



PLANNING AND DEVELOPMENT COMMITTEE

Date: Tuesday, 29 October 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 - 3 SEPTEMBER 2024

To approve as a correct record the Minutes of the previous meeting held on 3 September 2024.

5 – 22

3. UPDATE ON LOCAL PLAN REVIEW

To receive an update on the Local Plan Review in advance of Reg 19 consultation.

4. 24/00058/FPM - LAND AT REDCAR DRIVE, STEVENAGE

To consider the demolition of existing property known as Cartref and erection of 38 no. dwellings with associated road, parking, green spaces and ancillary works.

23 – 80

5. 24/00525/FPM - BOND INTERNATIONAL, CARTWRIGHT ROAD

To consider the demolition of existing buildings and structures and construction of a new building for Use Classes E(g)(iii), B2 and B8 (flexible), including hard and soft landscaping, parking, access, servicing and associated works.

81 – 110

6. 23/00710/FPM - COURTLANDS, TODDS GREEN

To consider the redevelopment of existing stables to provide 17 dwellings with access road, parking, landscaping, footpath connections, infiltration basing and pump station.

111 – 156

7. 24/00667/FP - 1-17, 19-35, 37-53, 55-71, 85-101, 103-119 AND 121-137 PENN ROAD

To consider the construction of 7 no. bin enclosures each to house 12 no. 360 litre wheelie bins on land adjacent to each of seven residential blocks.
157 – 168

8. 24/00668/FP - 23 - 29 CUTTYS LANE

To consider the construction of 1 no. bin enclosures to house 12 no. 360 litre wheelie bins.
169 – 180

9. 24/00681/FP - GARAGES 13 AND 14 ADJACENT TO 11 OUNDLE PATH

To consider retrospective planning permission for retention of single garage following demolition of existing two sheds
181 – 188

10. 24/00598/FP - 1-12 FOVANT COURT, INGLESIDE DRIVE

To consider the addition of perimeter edge guarding to flat roofs.
189 – 200

11. 24/00626/FP - 1-14 CAVALIER COURT

To consider the installation of perimeter edge guard railing to flat roof areas.
201 – 212

12. 24/00627/FP - 1-14 CRANBORNE COURT

To consider the installation of perimeter edge guard railing to flat roof areas.
213 – 222

13. INFORMATION REPORT - DELEGATED DECISIONS

To note a report on decisions taken by the Assistant Director Planning and Regulatory in accordance with his delegated authority.
223 – 240

14. 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.
241 – 242

15. URGENT PART I BUSINESS

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

16. 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.

17. 22/00957/ENF - NOVOTEL, KNEBWORTH PARK, OLD KNEBWORTH

To consider the unauthorised change of use from Hotel (Use Class C1) to Hostel (Use Class Sui Generis) to accommodate persons seeking asylum.

18. URGENT PART II BUSINESS

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

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STEVENAGE BOROUGH COUNCIL

PLANNING AND DEVELOPMENT COMMITTEE MINUTES

Date: Tuesday, 3 September 2024

Time: 6.30pm

Place: Council Chamber

Present: Councillors: Claire Parris (Chair), Nazmin Chowdhury (Vice Chair), Julie Ashley-Wren, 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: 7.28pm

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

There were no apologies for absence.

There were no declarations of interest.

At this juncture, the Chair reminded the Committee of recent changes to the voting process. All applications were subject to a recorded vote with Members voting against Officer's recommendation required to provide their planning reasons.

The Chair reminded the Committee to ensure their microphones were turned on and positioned correctly to improve audibility, particularly for those in the public gallery, and for the live stream.

2 **MINUTES - 17 JULY 2024 & 12 AUGUST 2024**

It was **RESOLVED** that the Minutes of the Planning and Development Committee held on 17 July 2024 and 12 August 2024 be approved as correct records and signed by the Chair.

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

The Committee considered an application in relation to 11-19 Town Square which included alterations and refurbishment to include a new roof and replacement windows and fascia boards.

The Head of Planning and Enforcement advised the Committee that the property was located above several commercial premises, adjacent to the former bus station (now Event Island) and the Town Square Conservation Area.

The Committee heard that the project would replace casement and top-hung windows, as well as curtain wall glazing. The roofing would also be replaced to match recent works carried out as part of the Co-Space development. The changes would replicate the existing architectural style, maintaining visual continuity with surrounding buildings, including black PPC aluminium frames for the windows and an upstand feature on the roof.

The Head of Planning and Enforcement informed the Committee that the proposal did not impact the Peter Lyon sculpture or any other significant heritage assets, such as the Grade II listed clock tower or the Franta Belsky Joyride sculpture.

The Committee were advised that Officers had assessed that the development would not harm the visual amenity of the area. The distance between the works and other listed buildings, such as the mural on the former Co-op (now Primark), ensured no detrimental effect on the area's heritage.

The Officer Recommendation was to grant planning permission.

Members asked a number of questions related to the scope of work and the impact on business operations.

In response, the Head of Planning and Enforcement advised the Committee that the application was focused on external façade refurbishments and that any planned internal changes were outside of the planning remit. The rear yard area did not form part of the application. The Assistant Director, Planning and Regulation added that future plans may include upgrades to the ground floor windows, but the existing businesses operating on the ground floor likely contributed to their exclusion from the proposal being considered.

The Head of Planning and Enforcement advised the Committee that all businesses would remain operational throughout the works which were expected to last about four months. Contractors would coordinate with the Council's engineering team to ensure minimal disruption and signage would be used to indicate that the businesses were open as usual.

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

Informatives

1 Community Infrastructure Levy

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

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

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

2 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 **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, Rob Broom, Kamal Choudhury, Forhad Chowdhury, Nazmin Chowdhury, Peter Clark, Akin Elekolusi, Lynda Guy, Coleen Houlihan, Claire Parris, Ellie Plater, Graham Snell, Carolina Veres and Anne Wells.

Against - 0

Abstentions - 0

Absent – 0

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

The Committee considered an application for the demolition of existing semi-detached houses, sea cadets, nursery and scouts buildings to provide 57 new dwellings with associated parking, facilities and landscaping, and the reconfiguration of the existing public car park.

The Team Leader (AD) advised the Committee that the application included a revised layout following an initial proposal in July 2023, for which the Committee had resolved to grant planning permission. The drainage scheme for the previous layout

was never agreed and the legal agreement was not proceeded with. The Lead Local Flood Authority had approved the drainage scheme for the new proposed layout.

The Committee heard that the original proposal had included a four-storey apartment block and the demolition of garages on Shephall View. The new proposal replaced the apartment block with smaller two-bedroom cluster homes and the garages would no longer be demolished.

The Team Leader (AD) informed the Committee that the application included a payment in lieu of off-site provision of affordable housing. The payment would be ring-fenced by the Council to fund affordable housing at Burwell Road allowing the developer more flexibility to proceed without linking the two sites.

The Committee were informed that the Sea Cadets and Scouts had already been relocated to new facilities in Hampson Park meeting policy requirements for their displacement due to this development.

The Team Leader (AD) advised the Committee that the scheme met the parking policy requirements, providing 86 allocated residential parking spaces and 11 visitor spaces, within the 75-100% required parking range. Public parking for Fairlands Valley Park would be resurfaced and formal parking bays would be marked.

The Committee were shown visuals of how the development would look including elevations and street scenes.

The Officer Recommendation was to grant planning permission.

Members asked a number of questions relating to traffic and road layouts, parking provision, environmental concerns, affordable housing and Fairlands Valley Park.

The Team Leader (AD) confirmed that Shephall View would remain a one-way road, with no vehicular access from it to the proposed development. Those who rented or owned garages in the area would still have access and beyond the garages there would be pedestrian access to the site only.

The Team Leader (AD) informed the Committee that the new layout of the development would have a negligible impact on traffic, as the number and mix of dwellings remained similar to the previous plan.

In response to questions related to the Fairlands Valley car park, the Team Leader (AD) advised that the surface area of the car park would stay the same, but the introduction of marked bays would likely lead to a more efficient use of space, although it was not confirmed whether there would be an increase in total spaces. The Committee heard that the car park would remain under the control and management of the Council. Officers believed that the provision of adequate parking for residents minimised the risk of residents using the park's car park. The Assistant Director, Planning and Regulation added that future parking issues could be addressed through Traffic Regulation Orders (TROs) if necessary.

Responding to environmental concerns, the Head of Planning and Enforcement

referred to a preliminary ecological appraisal. This appraisal recommended 4 bat boxes and 15 swift bricks, which were further formalised in Condition 9 of the committee report. This condition, suggested by the Herts and Middlesex Wildlife Trust, required the submission and approval of details for these boxes before the development could proceed. The boxes must be installed prior to occupation and retained to enhance biodiversity, in line with national planning policy.

The Team Leader (AD) clarified that the cluster houses were small, two-bedroom units with their own private entrances. While they did not have internal communal areas, they shared an external garden, similar to flats. Each house would also have its own allocated parking space, as well as a communal refuse collection point and cycle parking stands.

In response to a question related to potential delays to the delivery of the affordable housing provision, the Team Leader (AD) assured that once planning permission was granted and the legal agreement was finalised, the developer would deposit the required funds with the council. These funds would be used by the housing development team, alongside the proceeds from the sale of the development site, to support the Burwell Road housing project, without hindering the timeline.

A recorded vote* was then taken on the application and it was **RESOLVED** that retrospective 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

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.

And to the following conditions and informatives:

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.

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

- 5 Any trees or plants comprised within the approved plans or subsequently approved landscaping scheme, which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless otherwise agreed in writing by the Local Planning Authority.
- 6 No tree shown retained on the approved plans, or subsequently approved landscaping scheme, shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped within five years of the completion of development without the written approval of the Local Planning Authority.
- 7 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.
- 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.

- 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.
- 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.
- 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.
- 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.
- 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.

- 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.
- 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.
- 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.
- 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.
- 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.

- 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.
- 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.
- 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.
- 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 and any alternative other measures to secure the long term operation and management of the drainage scheme throughout its lifetime.
- 23 All areas of hedges, scrub or similar vegetation where birds may nest which are to be removed as part of the development, are to be cleared outside the bird-nesting season (March – August inclusive) or if clearance during the bird

nesting season cannot be reasonably be avoided, a suitably qualified ecologist will check the areas to be removed immediately prior to clearance and advise whether nesting birds are present. If active nests are recorded, no vegetation clearance or other works that may disturb active nests shall proceed until all young have fledged the nest.

- 24 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.
- 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.
- 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.
- 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.
- 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.
- 29 No development above slab level on plots 1 to 4 shall proceed until detailed technical plans are submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority, which show no more than two side by side parking bays fronting Bedwell Crescent along Plots 1 to 4 in accordance with the hereby approved plans. These works shall be constructed to the specification of the Highway Authority and Local Planning Authority's satisfaction and completed before occupation of the dwellings in plots 1 to 4.

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>

*** Recorded Vote**

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

Against - 0

Abstentions - 0

Absent – 0

5 **INFORMATION REPORT - DELEGATED DECISIONS**

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

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

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

7 **URGENT PART I BUSINESS**

There was none.

8 **EXCLUSION OF THE PRESS AND PUBLIC**

Not required.

9 **URGENT PART II BUSINESS**

There was none.

CHAIR

Meeting: Planning and Development
Committee

Agenda Item:

Date: 29 October 2024

Author: Rebecca Elliott

Lead Officer: Zayd Al-Jawad

Contact Officer: Rebecca Elliott

Application No :	24/00058/FPM
Location :	Land at Redcar Drive, Stevenage
Proposal :	Demolition of existing property known as Cartref and erection of 38 no. dwellings with associated road, parking, green spaces and ancillary works.
Drawing Nos.:	14122_P200S, 14122_P201J, 14122_P202P, 14122_P203D, 14122_P204G, 14122_P210D, 14122_P211D, 14122_P212E, 14122_P213G, 14122_P214B;
Applicant :	Stevenage Borough Council
Date Valid:	30 January 2024
Recommendation :	GRANT PLANNING PERMISSION



1. SITE DESCRIPTION

- 1.1 The application site comprises the former Cartref property to the south-west, and a large area of public open space, including mature tree belt around the perimeter, on the corner of Redcar Drive and Clovelly Way. The site is bounded to the north by existing residential properties off Symonds Green Lane and Eastbourne Avenue. To the south-west is Meadway Playing Field, a large public open space with sport pitch provision and a play area. The site frontage onto Clovelly Way faces the roundabout junction and areas of landscaping/trees on the opposite side of the road around the subway and cycleway connections. To the south of Redcar Drive and the site is the Rutherford Close light industrial and office park complexes.
- 1.2 The area is generally characterised therefor by a mix of uses. The housing on Eastbourne Avenue and Clovelly Way is typical New Town terrace and semi-detached dwellings, with more individual and detached house types along Symonds Green Lane, with this area falling within the Symonds Green Conservation Area. Redcar Drive leads to Meadway and access under the A1(M) to the settlement of Fishers Green to the west of the national trunk road. The road is subject to extensive changes due to it being a protected corridor to the Land West of Stevenage allocated housing site, which has approval in principle for up to 1500 dwellings.

2. RELEVANT PLANNING HISTORY

- 2.1 12/00234/FP - Change of Use of land and buildings from residential to temporary site accommodation (offices and storage) together with community meeting room. Granted permission 25 July 2012.
- 2.2 23/00457/PADEMO - Prior approval for the demolition of one detached dwellinghouse. Prior approval required and refused on 11 July 2023.
- 2.3 23/00543/PADEMO - Prior approval for the demolition of a single dwelling house. Prior approval required and refused on 7 August 2023.
- 2.4 23/00612/PADEMO - Prior approval for the demolition of one single domestic dwelling. Prior approval required and given on 10 August 2023.

3. THE CURRENT APPLICATION

- 3.1 This application seeks planning permission for the demolition of the existing property known as Cartref and the erection of 38 dwellings with associated road, parking, green spaces and ancillary works.
- 3.2 The application comes before the committee as it is a major residential development, and the Council are also the applicant and landowner. Therefore, in line with the Council's constitution, this application is being referred to the committee for its decision.

4. PUBLIC REPRESENTATIONS

- 4.1 Following notification of the application via letters, the erection of site notices and the issuing of a press notice, public representations have been received from the following properties:
 - 12 Gilders, Sawbridgeworth;
 - Hillside Cottage, Patmore Heath, Albury;
 - 5 Southwold Close;

- 72 Eastbourne Avenue;
- 22 Bude Crescent;
- 2 Brixham Close;
- 34 Bude Crescent;
- 533 Scarborough Avenue;
- 559 Scarborough Avenue;
- 24 Scarborough Avenue;
- 160 Bude Crescent;
- 120 Yarmouth Road;
- 82 Eastbourne Avenue;

4.2 A summary of the comments received are set out below:

- Integrated swift bricks should be secured via condition;
- No pedestrian/cycle path from new estate heading south/south-east towards Woolenwick School and the train station;
- Access to the six houses off Symonds Green Lane is very narrow, and would surely be safer off Redcar Drive;
- The site, especially the corner near the roundabout is prone to flooding, hopefully the development has made provision for this;
- Concerns for security of No's 15-29 Eastbourne Avenue, perhaps the 50 year old fence to the front of these properties could be replaced?;
- The Meadway Playing Fields will suffer from the construction of the Land West of Stevenage access;
- Whilst Meadway Playing Fields are used as a sporting asset, those that would not use it for this purpose whilst games are taking place will suffer from a net loss of green space;
- A 'tip in favour' of housing provision should be the sole basis for loss of the open space;
- Increase in traffic numbers on Clovelly Way, especially during peak times. Suggest a mini roundabout be installed at the junction of Eastbourne Avenue and Clovelly Way;
- Construction traffic should not use Symonds Green Lane;
- The retention of as many trees as possible and the ancient hedgerow alongside the footpath from Symonds Green Lane is heartening to see;
- Loss of green space;
- Surely more appropriate brownfield sites in town that could be used;
- Access to the new housing is in the wrong place and will add to existing congestion;
- Loss of habitat within the green space;
- Increased noise and air pollution from more traffic;
- Amplification of road noise from loss of trees;
- Noise levels during construction will hinder ability to work from home;
- Development close to existing properties causing ground movement and damage;
- Existing properties directly overlooked my new housing next to/behind;
- Extension of Symonds Green Lane to access development will mean I can no longer park my car outside the front of my house;
- Increased traffic could cause damage to my front garden;
- Subsidence risk to my property because of works to trees;
- Impact on existing infrastructure, doctors, dentists, schools etc;
- Site overdeveloped and density should be reassessed;
- Cartref properties have already been demolished. Could they not have been refurbished and extended?;
- Symonds Green Land and Conservation Area were not designed for the level of cars using;

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

5. CONSULTATIONS

5.1 Affinity Water

Water Efficiency

- 5.1.1 Being within a water stressed area, we expect that the development includes water efficient fixtures and fittings. Measures such as rainwater harvesting and grey water recycling help the environment by reducing pressure for abstractions. They also minimise potable water use by reducing the amount of potable water used for washing, cleaning and watering gardens. This in turn reduces the carbon emissions associated with treating this water to a standard suitable for drinking and will help in our efforts to get emissions down in the borough. We currently offer a discount to the infrastructure charge for each new development where evidence of a water efficiency design to a standard of 110litres (or less) per person per day is expected. The discount value for the charging period 2023/24 is £258. For more information visit Water efficiency credits (affinitywater.co.uk).

Infrastructure connections and diversions

- 5.1.2 There are potentially water mains running through or near to part of proposed development site. If the development goes ahead as proposed, the applicant/developer will need to get in contact with our Developer Services Team to discuss asset protection or diversionary measures. This can be done through the My Developments Portal (<https://affinitywater.custhelp.com/>) or aw_developerservices@custhelp.com.
- 5.1.3 Due to its location, Affinity Water will supply drinking water to the development in the event that it is constructed. Should planning permission be granted, the applicant is also advised to contact Developer Services as soon as possible regarding supply matters due to the increased demand for water in the area resulting from this development.
- 5.1.4 To apply for a new or upgraded connection, please contact our Developer Services Team by going through their My Developments Portal (<https://affinitywater.custhelp.com/>) or aw_developerservices@custhelp.com. The Team also handle C3 and C4 requests to cost potential water mains diversions. If a water mains plan is required, this can also be obtained by emailing maps@affinitywater.co.uk. Please note that charges may apply.

5.2 Thames Water

- 5.2.1 Waste Comments - Thames Water would advise that with regard to FOUL WATER sewerage network infrastructure capacity, we would not have any objection to the above planning application, based on the information provided at pre development consultation (Gravity connection only to MH 4701), should this change we would see this as a material change and would want to be consulted.
- 5.2.2 There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. <https://www.thameswater.co.uk/developers/larger-scale-developments/planning-yourdevelopment/working-near-our-pipes>
- 5.2.3 We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991.
- 5.2.4 Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission: "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.

- 5.2.5 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 on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section. Thames Water would advise that with regard to SURFACE WATER network infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.
- 5.2.6 Water Comments With regard to water supply, this comes within the area covered by the Affinity Water Company.

5.3 Herts County Council as Lead Local Flood Authority (LLFA)

- 5.3.1 Objection received following initial consultation as no details on drainage and flooding had been provided. The details requested by the LLFA were provided in July 2024 but no further responses have been received at the time of drafting this report. 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 delegate powers being granted to the Assistant Director of Planning and Regulation to impose any conditions advised on any response provided after the meeting.
- 5.3.2 A decision will not be issued until outstanding issues raised by the LLFA have been resolved. 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.

5.4 Herts County Council Minerals and Waste Policy Team

- 5.4.1 I am writing in response to the above planning application insofar as it raises issues in connection with minerals and waste matters. Should the District Council be minded to permit this application, a number of detailed matters should be given careful consideration. Government policy seeks to ensure that all planning authorities take responsibility for waste management. This is reflected in the County Council's adopted waste Development Plan Documents (DPDs). In particular, these documents seek to promote the sustainable management of waste in the county and encourage Local Planning Authorities to have regard to the potential for minimising waste generated by development.
- 5.4.2 The National Planning Policy for Waste (October 2014) sets out the following: *'When determining planning applications for non-waste development, local planning authorities should, to the extent appropriate to their responsibilities, ensure that: the likely impact of proposed, non-waste related development on existing waste management facilities, and on sites and areas allocated for waste management, is acceptable and does not prejudice the implementation of the waste hierarchy and/or the efficient operation of such facilities; new, non-waste development makes sufficient provision for waste management and promotes good design to secure the integration of waste management facilities with the rest of the development and, in less developed areas, with the local landscape. This includes providing adequate storage facilities at residential premises, for example by ensuring that there is sufficient and discrete provision for bins, to facilitate a high quality, comprehensive and frequent household collection service; the handling of waste arising from the construction and operation of development maximises reuse/recovery opportunities, and minimises off-site disposal.'*

- 5.4.3 The policies in the adopted Waste Core Strategy and Development Management Policies DPD (2012) that relate to this proposal, and which must be considered by the Local Planning Authority in determining the application, include Policy 1: Strategy for the Provision for Waste Management Facilities (namely the penultimate paragraph of the policy) and Policy 12: Sustainable Design, Construction and Demolition. Many of the policy requirements can be met through the imposition of planning conditions. As a general point, built development should have regard to the overall infrastructure required to support it, including where appropriate a sufficient number of waste storage areas that should be integrated accordingly and facilitate the separate storage of recyclable wastes.
- 5.4.4 The supporting Planning Statement (January 2024) makes no reference to the adopted Hertfordshire Waste Core Strategy (November 2012). The authority acknowledges the applicant's recognition of waste management through section 14 of the environmental report, where emphasis is placed on reducing landfill reliance and acknowledging the duty of care regulations. Waste Policy 12: Sustainable Design, Construction and Demolition requires all relevant construction projects to be supported by a Site Waste Management Plan (SWMP).
- 5.4.5 The Waste Planning Authority would expect to see a SWMP prepared to support this application. The SWMP must be prepared and agreed in consultation with the Waste Planning Authority prior to commencement of the project. The SWMP must be implemented throughout the duration of the project, from initial site preparation works to final completion of the construction phase. By preparing a SWMP prior to commencement, early decisions can be made relating to the management of waste arisings and building supplies made from recycled and secondary materials can be sourced, to help alleviate the demand for primary materials such as virgin sand and gravel. Early planning for waste arisings will help to establish what types of containers/skips are required for the project and when County of opportunity segregation would be best implemented for various waste streams. It will also help in determining the costs of removing waste from the site.
- 5.4.6 As a minimum, the SWMP should include the following:

Project and People

Identification of the client

Identification of the Principal Contractor

Identification of the person who drafted the SWMP

Location of the site

An estimated cost of the project

Declaration that the client and contractor will comply with the requirements of Duty of care that materials will be handled efficiently and waste managed appropriately (Section 34 of Environmental Protection Act 1990 and Environmental Protection (Duty of Care) Regs 1991)

Estimating Waste

A description of the types of waste that are expected to arise on site (recorded through the use of 6-digit European Waste Catalogue codes) and an estimated quantity for each of the types (in tonnes)

Waste management actions for each waste type (i.e., will the waste be re-used or recycled (on-site or off-site?), recovered or disposed of)

Space for Later Recordings

Space for the recording of actual figures against the estimated figures

Space for the recording and identification of those responsible for removing the waste from site and details of the sites they will be taking it to

Space to record explanations for any deviations from what has been set out in the SWMP, including explanations for differences in actual waste arisings compared to the estimates

- 5.4.7 As a SWMP has not been produced at the planning application stage, the Waste Planning Authority request the following pre-commencement condition be attached to any approved planning application:

Condition: No development shall take place 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.

Reason: To promote the sustainable management of waste arisings and contribution towards resource efficiency, in accordance with Policy 12 of the Hertfordshire Waste Core Strategy and Development Management Policies Development Plan Document (2012).

- 5.4.8 The District Council should also be aware of the nearby Waste Management Site - Council Depot, Cavendish Road - which is located less than 250m away from the development proposal. The Waste Management Site is safeguarded under Policy 5 of the adopted Waste Core Strategy and Development Management Policies document due to its important contribution to the strategic network of waste management provision in the county.
- 5.4.9 Adopted Policy 5: Safeguarding of Sites, states that the Waste Planning Authority will oppose development proposals which are likely to prevent or prejudice the use of land identified or safeguarded for waste management purposes unless alternative or enhanced provision is made for a facility dealing with the equivalent waste capacity or where it can be demonstrated that the need for those facilities can no longer be justified.
- 5.4.10 The 'Agent of Change' principle (NPPF, paragraph 193) is clear that planning decisions on new developments should ensure integration with existing business such that they do not have unreasonable restrictions placed upon them. After reviewing the application details, it is not considered that the proposal will prevent or prejudice the operations of the nearby waste management site and the Waste Planning Authority does not object to the proposal. However, the Borough Council should consider the amenity of future occupants and consider whether additional screening measures could be required along the western and southern parameters of the development to shield against potential noise coming from the site, or to provide visual screening should the waste management site be within view for any occupants.
- 5.4.11 The authority has no concerns regarding mineral safeguarding matters.

5.5 Herts Police Crime Prevention Design Service

- 5.5.1 Thank you for notifying me of this amendment. As I stated previously the Police fully support this applicant as it will be seeking accreditation to the Police preferred minimum security standard that is Secured by Design. I have no concerns with the amended plans.

5.6 Herts County Council as Highways Authority (HA)

21st February 2024:

- 5.6.1 Refusal: There is insufficient information supplied with this application to enable the Highway Authority to reach a recommendation. In the absence of the necessary information, the Highway Authority recommends refusal due to doubt over possible implications for highway safety, sustainability, and convenience. The proposed development as indicated on the Site Plan (Ref-14122-P200-J) will not be acceptable. Objection for the following reasons
- 5.6.2 The application has failed to demonstrate how the proposed development will comply with the policies contained in the current the Local Transport Plan (LTP4) and National Planning Policy Framework (NPPF, Dec-2023).

- 5.6.3 The development does not offer appropriate provisions for pedestrians and cyclists to travel conveniently and safely between the site and key facilities and amenities (closest bus Stops, Primary School, Local Shops (Co-op), GPs, Community Centre, High Street Shops. In particular, vulnerable users, such as those in wheelchairs, those with disabilities, children, etc, will have to navigate roads with no safe and secure crossing onto Clovelly Way to the local shops. Also, there are no exiting footways or cycleways to west of the site towards existing bus stops onto Clovelly Way. As such the proposal overall does not comply with HCC's Local Transport Plan 4 policies 1 and 5, and the NPPF paragraphs 114-116
- 5.6.4 It fails to provide stage1 RSA for the proposed access points.
- 5.6.5 Inadequate information in the submitted Travel Plan (TP)
- 5.6.6 No Swept Path Analysis is provided for suitable size of Refuse vehicles.
- 5.6.7 No Transport Statement (TS) is submitted to demonstrate the issues relating to the site of the proposed development, covering both existing conditions and details of the proposed development.
- 5.6.8 Overall, no measures are proposed to improve the above, and the application is therefore contrary to - Paragraph 114 of the NPPF which states that a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location, b) safe and suitable access to the site can be achieved for all users.
- 5.6.9 Paragraph 116 of NPPF which states that " 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;
- 5.6.10 The LTP4 Policy 1 which states that: the county council will in the design of any scheme and development of any transport strategy consider in the following order: opportunities to reduce travel demand and the need to travel, vulnerable road user needs (such as pedestrians and cyclists), passenger transport user needs, powered two-wheeler (mopeds and motorbikes) user needs and other motor vehicle user needs,
- 5.6.11 Policy 5 which states: The county council will to work with development promoters and the district and borough councils to: a) Ensure the location and design of proposals reflect the LTP4 Transport User Hierarchy and encourage movement by sustainable transport modes and reduced travel demand. b) Ensure access arrangements are safe, suitable for all people, built to an adequate standard and adhere to the county council's Highway Design Standards,
- 5.6.12 Policy 7 which states that: The county council will seek to encourage and promote walking by:
a) Implementing measures to increase the priority of pedestrians relative to motor vehicles and
- Policy 8 which states: The county council aims to deliver a step change in cycling, through: b) Implementing measures to increase the priority of cyclists relative to motor vehicles. e) Facilitating provision of secure cycle parking.

12th September 2024:

- 5.6.13 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

relating to detailed technical plans for new footways and tactile crossings, vehicular access arrangements, visibility splays, construction traffic management plan, and, parking and service area. We also request s.106 contributions in line with our June 2021 toolkit for Travel Plan monitoring fee of £6,000 and sustainable transport contribution of 75 non-car trips x £2,133 resulting in a contribution of £159,975.00 which would go towards the “Stevenage North-South bus Corridor Package 1”.

5.7 SBC Green Spaces Officer and Arboricultural Manager

- 5.7.1 We require clarity on the proposed maintenance and management strategy for the landscaped areas, particularly any areas Stevenage Direct Services (SDS) will be responsible for maintaining.
- 5.7.2 At this stage, there is little detail regarding proposed planting and landscaping. As such, we are only able to provide generic comments. To comment fully on the landscaping proposals, the developer must submit detailed landscaping plans, drawings, planting schedules, management plans, etc. Should planning permission be granted, we request that the landscaping details be conditioned, as all landscaping must be approved by SDS and, where necessary, rectified.
- 5.7.3 All landscaped/planted areas must be designed to be easily accessible for maintenance. Attention is drawn to the ancient hedgerow on Symonds Green Lane running at the southeast boundary of the site. This feature shall be protected in full, and, where necessary, any proposed enhancements must be approved in advance by SDS and the Herts Middlesex Wildlife Trust.
- 5.7.4 The site is fairly overshadowed by trees, and we are concerned that this may result in future complaints regarding interference, leaf drop, etc, and increased requests for tree maintenance. Therefore, we request how the developer proposes to mitigate these concerns.
- 5.7.5 We need to know who will be responsible for maintaining and taking care of the proposed balancing ponds since SDS does not have the expertise and capability to do so. If permanent open water is a possibility, water safety measures such as the installation of fencing and rescue equipment will need to be considered.
- 5.7.6 BNG Requirements – The biodiversity metric calculation and report indicate a loss of habitat units due to the development proposals. Ideally, the gain should be delivered on-site, but where this is not viable, we are open to discussing possible opportunities to deliver the 10% net gain within Stevenage. However, there is an indication of a loss of high distinctiveness habitat. Further advice and support are required to understand how it might be possible to deliver the net gain in Stevenage to mitigate this loss.
- 5.7.7 We are pleased to see enhancements and access improvements are being considered to the play area in Meadway, which will benefit both the development and the surrounding community. However, the developer must discuss and agree on further details with SDS. We must ensure that the play area meets the needs of the local children. This play area is located within a principal park; significant improvements may be required to cater to age ranges from toddlers to teenagers. We must also ensure that any improvements align with the future development plans and road realignment for the West of Stevenage.
- 5.7.8 It's important to consider how pedestrians and cyclists will access and leave the development to and from Redcar Drive. We expect that residents will want to use the new cycle path to get to town/ other local services. Therefore, it's crucial to anticipate their needs and provide proper consideration for surfacing desired routes.
- 5.7.9 We require details on who will be responsible for the upkeep and maintenance of the proposed green roofs. SDS does not have the expertise or capacity to maintain this element.

- 5.7.10 Proposed community garden—We require further clarification on how this area will be accessed and whether there is currently a community interest and desire to manage and maintain this facility for the longer term. Furthermore, the nearby trees could partly overshadow the area, and it is unclear how suitable this area will be for developing a community garden.
- 5.7.11 We also have some concerns regarding the amount of planting around parking bays. Consideration must be given to door swing offsets, visibility, planting protection from vehicle damage, desire lines, and access to maintenance when spaces are occupied. Ideally, planting around parking spaces will be reduced in favour of hard landscaping.
- 5.7.12 Any small or narrow areas of planting will likely struggle to establish. These areas shall be removed from the design and hard landscaped.
- 5.7.13 A minimum establishment defect period of 12 months is required for all planting. During this period, the developer will ensure an appropriate maintenance regime is in place to ensure the optimal planting establishment and carry out any repairs, replacements, etc..
- 5.7.14 The current size of hedgerow G3 is likely to be causing a great amount of inconvenience to properties 5 and 6 but also 9-18. In an attempt to mitigate this, the developer should be looking at, not just lifting the crowns to 4 metres, as suggested but also a substantial 50% reduction or more, of the hedgerow.
- 5.7.15 My other concern is how will the 3X the amount of trees proposed to be removed, be planted and where.

5.8 UK Power Networks

- 5.8.1 Please note there are 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.

5.9 SBC Environmental Health

- 5.9.1 **Dwellings subject to traffic and other noise:**
Considering the amended Noise Impact Assessment, the council accepts the report and has no objection to the application in this respect. However, we note the contents of paragraph 6.7 of the report and would expect a further amended submission for consideration if the design or dimensions of elements subsequently change before/during construction or if errors of scaling are discovered.
- 5.9.2 **Contaminated Land:**
If during the course of development or change of use any contamination is found or suspected, or if asbestos is discovered in the existing garage roofing materials, 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.
- 5.9.3 **Disposal of Waste from the works:**
If any building or alteration works are carried out, no waste materials generated as a result of the proposed demolition and/or construction operations shall be burned on site. All such refuse shall be disposed of by alternative methods.

5.9.4 Dust Emissions:

If any building or alteration works are carried out, any dust emissions shall be controlled so as to prevent nuisance to the occupiers of neighbouring premises.

5.9.5 Construction Noise:

No demolition alteration or construction works relating to this permission shall be carried out on any Sunday or Bank Holiday, nor before 07.30 hours or after 18.00 hours on any weekdays, nor on any Saturday before 08.00 hours or after 13.00 hours. These times apply to work which is audible at the site boundary. These restrictions also apply to deliveries arriving at and leaving the site.

Any installation of air-conditioning units, new extract units of the like shall be subject to an appropriate noise assessment to protect the amenity of neighbours.

5.9.6 Lighting:

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

5.9.7 In respect of noise and nuisance it is recommended the following conditions are attached if the Council is minded to grant planning permission. To mitigate the impact of environmental noise including from road/rail traffic on the development, the development design shall comply with:

1. 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:
 - i. 35 decibels (dB) (*LAeq*,16h) during the daytime (07:00 – 23:00) within bedrooms and living rooms.
 - ii. 30 dB (*LAeq*, 8h) during the night (23:00 – 07:00) within bedrooms
 - iii. 40 dB (*LAeq*,16h) during the daytime (07:00 – 23:00) within dining rooms
 - iv. 45 dB (*LAFmax*) on more than ten occasions during any typical night (23:00 – 07:00) within bedrooms
2. The ventilation system for each dwelling shall incorporate continuous mechanical supply and extract with heat recovery conforming to the current edition of Approved Document F to the Building Regulations and designed so as to ensure that the ventilation system itself does not produce unacceptable levels of noise within each dwelling.

5.9.8 Alternative proposals for achieving compliance with the indoor noise limits set out above at paragraph 1 may be accepted by the Local Authority where it can be demonstrated to the satisfaction of the Local Authority that these limits will not be exceeded and that the proposed ventilation system for each dwelling will be satisfactory.

5.10 NHS Hertfordshire and West Essex

5.10.1 The HWE ICB has assessed the impact of the proposed development on existing primary health care provision in the vicinity of the development. This proposed development would deliver 38 dwellings, which based on an average occupancy of 2.4 occupants per dwelling will create circa 91.2 new patient registrations.

- 5.10.2 Within the HWE ICB there are 34 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 North PCN, under which this development directly falls, has a combined patient registration list of 56,525 which is growing.
- 5.10.3 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.
- 5.10.4 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.
- 5.10.5 **Healthcare Needs Arising from the Proposed Development** - This development will have an impact on primary health care provision in the 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 Stevenage and its vicinity, or any other development proposals in the area.
- 5.10.6 **Cost calculation of additional primary healthcare services arising from the development proposal** 91.2 new patient registrations/2000 = 0.0456 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"
- 0.0456 x 199 m2 = 9.0744 m2 of additional space required
- 9.0744 m2 x £5,410* per m2 = £49,092.504 (*Build cost; includes fit out and fees)
- £49,092.504 / 38 dwellings = £1,291.908 per dwelling (rounded up to £1,292 per dwelling)
- Total GMS monies requested: 38 dwellings x £1,292.00 = £49,096.00**
- 5.10.7 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 10th Dwelling is requested. 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.
- 5.10.8 If planning permission is granted, the HWE ICB propose to focus Section 106 monies on the Symonds Green Health Centre and/or the Stanmore Group of GP practices and/or King George Surgery. The ICB are already in discussion with the practices and are exploring an increase in capacity by way of re-configuring, extending or relocating the GP premises to provide sufficient space to increase resources and clinical services and thus keep the patient lists open.

- 5.10.9 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:

38 dwellings x £201.75 = £7,667.00

Community Healthcare costs:

38 dwellings x £182.03 = £6,917.00.

- 5.10.10 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. 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.

- 5.10.11 In terms of identifying a project in full at this stage for the Symonds Green Health Centre and/or the Stanmore Group of GP practices and/or King George Surgery, 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.

- 5.10.12 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.

- 5.10.13 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.

5.11 Herts Fire and Rescue

- 5.11.1 We'd like to request a condition for the provision and installation of fire 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.

