area and must be mitigated by legally securing developer's contributions and these are in addition to those submitted NHS Hertfordshire & West Essex ICB for GP, acute, community and mental health infrastructure.

5.12.5 Subject to certainty that healthcare will be the beneficiary of the aforementioned Section 106 contributions in relation to this development, EEAST does not raise an objection to the proposed development.

5.13 NHS England

5.13.1 Thank you for consulting the Hertfordshire and West Essex Integrated Care Board (HWE ICB) on the above-mentioned planning application. The HWE ICB became a statutory body on 1 July 2022 and is the health commissioner responsible for delivering joined up health and social health care to a population of c1.8m in Hertfordshire and west Essex. The HWE ICB works in partnership with health providers, local authorities, and other organisations to (i) improve the general health and wellbeing of Hertfordshire and west Essex residents and improve health care services in the area, (ii) to tackle the inequalities which affect people's physical and mental health, such as their ability to get the health services they need, and the quality of those services help tackle health and wider inequalities, (iii) to get the most out of local health and care services and make sure that they are good value for money and (iv) to help the NHS support social and economic development in Hertfordshire and west Essex.

Assessment of impact on existing Healthcare Provision

5.13.2 The HWE ICB has assessed the impact of the proposed development on existing primary health care provision in the vicinity of the development. Whilst the application states 57 dwellings, as confirmed by the local authority this proposed development would deliver 53 dwellings NET. The Developer's application dated 21 October 2022 on the planning portal indicates the breakdown of the dwelling types. In terms of the 53 dwellings NET, ICB will work on the basis of the following occupancy rates:

- 1 bed - 5 (x 2 occupants = 10)
 - bed - 19 (x 2.4 occupants = 45.6)
 - bed - 6 (x 3.5 occupants = 21)
 - 4 bed - 23 (x 4 occupants = 92)
- = 53 dwellings creating circa 168.6 new patient registrations.

5.13.3 Within the HWE ICB there are 35 Primary Care Networks (PCNs) across the 14 localities; each covering a population of between circa 27,000 and 68,000 patients. These PCNs are

expected to deliver services at scale for its registered population whilst working collaboratively with acute, community, voluntary and social care services in order to ensure an integrated approach to patient care. As such a doctors' general practitioners' surgery may include an ancillary pharmacy and ancillary facilities for treatments provided by general practitioners, nurses and other healthcare professionals. Stevenage South PCN, under which this development directly falls, has a combined patient registration list of 65,614 which is growing.

- 5.13.4 Patients are at liberty to choose which GP practice to register with providing they live within the practice boundary. However, the majority of patients choose to register with the surgery closest and/or most easily accessible to their home for the following reasons: it is the quickest journey, accessible by public transport or is in walking distance), parking provision, especially for families with young children and for older adults. Despite premises constraints GP Practices are not allowed to close their lists to new registrations without consultation with, and permission from the HWE ICB. Even when surgeries are significantly constrained the NHS will seek to avoid a situation where a patient is denied access to their nearest GP surgery, with patient lists only closed in exceptional circumstances. As a result of significant growth proposed in Local Plans, the HWE ICB expects applications to close lists to increase. It is therefore important that new developments make a financial contribution to mitigate any primary health care impacts the development will have.

Healthcare Needs Arising from the Proposed Development

- 5.13.5 This development will have an impact on primary health care provision in the Stevenage area and its implications, if unmitigated, would be unsustainable for the NHS. The financial contribution for health infrastructure that the HWE ICB is seeking, to mitigate the primary health care impacts from this development, has been calculated using a formula based on the number of units proposed and does not take into account any existing deficiencies or shortfalls in the Stevenage area and its vicinity, or any other development proposals in the area.

- 5.13.6 Cost calculation of additional primary healthcare services arising from the development proposal:

$168.6 / 2000 = 0.0843$ of a GP *GP based on ratio of 2,000 patients per 1 GP and 199m² as set out in the NHS England "Premises Principles of Best Practice Part 1 Procurement & Development"

$0.0843 \times 199 \text{ m}^2 = 16.7757 \text{ m}^2$ of additional space required

$16.7757 \text{ m}^2 \times \text{£}5,410^* \text{ per m}^2 = \text{£}90,756.537$ (*Build cost; includes fit out and fees)

$\text{£}90,756.537 / 53 \text{ dwellings} = \text{£}1,712.387$ per dwelling (rounded down to £1,712 per dwelling)

Total GMS monies requested: 53 dwellings x £1,712 = £90,736.00

- 5.13.7 The HWE ICB therefore requests that this sum is secured through a planning obligation attached to any grant of planning permission, in the form of a Section 106 planning obligation. A trigger point of payment on occupancy of the 15th Dwelling is requested. If planning permission is granted, the HWE ICB propose to focus Section 106 monies on all or either Bedwell Medical Centre and their branch Roebuck Surgery, Shephall Way Surgery, King George Surgery and their branch Manor House Surgery by way of expansion of the capacity of the existing premises which could include bulk removal of patient notes to secure off site storage, internal reconfiguration or extension. All these options are being considered to enable increase of capacity and patient access to provide sufficient space to increase resources and clinical services and thus keep the patient lists open.
- 5.13.8 In terms of just Roebuck Surgery and Shephall Way Surgery the S106 would be used to cover:

- Roebuck Surgery - The initial/bulk uplift and transport of c 13,500 patient records to secure off site storage. The build costs of repurposing of the vacated storage space into 2 additional clinical rooms.
- Shephall Way Surgery - The initial/bulk uplift and transport of c 9,868 patient records to secure off site storage. The build costs of repurposing of the vacated storage space into 1 additional clinical room.

5.13.9 As well as the importance of a S.106 contribution for GMS, it is also vital to consider the impact of developments and additional residents on community and mental healthcare as occupiers of the development will access a variety of healthcare. Based on recent cost impact forecasting calculations, the potential cost impact of these developments going ahead on community and mental healthcare would be as follows:

Mental Health costs:

53 dwellings x £201.75 = £10,692.00

Community Healthcare costs:

53 dwellings x £182.03 = £9,647.00

5.13.10 It is planned that the Community Services (Hertfordshire Community Trust - HCT) and the Mental Health Services (Hertfordshire Partnership Foundation Trust – HPFT) for the Stevenage area will be re located and centralised in the new Stevenage Town Centre hub project of which the Local Authority is aware. That is where the focus of the S106 would be for both services and both organisations rely on S106 funding being made available for this project.

5.13.11 Please note, the developer contribution figures referred to in this response is a calculation only and that the final payment will be based on the actual dwelling unit mix and the inclusion of indexation. In terms of identifying full projects at this stage please note:

- All projects are subject to Full Business Case approval by the HWE ICB and NHS England.
- Any commercial arrangement has to be agreed between the landowner, developer and end user based on a compliant design specification and which demonstrates value for money.
- All planning applications and responses are in the public domain; identifying a project before any design work starts and funding is discussed, agreed and secured may raise public expectation and indicate a promise of improvements and increased capacity, which are subject to both the above points. Securing developers contributions to all aspects of healthcare is therefore vital.
- A project identified and costed in response to the planning application may not meet the objectives of current strategies or could have significantly increased in cost, especially if there has been any significant time lapse from the date of the response to the date of implementation of the planning consent.

5.13.12 In conclusion, in its capacity as the primary healthcare commissioner with full delegation from NHS England, the HWE ICB has identified a need for additional primary healthcare provision to mitigate the impacts arising from the proposed development. The cost calculation, set out above are those that the HWE ICB and NHS England deem appropriate having regard to the formulated needs arising from the development. The HWE ICB is satisfied that the basis and value of the developer contribution sought is consistent with the policy and tests for imposing planning obligations, as set out in the NPPF. Further, NHS England and the HWE ICB reserve the right to apply for S106 money retrospectively and the right to amend and request that this be reflected in any S106 agreement.

5.13.13 Subject to certainty that developer contributions are secured, as set out above, the HWE ICB does not raise an objection to the proposed development. The HWE ICB looks forward

to working with the Council to satisfactorily address the issues raised in this consultation response and would appreciate acknowledgement of receipt of this letter.

5.14 SBC Green Spaces Development Officer

- 5.14.1 We note that the proposals include some narrow/small areas of grass, which will struggle to establish and may cause maintenance issues. These areas should be omitted and hard landscaped. The gradient(s) of the proposed banks that run alongside the main entrance road shall be established. Banks should ideally be no greater than 15 degrees, as this may limit the accessibility of some maintenance machinery.
- 5.14.2 All landscaped/planted areas must be designed to be easily accessible for maintenance. We require clarity on those areas of landscaping where the maintenance is to be adopted by SDS and those which are private. Due to its proximity, it is expected that the facilities in Fairlands Valley Park will be readily utilised. The developer shall be required to provide a suitable financial contribution to be allocated towards delivering green space improvements in the park.
- 5.14.3 We note that a tracking simulation has been undertaken for refuse vehicle manoeuvrability. However, we are concerned that this may not have considered parked cars, particularly on the main access road. It is not clear what parking restrictions may be in place. Still, we need reassurance that the access will be able to provide suitable manoeuvring space for refuse collection vehicles in all possible scenarios.

Fairlands Valley Park - Car Parking Arrangements

- 5.14.4 Whilst no dwellings are proposed to be built within the principal park, there will be a slight reduction of spaces allocated for park visitors. This will be in favour of spaces designed to be assigned to the development. This car park can be bustling during periods of high demand as it provides the nearest access to the play area and aqua park. Furthermore, these proposals look to improve the accessibility of the site by car over existing arrangements via Shephall View. Therefore, parking overspill must be anticipated as this could impact the availability of other spaces or result in parking on the verges, pavements and residential streets. In turn, this could affect accessibility for fire trucks and refuse collection freighters. As far as we know, this has not been considered, and the developer must show how these potential concerns and issues are proposed to be addressed.
- 5.14.5 We welcome the addition of improving the car park, including the marking and layout. We require details on how the car park is proposed to be 'controlled'. Due to housing being closer to the car park, this should include details on the proposals for managing/controlling antisocial behaviour/activities. This could consist of speed restrictions, CCTV etc. Due to the change of entrance location, consideration must be given to protecting the car park from unauthorised encampments. The current entrance route to the car park from Shephall View already provides a level of protection due to the road's narrowness. Changing this may increase the opportunity for an encampment. As such, consideration must be given to providing necessary protection measures (such as a height restriction barrier).
- 5.14.6 Considering the point above, it is not appropriate for refuse freighters to back into the car park to turn around. We also have concerns for the safety of park visitors from turning/reversing refuse freighters. Furthermore, consideration should also be given to preventing vehicles from parking in such a manner that may obstruct access. We have concerns regarding the proposed groundcover planting strip in the centre of the car park. We anticipate that this will struggle to establish and may cause issues for future maintenance. Furthermore, it will also be likely exposed to damage from vehicle incursion and erosion from foot traffic. Except for the trees, this area should ideally be attractively hard landscaped. We also question the appropriateness of installing bird boxes in the middle of a car park.

- 5.14.7 The proposals include a significant amount of native hedge planting around the car park. From experience, planting around car parks can cause future maintenance challenges. As such, all planting around car parks must allow for door swings and vehicle overhangs. All planting must also be set back far enough not to cause future access and maintenance issues. The proposals shall also include improved boundary treatments to the car park to protect the park from unauthorised vehicle access at all times. In addition, the current tired wooden kneel rail shall be replaced with more robust galvanised metal hoops. Maintenance access via a removable bollard shall also be provided.
- 5.14.8 It is unclear how the park's parking and maintenance access arrangements will be managed during construction, and this must be clarified. In addition, we require details of how the developer proposes to maintain and minimise disruption to access for the park and car park whilst the development is being delivered. We require a new highway directional sign for the park on Bedwell Crescent. The existing sign on Shephall View shall also be removed.

Drainage

- 5.14.9 We require clarification on where the drainage interception will occur and the responsibility. Furthermore, we also need details about the arrangements for undertaking the 6-monthly maintenance and checking of the drainage system. SDS will not adopt the maintenance of any physical drains, pipes, channels etc, as a result of this development, as we do not have the expertise to do so. Please refer to the Council's Engineering department for comment. Whilst beyond our scope of expertise, the developer, must ensure that there is no risk of pollutants entering the lakes that could impact the fish stock, wildlife and public health. Input/advice from the Environment Agency may be required. Equally, the increased input of water into the lakes (particularly during storms) should be checked with relevant reservoir experts to ensure that the reservoir can still operate effectively and safely.

Planting

- 5.14.10 *Sambucus nigra* is unsuitable for this scheme as it will cause maintenance issues and out-compete other species. Therefore, it must be suitably substituted with an alternative. *Rhus typhina* has an invasive growing habit; therefore, it must be suitably substituted for an alternative. *Symphoricarpos spp.* is unsuitable for this scheme as it will cause maintenance challenges and must be suitably substituted with an alternative. The ornamental planting mix contains a more significant proportion of herbaceous perennials. The amount of herbaceous should be reduced in favour of shrub planting as SDS has a limited capacity to maintain herbaceous planting at this location.
- 5.14.11 An establishment defect period of 12 months minimum is required for all planting. During this period, the developer will ensure that an appropriate maintenance regime is in place to ensure the optimal planting establishment and carryout and repairs, replacements etc. Any proposed planting and grassed landscaping must also consider the location in respect of glazed windows, doors, drainage, services etc. Areas of planting must not interfere or have the potential to block windows and doors. Grassed areas shall not be near low-level glazing (due to the risk of material being thrown from machinery) and shall not abut a property (to avoid damage to guttering, wires etc).

Trees

- 5.14.12 Please refer to the Council's Arboricultural Manager for further comments and advice regarding trees. Careful consideration must be given to the placement of any tree in respect of causing cleansing or maintenance issues. We have concerns that some of the proposed trees may not be suitable for the location and should be substituted. For example, some *Quercus spp.* and *Prunus spp.* are situated close to parking and residential areas, which will cause issues at maturity. *Koelreuteria paniculata* may not be appropriate for this location as it is shallow rooting and requires a large space. This should be substituted for a suitable

alternative. Trees planted near parking spaces must be suitably guarded from vehicle strikes and be planted within a grille and ground anchored. As per above, careful consideration must be given to the species not to cause maintenance issues.

5.15 UK Power Networks

5.15.1 Please note there are LV underground cables on the site running within close proximity to the proposed development. Prior to commencement of work accurate records should be obtained from our Plan Provision Department at UK Power Networks, Fore Hamlet, Ipswich, IP3 8AA. All works should be undertaken with due regard to Health & Safety Guidance notes HS(G)47 (Avoiding Danger from Underground services). This document is available from local HSE office. Should any diversion works be necessary as a result of the development then enquiries should be made to our Customer Connections department. The address is UK Power Networks, Metropolitan House, Darkes Lane, Potters Bar, Herts, EN6 1AG. You can also find support and application forms on our website [Moving electricity supplies or equipment | UK Power Networks](#).