5.12 HCC Growth and Infrastructure Unit

- 5.12.1 I am writing in respect of planning obligations sought towards non-transport services to minimise the impact of development on Hertfordshire County Council Services for the local community. Based on the information to date for the development of 38 dwellings we would seek financial contributions towards the following projects:

HOUSES		
Number of Bedrooms	A) Open Market & Shared Ownership	B) Affordable Rent
1		
2		
3	15	
4+	11	
Total	26	

FLATS		
Number of Bedrooms	A) Open Market & Shared Ownership	B) Affordable Rent
1		6
2		6
3		
4+		
Total		12

Trajectory						
Year	2024	2025	2026	2027	2028	2029
Units	0	12	12	14		

PLEASE NOTE; If the tenure or mix of dwellings changes, please notify us immediately as this may alter the contributions sought

- 5.12.2 **Secondary Education Contribution** towards new secondary education provision at the former Barnwell East site/ land at Redwing Close and/or provision serving the development £359,662) index linked to BCIS 1Q2022)
- 5.12.3 **Monitoring Fees** – HCC will charge monitoring fees. These will be based on the number of triggers within each legal agreement with each distinct trigger point attracting a charge of £340 (adjusted for inflation against RPI July 2021). For further information on monitoring fees please see section 5.5 of the Guide to Developer Infrastructure Contributions.
- 5.12.4 HCC reserve the right to seek Community Infrastructure Levy contributions towards the provision of infrastructure through the appropriate channels. The CIL Regulations discourage the use of formulae to calculate contributions however, the County Council is not able to adopt a CIL charge itself. Accordingly, in areas where a CIL charge has not been introduced to date, planning obligations in their restricted form are the only route to address the impact of a development. In instances where a development is not large enough to require on site provision but is large enough to generate an impact on a particular service, an evidenced mechanism is needed to form the basis of any planning obligation sought. HCC views the calculations and figures set out within the Guide to Developer Infrastructure Contributions as an appropriate methodology for the obligations sought in this instance.
- 5.12.5 The county council methodology provides the certainty of identified contribution figures based on either a known or estimated dwelling mix, the latter of which might be agreed with the local planning authority based on expected types and tenures set out as part of the local plan evidence base. This ensures the contributions are appropriate to the development and thereby meet the third test of Regulation 122 of the Community Infrastructure Levy Regulations 2010 (amended 2019): “fairly and reasonably relates in scale and kind to the development”.
- 5.12.6 Please note that current service information for the local area may change over time and projects to improve capacity may evolve. This may potentially mean a contribution towards other services could be required at the time any application is received in respect of this site.

5.12.7 Justification - The above figures have been calculated using the amounts and approach set out within the Guide to Developer Infrastructure Contributions Hertfordshire County Council's requirements) document, which was approved by Hertfordshire County Council's Cabinet 12 July 2021. In respect of Regulation 122 of the CIL Regulations 2010 (amended 2019), the planning obligations sought from this proposal are:

(i) Necessary to make the development acceptable in planning terms. Recognition that contributions should be made to mitigate the impact of development are set out in planning related policy documents. The NPPF states "Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations." Conditions cannot be used cover the payment of financial contributions to mitigate the impact of a development The NPPG states "No payment of money or other consideration can be positively required when granting planning permission." The development plan background supports the provision of planning contributions. The provision of community facilities is a matter that is relevant to planning. The contributions sought will ensure that additional needs brought on by the development are met.

(ii) Directly related to the development. The occupiers of new residential developments will have an additional impact upon local services. The financial contributions sought towards the above services are based on the size, type and tenure of the individual dwellings comprising this development following consultation with the Service providers and will only be used towards services and facilities serving the locality of the proposed development and therefore, for the benefit of the development's occupants.

(iii) Fairly and reasonably related in scale and kind to the development. The above financial contributions have been calculated according to the size, type and tenure of each individual dwelling comprising the proposed development (based on the person yield).

5.13 Planning Policy

5.13.1 No comments received.

5.14 BEAMS

5.14.1 These comments relate to any potential impact upon the setting of the Symonds Green Conservation Area (a designated heritage asset) which lies to the north of the site. No listed buildings locally will be adversely impacted under the proposals.

5.14.2 The Symonds Green Conservation Area was designated in 1977 and Symonds Green was, prior to the construction of Stevenage New Town, a small hamlet dating to the circa 11th century. A road from Old Stevenage to Titmore Green is shown on historic maps running through Symonds Green; this road is now Symonds Green Lane which runs through the Conservation Area and which continues as a tree-lined footpath at the south end of the Conservation Area running south towards Meadway.

5.14.3 The southern boundary of the Conservation Area follows the line of a short, unmade access track leading east from Symonds Green Lane, there are trees / shrubs to the boundary, and it forms a good natural boundary to the Conservation Area.

5.14.4 The application proposes the redevelopment of a plot including the property 'Cartref' and an area of open space to the north of Redcar Drive and west of Clovelly Way. Part of the application site, comprising six 2-storey dwellings of traditional design, will be accessed from Symonds Green Lane and the lane itself that continues as a footpath to the south towards Meadway will remain as existing - this is welcomed.

5.14.5 The tree line which provides a natural boundary to the south end of the Conservation Area will be largely retained. The western part of the development will be perceived from the

Conservation Area, in views down the new access road being created from Symonds Green Lane, this will have a slightly more suburban character but will not be unduly harmful to the setting of the Conservation Area and its significance will be preserved. No objection.

5.15 SBC Waste Storage

5.15.1 No comments received.

5.16 East of England Ambulance

5.16.1 No comments received.

5.17 Herts and Middlesex Wildlife Trust and BATS

5.17.1 No comments received.

5.18 Sport England

5.18.1 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) and, 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.

5.18.2 General guidance and advice can however be found on our website: https://www.sportengland.org/how-we-can-help/facilities-and-planning/planning-for-sport#planning_applications.

5.18.3 If the proposal involves the **loss of any sports facility**, then full consideration should be given to whether the proposal meets Par. 103 of National Planning Policy Framework (NPPF) is in accordance with local policies to protect social infrastructure and meets any approved Playing Pitch Strategy or Built Sports Facility Strategy that the local authority has in place.

5.18.4 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/>.

5.18.5 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.

5.18.6 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.

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 In order for a Local Plan to be effective, they need to be kept up-to-date. The NPPF states policies in local plans should be reviewed to assess whether they need updating at least once every 5 years. This is reflected under Regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) which sets out local planning authorities must review local plans every 5 years from their adoption to ensure that policies remain relevant and effectively address the needs of the local community.

6.2.4 The Stevenage Borough Local Plan (2011 – 2031) was formally adopted by the Council on the 22nd May 2019. As of the 22nd 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.

- 6.2.5 The Council is undertaking a review of the Local Plan and is undertaking a Regulation 18 consultation. Following this consultation period, the Council will seek to amend the Local Plan and then undertake a Regulation 19 consultation in the Winter of 2024. This will be where a further opportunity for representations can be made on the amendments to the Local Plan before it is submitted for examination to a planning inspector. The Council intends to submit the Local Plan for Examination in Public (EiP) in early 2025 with the aim to adopt an updated Local Plan by June 2025. As the updated Local Plan progresses through the relevant stages outlined above, more weight can be applied to the respective policies until its formal adoption by the Council.
- 6.2.6 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 11d) of the NPPF. The latest HDT results published by the Department for Levelling Up, Housing and Communities (DLUHC) in December 2023 identifies that Stevenage delivered 57% of its housing requirement.
- 6.2.7 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.
- 6.2.8 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.
- 6.2.9 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 in order 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 Adopted Local Plan (2019)

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

Policy SP1: Climate Change
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 SP13: The historic environment:
Policy IT2: West of Stevenage safeguarded corridors:
Policy IT4: Transport assessments and travel plans:
Policy IT5: Parking and access:
Policy IT7: New and improved links for pedestrians and cyclists:
Policy HO5: Windfall sites:
Policy HO7: Affordable housing targets:
Policy HO8: Affordable housing tenure, mix and design:
Policy HO9: House types and sizes:
Policy HO11: Accessible and adaptable housing:
Policy HC8: Sports facilities in new developments:
Policy GD1: High quality design:
Policy FP1: Climate change:
Policy FP2: Flood risk in Flood Zone 1:
Policy FP7: Pollution:
Policy FP8: Pollution sensitive uses:
Policy NH5: Trees and woodland:
Policy NH6: General protection for open space:
Policy NH7: Open space standards:
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).

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

6.7.1 The following supplementary planning documents are relevant to determining the application:

6.8 Community Infrastructure Levy

- 6.8.1 Stevenage Borough Council adopted a Community Infrastructure Levy ("CIL") Charging Schedule in 2020. This allows the Council to collect a levy to fund infrastructure projects based on the type, location, and floor space of a development.

7 APPRAISAL

- 7.1.1 The main issues for consideration in the determination of the application are its acceptability in land use policy terms, impact on visual amenity and the character/setting of the Conservation Area, impact on residential amenities, amenities of future occupiers, parking provision, means of access and highway safety, impact on the environment, development and flood risk, and ecology, biodiversity, and protected species.
- 7.1.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that all planning applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

7.2 Principle of Development

Provision of Housing

- 7.2.1 The National Planning Policy Framework (NPPF, 2023) states that significant weight should be placed on both the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.
- 7.2.2 The proposed site is undesignated in the adopted Stevenage Borough Local Plan 2011-2031 (2019) and is not allocated for residential development within the Local Plan. As such, the site is therefore regarded as a 'windfall site'.
- 7.2.3 Policy SP7 identifies that there is a need to provide 7,600 new homes within Stevenage and allocates 1,950 new homes to be provided on windfall sites. Taking this into consideration, the proposed development would support the Council's aim of delivering a number of homes which fall outside the designated sites.
- 7.2.4 Policy HO5 of the Local Plan (2019) (windfall sites) stipulates that proposals should not prejudice the Council's ability to deliver residential development on allocated sites, and it does not overburden existing infrastructure. For the purpose of clarity, the definition of previously developed land, as stated within the National Planning Policy Framework (NPPF) (2023) 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 definition of previously developed land excludes private residential gardens and public open space. Policy HO5 is being reviewed as part of the Local Plan review that is currently out to public consultation. However, the existing policy as set out in the adopted Local Plan (2019) carries greater weight at this time, and as such the application will be assessed against the existing Policy HO5 rather than the emerging Policy HO5.
- 7.2.5 The application site currently comprises an area of green public open space, laid to grass with an established tree belt around the edges, and a previously developed area of land to the west of the site, formerly known as Cartref. The buildings that stood on this site have been demolished under planning application reference 23/00612/PADEMO. For the majority, the

site is not previously developed and thus is in conflict with Policy HO5, therefore a planning balance must be determined as to whether public benefits outweigh the policy conflict.

- 7.2.6 In accordance with Policy HO5, residential developments on windfall sites must have a good level of access to local facilities. The site is located close to an established bus route, with a bus stop on Clovelly Way. Woolenwick Primary School is in close proximity to the south-east and off Gunnels Wood Road. The nearest secondary school would be located in the Old Town approximately a 15–20-minute walk from the site. The site abuts a large principal open space, Meadway Playing Fields, which has sport pitch provision and a play area. To the north-east of the site Scarborough Avenue leads to a small neighbourhood centre with parade of shops/amenities, approximately a 10-minute walk away. As such, the application site is considered to have an excellent level of access to local facilities and alternative forms of travel to the private car and therefore deemed to be within a very sustainable location.
- 7.2.7 The site is located within the West of Stevenage safeguarded corridor as defined by Policy IT2 of the Local Plan, which runs along this stretch of Redcar Drive and Meadway. Both roads will be subject to extensive works as part of the Land West of Stevenage planning application (Planning reference: 21/00356/FPM), which is approved in principle but awaiting completion of the S.106 agreement. Once completed, planning permission would be issued for this development. Notwithstanding this, the redevelopment of this site would not prejudice the delivery of the neighbouring allocated site. The works to Redcar Drive shown are in accordance with the plans proposed for Land West of Stevenage and would connect with proposed pedestrian and cycle links that will form part of the large, allocated housing permission. It would also not overburden existing infrastructure, given that it would be CIL liable, and the purpose of the CIL payment is to mitigate infrastructure impacts. In these respects, the proposal accords with criteria (b), (d) and (e) of Policy HO5. The development would also be subject to s.106 financial obligations in order to mitigate the developments impact on infrastructure as well.
- 7.2.8 It is possible that the development could have a detrimental impact on neighbouring properties but if this were the case, these impacts would arise from the detailed design of the development rather than being an inevitable consequence of the use of the land for residential purposes. Surrounding land is in residential and office/commercial use and the proposed development would be consistent with this. Therefore, strictly from a land use perspective, it is considered that developing the site for housing would not have a detrimental impact on the environment or surrounding properties. The potential impacts arising from the detailed design of the development are considered later in this report.
- 7.2.9 Paragraph 60 of the NPPF (2023) states that to support the Governments objective of significantly boosting housing supply, it is important that a sufficient amount, and variety, of land comes forward where it is needed, that the needs of groups with specific housing requirements are met, and that land with permission is developed without unnecessary delay. In addition, para 60. of the NPPF states 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 types for the local community. As such, the proposed development would contribute to the aim of boosting housing supply without compromising the delivery of housing on allocated sites or placing an undue burden on local infrastructure. Further, the proposal would provide 38 dwellings, of which 12 (the flatted development) would be affordable housing, and there would be some economic benefit during the construction phase, and future occupiers would contribute to local services and facilities. Given the quantum of development, and the provision of affordable housing, it is considered that these benefits would be fairly reasonable and therefore attracts great weight in favour of the proposal.
- 7.2.10 Policy HO9 (House types and sizes) of the Local Plan (2019) states 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 Borough. 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 terraced properties, and a lack of one- and two-bedroom properties.

- 7.2.11 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 in order to meet these targets for new homes.
- 7.2.12 The provision of 11no. four bedroom dwellings, 15no. three bedroom dwellings, 6no. two bedroom flats and 6no. one bedroom flats is therefore considered to accord with Policy HO9.
- 7.2.13 Policy SP2 (Sustainable Developments) states permission will only be granted where proposals can meet a number of criteria. Included in these criteria are the following:
- (g) promote journeys by bus, train, bike and foot and reduce the need to travel;
 - (j) Support facilities and services that encourage people to live, work and spend leisure time in Stevenage;
 - (k) Produce places and spaces that enable people to live a healthy lifestyle;
- The proposal meets these criteria as mentioned previously in this response.

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 30% of new homes to be affordable on sites that are not considered previously developed. A reduced provision of 25% is acceptable in policy on previously developed sites. Given the majority of the site is green space, the higher percentage affordable housing is required. In this regard, there would be a requirement to provide 11.4 affordable units, rounded up to 12. The 12 flatted units proposed on site have been designated affordable housing.
- 7.3.2 Turning to affordable housing tenure, mix and design, Policy HO8 states that planning permission will be granted where those dwellings:
- a) Are provided by the developer on site with at least 70% of the units being for rent and the remainder consisting of other tenures which is to be agreed with the Council's Housing team;
 - b) Meets the requirements of Policy HO9 (House types and sizes);
 - c) Are physically indistinguishable from other types of homes and are distributed across the site to avoid over-concentration in particular; and
 - d) Will remain at an affordable price for future eligible households.
- 7.3.3 In addition to the above, paragraph 65 of the NPPF 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 will 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. The eligibility criteria for a First Home in Stevenage (in accordance with Schedule 6ZA of the Finance Act 2003) as set out in the Council's First Homes Policy Position Statement May 2024 is as follows:

- (a) be a first time buyer;
- (b) have a combined income not exceeding £80,000 in the tax year immediately preceding the year of purchase;
- (c) have a mortgage or home purchase plan to fund a minimum of 50% of the discounted purchase price.

- 7.3.7 Further to the above, in recognition of the unique nature of their circumstances, members of the Armed forces, the divorced or separate spouse or civil partner of a member of the Armed Forces, the spouse of civil partner of a deceased member of the Armed Forces (if their death was caused wholly or partly by their service) or veterans within five years of leaving the armed forces would be exempt from any local connection testing restrictions.

- 7.3.8 In regard to affordable housing delivery, the Council's five-year land supply includes the provision of a number of affordable housing units. Table 1 below illustrates the forecast for affordable housing delivery 2011-2031. At present, the Council can demonstrate a delivery of 1,205 affordable units between 2011 and March 2031:

Deliverable Housing	No. of Homes	Comments
Total Number of Affordable Units Dwellings for Sites with Detailed Planning Permission	659	NPPF Part A
Total Number of Dwellings for Sites with Outline Permission	546	NPPF Part B
Total Identified Supply 2011- 2031	1,205	
Total Delivered 2011 – April 2024	449	Smartherts
Total Required 2011 – 2031 based on (SP7) 30% new homes elsewhere	2,280	(114 Annual Requirement x 20yr Plan Period)
Total Shortfall	626	

- 7.3.9 This means we will need to provide 626 units over the remaining plan period to meet local need. However, in May 2022 the HDT Action Plan showed a shortfall requirement of 900 units. The most recent data demonstrate a reduction in this shortfall between May 2022 to May 2024 of 274 affordable housing units. This is partly due to the delivery of 154 units between the same period and an additional 120 units secured by way of new planning applications which meet the NPPF definition of affordable units. The Council is confident that new schemes coming forward over the remaining plan period (2024 – 2031) will continue to support a delivery

target of 2,280 required during the 2011 – 2031 period based on a higher policy requirement of 30%. The above figures are based on a policy requirement of 30% of new homes elsewhere. Should new schemes provide affordable units on previously developed sites the total requirement of 2,280 would be reduced to 25% as appropriate.

7.3.10 This is also reflected in the appeal decision letter for Land West of Lytton Way appeal with respect to the under delivery of affordable homes whereby the inspector states (para. 87) and quote

“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”.

7.3.11 The proposed development is seeking to deliver 38no. dwellings. Accordingly, the overall provision of affordable housing is 11.4 units. The applicant is proposing 12 units. These would all be affordable rent. The provision of all the designated affordable units for this scheme being affordable rent and not 25% first homes as required by the NPPF is in conflict with national policy. The Council's housing team are the applicants in this case and thus the provision of a fully affordable rent provision for affordable housing has been deemed most appropriate by them, given the shortfall of affordable housing in Stevenage. On balance the benefits of providing twelve affordable rented units given the shortfall generally, outweighs this conflict to some degree.

7.3.12 The affordable housing provision will be secured via a Section 106 agreement. The triggers with how the affordable housing would be delivered would also be dealt with as part of the Section 106 agreement as well. As a consequence, if planning permission were to be granted for this development, the level of affordable housing the development would provide is deemed to be a significant benefit. Moreover, there is currently an identified shortfall of 626 affordable homes (providing the sites with permission come forward for delivery) which still have to be delivered up to end of the Local Plan period.

7.3.13 Financial contributions are also required in line with the Developer Contributions Supplementary Planning Documents (2021). In this regard, only a contribution to be made towards the Local Training Fund if target employment of Stevenage residents is not met as follows:

- £4,000 per number of targeted jobs not filled by Stevenage residents;
- £2,000 per number of targeted apprenticeships not filled by Stevenage residents or students; and
- £250 per apprenticeship position as an administrative fee towards the brokerage system to fill apprenticeship positions;
- If a major development could not provide suitable apprenticeship opportunities due to the quick construction of the development project, and the resultant lack of suitable opportunity to provide apprenticeships, they should pay a lesser fee of £1,000 per number of targeted apprenticeships not created rather than the £2,000 fee.

7.3.14 These targets do not add a requirement for additional jobs that would add a financial burden to the developer or contractor. The targets merely add a requirement that a portion of the jobs will be targeted to local residents. The in-lieu payments do not add a significant financial burden to the developer or contractor and will only be required if the developer or contractor does not meet the employment targets.

- 7.3.15 The Developer Contributions SPD (2021) also has a requirement for fees to be paid to cover the monitoring of legal agreements. This cover requesting payments, ensuring transfer and/or expenditure of money and keeping/publishing records of contributions in line with regulations. The Council will seek 2.5% of the value of contributions being monitored with a minimum fee of £750.00 and a cap of £25,000.00. This is considered a fair cost that will reflect the value of the legal agreement and will not affect the viability of a scheme being delivered.
- 7.3.16 In terms of Biodiversity Net Gain, national legislation adopted in April 2024 sets out the relevant provision hierarchy starting with onsite, then off-site and finally a financial contribution. However, this application was submitted prior to this legislation and thus can still be assessed in line with the BNG requirements at the time of submission. This would require the development to follow the Council's adopted BNG supplementary planning document. where a development cannot provide a 10% net gain on site, a financial contribution would be required. This is discussed in more detail later in this report.
- 7.3.17 Herts County Council (HCC) as highways authority have requested strand 2 contributions of £159,975.00 (75 x £2,133). The applicant is expected to contribute the Sustainable Transport Contribution of $38 \times £6862 = \textbf{£260,756.00}$ index linked by SPONS to January 2019, to be pooled towards scheme number SM5 Stevenage North-South Bus Corridor Package 1. However, as scheme SM5 is still in early development stage and the applicant is already providing some offsite highway works via a S278 agreement, on balance approach, the Highway Authority have applied an alternative calculation approach rather than the county-wide £6826 per dwelling figure.
- 7.3.18 HCC's Toolkit provides an alternative cost figure per non-car driver residential trip which is £2,133 per non-car trip. The Highway Authority considers that it will be more reasonable to use this approach for calculating the sustainable transport contributions. The TRICS report contained in the submitted Transport Statement shows that the proposed development will generate a total of 75 sustainable travel (non-car) trips per day (34 pedestrians, 8 cyclists, 8 bus and 25 train users) to the site.
- 7.3.19 So, in this regard, the final contribution (£2133 multiply this by the non-car 75 trips, $75 \times £2,133 = £159,975.00$) being requested by HCC Highways is **£159,975.00**.
- 7.3.20 The applicant does not agree to the financial contribution sought by HCC for the strand 2 contributions. Strand 2 relates to mitigation works that address the wider cumulative impact of developments for which the development itself is not solely responsible for but does derive a benefit from. Whilst the applicant does not dispute there is a need to support and finance highway improvements, the financial contribution which has been sought does not accord with Regulation 122 of the Community Infrastructure Levy (CIL) 2010 (as amended). For reference, Regulation 122 states:-
- A planning obligation may only constitute a reason for granting planning permission for the development if the obligation is –*
- (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.
- 7.3.21 The financial contribution needs to be necessary such as funding a key piece of infrastructure or developing services to support the development. HCC's request states the contribution will be pooled towards scheme number SM5 "Stevenage North-South Bus Corridor Package 1 of Hertfordshire County Council's North-Central Growth and Transport Plan" to include but not limited to examining feasibility of Stevenage North-South high-quality bus routes linking new development to the north and south of Stevenage to Lister Hospital and the Old Town, new bus and rail interchange, Gunnels Wood Road employment area and the GSK campus. As such, they have failed to provide evidence of how the contribution is necessary to making the development acceptable.

- 7.3.22 At this stage SM5 is only at feasibility study phase. Officer's question what would happen if the project does not come forward for delivery and the monies have not therefore secured infrastructure works to help mitigate the schemes impact. Furthermore, the requested Strand 2 contributions do not, in officer's opinion, meet the tests of Reg 122 of the CIL Regulations.
- 7.3.23 The Council continues to support the aspirations of the greater bus route provision throughout the town, however, the contribution sought is considered unjustifiable and not commensurate with this type of development, and therefore, it is not considered that the financial contribution sought by HCC as Highways Authority meets the requirements of the CIL Regulations (Reg 122), and so we do not currently support HCC's request. However, should negotiations be on-going, it is recommended that delegated powers be given to the Assistant Director of Planning and Regulation in consultation with the Chair and Vice Chair to secure any financial obligations (providing they meet Reg 122 of CIL and the NPPF) which may be required in this regard, which would form part of a S106 Legal Agreement.
- 7.3.24 Hertfordshire and West Essex NHS have made comment on the application and note the development would create circa 91.2 new patient registrations. The contribution for health infrastructure, to allow expansion of an existing practice to ensure it does not have to close its books to new patients is £49,096.00 (£1,292.00 per dwelling). Monies towards mental health and community healthcare costs have also been sought at £7,667.00 and £6,917.00 respectively. It is noteworthy that a recent appeal decision, Richborough Estates vs Buckingham Council – North Area (Aylesbury), found that the S106 NHS contribution which was for a defined, identified infrastructure project for primary health care, and whose amount was calculated on a methodology that considered the number of homes for which planning permission was sought, was lawful under CIL regulations. The bulk of the monies requested by the NHS will therefore be required as it is considered lawful.
- 7.3.25 Hertfordshire County Council Growth and Infrastructure Team have assessed the proposal and based on the provision of 38 dwellings is requesting a total of £359,662 towards new secondary education provision at the former Barnwell East site/land at Redwing Close and/or provision serving the development (index linked to BCIS 1Q2022). Furthermore, monitoring fees for each trigger within the legal agreement will attract a charge of £340 (adjusted for inflation against RPI July 2021) per trigger point.
- 7.3.26 In regards on-site sports provision, which is a requirement of the Local Plan, this site is not of a sufficient size to accommodate such facilities. Furthermore, due to the scale of the scheme proposed, it does not generate a sufficient demand to be able to justify on-site provision in accordance with Sport England calculations. Therefore, Sport England has not sought any financial obligations or a requirement to provide on-site sport provision in this instance. Furthermore, the CIL receipt from this development could be utilised to mitigate the developments impact on indoor and outdoor sporting facilities in this instance. With respect to open space, the site is not of a sufficient size to accommodate open space to serve this development. However, it needs to be flagged that the site lies in close proximity to Meadway Playing Fields, so there is access to sports pitches as well as open space for future occupiers of the development.
- 7.3.27 Looking at the overall management and maintenance of the development, the legal agreement will look secure the provision of a Management Company. This is to ensure areas such as the drainage system, landscaping, highways (including lighting) are appropriately maintained and that the development remains to be of a high standard.
- 7.3.28 The applicant has confirmed agreement to secure the relevant financial obligations via s.106 in order to mitigate the development impact on relevant infrastructure.

7.4 Loss of Public Open Space

National Planning Policy Framework and Planning Practice Guidance

- 7.4.1 Chapter 11. Making effective use of land of the NPPF (2023) sets out that meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions stems from promoting effective use of land. Planning should encourage multiple benefits from both urban and rural land, including through mixed-use schemes and taking opportunities to achieve net environmental gains, recognising that undeveloped land can perform many functions, and giving substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs.

Development Plan

- 7.4.2 Policy NH6: General protection for open space of the Local Plan (2019) states that planning permission for development of any existing, unallocated open space (or part of any space) will 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, of any interventions to improve quality or access;
 - iii. Whether the open space is serving its function or purpose; and
 - iv. Whether alternate space(s) would remain available for community use; and
 - b) Reasonable compensatory provision is made in the form of:
 - i. Replacement provision of a similar type, size and quality;
 - ii. The upgrade of other, existing space; or
 - iii. Exceptionally, a commuted sum to secure open space provision elsewhere.

Appraisal

- 7.4.3 The eastern half of the site is currently an unallocated area of public open space. Laid to grass the circular shaped area surrounded by trees is used by dog walkers, and most likely occasions of non-structured play. It is of importance to note the proximity of Meadway Planning Fields immediately to the west of the site and the area of land the subject of this application. Meadway Playing Fields provides sports pitches as well as space to walk dogs, and also comprises a children's play area. The space is much better managed for recreation and useability than the open space within the red line. In respect of the Council's Local Plan policies, it is noted that it will be inevitable that some open spaces will come under pressure from development proposals over the lifetime of this plan. Paragraph 14.35 makes clear that the most valuable of open spaces be protected and open spaces only succumb to development where a positive outcome can be demonstrated.
- 7.4.4 Whilst the open space does provide an area for locals to use, it does largely serve as a green space on this corner between the industrial and office uses to the south and residential development to the north. The tree lined area provides a good green break between the built form. The application before the Council does not seek to replace this open space nor pay a contribution towards open space provision elsewhere. However, the proposed plans do show upgrading of a simple area of grass between Eastbourne Avenue and Symonds Green Lane properties to a community garden. Whilst details of what this area will look like, or how it will be managed, have not been provided, further details can be secured by condition to ensure the space meets needs and provides an upgraded space for local residents.
- 7.4.5 Furthermore, the proposed site plan states that the play area within Meadway Playing Fields is to be enhanced as part of the proposed development. Whilst outside of the red line, as SBC are the owners of the site and the neighbouring play area, this provision can be secured through the S106 agreement, to ensure the enhancements come forward and to agree what those enhancements will be. The upgrade/enhancement of these two areas, along with the proximity

of Meadway playing Field as an alternative open space is considered sufficient to justify the loss of the open space. Additionally, on balance, the provision of much needed housing, including affordable housing in this area and the redevelopment of an existing redundant site is considered to hold significant weight as a public benefit.

7.5 Visual Impact of the Development

National Planning Policy Framework and Planning Practice Guidance

7.5.1 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.

7.5.2 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.

7.5.3 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

7.5.4 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.

Supplementary Planning Document

7.5.5 The Stevenage Design Guide provides additional guidance on many aspects relating to development, including design, layout and character to name a few. When looking at built development such as residential dwellings it states that buildings should:

- adopt typical building forms of the neighbourhood in which they are situated – developers should refer to Appendix A – Urban Character Assessments for more detail;
- draw upon the architectural precedents that are prevalent in the local area;
- use local building, landscape and topographical features, materials and plant types;
- introduce built form and appearance that adds new character and difference to places; and
- create a positive and coherent identity that local communities and residents alike can identify with.

7.5.6 It continues more specifically when referring to character, that where the scale or density of new development is very different to the existing place, it may be more appropriate to create a new identity rather than scale up the character of an existing place in its context.

Appraisal

7.5.7 The application site is located within a mixed-use area, although it is predominantly residential given the extent of the Symonds Green and Scarborough Avenue estates to the north. Residential properties are located to the north of the site, off Eastbourne Avenue and Symonds Green Lane. However, to the south is industrial units and offices, along with principal open space to the south-west. The residential properties are a mixture of pre-new town, new town and modern day, with the more traditional properties located along Symonds Green Lane which is also a designated Conservation Area. Therefore, architectural styles in the area vary greatly.

7.5.8 The site is largely separated into two areas, the three pairs of semi-detached properties on the previously developed Cartref site to the west, and the larger development proposed on the open space to the east. This area is then characterised by three storey dwellings and a block of apartments at the eastern corner closest to the roundabout junction with Redcar Drive, Clovelly Way and Rutherford Close. The design and character of both areas is purposefully different to make a distinction between more traditional dwellings at the end of Symonds Green Lane and adjacent the Conservation Area, and the cul-de-sac of 32 properties off Eastbourne Avenue.

7.5.9 Looking firstly at the six dwellings located off Symonds Green Lane, these properties have undergone minor amendments but for the most part present high quality and traditionally designed, three pairs of semi-detached dwellings. The materials are a mixture of red brick and render, with traditional red or grey roof tiles and detailing such as brick courses, arched brick window headers and simple pitched roof porch canopies. The dwellings are all gable-ended, with the two end dwellings being side facing and the four middle semi's being front facing. The properties have a slight stagger in their front building line to take account of the proposed road layout to ensure suitable off-street parking, turning for larger vehicles and to retain the hedgerow across the western elevation of the site.

7.5.10 The three storey dwellings on the eastern parcel are more modern in their appearance. The gable fronted dwellings would be constructed of buff/light coloured brick with contrasting detailing on the front elevation, including two storey square bay projections. The roof would be completed in grey tiles with some flat roof dormer windows proposed on side elevations for living accommodation in the roof. It is noted that the existing residential properties off Eastbourne Avenue and Clovelly Way are all two storey, and whilst flatted development is visible in the area this is also only two storey. Notwithstanding this, given the separation of the proposed dwellings by existing tree screening, the taller buildings is not unacceptable in this location. Taller industrial and office buildings are visible off Rutherford Close to the south and thus the proposal creates a suitable transition in building heights between the two areas of mixed uses.

7.5.11 The proposed block of flats has undergone significant negotiation to ensure a high quality of design and to seek a coherent and legible design across this part of the site. The amended plans include a three-storey cube structure with brick pillar detailing and contrasting brick

detailing, along with balcony areas. The design has been taken from examples across new estates in Cambridge and is considered to work well with the proposed dwelling design. The site being relatively enclosed has greater potential to introduce a new character and design style, especially given the existing mixed architectural styles in this area.

- 7.5.12 The layout of the site includes an existing mature band of trees running north to south, splitting the Cartref area from the open space as existing. This will remain and provide green screening between both areas of dwellings. The existing trees fronting Redcar Drive, which are sparser in their coverage are proposed to be removed. This would be required as part of the works for West of Stevenage, and the proposed site plan shows the area required for future road development. The loss has therefore already been agreed in principle. The loss of trees whilst unfortunate will allow for a new cycle path and drainage swale to be created. The plans do readily show replacement planting, and a request for further details by imposition of a condition will ensure that these are suitable species. Furthermore, confirmation that replacement planting to meet the Council's 3 to 1 ratio has been sought and will be bound through the S106 agreement if necessary.
- 7.5.13 The loss of these trees will have a detrimental visual impact on the area, as will the loss of the green open space. However, the proposed layout and design of the development is considered well thought-out and would provide high quality housing which is a significant public benefit and holds great weight in favour of the application. The proposal also sees an existing underused site come forward for development, rather than remaining unkept and empty, which is an added benefit.
- 7.5.14 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. It is noted however, that the development has been designed to and meets the 'Secure by Design' standards, which has been confirmed by the Police Crime Prevention Officer.
- 7.5.15 Overall, the proposed development would be acceptable in design, scale and massing and with the use of high-quality materials, it would have an acceptable appearance in the street scene and therefore not unduly harm the visual amenities of the area such that a refusal would be warranted.

7.6 Impact on Heritage Assets

National Planning Policy Framework and Planning Practice Guidance

- 7.6.1 The *Planning (Listed Buildings and Conservation Areas) Act 1990* imposes several 'statutory duties' for decision-makers, all of which are applicable to the proposed development:
- "Section 16(2): In considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall 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".
 - "Section 66(1): In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall 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".
 - "Section 72: In the exercise, with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area".

- 7.6.2 Case law (South Lakeland, 1992) has determined that 'preserve' means 'to do no harm'. However, if harm is identified, the NPPF provides a means of weighing either 'substantial harm' or 'less than substantial harm' to the significance of a designated heritage asset against the public benefits of the proposal. In doing so, case law has emphasised the need to give "considerable importance and weight" to preserving listed buildings or the character and appearance of conservation areas (Barnwell Manor, Case No: C1/2013/0843). However, the presumption 'to preserve' is not irrebuttable and "can be outweighed by material considerations powerful enough to do so" (Forge Field (Case Nos: CO/735/2013; CO/16932/2013) and a decision maker that has followed the process set out in the NPPF, in respect to weighing harm and benefits, can reasonably be expected to have complied with the 'statutory duties' of the 1990 Act (Mordue, Case No. C1/2015/1067).
- 7.6.3 Paragraph 203 of the NPPF (2021) states that 'in determining applications, local planning authorities should take account of:
- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
 - c) the desirability of new development making a positive contribution to local character and distinctiveness.'
- 7.6.4 Furthermore, paragraphs 205 to 208 of the NPPF (2021) have to be considered in the determination of this planning application. As established through case law, if there is *any* harm to designated heritage assets, great weight must be given to it. Dealing with Paragraph 199, it stipulates that when considering the impact of a proposed development on the significance of a designated heritage asset, such as the St Nicholas and Rectory Lane Conservation Area, 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 sets out 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.
- 7.6.5 Paragraph 207 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.
- 7.6.6 Paragraph 208 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. In undertaking this balance, considerable importance and weight must be attached to the less than substantial harm.
- 7.6.7 In considering public benefits, the Planning Practice Guidance (PPG) (2019) (Reference ID: 18a-020-20190723) sets out that the National Planning Policy Framework requires any harm to designated heritage assets to be weighed against the public benefits of the proposal. Public benefits may follow from many developments and could be anything that delivers economic, social or environmental objectives as described in paragraph 8 of the NPPF. For reference, paragraph 8 of the NPPF states that "Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

c) an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy”

7.6.8 The planning practice guidance goes on to state that public benefits should flow from the development. They should be of a nature or scale to be of benefit to the public at large and not just private benefit. However, benefits do not always have to be accessible to the public in order to be genuine public benefits, for example, works to a listed building which secure its future as a designated heritage asset could be a public benefit. Consequently, while a range of benefits that help deliver sustainable communities could be relevant, the PPG provides examples of heritage based public benefits, as follows:

- Sustaining or enhancing the significance of a heritage asset and the contribution of its setting;
- Reducing or removing risks to a heritage asset;
- Securing the optimum viable use of a heritage asset in support of its long term conservation.

Development Plan

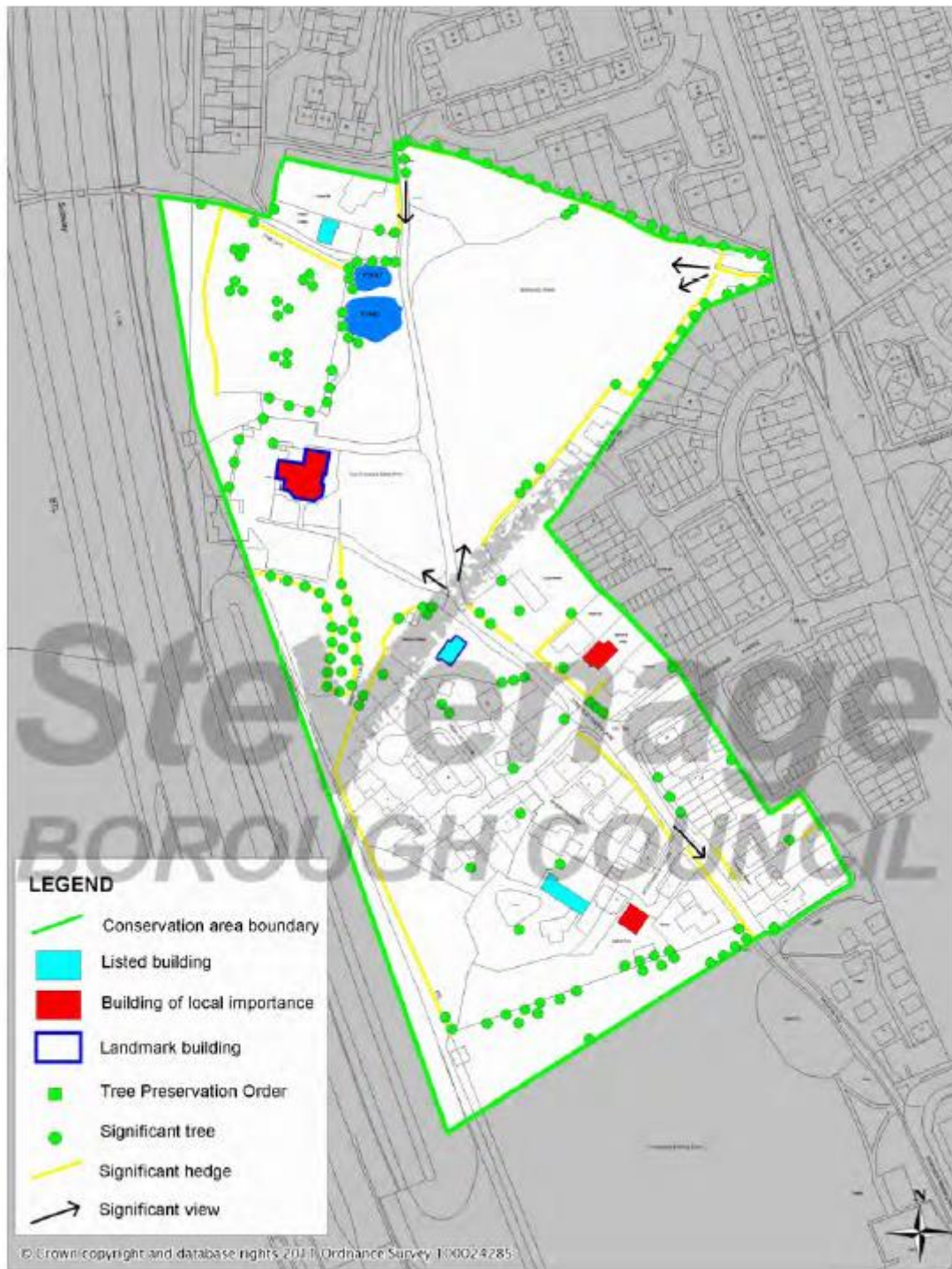
7.6.9 Turning to the adopted Local Plan, Policy SP13 relates to the historic environment. This states that the council will preserve and enhance the most important area and characteristics of Stevenage. The policy goes on to state that the Council will:-

- 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.

7.6.10 Finally, Policy NH10 of the Local plan relating to Conservation Areas states that development proposals within, or affecting a conservation area should have regard to the guidance provided by the relevant Conservation Area Management Plan Supplementary Planning Document

Symonds Green Conservation Area Management Plan

7.6.11 The Symonds Green Conservation Area was designated in 1977. The below map is taken from the Symonds Green Conservation Area Management Plan (CAMP) (2012) and shows the extent of the Conservation Area as well as listed buildings and any non-designated heritage assets.



Appraisal

7.6.12 Based on the above map, the proposed application site is located adjacent the south-eastern corner of the conservation area, with the former Cartref site visible showing the former ten buildings sited. The map demonstrates that the development does not fall within the Conservation Area and the impact being assessed is on its setting only. The proposals will not directly change the Conservation Area in visual terms. There are two fairly close buildings of note, a building of local importance and the grade II listed Fairview Farm/Barn (known later as Oakfield Farm/Barn), with the barn being the oldest structure in the conservation area.

7.6.13 It is of note that the CAMP discusses the need to preserve the small settlement feel and character of Symonds Green, protecting the listed buildings and buildings of local importance

from loss of historic features, especially where repairs and maintenance are required. Much modern development has taken place around the nearest listed building Fairview Barn and as such the proposed new housing, located beyond modern development and largely screened by trees and hedging would not have a significant impact on the historical and architectural character/importance of the listed building. The harm would be less than substantial, at the lower end of the scale.

- 7.6.14 Similarly, whilst the site is not in the Conservation Area, the impact on its setting is important. However, given the level of development that has taken place around the Conservation Area, and within it, the provision of the 38 dwellings proposed, along with the ancillary development would not in officers' professional opinion cause undue harm to the setting of the Conservation Area and its character. The open spaces to the north of the Conservation Area are not compromised and these are the main focus of the Conservation Areas character and layout. Any harm to the setting is less than substantial at the lower end of the scale.
- 7.6.15 These conclusions have also been reached by the Council's historic advisors who have raised no objections to the proposals. Taking account then, the guidance contained within the NPPF, when harm is less than substantial which in this instance is at the lower end of the scale, said harm must be weighed against the public benefits of the proposal. Considerable importance and weight have been attached to the less than substantial harm, however, the balance here is the provision of market and affordable homes given the Council's shortfall, as well as the provision of employment during construction, and highway benefits attributed to the S278 works secured. It is officer's opinion that these benefits do outweigh the less than substantial harm.

7.7 Impact on Neighbouring Residential Amenity

National Planning Policy Framework and Planning Practice Guidance

- 7.7.1 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

- 7.7.2 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, requires that development does not adversely impact the amenities of neighbouring occupiers.

Supplementary Planning Document

- 7.7.3 Appendix C of the Design Guide SPD states that the Council will assess proposals for residential extensions in terms of their impacts on privacy, outlook, and natural light. These principles can be easily applied to new dwellings also to ensure they protect existing properties which neighbour development sites.

Outlook and Amenity

- 7.7.4 In relation to the impact of the proposed development on existing residential amenity, the most affected properties would be 29 Eastbourne Avenue and 5 Nursery Cottage, Symonds Green Lane. Both properties about the northern boundaries of the site.
- 7.7.5 In assessing the impact on neighbouring amenity, the Council's Design Guide SPD (2023) sets out standards which should be met to safeguard the privacy and outlook of adjoining properties from new development. In this regard, when assessing developments, 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	25m
	Back to Side	15m
Between new 2 storeys or a mix of 1 and 2 storey	Back to Back	20m
	Back to side	12m
Over 2 storeys between existing and new dwellings	Back to Back	35m
	Back to Side	25m
Between new dwellings over 2 storeys in height	Back to Back	30m
	Back to Side	20m

- 7.7.6 Looking firstly at the relationship between 29 Eastbourne Avenue and the proposed development, plot 7 is the nearest property and is set at a diagonal to No.29. As such it partially has a back to side relationship but this is slightly tenuous. The distance from the rear elevation of plot 7 to the shared boundary with No.29 is between 10m and 15m given the diagonal setting. The angle at which the two properties sit is such that plot 7 does not look onto a main elevation with habitable room windows. Furthermore, at a minimum of 10m in length the garden meets the Council's requirements to ensure privacy in gardens. Therefore, given the orientation of the properties, the back to side relationship isn't exact and the separation distance for this type of relationship is difficult to justify. Given the above, it is considered No.29 would retain an acceptable level of outlook and privacy.
- 7.7.7 To the north-west of the site where the red line extends south from the proposed community garden, 5 Nursery Cottages sits due north of this section of the site, separated by an existing access track and grass verge. Plot 1 is the nearest proposed dwelling and this property would sit parallel to No.5, albeit staggered further back to take account of the proposed access. Additional tree planting is proposed along the grass verge between plot 1 and the access track. As such, the proposed dwelling would not have a detrimental impact on the outlook and privacy of No.5 by virtue of the proposed separation between both properties.

Daylight and Sunlight

- 7.7.8 Both plots 1 and 7 are both sited of sufficient distance off the boundaries with No.5 Nursery Cottages and No.29 Eastbourne Avenue respectively that given the orientations of the proposed dwellings with the existing properties, neither new plot would detrimentally affect daylight/sunlight enjoyed by these properties and their gardens.

7.8 Impact Upon Amenities of Future Residents

Private Amenity Space

- 7.8.1 In respect to private amenity space, section H (Homes and Buildings) of the Design Guide SPD (2023) requires that all dwellings, including flatted developments, should have private amenity space with an exception granted to flats in central locations where public open space is easily accessible and, in some cases, where reasonable, outside balcony spaces or similar

are proposed. There is a requirement to provide at least 50sqm of private garden space per dwelling and for flatted developments 50sqm for the first 5 units and an additional 10sqm for every additional unit. Garage courts, parking areas and bin storage areas are not considered as part of the useable garden amenity requirements. Accordingly, in terms of the flats this development is required to provide 120sqm of private amenity space.

- 7.8.2 With the exception of two dwellings (plots 23 and 26) each dwelling proposed would have an external garden space greater than 50sqm, in some cases over 100 sqm in area. In respect of plots 23 and 26, the deficit is not great with each garden measuring approximately 47sqm and 46sqm respectively. The flatted development would provide an external amenity space to the north of the building approximately 125sqm in area, along with external balconies for each flat.
- 7.8.3 Given the above, the development is considered to be acceptable and would on balance, accord with the Council's standards. The minor deficit for plots 23 and 26 is not considered to be sufficient to refuse permission. Also, in terms of the outside space for the flats, the positioning due north is not ideal, but does allow for additional planting to the south and south-east of the building to recreate the tree belt being removed and this is preferable. It is of note that Meadway Playing Field is located less than 200m from the flats and provides a good green space for future occupiers in addition to the external spaces proposed. The proposals would therefore provide adequate external private amenity space.

Living Space Standards

- 7.8.4 Policies GD1 and SP8 of the Local Plan (2019) relate to High Quality and Good Design. These policies state that planning permission will be granted where the proposed scheme, under criterion j. meets, and where possible, exceeds the nationally described space standards (NDSS). Appendix C of the Local Plan (2019) sets out the minimum gross internal floor space standards for dwellings which is in line with the Government's nationally described space standards.
- 7.8.5 The submitted plans show that all units meet the overall floor space standards, and all bedrooms meet the minimum floor space requirements for single or double rooms respectively.
- 7.8.6 The proposed development is therefore in accordance with Policies GD1 and SP8 of the Local Plan (2019), the Council's Design Guide SPD (2023), the NPPF (2023) and planning practice guidance, offering acceptable living standards and amenity levels for future occupiers.

7.9 Car Parking, Cycle Provision, and highway implications

National Planning Policy Framework and Planning Practice Guidance

- 7.9.1 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

- 7.9.2 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.

Car Parking

- 7.9.3 The Council's Parking Provision and Sustainable Transport SPD (2020) requires the following for residential properties.

Description	Car parking requirement	
a) General needs		
i) 1 bedroom	1 space per house	1 space per flat
ii) 2 bedrooms	1.5 spaces per house	1.5 spaces per flat
iii) 3 bedrooms	2 spaces per house	1.5 spaces per flat
iv) 4+ bedrooms	2.5 spaces per house	2 spaces per flat
b) Houses in multiple occupation (i.e. Separate households sharing facilities) ⁽¹⁾	0.5 spaces per tenancy unit	
c) Sheltered housing for the elderly - warden control	0.5 to 1 spaces per unit	

- 7.9.4 In addition to this, visitor parking spaces must also be provided at a standard of 0.25 spaces per dwelling. Based on the above, the development would need to provide a total of 82 car parking spaces. The SPD also makes allowances for reduced parking in accessible areas by way of residential parking zones. These are categorised based on location to services and the town centre. The area of open space, the subject of this application, is located in residential accessibility zone 3, with Cartref sitting just outside it. Zone 3 will allow up to a 25% reduction in spaces, stating a 75-100% provision requirement.
- 7.9.5 The submitted site plan proposes a total of 78 car parking spaces, including a provision of disabled spaces to meet the 5% SPD requirement. 17 parking spaces are located on the Cartref site, and this level of provision is in accordance with this area requiring a maximum 100% provision. The remaining 61 spaces are proposed on the eastern parcel and take advantage of the accessibility zone, being 4 spaces short of the 100% provision requirement. This equates to a total provision of 95%. This is considered acceptable, with an appropriate split across the two areas of development.

Disabled Spaces

- 7.9.6 Turning to disabled parking, in line with the Council's adopted Standards, 5% of the total number of spaces should be designated for disabled persons and should be incorporated

within the provision and not necessarily in addition to it. There is a requirement for 2 spaces and the submitted plans show 8 spaces which is acceptable at a rate of 21% provision.

EV Charging

- 7.9.7 The Parking Provision SPD (2020) requires all new parking spaces for new dwellings to be designed to fulfil a Passive Electrical Vehicle Charging Point (EVCP) standard. This will mean that the underlying infrastructure is provided for connection to the electricity network, but it will need to be activated through the installation of a charge point to be used in the future as technologies evolve and uptake increases. The submitted site plan shows a total of 32 spaces as having EVCP points, which is significantly over the 20% provision requirement. Details of the type of EVCP are confirmed on planning drawing 14122-P214-B.

Cycle Storage

- 7.9.8 Policy IT5 of the Local Plan (2019) also requires developments to provide secure cycle parking provision in line with the Parking Provision SPD (2020). The recently adopted SPD requires one cycle parking space per bedroom. The submitted plans show that there is a cycle storage area within the site which is acceptable.
- 7.9.9 Drawing number 14122-P214-B shows details of enclosures including freestanding cycle storage for in gardens, as well as a cycle store area for the flatted development. These details would provide for acceptable secure and covered cycle parking for the development.

Highway Safety

- 7.9.10 The application was accompanied by a Transport Statement (TS) and Travel Plan (TP). Paragraph 4.5.3 of the TS discusses the proposed main site access being of Clovelly Way, with provision of a 2m wide footway into the site and a second access off the southern end of Symonds Green Lane. HCC Highways have confirmed that the access arrangements as shown on amended plan ref- 24102-MX-XX-DR-C-0130 P04 is satisfactory and will be acceptable in highway terms.
- 7.9.11 A Stage 1 Road Safety Audit also formed part of the highways supporting information. Several issues were identified in the audit and recommendations made in the audit have been accepted by the applicant and have been agreed to be resolved during implementation through S278 works, as identified in condition 1 recommended by the local highway authority. This a 3m wide footway along Clovelly Way to connect to Eastbourne Avenue and Bude Crescent; two surface level pedestrian/cycle crossings with provision of tactile paving onto Eastbourne Avenue and Clovelly Way; and pedestrian/cycle link to existing footway on Redcar Drive.
- 7.9.12 In regard to trip generation, the TRICS (Trip Rate Information Computer System) calculation in the TS shows that anticipated trip by all modes associated with the development will include 140 car trips (10 AM peak and 12 PM peak) and 75 non-car trips per day to site (43 walking trips, 8 trips by cycling, 8 trips by bus and 25 trips by train). The local highway authority has confirmed that the anticipated total trips generated would not have significant impacts on the existing highway network.
- 7.9.13 The provision of works under S278 will enhance existing pedestrian and cycle links in this area which is supported. Notwithstanding this, Stevenage has an excellent pedestrian and cycling network across the town and the proposed development will be well served by this and the proposed improvements.
- 7.9.14 The Highways Authority have requested a financial contribution of £159,975.00 (£2133 per non-car anticipated trip (75)) under Strand 2 to improve sustainable transport options. They have advised these monies would be pooled for scheme SM5 which relates to a feasibility study for further bus connections north-south in Stevenage. Whilst the Council (SBC) supports

the improvements of bus services and routes in the borough, the Council does not consider the requested financial contribution to meet the requirements of Reg 122 of the CIL Regulations. However, should negotiations be on-going, it is recommended that delegated powers be given to the Assistant Director of Planning and Regulation in consultation with the Chairman to secure any financial obligations (providing they meet Reg 122 of CIL and the NPPF) which may be required in this regard, which would form part of a S106 Legal Agreement.

- 7.9.15 The highways authority has assessed the application and raised no concerns regarding highway safety or impacts on the local highway network. They have requested conditions regarding visibility splays for the access, parking and access to be complete prior to occupation and further detailed plans of the S278 works identified and shown to be submitted and approved and this is agreed. They have also requested that a condition is imposed should permission be granted that requires the submission of a Construction Management Plan (CMP) prior to commencement of development. The CMP would require full details of the construction vehicle numbers, parking arrangements, traffic management and storage compounds amongst other things, to be submitted and approved by HCC Highways before the development can commence. In this regard, suitable mitigations can be put in place to minimise impacts on local residents. Failure to comply with the requirements of the CMP can be dealt with through the Council's enforcement powers where necessary.
- 7.9.16 Several comments have been made as part of the publication of the application regarding construction vehicles accessing the Cartref site from Symonds Green Lane. These concerns relate to the width of the road and its current condition and likely damage from large vehicles. The road is narrow and is a no through road at this southern end. There is no dedicated footpath beyond No.57 and thus use of this road by construction vehicles would cause conflict with pedestrians and cyclists especially given the existing footpath to the west of the site leading to the playing fields and Redcar Drive/Meadway. As such it is considered reasonable to seek that the CMP ensures construction traffic do not use Symonds Green Lane as access to the site, unless absolutely necessary and this should be agreed in writing with the LPA.
- 7.9.17 Given the aforementioned assessment, and through the use of appropriately worded conditions, the development would be in accordance with the policies set out in the adopted Local Plan (2019), the Council's Parking Standards SPD (2020), the NPPF (2023) and PPG.

7.10 Impact on the Environment

- 7.10.1 The application site was previously residential development, site compound for Mulalley's and currently green open space. Therefore, there would be very low risk of contamination. Following consultation with the Council's Environmental Health section, they have raised no concerns from a land contamination perspective.

Groundwater

- 7.10.2 The application site is not located within a Source Protection Zone. However, Thames Water have advised that the developer will be expected to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. A suggested informative has been provided and it is deemed reasonable to include this on any grant of permission. They have confirmed that in respect of foul water sewerage and surface water, there is sufficient capacity within the network to accommodate the proposed development.

Air Quality

- 7.10.3 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 near, an Air

Quality Management Area (AQMA). The Council's Environmental Health Section has not raised any concerns with respect to the operational impact the development would have on air quality

- 7.10.4 In order to mitigate the construction phase, it is recommended a condition is imposed on any permission issued seeking details of measures for controlling levels of dust and air pollutions which are generated during the construction phase of development.

Noise Pollution

- 7.10.5 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.
- 7.10.6 Dealing firstly with the impact of noise from the construction phase of the development, detailed measures will be required in the CMP. Through the CMP the hours in which noisy activities take place are to be controlled along with the imposition of relevant mitigation measures being put in place to minimise the impact of noise from construction activities. Moreover, if a breach were to take place, the Council can enforce the condition accordingly. Consequently, the imposition of such a condition is supported by the Council's Environmental Health Section.
- 7.10.7 Looking then at possible noise sources in the area and for future occupiers the Environmental Health Officer has noted that to mitigate the impact of environmental noise including from road/rail traffic on the development, two conditions should be imposed to ensure the development design has sufficient fenestration in place such that noise levels do not exceed specific markers depending on times of the day/night. This can typically be dealt with by installing high efficiency double or triple glazing which in turn has other benefiting factors. This is considered acceptable.

Light Pollution

- 7.10.8 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.
- 7.10.9 Turning to the operational side of the development, the dwellings would all be set back from the main highways and therefore any external lighting is not considered to prejudice highway safety or cause a substantive nuisance to neighbouring residential properties.
- 7.10.10 In terms of lighting associated with the construction aspect of the proposed development, this is dealt with as part of a Construction Management Plan.

7.11 Development and Flood Risk

- 7.11.1 The application site is not located within a Flood Zone or a Source Protection Zone. Notwithstanding this, the application which has been submitted to the Council is classified as a Major, therefore, in line with the Town and Country Planning (General Development Procedure) (England) Order 2015, the applicant has provided a Sustainable Urban Drainage Strategy (SuDS).

- 7.11.2 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.
- 7.11.3 The Sustainable Drainage (SuDS) Hierarchy has been considered to establish the most practicable and sustainable methods of drainage for the site. Several SuDS Attenuation Features are proposed to be utilised on site in order to meet the 4 Pillars of SuDS, as follows –
- Water Quantity – Raingardens, geo-cellular storage tanks, and rainwater butts;
 - Water Quality – Raingardens, permeable paving, and swale;
 - Biodiversity – Raingardens, and swale;
 - Amenity – Raingardens, and swale.
- 7.11.4 For the management of surface water runoff, permeable paving, geo-cellular storage tanks and a swale shall provide the required storage volumes for storms up to and including the 1 in 100 year + 40% Climate Change Event. The Drainage report states that flows will be restricted to a maximum of 3.9 l/s via a series of orifice plates throughout the system, with flows directed to the Thames Water public surface water sewer network, which Thames Water has confirmed is acceptable.
- 7.11.5 Permeable paving is proposed for the access roads and pathways, managing flows from themselves, as well as run-off from the roofs of the buildings proposed (+10% urban creep for all non-flats dwellings) and adjacent private driveways. Each section has different properties to manage surface water, with outfalls to other SuDS features on site, but all are proposed with 30% void ratio (the space in the paving that can hold water).
- 7.11.6 The permeable paving has been split into three areas across the site. Area one (PP1) would be located in the western section of the site and receives flows from itself and plots 1-6 (dwellings and driveways). PP1 will release surface water flows at a restricted rate to the swale along the site's southern boundary. Area two (PP2) is the largest section of permeable paving and would be located in the central area of the site as the main access from Clovelly Way, managing surface water flows from itself and plots 7-18 and 25-26. Run-off would be released from this area to one of the two underground geo-cellular storage tanks. The last area (PP3) would be located to the east of the site and manages surface water run-off plots 19-24, the block of flats and the associated driveways/hardstandings. It would release flows to the second underground geo-cellular storage tank.
- 7.11.7 The two geo-cellular storage tanks (ST1 and ST2) would provide adequate attenuation and storage of surface water flows from PP2 and PP3 before outfall to the swale along the site's southern boundary. Both storage tanks are proposed to have a 95% void ratio.
- 7.11.8 Herts County Council as the Lead Local Flood Authority (LLFA) have been consulted on the application. Following initial comments that insufficient information had been submitted, further information was provided to them over the summer. At this time officers are still awaiting a response to the additional information and consultation. Should any further concerns be raised these will be addressed with the applicant and a positive response from the LLFA received before the issuing of a decision notice. If it is proposed by the LLFA that conditions should be imposed, it is recommended that these be delegated to the Assistant Director of Planning and

Regulation with agreement of the Planning and Development Committee Chair for inclusion on any approval issued. However, should they maintain an objection which cannot be overcome, then this application will be referred back to the Committee for its decision.

7.11.9 Emerging Policy CC6 will require developments to incorporate green roofs and green walls unless there are clear and convincing reasons for not doing so. Biosolar roofs will also be strongly supported. As this Policy is being introduced through the Local Plan review, it currently carries little weight and it would not be appropriate to seek a re-design of the development, including the SuDS to now include green roofs.

7.12 Trees and Landscaping

7.12.1 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.

7.12.2 The site is currently bounded on almost every side by a belt of trees, with a historic hedge running the length of the western boundary along the footpath to Symonds Green Lane. A further area of trees separates the Cartref part of the site from the eastern parcel of open space. The proposals would see the loss of trees fronting Redcar Drive and Clovelly Way. It is of note that the trees fronting Redcar Drive would be impacted by the highway improvement works required by the Land West of Stevenage development, as they are located in the safeguarding route.

7.12.3 The Arboricultural Survey submitted in support of the application has undertaken a survey of the trees using a cascade chart for tree quality assessment in accordance with British Standard BS5837:2012 Trees in relation to design, demolition and construction. The categories, A, B, C and U are based on the condition of the tree, its quality and remaining life expectancy. Category A trees are of high quality with a life expectancy of at least 40 years. Category B trees are of moderate quality with a life expectancy of at least 20 years, and category C, low quality trees with at least 10 years, or young trees with a stem diameter below 150mm. The last category, U, is for trees unsuitable for retention, those in such a condition that they cannot realistically be retained as living trees in the context of the current land use for longer than 10 years.

7.12.4 The survey identifies four B category and nine C category trees to be removed (individual) and two groups of category B trees to be removed. However, the exact number of trees in these groups is not identified in the survey. The relevant table in the survey states the species of trees along with other factors, but a total number is not provided.

7.12.5 The Council's Arboricultural Manager has raised no initial objections to these works but has questioned how and where the required 3 to 1 replanting schedule can take place. The proposals do include significant replanting along the southern and eastern boundaries, and further details of all landscaping are to be secured by condition should planning permission be granted. Given the exact number of trees being removed is not known and thus a total replacement number based on the 3 to 1 replanting ratio cannot be calculated, it is considered reasonable in this case to secure further details of total numbers (trees removed and

replacement trees required) by condition and the S106 agreement. Standard conditions relating to nesting birds and planting seasons would also be imposed, along with tree protection measures for those being retained.

7.12.6 The Arboricultural Report submitted in support of the application specifies a quantum of maintenance works to be undertaken to the central north/south belt of trees. The Council's Arboricultural Officer has suggested that further works could be undertaken here to manage the trees and given their proximity to proposed rear gardens within the development.

7.12.7 The submitted site layout plan also indicates areas of landscaping will be provided throughout the site, although at this stage no detailed landscaping plans have been provided. The Council's Green Spaces Officer has raised some concerns over small landscaping pockets between parking areas, where it can be difficult to manage or for the landscaping to flourish. Full landscaping details, including hard landscaping in these areas can be secured via a suitably worded condition.

7.13 Biodiversity, Ecology and Protected Species

7.13.1 The Environment Act received royal ascent in 2021 within the legislation is the requirement for proposals to bring about a positive net gain on biodiversity. The regulations which make a 10% net gain a statutory requirement (with a standard condition) had not come into effect at the time of submission. 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. This application was submitted in January 2024 and therefore in line with the current regulations it will be assessed and determined on the regulations and policies at the time of submission, i.e. the Council's adopted BNG SPD.

7.13.2 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.

7.13.3 The site is located in a semi-urban setting, located close to principal open spaces and the smaller rural looking settlement of Symonds Green which is also a designated Conservation Area. The site is bordered by residential properties to the north and vehicular highways to the south and east. The wider environment is generally urban in nature comprising a mixture of commercial/light industrial and residential buildings along with hardstanding, hedgerows, individual trees and amenity grassland. The application is accompanied by a Biodiversity Net Gain Assessment and Preliminary Ecological Appraisal and Roost 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.

7.13.4 The survey comprised a desk top study, field survey to record baseline information on the site and surrounding habitat (including protected species and roosting bats), invasive plant and animal species detection, potential impacts on features of value, recommendations for further surveys and mitigation, and opportunities for enhancement. The desk study included a review of the magic.gov.uk database for statutory designated sites within a 2km radius of the site. An extended habitat survey followed the methodology set out in the UK Habitat Classification Habitat Definitions Version 2.0.

- 7.13.5 The Ecological Appraisal identifies that no impacts on any designated sites are expected as a result of construction or use of the development. No direct impacts on Great Crested Newts and common amphibians are anticipated, although the study does identify that clearance could impact on possible reptiles on site. A further reptile study has been recommended. The possibility of roosting bats has been concluded as low and the study advises that the implementation of a precautionary working method would be sufficient to mitigate here.
- 7.13.6 The level of trees on site have potential for nesting birds and any works will undertaken outside the normal nesting season. Where this is not possible due to urgent works being needed a suitably qualified ecologist/ornithologist should undertake a close inspection of the trees in question and if active nests are found these should be retained until the young have fledged. Bird Nesting opportunities will be incorporated into the site with the use of integrated swift boxes which can be secured by condition.
- 7.13.7 The majority of trees on site have negligible value for roosting bats, however it is proposed to install four bat boxes on site to replace the tree loss. These can be secured via a condition.
- 7.13.8 With regards to biodiversity net gain, the application was submitted in January and based on up-to-date policy can be determined under the former regulations for BNG gain. As such, the Council's Biodiversity SPD should be fully considered. The application has been supported by a BNG matrix and baselines which conclude that the development proposals will result in a -0.97% net loss in habitat units and a 17.4% net gain in hedgerow units. Therefore, whilst the development surpasses the 10% net gain for hedgerows, it does not surpass the minimum 10% net gain for habitat units.
- 7.13.9 Given a 10% net gain of habitat units cannot be provided on site, the SPD advises that the units should be provided off site, and that a financial contribution can be made in-lieu of on-site provision. The Council's Parks and Amenities/Green Spaces Officers worked extensively to select SBC owned land that could take on BNG units and allow for the required 30-year maintenance and management. It is proposed that an appropriate site be investigated and a financial contribution secured through the S106 Agreement be used to provide the BNG units on land as close to the site as possible.

7.14 Other Matters

Sustainable construction and climate change

- 7.14.1 Existing Policy FP1 of the adopted Local Plan (2019) stipulates that planning permission will be granted for development that can incorporate measures to address adaptation to climate change. New developments will be encouraged to include measures such as:
- Ways to ensure development is resilient to likely variations in temperature.
 - Reducing water consumption to no more than 110 litres per person per day, including external water use.
 - Improving energy performance of buildings.
 - Reducing energy consumption through efficiency measures.
 - Using or producing renewable or low carbon energy from a local source; and
 - Contributing towards reducing flood risk through the use of SuDS or other appropriate measures.
- 7.14.2 The 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.

7.14.3 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.

7.14.4 It is the intention for the development to be entirely gas free, with air source heat pumps stated for the flatted accommodation, as well as the provision of mechanical ventilation with heat recovery, grey water heat recovery and the provision of solar panels where suitable as a matter of course on SBC developments. Furthermore, the flatted development proposed includes a green roof, as well as the required provision of electric vehicle charging points.

7.14.5 Emerging policy CC6 requires the use of green and blue roofs, however, this policy carries little weight at present and was not proposed at the time this development was designed. Notwithstanding the use of a green roof on the flatted accommodation is welcomed.

7.14.6 It is considered appropriate to secure the final, specific details of the intended renewable and sustainable mitigation measures via condition to ensure full compliance.

Waste and Recycling

7.14.6 The Design Guide (2023) states, provision should be made within new development for the storage and collection of waste from a site. The proposed site layout plan shows the waste and recycling bins for the flatted development to be contained in a roof free enclosure to the north-west of the flats, for easy kerbside collection. Furthermore, each dwelling has bin storage proposed in an acceptable location so as to ensure maximum drag distances are not exceeded.

7.14.7 Given the aforementioned, with an appropriate condition in place, suitable refuse and recycle storage facilities can be delivered to meet the criterion set out in the Council's Design Guide SPD (2023).

Community Infrastructure Levy

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

Development Type	CIL Rate (£ per square meter)	
	Zone 1: Stevenage Central, Stevenage West Urban Extension and North of Stevenage Extension	Zone 2: Everywhere else

Residential		
Market housing	£40/m ²	£100/m ²
Sheltered housing	£100/m ²	
Extra care housing	£40/m ²	
Retail development	£60/m ²	
All other development	£0/m ²	

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

7.14.10 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.

7.15 Equality, Diversity and Human Rights

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

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

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

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

7.15.5 In terms of inclusive access, the scheme has been designed to be DDA (Disability Discrimination Act) compliant. In addition, in accordance with Policy HO11: Accessible and Adaptable Housing of the adopted Local Plan (2019), as this is a major scheme at least 50% of all new dwellings will need to be category 2: accessible and adaptable dwellings. The development also comprises of ramped, level access to the parking spaces, as well as raised tables within the access road, and level access to premises for wheelchairs/pushchairs, etc.

7.15.6 The scheme also seeks to deliver the necessary disabled parking provision in accordance with the Council's adopted Parking Standards SPD (2020). The bays will meet the relevant size standards and have been systematically located across the development.

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 for the determination of this application 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 development would provide 38 dwellings, making a strong contribution to the aim of boosting housing supply, which in this instance, would be through the partial redevelopment of a sustainable brownfield site to deliver the much-needed type of residential dwellings proposed. Further, the proposal would deliver 12 affordable units which is in line with the requirements of Policy HO8 and attracts significant weight in favour of the development. This is due to the under-delivery of affordable housing to date over the Local Plan period. 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 great and therefore attracts significant weight in favour of the proposal.
- 8.3 The proposed development would have an acceptable impact on the amenities of neighbouring occupiers and the collection of waste and recycling is acceptable. In relation to the amenities of future residents, the development would have acceptable living standards in terms of outlook, privacy, sunlight and daylight, internal floorspace standards and impact from noise.; these are neutral matters.
- 8.4 The development has been assessed to be acceptable in appearance and would not harm the visual amenities of the area. The impact on the setting of nearby Heritage Assets has been assessed against public benefit vs the less than substantial harm considered to derive from the proposals, in line with the NPPF. The disabled parking and cycle parking are considered acceptable. This carries moderate weight in favour of the proposal.
- 8.5 The car parking provision has been identified as meeting the required standards in the Parking Provision SPD taking account of the eastern parcel falling within residential parking zone 3 allowing for a 75-100% provision. The site has also been determined to be in a sustainable location with good access to public transport and other non-car modes of transport with a good level of public services within easy reach.
- 8.6 The development has been assessed to be in accordance with policy in terms of private amenity space save for two plots 23 and 26. However, the shortfall is considered negligible and given the level of principal open space nearby and the weight attributed to the provision of market and affordable home, on balance, the public benefits arising from the delivery of the development are considered to outweigh the harm from this minor policy contravention.
- 8.7 With regards to the environmental impact of the development in terms of ecology, biodiversity and landscaping, it has been established that these are all considered acceptable, subject to suitably worded conditions.

- 8.8 The provision of affordable housing and other developer contributions can be satisfactorily addressed through the use of a S106 Legal Agreement.
- 8.9 In conclusion, the proposal has been assessed to comply with the relevant policies of the Local Plan (2019) with on balance justifications for the loss of the open space and provision of market and affordable housing in this case. It is considered that through the imposition of conditions and financial contributions secured through a Section 106 Legal Agreement that the development can be suitably mitigated against in line with policies. The public benefits identified through the delivery of this housing, outweigh the harms previously identified. Therefore, the application is recommend for approval.

9 RECOMMENDATIONS

- 9.1 That planning permission be GRANTED subject to the applicant having first entered into a S106 legal agreement to secure/provide contributions towards:-
- Securing the provision of affordable housing;
 - Section 278 Highway Improvement works;
 - Secure the provision of a Management Company;
 - Apprenticeships and construction jobs;
 - Monitoring of Travel Plans;
 - Biodiversity Net Gain provision or financial contribution;
 - Secondary education financial contribution;
 - NHS financial contribution;
 - Securing the enhancement of play equipment at Meadway Playing Fields;
 - Securing replacement trees at a 3 to 1 ratio;
 - 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.
- 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, 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:
14122_P200S, 14122_P201J, 14122_P202P, 14122_P203D, 14122_P204G, 14122_P210D, 14122_P211D, 14122_P212E, 14122_P213G, 14122_P214B;
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 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 07:30 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.

REASON:- In the interests of the living conditions of neighbouring occupiers.

- 4 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.

REASON:- In the interests of the living conditions of neighbouring occupiers and highway safety.

- 5 The development to which this permission relates shall be carried out in accordance with the mitigation measures as specified in the Preliminary Ecological Appraisal and Preliminary Roost Assessment by Arbtech dated 31 January 2024 unless otherwise agreed in writing by the Local Planning Authority.

REASON:- To prevent unacceptable harm to habitats and species.

- 6 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 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).

- 7 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.

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

- 8 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.

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

- 9 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

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

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

- 10 At least 50% of the residential units shall be Category 2: Accessible and Adaptable dwellings.

REASON:- To ensure the development will meet the increase in demand for accessible and adaptable units for elderly and disabled residents in accordance with Policy HO11 of the Stevenage Borough Local Plan 2011 – 2031 (adopted 2019).

- 11 The trees works to Group 3 as identified in the Arboricultural Method Statement by Arbtech dated 29 January 2024 shall include a 50% overall reduction in accordance with the Council's Arboricultural Manager's consultation response. The works shall be carried out in accordance with the principles stated in the Method Statement.

REASON:- To ensure the group of trees is adequately maintained to prevent nuisance to future occupiers of adjacent properties, and in the interests of the trees health and longevity.

Pre-commencement

- 12 No development shall take place (including demolition and site clearance) until additional plans have been 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 following offsite highway works as indicated on the outline site plan (Ref-14122-P202-P):
- a) New 3m wide footways along Clovelly Way to connect the existing footways on Eastbourne Ave, and Bude Crescent
 - b) Tractile Paving Crossing points onto Eastbourne Avenue and Clovelly Way and
 - c) New footway/cycleway connection to exiting ped/cycle link on the Symonds Green Lane and to the existing footway on Redcar Drive

These works shall be constructed (via s278) to the specification of the Highway Authority and Local Planning Authority's satisfaction and completed before first occupation.

REASON:- To ensure residents and visitors of the development have the realistic option of travelling by local bus routes, shops, and not a reliance on the private motorcar, in accordance with paragraphs 114 – 116 of the NPPF (December 2023).

- 13 No development shall take place (including demolition and site clearance) until a Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The Construction Traffic Management Plan shall include details of:
- a) Construction vehicle numbers, type, routing.
 - b) Access arrangements to the site.
 - c) Measure to minimise dust, noise machinery and traffic noise impacts during construction.
 - d) Screening and hoarding details to protect neighbouring residents.
 - e) Traffic management requirements, including the location of routes and from the site, details of their signing monitoring and enforcement measures.
 - f) Construction and storage compounds (including areas designated for car parking, loading /unloading and turning areas);
 - g) Siting and details of wheel washing facilities.
 - h) Cleaning of site entrances, site tracks and the adjacent public highway including end of day tidying procedures to ensure protection of the site out the hours of construction. The construction activities shall be designed and undertake in accordance with the code of best practice set out in BS 5228 1997 and the agreed details unless otherwise agreed in writing by the LPA and Highways.
 - i) Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times.
 - j) Provision of sufficient on-site parking prior to commencement of construction activities.
 - k) Post construction restoration/reinstatement of the working areas and temporary access to the public highway.
 - l) Where works cannot be contained wholly within the site, a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes, and remaining road width for vehicle movements.

REASON:- In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policy 12, 17 and 22 of Hertfordshire's Local Transport Plan (adopted 2018).

- 14 No development shall take place until a Site Waste Management Plan (SWMP) for the site has been submitted to and approved in writing by the Local Planning Authority 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.

REASON:- To promote the sustainable management of waste arisings and contribution towards resource efficiency, in accordance with Policy 12 of the Hertfordshire Waste Core Strategy and Development Management Policies Development Plan Document (2012).

- 15 No development shall take place (including demolition and site clearance) until the tree protection measures identified in the Arboricultural Method Statement by Arbtech and dated 29 January 2024 have been implemented. These measures shall remain in place for the duration of the development as necessary, unless otherwise agreed in writing by the Local Planning Authority.

REASON:- To ensure all existing trees being retained are appropriately protected from the approved development.

- 16 No development shall take place (including demolition and site clearance) until an updated Arboricultural Survey has been carried out and submitted to the Local Planning Authority, identifying the exact number of trees to be removed further to the Summary of Tree Works (Table 8) contained in the Arboricultural Method Statement by Arbtech dated 29 January 2024.

REASON:- To enable the LPA to have an exact number of trees to be removed to enable policy complaint replacement planting.

Pre-Slab Level

- 17 No development shall take place above slab level (excluding demolition, site levelling and remediation works) 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.

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

- 18 No development shall take place above slab level (excluding demolition, site levelling and remediation works) 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.

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

- 19 No development shall take place above slab level (excluding demolition, site levelling and remediation works) 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.