5.16 SBC Arboricultural and Conservation Manager

5.16.1 I have studied this application and can make the following comments:

- Group of trees G1 should be trimmed back appropriately to reduce encroachment onto the nearest proposed property. This work should be carried out before the commencement of the construction work.
- Some of the proposed tree planting is too close to the parking bays and likely to cause excessive encroachment in the near future.
- With regards the choice of tree planting near the parking bays, in my view, species like Prunus Padus, Prunus Avium and Sorbus Aucuparia should be avoided.

5.17 Planning Policy

5.17.1 No comments received.

5.18 SBC Waste Storage

5.18.1 No comments received.

5.19 SBC Highways (Engineers)

5.19.1 No comments received.

5.20 Environment Agency

5.20.1 No objection.

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 requires that planning applications be determined in accordance with the development plan unless material considerations indicate otherwise. For Stevenage, the statutory development plan comprises the following documents:

- The Stevenage Borough Council Local Plan 2011-2031 (adopted 2019)

- The Hertfordshire Waste Core Strategy & Development Management Policies Development Plan Document 2011-2026 (adopted 2012)
- The Hertfordshire Waste Site Allocations Development Plan Document 2011-2026 (adopted 2014)
- The Hertfordshire Minerals Local Plan Review 2002-2016 (adopted 2007)

6.2 National Planning Policy Framework

6.2.1 A revised National Planning Policy Framework (NPPF) was published in December 2023. This made significant changes to the September 2023 version and revised policy with respect to the following:

- maintaining supply and delivery of housing.
- making effective use of land with the allowance of mansard roof extensions to suitable properties.
- significant uplift in the average density of residential development can be seen as being inappropriate if the built form is out of character.
- strengthening policies around achieving well-designed and beautiful places.
- requirement for councils to prepare Local Design Codes.
- no longer a requirement to review or change Green Belt boundaries when plans are being prepared or updated.
- local planning authorities should now give significant weight to the need to support energy efficiency and low carbon heating improvements to existing buildings, both domestic and non-domestic.
- change to policies on Biodiversity.

6.2.2 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.

6.2.3 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 95%, the authority should prepare an action plan to assess the causes of under delivery and identify actions to increase delivery in future years. 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 79 of the NPPF. This will be in addition to the preparation of an Action Plan. 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 under paragraph 11(d) of the NPPF. The latest HDT results published by the Department for Levelling Up, Housing and Communities (DLUHC) (**Now the Ministry of Housing, Communities and Local Government (MHCLG)**) in December 2023 identifies that Stevenage delivered 57% of its housing requirement.

6.2.4 The Council, based on its HDT score is currently subject to the most severe penalty under paragraph 11(d) of the NPPF (2023). For reference, as this policy is now engaged, it means Local Plan policies would be classed as out-of-date. Consequently, Stevenage Borough Council must apply the presumption in favour of sustainable development in its decision making and give great weight towards the need to deliver housing. The Council must also apply a 20% buffer in its 5-year housing supply calculations, and it also has to produce an Action Plan in order to boost housing delivery.

6.2.5 On the 21st May 2024, the Council published its 5 Year Land Supply Update May 2024. This identifies that the Council can demonstrate a Housing Supply of **5.59 years** for the period 01 April 2024 to 31 March 2029, using the *Liverpool* methodology (spreads the delivery of historic undersupply of housing equally across the remainder of the Local Plan period) and guidance from the NPPF and Planning Practice Guidance. The 5 year land supply includes a 20% buffer.

6.2.6 The Council has also issued a Housing Delivery Action Plan May 2024. This provides an overview of housing delivery, analysis of barriers to delivery and actions necessary to increase the delivery of housing in the future. The action points specified in the Plan will be monitored on an annual basis to ensure delivery can be increased to meet the Council's target of 7,600 new homes over the Local Plan period.

6.3 Planning Practice Guidance

6.3.1 The Planning Practice Guidance ("PPG"), with which Members are fully familiar, is an online resource containing guidance supplementing the NPPF. The PPG is a material consideration which should be taken into account in determining planning applications.

6.4 National Design Guide

6.4.1 The National Design Guide 2021 is Government guidance on the characteristics of well-designed places and demonstrates what good design means in practice. It has the same status as the PPG and should similarly be taken into account when determining planning applications.

6.5 Stevenage Borough Local Plan

6.5.1 The Local Plan policies most relevant to determining the application are as follows:

- 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 SP9: Healthy Communities
- Policy SP11: Climate change, flooding and pollution
- Policy SP12: Green infrastructure and the natural environment
- Policy IT4: Transport assessments and travel plans
- Policy IT5: Parking and access
- Policy IT6: Sustainable transport
- Policy IT7: New and improved links for pedestrians and cyclists
- Policy HO1/15: Housing allocations – Shephall View
- Policy HO5: Windfall sites
- Policy HO7: Affordable housing targets
- Policy HO8: Affordable housing tenure, mix and design
- Policy HO9: House types and sizes
- Policy HO11: Accessible and adaptable housing
- Policy HC4: Existing Health, social and community facilities
- Policy GD1: High quality design
- Policy FP1: Climate change
- Policy FP2: Flood risk in Flood Zone 1
- Policy FP5: Contaminated land
- Policy FP7: Pollution
- Policy FP8: Pollution sensitive uses
- Policy NH1: Principle Open Space

Policy NH5: Trees and woodland

6.6 Local Plan Partial Review (2024)

6.6.1 The council is currently carrying out a partial review and update of the local plan. On 5 July 2024, a schedule of proposed changes was published for the first stage of public consultation under regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). Paragraph 48 of the NPPF 2023 states that 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).

6.6.2 Where there are emerging policies which are relevant to the application, these will be highlighted in the main body of this report.

6.7 Supplementary Planning Documents

Parking Provision SPD (2020)
Stevenage Design Guide SPD (2023)
The Impact on Biodiversity SPD (2021)
Developer Contributions SPD (2021)

6.8 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 application proposal would be CIL liable.

7. APPRAISAL

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

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 60 of the NPPF (2023) requires that the planning system to support the Government's objective of significantly boosting the supply of homes. In addition to this, it requires the need to ensure there is a sufficient and variety of land to come forward where need to meet housing requirements of groups with specific housing requirements. Furthermore, paragraph 60 sets out that the overall aim should be to meet as much of an area's identified housing need as possible, including with an appropriate mix of housing Paragraph 70 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 123 of the NPPF stipulates that planning policies and decisions should promote the effective use of land in meeting the need for homes through the use of brownfield sites (previously developed land) and the development of underutilised land. Paragraph 124 c) of the NPPF emphasises that planning decisions should given substantial weight to the value of using suitable brownfield land within settlements for homes.
- 7.2.3 The northern half of the site is allocated in the Local Plan (2019) as a housing site under Policy HO1(15) with an indicative capacity for 25 dwellings. However, the remainder of the site falls outside of the allocation in the Local Plan and would therefore, be classed as windfall. Policy HO5 of the adopted Local Plan (2019) deals with windfall housing sites and states that permission will be granted where: the site is on previously developed land or is a small, underused urban site; there is good access to local facilities; there will be no detrimental impact on the environment and the surrounding properties; proposals will not prejudice the Council's ability to deliver residential development on allocated sites; and, the proposed development would not overburden existing infrastructure.
- 7.2.4 Taking the above issues in turn, the northern half of the development proposal which predominantly falls within the housing allocation would comprise 43 dwellings. Notwithstanding this is a higher density than that envisaged within the Local Plan, which has an indicative dwelling capacity of 25 dwellings, this would be in accordance with Policy HO1(15) in land use policy terms. Paragraph 9.5 of the Local Plan states the housing numbers in Policy HO1 are indicative. Schemes on these sites should aim to achieve the highest possible net density appropriate to the character of the area, passenger transport accessibility and other relevant plan policies. The acceptability of the proposal in relation to character of the area, accessibility and highways in terms of the proposed density are examined below. Whilst part of the allocated housing site comprises open green space, an assessment for its loss is not required under Local Plan policy as it forms part of the Local Plan designation.
- 7.2.5 Turning next to the proposed development which falls on land outside of the allocated housing site, 14 dwellings are proposed. Given this part of the site contains the existing community buildings (former scouts and sea cadets – there are no specific planning policies which protect day nurseries, as they are not classed as either an existing health, social or community facility), Local Plan Policy HC4 'Existing health, social and community facilities' is also engaged in addition to Policy HO5 'Windfall Sites'.
- 7.2.6 Dealing first with Policy HO5, the application site is identified as being predominantly previously developed land with existing buildings and area of hardstanding and thus accords with the definition of previously developed land set out in Annex 2 of the NPPF. The NPPF states that previously developed land is land which is or was occupied by a permanent structure, including the curtilage of the developed land and any associated fixed surface infrastructure. The NPPF also advises that a key objective is that local planning authorities should continue to make effective use of land by re-using land that has been previously developed. As such, the proposed development, is in accordance with adopted Local Plan (2019) Policy HO5 criterion (a).

- 7.2.7 Criterion (b) of Policy HO5 also requires that there is access to local facilities and that residential proposals include opportunities to access alternative forms of travel to private motorised transport. In terms of pedestrian access, the site would continue to be accessible from both Bedwell Crescent and Shephall View, as well as Fairlands Valley Park. The site is also well connected in terms of cycle infrastructure to local facilities and the wider network. A shared use route runs from Bedwell Crescent inside the northern boundary of the site into Fairlands Valley Park linking south to the east-west cycle way system on Six Hills Way. This route would be retained as part of the development proposal.
- 7.2.8 The closest bus stop to the site is Sinfield Close (170m), which gives access to service SB10 towards Stevenage Bus Station, via Pin Green. Colestrete bus stop, approximately 500m from the site, offers services towards Shephall, Bedwell and Stevenage town centre. The site is also 1700m from the Aldi supermarket and 1800m from Asda Superstore (approximately 20-minute walk). In addition, the site is also within 2.1km of the railway station. Consequently, the site is identified as being within a highly sustainable location.
- 7.2.9 Turning to the impact of the development on existing infrastructure, the proposal is CIL liable and therefore its impact on education and healthcare facilities would be mitigated through CIL funding. The proposed development is not therefore considered to overburden existing infrastructure in accordance with criterion (e) of Policy HO5.
- 7.2.10 In terms of criteria (c) and (d), the impact on the environment and surrounding properties will be considered later in the report. The additional 14 dwellings proposed on the unallocated part of the site would not prejudice the delivery of the 43 dwellings on the allocated part of the site for housing and therefore the proposal would comply with criterion (d). Consequently, it is considered the 10 dwellings which would form part of the windfall site would be in accordance with Policy HO5 of the Local Plan (2019).
- 7.2.11 In respect to Policy HO9 (House types and sizes) of the adopted Local Plan (2019), it identifies that there is a structural imbalance in the existing housing stock (albeit in a limited manner) whereby there is a lack of smaller properties and larger aspirational homes in the town. The Design Guide SPD (2023) outlines that housing is an area of weakness across the town. One of the main issues is the lack of an appropriate mix of housing sizes, types, and tenures with a high proportion of three-bedroom properties, and a lack of one and two bedroom properties. The lack of housing mix is exacerbated by changes in demographics leading to an increase in the number of single person households and couples needing homes. Due to growth requirements for the town, there is a need to provide a substantial number of additional homes in Stevenage. Higher density development is set out as a key requirement of National Guidance, and, where appropriate, densities will need to be raised to meet these targets for new homes.
- 7.2.12 The proposed development is seeking to deliver 14no. 2.5 storey 4 bed semi-detached houses, 8no. 3 storey 4 bed semi-detached townhouses, 6no. 2.5 storey 3 bed terraced houses and 29no. 2-storey 2 bed terraced houses. As such, it would be in accordance with this policy because it would help to deliver a large number of smaller two bed and larger four-bedroom dwellings and contribute to the delivery of a mix of housing types in the town. Furthermore, this proposal would help to support the Government's current adopted policy objective of delivering more housing in accordance with paragraph 60 of the NPPF.
- 7.2.13 In summary, due to the under-delivery of housing as identified in recent HDT scores published by DLUHC (now MHCLG) in December 2023, paragraph 11(d) of the NPPF is engaged and there is now a presumption in favour of delivering sustainable development. In addition, the Council's specific policies on housing are deemed to be out of date, so significant weight must be given to increase the delivery of new homes as required under the NPPF. Therefore, in providing 53 additional dwellings (net), the development would make a small but nonetheless positive contribution towards meeting the Borough's housing needs.

No additional benefits would result from the size or tenure of the dwellings, but this is a neutral matter. The construction activity would provide a very small boost to the local economy.

- 7.2.14 There would be some economic benefit during the construction phase, and future occupiers would be likely to contribute to local services and facilities. Given the quantum of development, it is considered that these benefits would be substantial and therefore attract significant weight in favour of the proposal. Having regard to all the policy considerations laid out above, the proposed development is considered to be acceptable in principle given the benefits of providing additional dwellings due to paragraph 11(d) of the NPPF being engaged. It follows that the development is acceptable in principle.

Loss of Community Facilities

- 7.2.15 The application proposal involves the redevelopment of two community buildings for housing, namely the 5th Stevenage Scouts Group and Stevenage Sea Cadets Corps buildings. A third building used as a private Day Nursery would also be demolished, however, this use is not classed as a 'community use' and falls within Planning Use Class E relating to 'business, service and commercial' uses. The loss of the former scouts and sea cadets buildings needs to be assessed under Local Plan policy HC4 'existing health, social and community uses'. Policy HC4 states planning permission that results in the loss or reduction of any existing health, social or community facility will be granted where:
- a) The existing facility can be satisfactorily relocated within the development proposal, or replaced in an appropriate alternative location;
 - b) It can be demonstrated that there is no longer a need for the particular facility; or
 - c) The facility, or any reasonable replacement, is not, and will not, be viable on that site.
- 7.2.16 Paragraph 11.24 of the Local Plan states the above policy refers to health, social and community facilities falling within Use Classes C2 'residential institutions', D1 'non-residential institutions' and D2 'Assembly and Leisure'. With respect to the question on the Use Class for the Scout and Sea Cadet buildings, these generally would have fallen under Use Class D2 'Assembly and Leisure' under the previous planning use class legislation. However, the Use Class Order was amended in 2020 (The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020). Consequently, under the amended use class order, the Scout and Sea Cadets buildings would now fall under Use Class F.2 'Local Community'.
- 7.2.17 Both the 5th Scout Group and the Stevenage Sea Cadets have relocated to alternative premises at the Pin Green Youth Centre in Hampson Park and the existing buildings on site are now vacant. Alongside this, work has been carried out to enhance the access that the Sea Cadets enjoy to Fairlands Valley Lake to improve the provision of one its core activities. On this basis, the relocation has satisfied criterion (a) of Local Plan policy HC4.
- 7.2.18 With regards to the former use of the Scout Hut by an archery and shooting club, Sport England has been consulted and advised the proposed development does not fall within either their statutory remit (Statutory Instrument 2015/595), or non-statutory remit (National Planning Policy Guidance (PPG) Par. 003 Ref. ID: 37-003-20140306), therefore they did not wish to provide a detailed response. The Scout Hut itself which the clubs used to use prior to relocation was not a sports facility and therefore the requirements of paragraph 103 of the NPPF in terms of dealing with the loss of existing sports and recreational buildings is not engaged.
- 7.2.19 Notwithstanding this, it is understood the shooting and archery club activities were laid on by the scouts and are available to the wider scout network. The applicant has advised the scouts have relocated these activities to alternative premises within the town.