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

- 20 No development shall take place above slab level (excluding demolition, site levelling and remediation works) until details of the location of the integrated swift boxes and bat boxes have been submitted to and approved in writing by the Local Planning Authority. 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 and their location as approved in writing shall be erected accordingly and thereafter permanently retained and maintained.
REASON:- To provide suitable roosting and nesting opportunities for bats and birds as an ecological enhancement of the site.
- 21 No development shall take place above slab level (excluding demolition, site levelling and remediation works) until a scheme for the provision of adequate water supplies and fire hydrants, necessary for firefighting purposes at the site, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the scheme has been implemented in accordance with the approved details.
REASON:- To ensure adequate water infrastructure provision is made on site for the local fire service to discharge its statutory firefighting duties
- 22 Notwithstanding any details shown in this application the treatment of all boundaries including details of any walls, fences, gates or other means of enclosure shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development above slab level (excluding demolition, site levelling and remediation works). The approved boundary treatments shall be completed before the use hereby permitted is commenced or before any building is occupied.
REASON:- To ensure a satisfactory standard of development in the interests of amenity and that it has an acceptable appearance.

Prior to Occupation

- 23 Prior to the first occupation of the development hereby permitted, all vehicular access points shall be provided and thereafter retained at the position shown on the approved plan drawing number (Ref-24102-MX-XX-DR-C-0130 -P04) via S278 agreement with the highway. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.
REASON:- To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway.
- 24 Prior to the first occupation of the development hereby permitted, a visibility splay measuring 2.4m x 43m shall be provided to each side of the new access off Clovelly Way where it meets the highway, and such splays shall always thereafter be maintained free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway.
REASON:- To ensure construction of a satisfactory development and in the interests of highway safety.
- 25 Prior to the first occupation of the first unit hereby permitted, all proposed onsite car & cycle parking, and turning area as shown on the outline site plan (Ref-14122-P202-P) shall be laid out, demarcated, levelled, surfaced, and drained in accordance with the approved plan and retained thereafter available for that specific use.
REASON:- To ensure construction of a satisfactory development and in the interests of highway safety.
- 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.

REASON:- To ensure the storage areas are acceptable and are of sufficient size to accommodate the number of bins which are required for this development.

- 27 Prior to the first occupation of the first unit hereby approved, the Electric Vehicle Charging Points (EVCP) associated with the development shall be installed and readily available in accordance with the details and siting shown on approved plans 14122-P214B and 14122-P240G respectively. They shall be retained and maintained accordingly for the lifetime of the development.

REASON:- To ensure the development complies with the requirement for EVCP.

- 28 Prior to the first occupation of the first unit hereby permitted, full details of the proposed Community Garden shall be submitted to and approved in writing by the Local Planning Authority. The details shall include how the community garden will be managed and maintained. The works shall thereafter be implemented in accordance with the approved details.

REASON:- To ensure this community asset comes forward and measures put in place for its maintenance and management.

- 29 Prior to the first occupation of the first dwelling hereby permitted, a landscape management plan, including long term objective goals, management responsibilities (other than private domestic gardens and/or amenity areas) shall be submitted to and approved in writing by the Local Planning Authority. The landscape management and maintenance plan should be fully coordinated with the ecological management requirements and should include clearly defined details for monitoring of all landscape areas by suitably trained and qualified personnel. The development shall thereafter be carried out in accordance with the approved management plan.

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

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

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

- 31 In the event that contamination is found at any time when carrying out the approved development that was not previously identified, as required under condition 28, the approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval in writing of the Local Planning Authority.

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

For the Following Reason:

- 1 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 led to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the National Planning Policy Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

INFORMATIVE

1 **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 **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, 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

New or amended vehicle crossover access (section 184): Where works are required within the public highway to facilitate a new or amended vehicular access, the Highway Authority require the construction of such works to be undertaken to their satisfaction and specification, and by a contractor who is authorised to work in the public highway. If any of the works associated with the construction of the access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) the applicant will be required to bear the cost of such removal or alteration. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission, requirements and for the work to be carried out on the applicant's behalf. Further information is available via the County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/dropped-kerbs/dropped-kerbs.aspx> or by telephoning 0300 1234047.

8 Hertfordshire County Council as Highways Authority

Works within the highway (section 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 County Council website at: <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.

9 **Hertfordshire County Council as Highways Authority**

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>

10 **Hertfordshire County Council as Highways Authority**

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 **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.

12 **Affinity Water**

The construction works and operation of the proposed development should be done in accordance with the relevant British Standards and Best management Practices, thereby significantly reducing the groundwater pollution risk. The construction works may exacerbate any existing pollution. If any pollution is found at the site, then the appropriate monitoring and remediation methods will need to be undertaken.

For any works involving excavations below the chalk groundwater table (for example, piling or the implementation of a geothermal open/closed loop system), a ground investigation should first be carried out to identify appropriate techniques and to avoid displacing any shallow contamination to a greater depth, which could impact the chalk aquifer.

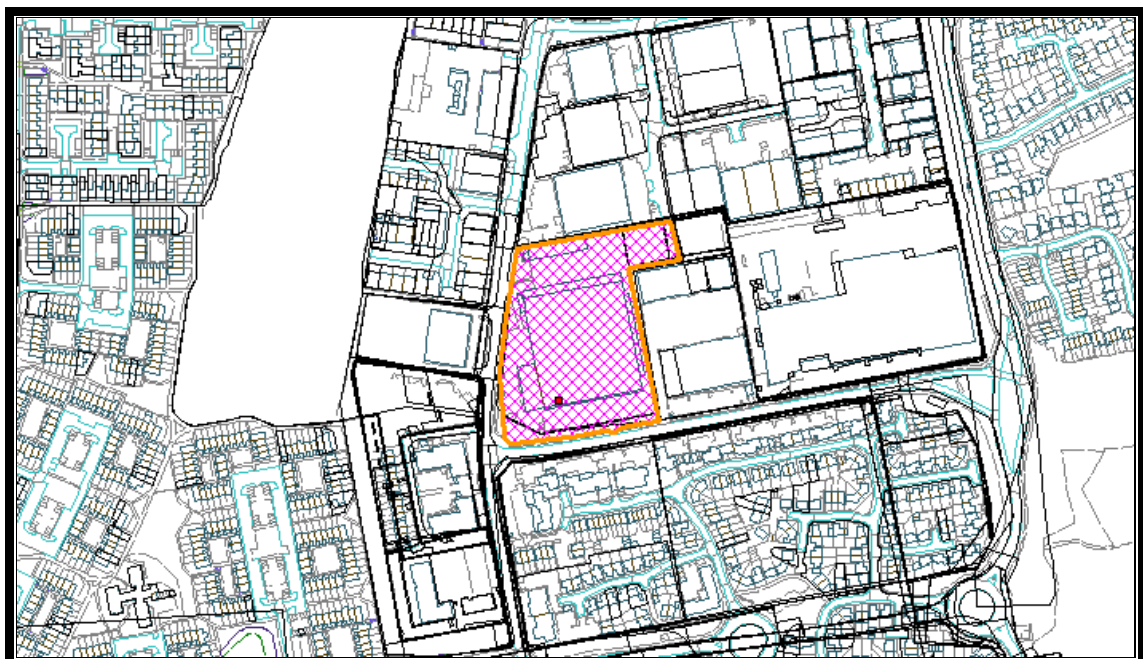
10 BACKGROUND DOCUMENTS

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. Stevenage Borough Local Plan Partial Review (2024).
5. Hertfordshire County Council's Local Transport Plan 4 adopted May 2019.
6. Responses to consultations with statutory undertakers and other interested parties referred to in this report.
7. Central Government advice contained in the National Planning Policy Framework December 2023 and Planning Practice Guidance.

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Meeting: Planning and Development Committee
Agenda Item:
Date: 29 October 2024
Author: Ailsa Davis
Lead Officer: Zayd Al-Jawad
Contact Officer: Ailsa Davis

Application No:	24/00525/FPM
Location:	Bond International, Cartwright Road, Stevenage
Proposal:	Demolition of existing buildings and structures and construction of a new building for Use Classes E(g)(iii), B2 and B8 (flexible), including hard and soft landscaping, parking, access, servicing and associated works.
Drawing Nos.:	S090-CMP-SI-ZZ-DR-A-00001; S090-CMP-SI-ZZ-DR-A-00002 REV PL1; S090-CMP-SI-ZZ-DR-A-00030 REV PL1; S090-CMP-SI-ZZ-DR-A-00100 REV PL1; S090-CMP-SI-ZZ-DR-A-00202 REV PL1; S090-CMP-SI-ZZ-DR-A-00202 REV PL1; S090-CMP-SI-ZZ-DR-A-00255 REV PL1; S090-CMP-SI-ZZ-DR-A-00256 REV PL1; S090-CMP-SI-ZZ-DR-A-00260 REV PL1; S090-CMP-SI-ZZ-DR-A-00261 REV PL1; S090-CMP-SI-ZZ-DR-A-00800 REV PL1; S090-CMP-SI-ZZ-DR-A-00801 REV PL1; S090-CMP-SI-ZZ-DR-A-00802 REV PL1; S090-CMP-U1-00-DR-A-00100 REV PL1; S090-CMP-U1-00-DR-A-00120 REV PL1; S090-CMP-U1-01-DR-A-00101 REV PL1; S090-CMP-U1-02-DR-A-00102 REV PL1; S090-CMP-U1-02-DR-A-00122 REV PL1; S090-CMP-U1-DR-A-00121 REV PL1; S090-CMP-U1-RF-DR-A-00103 REV PL1; S090-CMP-U1-ZZ-DR-A-00200 REV PL1; S090-CMP-U1-ZZ-DR-A-00205 REV PL1; S090-CMP-U1-ZZ-DR-A-00206 REV PL1; S090-CMP-I1-ZZ-DR-A-00207 REV PL1; S090-CMP-U1-ZZ-DR-A-00250 REV PL1; S090-CMP-U1-ZZ-DR-A-00251 REV PL1; LN-LD-01;
Applicant:	Wrenbridge (FRELD Stevenage) LLP
Date Valid:	25 July 2024
Recommendation:	GRANT OPLANNING PERMISSION



The above plan is for illustrative purposes only.

1 SITE DESCRIPTION

- 1.1 The application site forms part of the Pin Green Industrial Estate located in the north-east of Stevenage, which is the second largest employment area in the town. It has relatively low density comprising a mix of small/medium sized warehousing, light industrial and some offices. The majority of these uses now fall within Class E(g) of the Town and Country Planning (Use Classes) (Amendment) Regulations 2020 covering business, commercial and service uses. The site comprises a broadly square parcel of land measuring 1.9 hectares in area and is surrounded by a 'horseshoe' of industrial and commercial units to the north, west and east, and an extensive residential area to the south.
- 1.2 The topography of the site is level and is dominated by the main warehouse and annexed two-storey office building. The remainder of the site comprises a mix of hardstanding for car parking, servicing and storage. The site is designated within the Local Plan (2019) as falling within the Pin Green Employment Area, however, has no other specific allocations and/or designations. It is not located within nor adjacent to a Conservation Area, it neither contains any statutory/locally listed buildings nor are there any immediately adjacent. The Environment Agency's Flood Map indicates it falls within Flood Zone 1 (low probability of fluvial flooding).

2 RELEVANT PLANNING HISTORY

- 2.1 22/00245/FPM - Demolition of the existing building and construction of a new food store, petrol filling station, commercial unit, together with associated car parking, servicing and landscaping. Members resolved to grant planning permission on the 25 May 2023, however the application was never proceeded with for commercial reasons and was withdrawn on 17 April 2024.

3 THE CURRENT APPLICATION

- 3.1 The application seeks planning permission for the demolition of existing buildings and structures and construction of a new building for Use Classes E(g)(iii), B2 and B8 (flexible), including hard and soft landscaping, parking, access, servicing and associated works. The unit is being built speculatively with flexible use classes necessary to attract a range of occupiers. The proposal seeks permission for E(g)(iii) Light Industrial, B2 Manufacturing and B8 Storage and Distribution uses with unrestricted 24/7 hours of operation for the unit.
- 3.2 The proposal for a single building of 10,824m² GIA includes ancillary office space of 1,061m². The ancillary office space allows for a broader range of jobs including management operations and administrative roles. The proposed layout of the site has been informed by the existing site layout with the proposed building size presenting a small uplift in floorspace from the existing built form on of approximately 9,965m². The unit would have a proposed maximum height of approximately 15.5m with 12.5m to underside of haunch.
- 3.3 108 car parking spaces, eight motorcycle spaces, 18 HGV spaces and 26 cycle spaces within green roofed shelters are also proposed. Car parking would be provided to the south of the site with additional parking in the northeastern corner. HGV servicing and parking would be located to the north of the proposed building. The existing access to the south of the site would be retained and utilised for access to car parking, whilst the existing access on the western boundary is proposed to be closed and moved further north to take HGV movements further away from neighbouring residential uses located to the south and west of the site.
- 3.4 The existing trees located around the periphery of the site, predominately along the southern boundary are to be retained, where possible, with additional landscaping and SUDs to be introduced. The landscaping plans and Biodiversity Net Gain (BNG) report outlines how Biodiversity Net Gain would be achieved. The development also targets BREEAM Excellent and an EPC rating of A.

- 3.5 The application comes before the Planning and Development Committee because the application is major development.

4 PUBLIC REPRESENTATIONS

- 4.1 The application was publicised by neighbour letters, two site notices and a press advert.
- 4.2 Twenty seven letters of objection were received. The material issues raised are summarised as follows:
- Increase in noise and air pollution
 - Pedestrian safety concerns
 - Some parking should be made available for residents of Giles Crescent
 - Too close to residential areas
 - Concern over 24/7 operation and HGV movements
 - Better links with existing local cycle network should be provided
 - Cycle parking should comply with SPD guidance
 - Building scale, massing and siting
 - Impact on amenity of units in Pin Green Industrial Estate adjoining the site to the east
 - Floor area exceeds that allowed under Policy EC6 for Pin Green Employment Area
 - High intensity B class employment use unsuitable for Pin Green Employment Area, contrary to Policy SP3.
- 4.3 Full copies of all representations are available on the Council's website.

5 CONSULTATIONS

- 5.1 The following section contains summaries of consultation responses. Full copies of the responses are available on the Council's website.
- 5.2 Thames Water
- 5.2.1 Following initial investigations, Thames Water has identified an inability of the existing SURFACE WATER network infrastructure to accommodate the needs of this development proposal. Thames Water has contacted the developer to agree a position for foul water networks but has been unable to do so in the time available and as such Thames Water request that the following condition be added to any planning permission. "The development shall not be occupied until confirmation has been provided that either:- 1. All surface water network upgrades required to accommodate the additional flows from the development have been completed; or- 2. A development and infrastructure phasing plan has been agreed with the Local Authority in consultation with Thames Water to allow development to be occupied. Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan." Reason - Network reinforcement works are likely to be required to accommodate the proposed development. Any reinforcement works identified will be necessary to avoid sewage flooding and/or potential pollution incidents.
- 5.3 HCC Highway Authority
- 5.3.1 No objection, subject to conditions relating to access, parking and construction management plan.
- 5.4 SBC Arboriculture and Conservation Manager
- 5.4.1 No objection.

5.5 Crime Prevention Design Service

- 5.5.1 The Police are not looking to object to this development but would like to see an informative attached to any grant of planning permission to get the developers to engage with the Police and seek to achieve SBD certification. This could read something like "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. Reason: To ensure that the development is compliant with both National and Local Planning Policies, in addition, this will also demonstrate the discharge of obligations under Approved Document Q Security of Building Regulations.

5.6 North Hertfordshire District Council

- 5.6.1 No objection.

5.7 HCC Minerals and Waste

- 5.7.1 No objection, subject to a condition requiring the submission of a site waste management plan.

5.8 HCC Lead Local Flood Authority

- 5.8.1 The LLFA require the applicant to submit information regarding the sufficient room with regard to the overground SuDS, appropriate flood resistance and resilience measures including the minimum requirement for freeboard, BRE365 infiltration testing to evidence the proposed surface water drainage strategy, re submit all calculations including the greenfield run off volumes, include the existing drainage network and outfall/s, address concerns from Thames Water, appropriate water quality assessment, to provide information on the provision of long term storage and finalised drawings which include cross sections and long sections of all of the SuDS structures.

- 5.8.2 We object to this planning application in the absence of an acceptable Flood Risk Assessment (FRA) relating to:

- We advise that the LPA may wish to consider if a sequential test is necessary to support this application.
- Re-submit all calculations including greenfield volumes and rates.
- Due to these points the development does not comply with NPPF, PPG or local policies.

- 5.8.3 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. We will consider reviewing this objection if the issues highlighted on the accompanying Planning Application Technical Response document are adequately addressed.

- 5.8.4 The applicant has provided additional information to address the above points and the LLFA have been reconsulted. 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 delegate powers being granted to the Assistant Director of Planning and Regulation to impose any conditions advised on any response provided after the committee meeting.

- 5.8.5 A decision will not be issued until the 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.

5.9 SBC Environmental Health

5.9.1 I have had regard to the acoustics report and note the mixed commercial / residential setting. I understand that operations could be restarted on the site without requiring planning permission, as the site is merely vacant / mothballed at the present time. The layout of the proposed development positions the vehicle traffic to the rear of the site, shielded by the warehouse, in contrast to the existing, where the loading bays are adjacent to Cartwright Road. I have no objections to the proposed development.

5.10 Herts and Middlesex Wildlife Trust

5.10.1 No comments received.

5.11 Affinity Water

5.11.1 No comments received.

5.12 SBC Waste Storage

5.12.1 No comments received.

5.13 Stevenage Works

5.13.1 No comments received.

6 RELEVANT PLANNING POLICIES

6.1 National Planning Policy Framework

6.1.1 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.

6.1.2 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 **Planning Practice Guidance**

- 6.2.1 The Planning Practice Guidance (“PPG”) 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.

6.3 **National Design Guide**

- 6.3.1 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.

6.4 **The Development Plan**

- 6.4.1 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)

- 6.4.2 In order for a Local Plan to be effective, they need to be kept up-to-date. The NPPF states policies in local plans should be reviewed to assess whether they need updating at least once every 5 years. This is reflected under Regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) which sets out local planning authorities must review local plans every 5 years from their adoption to ensure that policies remain relevant and effectively address the needs of the local community.

- 6.4.3 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 and associated PPG.

- 6.4.4 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).

- 6.4.5 Where there are emerging policies which are relevant to the application, these will be highlighted in the main body of this report. The policies set out below are most relevant in the determination of this application:

Policy SP1: Presumption in favour of sustainable development
Policy SP2: Sustainable development in Stevenage
Policy SP3: A strong, competitive economy
Policy SP5: Infrastructure
Policy SP6: Sustainable transport
Policy SP8: Good design
Policy SP11: Climate change, flooding and pollution
Policy EC6: Pin Green Employment Area
Policy IT4: Transport Assessment and Travel Plans
Policy IT5: Parking and access
Policy IT6: Sustainable Transport
Policy IT7: New and Improved Links for Pedestrians and Cyclists
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 NH5: Trees and Woodland

6.5 **Supplementary Planning Documents**

- 6.5.1 The following supplementary planning documents are relevant to determining the application:

Parking Provision and Sustainable Transport SPD (2020)
Stevenage Design Guide SPD (2023)
Developer Contributions SPD (2021)

6.6 **Community Infrastructure Levy Charging Schedule**

- 6.6.1 Stevenage Borough Council adopted a Community Infrastructure Levy Charging Schedule in 2020. This allows the Council to collect a levy to fund infrastructure projects based on the type, location and floorspace of a development. This proposal would be CIL liable at £0/m².

7 **APPRAISAL**

- 7.1.1 The main issues for consideration in the determination of this application are its acceptability in land use policy terms, design and appearance, flood risk and drainage, climate change mitigation, amenity, noise, highway impact, access and parking, trees, biodiversity and landscaping and planning obligations to mitigate the impact of the development.

- 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 Considerations

- 7.2.1 The site is currently an established employment site located within the wider Pin Green Employment Area designation in the Local Plan under Policy EC6. The proposal seeks to retain the current employment use and is therefore consistent with Policy EC6 which identifies uses B1(b) (now E(g)(ii)) – research and development, B1(c) (now E(g)(iii)) – industrial processes, B2 – general industrial and B8 – storage or distribution as being appropriate. The proposed flexible use for E(g)(iii), B2 and B8 is therefore considered to be acceptable in this regard.

- 7.2.2 Policy EC6 at point (b) specifies that any new units must not exceed 3,000sqm in size. Paragraph 6.29 of the Local Plan advises that this restriction is driven by Pin Green generally being home to small and medium sized enterprises, however it is also recognised that there are some larger units located along Wedgwood Way and Cartwright Road, including the existing building on the application site at 9,965m². Whilst the proposed floorspace for the new unit of 10,824m² (an increase of 859m² over the existing building) would exceed the maximum floorspace identified, as the existing building is already significantly larger than 3,000m² and the redevelopment would not result in the loss of any small and medium sized units, and the proposal only being a limited increase in terms of footprint over the existing building, it is considered that the proposed size is acceptable. This is because the floor area of the existing building is a material consideration which allows an exception to policy.
- 7.2.3 Further, the post-amble in Policy SP3 recognises that the Local Plan currently has a shortfall of employment land to address the identified need. The opportunity to redevelop sites such as this for greater floorspace, would help address this shortfall to some extent, whilst also delivering high-quality and modern stock which is more attractive to high-value businesses. As the site currently sits vacant, the application submission advises the proposal is likely to generate between 159 – 300 new jobs based on Government employment density guidance for B8 / B2 uses. This represents a significant economic benefit.
- 7.2.4 The proposed uses and extent of floorspace are therefore considered to be consistent with the Development Plan and existing material considerations. The proposal is therefore considered to be acceptable in principle, subject to satisfying other material planning considerations.

7.3 **Character and Appearance**

National Planning Policy Framework and Planning Practice Guidance

- 7.3.1 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.
- 7.3.2 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.
- 7.3.3 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

- 7.3.4 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.
- 7.3.5 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

- 7.3.6 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.
- 7.3.7 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.
- 7.3.8 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.

Layout

- 7.3.9 The Design and Access Statement advises the building layout has been designed to maximise site efficiency, help screen service yards and add a positive frontage to Wedgwood Way and Cartwright Road. The proposed layout would deliver 10,824m² (GIA) of accommodation. This is an uplift of 859m² (GIA) against the existing 9965m² (GIA) building. The unit would be located within the southern part of the site, with staff parking around the southern and western perimeter. The existing site entrance off Cartwright Road would be retained and improved to provide access to the proposed car parking directly adjacent to the office element of the design. The existing access off Wedgwood Way would be relocated slightly north to provide more efficient HGV access to the service yard and access to additional car parking spaces. The service yard would be located to the north of the building, away from the residential properties to the west and south. Space would be left around the boundaries for landscape planting, sustainable urban drainage features and tree retention.

Scale, Massing and Form

- 7.3.10 The design of the building follows a typology typical of other industrial buildings within the local context. Generally, these buildings are designed as open warehouse type space with ancillary operational offices and mezzanines at first floor level. The form and size of the unit has been informed by the functional parameters expected by the target small and medium sized local business market within the light industrial, manufacturing storage and distribution sectors. As such will be robustly constructed to institutional investment standards. The building is specifically designed to meet institutional height requirements appropriate to the size and use in this location. This is set from a clear internal haunch level of 12.5m. The 6-degree roof pitch and structural span will mean the building will have a maximum height of c.16.00m from ground floor level.
- 7.3.11 The step-in scale and the breaking down of the office element in this location, would provide a focal point 'gateway building' into the estate from the south. The layout and elevation facade treatment would be used to further break down the appearance of scale, massing and form with the application of textures, tones, material finishes and detailing. The proposed curtain walling system, profiled metal cladding, flat metal cladding along with the projecting aluminium frame would together add articulation and further reduce the perceived massing of the built form. An increase in scale from the existing building is considered to be appropriate within the Pin Green Industrial Area. The office element would project beyond the main warehouse footprint which sits relative to the immediate surrounding heights of Moxham House (Giles Crescent) and Papillion Court (Admiral Drive). The taller element of the proposed unit (warehouse) steps up in scale, however, sits relative to the adjacent Shapiro House (Giles Crescent) and is considered to sit comfortably within the immediate setting. The combination of existing and proposed trees along Cartwright Road would soften the visual impact.

Appearance and Materiality

- 7.3.12 The material palette is designed to deliver a high quality, contemporary finish appropriate to the context, building typology and the expectations of market requirements. The large-scale curtain-wall element would be incorporated into the office entrance as well as full height windows to the first-floor offices. The large amounts of glazing to the elevations would maximise daylight and outlook within the internal spaces, as well as activating the frontages. The remainder of the entrance corner would be clad in flat metal panels, which would be laid vertically and staggered in arrangement to create visual interest. Slot windows are positioned within the cladding system and allow selective views out from the internal spaces.
- 7.3.13 Moving round to the office element of the elevation, the louvre panels would sit above the double height glazing which would not only break up the visual appearance, but also allow any ducting to be concealed behind the system. This would create a clean finish to the elevation, undisrupted of services coming through the facade. The office element of the proposal would be framed by external feature frames and clad in-between with a profiled sinusoidal ((of a wave) having a regular smooth repeating pattern) panel to create not only a higher quality finish to the office areas but to distinguish it from the warehouse elements and to act as a focal point to the 'active' parts. A combination of profiled metal cladding would be arranged to deliver a durable but clean / modern base to the closed parts of the warehouse.
- 7.3.14 The mixture of profiled and flat metal panels would predominantly be a monochromatic finish, offering a clean, high-tech appearance for a timeless quality. Accent colours would be laid vertically on the corner of the building and designed to fade away to further break down the perception of massing as well as adding visual interest to the returns. A combination of tones, textures and detailing would be used across the building to create visual interest to the façade whilst reflecting the functional organisation of the building.
- 7.3.15 The strategy for the boundaries to the site are consistent and clear. A 2.4 metre high weld mesh fence, powder coated green would wrap around the unit to provide the level of security

required by the occupier. This would tie into the existing retained fence around the site periphery.

Conclusion

- 7.3.16 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 building architectural interest and to reduce the perception of bulk. The scale of the building, whilst higher than the existing building, is considered acceptable for this employment area. The layout of the proposed development has been well considered and considers the need for satisfactory access and separation with nearby residential areas. 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.

7.4 Impact on the Environment and Neighbouring Occupiers

National Planning Policy Framework and Planning Practice Guidance

- 7.4.1 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

- 7.4.2 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.
- 7.4.3 Policy FP5 of the Local Plan requires development proposals to consider contamination and be supported by an appropriate preliminary risk assessment (PRA), demonstrating that any necessary remediation and subsequent development poses no risk to the population, environment or groundwater bodies.
- 7.4.4 Policy FP7 requires all development proposals to minimise, and where possible, reduce air, water, light, and noise pollution. Planning permission will be granted when it can be demonstrated that the development will not have unacceptable impacts on general amenity and the tranquillity of the wider area.
- 7.4.5 Contamination
- 7.4.6 The Geo-environmental and Geotechnical Site Assessment submitted with the application advises the generic risk assessments undertaken indicate remediation is not considered necessary. The report advises once future development details are finalised post-planning, additional ground investigation is recommended to include window sample and trial pit

locations within the footprint of the existing building post-demolition to characterise properties such as the thickness of Made Ground and ground aggressive to buried concrete within the footprint of the proposed structures where shallow foundations are recommended. Notwithstanding this, a condition is recommended to ensure that any unexpected contamination is dealt with properly if discovered during the construction phase.

7.4.7 Noise Pollution

7.4.7.1 The application is accompanied by a Noise Impact Assessment by Sharps Acoustics Ltd. Observations during the attended aspects of the survey confirm that the character of noise emanating from the premises would be similar to the existing noise climate of the industrial estate. Furthermore, noise levels emanating from the proposed development would be below the typical background sound levels during the daytime and night-time. The report notes the proposed development has been designed with an acoustically optimised site layout with all servicing bays on the north façade of the premises facing away from all noise-sensitive premises. On this basis, all servicing activities would be screened by the intervening industrial building to reduce noise. In addition, the report notes the closest noise-sensitive receptors at Shapiro House are understood to benefit from an alternative means of ventilation which does not rely on open windows which would further attenuate noise levels from the proposed development.

7.4.7.2 The assessment has shown that when accounting for context, noise emanating from the proposed premises would have a low impact when assessed in accordance with BS4142:2014+A1:2019 (Method for rating and assessing industrial and commercial sound). The assessment has also shown that the change in noise level due to the increase in traffic on the local road network from the development would be 'None/ Not Significant' effect. Furthermore, mechanical plant noise limits have been set in line with BS4142:2014. The report concludes there would be no adverse effects from noise from the proposed development. The Council's Environmental Health department have reviewed the assessment and have raised no objection.

7.4.7.3 It is important to note that the existing building could be brought back into use by an industrial operator with associated HGV traffic without requiring planning permission. This would also have an impact on the surrounding area in terms of noise. The layout of the proposed development has been designed to mitigate noise impact and therefore the fallback position is a material planning consideration in terms of noise and residential amenity. On this basis, it is considered the proposal would accord with Local Plan Policy FP7 in terms of noise.

7.4.8 Light Pollution

7.4.8.1 The application is supported by an External Lighting Assessment Report. The report details the lighting scheme, which covers all areas surrounding the building including external areas to the access roads, walkways, car parking and service yards. The scheme is based on the use of LED luminaires fixed to the building façade and on lighting columns as detailed on the accompanying drawing 24081-MBA-EX-SP-DR-E-0001 Revision PL2. The lighting solution has been prepared in accordance with the current Design Standard for Exterior Lighting and care has been taken when selecting the luminaires to ensure the products would reduce spill light and glare to and around site boundaries and prevent sky glow.

7.4.8.2 With the proposed luminaires being strategically placed and having zero or minimal upward light ratio, the proposed design solution meets the criteria of environmental zone E3, Lighting Environment classification of High District Brightness and Maximum Upward Light Ratio of Luminaires. All external lighting would be controlled by automatic timeclock to assist in the control of the lighting during required hours. The total lighting solution has been carefully generated to ensure the immediate environment has been protected, including the properties adjacent to the site. The illumination that would normally be free flowing from site boundaries has been restricted and has been further designed to mitigate any potential impact to adjacent

properties. Careful consideration has also been taken to ensure no loss of amenity due to glare through shielding of the lamps, choice of luminaires and efficient mounting heights. On this basis, it is considered the proposal would accord with Local Plan Policy FP7 in terms of external light.

Air Quality

- 7.4.8.3 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.
- 7.4.8.4 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.
- 7.4.8.5 With regards to the operational aspect of the development, due to its limited scale, the proposed development would give rise to a very small increase 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. Consequently, the Council's Environmental Health department has not raised any concerns with respect to the operational impact the development would have on air quality.

7.4.9 Privacy, Overbearing Impact and Daylight

- 7.4.9.1 The site is separated from the residential properties to the west and south by Wedgwood Way and Cartwright Road, which provide approximately 40m separation between the proposed development and nearby residential sites mitigating concerns of overlooking, loss of light and overbearing impact. Where there is doubt that adequate sunlight and daylight will be achieved, the Council's Design Guide (2023) advises indicators can be used to assess the amount of light reaching a new or existing window. The Building Research Establishment (BRE) guidelines "Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice", third edition, is recommended. It provides guidance on acceptable levels of daylight and sunlight within existing and proposed developments. This can be established by undertaking a 45-degree test or a 25-degree test using the BRE guidelines.
- 7.4.9.2 The Design and Access Statement accompanying the application undertakes the 25-degree test using the Wedgwood Way site section for Moxham House and the proposed building, as well as the Cartwright Road section for Papillion Court, Admiral Drive. The proposed building sits 40m away from the nearest point of the residential blocks and does not break the 25-degree BRE rule to views out. It can be concluded therefore, that the proposal would not result in a loss of light to these properties or appear overbearing. The combination of existing and proposed trees along Cartwright Road would also soften the visual impact and screen much of the new development.
- 7.4.9.3 With regards to the representation received from the owners of the Pin Green Industrial Estate adjoining the site to the east, there is no protection offered to the amenity of occupiers of commercial premises under planning legislation. Whilst the building would be taller than those in the adjoining Industrial Estate, it is not considered the scale would be harmful (see paragraphs 7.3.10 and 7.3.11) or overbearing compared to the adjoining commercial buildings. The applicant has carried out a shadow analysis within section 6.11 of the Design and Access Statement, which notes the building form and orientation has been designed to minimise shadow impact on the surrounding buildings/ context throughout the day.

- 7.4.9.4 In terms of overshadowing of Pin Green Industrial Estate to the east, the shadow cast throughout the year at 15:00 shows there would be some shadowing of the adjacent site in March and September with limited shadowing in June. The shadow is casting across the access road into Pin Green Industrial Estate and against the building which has no west facing fenestration to the elevation. The plans in the analysis demonstrate the shadowing would not cast over the roof lights, therefore mitigating concerns over daylighting into the internal spaces. It is not considered therefore that the impact on the commercial units within the Pin Green Industrial Estate abutting the boundary with the application site in terms of over shadowing would be unacceptable.
- 7.4.9.5 Turning to privacy and overlooking of the residential properties to the west and south, it is considered the separation distances in excess of 40m of the proposed building to these dwellings, together with the retention of existing boundary trees would mitigate any direct overlooking. As such, it is considered the relationship would not raise amenity concerns with regards to privacy and the proposal can be considered acceptable in this regard.
- 7.4.10 Demolition and Construction Impacts
- 7.4.10.1 The disruptive effect of demolition and construction work is a material consideration. Some disruption is inevitable, insofar as vehicle movements and noisy work would be necessary to complete the development. However, the impacts can be mitigated, for example by employing dust suppression techniques, limiting the hours when deliveries can be made, and limiting the hours when work can be carried out.
- 7.4.10.2 To this end, it is recommended that a construction management plan be secured by condition. Subject to this condition, it is considered that the impacts of demolition and construction could be mitigated to an acceptable degree.
- 7.4.11 Conclusions on Environment and Neighbouring Occupiers
- 7.4.11.1 Having regard to the above, it is concluded that the proposed development would not result in any fundamentally unacceptable impacts on the environment and has been designed in such a way as to ensure acceptable living conditions for neighbouring occupiers. In these respects, the proposal is considered to accord with Policies FP5, FP7 and GD1 of the Local Plan.
- 7.5 **Parking**
- National Planning Policy Framework and Planning Practice Guidance
- 7.5.1 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:
- 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;
 - address the needs of people with disabilities and reduced mobility in relation to all modes of transport;
 - 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;
 - 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

- 7.5.2 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. The table below is taken from the Transport Assessment which shows the Council's parking requirements for each potential type of occupier for the building:

Use Class	Car Parking	Lorry Parking	Disabled Parking (Employee/Visitor)
E(g)(iii) INDUSTRIAL PROCESS	1 space per 40m ²	1 space per 200m ²	One space per disabled employee + 5% of total capacity for visitor disabled motorists + 5% for future provision of total capacity based on enlarged car parking spaces
B2 GENERAL INDUSTRY	1 space per 50m ²	1 space per 200m ² up to 1,000m ² GFA	
B8 STORAGE AND DISTRIBUTION	1 space per 75 m ²	1 lorry space per 200m ² gross floor area (minimum 1 space) to 1 lorry space minimum plus 1 lorry space per 500m ² gross floor area.	

- 7.5.3 The following table is also taken from the Transport Assessment and shows the maximum permitted and proposed parking provision for the site for each use:

Size (m ²) GIA	Proposed	E(g)(iii)	B2	B8
10,824m ²	108	271	216	144

- 7.5.4 The proposals include 108 car parking spaces (including six accessible spaces), eight motorcycle spaces, 18 lorry spaces (including loading bays) and 26 cycle spaces with green roofs. The proposed level of parking equates to 40% of the maximum permitted for E(g)(iii), 50% of the maximum permitted for B2 and 75% of the maximum permitted for B8 Use Class when relating to Council parking standards. The standards allow for reduced parking standards in more sustainable locations and while the site falls outside of one of the zones, Martins Way forms the boundary. For Zone 3 areas, standards can be reduced to 75% of the maxima, which would equate to 203 spaces for E(g)(iii), 162 spaces for B2 and 108 spaces for B8, which brings the proposed provision in line with the B8 standards. Due to the size of the site, the applicant advises it is more likely to attract B8 occupiers. As such, the proposed level of parking being provided from the outset is considered appropriate for the development.
- 7.5.5 However, the Transport Statement also highlights how different uses have different servicing requirements, and that the service yard could be used to flex up and down the parking to meet the demands of each user. The Transport Statement shows alternative parking layouts for an E(g)(iii) and B2 operator. Alternative provision to reflect the end user can be secured by way of a planning condition to ensure the appropriate amount of parking is provided depending on whether the end user is a B8, B2 or E(g)(iii) use in accordance with the parking layouts shown in the Transport Statement.
- 7.5.6 There are also bus stops adjacent to the site and additional stops a short walk to the south providing access to bus services that serve a large area of Stevenage, which also connect with the bus station and train station. Furthermore, the existing pedestrian and cycle connections to surrounding residential areas means that a high number of potential employees at the site could live within an accessible walking or cycling distance with facilities provided to promote

and encourage travel by these modes. The implementation of the Travel Plan for the site would also encourage non-car travel meaning that parking demand could be lower than the standards permit.

- 7.5.7 Council cycle standards require 22 long term and 11 short term spaces. The proposals include 24 cycle spaces incorporating 22 long term and 2 short term spaces. This is because the nature of the businesses likely to occupy the development are unlikely to attract visitors by bike. All cycle parking would be within secured shelters with green roofs and changing and shower facilities would also be provided to help create behavioural change amongst staff living within Stevenage and encourage travel by bike as opposed to driving. Cycle parking usage would be monitored through the Travel Plan, and should additional parking be required then additional spaces would be provided.
- 7.5.8 In terms of EV parking, a minimum of 20% of parking spaces would have access to an active EV charging point. It is envisaged that throughout the development there would be 20 active EV charging points, with the remaining 88 spaces having passive infrastructure in place. This would mean that the underlying infrastructure is provided for connection to the electricity network, but would need to be activated through the installation of a charge point to be used in the future as technologies evolve and uptake increases.
- 7.5.9 In terms of accessible spaces, it is proposed to provide 6 disabled parking bays in accordance with the Council's parking standards close to the building entrance. Enlarged spaces for future provision have not been included on the basis that the disabled spaces can be shared between staff and visitors and should additional spaces be required in future then existing standard bays can be reconfigured to accommodate this.
- 7.5.10 Having regard to the above, the proposed parking arrangements are considered to be acceptable. In this respect, the proposal accords with Policy IT5 of the Local Plan.