Existing public car park and areas of open green space

- 7.2.20 The existing car park for Fairlands Valley Park which is located to the south east of the site is protected under the Principal Open Space (POS) policy NH1/1. This policy restricts any development that would see the loss of any part of the POS and proposals should not have an adverse impact upon any POS within, or adjacent to, the application site. The proposal to replace the existing car park with a new, improved car park in terms of layout and provision is acceptable and would accord with the provisions of the policy.
- 7.2.21 In assessing the loss of open green space which forms part of the application site around the buildings to be demolished, Policy NH6 stipulates that for development of any existing, unallocated open spaces, development would be permitted where:
- A) the loss of the open space is justified having regard to:
 - i) the quality and accessibility of the open space;
 - ii) the existence, or otherwise, or any interventions to improve the quality or access;
 - iii) whether the open space is serving its function and purpose; and
 - iv) whether alternative space(s) remain available for community use, and
 - B) Reasonable compensatory provision is made.
- 7.2.22 The areas covered by this policy are small in size and are all contained within the site and largely screened by existing buildings. The loss would not harm the character and appearance of the area, nor would it detrimentally affect useable open space given the proximity of Fairlands Valley Park. Furthermore, the provision of good quality housing on the site outweighs the loss of these small areas of non-allocated open space.
- 7.2.23 Consideration of the effects of the development on the character of the area and neighbouring amenities, and the ability of the site to provide good living conditions for future residents as well as impact on the environment, biodiversity and infrastructure will be considered in the following sections of this report.

7.3 Affordable housing and planning obligations

- 7.3.1 Policy HO7 of the adopted Local Plan (2019) stipulates that planning permission would be granted for residential development which would maximise affordable housing provision. Taking this into consideration, there is a requirement to provide 25% of new homes to be affordable on previously developed sites. In this regard, there would be a requirement to provide 14 affordable units.
- 7.3.2 Turning to affordable housing tenure, mix and design, Policy HO7 states that planning permission will be granted where those dwellings:
- a. Are provided by the developer on site with at least 70% of the units being for rent and the remainder consisting of other tenures which is to be agreed with the Council's Housing team;
 - b. Meets the requirements of Policy HO9 (House types and sizes);
 - c. Are physically indistinguishable from other types of homes and are distributed across the site to avoid over-concentration in particular; and
 - d. Will remain at an affordable price for future eligible households.
- 7.3.3 In addition to the above, paragraph 66 of the NPPF (2023) stipulates that for major developments involving the provision for housing, planning decisions should expect at least 10% of the total number of homes to be made available for affordable home ownership (this

includes affordable housing for rent, starter homes, discounted market sales housing and other routes including shared ownership, equity loans and other low cost homes (at a cost to at least 20% below market value). However, the 10% requirement is part of the overall affordable housing contribution for the site.

- 7.3.4 On the 24 May 2021, the Government announced its First Home policy through a Written Ministerial Statement (WMS) and accompanying changes to the Planning Practice Guidance (PPG). As a result, these changes came into effect on the 28 June 2021. First Homes are designed to support local first-time buyers onto the property ladder, by offering homes at a discount to the market price. The discount will apply to the homes in perpetuity, meaning that generations of new buyers and the local community would continue to benefit every time the property is sold.
- 7.3.5 First Homes are a specific kind of discounted market sale units which:
- a) must be discounted by a minimum of 30% against the market value
 - b) are sold to a person or persons meeting the First Homes eligibility criteria (see below);
 - c) on their first sale, will have a restriction registered on the title at HM Land Registry to ensure this discount (as a percentage of current market value) and certain other restrictions are passed on at each subsequent title transfer; and,
 - d) after the discount has been applied, the first sale must be at a price no higher than £250,000.
- 7.3.6 First Homes are the government's preferred discounted market tenure and should account for at least 25% of all affordable housing units delivered by developers through planning obligations.
- 7.3.7 With regards to affordable housing delivery, the Council's evidence base has demonstrated that since the start of the Local Plan period, delivery of affordable housing has been limited to 449 units, an average of 35 units per annum. Consequently, this evidence demonstrates that there has been a significant under provision of affordable housing delivery within the Borough, especially as the Council has a target of 2,280 affordable homes over the Local Plan Period. This is also reflected in the appeal decision letter for Land West of Lytton Way appeal (Appeal Reference: APP/K1935/W/20/3255692) whereby the inspector states (para. 87) and quote:
- 7.3.8 *"I have been referred to other schemes which have been granted planning permission or it has been resolved that planning permission should be granted. In these schemes, for one reason or another, affordable housing provision has been lower than the expected policy figure of 20%. Indeed 52 homes would equate to over 17% of the affordable housing that has been delivered thus far in the Local Plan period. In these circumstances of poor delivery of affordable homes and with sizeable unmet need for such housing, I give the provision of affordable housing significant weight"*.
- 7.3.9 Previously, the applicant was seeking to deliver its affordable housing contribution for the site through the delivery of the scheme at 10A and 10B Burwell Road, Stevenage (ref. 22/00437/FPM) as an entirely affordable scheme. This scheme has been granted planning permission for 20 affordable flats, 14 of which would have provided the quota for this application. Planning committee previously considered offsetting the affordable housing requirement to the site at Burwell Road as acceptable.
- 7.3.10 The issue raised by Keepmoat Homes Ltd as the prospective purchaser of this site, is that the Burwell Road site is a Council owned site and project. Therefore, they have no overall control in terms of its delivery. Consequently, Keepmoat have requested that they do not want to be restricted in being able to sell houses on the Bedwell Crescent site if the Council fails to deliver the Burwell Road scheme. As such, they have formally requested for the two

sites to be de-linked. However, this creates an issue with respect to ensuring the delivery of affordable housing as a policy requirement for the Bedwell Crescent scheme.

- 7.3.11 Taking the above into consideration, and, following discussions with the Assistant Director of Planning and Regulation, it has been agreed with SBC Housing Development (the applicant) that to deliver this development, the applicant is to pay into a Bond a sum of £1,898,523.90 (which equates to 14 homes – the affordable housing policy requirement for this application). This money would be held until the development at Burwell Road has been delivered, after which the money would be released back to the applicant. However, should the Council fail to deliver the affordable flats at Burwell Road, the money held in the Bond would go towards another affordable housing project in the town. It is officers understanding that the sale of this site with planning permission in terms of its capital receipt would fund the delivery of the housing at Burwell Road.
- 7.3.12 Turning to the adopted Developer Contributions SPD (2021), this SPD introduces a new requirement that developers of major development when signing an agreement with the Council, will need to:
- Attempt to fill 5% to 10% of construction jobs on-site associated with the development with Stevenage Residents;
 - Attempt to fill 1 apprenticeship position per 10 construction jobs on-site with a Stevenage Resident or Student (cap requirement of 10 apprenticeships);
 - Report whether or not these requirements are met; and
 - Provide a financial contribution in lieu of not achieving either or both targets.
- 7.3.13 In terms of monitoring, the Council Developer Contributions SPD set out that the Council will seek a monitoring fee of 2.5% of the value of the contributions being monitored. The fee would be capped at £25,000.00. The monitoring fee itself would be secured as part of any S106 legal agreement.
- 7.3.14 Turning to the areas of open space on the site, including areas of highway which are not to be formally adopted by the Council or Hertfordshire County Council, it is recommended that the Legal Agreement secures the provision of a Management Company. This is to ensure that the areas of un-adopted open space and highways which form part of the development are properly managed and maintained during the lifetime of the development.
- 7.3.15 A separate s278 Agreement (covering the junction alterations and public realm works on highway verge land to be adopted by HCC Highway Authority) would also be required and would need to be referenced and secured within the S106 agreement.
- 7.3.16 Finally, due to its proximity, it is expected that the facilities in Fairlands Valley Park would be readily utilised. It is recommended by the Council's Green Spaces Development officer that the Legal Agreement secures a financial contribution of £15,000 to be allocated towards delivering green space improvements in the park.
- 7.3.17 The Hertfordshire and West Essex Integrated Care Board and East of England Ambulance Service NHS Trust are seeking contributions to mitigate the impact of this development on local primary, mental and community healthcare and Stevenage emergency ambulance stations. Sections 5.12 and 5.13 above outline their requirements and justification. A total of £90,736 is sought for primary healthcare services, £10,692 towards mental health costs and £9,647 towards community healthcare costs. A total of £16,313 is sought towards the ambulance service. It is considered these requests do not meet the relevant tests in paragraph 57 of the NPPF and Regulation 122(2) of the Community Infrastructure Levy Regulations 2010 in terms of being:
- a) necessary to make the development acceptable in planning terms;
 - b) directly related to the development; and

c) fairly and reasonably related in scale and kind to the development.

- 7.3.18 Recent caselaw, namely the Judgement of *R.(oao University Hospitals of Leicester NHS Trust) v Harborough District Council [2023] EWHC 263 (Admin)* as well as *Worcestershire Acute Hospitals NHS Trust, R (On the application of) v Malvern Hills District Councils & Ors [2023] EWHC 1995 (Admin)* advises that the starting point is for the NHS to provide medical provision for new residents, and this is a statutory duty that the NHS has. The justification for NHS contributions needs to be considered in the context of the statutory framework for the provision of secondary health care services. The contribution would relate to people who are new to the area, but those people are entitled to such services wherever they may live in the country. The obligation to provide, and also be financially responsible for, in terms of relevant services lies with the NHS.
- 7.3.19 In order to obtain a S106 contribution, there must be a localised harm directly related to the development. As such, what if there was a first-year funding gap? In the Leicester NHS case referred to above, the court noted that even if it could be shown in a particular area that there is a funding gap to deal with “new” residents, the Council could raise the possibility that this is a systemic problem in the way national funding is distributed, as opposed to being directly related to the development (or alternative, fair and reasonably related in scale and kind to the development).
- 7.3.20 Further, if there is a lack of funding for an NHS Trust to be able to cope with the impact of a substantial new development, this is likely to be dependent on wider issues raised by population projections used as one of the inputs to determine its funding. Both Court decisions highlighted that new residents may be entitled to social welfare benefits, which, like the need for secondary healthcare, arises irrespective of where that person lives, noting that no one would suggest that the development should make a contribution to funding those benefits.
- 7.3.21 In both cases, it was found by the courts that the councils were entitled to consider whether there was a funding gap for the NHS Trusts in relation to costs. In addition, they were also entitled to ask the NHS to provide information to see whether it was satisfied about the existence of such a gap and, if so, its size. In the relevant cases, the NHS failed to provide sufficient evidence to show that there was a funding gap. Accordingly, in both court cases, it was found that due to insufficient information, neither council made an error.
- 7.3.22 The NHS in its consultation responses would have to demonstrate a funding gap linked to the proposed development, which it does not and on this basis the obligation would not pass the statutory tests. Notwithstanding this, even if a funding gap could be demonstrated, it would be arguable that such a gap arose from a failure of the national mechanism of NHS funding as opposed to a localised impact directly related to the development. This would mean any obligation to secure NHS funding would still fail the statutory tests.
- 7.3.23 It is important to note the Hertfordshire and West Essex Integrated Care Board and the East of England Ambulance Service would be able to bid for funding through the Council’s Community Infrastructure Levy scheme and this is specifically provided for within the Infrastructure Delivery Plan (2022). The Infrastructure Delivery Plan (IDP) aims to identify the infrastructure required to support future levels of growth across Stevenage. It covers the period from 2011 - 2031, in line with the adopted Local Plan (2019). The IDP covers a wide range of physical and social infrastructure including transport, utilities, education, health, community facilities, emergency services and green and blue infrastructure requirements.
- 7.3.24 Hertfordshire County Council Growth and Infrastructure Unit are seeking a secondary education contribution towards new secondary education provision at the former Barnwell East site/ land at Redwing Close and/or provision serving the development (£597,292) index linked to BCIS 1Q2022). This was not sought under the previous consultation for the original layout as the date the application was submitted pre-dated 31 December 2023. The Council

has a memorandum of understanding with HCC over not seeking contributions for secondary school places prior to this date. As this application was submitted before 31 December 2023 and is going back to committee for consideration of a new layout only, it is not considered this request is valid.

- 7.3.25 HCC Highway Authority operate two levels of S106 agreements, with items directly mitigating the impact of a development agreed through Strand 1 S106 agreement and those items mitigating the wider cumulative impact of development addressed in a Strand 2 S106 agreement. It is the Highway Authority's policy to seek a planning obligation in respect of Sustainable Transport under Strand 2. The NPPF promotes accessibility by sustainable means including bus, cycling, and walking, and the provisions of S106 of the Town and Country Planning Act (1990) allows that planning obligations, governed by the guidance within CIL Regulations may be used to mitigate the impact of development. On 22 June 2021, HCC adopted a new toolkit to seek planning obligations towards sustainable transport. Based on the above, the Highway Authority are seeking £6826 per dwelling, totalling £389,082 towards sustainable transport facilities and services for passenger transport users who would use the development.
- 7.3.26 The Council is a CIL Authority and has been since April 2020. As such, and according to HCC's developer Obligations Toolkit, contributions that HCC would normally have sought through Strand 2 will come under the approved CIL charging schedule. Paragraph 1.6 of the HCC Guide to Developer Infrastructure Contributions (2021) states the second strand contribution generally does not apply in Dacorum, Hertsmere, Stevenage, Three Rivers and Watford as they have fully adopted CIL regimes in place. As such, HCC Highway Authority was requested to withdraw the request for a Strand 2 contribution on this development as contributions can be requested through CIL, for which this development is liable and it could not be justified under the relevant tests set out in paragraph 57 of the NPPF.

7.4 Character and Appearance

National Planning Policy Framework and Planning Practice Guidance

- 7.4.1 Chapter 12. Achieving well-designed and beautiful places of the NPPF (2023) stipulates that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. 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. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process. Where development is not well designed, permission should be refused.
- 7.4.2 The National Design Guide 2019, which was published by the Government, is a material consideration in the determination of planning applications. It states that buildings are an important component of places and proposals for built development are a focus of the development management system. However, good design involves careful attention to other important components of places. These include:
- the context for places and buildings;
 - hard and soft landscape;
 - technical infrastructure – transport, utilities, services such as drainage; and
 - social infrastructure – social, commercial, leisure uses and activities.
- 7.4.3 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.

Development Plan

- 7.4.4 Whilst the policies contained in the local plan have limited weight, Policy SP8 generally reflects the requirements of the NPPF in that it requires new development to achieve the highest standards of design and sustainability. In addition, Policy GD1 generally requires all forms of development to meet a high standard of design which includes form of built development, elevational treatment and materials along with how the development would integrate with the urban fabric, its relationship between buildings, landscape design and relevant aspects of sustainable design.
- 7.4.5 In the emerging local plan partial review and update, criterion (e) of Policy GD1 is updated to refer to “unacceptable” adverse impacts. The intention behind the change is to make clear that in some circumstances, an adverse impact might still fall within acceptable bounds and that this is a matter of judgement for the decision maker. Policy GD2 is a new policy emerging from the local plan partial review and update. It states that proposals which demonstrate they have been designed to achieve a rating of excellent or higher against a relevant BREEAM standard and/or to achieve the BRE Home Quality Mark will be strongly supported. Having regard to paragraph 48 of the NPPF, this emerging version of the policy is afforded limited weight in the assessment of the application.

Supplementary Planning Document

- 7.4.6 Appendix C of the Stevenage Design Guide SPD 2023 provides guidance on extensions and alterations to dwellings. The Council will consider the impact upon the appearance of the existing property as well as the character and appearance of the area. In addition, the guide sets out that the extension should appear subservient to the original house; smaller in width, height and depth than the existing property, but still using the same scale and proportions.
- 7.4.7 Appendix C of the Design Guide SPD also stipulates that building features such as windows, roof pitches, overhangs, gables, chimneys should all be consistent with those of the existing property. If the roof of the main building is pitched, for example, then the extension should have a pitched roof, at the same angle. However, this does not mean that contemporary design will not be acceptable, providing it respects local character and does not detract from the original building.
- 7.4.8 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 57no. new dwellings with associated parking, facilities and landscape, together with the reconfiguration of the existing public car park.

Layout

- 7.4.9 The site would be developed in a north-south direction between an existing grid of 2-storey houses for the top and middle section and would then open up slightly towards Fairlands Valley Park to the south and adjoining car park. To improve access to the existing car park and provide a safe and suitable access to the new dwellings, a new vehicular access is proposed. The access to the site would be from Bedwell Crescent, through a 5.5m wide road that would provide access to both local roads and the existing car park at the end.

- 7.4.10 The new access road would also act as a buffer between the new development and the rear of the neighbouring properties on Sinfield Close to the north of the site. The Bedwell Crescent frontage would then be completed with the addition of 4 semi-detached 2.5-storey houses (comprising accommodation in the roof) to continue the existing line of houses on this road. The proposed dwellings would be set back from the existing building line to reduce their impact on the neighbouring properties and to also respect the Adopted Highway Land to the front of the site (no parking or dwellings are proposed on this land).
- 7.4.11 The main access road would continue along the northern edge of the site, providing access to the first secondary road serving a group of semi-detached houses. These would be positioned to continue the existing row of houses on the Shephall View terrace, allowing the new development to link with the existing and creating a visual and pedestrian connection. Further down, the site would continue with a series of 2.5-storey terraced (comprising accommodation in the roof) and semi-detached dwellings which would face the access road, set back from the pavement with parking spaces at the front.
- 7.4.12 A second secondary road would serve the Cluster Homes in blocks A and C with parking at the front. The access road would maintain the pedestrian access to the neighbouring houses existing rear garden gates. The flank elevation of the Cluster Homes in blocks A and C would face the rear of nos.25 – 37 Shephall View, rather than back-to-back under the previous layout. A shared landscaped area would be introduced for plots 21 to 38 which would be overlooked by the plots on the northern side of Block A. Cluster Block C, on the opposite side of the access road, would be arranged to front both access roads and the newly formed central open space area between Blocks B and C.
- 7.4.13 A third secondary road would serve Cluster Homes blocks B and D with designated parking and a refuse and cycle store. This central area of the site is where the largest changes are proposed from the previously approved scheme, following the removal of the large apartment block which occupied the central portion of the site. The revised layout is however based on the same principles, with the Cluster Homes occupying a central position within the site and arranged around the two secondary access roads to ensure active frontages, open spaces and natural surveillance within the Cluster House designs. At the south-eastern end of the application site is a row of 8 no. semi-detached three-storey town houses. The proposed houses have all been designed to comply with the minimum overlooking distance for both relationships with new and existing dwellings. The rear gardens would also comply with the Design Guide (2023) in terms of minimum area and minimum length.
- 7.4.14 The existing vehicular access from Shephall View would not be retained as a link to the public car park but converted to a pedestrian footpath that would maintain the pedestrian and visual link to the public car park through the development. Vehicle access to the garage block would be retained. The southern area of the site, facing the park and between the existing terraces to the west and the car park to the east would accommodate a row of three storey semi-detached townhouses. These would be accessed by a dead-end secondary road and provided with parking spaces in front. Additional visitor parking provision would be made at the end of the access drive. The townhouses would be oriented to follow the same building line as the neighbouring properties, which would allow them to achieve the required 35m back-to-back minimum distance. They would also be staggered from each other, with vegetation to the front to create a more dynamic street scene.
- 7.4.15 The townhouses area would be separated from the public car park by dense new vegetation which would provide privacy and screening. The southern edge next to the park would retain part of the existing vegetation to act as boundary screening. The vegetation boundary would be interrupted by a proposed turning head overextending into the existing car park to allow larger vehicles to turn and leave in forward gear. The public car park would be retained and reconfigured, as it is currently in a poor state with no markings to define the number of bays. The car park would be resurfaced, and parking bays formally marked out to serve Fairlands Valley Park and nearby Aquapark. A total of 53 spaces are proposed.

Density

- 7.4.16 The northern half of the development proposal which falls within the housing allocation would comprise 43 dwellings. This is a higher density than that envisaged within the Local Plan, which has an indicative dwelling capacity of 25 dwellings for this allocated housing site. However, paragraph 9.5 of the Local Plan states the housing numbers in Policy HO1 are indicative. Taking into account the assessment of the proposed layout above, which has been well considered and provides satisfactory access and separation between new and existing dwellings, the conclusion in paragraphs 7.2.6 and 7.2.7 above identifying the site as being within a highly sustainable location and the assessment in section 7.8 below confirming the associated increase in the traffic would not lead to an adverse impact on highway safety, it is concluded the proposed density would not lead to material harm to the amenity of neighbouring dwellings, the highway network or the character and appearance of the wider area. As such, it is concluded the higher density as proposed is acceptable.

Scale and Massing

- 7.4.17 The overall scale and massing of the development has been designed to transition between the different areas of the site and respond to the surrounding existing properties. Most dwellings would be two storeys in height, albeit with accommodation in the roof in most of the properties, to match the surrounding residential area. This is especially important in the part of the site facing Bedwell Crescent and next to the existing terraces on Shephall View. Due to the low-pitched roof of the existing terraced and semi-detached houses and different ground levels, the proposed two storey dwellings would appear higher as they are designed with a 40° pitched roof to achieve better overall proportions in relation to their footprint.
- 7.4.18 Where possible, the proposed houses have been designed to create a smooth transition between the existing low-pitched roofs and the new dwellings. This would be achieved by having different planes and articulation within the houses. All proposed dwellings facing onto the existing roads (Shephall View and Bedwell Crescent) would be two storeys high and set back from the existing dwellings' front building line to minimise their impact on the street scene. As the development would continue south and away from the existing streetscape, the overall massing and height of the buildings would increase.
- 7.4.19 Finally, the site would be bookended by the three storey townhouses, which would help to create a more domestic scale towards the southern site boundary. These would be buffered from the car park and park by dense vegetation to minimise their impact on views from the park.

Design and Appearance

- 7.4.20 The design of the proposed dwellings would employ a variety of materials which both characterise each type and represent elements of the common palettes across the development. The brickwork to be used across the site would be a light buff brick, to maintain a link with most of the surrounding buildings. This would vary as a buff/cream colour and buff/brown. Windows are proposed to be in a dark grey finish with feature bay windows to be formed with PPC aluminium panels in a dark grey finish to match the window and door frame colours. All front doors and secondary doors would be composite with a dark grey finish. Interlocking slate roof tiles would be used to compliment the material palette.
- 7.4.21 Policy GD2 is a new policy emerging from the local plan partial review and update. It states that proposals which demonstrate they have been designed to achieve a rating of excellent or higher against a relevant BREEAM standard and/or to achieve the BRE Home Quality Mark will be strongly supported. Having regard to paragraph 48 of the NPPF, this emerging version of the policy is afforded limited weight in the assessment of the application, and, as it was not in place at the time of submission of the application, it would not be appropriate to seek the re-design of the development to achieve these standards.

7.4.22 Overall, it is considered the proposed development would have a high-quality finish and has been designed to assimilate itself with the wider area with the careful use of materials and finishes to give the buildings architectural interest. The scale of the dwellings would appear in keeping with the surrounding established residential area. The layout of the proposed development has been well considered and takes into account the need for satisfactory access and separation with existing dwellings. The proposed development is therefore, considered acceptable in accordance with the policies on design in the adopted Local Plan (2019), the Design Guide SPD (2023), the NPPF (2023) and PPG.

7.5 Impact upon Neighbouring Amenity

National Planning Policy Framework and Planning Practice Guidance

7.5.1 Paragraph 135 of the NPPF (2023) sets out that planning decision should ensure create places with a high standard of amenity for existing and future residents. Paragraph 124 of the National Design Guide states that “*Good design promotes quality of life for the occupants and users of buildings. This includes function – buildings should be easy to use. It also includes comfort, safety, security, amenity, privacy, accessibility and adaptability*”. Paragraph 126 of the National Design Guide also emphasises that “*well-designed homes and communal areas within buildings provide a good standard and quality of internal space. This includes room sizes, floor-to-ceiling heights, internal and external storage, sunlight, daylight and ventilation. The quality of internal space needs careful consideration in higher density developments, particularly for family accommodation, where access, privacy, daylight and external amenity space are also important*”.

Development Plan

7.5.2 Whilst the policies contained in the local plan have limited weight, Policies SP8 and GD1 of the Local Plan 2019 which generally reflect the good design principles outlined in the NPPF and National Design Guide, require that development does not adversely impact the amenities of neighbouring occupiers. In the emerging local plan partial review and update, criterion (e) of policy GD1 is updated to refer to “unacceptable” adverse impacts. The intention behind the change is to make clear that in some circumstances, an adverse impact might still fall within acceptable bounds and that this is a matter of judgement for the decision maker.

Supplementary Planning Document

7.5.3 Appendix C of the Design Guide SPD states that the Council will assess proposals for residential extension in terms of their impacts on privacy, outlook, and natural light.

7.5.4 In assessing the impact on neighbouring amenity, the Council’s Design Guide (2023) sets out standards which should be met to safeguard the privacy and outlook of adjoining properties from new development. The recommended separation distances are as follows:

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

- 7.5.5 Following an assessment of the proposed development, it would accord with the separation distance standards which are set out in the Council's Design Guide SPD. In terms of the side to back distance between plot 4 and Nos. 4 and 6 Sinfield Close, this meets the required 15m distance. The proposed access road and retained boundary vegetation would also act as a buffer between the rear of the dwellings on Sinfield Close and the proposed two storey houses running down the centre of the site. In terms of the relationship to the southern boundary terraces, namely Nos. 222, 11 and 13 Shephall View the proposed houses in plots 1, 9 and 10 would all have an acceptable side to side relationship raising no amenity issues for the occupiers.
- 7.5.6 In terms of the relationship of the proposed three storey townhouses with Nos. 39 – 49 Shephall View in the southern part of the site, the required minimum 35m separation distance has been achieved. As such, there would be no loss of amenity to the occupiers of these dwellings. The side to back distance between the cluster houses in plots 24 and 25 and 41 and 42 with nos. 27, 29, 31 and 37 Shephall View would exceed the required 15m separation. Likewise, it is not expected the proposed development would result in any amenity concerns for the occupiers of these dwellings.
- 7.5.7 Given the above assessment, it is considered the proposal would not have a detrimental impact on the amenities of existing neighbouring residential properties. As such, the proposal would accord with the policies in the adopted Local Plan (2019), the Council's Design Guide SPD (2023), the NPPF (2023) and PPG. With regards to the impact of noise and light pollution on the amenities of neighbouring residents, these aspects have been considered in detail in section 7.10 of this report.

7.6 Impact upon future amenities of residents

- 7.6.1 In considering a residential scheme of this nature it is also important to ensure that living conditions for any future occupiers are appropriate. With regards to private amenity space for the proposed dwellings, the Design Guide SPD (2023) states that for new houses the minimum standard garden space for terraced and semi-detached houses should normally be 50m². Each dwelling should normally have a minimum rear garden depth of 10m and the shape and slope of the garden should ensure that it is useable. The proposed dwellings except the cluster homes would meet the minimum requirement for garden size and would have usable private amenity space. The cluster homes would have shared landscaped areas, capable of being used as communal amenity space adjacent to the dwellings and also Fairlands Valley Park which adjoins the site to the east and south east.
- 7.6.2 With regard to the requirements for new residential properties to meet Nationally Described Space Standards (NDSS) as defined by Policy GD1 of the Local Plan (2019), for two storey 2 bed 3 person houses there is a requirement to provide 70m² of floorspace. For two storey 4 bed 7 person houses there is a requirement to provide 115m² of floorspace. For 4 bed 7 person three storey townhouses there is a requirement to provide 121m² of floorspace. For two storey 3 bed 5 person houses there is a requirement to provide 93m² of floorspace. Following a review of the plans, all the dwellings including the bedrooms would comply with the NDSS for their respective sizes.
- 7.6.3 From a review of the plans, the proposals also comply with the back to back and back to side separation distances for new dwellings as set out within the Council's Design Guide (2023). On this basis, it is considered the proposed development would provide an acceptable living standard for future residents.

7.7 Parking Provision

National Planning Policy Framework and Planning Practice Guidance

- 7.7.1 Chapter 9. Promoting Sustainable Transport of the NPPF (2023) sets out a requirement to consider transport issues, which includes parking, at the earliest stages of a development proposal. Paragraph 115 of the NPPF (2023) states “*Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.*”. Taking this into consideration, paragraph 116 of the NPPF (2023) stipulates that applications for development should:
- a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;
 - b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;
 - c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;
 - d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and
 - e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

Development Plan

- 7.7.2 Whilst the policies in the Local Plan have limited weight, Policy IT5 of the Local Plan requires development proposals to comply with the parking standards set out in the Stevenage Borough Council Parking Provision and Sustainable Transport SPD 2020.
- 7.7.3 The parking strategy has been designed to comply with the Parking Provision SPD (2020). The application site falls within residential accessibility zone 3, where the Council would seek between 75% to 100% of the maximum number of car parking spaces to serve the development. The maximum parking requirement for the site not taking into account any reduction for accessibility would be 111 spaces. A 75% reduction reduces this to 83 spaces.
- 7.7.4 The proposed parking arrangements have allowed for 1 space per 2 bed cluster house, 2 spaces per 3/4 bed house (plot 11 is an anomaly with 3 spaces) and 11 visitor spaces giving a total of 86 allocated resident spaces and 11 visitor spaces. This means the proposed parking provision for the site is in accordance with the suggested range. There is no policy requirement to provide disabled parking on this site, although the disabled bay opposite the proposed site entrance on Bedwell Crescent would be relocated 15m north.
- 7.7.5 With regards to cycle parking, long and short-term cycle parking would be provided throughout the site in line with the Council’s Parking Provision SPD. The guidance requires:
- 1 long-term space per 1 bed
 - 2 long-term spaces per 2 bed
 - 3 long-term spaces per 3 and 4 beds
 - 1 short-term space per 40 units
- 7.7.6 Every house with a private garden would be provided with a garden shed to provide secure cycle storage. For Cluster Blocks A to D, each block would be provided with a separate and dedicated cycle storage building, providing 2 long-term spaces per Cluster dwelling. The cycle storage blocks are proposed as brick-built buildings to match the design principles of the main dwellings. It is considered the proposed cycle provision is acceptable.