7.6 Highway Safety

- 7.6.1 Policy IT4 of the Local Plan 2019 states that planning permission will be granted where development will not have an adverse impact on highway safety. The application is accompanied by a Transport Statement and a Travel Plan.

Access

- 7.6.2 It is proposed to retain the existing site access to the southeast of the site on Cartwright Road in its current form to provide access to a parking area to the south of the site. The existing access on Wedgwood Way would be closed and reinstated as footway, with a new access being provided to the northwest of the site; this would provide access to the service yard and additional parking. Pedestrian and cycle access points would be provided at the junction of Wedgwood Way and Cartwright Road and one slightly further north on Wedgwood Way. These access points would provide easy access to the entrance to the building as well as the cycle parking area located just to the north of the northern pedestrian and cycle access. This would mean that pedestrians and cyclists would not need to interact with vehicles within the site. The Highway Authority has confirmed the proposed arrangements are acceptable.

Refuse and Servicing

- 7.6.3 Refuse and service vehicles would enter and exit the site via Wedgwood Way, with refuse being stored adjacent to the access providing easy access for collection purposes. A swept path analysis has been undertaken to demonstrate that the site can accommodate large articulated lorries. A 16.5m articulated lorry can enter and exit the site in forward gear as well as accessing the service doors. Given that a 16.5m articulated lorry can access the unit, the proposed layout conforms to the design guidance set out in Manual for Streets (MfS) detailing

that fire tenders and refuse vehicles can serve the site. The Highway Authority has confirmed the proposed arrangements are acceptable.

Trip Generation

- 7.6.4 The Transport Statement undertakes an exercise which presents forecasts for the trip generation of the existing and proposed development and the attendant net effect. The trip generation exercise has used the Industrial Unit category from the TRICS (Trip Rate Information Computer System) database to forecast both existing and proposed trips. The Highway Authority is content that the selection of the Industrial Unit category offers sufficient flexibility to account for the existing and proposed employment uses on site. The proposed development would generate in the region of 41 two-way trips in the AM peak and 27 in the PM peak; an increase of 4 and 3 trips respectively compared to the existing development. Given that there is only a relatively small change in the overall floorspace, the net increase in trips as detailed above is considered negligible.
- 7.6.5 The Highway Authority is content to accept that the proposed development would not precipitate a material impact on the adjoining local highway network. The same principle applies to the multi-modal trip generation exercise as presented within Table 5.3 of the Transport Statement. This notwithstanding, the Highway Authority notes that all developments should seek to promote travel by sustainable modes. Given the site's location with good access to neighbourhood areas, a high-quality walking and cycling network within Stevenage and bus routes, there exists an opportunity to promote trips by sustainable modes.
- 7.6.6 Based on the submission, the Highway Authority has concluded it is unlikely given the quantum of the development that the modest increase in traffic would lead to any unacceptable impacts on highway safety or any severe residual cumulative impacts on the highway network. For this reason, the Highway Authority offers no objection subject to the inclusion of planning conditions set out in Section 9 below.

7.7 Biodiversity and Ecology

- 7.7.1 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 make a 10% net gain a statutory requirement (with a standard condition). 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. The NPPF and accompanying PPG require the Council to achieve measurable net gains in biodiversity at development sites across the Borough. Policy SP12 of the Local Plan requires the protection of assets of ecological and biodiversity value.
- 7.7.2 The application is supported by a preliminary ecological appraisal, which assesses the site as having limited habitats and low suitability for notable species. No statutory or non-statutory nature conservation designations are present, all designations in the wider area are physically separated from the site, and therefore are unlikely to be adversely affected by the proposals. The Phase 1 habitat survey has established that the site is dominated by habitats not assessed to be of ecological importance, whilst the proposals seek to retain those features identified to be of value. The existing habitats have extremely limited potential to support protected species and it is concluded that they are likely absent, aside from nesting birds. Mitigation proposals are proposed to address this. As such, the proposals are unlikely to result in significant harm to existing wildlife.
- 7.7.3 A biodiversity net gain assessment has also been submitted alongside the application, using the latest statutory metric. The considerations and proposals set out in the Statutory Metric calculator indicates a net habitat biodiversity unit change for the proposals within the site boundary of +0.46 Habitat Units (representing a calculated gain of 19.94%) and +0.67

Hedgerow Units (representing a calculated gain of 99.88%) within the site boundary. These scores both exceed the statutory requirements, and weigh in favour of the application.

- 7.7.4 Having regard to the above, it is considered that the proposed development would have an acceptable impact on ecology and biodiversity. In this respect, the proposal accords with Policy SP12 of the Local Plan.

7.8 Trees and Landscaping

- 7.8.1 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.

- 7.8.2 The landscape strategy presents a great opportunity to create a strong green Infrastructure within the proposed built development. In response to surrounding green infrastructure, the site has proposed a series of green spaces on the western edge of the site, aiming to provide rich and diverse green infrastructure with multiple ecology benefits at the heart of the landscape proposal. Amenity planting and SUDS features form an integral strategy to enhance the biodiversity net gain, as well as to make positive impact on employees' wellbeing. The key principles of the landscape strategy are as follows:

- The landscape proposals have been developed in line with the vehicular / pedestrian routes to provide clear, attractive and legible access to the proposed building from Wedgwood Way and Cartwright Road.
- Proposed trees have been selected for their wildlife benefits as well as air quality improving features along the boundaries and edges of the site to foster existing trees and vegetation.
- A combination of native hedgerows, native shrub mix, groups of trees, ornamental planting and meadow mixes create an attractive, layered landscape providing a variety of habitats for wildlife.
- A series of communal gardens along the western edge of the site and the building with proposed seating elements provide a network of green spaces for employees and site users.
- Proposed tree planting along the vehicular access would create a visual buffer and amenity value.
- A 2.4 metre high weld mesh fence would wrap around the building to provide security. This would tie into the existing retained fence around the site periphery.

- 7.8.3 In total, 37 new trees are proposed throughout the site primarily around the perimeter. These would offset the loss of 5 trees (three category B and two category C) on the southern boundary that would be removed to achieve a neutral cut and fill strategy across the site. The category A English Oak would be retained as part of the proposals, and construction works would include careful mitigation.

- 7.8.4 The replacement tree palette has been carefully selected to provide seasonal interest, wildlife value, climate resilience and incorporate features that improve air quality. Along the edge of the site, a native mix of *Sorbus Sucuparia*, *Prunus Avium*, *Betula pendula* and *Acer camestree* have been proposed. Within the network of green space, trees comprise *Pyrus chaticleer* and *Liquidambar styracuflla*, *Carpinus betulus* 'Frans Fontaine', *Amelanchier Lamarckii* as well as *Prunus avium* to maintain a dialogue to surrounding context.

- 7.8.5 The planting strategy aims to create a naturalistic look to the site using a variety of native species to create a diverse landscape that is both aesthetic and beneficial to wildlife. The planting strategy for the site has been carefully considered working closely with the project ecologist to provide enhanced wildlife value. The scheme has deliberately moved away from providing large areas of non-native amenity shrubs and ground cover plants, instead using a mix of native wildflower grasslands for biodiversity.
- 7.8.6 In some localised places amenity shrubs have been specified to add impact and seasonal interest. A combination of native hedgerows, woodland mixes, groups of trees, ornamental planting and meadow mixes would create an attractive, layered landscape providing a variety of habitats for wildlife. A mixed species hedge has been selected to run around the periphery of the site along the fence boundary, creating a wildlife corridor for local fauna. The Rain Garden area would have wetland meadow mix with wet tolerant planting.
- 7.8.7 In terms of hard landscaping, a simple paving palette has been selected. Enhanced arrival space and pedestrian path around the building with permeable block paving have been proposed to create a welcoming atmosphere. Concrete paving to the service yard would provide an easily maintained, sturdy hard surface. Within the green space, a self-binding gravel path has been proposed to connect amenity features and existing green infrastructure. A seating area with timber picnic benches has been proposed within the central green space to encourage users to enjoy the sunny southerly aspect and views over the proposed pond. Within the site boundaries a suite of galvanised powder coated steel and timber furniture has also been proposed.
- 7.8.8 It is considered the overall landscaping and tree strategy is high quality and would create an attractive landscaped setting for the proposed building, with clear biodiversity and visual amenity benefits in accordance with policies SP12 and NH5 of the Local Plan (2019).

7.9 Flood Risk and Drainage

- 7.9.1 A Flood Risk Assessment and Drainage Strategy accompanies the application. The report reviews the drainage and flood risk issues associated with the proposed development and sets 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 surface water flooding is low. The development of the site for an employment use 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 The current development is served by a below ground surface water drainage network that outfalls unrestricted via a pipe to a Thames Water (TW) adopted manhole to the southeast of the site within the verge of Cartright Road. The TW sewer then flows west and connects to a larger sewer in Wedgwood Way and flows south. The foul drainage serving the current building

outfalls in a westerly direction to a TW foul sewer in Wedgwood Way that also flows south. The surface water drainage strategy involves restricting the proposed flow rate to satisfy Lead Local Flood Authority and TW policies for brownfield developments, and to ensure that the flood risk to the site and surrounding catchment is not increased by the development.

- 7.9.5 The Sustainable Drainage Systems (SuDS) hierarchy has been considered. The surface water runoff would be collected from the new impermeable areas and directed via the underground network through a geocellular attenuation tank located beneath the service yard, before outfalling into the existing private surface water drain that outfalls to the TW adopted surface water sewer. The peak rate of runoff would be restricted to the respective Greenfield runoff rates. The existing site is fully impermeable and discharges at an unrestricted rate. As such the proposed strategy provides a significant reduction in these pre-development discharge rates. A detailed Drainage layout with hydraulic calculations incorporating a climate change allowance of 40% have been prepared to support this approach. SuDS in the form of permeable paving for the car parking bays and a rain garden integrated into the layout to serve the office roof and external pathway would also be incorporated.
- 7.9.6 There would be no residual flood risk from the development site to the surrounding area due to the reduction in storm water flow rates. The development would not therefore increase the risk of flooding to other adjacent neighbourhoods. Out of chamber or gully flooding for the extreme 100 year plus climate change event may occur within the development site and is classed as exceedance flows. Flood water from this event would be contained within the lower lying yard areas of the development site and directed away from the proposed building. Foul flows would be collected by a new gravity network and discharge to the existing Thames Water foul water sewer via a new manhole to the southeast of the site.
- 7.9.7 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 delegate powers being granted to the Assistant Director of Planning and Regulation to impose any conditions advised on any response provided after the committee meeting.
- 7.9.8 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 Sustainable Construction and Climate Change

- 7.10.1 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.
- 7.10.2 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.

- 7.10.3 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.
- 7.10.4 Sustainability and energy saving features have been carefully considered within the design of the unit. This would be demonstrated through targeting a minimum 'Excellent' rating in the Building Research Establishment's Environmental Assessment Methodology (BREEAM). BREEAM considers a range of issues within the development of a building including energy and water consumption, ecology, waste, materials and the health and well-being of building users, amongst others. Therefore, a holistic approach to environmental protection and sustainability would be implemented.
- 7.10.5 Several sustainable features are proposed to be included within the design of the industrial units including photovoltaic panels and energy efficient lighting, heating and cooling to be installed to encourage reduced energy consumption above Part L Building Regulations. Water efficient sanitary ware would be specified, and cycle storage spaces (with green roofs) are to be installed, to encourage building users to consider sustainable travel to site. Electric car charging points would be provided to 20% of all spaces with the remaining 80% covered by passive provision for ease of future installation as demand grows. The sustainability approach undertaken within the built elements is echoed in the green opportunities proposed within the landscape areas for SuDs, amenity and biodiversity habitat creation (including green roofs to the cycle shelters).
- 7.10.6 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.
- 7.10.7 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.

7.11 Planning Obligations

- 7.11.1 The following planning obligations would be attached to any planning permission:
- Requirement to enter into a S278 Agreement of the Highways Act 1980 (covering access works)

- £6000 Travel Plan evaluation and support fee
- Local Employment and Apprenticeships
- Monitoring fee

7.11.2 The above obligations have been agreed with the applicant and Hertfordshire County Council as Highway Authority (where relevant) and would be secured via a Unilateral Undertaking, subject to planning permission.

7.12 Other Matters

Community Infrastructure Levy

7.12.1 Stevenage Borough Council adopted a Community Infrastructure Levy Charging Schedule on 1 April 2020. This allows the Council to collect a levy to fund infrastructure projects based on the type, location and floor space of a development, in line with the rates shown in the table below.

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

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

7.12.3 CIL replaces the need for S106 agreements to specify financial and/or land contributions for non-site-specific infrastructure projects. This allows infrastructure to be planned on a borough-wide scale rather than on a site-by-site basis as mitigation against the impacts of individual proposals. A CIL Form 1: Additional Information has been submitted along with the application. The development would be CIL liable at £0/m².

Human Rights and Equalities

7.12.4 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.

7.12.5 When considering proposals placed before Members it is important that they are fully aware of and have themselves rigorously considered the equalities implications of the decision that they are taking. Rigorous consideration will ensure that proper appreciation of any potential impact of that decision on the Council's obligations under the Public Sector Equalities Duty. As a minimum this requires decision makers to read and carefully consider the content of any Equalities Impact Assessment (EqIA) produced by officers.

7.12.6 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.

- 7.12.7 The proposal would provide disabled spaces in the most accessible carpark location, level access to all parts of the site and disabled toilets / internal lift to ensure the site is accessible to all. The proposed development would not have any material impact on persons with any of the protected characteristics listed under the Equalities Act.

8 CONCLUSIONS

- 8.1 This application seeks planning permission for the demolition of existing buildings and structures and construction of a new building for Use Classes E(g)(iii), B2 and B8 (flexible), including hard and soft landscaping, parking, access, servicing and associated works. The site is located within the designated employment area of Pin Green Industrial Estate, which is identified to deliver industrial and logistic uses. Therefore, the proposal is acceptable in principle.
- 8.2 Whilst the proposed floorspace exceeds the Pin Green floorspace cap of 3,000m², it would replace a building which already far exceeds this limit and does not result in the loss of smaller units. As such, it is a material consideration which allows an exception to policy in these specific circumstances.
- 8.3 The proposal would contribute significantly to modernising the employment floorspace in Stevenage, helping to address the identified shortfall in floorspace being delivered over the Local Plan period by intensifying the use of the site. The building has been designed to create a high-quality frontage onto the corner of Wedgwood Way/Cartwright Road with an active office frontage with glazing and framing, softened by new high-quality soft landscaping. The proposal would meet BREEAM Excellent as a minimum and would therefore be highly sustainable. Further, the proposal has been carefully designed so as to not cause undue harm to nearby residents, will not prejudice highway safety and would seek to deliver an uplift in biodiversity on this site.
- 8.4 Having regard to the above, the proposal is considered to accord with the development plan when read as a whole. In the absence of any other material considerations which indicate that permission should be refused, it is recommended that planning permission be granted.

9 RECOMMENDATION

- 9.1 That planning permission be GRANTED subject to the applicant having first entered into a Unilateral Undertaking to secure/provide contributions towards:
- S278 Agreement (covering access works)
 - £6000 Travel Plan evaluation and support fee
 - Local Employment and Apprenticeships
 - 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, along with the recommendations of the Lead Local Flood Authority, 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:

Conditions

1. The development hereby permitted shall be carried out in accordance with the following approved plans:
S090-CMP-SI-ZZ-DR-A-00001; S090-CMP-SI-ZZ-DR-A-00002 REV PL1; S090-CMP-SI-ZZ-DR-A-00030 REV PL1; S090-CMP-SI-ZZ-DR-A-00100 REV PL1; S090-CMP-SI-ZZ-DR-A-00202 REV PL1; S090-CMP-SI-ZZ-DR-A-00202 REV PL1; S090-CMP-SI-ZZ-DR-A-00255 REV PL1; S090-CMP-SI-ZZ-DR-A-00256 REV PL1; S090-CMP-SI-ZZ-DR-A-00260 REV PL1; S090-CMP-SI-ZZ-DR-A-00261 REV PL1; S090-CMP-SI-ZZ-DR-A-00800 REV PL1; S090-CMP-SI-ZZ-DR-A-00801 REV PL1; S090-CMP-SI-ZZ-DR-A-00802 REV PL1; S090-CMP-U1-00-DR-A-00100 REV PL1; S090-CMP-U1-00-DR-A-00120 REV PL1; S090-CMP-U1-01-DR-A-00101 REV PL1; S090-CMP-U1-02-DR-A-00102 REV PL1; S090-CMP-U1-02-DR-A-00122 REV PL1; S090-CMP-U1-DR-A-00121 REV PL1; S090-CMP-U1-RF-DR-A-00103 REV PL1; S090-CMP-U1-ZZ-DR-A-00200 REV PL1; S090-CMP-U1-ZZ-DR-A-00205 REV PL1; S090-CMP-U1-ZZ-DR-A-00206 REV PL1; S090-CMP-I1-ZZ-DR-A-00207 REV PL1; S090-CMP-U1-ZZ-DR-A-00250 REV PL1; S090-CMP-U1-ZZ-DR-A-00251 REV PL1; LN-LD-01
REASON:- For the avoidance of doubt and in the interests of proper planning.
2. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON:- To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).
3. No 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. No development shall commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The Construction Traffic Management Plan shall include details of:
 - i. Phasing of the development of the site, including all highway works;
 - ii. Construction vehicle numbers, type, routing;
 - iii. Fencing, hoarding and scaffolding provision;
 - iv. Traffic and pedestrian management requirements;
 - v. Construction storage compounds (including areas designated for car parking);
 - vi. On site welfare facilities;
 - vii. Siting and details of wheel washing facilities;
 - viii. Cleaning of site entrances, site tracks and the adjacent public highway;
 - ix. Timing of construction activities to avoid school pick up/drop off times; and
 - x. Provision of sufficient on-site parking prior to commencement of construction activities.**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).
5. Prior to the first use of the development hereby permitted, vehicular, pedestrian and cyclist access to and egress from the adjoining highway shall be provided and thereafter retained in accordance with the positions shown on drawing number 090-CMP-SI-ZZ-DR-A-00100 REV

PL1. The southern access point onto Wedgwood Way shall only be used for vehicles during emergency. Any other access(es) and 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.

REASON:- To ensure satisfactory access into the site in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

6. Prior to the first use of the development 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 and such splays shall thereafter be maintained at all times free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway.

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

7. Prior to the first 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, drawing number S090-CMP-SI-ZZ-DR-A-00100 REV PL1, 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).

8. The development shall ensure that arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

REASON:- To avoid carriage of extraneous material or surface water from or onto the highway.

9. If contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be 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.

REASON:- To ensure that the site does not pose any risk to human health and to ensure that the development does not contribute to unacceptable concentrations of pollution posing a risk to public water supply from previously unidentified contamination sources at the development site and to prevent deterioration of groundwater and/or surface water by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is completed.

10. The development to which this permission relates shall be carried out in accordance with the external materials specified on drawing number S090-CMP-U1-ZZ-DR-A-00200 REV PL1 submitted as approved or any alternative to be submitted to and approved by the Local Planning Authority.

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

11. All hard and soft landscaping shall be carried out in accordance with the approved details as shown in drawing number LN-LD-01 to a reasonable standard in accordance with the relevant British Standards or other recognised Codes of Good Practice.

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

12. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the completion of the development.

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

13. Any trees or plants comprised within the scheme of landscaping, which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless otherwise agreed in writing by the Local Planning Authority.
REASON:- To ensure a satisfactory appearance for the development.
14. No tree shown retained 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.
REASON:- To ensure the protection of those trees which should be retained in the interests of visual amenity.
15. The measures to address adaptation to climate change as set out within the Energy and Sustainability Strategy and BREEAM Pre-Assessment by MBA Consulting Engineers 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.
16. The rating level of noise emitted by all fixed plant on the site shall not exceed 42dB between 07:00 and 23:00 and 36dB between 23:00 and 07:00 hours at the noise sensitive premises identified in the Sharps Acoustics LLP report, dated 10 July 2024. The measurement and assessment shall be made according to BS 4142:2014+A1:2019.
REASON:- To safeguard the amenity of the surrounding area.
17. The recommended mitigation measures and enhancements set out within the Ecological Appraisal by Aspect Ecology dated July 2024 shall be implemented and permanently maintained in accordance with the approved details.
REASON:- To minimise harm to biodiversity and enhance the ecological value of the site.
18. 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.
19. The external lighting strategy set out within the External Lighting Assessment Report by MBA Consulting Engineers dated July 2024 and accompanying drawing number 24081-MBA-EX-00-DR-E-0001 REV PL2 shall be implemented and permanently maintained in accordance with the approved details.
REASON:- To minimise pollution of the environment and to protect foraging and commuting bats.
20. Should the end user of the building hereby approved fall within planning use class E(g)(iii) or B2, a parking layout plan shall be submitted to and approved by the Local Planning Authority prior to occupation.
REASON:- To ensure there is sufficient parking to serve the development.
21. The development shall not be occupied until confirmation has been provided that either:- 1. All surface water network upgrades required to accommodate the additional flows from the development have been completed; or 2. A development and infrastructure phasing plan has been agreed with the Local Authority in consultation with Thames Water to allow development to be occupied. Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan.

REASON: Network reinforcement works are likely to be required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid sewage flooding and/or potential pollution incidents.

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. The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website:
<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highwaysdevelopment-management.aspx>
2. Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website:
<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>
3. It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website:
<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highwaysdevelopment-management.aspx>
4. A Section 106 agreement will be required for the following: Approved Travel Plan with individual monitoring fees in accordance with the current HCC Travel Plan Guidance for Business and Residential Development (£6k per use). The above contributions will come under the auspices of the Planning Obligations Guidance Toolkit for Hertfordshire (2008) for schemes in the local area that accord with the three CIL tests.
5. 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-roadsandpavements/businessanddeveloperinformation/developmentmanagement/highways-development-management.aspx>

6. The proposed development is located within 15 metres of Thames Waters underground assets and as such, the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures. <https://www.thameswater.co.uk/developers/larger-scale-developments/planning-yourdevelopment/working-near-our-pipes> Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB.
7. 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.
8. 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.
9. 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).

10. 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. The Stevenage Local Plan 2011-2031.

3. Stevenage Borough Council Supplementary Planning Documents – Parking Provision and Sustainable Transport SPD (2020); Developer Contributions SPD (2021); Design Guide SPD (2023).
4. Hertfordshire County Council Local Transport Plan LTP4 2018-2031
5. Central Government advice contained in the National Planning Policy Framework 2023 and the National Planning Practice Guidance.
6. Responses to consultations with statutory undertakers and other interested parties referred to in this report.

Meeting: Planning and Development Committee

Agenda Item:

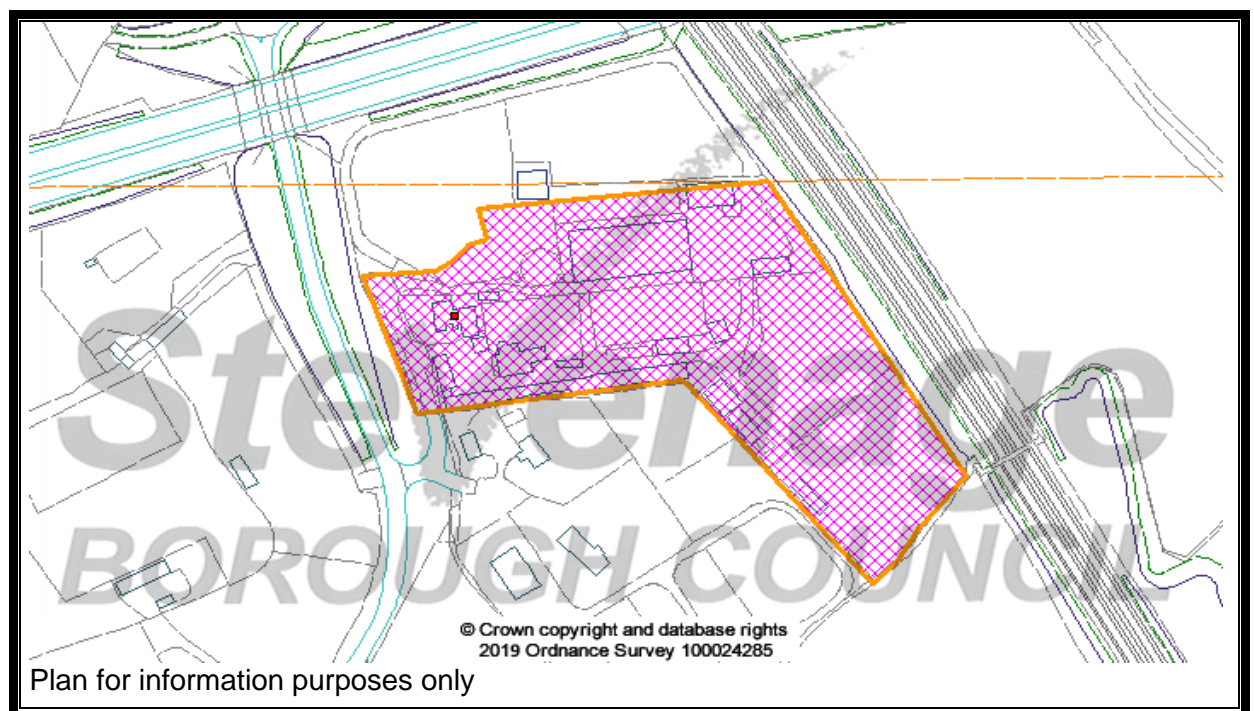
Date: 29 October 2024

Author: Linda Sparrow

Lead Officer: Zayd Al-Jawad

Contact Officer: Linda Sparrow

Application No :	23/00710/FPM
Location :	Courtlands, Todds Green, Stevenage, Herts, SG1 2JE
Proposal :	Redevelopment of existing stables to provide 17 dwellings with access road, parking, landscaping, footpath connections, infiltration basing and pump station
Drawing Nos.:	20528_P-11-001A PLOT 11; 20528_P-13-001A PLOT 13; 20528_P-00-001-A; 20528_P-00-002A SITE SECTIONS-A1; 20528_P-01-001A PLOT 1; 20528_P-02-001A PLOT 2; 20528_P-03-001A PLOT 3; 20528_P-04-001A PLOT 4; 20528_P-05-001A PLOT 5; 20528_P-06-001A PLOT 6; 20528_P-07-001A PLOT 7; 20528_P-08-001A PLOT 8; 20528_P-09-001A PLOT 9; 20528_P-10-001A PLOT 10; 20528_P-12-001A PLOT 12; 20528_P-14-001A PLOT 14; 20528_P-15-001A PLOT 15; 20528_P-16-001A; 20528_P-17-001A PLOT 17; Type 3 Pumping Station Layout; 20528-P-00-003;
Applicant :	SJM & Co Ltd
Date Valid:	25 September 2023
Recommendation :	GRANT PLANNING PERMISSION



1. SITE DESCRIPTION

- 1.1 The application site was previously in use as riding stables and a riding school and is located within the Green Belt. The site originally comprised a number of old buildings, some single storey, some two-storey, all of varying sizes, materials, colours and degree of wear and tear. There are two small dwellings within the site which have been used by the owners of the riding school. Large areas of the site were covered with hardstanding or were bare un-landscaped areas. The site is currently under development following grant of planning permission 21/00971/FPM.
- 1.2 To the north of the site is an extensive grassed paddock area with a large overhead power line, with the A602 highway beyond. There are a limited number of small trees within the site although the western site boundary with Old Chantry Lane is heavily landscaped with a dense mature tree belt and to the south of the site is the extensive area of St. Margaret's Wood. To the east of the site is the East Coast Mainline railway. To the south-west of the site is Chantry Farm which is a mixture of residential and commercial enterprises and the residential site of The Lodge. Further outside the site boundary to the south is the main hamlet of Todds Green which comprises a mixture of residential premises, along with farmsteads and stables; to the north of the A602 is the village of Little Wymondley. The remaining surrounding area is rolling agricultural fields.
- 1.3 The site is accessed from the main highway of Chantry Lane via the small access road of Old Chantry Lane which also serves The Lodge and Chantry Farm.
- 1.4 Footpath "Stevenage 085" runs east/west within the site close to the southern boundary. For reasons unclear, that footpath is presently not accessible from outside of the site. An informal footpath runs east/west beyond the south boundary which is that route presently used by those traversing the area. The proposal will reintroduce the ability to access the alignment of footpath 085 with the off-site pathway and provide links to and through the site via two new links.
- 1.5 Under planning permission reference number 21/00971/FPM, permission was granted in January 2023 for the redevelopment of the riding school to provide 17no. dwellings. This permission has been implemented and the re-development is well under way.

2. RELEVANT PLANNING HISTORY

- 2.1 08/00308/FP Demolition of 1no dwelling and erection of 1no. five bedroom and 2no. four-bedroom detached dwellings. Withdrawn 06.06.2008.
- 2.2 14/00307/CLEU Certificate of lawfulness for permanent use of land for the stationing of two residential caravans. Lawful Development Certificate Granted 11.09.2014.
- 2.3 15/00476/FP Retention of 2no. storage barns for equipment and feed. Permission granted 13.11.2015.
- 2.4 18/00072/FP Demolition of existing dwellinghouse and erection of 1 no. four bedroom detached dwellinghouse. Permission granted 11.04.2018.
- 2.5 18/00444/FP Proposed replacement of 1 no. four bedroom detached dwelling house. Permission granted 17.09.2018.
- 2.6 18/00637/COND Discharge of conditions 3 (materials); 8 (Boundary treatments); 11 (landscaping); and 13 (climate change) attached to planning permission reference number 18/00444/FP. Conditions discharged 03.12.2018.

- 2.7 18/00756/FP Variation of condition 1 (Plans) attached to planning permission reference number 18/00444/FP for the relocation and replacement with a larger mobile home. Permission granted 07.02.2019.
- 2.8 19/00698/FP Erection of 1no. 3 bedroom bungalow. Permission refused 23.01.2020. The reasons for refusal were as follows:
1. The erection of the bungalow represents inappropriate development which is harmful to the openness of the Green Belt. The applicant has failed to adequately demonstrate a case of very special circumstances to outweigh the harm caused to the Green Belt contrary to paragraphs 143, 144 and 145 of the National Planning Policy Framework (2019) and Policies GB1, GB2 and SP10 of the Stevenage Local Plan 2011-2031 (adopted 2019).
 2. The proposed development would have a harmful impact on the visual amenities of the wider rural countryside including the Green Belt. Consequently, the proposed development is contrary to Policies GB2, SP8 and GD1 of the Stevenage Borough Local Plan 2011-2031 (2019), the Council's supplementary planning document Stevenage Design Guide SPD (2009), the National Planning Policy Framework (2019) and the National Planning Practice Guidance (2014).
- 2.9 20/00142/FP Proposed detached dwelling to replace existing mobile home. Permission granted 30.04.2020.
- 2.10 20/00247/COND Discharge of condition 11 (landscaping) and 13 (climate change) attached to planning permission reference number 20/00142/FP. Conditions discharged 29.06.2020.
- 2.11 20/00307/NMA Non Material Amendment to alter window and doors including colour change of frames and external cladding attached to planning permission 20/00142/FP. Non-Material Amendment agreed 29.06.2020.
- 2.12 20/00308/NMA Non Material Amendment to change colour of external cladding and change of window and door frame colour attached to planning permission 18/00072/FP. Non-Material Amendment agreed 29.06.2020.
- 2.13 20/00581/COND Discharge of Condition 9 (flood risk assessment) and 10 (as built drainage details) attached to planning permission reference number 20/00682/FPM. Pending.
- 2.14 20/00668/COND Partial Discharge of condition 15 (Construction Plan and Method Statement) attached to planning permission reference number 19/00123/FPM 18.11.2020 Discharged.
- 2.15 21/00971/FPM Redevelopment of existing riding stables to provide 11no. three bedroom and 6no. four bedroom dwellings with associated access road, parking, landscaping, footpath connections, infiltration basin and pump station 10.01.2023 Granted.
- 2.16 22/00446/PADEMO Prior approval for the demolition of existing riding stables, paddocks and outbuildings, including foundations and ground slabs 01.06.2022 Prior Approval Not Required.
- 2.17 23/00202/COND Discharge of conditions 4 (construction management plan); 5 (site waste management plan); 6 (vehicular access); 7 (cycle and bin storage); 8 (parking spaces); 9 (EV charging points); 13 (ecological mitigation); 14 (bird & bat boxes and hedgehogs); 21 (tree protection measures); 24 (boundary treatments); 25 (contamination); 26 (contamination); 27 (contamination); 30 (acoustic fencing); 32 (water supplies & hydrants) and 33 (ground investigations & excavations) attached to planning permission reference number 21/00971/FPM Discharged.
- 2.18 23/00372/COND Discharge of conditions 24 (boundary treatments); 28 (external lighting) and 34 (construction methodology) attached to planning permission reference number 21/00971/FPM 05.04.2024 Discharged.

- 2.19 24/00040/COND Discharge of condition 12 (Climate Change) attached to planning permission reference number 21/00971/FPM. 27.02.2024 Discharged.
- 2.20 24/00178/AD Retention of 4.55m x 3m advertisement board within field boundary adjacent to J8 of the A1(M) 25.04.2024 Granted.
- 2.21 24/00279/COND Discharge of conditions 10 (drainage scheme); 11 (drainage scheme); 15 (soft and hard landscaping scheme); 20 (landscape management plan) attached to planning permission reference number 21/00971/FPM. Pending.

3. THE CURRENT APPLICATION

- 3.1. The application before the Council seeks planning permission for the erection of 11no. three bedroom and 6no. four-bedroom dwellings with associated access road, parking, landscaping, footpath connections, infiltration basin and pump station.
- 3.2. The application is a re-submission of the previously approved application under reference number 21/00971/FPM with the ground floor of each dwelling enlarged by 3m in depth. All other details remain the same as approved previously.
- 3.3. The application site is located within Green Belt and as the application is classified as a major housing scheme on a site not allocated for housing in the Local Plan, it is considered a departure from the development plan. Under planning permission 21/00971/FPM the principle of development of the site for housing in the Green Belt was agreed.
- 3.4. The application comes before the planning and development committee as it is a major residential scheme.

4. PUBLIC REPRESENTATIONS

- 4.1. The application was publicised by way of neighbour notification letters, a press notice and site notices.
- 4.2. Summaries of the comments received are outlined below:

12 Gilders, Sawbridgeworth

This development appears to be very similar to that already granted with reference 21/00971/FPM. That grant of permission included a condition for Swift and Bat boxes and Hedgehog highways. Please therefore apply a similar condition for this development.

5. CONSULTATIONS

5.1 Hertfordshire County Council Highways

- 5.1.1 Hertfordshire County Council (HCC) as Highway Authority's considers the likely increase in traffic movements at the access and junction with Chantry Lane, would not result in an unacceptable impact on highway safety, and the residual cumulative impacts on the road would not be severe. The site is within an accessible location with a range of modes available to all users. The site has been designed to encourage journeys by foot and cycle by providing a footway link to the existing footway network and beyond. Cycle provision will be provided in accordance with SBC standards. The internal layout has been designed in accordance with **MfS (Manual for Streets)** and accommodates a link to the footpath network. The scheme would have a minimal impact on the surrounding highway network generating 5-6 additional vehicles during the peak. The traffic would then dissipate further along the network.

- 5.1.2 There have been earlier applications which involve redevelopment of the stables to dwellings (21/00971/FPM - 17 dwellings and 21/02576/FP - Means of access in relation to proposed redevelopment of existing stables to provide 17 dwellings) and in both applications the HA did not wish to restrict the grant of permission subject to conditions. The HA has reviewed the revised Transport Statement and is satisfied that the approach, methodology, assessment, vehicle access layout and mitigation measures proposed, demonstrates and supports that the proposed development meets the required policy and design-led approach and consequently that the proposal is not likely to have any significant impact on parking demand, congestion or highway safety. The applicant has also stated that as part of these proposals and in order to connect the site to the existing footway network, it is proposed to provide a footway link from the site access south, to Stevenage Road. This provision will enhance pedestrian accessibility and safety of the site. This will require the applicant to enter into a section 278 agreement to address the footway provision and carriageway works joining to the adjacent local access road.
- 5.1.3 It is Hertfordshire County Councils policy to seek a planning obligation in respect of Sustainable Transport including for all developments. The revised NPPF -July 2021 (**Currently NPPF December 2023**) 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 county council will actively seek planning obligations which will improve sustainable transport facilities and services for passenger transport users who are using the development and generally for those users in the surrounding area. In addition to the strand 1 highway works outlined above, wider necessary / strand 2 highway measures are required. The headline figure as stated in our Toolkit is £6826 per dwelling (i.e., the average amount each new dwelling across the county needs to pay in order for the necessary new infrastructure to be delivered). Multiply this by 17 dwellings = £116,042.

5.2 Herts Fire and Rescue Service Water Officer

- 5.2.1 The application will require a condition for the provision of fire hydrants, to be provided and installed by the developer at no cost to the county or Fire and Rescue Services. This is to ensure the site has adequate supplies of water in the event of an emergency.

5.3 Sport England

- 5.3.1 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.

5.4 HCC Growth and Infrastructure Unit

- 5.4.1 18th October 2023: Based on the information to date, HCC would request financial contributions for primary education at £192,958.00 index linked, and monitoring fees for each trigger in the legal agreement at £340.00 per trigger. We will advise on Secondary Education in due course. We also reserve the right to seek CIL contributions.
- 5.4.2 20th October 2023: Upon review, Primary Education contribution request is withdrawn as was requested in error. The Secondary Education holding response remains in place and it applies to all new housing schemes in Stevenage. Since the previous planning application was approved, the funding strategy has changed and requires CC to request s106 contributions on all new applications. Discussions are ongoing between HCC and the Assistant Director of Planning and Regulation (Mr Al-Jawad) and we hope to agree the final position shortly.

5.5 Thames Water

- 5.5.1 Surface Water - we would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Waste Water and Sewage Treatment – we would not have any objection to the planning application based on the information provided. Water supply - this comes within the area covered by the Affinity Water Company.

5.6 The Environment Agency

- 5.6.1 No objections to the proposed development.

5.7 Natural England

- 5.7.1 No objection. Based on the plans submitted, we consider that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

5.8 SBC Environmental Health

- 5.8.1 Construction activities by their nature can be noisy and intrusive for neighbouring occupiers, particularly in terms of noise, vibration and air quality (dust). Noise and vibration can arise from piling operations, groundworks and excavation and plant and machinery and their associated activities. Early morning deliveries can also give rise to disturbance if not properly controlled and managed. Dust from site operations can also be an issue, particularly during periods of sustained dry weather. Environmental Health expects developers to control the impact from the construction phase of their development by implementing suitable mitigation measures and following best practices in accordance with BS5228:2009 Part 1 (Noise) and Part 2 (Vibration), where appropriate, Environmental Health also seeks to ensure that the environmental impacts of construction works are suitably controlled through their powers under Part III of the Environmental Protection Act 1990 (Statutory Nuisances) and Section 60 of the Control of Pollution Act 1974.
- 5.8.2 The proposed residential development will potentially be adversely affected by railway noise and road traffic noise from the A1(M) and A602. The submitted “Noise and Vibration Impact Assessment, Land at Courtlands Riding Stables”, Report reference J 04467R1 dated 7/9/2021 by Sound Planning Ltd has been reviewed. Appropriate Design Criteria have been selected for both noise and vibration and monitoring undertaken. Noise modelling has been used to determine noise levels across site. Noise mitigation measures were found to be required, specifically, enhanced glazing, mechanical ventilation and (see Appendix 9) a 2 metre high close-boarded fence, minimum mass 10 kg/sq m. Additional information has been provided via email (ref. email from Progress Planning dated 19th November 2021, application ref. 21/00971/FPM) - Drawings reference 14043-P034- D and P035-C. These emails state that triple glazed glazing will be implemented, in conjunction with openable windows; this is satisfactory in respect of proposed window design.
- 5.8.3 Conditions relating to construction hours, contamination, noise levels, window glazing, and a Construction Management Plan should be imposed.

5.9 Affinity Water

- 5.9.1 We have no comments to make regarding this application.

5.10 Network Rail

- 5.10.1 Following assessment of the details provided to support the above application, Network Rail has no objection in principle to the development, but below are some requirements which must be met, especially with the proximity of the development to high voltage overhead line equipment.
- 5.10.2 Due to the proximity of the proposed development to the operational railway boundary, it will be imperative that the developer liaise with our Asset Protection Team (contact details below) prior to any work taking place on site to ensure that the development can be undertaken safely and without impact to operational railway safety. Details to be discussed and agreed will include construction methodology, earthworks and excavations, use of crane, plant and machinery, drainage and boundary treatments. It may be necessary for the developer to enter into a Basic Asset Protection Agreement (BAPA) with Network Rail to ensure the safety of the operational railway during these works.
- 5.10.3 It is imperative that drainage associated with the site does not impact on or cause damage to adjacent railway assets. Surface water must flow away from the railway, there must be no ponding of water adjacent to the boundary and any attenuation scheme within 30m of the railway boundary must be approved by Network Rail in advance. There must be no connection to existing railway drainage assets without prior agreement with Network Rail.
- 5.10.4 Trespass onto the railway is a criminal offence. It can result in costly delays to rail traffic, damage to the railway infrastructure and in the worst instances, injury and loss of life. Due to the nature of the proposed development, we consider that there will be an increased risk of trespass onto the railway. It is imperative that planting and landscaping schemes near the railway boundary do not impact on operational railway safety. Where trees and shrubs are to be planted adjacent to boundary, they should be positioned at a minimum distance greater than their height at maturity from the boundary. Certain broad leaf deciduous species should not be planted adjacent to the railway boundary. Any hedge planted adjacent to the railway boundary fencing for screening purposes should be placed so that when fully grown it does not damage the fencing, provide a means of scaling it, or prevent Network Rail from maintaining its boundary fencing.
- 5.10.5 Where lighting is to be erected adjacent to the operational railway, the potential for train drivers to be dazzled must be eliminated. In addition, the location and colour of lights must not give rise to the potential for confusion with the signalling arrangements on the railway.
- 5.10.6 The Developer should be aware that any development for residential or noise sensitive use adjacent to an operational railway may result in neighbour issues arising. Consequently, every endeavour should be made by the developer to provide adequate soundproofing for each dwelling. Please note that in a worst-case scenario there could be trains running 24 hours a day and the soundproofing should take this into account.

5.11 Hertfordshire County Council as Lead Local Flood Authority (LLFA)

- 5.11.1 We maintain our objection to this planning application in the absence of an acceptable Drainage Strategy. In summary our main issues are no written evidence from Anglian Water to discharge to their combined sewer; parameters used in MicroDrainage Calculation Modelling; and SuDS management and treatment.
- 5.11.2 Officer Note: Updated drainage strategies have been forwarded to the LLFA, but no further responses have been received at the time of drafting this report. 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 delegate powers being granted to the Assistant Director of Planning and Regulation to impose any conditions advised on any response provided after the meeting.

- 5.11.3 A decision will not be issued until outstanding issues raised by the LLFA have been resolved. 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.

5.12 Anglian Water

- 5.12.1 Our records show that there are no assets owned by Anglian Water or those subject to an adoption agreement within the development site boundary. The foul drainage from this development is in the catchment of Ashbrook Water Recycling Centre that will have available capacity for these flows. If the developer wishes to connect to our sewerage network, they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection. If the developer wishes Anglian Water to be the adopting body, the proposed pumping station will need to be designed in accordance with the Design and Construction Guidance.
- 5.12.2 The surface water strategy submitted with the planning application relevant to Anglian Water, outlined in submitted document SUSTAINABLE DRAINAGE STRATEGY ADDENDUM NO.1 21100- FCE-XX-XX-RP-D-0002, is unacceptable as the LLFA have not confirmed that a strategy involving discharge of surface water to a designated foul sewer is acceptable. Anglian Water are therefore unable to assess this drainage proposal at this stage. We would therefore recommend that the applicant consults with Anglian Water. Further assessment is required to establish whether network reinforcement is required, please note that this assessment and any necessary reinforcement work will be at the developers cost.

5.13 Herts County Council Waste and Minerals

- 5.13.1 In relation to minerals, the site is not located within the 'Sand and Gravel Belt' as identified in Hertfordshire County Council's adopted Minerals Local Plan 2002 – 2016. Whilst the development does not fall within the Sand and Gravel Belt, British Geological Survey Data does identify that there could potentially be some sand and gravel deposits beneath the proposed development site. A development of this nature would require consideration of the need to minimise wastes generated during demolition, construction and subsequent operational phase of the proposed development, encouraging the re-use of unavoidable waste where possible and the use of recycled materials where appropriate. The County Council, as Waste Planning Authority would expect to see a SWMP prepared to support this project. The SWMP must be prepared and agreed in consultation with the Waste Planning Authority prior to commencement of the development. The SWMP must be implemented throughout the duration of the development, from initial site preparation works, through final completion of the construction phase, and during the operational phase of the proposed development.

5.14 Wymondley Parish Council

- 5.14.1 No comments received.

5.15 SBC Arboricultural and Conservation Manager

- 5.15.1 No comments Received. However, details of the landscaping strategy have been agreed by the Arboricultural Manager under separate applications for discharge of conditions attached to the 2021 planning permission.

5.16 North Hertfordshire District Council

- 5.16.1 No comments received.

5.17 UK Power Networks

5.17.1 No comments received.

5.18 National Grid

5.18.1 No comments received.

5.19 Herts Police Crime Prevention Design Advisor

5.19.1 No comments received.

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 Central Government Advice

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 In order for a Local Plan to be effective, they need to be kept up-to-date. The NPPF states policies in local plans should be reviewed to assess whether they need updating at least once every 5 years. This is reflected under Regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) which sets out local planning authorities must review local plans every 5 years from their adoption to ensure that policies remain relevant and effectively address the needs of the local community.
- 6.2.4 The Stevenage Borough Local Plan (2011 – 2031) was formally adopted by the Council on the 22nd May 2019. As of the 22nd 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.
- 6.2.5 The Council is undertaking a review of the Local Plan and is undertaking a Regulation 18 consultation. Following this consultation period, the Council will seek to amend the Local Plan and then undertake a Regulation 19 consultation in the Winter of 2024. This will be where a further opportunity for representations can be made on the amendments to the Local Plan before it is submitted for examination to a planning inspector. The Council intends to submit the Local Plan for Examination in Public (EiP) in early 2025 with the aim to adopt an updated Local Plan by June 2025. As the updated Local Plan progresses through the relevant stages outlined above, more weight can be applied to the respective policies until its formal adoption by the Council.
- 6.2.6 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 11d) of the NPPF. The latest HDT results published by the Department for Levelling Up, Housing and Communities (DLUHC) in December 2023 identifies that Stevenage delivered 57% of its housing requirement.
- 6.2.7 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.
- 6.2.8 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.
- 6.2.9 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 in order 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 2011-2031 (Adopted 2019)

- 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 SP10: Green Belt
Policy SP11: Climate Change, Flooding and Pollution
Policy SP12: Green Infrastructure and natural environment
Policy IT4: Transport Assessments and Travel Plans
Policy IT5: Parking and Access
Policy HO1: Housing Allocations
Policy HO5: Windfall Sites
Policy HO6: Redevelopment of Existing Homes
Policy HO7: Affordable Housing Targets
Policy HO8: Affordable Housing Tenure, Mix and Density
Policy HO9: House Types and Sizes
Policy HO11: Accessible and Adaptable Housing
Policy GD1: High Quality Design
Policy GB1: Green Belt
Policy GB2: Green Belt Settlements
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 NH2: Wildlife sites
Policy NH5: Trees and Woodland
Policy NH7: Open Space Standards

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).

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

- 6.7.1 The following supplementary planning documents are relevant to determining the application:

Parking Provision Supplementary Planning Document (October 2020)
 Stevenage Design Guide Supplementary Planning Document (January 2023)
 Developer Contributions Supplementary Planning Document (March 2021)
 Impact of Biodiversity on Developments Supplementary Planning Document (March 2021)

6.8 Community Infrastructure Levy Charging Schedule

- 6.8.1 Stevenage Borough Council adopted a Community Infrastructure Levy ("CIL") Charging Schedule in 2020. This allows the Council to collect a levy to fund infrastructure projects based on the type, location, and floor space of a development.

7. APPRAISAL

- 7.1.1 The main issues for consideration in the determination of the application are its acceptability in land use policy terms including the principle of development in the Green Belt, Impact on visual amenity of the Green Belt, Impact on amenities, parking provision, means of access and highway safety, trees and landscaping, impact on the environment, development and flood risk and ecology and protected species.

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

7.2 Land Use Policy Considerations

- 7.2.1 The NPPF (2023) 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 in favour of sustainable development".

- 7.2.2 Paragraph 63 of the NPPF requires that the planning system should deliver, inter alia, a mix of housing particularly in terms of tenure and price to support a wide variety of households in all areas. Paragraph 70 of the NPPF 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.

- 7.2.3 Paragraph 69 of the NPPF states that planning policies should identify a supply of specific deliverable sites for years one to five of the plan periods, and specific deliverable sites or broad locations for growth, for years 6 to 10 and where possible, for years 11 to 15. Paragraph 77 of the same document states that "Local Planning Authorities should identify and update annually

a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies", where, under paragraph 76 the Local Planning Authority's adopted plan is more than five years old.

7.2.4 Paragraph 123 of the NPPF stipulates that planning policies and decisions should promote the effective use of land in meeting the need for homes such as through the use of brownfield sites (previously developed land) and the development of underutilised land.

7.2.5 Paragraphs 75 and 78 of the NPPF stipulates policies should include a trajectory illustrating the expected rate of housing delivery over the plan period, and all plans should consider whether it is appropriate to set out the anticipated rate of development for specific sites. Local Planning Authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their local housing need where the strategic policies are more than five years old. The supply of specific deliverable sites should, in addition, include a buffer (moved forward from later in the plan period) of:

- a) 5% to ensure choice and competition in the market for land; or
- b) 10% where the Local Planning Authority wishes to demonstrate a five year supply of deliverable sites through an annual position statement or recently adopted plan, to account for any fluctuations in the market during that year; or
- c) 20% where there has been significant under delivery of housing over the previous three years, to improve the prospect of achieving the planned supply.

7.2.6 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.

7.2.7 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 relevant to determine this application 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.

7.2.8 Accordingly, as the Council has failed to meet its HDT, this application for new housing will assist the Council in meeting its housing delivery targets, and in meeting its affordable housing delivery targets. The following sections of this report will balance this presumption in favour of sustainable developments against the impacts of development.

Principal of Development in the Green Belt

7.2.9 National policy relating to Green Belt land is set out at chapter 13 of the NPPF. In summary, there is a presumption against the construction of new buildings within the Green Belt, which is to be considered as inappropriate development unless expressly exempted by paragraph 154. Inappropriate development should not be approved unless very special circumstances exist such that the harms arising from the proposal are clearly outweighed by other considerations. Local Plan policies SP10 and GB1 define the spatial extent of the Green Belt within the Borough and state the Council's intention to determine relevant applications in accordance with national policy. Policy GB2 sets out specific criteria for residential development in and around Todd's Green. Paragraph 154 of the NPPF sets out the exceptions to inappropriate development in the Green Belt; the most pertinent of these in relation to the proposal is subsection (g):

- g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:

- not have a greater impact on the openness of the Green Belt than the existing development; or
- not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

7.2.10 The second element of 154(g) therefore applies; the development would re-use previously developed land and, as secured under the previous 2021 application, deliver 6no. affordable housing units (35% of total units) off-site at Dunn Close (Planning permission 21/00944/FPM) which is nearing completion. The assessment therefore turns to whether or not the development would cause substantial harm to the openness of the Green Belt, noting that a lower level of harm would be deemed acceptable per the limitations of paragraph 154(g). This assessment can be made on both a spatial and visual basis, taking account of the quantifiable development as well as its visual impact on Green Belt openness.

7.2.11 Whilst there is a presumption in favour of sustainable development, this is balanced against the consideration of the proposal being inappropriate development in the Green Belt and whether it would comply with any of the defined exceptions to inappropriate development within the NPPF. Under planning permission 21/00971/FPM, it was assessed that the re-development of the site was compliant with paragraph 154(g) and there was no requirement to demonstrate very special circumstances. As this application is a re-submission of that application, with only the addition of 3m deep single storey extensions to the rear of each dwelling, there is no change to the previous conclusion.

7.2.12 The application site is located within the Metropolitan Green Belt with no statutory designations for landscape character or quality covering the site. Proposals within the Green Belt are assessed against the guidance set out in Section 13 of the NPPF in addition to the Council's own Green Belt policies. Policy GB1 of the Local Plan (2019) sets out the areas of designated Green Belt on the proposals map which the application site forms part of. Policy GB2 of the same document stipulates that planning permission for small scale infillings, conversions within or adjacent to areas such as Norton Green and Todd's Green, will be permitted subject to the following criteria:-

- a) The development is previously developed land or it does not create more than 5 additional dwellings;
- b) The development will be sympathetic to its surrounding environment (including the adjacent countryside) and will not negatively impact upon the character and appearance of the area;
- c) The development reflects surrounding properties in terms of size, scale and design; and
- d) No features essential to the character of the area will be adversely affected.

7.2.13 Further to the above, Policy GB2 goes on to state that the partial or complete redevelopment of previously developed land, even if it goes beyond the strict definition of infilling, will also be permitted in Norton Green and Todds Green subject to conditions b) to d) being met. The development is classified as major development within the Green Belt; therefore regard must be had to points b) and d). The proposal seeks to deliver 17 dwellings which exceeds the 5 dwellings stated in a), but it is previously developed land as also required by criterion a) of Policy GB2.

7.2.14 The surrounding character of Todds Green is an area heavily defined by large, detached aspirational dwellings and it is considered that the proposed development of 17 detached aspirational dwellings is in keeping with, and sympathetic to, the surrounding character.

7.2.15 For the purpose of clarity, the definition of previously-developed land, as stated within the NPPF (2023), is "land which is or was occupied by a permanent structure including the curtilage of the developed land and any associated fixed surface infrastructure".

7.2.16 As identified under Policy GB2 (Green Belt Settlements) it can be argued that the site falls within the "defined village of Todds Green" which is washed over by Green Belt. The supporting text to this policy states that there are exceptions to building in the Green Belt, which includes limited infilling in villages and the partial or complete redevelopment of brownfield sites. Furthermore, this supporting text identifies Todds Green as one of the broad locations where aspirational homes would be appropriate. Policy HO9 of the Local Plan (2019) states that aspirational houses are low density detached dwellings with four bedrooms and two bathrooms, sited on larger plots with a built footprint in excess of 100sqm and has a rear garden area of at least 200sqm. Whilst 11 of the dwellings only contain 3 bedrooms, they meet the remaining requirements of size and garden size to be considered larger than standard housing and therefore would be more aspirational.

Amount

7.2.17 In terms of the quantifiable amount of development proposed, the previous use of the site as riding stables occupied approximately 2,543sqm of built footprint. Under the previously approved application, the proposed built footprint was approximately 1,400sqm. This current application seeks to enlarge the footprint of the dwellings such that the proposed footprint would be approximately 1,745sqm.

7.2.18 Under the previously approved application, the built footprint of the proposal was 45% lower than the original riding school. Under the current proposal, the built footprint, whilst a 25% increase on the previously approved scheme, would still remain approximately 30% lower than the original riding school use. The siting, number, and height of the proposed dwellings remains the same as previously approved.

7.2.19 Whilst the scheme would see an increase in built footprint from that which was previously approved, the site layout, number, and height of the proposed dwellings remains the same as previously approved. The layout is designed to minimise the sprawl of development and therefore minimise the impact on Green Belt openness. The increase in built form over that which was previously approved is not significant and from a purely quantitative prospect, could not be considered to result in substantial harm.

7.2.20 The previously approved scheme, and the current proposal, both see a significant reduction in the volume of hardstanding that previously existed on the site when it operated as a riding school. Some of this hard standing would be given over to residential gardens, and a large wildflower meadow would be created at the northern end of the site. This overall reduction is considered to be a significant positive intervention that would not therefore result in substantial harm.

Intensification of Use

7.2.21 In terms of intensification of use, the previous use as a commercial equestrian stables would have amounted to a moderate amount of movements to and from the site with limited intensity of activities.

7.2.22 Under the previously approved planning application, the redevelopment of the site to 17 dwellings would see an intensification of use, with 17 dwellings resulting in an estimated 83 two-way movements per day as stated in the submitted Transport Statement. The Transport Assessment calculated that the previous use generated 51 two-way movements per day. The proposal is therefore likely to result in a daily increase of 32 two-way vehicle trips with a perceived intensity of use as a result. This was concluded to result in a moderate amount of harm to the Green Belt. The current proposal does not alter the number of dwellings, or vehicle movements, from that which was previously approved and therefore the current proposal is not considered to conclude differently to that which has previously been found to be acceptable.

Visual Impact on the Green Belt

- 7.2.23 The assessment now turns to the visual impact on Green Belt openness, with particular regard to the increased volume and impact on views through the site. Assessments of impact on Green Belt openness are a matter of planning judgement.
- 7.2.24 As previously noted, there would be an increase in built form above ground level. The proposed dwellings are arranged around the new residential road. This new road curves through the site roughly north of the siting of the majority of the previous buildings, whilst 10 of the proposed dwellings would occupy the site of the majority of the previous buildings. The largest building at the north of the site would be replaced with an extensive open area of wildflower meadow.
- 7.2.25 Plots 1-10 are sited where the previous volume of built form was sited, though it is acknowledged that the smaller outbuildings were of single storey height and the replacement 2.5 storey dwellings are taller. It is also noted that plots 11-17 are sited on areas where there was no existing volume of built form.
- 7.2.26 In terms of impact on views, views through the site from Chantry Lane are very limited due to the dense tree belt that runs along the road to the west of the site and that the site is located behind the dwelling known as The Lodge and the mixed use residential and commercial site of Chantry Farm. This tree belt falls outside of the red line plan so is not within the ownership of the applicant and would not therefore be removed as part of the development. Views of the dwellings would likely be possible from The Lodge and Chantry Farm although their boundaries appear to be bounded with dense, tall hedging.
- 7.2.27 The site would also be visible from the public right of way to the south of the site, leading to Halfpenny Bridge over the mainline railway which runs along the eastern boundary of the site. In this regard, the layout of the site has been designed to allow views through the site towards the wild meadow at the north of the site along the new road. The dwellings have been placed either side of the road so that views from this public vantage point are mostly unobstructed.
- 7.2.28 As previously noted, the site layout goes some way in arranging the built form around the previous buildings, and dwellings would largely be sited on the previous footprint of hard standing. There would be some sprawl of built form on the eastern side of the site due to the siting of plots 11-17, where there were no previous structures. The dwellings obstruct some views looking north from the public footpath and results in moderate harm to Green Belt openness on part of the site.
- 7.2.29 Having duly considered the quantum of development, intensification of use and visual impact on openness, the previously planning application identified moderate harm. The increase in volume was considered to be minor, and there has been a considerable reduction in hard standing and footprint across the site with a substantial amount of landscaping proposed, including the re-landscaping of a large area to the north with a wildflower meadow. The visual impact on Green Belt openness from the public footpath was the main point of concern.
- 7.2.30 As required by Paragraph 154(g) and Policy GB2 of the Local Plan, development would not be inappropriate in the Green Belt when it would not cause substantial harm to the openness of the Green Belt, where development would re-use previously developed land and contribute to meeting an identified affordable housing need. A lower level of harm is therefore acceptable.
- 7.2.31 Taking all the aforementioned into account, it is not considered that the proposed Increase in built form from that which was previously approved would warrant a different conclusion to that which was reached under the previous application. Having regard for the aforementioned assessment of the proposal, the creation of 17 dwellings, which whilst exceeding the 5 dwelling quota under Policy GB2(a), it would accord with that policy in that the development would be on previously developed land. In addition, it has been found to be an acceptable level of infill

development which will have a less than substantial impact on the Green Belt. Further it would assist the Council in meeting its HDT and affordable housing targets. Therefore, the development is considered to comply with exception 154(g) and Policy GB2 of the Local Plan and would be acceptable development within the Green Belt.

Assessment in accordance with the Council's Housing Policies

- 7.2.32 Turning to the adopted Local Plan (2019), the site is unallocated and is therefore, regarded as a 'windfall site'. Policy HO5 (windfall sites) stipulates that proposals should not prejudice the Council's ability to deliver residential development on allocated sites, do not overburden existing infrastructure and are on previously developed land or small underused urban sites.
- 7.2.33 As previously stated above, the siting of the dwellings is on the footprints of the previous buildings and consequently it is considered that the development constitutes development of previously developed, brownfield land. It is important to note that the Council is unable to meet its Housing Delivery Test requirement under the NPPF as set out above and as such there is a presumption in favour of sustainable development towards the requirement to deliver additional housing where great weight must be given.
- 7.2.34 Residential developments on windfall sites must have a good level of access to local facilities. The site is approximately 1.5km to the Sainsbury's supermarket on Hitchin Road. Three secondary schools and two primary schools are within 2km of the site. The historic Old Town is within a 10 minute vehicle journey/30 minute walk and provides a host of facilities for future residents. At present there are no bus routes linking the village of Todds Green with Stevenage town centre, and the closest bus stop is over 1km away at the Lister Hospital. As such, the application site is considered to have a poor level of access to alternative forms of transport to the motor car and only a reasonable level of access to local facilities and education sites. Therefore, the site is not considered to be in a highly sustainable location.
- 7.2.35 Criterion (c) of Policy HO5 states that there should be no detrimental effect on the environment and the surrounding or adjoining properties. This issue will be assessed in detail in the following sections considering the impact on the character and appearance of the Green Belt and wider area and the impact on neighbouring amenity.
- 7.2.36 Finally, criterion (d) of Policy HO5 of the Local Plan requires proposals not to prejudice the Council's ability to deliver residential development on allocated sites. The site is not located near any allocated housing sites. In this regard, the development is not considered to be contrary to the aforementioned policy.
- 7.2.37 Policy SP2 (Sustainable Developments) states permission will only be granted where proposals can meet a number of criteria. Included in these criteria are the following:
- Deliver homes or jobs that make a positive contribution towards the targets in the Local Plan;
 - Make good use of land and maximise opportunities for brownfield redevelopment within the town;
 - Regenerate areas of the town that are under performing;
 - Provide a mix of homes for all sectors of the community;
 - Improve quality of life and make sure that residents share in the benefits of regeneration;
 - Promote journeys by bus, train, bike and foot and reduce the need to travel;
 - Make high quality buildings and spaces that respect and improve their surroundings;
 - Produce places and spaces that enable people to live a healthy lifestyle; and
 - Protect and improve important open spaces, wildlife sites and habitats.
- 7.2.38 Looking at the site itself in terms of its allocation in the Local Plan, it is a brownfield site within the Green Belt currently under construction for 17 dwellings. The proposed development is seeking to erect 11no. three bedroom and 6no. four-bedroom detached dwellings with

associated access road, car parking, landscaping, footpath connections, infiltration basin and pump station.

- 7.2.39 The proposal fails to meet some of these aforementioned criterion of Policies HO5 and SP2 as the site is not located near to a bus route or the Stevenage train station; the main facilities and services of Stevenage are some distance away; and there are no primary facilities within the village of Todds Green so that future occupiers would likely travel into Stevenage via car.
- 7.2.40 However, under planning permission reference number 19/00123/FPM (Land West of the A1(M) at Todds Green) which was approved in September 2020, the developer of that site agreed to a financial contribution in their legal agreement to provide a new bus stop at their development which would allow Arriva services 8 and 9 to extend into the outer Todds Green area. Whilst the exact location of the new bus stop is not presently known, it will be approximately 600m-800m from the application site which is considerably closer than the present closest stop at around 1km.
- 7.2.41 There are two public Rights of Way close to the site – “Stevenage 086” connects Old Chantry Lane to the footpath on the northern side of Stevenage Road and also connects to “Stevenage 085” which borders the site to the south and connects to the large roundabout at Corey’s Mill/Junction 8 of the A1(M). The applicant has included a new footpath link within the site which will connect to these Rights of Way and thus improve cycle and pedestrian access to the site to encourage a modal shift away from the motor vehicle. Each dwelling will have cycle storage facilities in the garages.
- 7.2.42 Accordingly, whilst the site could not generally be categorised as being in a sustainable location for non-car modes of transport at present, the improvements to be made together with the new bus stop to be provided by another nearby development, it is considered, on balance, that the site will become more sustainable after completion than previously and would therefore be acceptable in this regard.
- 7.2.43 Policy SP7 identifies that there is a need to provide 7,600 new homes within Stevenage and this policy allocates 1,950 new homes to be provided elsewhere in the Borough. Taking this into consideration, the proposed development would support the Council’s ambition in delivering a number of homes which fall outside the designated sites. Setting aside the impact upon the character an appearance of the area and the amenities of the adjoining properties, which are considered elsewhere in this report, the application is considered to be acceptable in land use policy terms.
- 7.2.44 In respect to Policy HO9 (House types and sizes) of the adopted Local Plan (2019), this seeks to provide a more even mix of housing supply with both smaller dwellings and larger aspirational dwellings. As the proposed development seeks to deliver larger aspirational 3 bed and 4 bed detached dwellings it would accord with this policy.

7.3 Affordable Housing Provision and S106 Contributions

- 7.3.1 Chapter 5 of the NPPF outlines the need for affordable housing (AH) and paragraph 65 suggests a minimum of 10% AH on any major development site. Policy HO7 of the Local Plan stipulates a target level of 25% on previously developed sites. Based on 17 dwellings at this site, this would equate to 4.25 units, rounded up to 5. However, the applicant is providing a 35% provision of 6 units.
- 7.3.2 Policy HO8 of the Local Plan stipulates that of the 25% AH provision, at least 70% should be for rent and the remaining a tenure agreed with the Council’s Housing team. The application informs that no Affordable Housing is proposed on site.
- 7.3.3 As the site is located within the Green Belt, in order to meet the requirements of Policy GB2, it has been necessary to design the site with fewer but larger aspirational dwellings to reflect the

character of Todds Green village. To this end, it would not be appropriate to include smaller affordable housing units. This is considered an acceptable argument and the provision of 6 units exceeds the full 25% AH housing requirement off-site.

- 7.3.4 The affordable housing provision of 6 units was secured through a Section 106 Legal Agreement attached to the previously approved application (21/00971/FPM) and has already been delivered at Dunn Close (21/00944/FPM). In this regard, the Council is satisfied that the proposal is acceptable in this regard.
- 7.3.5 Financial contributions were also required in line with the Developer Contributions Supplementary Planning Documents (2021). In this regard, only a contribution to be made towards the Local Training Fund if target employment of Stevenage residents is not met was required. This was secured via the Section 106 Legal Agreement attached to 21/00971/FPM and is not required to be secured a second time.
- 7.3.6 Hertfordshire County Council as Highways Authority have advised that it is their policy, since 22 June 2021, to seek financial contributions under Strand 2 of their Developer Toolkit for sustainable transport for all new developments. In this instance they are requesting a contribution of £116,042.00.
- 7.3.7 It should be noted that this application is a direct re-submission of 21/00971/FPM (received in September 2021 and granted permission in January 2023) with only the footprints of each building increasing slightly. HCC Highways did not request this financial contribution under the previous scheme, which has already been implemented. Given the extensive highways improvements works already agreed under the previous application for new footpaths linking the site to Stevenage Road, the Council will not be seeking this contribution as they do not meet the three tests set out under Reg122 of the CIL Regulations.

7.4 Design, Layout and Impact on Visual Amenity

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 The site is currently under construction for 17no. dwellings as approved under planning permission 21/00971/FPM. Prior to this, it was in use as horse riding school. Prior to re-development of the site, large areas of the site were covered with hardstanding or were bare un-landscaped areas. To the north of the site is an extensive grassed paddock area with a large overhead power pylon with the A602 highway beyond. There were a limited number of small trees within the site although the western site boundary with Old Chantry Lane is heavily landscaped with a dense mature tree belt and to the south of the site is the extensive area of St. Margaret's Wood. To the east of the site is the East Coast Mainline railway. To the south-west of the site is Chantry Farm which is a mixture of residential and commercial enterprises and the residential site of The Lodge. Further outside the site boundary to the south is the main hamlet of Todds Green which comprises a mixture of residential premises, along with farmsteads and stables; to the north of the A602 is the village of Little Wymondley. The remaining surrounding area is rolling agricultural fields.
- 7.4.6 The current application is a direct re-submission of the previous application and proposes 11no. three bedroom and 6no. four bedroom detached aspirational dwellings with an extensive area of wildflower meadow to the north of the site. The submitted site layout plan indicates a good level of trees and soft landscaping to be retained around the site, and a pump station at the south of the site to be enclosed with fencing.
- 7.4.7 The site comprises a central road through the centre of site from west to east and then north to south with the dwellings arranged along this road on the southern and eastern side.
- 7.4.8 There are four different housing types with the proposed houses varying between 13sqm and 21sqm larger in footprint than previously approved. The dwellings are all 2.5 storey in height which is considered an acceptable height in relation to the surrounding areas. It should be noted here that the proposed dwellings only differ from the previously approved dwellings by way of a large footprint which has enabled a separate utility room, with external door, to be included and a larger family room/kitchen at the rear. All other aspects of the previously approved dwellings remain unchanged and for purposes of continuity, the following paragraphs on design and appearance are a direct copy of the previous report.
- 7.4.9 In terms of materials, the following table sets out the details as submitted. The dwellings are being constructed with either Multi-Red facing brick or Multi-Brown facing brick with a combination of clay terracotta roof tiles to the main dwelling and Natural Blue Slate to other roof areas.

	House Types 1a and 1c	House Type 1b	House Type 2a	House Type 2b
Main Roof	Clay terracotta tiles	Blue slate	Clay terracotta tiles	Blue slate
Additional Roofs	Blue slate	Render to dormers	Blue slate	Render to dormers
Walls	Multi-brown facing brick with black horizontal cladding with areas of painted render	Multi-red facing brick with Oyster White horizontal cladding	Multi-brown facing brick with black horizontal cladding	Multi-red facing brick with Oyster White horizontal cladding and areas of white painted render
Windows	White uPVC	White uPVC	White uPVC	White uPVC
Doors	Light wood	Black	Light wood	Black
Rainwater Goods	Black	Black	Black	Black

- 7.4.10 House types 1a, 1b and 1c are the three bedroom units and all have similar internal layouts with a large separate living room at the front of the property and a family room/kitchen at the rear with patio doors into the garden. All have an attached single garage with an office space over which is accessed from the first floor of the house. At first floor there are two double bedrooms each with en-suites and a small landing area to access the main master bedroom on the second floor which also has its own en-suite.
- 7.4.11 House types 2a and 2b are the four bedroom units and have the same internal layout of a large living room at the front of the property with a staggered open plan kitchen and family room at the rear with patio doors opening to the rear garden. All have an attached single garage with an office space over which is accessed from the first floor of the house. At first floor there are two double bedrooms, and a single bedroom with an en-suite bathroom. There is also a separate bathroom and a small landing area to the second floor which contains the master bedroom with en-suite bathroom.
- 7.4.12 All house types have the same ridge height of 9m and both house types 2a and 2b have the same ridge height of 8.2m high on the two storey side element. House types 1a, 1b, 1c and 2b all have a dual pitched roof with a gable fronted element to the rear elevation whilst house type 2a has a cross-gable roof design to the main element and dual pitched roof to the two storey side element. All garage roofs are 6.9m high to the ridge with a dual pitched roof and contain one dormer to each of the front and rear elevations.
- 7.4.13 House type 1a has two flat roof dormers to the front roof slope and one flat roof dormer to the front and rear of the garage; house type 1b has two dual pitched dormers to the front elevation and one each to the front and rear of the garage; house types 1c and 2b have one central dual pitched dormer to the front roof slope and one each to the front and rear of the garage and house type 2a only has dual pitched dormers to the garage. Whilst some of the dormer windows are not set down from the main ridge, they have been kept relatively small and, where there are two, they have been vertically aligned with the fenestrations and where there is only one, this has been centrally positioned in the roof slope. Consequently, these windows have been designed to appear proportionate in scale and form within the roof slope and as such, not appear overly dominant in the street scene. At the rear, a single centrally positioned window at second floor would serve either the bathrooms or bedroom depending on internal layout between plots.
- 7.4.14 It is noted that there is diversity in the style and architectural form of the dwellings in the vicinity of the proposal site within Todds Green. The proposed dwellings would be of dark and light facing brick, terracotta clay and blue slate roof tiles and horizontal cladding with rendered elements, incorporating materials that are sympathetic to the history of the site as an agricultural/equestrian usage. Furthermore, the area retains no uniform character in terms of

design or materiality and therefore the design of the proposed dwellings would respond well to the rural and agrarian character of the site. Therefore, it is considered that the proposed materiality and design of the dwellings would not appear out of keeping with the immediate surroundings.

- 7.4.15 Given the aforementioned, the overall building heights and variation of architectural detailing on the residential properties combined with the pepper potting of the various properties across the development site would help to add variety and interest in the street scene. In terms of site layout, the residential properties are set out in a linear form following the internal access road with a front-to-front orientation, thereby keeping all rear gardens relatively secluded and private. The properties are well-spaced in large plots as required to be classified as aspirational housing. The property frontages are relatively small, to maximise the rear garden size within in plot. The frontages are shown to be a combination of hardstanding for car parking and soft landscaping which is an acceptable residential public realm.
- 7.4.16 The development has been designed with a clear and legible street network which is highly permeable for pedestrians and cyclists. As the dwellings have their primary frontages orientated towards the road, this helps to clearly define the main streetscape of the development. The buildings have also been orientated to have active frontages and no dead spaces, in order to create a safe pedestrian scaled environment. The public spaces would also be overlooked by residential properties in order to increase natural surveillance.
- 7.4.17 The submitted site layout plan indicates that the existing vegetation on the site will be retained, whilst the main hedgerow landscaping to the front of the site is outside of the applicant's ownership so will not be altered, maintaining the screening of the site from Old Chantry Lane. The retained landscaping would be maintained as part of the development in order to enhance its overall structure. This is crucial in order to minimise the impact of the development on the Green Belt. A detailed landscaping strategy has been submitted as part of a condition discharge application attached to the 2021 planning permission. The Council's Arboricultural Manager and Network Rail have both advised in writing that the details are acceptable.
- 7.4.18 In terms of the impact on the longer views from Todds Green, the site is well screened by surrounding landscaping and being set back behind Chantry Farm. It is fully appreciated that the development would urbanise an area of established equestrian usage. The extensive wildflower meadow at the north of the site will help off-set the urbanisation and as discussed previously, the built footprint is lower than as existing.
- 7.4.19 Turning to the proposed bin stores, garages, and pump station, these structures are of a limited size and scale against the backdrop of the built form of the development. In addition, these parts of the development have been designed to reflect the overall visual appearance of the dwellings so as to not appear out of character. As such, these elements would have an acceptable appearance as viewed from the public realm.
- 7.4.20 Given the aforementioned assessment, it is considered that the proposed development, combined with its overall benefits, would not substantially harm the longer views from Todds Green or the Green Belt. The development has been designed to a high standard, a clearly defined street layout and high quality areas of green infrastructure. The dwellings themselves, due to the variation of architectural design and being pepper potted across the development with varying widths, helps to add variety and interest into the architectural form.

7.5 Impact on Amenities of Neighbouring Properties

- 7.5.1 In regards to the impact of the proposed development on the nearest residential properties within Todds Green, the nearest properties to the development site are the newly constructed Todds Manor and The Little Burrow which are sited off the main access road of Old Chantry Lane and are opposite plot 1. They have a front-to-front orientation and Todds Manor, the closest of the two, is approximately 22m from the dwelling in Plot 1. The Little Burrow is

positioned further back and is approximately 37m away with the same front to front separation distance. The adopted Design Guide (2023) does not have a minimum separation distance for front-to-front orientations, however, 22m and 37m are considered an acceptable distance such that it is unlikely there would be an adverse impact from overlooking.