- 7.7.7 Turning to electric vehicle parking, the Parking Provision SPD (2020) introduces a minimum requirement for electric vehicle parking. The requirements for new developments would need to abide by the following:-
- All new car parking should be designed to fulfil a Passive Electrical Vehicle Charging Point standard (providing the necessary underlying infrastructure);
 - The blend of access to charging points provided within new developments;
 - A minimum of 20% of new parking on a site to have access to an active EV charging point;
 - A flexible approach to the requirement of charging facilities as technology changes.
- 7.7.8 To comply with the EV requirements, each plot would be provided with one active EV point. Of the 11 visitor spaces, 2 spaces would be provided with active EV points with the remaining spaces provided with passive EV points. The provision of EV charging as outlined would therefore achieve the 20% requirement across the site.
- 7.7.9 The revised layout retains the provision for the existing car park serving the Fairlands Valley car park and Aquapark. The car park layout as proposed would provide a total of 53 marked spaces, including two disabled/accessible parking bays. The car park would be surfaced with tarmac to the Highway Authority Standards. Vehicle tracking has been undertaken for the proposed layout and is included in the updated Transport Statement. Turning provision has been made for refuse trucks at the turning head within the car park to ensure service vehicles can enter the site safely.
- 7.7.10 The provision of marked bays including disabled bays would improve the car park's usability and the safety for members of the public. There are no minimum parking standards associated with the public car park and therefore the quantum of parking provided is restricted by area and layout of the marked bays only. Given the proposed improvements to the car park surface, the benefits of providing marked bays and the accessibility of the site by walking, cycling and bus it is considered 53no. spaces would be sufficient to serve Fairlands Valley Park. There would be no restrictions on the continuing informal use of the car park for school pick up and drop off for Bedwell primary school and St Vincent De Paul Catholic primary school sited within walking distance to the north.
- 7.7.11 Given the above assessment, it is considered there would be sufficient parking (including cycle parking, disabled parking and EV parking) in accordance with the Council's adopted Parking Standards. Therefore, the proposal would be in accordance with policies set out in the adopted Local Plan (2019), the Council's Parking Standards SPD (2020), the NPPF (2023) and PPG.

7.8 Highway implications

- 7.8.1 The application is accompanied by a Transport Statement, a Construction Method Statement and a Travel Plan. The development is flanked by residential dwellings to the north, south and east, the Bedwell Primary School and Bedwell Medical Centre to the northeast and Fairlands Valley Park to the east and southeast. Bedwell Crescent joins the A1155 to the north and south, is subject to a 30mph speed limit and is served by 4 bus routes operated by Arriva Bus.
- 7.8.2 The existing 4 residential dwellings currently benefit from a dropped access off Bedwell Crescent whilst Fairlands Valley Park and Car Park are served by a vehicular access off Shephall View. Shephall View operates as a one-way system between The Hawthorns in the south and Bedwell Crescent to the north. Section 3.0 of the Transport Statement reviews the accessibility of the development to several key local facilities, amenities, and public transport. Whilst the applicant acknowledges several facilities are beyond the preferred walking distances identified within Manual for Streets, the Highway Authority are satisfied that the development is reasonably accessible having regard to the general distance to retail, other commercial units and bus services.

- 7.8.3 Section 3.34 to 3.44 of the Transport Statement investigates the Personal Injury Accident Data between January 2016 and December 2020, supplied by Hertfordshire County Council. A further analysis was obtained from Crashmap.co.uk for 2021. The Transport Statement reports during the five-year period, there were no fatalities, 1 serious accident and 6 slight in severity. From the recorded data, it is noted that the accidents were attributed to a range of factors such as poor judgement and driver/rider errors. The Highway Authority is satisfied there are no inherent highway defects on the network, which would be exacerbated if the local planning authority was minded to approve the application.
- 7.8.4 Apart from plots 1 to 4, the development would be served by a vehicular access that would form a bell mouth junction with Bedwell Crescent. The main access would be 5.5m wide and bounded on both sides by a 2m footway. There would be two minor accesses that would connect to the main access to form a raised junction. Plots 1 to 4 would be provided with individual domestic dropped kerbs off Bedwell Crescent. Vehicular access to the site from Shephall View would be no longer available, however access would be retained to the garage block. All traffic would access the site, including the Fairlands Valley Park car park from Bedwell Crescent which would reduce the amount of traffic using Shephall View.
- 7.8.5 The position of the main access off Bedwell Crescent requires relocating an existing disabled parking space approximately 15m north. Drawing 6529.011F shows the access achieving visibility splays of 2.4 x 43m in both directions, commensurate with the speed limit on Bedwell Crescent. The submission is also accompanied by several drawings showing the swept path analysis of the Borough's standard refuse vehicle (Drawing 6529.013F), a typical family car and fire tender (Drawing 6529.14F). Both drawings indicate that no issues have been found with the proposed layout, as all vehicles modelled are able to enter and exit the site safely in a forward gear. Having examined the plans, the Highway Authority is satisfied the internal road network could accommodate the manoeuvres of a range of vehicles.
- 7.8.6 The introduction of the new access onto Bedwell Crescent plus the reconfiguration of the existing access off Shephall View would need to be secured by an appropriate highway licence. The pedestrian permeability across the site is considered acceptable by the Highway Authority and responds positively to Hertfordshire County Council's policy requirement as set out in LTP4 and paragraph 116 of the NPPF.
- 7.8.7 Neighbour representations have expressed concern about the introduction of a new two-way vehicle access on Bedwell Crescent, considering how busy the road is with both vehicles and pedestrians being in close proximity to two primary schools and a health centre. The Highway Authority have reviewed the submitted Transport Statement and Personal Injury Accident (PIA) Data, which reports during the five-year period there were no fatalities, 1 serious accident and 6 slight in severity. From the recorded data, it is noted that the accidents were attributed to a range of factors such as poor judgement and driver/rider errors. The Highway Authority are satisfied there are no inherent highway defects on the network which would be exacerbated if the Local Planning Authority is minded to approve the application. The access has been designed to Highway Authority requirements in terms of visibility splays and therefore, it is considered there is no highway safety reason to refuse the arrangements as proposed.
- 7.8.8 Section 5 of the Transport Assessment (Trip Generation, Distribution, Assignment and Assessment) predicts the trip rates associated with the development and this is informed by a review of the Trip Rate Information Computer System (TRICS) database. The Transport Assessment concludes that the proposal has the potential to generate 27 and 28 additional vehicle trips during the AM and PM peaks, respectively. Whilst it is agreed by the Highway Authority the quantum of development is unlikely to result in conditions prejudicial to highway safety, the predicted trip rates appear quite low.
- 7.8.9 It is understood that the scope of the Manual Classified Counts was agreed with Hertfordshire

Highways Department. The 2021 traffic flows have been increased to a 2022 base year scenario using the Temprow growth rates which were then increased to the 2027 Future Year rates. The results conclude in percentage terms, the development would not cause an increase in traffic of more than 4% at the nearby junctions. Based on these results, the applicant has not undertaken further capacity assessments or proposed mitigation, which is considered acceptable.

- 7.8.10 The Construction Method Statement (CMS) identifies several key elements expected in the document. The accompanying drawing titled Construction Access Routes (6529.010) identifies the main transport routes construction vehicles would travel during various phases. The plan also includes the tracking of a 12.2m rigid truck. However, absent from the CMS is a prediction of the traffic volumes associated with the build. It is recommended this is provided in an updated CMS, which can be secured via planning condition.
- 7.8.11 Based on the submission, the Highway Authority has concluded it is unlikely given the quantum of the development that the associated increase in the traffic would lead to an adverse impact on highway safety. For this reason, the Highway Authority offers no objection subject to the inclusion of planning conditions set out in Section 9 below.

7.9 Development and Flood Risk

- 7.9.1 A Flood Risk Assessment and Drainage Strategy prepared by Marks Heeley Ltd dated September 2022 accompanies the application. These have been updated by a Drainage Statement by Stomor Ltd dated June 2024 and new Drainage Strategy ref. ST-3525-500B. The reports review the drainage and flood risk issues associated with the proposed development and set out how surface water run off would be accommodated. The report states that the application site is located within Flood Zone 1 and that flood risk from fluvial and groundwater flooding is low. The development of the site for housing is therefore appropriate as set out by the 'flood risk vulnerability classification' contained within the Planning Practice Guidance. The Drainage Strategy sets out details in respect of surface water and foul water drainage.
- 7.9.2 Drainage strategies should adhere to the Sustainable Drainage Strategy (SuDS) hierarchy provided in the Local Flood Risk Management Strategy 2 (2019). The hierarchy identifies that living roofs and walls are the most-sustainable SuDS features, followed by ponds and basins, infiltration devices and permeable surfaces. Tanked and piped systems are identified as the least sustainable, providing no pollution reduction nor biodiversity benefit.
- 7.9.3 In the emerging local plan partial review and update, flood risk and drainage policies are significantly revised. The existing policy FP1 is replaced by a new sustainable drainage policy, which places an emphasis on the use of the most sustainable SuDS features and methods of surface water discharge. Meanwhile, existing policies FP2 and FP3 are combined into a new, more comprehensive flood risk policy, which largely reflects national flood risk policies but also seeks to protect watercourses and flood defences. Having regard to paragraph 48 of the NPPF, this emerging version of the policy is afforded limited weight in the assessment of the application.
- 7.9.4 Based upon mapping and on-site borehole testing, the site's geology consists of gravely clay over chalk. This geology suggests that infiltration is appropriate for the site. However, due to a poor infiltration rate during testing and the 10m requirement for distance from dwellings, this was not considered possible. The surrounding area is currently served by several public surface water sewers. Following the SuDS hierarchy, the most suitable method of providing surface water drainage to the site has been determined:

SUDS HIERACHY (ordered most preferable to least)	
METHOD	COMMENTS
Discharge into ground	Not Feasible in north of site. Not possible in almost all locations of site, due to requirement to located infiltration devices 10m from buildings.
Discharge into a surface water body	Proposed – Via existing connection to Millenium Lake
Discharge into a surface water sewer	Proposed
Discharge into a combined sewer	Not required.

- 7.9.5 A revised drainage strategy has been drawn up to suit the amended site layout and to improve the drainage capacity and buildability of the previous drainage scheme. Surface water would now discharge to the existing site outfalls in two locations, with attenuation areas on-site to restrict the outfall flow to reasonable limits, including capacity for storm and climate change events. In summary, the new strategy would split the site in two – north and south, with partial discharge to the existing drainage network in Bedwell Crescent to the north and partial discharge to Millennium Lake to the south (via on-site attenuation).
- 7.9.6 The proposed surface water drainage scheme has been designed to accommodate all storm event up to and including the 1in100year event plus an allowance of 40% for climate change. Overland flow routes have been shown on the drainage strategy through the development, to identify proposed flow paths for surface runoff during extreme storm events. The site is not within an area identified as being located above an aquifer. This site is not located within an area designated by the Environment Agency as a Ground Water Source Protection Zone. The Environment Agency has been consulted and has raised no objections to the drainage strategy.
- 7.9.7 The development would include permeable paving and a filter drain as SuDS features as part of the surface water drainage proposals. Storm water from areas of hard standing to the shared access road would drain towards gullies, pass through a Naylor Smart Chamber and onto an appropriately sized attenuation tank before being discharged to the existing surface water sewer at a reduced rate. Storm water from parking bays would be allowed to percolate to ground via permeable paving and mimic natural ground infiltration, as if it were soft landscaped. In accordance with CIRIA SuDS Manual C753, an appropriate level of treatment for the surface water runoff to the attenuation tanks from the proposed contributing areas has been achieved. The report advises the proposal would not increase the risk of flooding elsewhere.
- 7.9.8 At the request of HCC as Lead Local Flood Authority, additional information has been submitted to address their concerns and updated comments are awaited. At the time of writing this report no comments have been received. If comments are received prior to the meeting and/or the drainage strategy is agreed an update will be provided, otherwise it is anticipated Members will agree to delegated powers being granted to the Assistant Director of Planning and Regulation to impose any conditions advised on any response provided after the committee meeting.
- 7.9.9 A decision will not be issued until the S106 Legal Agreement associated with the development has been signed, which will allow time for comments to be received. Therefore, comments will be fully considered prior to a decision being issued. However, if the Lead Local Flood Authority continues to raise an objection to this application and their concerns cannot be overcome, then this application will be referred back to the Planning and Development Committee for its decision.

7.10 Impact on the environment

- 7.10.1 Historic OS Maps indicate that prior to the site being developed out in the 1960s, the site was part of open fields. The site comprises housing, areas of hardstanding, garages and community buildings along with grassed amenity space and has not been used for any other purposes. A Phase 1 and Phase 2 geo-environmental assessment has been carried out covering the whole site. Extensive geo-environmental and geo-technical sampling and testing have been carried out to identify any potential risks related to pollution and the nature of the ground for future construction. Infiltration testing has also been carried out. A small pollution risk has been identified within an area behind the existing garage block. This area would require remedial works which could be identified with a Remedial Strategy.
- 7.10.2 Following consultation with the Council's Environmental Health department, they do not raise any concerns from a land contamination perspective subject to the imposition of conditions. The conditions imposed would require a remediation strategy is submitted for approval in the event contaminants are identified during the demolition and construction phase of development. In terms of the potential presence of asbestos, the applicant would require a licenced contractor to be appointed to carefully remove the asbestos and for it to be disposed of at a licenced site. The requirements for handling asbestos is controlled by the Health and Safety Executive (HSE).

Groundwater

- 7.10.3 The application site is not located within a Source Protection Zone for potable water. Therefore, no concerns have been raised from Affinity Water or Thames Water in this instance. In addition, the Environment Agency has raised no objections.

Air Quality

- 7.10.4 Policy FP7 of the adopted Local Plan (2019) states that all development proposals should minimise, and where possible, reduce air, water, light and noise pollution. Looking at air quality and air pollution specifically, the Air Quality Annual Status Report (ASR) 2019 by Stevenage Borough Council identifies that the development site is not located within or in close proximity to an Air Quality Management Area (AQMA). This generally indicates that the air quality in the area is within national guidelines.
- 7.10.5 In order to mitigate the impact of the construction phase on air quality, it is recommended a condition is imposed to any permission issued. This condition would require the applicant to submit a Construction Management Plan to detail measures on how to control levels of dust and air pollutions which are generated during the demolition and construction phases of development.
- 7.10.6 With regards to the operational aspect of the development, due to its limited scale, the proposed development would give rise to a very small rise in NO₂ emissions which in accordance with IAQM/EPUK guidance is identified as having a negligible impact at all receptors in the area. As such, the need for additional mitigation has not been identified as being required. As such, the Council's Environmental Health department has not raised any concerns with respect to the operational impact the development would have on air quality.