- 7.5.2 The only other two residential dwellings in the vicinity are The Lodge and Chantry Farm, which again are sited off the same access road of Old Chantry Lane. The Lodge is sited to the south of plots 1-4 and these plots have their rear elevation facing the side of The Lodge and its rear garden. The separation distances range from 30m with Plot 1 to 40m with Plot 4. Further, plots 5-8 face over the rear garden of this neighbouring property, although their views would be over the extended curtilage of Chantry Farm which wraps around the rear of The Lodge. Plots 5-8 range between 53m and 78m from the property. The Design Guide (2023) requires a minimum back to side separation distance of 15m and a minimum back-to-back separation distance of 25m. In this regard, it is considered that the proposed dwellings are sited a sufficient distance from this property such that there would be no loss of privacy or detriment incurred from overlooking.
- 7.5.3 Chantry Farm is sited to the rear of plots 8-10 and has a back-to-back orientation. These plots range from 81m to 85m from the rear of the property which again is considered a suitable distance such that no detrimental impact would occur to privacy or from overlooking.
- 7.5.4 With regards to impacts from construction noise, vibration and air quality, in order to reduce the level of impact on the amenities of the nearest residential properties, a condition was imposed on the previously approved permission to restrict the hours of construction on-site. In addition, a condition was imposed requiring the applicant to provide a detailed Construction Management Plan. These conditions will be re-imposed on this application if permission is granted. Therefore, with this condition in place, the Council's Environmental Health Section does not raise any concerns with the proposed development in terms of impact on existing residents.
- 7.6 Impact upon the future amenity of residents**

Private Amenity Spaces

- 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. Looking at private amenity space, there is a requirement to provide a private garden area of a minimum of 50sqm with a minimum depth of 10m. Under Policy HO9, to qualify as aspirational, the private amenity spaces should be at least 200sq.m.
- 7.6.2 Following an assessment of the proposed development, all of the dwellinghouses across the site would have sufficient private garden areas in accordance with the Council's Guidance as all plots exceed the Council's requirements in terms of both area. The depths range between 8.5m and 23m and the overall sizes range between 240sqm and 330sqm. Whilst the proposed increase in footprint has reduced the depth of some gardens to below the minimum standard of 10m, all rear gardens are over 200sqm and therefore are considered acceptable overall.

Privacy and Outlook

- 7.6.3 Looking at privacy and outlook, Chapter 5 of the Council's Design Guide SPD (2009) sets out that privacy and outlook are important aspects of residential environments. Therefore, the position of dwellings, and the arrangement of rooms and windows, should not create significant overlooking of other dwellings windows or private garden areas, nor should they lead to any overbearing impacts. In this regard, all dwellings have been orientated to face the new road and there would only be angled overlooking between properties which are side by side and no direct overlooking of private amenity spaces.

- 7.6.4 Plots 7-17 would front each other either side of the new road, between 15m and 25m apart. There is no minimum front to front separation distance in the Design Guide. The first and second floors have a mixture of bedrooms and bathrooms at the front of each dwelling whilst the ground floors are living rooms. Whilst the bathrooms would have obscure glazing for privacy, the bedrooms and living rooms would not. However, given the separation distances, it is not considered that there would be a degree of overlooking between properties to such a level that would result in unacceptable harm to privacy.
- 7.6.5 In relation to the provision of public open space, it is noted that the development would provide an extensive wildflower meadow at the north of the site and there would be general open space at the south of the site where the new footpath links are to be created. The Planning statement submitted with the application advises that the meadow will be accessible to the public / residents but is fenced off with only a maintenance access and pedestrian gate provided. This enhancement will assist integrate the proposal into its locale and act as a natural buffer between the dwellings and the paddocks/fields to the north of the site. Smaller communal areas are provided towards the southern end of the site.

Living Standards

- 7.6.6 With regard to the requirements for new residential properties to meet Nationally Described Space Standards as defined by Policy GD1 of the adopted Local Plan (2019), all of the proposed dwellings meet the overall gross internal floor area for three and four bedroom dwellings. The floor area of the four bedroom dwellings has been amended under this proposal to increase the size of the fourth bedroom on the first floor such that whereas previously it failed to meet the minimum size of a single bedroom, it now exceeds the size of a double bedroom. All bedrooms are therefore now considered acceptable. . The internal floorspace measurements are as follows:

	Bedrooms	Persons	Minimum Floorspace Required	Proposed Floorspace
House Types 1a, 1b and 1c	3	6	108sqm	195sqm
House Types 2a and 2b	4	8	130sqm	210sqm

Noise Impacts

- 7.6.7 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. Taking this policy into consideration, it is appreciated the application site does lie in close proximity to existing commercial and industrial premises which currently operate in the immediate area, including Chantry Farm, Shangri-La Farm, The Dog Pack Day Camp and Poly Textiles Ltd. In addition, the site is also bordered by the East Coast Mainline railway to the east of the site. As such, the noise generated from these noise emitting sources could have a detrimental impact on the amenities of future occupiers of the development.
- 7.6.8 The submitted Noise and Vibration Impact Assessment confirms there are 186 train movements between 07:00 and 23:00 and 44 train movements between 23:00 and 07:00. The existing noise climate within the proposed amenity areas for plots 11-17 is 63 dB LAeq; this exceeds the upper guideline value by 8 dB LAeq. The erection of a 2m high acoustic fence along the rear boundaries of plots 11-17 would have a noise reduction of 10dB and will equate to a garden noise level of 53dB which is within the acceptable parameters. The report also makes recommendations for appropriate glazing and ventilation in order to create an appropriate level of protection to future noise sensitive receptors.

- 7.6.9 The report concluded that the calculated levels of vibration are below the acceptable range allowances and therefore no mitigation measures are required in this regard.
- 7.6.10 Given the aforementioned, and following consultation with the Council's Environmental Health Section and Noise Consultant, they have advised that the Noise and Vibration Impact Assessment which has been submitted is considered to be acceptable. They have recommended a number of conditions be imposed on any grant of permission. This is to ensure that the amenities of future residents are protected from nearby noise sources.

7.7 Parking Provision

- 7.7.1 Policy IT5 of the adopted Local Plan (2019) states that planning permission will be granted where proposals comply with the parking standards set out in the plan. The Council's Car Parking Standards SPD (2021) sets out the maximum amount of off-street parking for residential development based on the number of bedrooms. The proposed development would comprise the following accommodation schedule:

- 11no. three bedroom dwellings (2 parking spaces) ($11 \times 2 = 22$);
- 7no. four bedroom dwellings (2.5 parking spaces) ($7 \times 2.5 = 17.5$)

This gives a total requirement for 39.5 spaces, rounded up to 40.

- 7.7.2 Taking into consideration of the above, there would be a requirement to provide 40 off-street parking spaces. Given the application site is not located within a residential accessibility zone the Council would seek the maximum number of car parking spaces to serve the development in this instance. In terms of parking provision specifically, in order to count as a parking space, they would need to measure 2.4m by 4.8m. In relation to garages, these would need to measure internally 3m by 6m in order to be counted as a parking space.
- 7.7.3 Following an assessment of the proposed development, all dwellings have a single garage and 2 marked spaces, so 3 spaces in total which gives a total provision of 51 spaces. Whilst this is technically an over-provision across the site as a whole, each individual house complies with the standards as a standalone assessment. In this regard, the proposed development broadly aligns with the requirements of the SPD and Policy IT5 of the Local Plan.
- 7.7.4 In regards to the parking bays and garages themselves, these would all comply with the standards set out in the Council's adopted Parking Standards SPD (2021) as set out in paragraph 7.7.2. As such, all of the designated parking bays for the residential properties would be of a sufficient size to park a motor-vehicle in this instance.
- 7.7.5 The Parking Standards SPD (2021) states that all new car parking should be designed to fulfil a Passive Electrical Vehicle Charging Point standard. This will mean that the underlying infrastructure is provided for connection to the electricity network, but it will need to be activated through the installation of a charge point to be used in the future as technologies evolve and uptake increases. The submitted plans do not provide details of this requirement so it is considered acceptable to impose a condition requiring this standard to be met. Further, this SPD requires that at least 20% of all spaces are fitted with an active charging point at point of completion of the development. As no details have been provided at this stage, a condition would be imposed on any decision issued to ensure this is implemented.
- 7.7.6 Turning to visitor parking provision, the Council's Parking Standards SPD (2021) sets out that there is a requirement to provide 0.25 parking spaces per dwelling. This would equate to a requirement of 4 (rounded down from 4.25) parking spaces. The proposed development is seeking to provide visitor parking spaces in two bays on the northern side of the new road, adjacent to the wildflower meadow. Having measured these bays on the submitted site plan, it is our calculation that they can accommodate 3 spaces in one and 4 spaces in the other, so

a total of 7 spaces. Whilst this is an over provision, given the edge of town location of the site, this is considered acceptable in this instance.

7.7.7 In regards to cycle parking, the Council's Parking Standards SPD stipulates that 3 long-term cycle parking spaces should be provided per three or four bed unit. Given the garage sizes and the plot sizes, it is considered that there is an acceptable level of space at each dwelling to provide secure, lockable cycle storage.

7.7.8 Given the aforementioned assessment, there would be sufficient off-street parking to serve the development. In addition, there would be sufficient secure cycle parking provision across the development site in accordance with the Council's Standards.

7.8 Highway Safety

7.8.1 The site is accessed from a single entrance point on the western side of the site from Chantry Lane which is designated as a local access road with a 30mph speed limit. The access is a simple priority junction approximately 5m wide with 8m kerb radius which supports two-way traffic and allows for the passing of waste collection vehicles.

7.8.2 Hertfordshire County Council (HCC) as Highways Authority have confirmed that the existing vehicle visibility of the junction, at 2.4m by 43m, is acceptable and conforms with the stopping sight distance criteria in Manual for Streets (MfS) and no alterations or planning conditions are necessary in this regard.

7.8.3 The applicant has confirmed that the new road within the site would not be adopted by HCC Highways and would be under private management. Stevenage Borough Council (SBC) Highways Engineers confirmed under the previous application that this is acceptable and raised no objections. They advise that as the road would remain private there would be no requirements to 'police' this road in terms of highway or parking infringements post completion.

7.8.4 In relation to vehicle manoeuvrability, the applicant has provided a swept path analysis as part of their Transport Assessment. The plans depicting the swept path analysis display that tracking is accommodated within the site for refuse vehicles, emergency vehicles (ambulance and fire tender) and the average motor car. In terms of accessibility for emergency vehicles, the proposal is within the statutory building regulation distance of 45 metres to all parts of the building from the new road. HCC Highways have studied this swept path analysis and have raised no concerns.

7.8.5 With respect to Public Rights of Way (PROW), there are a number of footpath routes within the vicinity of the site; "Stevenage 086" connects Old Chantry Lane to the footpath on the northern side of Stevenage Road and also connects to "Stevenage 085" which borders the site to the south and itself connects to the Corey's Mill interchange at Junction 8 of the A1(M).

7.8.6 The proposed development does not seek to alter or impede these existing PROW but does make provision for a new connection at the south of the site to improve pedestrian and cycle access to the site. As such, HCC Highways has recommended an informative be attached if permission were to be granted. This informative will require the applicant to liaise with the County Council's Rights of Way Section to ensure that the routes remain unobstructed, are safe to use (including during the construction phase) and are not deteriorated as a result of development. Any adverse effects to the routes will need to be made good by the applicant and agreed by the County Council.

7.8.7 Looking at traffic generation, the applicant's transport consultant has produced a transport assessment which monitored existing site traffic generation using the TRICS (Trip Rate Information Computer System) (7.7.4) database. The site has been classified within TRICS

as “07-Leisure-J-Equestrian Centres” within edge of town and freestanding locations in terms of residential development. The outcome of the modelling through TRICS is as follows:

	Existing Two-way trips	Proposed two-way trips	Net Traffic Gain
Morning Peak 0800 – 0900	3	8	5
Evening Peak 1700 – 1800	3	9	6
Daily Total	51	83	32

- 7.8.8 HCC Highways have assessed this data and advise that this increase in trip generation would not have an unreasonable impact on the safety and operation of the adjoining highways and therefore raise no concerns or objections in this regard.
- 7.8.9 At present it is acknowledged that the site is not considered to be in a highly sustainable location. However, the new footpath link will improve pedestrian and cycle routes and under planning permission reference number 19/00123/FPM that developer entered into a section 106 legal agreement to provide a new bus stop outside their site which is approximately 800m from the site under consideration. Additionally the developer of this nearby site has also agreed to enter a section 278 agreement of the Highways Act 1980 to provide a toucan crossing and footpath widening across the bridge in Fishers Green. These improvements will encourage a modal shift away from the private motor vehicle and increase the sustainability of the development.
- 7.8.10 It is noted that Herts Highways are now seeking a financial contribution of £116,042.00 to improve sustainable transport facilities and serves for passenger transport users who are using the development under their June 2021 toolkit for planning obligations. This contribution was not sought under the previous application which was submitted after this toolkit was adopted. Given the aforementioned sustainable transport improvements in 7.8.9 above, the Council will not be seeking this financial contribution.
- 7.8.11 Turning to construction traffic and associated activities, to ensure these do not prejudice the safety and operation of the highway network, conditions would be imposed if permission were to be granted. These conditions would require the applicant to provide a suitable access road for construction traffic as well as submit a Construction Management Plan.
- 7.8.12 In summary, subject to the imposition of conditions, the proposed development as advised by Hertfordshire County Council would not have a detrimental impact on the safety and operation of the highway network.

7.9 Trees and Landscaping

- 7.9.1 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.
- 7.9.2 The site previously contained 26 small to medium individual and groups of trees and some perimeter hedging. The Arboricultural Impact Assessment (AIA) submitted under the previous

application advised that the overall quality of the trees on site was modest and most were self-seeded or had a poor overall form. Many of the trees were also in close proximity to buildings (that have since been demolished) and had therefore failed to thrive. Using the industry standard BS 5837:2012, ("Trees in Relation to Design, Demolition and Construction – Recommendations" which details the steps that should be taken to ensure that trees are appropriately and successfully retained when development takes place) three trees were classified Category B and the remaining trees were Category C.

- Category B – trees of moderate quality with an estimated remaining life expectancy of at least 20 years.
- Category C – trees of low quality with an estimated remaining life expectancy of at least 10 to 20 years, or young trees with a stem diameter below 150mm

7.9.3 Under the previous application, 21 trees were to be removed, all of which were Category C trees. These trees were all located within the built footprint of the development or located within close proximity to the proposed development such that their long-term survival would not have been sustainable. Following consultation with the Council's Arboricultural Manager, he did not raise any concerns at the time.

7.9.4 As the site is adjacent to the East Coast Mainline railway, Network Rail were consulted and advised that it is imperative that planting and landscaping schemes near the railway boundary do not impact on operational railway safety. Certain broad leaf deciduous species should not be planted adjacent to the railway boundary. Any hedge planted adjacent to the railway boundary fencing for screening purposes should be placed so that when fully grown it does not damage the fencing, provide a means of scaling it, or prevent Network Rail from maintaining its boundary fencing. The list of species that are acceptable and unacceptable for planting in proximity to the railway boundary as directed by Network Rail will be added as an informative if planning permission is granted.

7.9.5 To the north of the site, and in order to compensate for the trees to be removed, it is proposed to plant an extensive wildflower meadow as shown on the submitted site layout plan, which will greatly enhance the visual amenities of the site and the Green Belt and will act as buffer between the site and the retained paddock area and A602 beyond.

7.9.6 Whilst the application has not been accompanied by a detailed landscaping strategy, this was dealt with as part of a discharge of condition attached to the previous application and as such, a condition can be imposed on this application to continue to comply with the details already approved.

7.10 Ecology, Biodiversity and Protected Species

Ecology

7.10.1 The application site is identified as brownfield land and is currently under construction of 17 dwellings. Under the previous planning application, the applicant undertook a Preliminary Ecological Study to assess the habitats present within the site and to assess the potential for the site to support protected and notable species.

7.10.2 The survey comprised a desk top study from Hertfordshire Biological Records Centre and from the multi-agency Geographical Information for the Countryside (MAGIC) along with Ordnance Survey and Aerial imagery. A field survey was also undertaken along with a Bat Survey and Great Crested Newt Survey.

7.10.3 The survey concluded that all areas identified were of low ecological value and the buildings provide unsuitable roosting places for bats. No rare or uncommon wild plant species were identified; the grazed grassland habitats support only common and widespread ruderal species that are typical of disturbed, bare ground. Overall, the site is considered to be poor for invertebrates, as due to the dominance of buildings, hard-standing and disturbed bare ground

habitats. There are no specific habitat features, such as wetland, woodland or dead wood, that could offer habitats to invertebrates. There are no ponds or standing waterbodies within the site or close to the site boundaries to provide habitats for amphibians. The site is not considered to offer suitable habitat to reptiles. Swallows and house sparrows are present and are nesting within the site. Active swallow nests were noted within the stables and house sparrows are suspected to have nested within Building 10 and/or Building 12. A family of young house sparrows were seen on and around these buildings. The grassland habitats are unsuitable for ground-nesting species such as the skylark. No bats or evidence of bats were found during the survey. All of the buildings have been assessed as having negligible bat roost potential as the majority of the buildings have no loft space, and are of simple construction, with no obvious features that bats may use for shelter. No evidence of badgers was noted during the survey. The site is considered to offer poor habitat to hedgehogs, although the garden, hedgerow and areas of scrub may offer some shelter to this species.

7.10.4 The proposed development will not result in any impacts on habitats of 'principal importance' and the majority of the habitats (buildings, hard-standing, bare ground and improved grassland) are considered to be of negligible or low ecological value. Loss of the existing garden, some semi-mature trees and scrub is unlikely to result in any ecological impacts beyond the site level.

7.10.5 Under the previous application, which is now under construction, Herts and Middlesex Wildlife Trust assessed the application and the submitted ecological report and raised no concerns. They requested that, in accordance with the recommendations in the ecological report and to secure an enhancement to biodiversity in accordance with NPPF (2023), integrated bat and bird boxes and hedgehog highways should be conditioned as part of the decision. It should be noted that an application to discharge this condition was received and approved and the current application will be conditioned to comply with the previously approved details.

Biodiversity Net Gain

7.10.6 The Environment Act received royal assent in 2021 within the legislation is the requirement for proposals to bring about a positive net gain on biodiversity. The regulations which make a 10% net gain a statutory requirement (with a standard condition) had not come into effect at the time of submission. 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.

7.10.7 A Biodiversity Impact Assessment was conducted, using the Biodiversity Metric 3.0. The Biodiversity Metric 3.0 updates and replaces the beta Biodiversity Metric 2.0 (JP029) published in 2019. Biodiversity Metric 3.0 is a biodiversity accounting tool that can be used for the purposes of calculating biodiversity net gain. The calculation ascertains whether the proposals achieve a net gain in biodiversity, calculated as biodiversity units and percentage biodiversity units.

7.10.8 The result of the calculation is a net gain in biodiversity, both for habitats and hedgerows. The total net unit change in habitats is +2.13 habitat units and +0.51 hedgerow units whilst the total net % change is +97.61% habitat units and +233.83% hedgerow units. Given these figures, the proposals deliver significant biodiversity net gain and are therefore acceptable in this regard.

7.11 Impact on the Environment

Contaminated Land

7.11.1 The application site previously comprised an equestrian centre with stables, storage units, menagerie and other associated buildings although it currently comprises a building site for

the previously approved planning application. Therefore, the potential risk for contaminants being identified on the site was very low. However, there is always the potential that contaminants could have found a pathway into the application site.

- 7.11.2 Under the previous application, conditions were imposed relating to contamination and these have been successfully discharged. The current application, if approved, will have conditions imposed to comply with the previously approved details.

Groundwater

- 7.11.3 The site is an area of groundwater sensitivity, being partly within Source Protection Zone 2 (SPZ 2). Therefore, it is recommended that the requirements of the NPPF and Planning Practice Guidance are followed. This means that all risks to ground water and surface waters from contamination need to be identified so that appropriate remedial action can be taken. Therefore, the applicant would be expected to prepare reports and risk assessments in line with the Environment Agency Guidance. In addition, as advised by the Environment Agency, in order to protect groundwater quality from further deterioration:

- No infiltration-based sustainable drainage systems should be constructed on land affected by contamination, as contaminants can remobilise and cause ground pollution;
- Piling, or any other foundation designs using penetrative methods, should not cause preferential pathways for contaminants to migrate to groundwater and cause pollution;
- Decommission of investigative boreholes to ensure that redundant boreholes are safe and secure, and do not cause groundwater pollution or loss of water supplies, in line with paragraph 170 of the National Planning Policy Framework.

- 7.11.4 With regards to drainage, the applicant has confirmed in their Flood Risk and Drainage Assessments that the proposed development will seek to infiltrate surface water run-off to the chalk bedrock and a new infiltration basin at the southern end of the site. The base of this infiltration basin will be a minimum of 1m above existing groundwater levels. However, in order to protect ground water from any future infiltration drainage systems, a condition would be imposed to any permission issued.

- 7.11.5 In the event that infiltration is unfeasible, the alternative drainage strategy is to discharge to the Anglian Water sewer on Chantry Lane. This would involve attenuating surface water into the infiltration basin prior to pumping to the existing outfall. Anglian Water were consulted and required additional information on the proposed downstream defender and to request a condition be imposed to seek an intrusive ground investigation. The applicants subsequently provided the downstream defender information and Phase I and Phase II Environmental Reports. Anglian Water assessed this information and confirmed they were satisfied with the reports and raised no concerns.

Air Quality and Pollution

- 7.11.6 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. Policy FP8 of the same document 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.

- 7.11.7 Looking at air quality and air pollution specifically, the development is not located within, or in close proximity to, an Air Quality Management Area (AQMA) with the nearest AQMA being located in the district of North Hertfordshire. However, this AQMA is over 3.5km from the application site. In terms of the impact of the development on air quality, dealing firstly with the construction phase of development, it is noted there would be a number of activities which will

affect local air quality. These include dust emissions and exhaust emissions from plant, machinery and construction traffic.

7.11.8 In order to mitigate the construction phase, under the previously approved application, which is currently under construction, the applicant was required to provide a construction management plan which was to include dust management. These details were submitted and approved and suitable conditions requiring the applicant to comply with the previously approved details can be imposed on this application.

7.11.9 In terms of air pollution, an air quality assessment has not been carried out, however the site is rural in nature with no extensive commercial activities in close proximity. Whilst the site borders the railway line and the A602 highway runs to the north of the site, the proposed landscaping measures are considered acceptable to prevent harm to future occupiers by way of air pollution levels. The Council's Environment Health Officers have assessed the application and have not raised any concerns or requested any additional information/reports to be commissioned.

Sustainable Construction and Climate Change

7.11.10 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.

7.11.11 Details were provided under a discharge of conditions application attached to the previously approved application and a suitable condition can be imposed on this application to comply with the previously approved details.

7.12 Flood Risk and Drainage Strategy

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

7.12.2 Under the previously approved 2021 planning permission, a detailed drainage strategy was not achieved at the time of approval, however, conditions were imposed requiring a final design to be submitted and approved. The applicant currently has an outstanding discharge of condition application (24/00279/COND) whereby they are working with the LLFA to obtain approval of the final design.

7.12.3 The LLFA have advised that Drainage Strategy Addendum 2, submitted on 7 August 2024, is not sufficient to discharge conditions 10 and 11 attached to 21/00971/FPM. Drainage Strategy Addendum 3 was submitted to the LLFA on 8 October 2024 and is awaiting a response.

7.12.4 For the purposes of clarity, the LLFA have rejected the drainage strategy on the basis that they require additional information relating to borehole testing as the proposed depth of the

soakaway (10m) will not reach chalk levels. They also require sight of an additional drawing that was previously provided to the Environment Agency but not to them. Lastly, they await further information relating to MicroDrainage calculations.

7.12.5 As members are aware, the LLFA are currently under extreme pressures and response times are currently delayed. At the time of drafting this report, the LLFA were re-consulted on the amended drainage strategy and Flood Risk Assessment which sought to address all of the concerns raised. To date, no further comments have been provided by the LLFA. Therefore, if the Council is minded to grant planning permission, combined with the fact that the Council has to determine applications within a reasonable timeframe as detailed in the NPPF and accompanying Planning Practice Guidance, it is recommended appropriately worded conditions are to be imposed to ensure an acceptable drainage strategy can be delivered as part of this development

7.12.6 In addition to the above, it is also recommended that delegated powers are given to the Assistant Director of Planning and Regulatory in conjunction with the Chairman of the Planning Committee that in the event the LLFA do provide comments on the revised strategy with a suggested list of conditions, then these conditions would be imposed accordingly before any planning permission is issued by the Council. However, if the LLFA raise a substantive objection to the amended drainage strategy which has been submitted and this cannot be resolved, then it is recommended that this application is referred back to the Planning and Development Committee for its decision.

Waste Disposal

7.12.7 Thames Water were consulted and raised no concerns. They requested an informative be added to any decision issued to advise the applicant of the need for a permit from Thames Water to discharge into a Thames Water owned sewer.

Surface and Foul Water

7.12.8 If the developer follows the sequential approach to the disposal of surface water then Thames Water have no objections and for foul water, they have no objections to the submitted information.

7.13 CIL

7.13.1 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	

- 7.13.2 CIL is a non-negotiable charge. The exact charge will be determined by the Council's CIL officer after an application has been granted in accordance with the CIL Charging Schedule and the Community Infrastructure Levy Regulations 2010 (as amended). Opportunities for relief or exemption from the CIL charge exist and will be taken into account in the calculation of the final CIL charge.
- 7.13.3 CIL replaces the need for S106 agreements to specify financial and/or land contributions for non-site-specific infrastructure projects. This allows infrastructure to be planned on a borough-wide scale rather than on a site-by-site basis as mitigation against the impacts of individual proposals. A CIL Form 1: Additional Information has been submitted along with the application.
- 7.13.4 With regards to how the CIL monies are spent, the ultimate decision lies with Stevenage Borough Council and the allocation of funding amount of £75,000 or over will rest with the Planning and Development Committee. Service providers who would not receive contributions through the Section 106 agreement for this development, including but not limited to those at Hertfordshire County Council and Stevenage Borough Council, will be able to bid for funding in due course.

7.14 Equalities Impact Statement

- 7.14.1 Consideration has been given to Articles 1 and 8 of the First Protocol of the European Convention on Human Rights. It is not considered that the decision would result in a violation of any person's rights under the Convention.
- 7.14.2 When considering proposals placed before Members it is important that they are fully aware of and have themselves rigorously considered the equalities implications of the decision that they are taking.
- 7.14.3 Rigorous consideration will ensure that proper appreciation of any potential impact of that decision on the Council's obligations under the Public Sector Equalities Duty. As a minimum this requires decision makers to read and carefully consider the content of any Equalities Impact Assessment (EqIA) produced by officers.
- 7.14.4 The Equalities Act 2010 requires the Council when exercising its functions to have due regard to the need to (a) eliminate discrimination, harassment, victimisation and other conduct prohibited under the Act; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and (c) foster good relations between persons who share protected characteristics under the Equality Act and persons who do not share it. The protected characteristics under the Equality Act are: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion and belief; sex and sexual orientation.
- 7.14.5 It is not considered that the loss of the riding stables and riding school would have an adverse impact on any of the aforementioned protected characteristics or persons as there are other equestrian services available in the area to meet their needs.
- 7.14.6 In terms of inclusive access, in accordance with Policy HO11 (Accessible and Adaptable Housing) of the Local Plan (2019), as this is a major scheme at least 50% of all new dwellings will need to be category 2: accessible and adaptable dwellings. A condition will be imposed on any decision granting planning permission to ensure this is delivered.

7.15 Other Matters

Crime Prevention

- 7.15.1 The Herts Police Crime Prevention Design Advisor (PCPDA) has not provided any comments on this current application. However, under the previously approved 2021 application, they

raised concerns over the development being car reliant and therefore not promoting a healthy and safe community. As has been discussed previously in this report, it is the Council's belief that the applicant has made efforts to address the sustainability of the site by way of improving access to the public rights of way. Further, the new bus route and bus stop being provided by another developer in the vicinity will improve the sustainability. Additionally, HCC Highways raised no substantive concerns about the pedestrian and bicycle access at the site.

- 7.15.2 The PCPDA also previously raised concerns about the bicycle storage being within the garage and not a freestanding secure unit within the garden. The Council maintains its stance that cycle storage within garages is acceptable as it is secure and easily accessible to the occupiers. New garages are required to be 6m in length as per the Parking SPD (2020) and Manual for Streets in order to provide car parking space and storage space. They also raised concerns about the lack of detail for waste and recycling storage. Under discharge of condition application 23/00202/COND, details were provided of the waste and recycling storage units within timber storage areas within the rear gardens, adjacent to the garages and accessed via a gate. These details are considered acceptable, and a condition will be imposed to require the development is carried out in accordance with the approved details.

Waste and Recycling

- 7.15.3 The Design Guide (2023) states, provision should be made within new development for the storage and collection of waste from a site. The current requirements for waste and recycling per household are as follows:-

- Residual Waste - 240 litres;
- Cans and Plastics - 55 litres;
- Paper and cardboard - 55 litres;
- Glass - 20 litres.

The submitted plans show that there is sufficient space adjacent to or behind the garage of each plot to store the required number of receptacles. As such, the development is considered acceptable in this regard.

8. CONCLUSIONS

- 8.1 In summary, the principle of development has been established by planning permission 21/00971/FPM and therefore, the proposed residential development as set out in this application is considered to be acceptable as it would help the Council to meet its housing requirement over the local plan period. It is not considered that the proposed intensification of use and impact on visual openness would result in substantial harm when weighed against the benefits of reduced hard standing, reduced footprint and the positive landscaping interventions proposed. Having regard for the aforementioned assessment of the proposal, the creation of 17 dwellings, which whilst exceeding the 5-dwelling quota under Policy GB2(a), it would accord with that policy in that the development would be on previously developed land. In addition, it has been found to be an acceptable level of infill development which will have a less than substantial impact on the Green Belt. Further it would assist the Council in meeting its HDT and affordable housing targets. Therefore, the development is considered to comply with exception 154(g) and Policy GB2 of the Local Plan and would be acceptable development within the Green Belt.
- 8.2 In addition to the aforementioned, the failure of the Council to meet its HDT and the subsequent presumption in favour of sustainable development is a key material consideration in the assessment of this application. This policy position tilts the planning balance in favour of the application. The provision of 17 aspirational dwellings would have a great economic benefit during the construction phase, and future occupiers would be likely to contribute to local services and facilities, which, as the scheme is for 17 dwellings, and provision of 6 affordable housing units off-site, these benefits would be fairly reasonable and further weigh in favour of

the development. Finally, the benefits of the development from a reduction in the amount of hardstanding and footprint across the site together with the substantial amount of landscaping proposed, including an extensive wild flower meadow result in a conclusion that the proposed development is acceptable in land use policy terms and would have a less than substantial impact on the Green Belt.

- 8.3 With regards to sustainability, whilst the existing site could not generally be categorised as being in a sustainable location for non-car modes of transport at present, the improvements to be made together with the new bus stop to be provided by another nearby development, it is considered, on balance, that the site will become more sustainable after completion than at present and would therefore be acceptable in this regard. Further, the owner of the riding stables has confirmed that they will soon cease trading. In this regard, the site is considered a brownfield site and previously developed land, which, through the redevelopment under consideration would regenerate an underperforming area and make good use of, and maximise the use of, a brownfield site as encouraged under the NPPF.
- 8.4 In terms of design, the overall building heights, and variation of architectural detailing on the residential properties combined with the pepper potting of the various properties across the development site would help to add variety and interest in the street scene. It is considered that the proposed development, combined with its overall benefits, would not substantially harm the longer views from Todds Green or the Green Belt. The development has been designed to a high standard, a clearly defined street layout and high-quality areas of green infrastructure. The dwellings themselves, due to the variation of architectural design and being pepper potted across the development with varying widths, helps to add variety and interest into the architectural form.
- 8.5 With regards to impact on residential amenity, due to levels of separation between the application and the residential properties in Todds Green, it is not considered the proposal residential development would harm the amenities of residents in the hamlet of Todds Green. In relation to the amenities of future residents, all of the residential properties across the development would have acceptable living standards in terms of outlook, privacy, sunlight and daylight, private amenity space, internal floorspace standards and impact from noise. Moreover, whilst the development would result in the loss of the riding school and equestrian usage, it is not deemed to land which is of high quality and it is considered that the overall benefits of the development outweigh this loss.
- 8.6 Looking at the impact on the highway network, the development would not prejudice the safety and operation of the highway network and in relation to parking, the level of parking provided is broadly in accordance with the Council's Standards. Finally, issues relating to contamination, impact on the environment, trees, wildlife, surface water drainage, affordable housing, and development contributions can be satisfactorily addressed through conditions or a S106 legal agreement. Accordingly, it is recommended that planning permission be granted.

9. RECOMMENDATIONS

- 9.1 That planning permission be GRANTED.
- 9.2 That the proposal be subject to the following conditions:-
- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:

20528_P-11-001A PLOT 11; 20528_P-13-001A PLOT 13; 20528_P-00-001-A; 20528_P-00-002A SITE SECTIONS-A1; 20528_P-01-001A PLOT 1; 20528_P-02-001A PLOT 2; 20528_P-03-001A PLOT 3; 20528_P-04-001A PLOT 4; 20528_P-05-001A PLOT 5; 20528_P-06-001A PLOT 6; 20528_P-07-001A PLOT 7; 20528_P-08-001A PLOT 8; 20528_P-09-001A PLOT 9; 20528_P-10-001A PLOT 10; 20528_P-12-001A PLOT 12; 20528_P-14-001A PLOT 14; 20528_P-15-001A PLOT 15; 20528_P-16-001A; 20528_P-17-001A PLOT 17; Type 3 Pumping Station Layout; 20528-P-00-003;

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

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

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

- 3 The materials to be used in the construction of the external surfaces of the dwellings hereby permitted shall be as per the approved plans and documents to the satisfaction of the Local Planning Authority unless otherwise agreed in writing by the Local Planning Authority.

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

- 4 The development shall be carried out in accordance with the Construction Management Plan agreed under application 23/00202/COND, which includes the following additional matters:

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

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

- 5 The development shall be carried out in accordance with the Site Waste Management Plan (SWMP) agreed under application 23/00202/COND. The SWMP shall detail how waste materials generated as a result of the proposed demolition and/or construction works will be disposed of, and the level and type of soil to be imported to the site as part of the development.

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

- 6 Prior to the first occupation of the development hereby permitted the vehicular access shall be provided 5.0 m wide complete with a minimum 8.0 m radius kerb to the southern side of the carriageway and thereafter retained at the position shown on the approved drawing number 14043-P030-R and include a pedestrian link from the development to the existing footway network as shown on drawing 5565 / 002 revision A to the current specification of Hertfordshire County Council and to the local Planning Authority's satisfaction. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.
REASON:- To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway in accordance with Policy 5 of Hertfordshire's Local Transport Plan.
- 7 Prior to the first occupation of the development hereby permitted, the cycle parking provision and bin storage shall be implemented in accordance with the approved details under application 23/00202/COND.
REASON:- To ensure there is sufficient secure cycle parking provision in order to encourage a mode shift from the private car.
- 8 Prior to the first occupation of the development hereby permitted the car parking spaces as detailed on Drawing number 14043-P030-R shall be surfaced and marked out or completed as applicable, in accordance with the approved plan and thereafter retained for the sole use of parking for the development hereby permitted.
REASON:- To ensure adequate off-street parking provision is available at all times so that the development does not prejudice the free flow of traffic or the conditions of general safety.
- 9 Electric Vehicle Charging Points (EVCPs), the energy sources and the strategy/management plan for supply and maintenance of the EVCPs shall be as per the approved details under application 23/00202/COND. All EVCPs shall be installed in accordance with the approved details prior to occupation of each of the units and permanently maintained, and retained, unless otherwise agreed in writing by the Local Planning Authority.
REASON:- In order to provide facilities to charge electric vehicles and to help reduce the impact of vehicle emissions on the local environment.
- 10 Prior to the first occupation of the first dwelling hereby approved, a final design of the drainage scheme for the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall adhere with the Drainage Strategy Addendum No. 2 (Ref: 21100-FCE-XX-XX-RP-D-0003-P01, October 2022). The scheme shall subsequently be implemented in accordance with the approved details before the development is occupied. The scheme shall include the following:
- Infiltration testing in accordance with BRE Digest 365 which should be carried out at the location and depth of any proposed infiltration measure, supported by evidence of the test, methodology and calculations.
 - detailed engineering layouts and cross section drawings of the proposed SuDS features (including deep borehole soakaways), including their, size, volume, depth and any inlet and outlet features including any connecting pipe runs;
 - updated surface water drainage calculations and modelling for all rainfall events up to and including the 1 in 100 year + 40% climate change event;
 - Confirmation that suitable treatment of surface water would be delivered by the proposed SuDS management train before discharge to the ground via deep borehole soakaway(s).
 - Demonstration that the scheme satisfies all of the criteria within Environment Agency Groundwater Protection Position Statement G9, as requested by the Environment Agency.
 - Evidence of the Environment Agency's response to the deep borehole soakaway proposals and adherence to any guidance contained in their response.

REASON:- To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site; to ensure that sufficient treatment of surface water is provided before disposal, to prevent pollutants entering groundwater and to determine that the receiving drainage network is fit for purpose and of sufficient capacity condition in order to be able to receive discharge from the site drainage system.

- 11 Prior to the first occupation of the first dwelling hereby approved, a management and maintenance plan for the approved SuDS features and drainage network must be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:
- Provision of a complete set of as built drawings, including the final drainage layout for the site drainage network;
 - details of the maintenance and operational activities for all parts of the final drainage strategy the lifetime of the development;
 - arrangements for adoption; and,
 - any other measures necessary to secure the operation of the scheme throughout its lifetime.

The approved plan shall be fully implemented from the date of approval and thereafter for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.

REASON:- To maximise the use of SuDS in the interests of mitigating the risk of flooding to the site itself and downstream; to prevent pollutants entering downstream watercourses; and to maximise the sustainability of the development throughout its lifetime.

- 12 The development hereby approved shall be carried out in accordance with the 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 which were approved under application 24/00040/COND. These measures 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.

- 13 The development hereby permitted shall be carried out in accordance with the ecological mitigation and enhancement measures as detailed in the 'Preliminary Ecological Appraisal August 2021' and as agreed under application 23/00202/COND. This document shall be adhered to at all times during construction, including site clearance works, and during occupation of the development.