Noise Pollution

- 7.10.7 With respect to noise, Policy FP8: Pollution Sensitive Uses stipulates that planning permission for pollution sensitive uses will be granted where they will not be subjected to unacceptably high levels of pollution exposure from either existing, or proposed pollution generating uses.
- 7.10.8 Dealing firstly with the impact of noise from the construction phase of the development, it is recommended a condition is imposed on any permission issued requiring the submission of a

Construction Management Plan (CMP). Through the CMP, the hours in which noisy activities can take place would be controlled and relevant mitigation measures put in place to minimise the impact of noise from construction activities. Moreover, once a CMP has been agreed by the Council, if a breach were to take place, the Planning Authority can enforce the condition accordingly.

- 7.10.9 With regards to noise which could arise during the operational phase of development, the houses would be in private ownership. As such, if any complaints arose regarding antisocial behaviour or noise, these could be dealt with by the Council's Environmental Health department or the Police.

Light Pollution

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

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

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

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

- 7.10.12 In terms of lighting associated with the construction aspect of the proposed development, this can be dealt with as part of a Construction Management Plan. This can be secured by way of condition should planning permission be granted.

7.11 Trees and landscaping

- 7.11.1 Policy NH5 of the adopted Local Plan (2019) states that development proposals will be expected to protect and retain individual trees within the development site and should include new planting where appropriate. In the emerging local plan partial review and update, policy NH5 is replaced by two new policies: Policy NH5a, which relates to trees and woodland; and Policy NH5b, which relates to tree-lined streets. Policy NH5a continues to provide a general presumption against the loss of healthy trees, but also introduces a new tree replacement standard and offsetting mechanism where replacement planting cannot be provided on site. Policy NH5b requires new streets to be tree-lined, mirroring paragraph 136 and footnote 53 of the NPPF. Having regard to paragraph 48 of the NPPF, this emerging version of the policy is afforded limited weight in the assessment of the application.

- 7.11.2 All trees and hedges present on site have been surveyed and documented in a Tree Schedule (carried out in September 2019 and updated in September 2021). No trees on site have a TPO and the site is not within a Conservation Area. Most trees are Category C, with

a few Category B trees. All information on the existing trees within and outside the application boundary are included in the updated Arboricultural Impact Assessment dated April 2024.

7.11.3 It is necessary for some trees and hedgerow to be removed for the development to take place. No veteran or high quality trees would be removed, with most trees identified for removal being Category C and 3no. Category B. Mitigation and replacement planting would be provided throughout the development. The table below shows the proposed tree removal:

Category B	Category C
T1 False Acacia	T3 Sycamore
T18 Scots Pine	T7 & T30 Ash
T22 Hornbeam	T8 Rowan
	T12 Beech
	T21 & T24 Field Maple
	T23 Hornbeam
	T31 Leyland Cypress
	T32 & T33 Lawson Cypress
	G1+Δ
	G5 Damson & Plum
	G6+
	G7+Δ
	H1+Δ
	H2+Δ
	H3+
	H5+Δ

+ Denotes mixed species assemblage of three or more species – refer to Appendix B
 Δ Denotes partial clearance of tree group or hedge

7.11.4 The comments of the Council’s Arboriculture and Conservation Manager are noted, namely:

- Group of trees G1 should be trimmed back appropriately to reduce encroachment onto the nearest proposed property. This work should be carried out before the commencement of the construction work.
- Some of the proposed tree planting is too close to the parking bays and likely to cause excessive encroachment in the near future.
- With regards the choice of tree planting near the parking bays, in my view, species like Prunus Padus, Prunus Avium and Sorbus Aucuparia should be avoided.

7.11.5 It is considered these can be dealt with by appropriately worded planning conditions, seeking pruning prior to commencement and the submission of a final planting schedule. A full and updated landscape design, planting schedules and a management and maintenance plan are provided for the revised proposals and included in the updated submission. The design retains the same principle as the approved design, including 79 replacement urban trees, and 12 further trees incorporated within hedgerows to create a ‘high’ distinctiveness hedgerow habitat. The landscaping plans also depict the creation of tree lined streets as part of the overall landscaping strategy in accordance with national policy.

7.11.6 Given the comments received from the Council’s Green Spaces Development officer and Arboriculture and Conservation Manager around the proposed planting schedule and landscaping strategy, it is recommended that a condition be imposed requiring final details of a hard and soft landscaping scheme be submitted. This is to ensure that suitable tree and shrub planting are provided to not only compensate for the trees removed, but to also enhance the site’s overall biodiversity and the development’s visual appearance in context with the street scene. It is also recommended a condition is imposed requiring details of a landscaping management plan be submitted. This would ensure that the landscaping strategy is maintained during the lifetime of development.

7.12 Biodiversity, Ecology and Protected species

- 7.12.1 The Environment Act received royal ascent in 2021. Within the legislation is the requirement for proposals to bring about a positive net gain in biodiversity. The regulations which make a 10% net gain a statutory requirement (with a standard condition) had not come into effect at the time the application was submitted. The requirement and the ways in which this gain is measured apply to planning applications for major development submitted after the regulations came into force on 12 February 2024. For major applications submitted before this date, the Regulations comprised transitional arrangements whereby local policy will remain the starting point for determination, together with other material considerations.
- 7.12.2 National and local policy still require the scheme to demonstrate an overall gain. Policy SP12 requires new development to 'mitigate or, as a last resort, compensate for the loss of green infrastructure or assets of biodiversity importance' and 'only grant permission if an adequate assessment of priority habitats and species has been undertaken'. The implementation of this policy is supported by the "Impact on Biodiversity SPD" adopted in 2021.
- 7.12.3 The application site is identified as previously developed land and currently comprises amenity grassland, trees, areas of hardstanding and buildings. Notwithstanding Fairlands Valley Park, the wider environment is generally urban in nature. The amended application is accompanied by a Preliminary Ecological Appraisal dated May 2024, a Biodiversity Net Gain Assessment dated June 2024 and a Bat Survey to assess the potential for the site and adjoining habitats to have species that receive legal protection at either UK and/or European level. The survey comprised a desk top study from Hertfordshire Biological Records Centre and from the multi-agency Geographical Information for the Countryside (MAGIC). A field survey was also undertaken.
- 7.12.4 The Preliminary Ecological Appraisal identified that the development would have no adverse impact on habitats of principal importance, however, the report makes a series of recommendations as to how the impact on existing habitats and species should be mitigated. In terms of species, the surveys identified that protected and priority species present or potentially present include opportunities for foraging and commuting bats within the site. A bat roost was identified within the eaves of No.228-230 Bedwell Crescent, however all buildings were identified to have low or negligible potential to support roosting bats overall. A bat survey was recommended for the scout building and concrete shed. Opportunities were identified for nesting birds within the hedges and trees and suitable foraging and resting habitat for hedgehogs and common toad.
- 7.12.5 The bat survey of the scout building and concrete shed was undertaken on 5 June 2023, where no bat roosts were identified. Three common species of bat were recorded actively foraging and commuting in and around the site. The report recommends a sensitive lighting scheme should be implemented to avoid disturbance of foraging and commuting bats, together with the installation of two bat boxes within the site both of which would be secured by planning condition should planning permission be granted. A condition would also be imposed at the recommendation of Herts and Middlesex Wildlife Trust requiring a bat licence issued by Natural England pursuant to Regulation 53 of The Conservation of Habitats and Species Regulations 2017 (as amended) be submitted to the Planning Authority prior to demolition of No.228-230 Bedwell Crescent authorising the specified activity/development.
- 7.12.6 The latest ecological appraisal (May 2024) recommends an updated Preliminary Roost Assessment of buildings on site is carried out, along with any subsequent nocturnal surveys or licensing work as necessary based on findings. It is understood these surveys are being done now. The report also recommends a pre-commencement badger survey is carried out to be completed prior to the commencement of any works (including vegetation clearance) to confirm badgers remain absent from the site. It is recommended that this is completed no longer than three months prior to commencement.

- 7.12.7 With regards to biodiversity net gain, the proposal would result in the loss of habitats which are relatively common and widespread but have an intrinsic value to wildlife and biodiversity along with the loss of priority habitat in the form of hedgerow. The landscaping for the site would include significant tree planting comprising 79 individual urban trees, and 12 further trees incorporated within hedgerows to create a 'high' distinctiveness hedgerow habitat, in medium condition. Small areas of species rich native hedgerow and less diverse native hedgerow would also be created throughout the site and would contribute to the gain in hedgerow habitats. Other neutral grassland areas would be incorporated throughout the soft landscaping. This would result in a net gain of 14.84% habitat units and 10.79% hedgerow units. It is considered that the proposed landscaping in combination with proposed non-metric enhancements would result in an overall gain in biodiversity of benefit to local wildlife.
- 7.12.8 Following consultation with Herts and Middlesex Wildlife Trust, they advise that the details and recommendations set out in the Preliminary Ecological Appraisal, Biodiversity Net Gain Assessment and Bat Survey are acceptable. The biodiversity net gain assessment shows that the current post development layout would achieve a net gain in habitats, hedgerow and trading rules are met. It is considered that this meets the current NPPF policy relating to biodiversity net gain and is acceptable. To ensure the ecological enhancements / mitigation is delivered as specified in the accompanying reports, it is recommended that appropriately worded conditions are imposed to any permission issued. This would ensure the development delivers the identified net gain in biodiversity.

7.13 Other Matters

Sustainable construction and climate change

- 7.13.1 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.
- 7.13.2 The emerging local plan partial review and update contains a suite of new climate change policies (CC1 to CC8). These policies cover a much broader range of topics which are relevant to climate change and also make mandatory some of the measures that are currently only encouraged. Given that the emerging local plan is in the earliest stages of preparation, the extent of objections to the policies is as yet unclear, and their degree of consistency with the NPPF is likewise yet to be tested, emerging Policies CC1 to CC8 should only be afforded limited weight in the assessment of this application.
- 7.13.3 The Council's Design Guide SPD (2023) sets out additional requirements with respect to climate change. The guide states that all developments are required to make efforts to minimise energy usage and to incorporate methods of using renewable energy, including:-
- reducing energy demand;
 - using passive environmental systems, e.g. natural ventilation;
 - daylighting and passive solar gains;
 - using high levels of insulation and air tightness in the fabric of the building;
 - specifying energy efficient services, controls and appliances;
 - implementing water recycling and the provision of water butts;
 - using renewable energy;

- using low/zero carbon technologies to provide as much of the energy load as is technically and economically feasible, minimising use of fossil fuels; and
- using efficient fossil fuel technologies, such as Combined Heat and Power and condensing boilers.

7.13.4 The amended development proposal promotes efficient use of previously developed land, creating an economically and environmentally sustainable community. The supporting Design and Access Statement advises the overall development intends to create a place that meets the needs of the people, is visually attractive, improves the character and quality of the area, and is safe. This is unchanged within the revised scheme. Water-saving measures such as flow restrictors, aerated taps and dual flush toilets would be incorporated into the design. The relatively simple plans of the dwellings would benefit from modern methods of construction or timber frame and this would be considered as part of the design development process.

7.13.5 Where possible, materials would be from environmentally sustainable sources. All materials would be reusable or recyclable where possible to address the whole life cycle of the building. The development would use high levels of thermal insulation to reduce energy requirements, and heating appliances would be selected to have low emission levels by the requirements of Part L of the Building Regulations. Further sustainability measures are introduced throughout the scheme. These include:

- Identified location for the possible future installation of PV panels on the houses.
- Active electric charging points above the minimum required 20%,
- Houses and flats designed to be compatible with Air Source Heat Pumps in the future, should this be the preferred option for heating.
- Encouragement of sustainable travel such as walking and cycling, supported by pedestrian links across the site and abundant cycle storage.

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

7.13.7 Given the above, and subject to conditions securing the measures identified to address adaptation to climate change, the development would be in accordance with Local Plan Policy FP1 as well as ensuring a suitable site waste management plan would be provided.

Waste and Recycling

7.13.8 Refuse collection points would be allocated throughout the site providing central spaces for the waste collection. They have been placed to allow easy access for both the residents as well as refuse vehicles. The spaces have been designed following discussions with the Waste department at the Council, based on the requirements from the Design Guide SPD (2023). Each dwelling with a private garden would store bins within their gardens and bins would be collected from the front of the house for most dwellings. For plots 8 to 11, a small collection area would be provided on the access road to enable collection within the required distance from the turning head.

7.13.9 Waste collection for Plots 50 to 57 at the south of the site would be undertaken from the front of each property, as the access road has been designed to accommodate a refuse vehicle with a turning provision via the turning head at the public car park. The vehicle would therefore be able to turn and leave in a forward gear in front of plots 50 to 57. Each Cluster Block would be provided with a separate bin store / collection area. Cluster Block B, as the largest block, would have a combined refuse and cycle storage building, located with easy access for day to day use and collection.

Crime Prevention/anti-social behaviour/security

7.13.10 The Police Crime Prevention Design Advisor considers the development would be acceptable subject to the implementation of Secure by Design measures. The applicant has sought to engage with the Crime Prevention Design Advisor during the course of the application and improvements have been made to enable them to support the scheme. Such matters would also form part of any future Building Regulations approval under Part Q. Notwithstanding this, an informative can be imposed to any decision issued to require the applicant to continue to engage with the Police Crime Prevention Advisor in regard to Designing out Crime.

Community Infrastructure Levy

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

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

7.13.12 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.

7.13.13 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. The development would be CIL liable at £100/m².

Covenants

7.13.14 A third party representation raised the issue about covenants preventing the development of the site. Restrictive covenants are not a material planning consideration and would not preclude planning permission from being granted. They would be a matter for the applicant to deal with outside of the planning application process.

Fire Safety

7.13.15 Hertfordshire Fire and Rescue have been consulted and are seeking the provision of fire hydrants to serve the development. The provision and installation of these will be secured via a planning condition should planning permission be granted.

Equality, Diversity and Human Rights

- 7.13.16 Consideration has been given to Articles 1 and 8 of the First Protocol of the European Convention on Human Rights. It is not considered that the decision would result in a violation of any person's rights under the Convention.
- 7.13.17 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.
- 7.13.18 Rigorous consideration will ensure that proper appreciation of any potential impact of that decision on the Council's obligations under the Public Sector Equalities Duty. As a minimum this requires decision makers to read and carefully consider the content of any Equalities Impact Assessment (EqIA) produced by officers.
- 7.13.19 The Equalities Act 2010 requires the Council when exercising its functions to have due regard to the need to (a) eliminate discrimination, harassment, victimisation and other conduct prohibited under the Act; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and (c) foster good relations between persons who share protected characteristics under the Equality Act and persons who do not share it. The protected characteristics under the Equality Act are: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion and belief; sex and sexual orientation.
- 7.13.20 In terms of inclusive access, the scheme has been designed to be DDA (Disability Discrimination Act) compliant. The applicant has provided details to demonstrate that all the units would meet Accessible and Adaptable Housing Standards. The scheme also seeks to deliver the necessary disabled parking provision in accordance with the Council's adopted Parking Standards SPD (2020). The bays would meet the relevant size standards and would be located in an appropriate location in close to the entrance of the apartment building.

8. CONCLUSIONS

- 8.1 The Stevenage Borough Local Plan (2011 – 2031) was formally adopted by the Council on the 22 May 2019. As of the 22 May 2024, the adopted Local Plan is 5 years old and as such, is deemed to be out-of-date. This means that the policies contained in the Local Plan are deemed to have limited weight with greater weight applied to the framework of policies in the NPPF. In addition, the Council, based on its HDT score is currently subject to the most severe penalty under paragraph 11(d) of the NPPF (2023). As this policy is now engaged, it means Local Plan housing policies would also be classed as out-of-date for this reason. Consequently, Stevenage Borough Council must apply the presumption in favour of sustainable development in its decision making and give great weight towards the need to deliver housing.
- 8.2 The proposed development would constitute development on previously development land and would provide a net increase of 53 dwellings on the site, which would make a positive contribution towards meeting the Council's housing targets. The provision of good quality housing on previously developed land carries significant weight in favour of the proposal. Whilst the proposal is contrary to the Government's policy on First Homes, which requires that 25% of affordable housing be provided as First Homes, affordable housing for the proposed scheme (14 units) would be provided as a payment in lieu.
- 8.3 Further, the principle of residential development of the northern half of the site has been established through the Local Plan allocation HO1(15) and the development of the remainder

of the site for windfall housing complies with the requirements of Local Plan policy HO5. The area of Principle Open Space comprising the public car park would remain undeveloped. The scouts and sea cadets would therefore be relocated to an appropriate alternative location as allowed under criterion (a) of Local Plan Policy HC4, which seeks to protect existing community uses. It is concluded the aims of this policy have been met to enable the site to be redeveloped as proposed.

- 8.4 The proposal would also confer the typical array of benefits associated with development in terms of employment and other economic activity. Given the scale of the development, these benefits are also attributed moderate weight.
- 8.5 The scheme would, subject to conditions, not have a detrimental impact on the character and appearance of the area and it would not harm the amenities of neighbouring residential properties. Furthermore, the scheme would have acceptable living standards, would have sufficient off-street parking and would not prejudice highway safety. In terms of drainage, it is considered that appropriately worded conditions can be imposed to ensure an acceptable drainage strategy can be delivered on-site once the drainage strategy has been agreed. The development would not have a detrimental impact on the environment and a suitable landscaping strategy can be delivered to compensate for the loss of the existing trees and hedgerow. In addition, the scheme would deliver biodiversity net gain and would be adaptable to climate change. The scheme would also comprise sufficient general waste and recycle storage.
- 8.6 When considered in their entirety, the benefits of the proposal would clearly outweigh the limited adverse impacts relating to the policy conflicts identified. Accordingly, the proposal is considered to accord with the development plan when read as a whole.
- 8.7 The NPPF is a material consideration, especially in light of the application of the tilted balance. However, the adverse impacts of granting permission would not significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF as a whole. To the contrary, the adverse impacts would be clearly outweighed by the benefits, as set out above. In the absence of any other material considerations which indicate that permission should be refused, it is recommended that planning permission be granted.

9. RECOMMENDATIONS

- 9.1 That planning permission be GRANTED subject to the applicant having first entered into a S106 legal agreement to secure/provide contributions towards:-
- S278 Agreement (covering the junction alterations and public realm works on highway verge land adopted by HCC Highway Authority)
 - £1,898,523.90 towards off site affordable housing (14 units)
 - Local apprenticeships and construction jobs
 - Management Company to manage areas of unadopted open space, highways and SuDS
 - £15,000 towards delivering green space improvements in Fairlands Valley Park
 - S106 monitoring fee
- 9.2 The detail of which would be delegated to the Assistant Director of Planning and Regulation in liaison with the Council's appointed solicitor, as well as the imposition of suitable safeguarding conditions.

9.3 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 are as follows:

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

18068SU1.01; 18068SU1.02; 18068SU1.03; 18068SU1.04; 18068SU1.05; 18068SU1.06; 18068SU1.101; K61-BRP-00-00-DR-A-0102-P08; K61-BRP-00-00-DR-A-0107-P05; K61-BRP-00-00-DR-A-0108-P03; K61-BRP-00-00-DR-A-0210-P02; K61-BRP-00-00-DR-A-0211-P02; K61-BRP-00-00-DR-A-0212-P02; K61-BRP-00-00-DR-A-0213-P02; K61-BRP-00-00-DR-A-0214-P02; K61-BRP-00-00-DR-A-0215-P02; K61-BRP-00-00-DR-A-0216-P02; K61-BRP-00-00-DR-A-0217-P02; K61-BRP-00-00-DR-A-0300-P03; K61-BRP-00-00-DR-A-0301-P03; K61-BRP-00-00-DR-A-0302-P03; K61-BRP-00-00-DR-A-0303-P03; K61-BRP-00-00-DR-A-0304-P03; K61-BRP-00-00-DR-A-0305-P03; K61-BRP-00-00-DR-A-0306-P03; K61-BRP-00-00-DR-A-0307-P03; K61-BRP-00-00-DR-A-0308-P03; 6529.011-F; SHF.1732.005.ENZ.XX.01.DR.L.45.101-PL01; SHF.1732.005.ENZ.XX.01.DR.L.45.102-PL02; SHF.1732.005.ENZ.XX.01.DR.L.45.103-PL02; SHF.1732.005.ENZ.XX.01.L.SC.45.101-PL02.

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 site clearance or construction work relating to this permission shall be carried out except between the hours of 0730 and 1800 on Mondays to Fridays and between the hours of 0800 and 1300 on Saturdays, unless otherwise agreed in writing by the Local Planning Authority. These times apply to work which is audible at the site boundary.

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

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.
6. A programme of implementation of hard and soft landscaping

Thereafter, all hard surfacing and all planting, seeding and turfing comprised in the approved details shall be carried out in accordance with the agreed programme.

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

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

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

6 No tree shown retained on the approved plans, or subsequently approved landscaping scheme, shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped within five years of the completion of development without the written approval of the Local Planning Authority.

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

7 Prior to development above slab level of Plot 57, the group of trees labelled G1 in the Tree Protection Plan ref. 12106 TPP 01 within the Arboricultural Impact Assessment by Aspect Arboriculture dated April 2024 shall be trimmed back appropriately to reduce encroachment onto Plot 57.

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

8 Development shall not commence until a biodiversity net gain management plan (BNGMP) has been submitted to, and approved in writing by, the local planning authority. The content of the BNGMP shall ensure the delivery of the agreed number of habitat units as a minimum to achieve a net gain in biodiversity and include the following.

- a) Description and evaluation of habitat parcels to be managed, cross referenced to individual lines in the metric.
- b) Maps of all habitat parcels, cross referenced to corresponding lines in the metric.
- c) Appropriate management options for achieving target condition for habitats as described in the approved metric.
- d) Preparation of an annual work schedule for each habitat parcel (to be applied as a 30-year work plan capable of being rolled forward in perpetuity).
- e) Details of the body or organisation responsible for implementation of the plan.
- f) Details of species selected to achieve target habitat conditions as identified in approved metric, definitively stated and marked on plans.
- g) Ongoing monitoring plan and remedial measures to ensure habitat condition targets are met.
- h) Reporting plan and schedule for informing LPA of condition of habitat parcels for 30 years.

The BNGMP shall also include details of the legal and funding mechanism(s) by which the long-term 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 BNGMP 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 ensure measurable biodiversity net gain in accordance with the Council's Biodiversity SPD and NPPF.

- 9 No development above slab level shall be carried out until details of 15 integrated swift boxes and 4 integrated bat boxes have been submitted and approved by the LPA. These devices shall be fully installed prior to occupation and retained as such thereafter.
REASON:- To conserve and enhance biodiversity.
- 10 No demolition of the site of the bat roost identified in the approved survey shall commence unless the local planning authority has been provided with a copy of the licence issued by Natural England pursuant to Regulation 53 of The Conservation of Habitats and Species Regulations 2017 (as amended) authorising the specified activity/development to go ahead. Development shall then proceed in accordance with that licence and in accordance with the approved ecological report. All mitigation and compensation measures shall be fully installed before occupation and retained as such thereafter.
REASON:- To ensure compliance with the Conservation of Habitats and Species Regulations 2017 (as amended) and to ensure biodiversity is conserved and enhanced in accordance with NPPF.
- 11 The recommended ecological and nature conservation enhancements set out within the Preliminary Ecological Appraisal by Tetra Tech Limited ref. 784-B066592 shall be implemented and permanently maintained in accordance with the approved details.
REASON:- To conserve and enhance biodiversity.
- 12 Prior to the first occupation of any dwellings hereby permitted (except on plots 1-3) the vehicular access shall be completed and thereafter retained as shown on drawing number K61-BRP-00-00-DR-A-0102-P08 in accordance with details/specifications to be submitted to and approved in writing by the Local Planning Authority in consultation with the highway authority. Prior to use appropriate arrangements shall be made for surface water 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).
- 13 Visibility splays measuring 2.4 x 43m metres shall be provided to each side of the access where it meets the highway and kept free at all times from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway.
REASON:- To ensure that the level of visibility for pedestrians, cyclists and vehicles is satisfactory in the interests of highway safety in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).
- 14 Prior to the first occupation of the development hereby permitted the proposed access arrangements/and an on-site car turning area shall be implemented in accordance with the approved drawing number K61-BRP-00-00-DR-A-0102-P08 and retained thereafter available for that specific use.
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).
- 15 Prior to the first occupation of each dwelling, an active (ready to use) EV charging point shall be provided which shall thereafter be permanently retained.
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).
- 16 Prior to development above slab level, a scheme for (short and long stay) the parking of cycles including details of the design, level and siting 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 and thereafter retained for this purpose.

REASON:- To ensure the provision of 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 development shall commence, excluding demolition within the site, until a Construction Method Statement 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 / Statement shall include details 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
 - k. Phasing Plan.

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 (adopted 2018).

- 18 Following the removal of all subbase from the existing pavement construction and completion of site preparation works and prior to the commencement of construction works testing of Boreholes WS101 and WS105, referenced in the Geo-Environmental Report ref. CRM.757.001.GE.R.001.A, shall be carried out to confirm that soil concentrations of lead and Polycyclic Aromatic Hydrocarbons at these locations do not exceed the General Acceptance Criteria values referenced in the said report, and the results from the analysis of the soil samples shall be provided to the local planning authority.

If, following the further testing of boreholes or during the course of development any unforeseen contamination is found or suspected, works shall cease and the local planning authority shall be informed immediately. The local planning authority may request the nature and extent of any contamination to be investigated in order that a suitable remediation strategy can be proposed. The development shall not continue until any required remediation as agreed in writing by the local planning authority has been undertaken, and the local planning authority has confirmed it has been undertaken to its satisfaction.

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 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 protect foraging and commuting bats.

- 20 The measures to address adaptation to climate change as set out within the Design and Access Statement by BRP Architects dated May 2024 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.

- 21 Prior to the commencement of the development hereby permitted, a detailed Site Waste Management Plan (SWMP) shall be 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 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 future management, including adoption by the Highways Authority or any alternative other measures to secure the long term operation and management of the drainage scheme throughout its lifetime.

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

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

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

- 24 A new highway directional sign for Fairlands Valley Park shall be erected adjacent to the approved vehicular access on Bedwell Crescent and the existing sign on Shephall View removed.

REASON:- To ensure all vehicular traffic is directed to the correct access.

- 25 No above ground works shall take place until a scheme for the provision of adequate water supplies and fire hydrants, within 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.

- 26 The car parking spaces shown on drawing number K61-BRP-00-00-DR-A-0108-P03 shall be provided, marked out and hard surfaced for each dwelling ready for use prior to their occupation and shall thereafter be retained in that form and kept available for those purposes thereafter.

REASON:- To ensure that adequate parking is available within the site and to serve each dwelling upon occupation, so that there is no detriment to the safety of adjoining highways.

- 27 The communal refuse and recycling stores as shown on drawing number K61-BRP-00-00-DR-A-0102-P08 shall be provided and made ready for use for each block of Cluster Homes (plots 29 to 49) prior to occupation of any dwelling in the corresponding block and shall thereafter be retained in that form and kept available for those purposes thereafter.

REASON:- To ensure that adequate refuse and recycling facilities are available to serve the dwellings upon occupation.

28 Notwithstanding the provisions of Classes A, 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-enactive 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, no loft conversions including dormer windows / roof extensions, or roof lights and openings shall be constructed on any dwellinghouse hereby permitted unless permission is granted on an application made to the Local Planning Authority.

REASON:- To enable the Local Planning Authority to fully consider the effects of development normally permitted by that Order to safeguard the amenities of the neighbouring properties from overlooking / loss of privacy and to ensure sufficient parking is available.

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 Thames Water

A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. 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. Application forms should be completed online via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.

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

5 **HCC Highway Works s.278**

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.

6 **Storage of Construction Materials**

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.

7 **HCC Construction Management Plan**

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>

11 **Biodiversity Net Gain**

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.

Based on the information available, this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply.

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 (Phase Plans).

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>

10. BACKGROUND DOCUMENTS

1. The application file, forms, plans and supporting documents having the reference number relating to this item.
2. Stevenage Borough Council Supplementary Planning Documents – Parking Provision adopted October 2020, Stevenage Design Guide adopted January 2023, The Impact of Development on Biodiversity adopted March 2021, Stevenage Borough Council Developer Contributions adopted March 2021.
3. Stevenage Borough Local Plan 2011-2031 adopted 2019.
4. Hertfordshire County Council's Local Transport Plan 4 adopted May 2018.
5. Responses to consultations with statutory undertakers and other interested parties referred to in this report.
6. Central Government advice contained in the National Planning Policy Framework 2023 and Planning Policy Guidance March.

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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 : 23/00430/COND
Date Received : 02.06.23
Location : Land To The North Of Stevenage Off North Road And Weston Road Stevenage Herts
Proposal : Discharge of condition 35 (Drainage Strategy) attached to planning permission reference number 17/00862/OPM (Phase 1A-C).
Date of Decision : 09.08.24
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.

The case officer's letter is attached providing further information.

2. Application No : 23/00517/FP
Date Received : 04.07.23
Location : 108 High Street Stevenage Herts SG1 3DW
Proposal : Change of use and conversion of existing commercial premises (Use Class E) to form 1 no. two-bedroom dwelling (Use Class C3), associated bin store, cycle store and boundary treatment.
Date of Decision : 13.08.24
Decision: **Planning Permission is REFUSED**

For the following reason(s);

The future occupiers of the development would be impacted by noise from the established neighbouring commercial use at 112 High Street and the applicant has failed to demonstrate that suitable mitigation measures can be secured within their property to minimise the impact of this neighbouring noise pollution. As such, the proposal therefore fails to provide an acceptable living environment for future occupiers, contrary to the National Planning Policy Framework (2023), National Planning Practice Guidance, Policies FP8, GD1 and SP8 of the Stevenage Borough Local Plan 2011-2031 (adopted 2019), and the Council's Design Guide SPD (2023).

The proposal fails to demonstrate that it would accord with Policy TC10 by introducing a non-retail use at ground floor in a secondary retail frontage unit. As such, the proposal would not therefore be in accordance with Policy TC10 of the Stevenage Borough Local Plan 2011-2031 (2019), the National Planning Policy Framework (2023) and National Planning Practice Guidance to the detriment of the High Street shopping area.

3. Application No : 23/00906/COND
Date Received : 30.11.23
Location : Land To The West Of Lytton Way Stevenage Herts
Proposal : Discharge of condition 7 (external materials) and 8 (External lighting) attached to planning permission reference number 23/00239/FPM (As approved at appeal under reference: APP/K1935/W/20/3255692).
Date of Decision : 21.08.24
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.

The case officer's letter is attached providing further information.
4. Application No : 24/00082/COND
Date Received : 06.02.24
Location : Swingate House Danestrete Stevenage Herts
Proposal : Partial discharge of Condition 72 (Whole Site Condition SUDS) and Condition 74 (Phase 1A drainage pre commencement) attached to Planning Permission reference number 19/00743/FPM
Date of Decision : 31.07.24
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**
5. Application No : 24/00098/COND
Date Received : 13.02.24
Location : Swingate House Danestrete Stevenage Herts
Proposal : Partial discharge of Condition 19 (Construction Management Plan) attached to planning permission reference number 19/00743/FPM (Phase 1A - Swingate House)
Date of Decision : 26.07.24
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**

6. Application No : 24/00270/COND
Date Received : 15.04.24
Location : 7 The Forum Town Centre Stevenage Herts
Proposal : Partial discharge of condition 10 (construction management plan) and discharge of condition 15 (screening and enclosure of plant and machinery) attached to planning permission reference number 19/00647/FPM.
Date of Decision : 02.08.24
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**
7. Application No : 24/00275/CLPD
Date Received : 17.04.24
Location : 76 Kymswell Road Stevenage Herts SG2 9JS
Proposal : Lawful Development Certificate (Proposed) for a single storey rear extension
Date of Decision : 12.08.24
Decision : **Certificate of Lawfulness is APPROVED**
8. Application No : 24/00277/COND
Date Received : 17.04.24
Location : Gridserve Stevenage Electric Forecourt Knebworth Park Old Knebworth Knebworth
Proposal : Discharge of Condition 10 (drainage strategy)
Date of Decision : 13.08.24
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**
9. Application No : 24/00367/FPH
Date Received : 22.05.24
Location : 62 Fairview Road Stevenage Herts SG1 2NR
Proposal : Erection of 2no. pitched roof rear dormer windows and 8no. rooflights to facilitate a loft conversion
Date of Decision : 20.08.24
Decision : **Planning Permission is GRANTED**

10. Application No : 24/00376/RM
Date Received : 28.05.24
Location : Garage Block 31 - 49 Spring Drive Stevenage Herts
Proposal : Application for approval of reserved matters (access, appearance, landscaping, layout, and scale) for residential development of 2no. three bed and 1no. two bed dwellings pursuant to outline permission 22/00487/OP
Date of Decision : 20.08.24
Decision : **Reserved Matters are APPROVED**
11. Application No : 24/00384/FPH
Date Received : 31.05.24
Location : 23 Shephall Green Stevenage Herts SG2 9XS
Proposal : Installation of 8 no. solar panels to existing roof.
Date of Decision : 12.08.24
Decision : **Planning Permission is GRANTED**
12. Application No : 24/00385/LB
Date Received : 31.05.24
Location : 23 Shephall Green Stevenage Herts SG2 9XS
Proposal : Listed Building Consent for installation of 8 no. solar panels to existing roof.
Date of Decision : 12.08.24
Decision : **Listed Building Consent is GRANTED**
13. Application No : 24/00386/COND
Date Received : 31.05.24
Location : Land To The North Of Stevenage Weston Road Stevenage Herts
Proposal : Discharge of conditions 23 (Management & Maintenance of streets) attached to planning permission reference number 17/00862/OPM
Date of Decision : 26.07.24
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**

14. Application No : 24/00391/FPH
Date Received : 04.06.24
Location : 15 Taywood Close Stevenage Herts SG2 9QP
Proposal : Erection of two storey side extension, first floor rear extension, single storey front extension and replacement garage.
Date of Decision : 30.07.24
Decision : **Planning Permission is GRANTED**
15. Application No : 24/00395/COND
Date Received : 06.06.24
Location : Land To The North Of Stevenage Weston Road Stevenage Herts
Proposal : Discharge of condition 35 (Drainage Strategy) attached to planning permission reference number 17/00862/OPM Phase 2 (23/00890/RMM) Miller Parcels only
Date of Decision : 09.08.24
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**
16. Application No : 24/00397/FPH
Date Received : 06.06.24
Location : 157 Sish Lane Stevenage Herts SG1 3LP
Proposal : Erection of single storey rear extension
Date of Decision : 30.07.24
Decision : **Planning Permission is GRANTED**
17. Application No : 24/00398/FPH
Date Received : 07.06.24
Location : 154 Leaves Spring Stevenage Herts SG2 9BG
Proposal : Single storey front extension
Date of Decision : 31.07.24
Decision : **Planning Permission is GRANTED**

18. Application No : 24/00489/HPA
Date Received : 10.06.24
Location : 27 Beale Close Stevenage Herts SG2 0LS
Proposal : Single storey rear extension which will extend beyond the rear wall of the original house by 5m, for which the maximum height will be 3m and the height of the eaves will be 3m
Date of Decision : 07.08.24
Decision : **Prior Approval is NOT REQUIRED**
19. Application No : 24/00409/FP
Date Received : 13.06.24
Location : Hertford House Rutherford Close Stevenage Herts
Proposal : Elevational alterations involving replacement fenestrations and creation of balcony on rear elevation with canopy over, alterations to hard standing to provide level access and installation of ramp to bin store.
Date of Decision : 31.07.24
Decision : **Planning Permission is GRANTED**
20. Application No : 24/00411/FP
Date Received : 14.06.24
Location : Silkin Court Campkin Mead Stevenage Herts
Proposal : Installation of ramp to provide fire escape for disabled residents of first floor accommodation
Date of Decision : 31.07.24
Decision : **Planning Permission is GRANTED**
21. Application No : 24/00414/CLED
Date Received : 14.06.24
Location : Corey's Mill Beefeater Coreys Mill Lane Stevenage Herts
Proposal : Lawful Development Certificate (Existing) for continued use of the site as a Class E(b) Restaurant.
Date of Decision : 08.08.24
Decision : **Certificate of Lawfulness is APPROVED**

22. Application No : 24/00416/FPH
Date Received : 14.06.24
Location : 117 Fairview Road Stevenage Herts SG1 2NP
Proposal : Erection of single storey front extension.
Date of Decision : 09.08.24
Decision : **Planning Permission is GRANTED**
23. Application No : 24/00417/FPH
Date Received : 17.06.24
Location : Peacehaven London Road Stevenage Herts
Proposal : Installation of 1No air source heat pump to the front elevation
Date of Decision : 06.08.24
Decision : **Planning Permission is GRANTED**
24. Application No : 24/00424/CLPD
Date Received : 19.06.24
Location : 6 Collenswood Road Stevenage Herts SG2 9ER
Proposal : Lawful Development Certificate (Proposed) Loft conversion with dormer to rear and rooflights to front.
Date of Decision : 31.07.24
Decision : **Certificate of Lawfulness is APPROVED**
25. Application No : 24/00431/TPCA
Date Received : 21.06.24
Location : 3 Essex Road Stevenage Herts SG1 3EZ
Proposal : Removal of Apple tree and removal of Holly tree
Date of Decision : 30.07.24
Decision : **CONSENT TO CARRY OUT WORKS TO A TREE IN A CONSERVATION AREA**

26. Application No : 24/00432/FPH
Date Received : 21.06.24
Location : 127 Raleigh Crescent Stevenage Herts SG2 0EB
Proposal : Replacement conservatory.
Date of Decision : 13.08.24
Decision : **Planning Permission is GRANTED**
27. Application No : 24/00435/FP
Date Received : 24.06.24
Location : 17 Faraday Road Stevenage Herts SG2 0BH
Proposal : Change of use from amenity land to residential use.
Date of Decision : 14.08.24
Decision : **Planning Permission is GRANTED**
28. Application No : 24/00440/FP
Date Received : 25.06.24
Location : 187 Webb Rise Stevenage Herts SG1 5QG
Proposal : Change of use from 4 bedroom dwellinghouse (Class C3) to 4 bedroom House of Multiple Occupation (Class C4)
Date of Decision : 16.08.24
Decision : **Planning Permission is GRANTED**
29. Application No : 24/00443/FPH
Date Received : 26.06.24
Location : 12 Goddard End Stevenage Herts SG2 7ER
Proposal : Single storey side and rear extension
Date of Decision : 15.08.24
Decision : **Planning Permission is GRANTED**

30. Application No : 24/00444/TPCA
Date Received : 26.06.24
Location : 1, 2, And 3 Nycolles Wood Stevenage Herts SG1 4GR
Proposal : Crown reduction of 40% on 3no. silver birch trees and removal of 1no. silver birch tree
Date of Decision : 25.07.24
Decision : **CONSENT TO CARRY OUT WORKS TO A TREE IN A CONSERVATION AREA**
31. Application No : 24/00446/FP
Date Received : 27.06.24
Location : 81 Mobbsbury Way Stevenage Herts SG2 0HY
Proposal : Installation of new shop front
Date of Decision : 16.08.24
Decision : **Planning Permission is GRANTED**
32. Application No : 24/00447/FP
Date Received : 28.06.24
Location : 110 Ely Close Stevenage Herts SG1 4NR
Proposal : Proposed change of use from five-bedroom residential dwelling (C3) to 2no. one-bedroom flats (C3)
Date of Decision : 16.08.24
Decision : **Planning Permission is GRANTED**
33. Application No : 24/00449/FPH
Date Received : 28.06.24
Location : 80 Sefton Road Stevenage Herts SG1 5RL
Proposal : Two storey front and single storey rear extension
Date of Decision : 16.08.24
Decision : **Planning Permission is GRANTED**

34. Application No : 24/00453/COND
Date Received : 28.06.24
Location : 109 Hertford Road Stevenage Herts SG2 8SH
Proposal : Discharge of Conditions 4 (access arrangements) attached to planning permission reference number 23/00017/FPH
Date of Decision : 30.07.24
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**
35. Application No : 24/00454/FP
Date Received : 01.07.24
Location : 14 Falcon Close Stevenage Herts SG2 9PG
Proposal : Change of use from amenity land to private residential garden.
Date of Decision : 20.08.24
Decision : **Planning Permission is GRANTED**
36. Application No : 24/00460/FPH
Date Received : 02.07.24
Location : Mountview 13 Weston Road Stevenage Herts
Proposal : Retention of outbuilding for use as home gym
Date of Decision : 07.08.24
Decision : **Planning Permission is GRANTED**
37. Application No : 24/00462/COND
Date Received : 02.07.24
Location : Land To The West Of Lytton Way Stevenage Herts
Proposal : Discharge of condition 12 (cycle parking) attached to planning permission reference numbers 19/00474/FPM (As approved at appeal under reference: APP/K1935/W/20/3255692), 23/00239/FPM and 23/00655/FPM.
Date of Decision : 20.08.24
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**

38. Application No : 24/00463/FPH
Date Received : 03.07.24
Location : 25 Furzedown Stevenage Herts SG2 9EL
Proposal : Erection of single storey glass canopy attached to rear elevation
Date of Decision : 20.08.24
Decision : **Planning Permission is GRANTED**
39. Application No : 24/00472/CLPD
Date Received : 08.07.24
Location : Lister Hospital Coreys Mill Lane Stevenage Herts
Proposal : Lawful Development Certificate (Proposed) for construction of a three storey (with single storey link) extension to hospital building.
Date of Decision : 20.08.24
Decision : **Certificate of Lawfulness is APPROVED**
40. Application No : 24/00480/TPCA
Date Received : 10.07.24
Location : 2 The Priory Rectory Lane Stevenage Herts
Proposal : Fell 1 x Scots Pine
Date of Decision : 21.08.24
Decision : **CONSENT TO CARRY OUT WORKS TO A TREE IN A CONSERVATION AREA**
41. Application No : 24/00483/CLPD
Date Received : 11.07.24
Location : 20 Granby Road Stevenage Herts SG1 4AR
Proposal : Lawful Development Certificate for single storey rear extension
Date of Decision : 01.08.24
Decision : **Certificate of Lawfulness is APPROVED**

42. Application No : 24/00498/NMA
Date Received : 18.07.24
Location : Unit 3 Roaring Meg Retail Park London Road Stevenage
Proposal : Non material amendment to reserved matters approval 24/00285/FP to alter the wording of Condition 3
Date of Decision : 07.08.24
Decision : **Non Material Amendment AGREED**
43. Application No : 24/00535/NMA
Date Received : 26.07.24
Location : 7 The Forum Town Centre Stevenage Herts
Proposal : Non material amendment to reserved matters approval 19/00647/FPM to vary condition 24 (Drainage strategy) to adjust wording defining the timing of when relevant drainage detail is required
Date of Decision : 01.08.24
Decision : **Non Material Amendment AGREED**
44. Application No : 24/00547/NMA
Date Received : 01.08.24
Location : Roebuck Retail Park London Road Stevenage Hertfordshire
Proposal : Non material amendment to planning permission 21/00754/FPM to make amendments relating to the trees located to the south of the northernmost access point and that the wording of conditions 6, 8 and 10 be amended to reflect the submitted documents.
Date of Decision : 20.08.24
Decision : **Non Material Amendment AGREED**

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 September 2023 and Planning Policy Guidance.

Meeting: Planning and Development
Committee

Agenda Item:

Date: 3 September 2024

INFORMATION REPORT - APPEALS / CALLED IN APPLICATIONS

Author – James Chettleburgh

Lead Officer – Zayd Al-Jawad

Contact Officer – Zayd Al-Jawad

1. APPEALS RECEIVED

1.1 None.

2. DECISIONS AWAITED

2.1 21/01025/ENFAPL, 7 Boxfield Green. Appeal against the serving of an Enforcement Notice relating to the development not in accordance with approved plans under planning permission reference number 17/00734/FPH.

2.2 23/00035/ENFAPL, Car park to side of 10 Aintree Way. Appeal against the serving of an Enforcement Notice relating to the erection of a car port.

2.3 23/00920/FPM, Land to the west of Lytton Way. Appeal against refusal of planning permission for the variation of condition 1 (approved plans) attached to planning permission reference number 23/00655/FPM to remove undercroft parking areas to blocks 1 to 3 and 5 to 7 to provide 16 additional apartments and to cycle parking provision, communal entrances, refuse stores, plant and equipment, water tanks and storage areas. Alterations to centralised communal area and ancillary facilities layout in block 4, removal of external cycle store adjacent to block 4, addition of 13 parking spaces, amendment to affordable housing mix in block 7.

3. DECISIONS RECEIVED

3.1 None.

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