REASON:- To ensure protection of the natural environment.

- 14 The 9 integrated swift boxes, 8 integrated bat boxes and hedgehog highways as shown on approved plan 14043-W-002-A under application 23/00202/COND must be installed and located in the most appropriate locations to ensure occupation. They shall be fully installed prior to occupation and retained as such thereafter.

REASON:- To conserve and enhance biodiversity in accordance with NPPF.

- 15 Prior to the first occupation of the first dwelling hereby approved, a scheme of soft and hard landscaping and details of the treatment of all hard surfaces and boundaries shall be submitted to and approved by the Local Planning Authority. The scheme shall include details of the following:

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

7. Details of the wild flower meadow

Soft landscaping details will need to take into consideration Network Rail's acceptable and unacceptable planting (see Informative No.9).

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

- 16 All planting, seeding and turfing comprised in the approved landscaping details as specified in condition 16 of this approval shall be carried out in the first planting and seeding seasons following the first use of the site or the completion of the development whichever is the sooner.
REASON:- To ensure a satisfactory appearance for the development.
- 17 All hard surfacing and boundary treatments comprised in the approved landscaping details as specified in condition 15 of this approval shall be carried out prior to the first use of the site or the completion of the development, whichever is the sooner.
REASON:- To ensure a satisfactory appearance for the development.
- 18 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.
- 19 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.
- 20 Prior to the first occupation of the first dwelling hereby approved, a landscape management plan, including long term objective goals, management responsibilities (other than private domestic gardens and/or amenity areas) shall be submitted to and approved in writing by the Local Planning Authority. The landscape management and maintenance plan should be fully coordinated with the ecological management requirements and should include clearly defined details for monitoring of all landscape areas by suitably trained and qualified personnel. The development shall thereafter be carried out in accordance with the approved management plan.
REASON:- To ensure a satisfactory appearance for the development.
- 21 No development, including site clearance, shall commence until the trees shown to be retained on the site, as identified on the approved plans, or subsequently approved landscaping scheme, have been protected by fencing or other means of enclosure in accordance with BS:5837:2012. Such protection shall be maintained until the conclusion of all site and building operations.
REASON:- To ensure that the retained trees are not damaged or otherwise adversely affected during site operations.
- 22 Within the areas to be fenced off in accordance with condition 21, there shall be no stockpiling of any materials or soil, no machinery or other equipment parked or operated, no traffic over the root system, no changes to the soil level, no excavation of trenches, no site huts, no fires lit and no dumping of toxic chemicals will be permitted and no retained trees shall be used for winching purposes.
REASON:- To ensure that the retained trees are not damaged or otherwise adversely affected during site operations.

- 23 All areas of hedges, scrub or similar vegetation where birds may nest which are to be removed as part of the development, are to be cleared outside the bird-nesting season (March - August inclusive) or if clearance during the bird nesting season cannot be reasonably be avoided, a suitably qualified ecologist will check the areas to be removed immediately prior to clearance and advise whether nesting birds are present. If active nests are recorded, no vegetation clearance or other works that may disturb active nests shall proceed until all young have fledged the nest.
REASON:- Nesting birds are protected from disturbance under the Wildlife and Countryside Act 1981 (As amended).
- 24 The development hereby approved shall be carried out in accordance with the approved details of the treatment of all boundaries including walls, fences, gates or other means of enclosure as approved under application 23/00372/COND. The approved boundary treatments shall be completed before the dwellings are occupied.
REASON:- To ensure a satisfactory standard of development in the interests of amenity and that it has an acceptable appearance.
- 25 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 26 which is subject to the approval of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 27.
REASON:- To ensure that the site does not pose any risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is completed.
- 26 In the event that contamination is found at any time when carrying out the approved development that was not previously identified, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historic environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.
REASON:- To prevent harm to human health and pollution of the water environment in accordance with Government policy set out in the National Planning Policy Framework.
- 27 In the event that contamination is found at any time when carrying out the approved development that was not previously identified, as required under condition 25, the approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval in writing of the Local Planning Authority.
REASON:- To prevent harm to human health and pollution of the water environment in accordance with Government policy set out in the National Planning Policy Framework.

- 28 External lighting on the development hereby approved shall be as per the plans and details approved under application 23/00372/COND. There shall be no other sources of external illumination.
REASON:- To minimise pollution of the environment and to safeguard the safety of the adjacent Network Rail mainline railway.
- 29 On completion, the dwellings shall meet the following criteria, either:
 i. with windows open for ventilation or
 ii. with windows closed and with mechanical purge and background ventilation, sufficient to comply with the current Building Regulations.
- Noise Level (dB)
 Daytime Noise
 (07:00 - 23:00) Inside living areas < 35 LAeq, (16 hours)
- Night-time Noise
 (23:00 - 07:00) Inside bedrooms < 30 LAeq,(8 hours) < 45 L_{Amax},Fast
- Where mechanical purge ventilation is required to achieve the above standards with windows closed, this shall be designed so as to ensure that the ventilation system itself does not produce unacceptable levels of noise within each dwelling. All schemes for ventilation shall comply with the current edition of Approved Document F to the Building Regulations.
REASON:- To protect the amenity of future occupiers of the development.
- 30 Prior to the first use of the development hereby approved, the acoustic fencing, including the sound insulation values, shall be as per the approved details under application 23/00202/COND and in accordance with the "Noise and Vibration Impact Assessment, Land at Courtlands Riding Stables", Report reference J04467R1, dated 7th September 2021 by Sound Planning Ltd. The development shall thereafter be implemented in accordance with the approved details, and shown to be effective, and shall be retained in accordance with those details thereafter.
REASON:- To safeguard the amenities of nearby noise sensitive properties.
- 31 All windows within the dwellings hereby approved shall be glazed with triple glazing as shown on drawings 14043-P034-D and 14043-P035-C and shall be retained in that form thereafter.
REASON:- To safeguard the amenities of the occupiers of the approved dwellings.
- 32 The water supplies and fire hydrants, necessary for firefighting purposes at the site, shall be installed as per the approved details under application 23/00202/COND. 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.
- 33 The development hereby approved shall be carried out in accordance with the Intrusive Ground Investigation, Risk Assessments and Method Statements as approved under application 23/00202/COND in conjunction with Affinity Water to prevent and/or minimise any potential migration of pollutants to public water supply. Any excavations must be undertaken in accordance with the terms of the approved method statement.
REASON:- To avoid displacing any shallow contamination to a greater depth and to prevent and/or minimise any potential migration of pollutants to a public water supply abstraction which can cause critical abstractions to switch off resulting in the immediate need for water to be sourced from another location, which incurs significant costs and risks of loss of supply during periods of high demand.

- 34 The development hereby approved shall be carried out in accordance with the construction methodology approved under application 23/00372/COND in consultation with the Asset Protection Project Manager at Network Rail. The development shall thereafter be carried out in accordance with the approved construction methodology unless otherwise agreed in writing by the Local Planning Authority.
REASON:- To safeguard the safety of the adjacent Network Rail mainline railway.
- 35 The dwellings hereby permitted shall not be occupied until the proposed accesses for vehicles, pedestrians and cyclists have been constructed as detailed on the approved drawings, the existing footway/verge has been reinstated and the new footway link from the site access south, to Stevenage Road has been completed to the current specification of Hertfordshire County Council and to the Local Planning Authority's satisfaction.
REASON:- In order to protect highway safety and the amenity of other users of the public highway.
- 36 At least 50% of the residential units are Category 2: Accessible and Adaptable dwellings.
REASON:- To ensure the development will meet the increase in demand for accessible and adaptable units for elderly and disabled residents in accordance with Policy HO11 of the Stevenage Borough Local Plan 2011 - 2031 (adopted 2019).

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

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

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 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, 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 **Hertfordshire County Council as Highways Authority**

Parking and Storage of materials: The applicant is advised that all areas for parking, storage, and delivery of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx> or by telephoning 0300 1234047.

5 **Hertfordshire County Council as Highways Authority**

Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website: <http://www.hertfordshire.gov.uk/services/transtreets/highways/> or by telephoning 0300 1234047.

6 **Hertfordshire County Council as Highways Authority**

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.

7 Hertfordshire County Council as Highways Authority

The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/businessanddeveloper-information/development-management/highways-developmentmanagement.aspx> or by telephoning 0300 1234047.

8 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 on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.

9 Network Rail

It is imperative that planting and landscaping schemes near the railway boundary do not impact on operational railway safety. Where trees and shrubs are to be planted adjacent to boundary, they should be positioned at a minimum distance greater than their height at maturity from the boundary. Certain broad leaf deciduous species should not be planted adjacent to the railway boundary. Any hedge planted adjacent to the railway boundary fencing for screening purposes should be placed so that when fully grown it does not damage the fencing, provide a means of scaling it, or prevent Network Rail from maintaining its boundary fencing. Below is a list of species that are acceptable and unacceptable for planting in proximity to the railway boundary;

Acceptable:

Birch (*Betula*), Crab Apple (*Malus Sylvestris*), Field Maple (*Acer Campestre*), Bird Cherry (*Prunus Padus*), Wild Pear (*Pyrus Communis*), Fir Trees - Pines (*Pinus*), Hawthorn (*Crataegus*), Mountain Ash -Whitebeams (*Sorbus*), False Acacia (*Robinia*), Willow Shrubs (Shrubby *Salix*), Thuja Plicatata "Zebra".

Not Acceptable:

Alder (*Alder pseudoplatanus*), Aspen - Poplar (*Populus*), Small-leaved Lime (*Tilia Cordata*), Sycamore -Norway Maple (*Acer*), Horse Chestnut (*Aesculus Hippocastanum*), Sweet Chestnut (*Castanea Sativa*), Ash (*Fraxinus excelsior*), Black poplar (*Populus nigra* var, *betulifolia*), Lombardy Poplar (*Populus nigra* var, *italica*), Large-leaved lime (*Tilia platyphyllos*), Common lime (*Tilia x europaea*).

10 **Herts Police Crime Prevention Design Advisor**

Prior to construction the developer 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. 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".

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. The application file, forms, plans and supporting documents relating to the following applications which are associated with the application site:
 - 21/00971/FPM
 - 23/00202/COND
 - 23/00372/COND
 - 24/00040/COND
 - 24/00279/COND
3. Stevenage Borough Council Supplementary Planning Documents – Parking Provision adopted January 2020, Stevenage Design Guide adopted January 2023, Developer Contributions adopted March 2021, The Impact of Development on Biodiversity adopted 2021.
4. Stevenage Borough Local Plan 2011 – 2031 adopted 2019.
5. Hertfordshire County Council's Local Transport Plan 4 adopted May 2019.
6. Responses to consultations with statutory undertakers and other interested parties referred to in this report.
7. Central Government advice contained in the National Planning Policy Framework December 2023 and Planning Practice Guidance.

Meeting: Planning and Development Committee

Agenda Item:

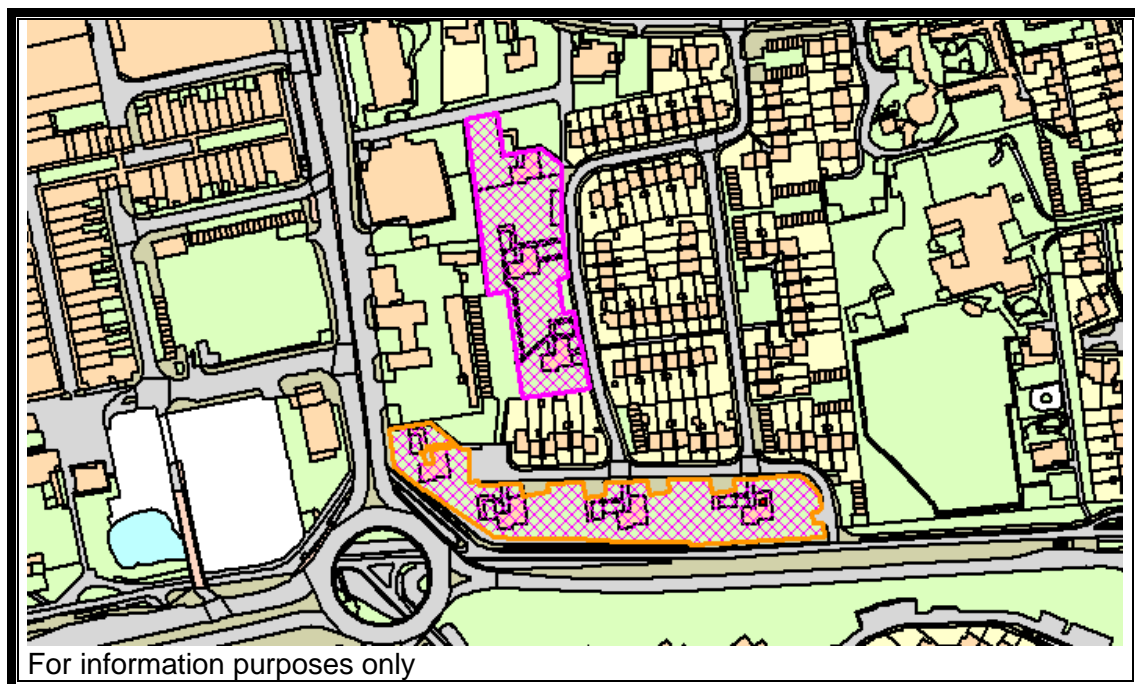
Date: 29 October 2024

Author: Linda Sparrow

Lead Officer: Zayd Al-Jawad

Contact Officer: Linda Sparrow

Application No :	24/00667/FP
Location :	1-17, 19-35, 37-53, 55-71, 85-101, 103-119 And 121-137 Penn Road, Stevenage.
Proposal :	Construction of 7 no. bin enclosures each to house 12 no. 360 litre wheelie bins on land adjacent to each of seven residential blocks
Drawing Nos.:	Site Location Plan; 267/835 Rev A; 267/811B Rev A; 267/813B Rev A; 267/815B Rev A; 267/817B Rev A; 267/819B Rev A; 267/821B Rev A; 267/823B Rev A;
Applicant :	Wates Living Space Ltd
Date Valid:	16 September 2024
Recommendation :	GRANT PLANNING PERMISSION



1. SITE DESCRIPTION

- 1.1. The application site comprises 7 buildings on the western and southern side of Penn Road. Residential dwellings of Penn Road and Fox Road lie to the east and north, the fire station and Holiday Inn hotel to the west, and the main highways of St George's Way and Six Hills Way to the west and south.

- 1.2. Each building is three storeys, L-Shaped with a dual pitched tiled roof and contain 9no. flats each. The buildings are currently undergoing a renovation approved under 24/00060/FPM and so are currently enveloped in scaffolding and screening. Once complete, the buildings will be white and grey render, white uPVC fenestrations and new balconies. Each building has small areas of shrub planting to the front with large areas of public open space around. Car parking is communal along Penn Road and shared with other residential dwellings.

2. RELEVANT PLANNING HISORY

- 2.1 24/00060/FPM - Retrofit of 7no. apartment blocks comprising the installation of external wall insulation in render and brick-effect render finish; re-roof with Solar PV array system; replacement of windows on stairwell facade, replacement windows and doors; upgrade of external ventilation and replacement balconies. Granted permission at Committee 2 April 2024.

3. THE CURRENT APPLICATION

- 3.1 This application seeks planning permission to erect an external, detached, bin store to the front of each of the seven blocks. Each bin store will be able to accommodate up to 12no. 360 litre wheelie bins.
- 3.2 This application comes before the Planning and Development Committee because the owner of the buildings is Stevenage Borough Council and previous applications for these properties have been referred to Committee. Therefore, in line with the Council's constitution, this application is being referred to the aforementioned committee for its decision.

4. PUBLIC REPRESENTATIONS

- 4.1 Following notification of the application via letters to neighbouring properties, no comments were received.

5. CONSULTATIONS

5.1. Environmental Health

- 5.1.1 No objections to the work.

5.2 Waste and Recycling Department

- 5.2.1 Confirm that the bin stores will be open roofed and secured with Digi-locks the same as other recently installed stores at other SBC premises.

6. RELEVANT PLANNING POLICIES

6.1. Background to the Development Plan

- 6.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that the decision on the planning application should be in accordance with the development plan unless material considerations indicate otherwise. For Stevenage the statutory development plan comprises:
- The Stevenage Borough Council Local Plan 2011-2031

- Hertfordshire Waste Development Framework 2012 and Hertfordshire Waste Site Allocations Development Plan Document (adopted 2012 and 2014); and
- Hertfordshire Minerals Local Plan 2002 – 2016 (adopted 2007).

6.2 Central Government Advice

- 6.2.1 A revised National Planning Policy Framework (NPPF) was published in 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 Council are content that the policies in the Local Plan are in conformity with the revised NPPF and that the Local Plan should be considered up to date for the purpose of determining planning applications. The NPPF provides that proposals which accord with an up-to-date development plan should be approved without delay (para.11) and that where a planning application conflicts with an up-to-date development plan, permission should not usually be granted (para.12).
- 6.2.3 In order for a Local Plan to be effective, they need to be kept up-up-date. The NPPF states policies in local plans should be reviewed to assess whether they need updating at least once every 5 years. This is reflected under Regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) which sets out local planning authorities must review local plans every 5 years from their adoption to ensure that policies remain relevant and effectively address the needs of the local community.
- 6.2.4 The Stevenage Borough Local Plan (2011 – 2031) was formally adopted by the Council on the 22nd May 2019. As of the 22nd 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.
- 6.2.5 The Council is undertaking a review of the Local Plan and is undertaking a Regulation 18 consultation. Following this consultation period, the Council will seek to amend the Local Plan and then undertake a Regulation 19 consultation in the Winter of 2024. This will be where a further opportunity for representations can be made on the amendments to the Local Plan before it is submitted for examination to a planning inspector. The Council intends to submit the Local Plan for Examination in Public (EiP) in early 2025 with the aim to adopt an updated Local Plan by June 2025. As the updated Local Plan progresses through the relevant stages outlined above, more weight can be applied to the respective policies until its formal adoption by the Council.

6.3 Planning Practice Guidance

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

6.4 National Design Guide

- 6.4.1 The National Design Guide 2019 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 Adopted Local Plan (2019)

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

Policy SP8: Good design;
Policy GD1: High quality design;

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).

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

- 6.7.1 Stevenage Design Guide Supplementary Planning Document January 2023.

6.8 Community Infrastructure Levy

- 6.8.1 Stevenage Borough Council adopted a Community Infrastructure Levy Charging Schedule in 2020. This allows the Council to collect a levy to fund infrastructure projects based on the type, location and floorspace of a development.

7. APPRAISAL

- 7.1.1 The only issue in the assessment of the application is the impact on the character and appearance of the area, impact on residential amenities and waste and recycling.
- 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 Impact on the Character and Appearance of the Area

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 buildings are located on the western and southern sides of Penn Road and are highly prominent from a number of different public vantage points both to the front and the rear. There is a modest amount of soft landscaping in the form of shrubs and trees around the buildings.
- 7.2.6 The proposed enclosures will be located to the front of buildings 1-17, 19-35, and 37-53 and to the rear of buildings 55-71, 85-101, 103-119, and 121-137, adjacent to the existing brick-built stores and drying area. Each enclosure will measure 4.8m long, 3.6m wide and 1.45m high and will be constructed in treated hit and miss timber set between concrete posts. Similar new enclosures at Council owned flatted developments have been installed with Digi locks on the gates to prevent unauthorised access by non-residents and the Assistant Operations Manager has confirmed the same will apply here.

- 7.2.7 With regards to the enclosures that will be at the front of the buildings, these will be set back between 3.5m and 4m from the public footpath. While it is noted that the bin enclosures will be visible from the public realm, it is considered that the overall amenity of the street scene will not be harmed. The bin enclosures are approximately 1.45m in height and as low as they can be whilst still obscuring the bins from view and remaining at a safe height; this therefore minimalizes the visual impact of the enclosures.
- 7.2.8 In terms of location, the bin stores will be located adjacent to the existing stores areas, either to the front or rear of the building depending on each building's layout. They will not be adjacent to public footpaths and therefore will not impact on passing members of the public.
- 7.2.9 In terms of design, the bin enclosures will be timber and not include a roof. This is a design choice of the Council and no new bin enclosures erected by the Council have roofs. A roofed enclosure would need to be significantly taller to accommodate internal head room and would therefore have a greater impact on the street scene.
- 7.2.10 The timber enclosures are considered visually acceptable and will screen view of the bins from the public, thereby improving the visual amenities of the area.

7.3 Impact on residential amenities

- 7.3.1 Paragraph 135 of the NPPF (2023) sets out that planning decisions should ensure places are created 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."*
- 7.3.2 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, requires that development does not adversely impact the amenities of neighbouring occupiers.
- 7.3.3 Under previous applications for similar style bin stores which are located at Walden End and Buckthorn Avenue, the Operations Manager advised that *"current good practice is for waste storage areas to be fenced off and located at least 10m away from buildings and other risk areas."* In this instance, the bin stores are located between 6.5m and 10m from the entrances to the buildings. This is considered an acceptable distance to reduce the risk of fires, rat infestations, odours and other associated issues, whilst also remaining a reasonable walking distance for residents.
- 7.3.4 The new enclosures are located away from the entrance points to reduce the impact of odours and has adequate capacity to prevent overfilling; therefore, minimising the impact on residential amenity.

7.4 Waste and Recycling

- 7.4.1 The design guide SPD requires developments to provide for the storage and collection of waste from site.
- 7.4.2 The proposed development would provide adequate space and storage of waste arising from the site and would amount to a significant upgrade over the existing facilities. The distance for operatives collecting the bins is acceptable. The proposal is considered acceptable in this regard.

7.5 Biodiversity Net Gain

- 7.5.1 Paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 sets out that every planning permission granted for the development of land in England shall be deemed to have been granted subject to the 'biodiversity gain condition' requiring development to achieve a net gain of 10% of biodiversity value. There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not apply.
- 7.5.2 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).

7.6 Equality, Diversity and Human Rights

- 7.6.1 Consideration has been given to Articles 1 and 8 of the First Protocol of the European Convention on Human Rights. It is not considered that the decision would result in a violation of any person's rights under the Convention.
- 7.6.2 When considering proposals placed before Members it is important that they are fully aware of and have themselves rigorously considered the equalities implications of the decision that they are taking.
- 7.6.3 Rigorous consideration will ensure that proper appreciation of any potential impact of that decision on the Council's obligations under the Public Sector Equalities Duty. As a minimum this requires decision makers to read and carefully consider the content of any Equalities Impact Assessment (EqIA) produced by officers.
- 7.6.4 The Equalities Act 2010 requires the Council when exercising its functions to have due regard to the need to (a) eliminate discrimination, harassment, victimisation and other conduct prohibited under the Act; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and (c) foster good relations between persons who share protected characteristics under the Equality Act and persons who do not share it. The protected characteristics under the Equality Act are: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion and belief; sex and sexual orientation.
- 7.6.5 Measures will be put in place during the construction phase of the development to minimise harm to neighbouring properties arising from noise and dust. Residential dwellings are not considered to be a noise-based use. Accordingly, it is not considered that the development would contravene the Human Rights Act by way of preventing or hindering the right to peaceful enjoyment of a home.
- 7.6.6 The proposal will not block or reduce accessibility of the buildings by persons using pushchairs, wheelchairs, or other mobility aids. The enclosure itself will be accessible by all persons through level access. Accordingly, the development will not affect persons of protected characteristics.
- 7.6.7 It is considered that the decision has had regard to this duty. The development would not conflict with either Stevenage Borough Council's Equality Policy or the commitments set out in

our Equality Objectives and would support the Council in meeting its statutory equality responsibilities.

8. CONCLUSIONS

- 8.1 The proposal is considered to be in accordance with the development plan and 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 following conditions and informatives:
- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:
Site Location Plan; 267/835 Rev A; 267/811B Rev A; 267/813B Rev A; 267/815B Rev A; 267/817B Rev A; 267/819B Rev A; 267/821B Rev A; 267/823B Rev A;
REASON:- For the avoidance of doubt and in the interests of proper planning
 - 2 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON:- To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).
 - 3 The 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.
REASON:- To ensure a satisfactory appearance upon completion of the development.

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

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

INFORMATIVES

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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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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.

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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.
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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 December 2023 and Planning Practice Guidance.

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Meeting: Planning and Development Committee

Agenda Item:

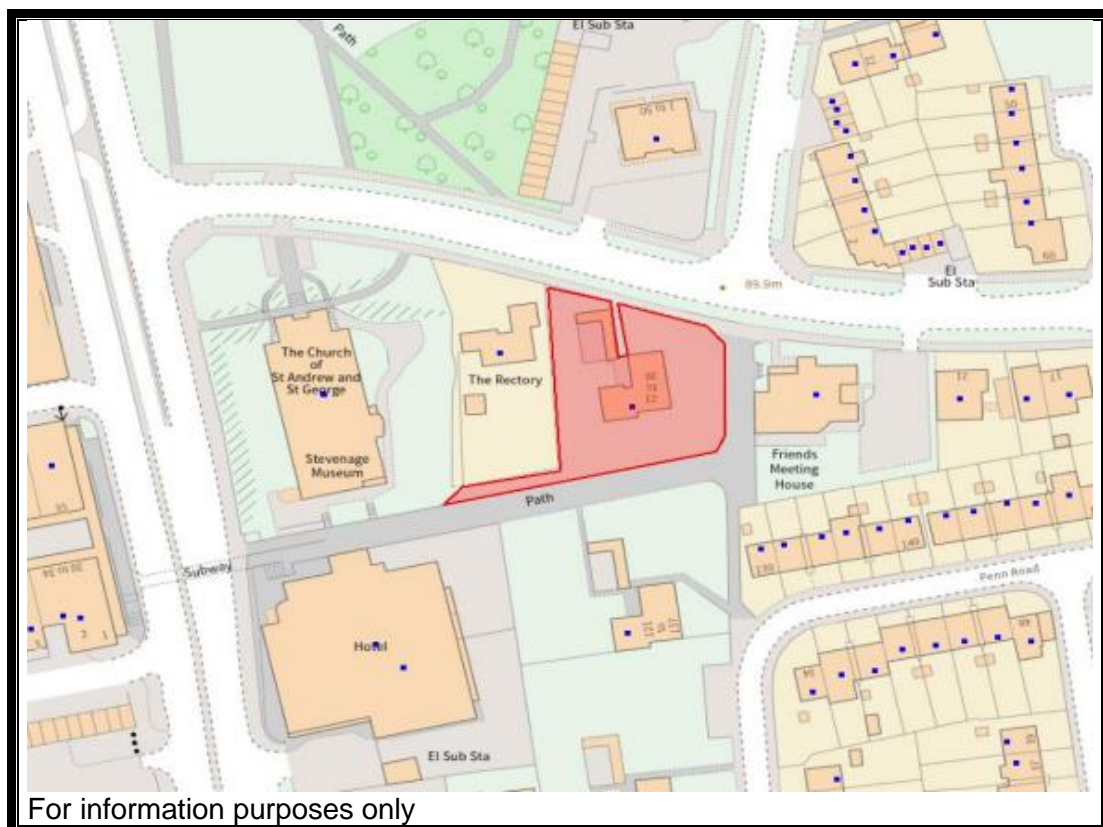
Date: 29 October 2024

Author: Linda Sparrow

Lead Officer: Zayd Al-Jawad

Contact Officer: Linda Sparrow

Application No :	24/00668/FP
Location :	23-29 Cuttys Lane, Stevenage
Proposal :	Construction of 7 no. bin enclosures each to house 12 no. 360 litre wheelie bins on land adjacent to each of seven residential blocks
Drawing Nos.:	267/835 Rev A; 267/825B Rev A; Site Location Plan;
Applicant :	Wates Living Space Ltd
Date Valid:	16 September 2024
Recommendation :	GRANT PLANNING PERMISSION



1. SITE DESCRIPTION

- 1.1. The application site is located on the southern side of Cuttys Lane and is bounded by residential dwellings to the south, east and west with residential dwellings to the north beyond the vehicular highway. To the west is the church of St Andrew and St George which is Grade II listed and to

the south-west is the Holiday Inn hotel. The site also lies to the south-east of the Town Centre Gardens and due east of the main town centre.

- 1.2. The building is three storeys, L-Shaped with a dual pitched tiled roof and contain 9no. flats each. The buildings are currently undergoing a renovation approved under 24/00252/FP and so are currently enveloped in scaffolding and screening. Once complete, the building will be white and grey render, white uPVC fenestrations and new balconies. The building is surrounded with public open space with a large number of trees.

2. RELEVANT PLANNING HISORY

- 2.1 24/00252/FP - installation of external wall insulation and associated external finish, installation of solar PV array system; replacement roof tiles; replacement of external windows and doors, alterations to external ventilation and balcony upgrades. Granted permission at Committee 23 May 2024.

3. THE CURRENT APPLICATION

- 3.1 This application seeks planning permission to erect an external, detached, bin store to the front of the building. The bin store will be able to accommodate up to 12no. 360 litre wheelie bins.
- 3.2 This application comes before the Planning and Development Committee because the owner of the building is Stevenage Borough Council and previous applications for this property have been referred to Committee. Therefore, in line with the Council's constitution, this application is being referred to the aforementioned committee for its decision.

4. PUBLIC REPRESENTATIONS

- 4.1 Following notification of the application via letters to neighbouring properties, no comments were received.

5. CONSULTATIONS

5.1. Environmental Health

- 5.1.1 No objections to the work.

5.2 Waste and Recycling Department

- 5.2.1 Confirm that the bin stores will be open roofed and secured with Digi-locks the same as other recently installed stores at other SBC premises.

6. RELEVANT PLANNING POLICIES

6.1. Background to the Development Plan

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

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

6.2 Central Government Advice

- 6.2.1 A revised National Planning Policy Framework (NPPF) was published in 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 Council are content that the policies in the Local Plan are in conformity with the revised NPPF and that the Local Plan should be considered up to date for the purpose of determining planning applications. The NPPF provides that proposals which accord with an up-to-date development plan should be approved without delay (para.11) and that where a planning application conflicts with an up-to-date development plan, permission should not usually be granted (para.12).
- 6.2.3 In order for a Local Plan to be effective, they need to be kept up-to-date. The NPPF states policies in local plans should be reviewed to assess whether they need updating at least once every 5 years. This is reflected under Regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) which sets out local planning authorities must review local plans every 5 years from their adoption to ensure that policies remain relevant and effectively address the needs of the local community.
- 6.2.4 The Stevenage Borough Local Plan (2011 – 2031) was formally adopted by the Council on the 22nd May 2019. As of the 22nd 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.
- 6.2.5 The Council is undertaking a review of the Local Plan and is undertaking a Regulation 18 consultation. Following this consultation period, the Council will seek to amend the Local Plan and then undertake a Regulation 19 consultation in the Winter of 2024. This will be where a further opportunity for representations can be made on the amendments to the Local Plan before it is submitted for examination to a planning inspector. The Council intends to submit the Local Plan for Examination in Public (EiP) in early 2025 with the aim to adopt an updated Local Plan by June 2025. As the updated Local Plan progresses through the relevant stages outlined above, more weight can be applied to the respective policies until its formal adoption by the Council.

6.3 Planning Practice Guidance

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

6.4 National Design Guide

- 6.4.1 The National Design Guide 2019 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 Adopted Local Plan (2019)

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

Policy SP8: Good design;
Policy GD1: High quality design;

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).

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

- 6.7.1 Stevenage Design Guide Supplementary Planning Document January 2023.

6.8 Community Infrastructure Levy

- 6.8.1 Stevenage Borough Council adopted a Community Infrastructure Levy Charging Schedule in 2020. This allows the Council to collect a levy to fund infrastructure projects based on the type, location and floorspace of a development.

7. APPRAISAL

- 7.1.1 The only issue in the assessment of the application is the impact on the character and appearance of the area, impact on residential amenities and waste and recycling.
- 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 Impact on the Character and Appearance of the Area

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 building is located on the southern side of Cuttys Lane and is highly prominent from a number of different public vantage points both to the front and the rear. There is a modest amount of soft landscaping in the form of shrubs and trees around the buildings.
- 7.2.6 The proposed enclosures will be located to the front of the building, adjacent to the existing brick-built stores and drying area. The enclosure will measure 4.8m long, 3.6m wide and 1.45m high and will be constructed in treated hit and miss timber set between concrete posts. Similar new enclosures at Council owned flatted developments have been installed with Digi locks on the gates to prevent unauthorised access by non-residents and the Assistant Operations Manager has confirmed the same will apply here.

- 7.2.7 The enclosure will be set back approximately 13m from the public footpath. While it is noted that the bin enclosure may be visible from the public realm, it is considered that the overall amenity of the street scene will not be harmed, and it will be sited behind the existing brick-built stores area. The bin enclosure is approximately 1.45m in height and as low as it can be whilst still obscuring the bins from view and remaining at a safe height; this therefore minimalizes the visual impact of the enclosures.
- 7.2.8 In terms of location, the bin store will be located adjacent to the existing stores areas, to the front of the building. It will not be adjacent to public footpaths and therefore will not impact on passing members of the public.
- 7.2.9 In terms of design, the bin enclosure will be timber and not include a roof. This is a design choice of the Council and no new bin enclosures erected by the Council have roofs. A roofed enclosure would need to be significantly taller to accommodate internal head room and would therefore have a greater impact on the street scene.
- 7.2.10 The timber enclosures are considered visually acceptable and will screen view of the bins from the public, thereby improving the visual amenities of the area.

7.3 Impact on residential amenities

- 7.3.1 Paragraph 135 of the NPPF (2023) sets out that planning decisions should ensure places are created 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. .*
- 7.3.2 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, requires that development does not adversely impact the amenities of neighbouring occupiers.
- 7.3.3 Under previous applications for similar style bin stores which are located at Walden End and Buckthorn Avenue, the Operations Manager advised that *“current good practice is for waste storage areas to be fenced off and located at least 10m away from buildings and other risk areas.”* In this instance, the bin store is located approximately 7m from the entrance to the building. This is considered an acceptable distance to reduce the risk of fires, rat infestations, odours and other associated issues, whilst also remaining a reasonable walking distance for residents.
- 7.3.4 The new enclosure is located away from the entrance points to reduce the impact of odours and has adequate capacity to prevent overfilling; therefore, minimising the impact on residential amenity.

7.4 Waste and Recycling

- 7.4.1 The design guide SPD requires developments to provide for the storage and collection of waste from site.
- 7.4.2 The proposed development would provide adequate space and storage of waste arising from the site and would amount to a significant upgrade over the existing facilities. The distance for operatives collecting the bins is acceptable. The proposal is considered acceptable in this regard.

7.5 Biodiversity Net Gain

- 7.5.1 Paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 sets out that every planning permission granted for the development of land in England shall be deemed to have been granted subject to the 'biodiversity gain condition' requiring development to achieve a net gain of 10% of biodiversity value. There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not apply.
- 7.5.2 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).

7.6 Equality, Diversity and Human Rights

- 7.6.1 Consideration has been given to Articles 1 and 8 of the First Protocol of the European Convention on Human Rights. It is not considered that the decision would result in a violation of any person's rights under the Convention.
- 7.6.2 When considering proposals placed before Members it is important that they are fully aware of and have themselves rigorously considered the equalities implications of the decision that they are taking.
- 7.6.3 Rigorous consideration will ensure that proper appreciation of any potential impact of that decision on the Council's obligations under the Public Sector Equalities Duty. As a minimum this requires decision makers to read and carefully consider the content of any Equalities Impact Assessment (EqIA) produced by officers.
- 7.6.4 The Equalities Act 2010 requires the Council when exercising its functions to have due regard to the need to (a) eliminate discrimination, harassment, victimisation and other conduct prohibited under the Act; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and (c) foster good relations between persons who share protected characteristics under the Equality Act and persons who do not share it. The protected characteristics under the Equality Act are: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion and belief; sex and sexual orientation.
- 7.6.5 Measures will be put in place during the construction phase of the development to minimise harm to neighbouring properties arising from noise and dust. Residential dwellings are not considered to be a noise-based use. Accordingly, it is not considered that the development would contravene the Human Rights Act by way of preventing or hindering the right to peaceful enjoyment of a home.
- 7.6.6 The proposal will not block or reduce accessibility of the buildings by persons using pushchairs, wheelchairs, or other mobility aids. The enclosure itself will be accessible by all persons through level access. Accordingly, the development will not affect persons of protected characteristics.
- 7.6.7 It is considered that the decision has had regard to this duty. The development would not conflict with either Stevenage Borough Council's Equality Policy or the commitments set out in

our Equality Objectives and would support the Council in meeting its statutory equality responsibilities.

8. CONCLUSIONS

- 8.1 The proposal is considered to be in accordance with the development plan and 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 following conditions and informatives:
- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:
267/835 Rev A; 267/825B Rev A; Site Location Plan;
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.
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REASON:- To ensure a satisfactory appearance upon completion of the development.

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

Date: 29 October 2024

Author: Linda Sparrow

Lead Officer: Zayd Al-Jawad

Contact Officer: Linda Sparrow

Application No : 24/00681/FP

Location : Garages 13, 14, 15, And 16 Adjacent To 11 Oundle Path

Proposal : Retrospective planning permission for retention of single garage following demolition of existing two sheds and raising height of two garages

Drawing Nos.: 267/836-P3; Site Location Plan;

Applicant : Laurence Haynes – Stevenage Borough Council

Agent: Ms Kim Randall

Date Valid: 20 September 2024

Recommendation: **GRANT PLANNING PERMISSION**



1. SITE DESCRIPTION

- 1.1 The application site comprises 3no. garages within a Council owned garage compound. The site lies to the south-east of Oundle Path and to the west of Mandeville. One garage was previously 2no. sheds which were demolished and re-built as one garage.

2. RELEVANT PLANNING HISTORY

- 2.1 None

3. THE CURRENT APPLICATION

- 3.1 This application seeks retrospective planning permission for the retention of 1no. newly built garage and works to raise the height of the roof of 2no. existing garages to be in line with the height of the newly constructed garage.
- 3.2 This application is being referred to the Planning and Development Committee as Stevenage Borough Council is the applicant and landowner.

4. PUBLIC REPRESENTATIONS

- 4.1 Following notification of the application via letters and the erection of a site notice, no comments have been received.

5. CONSULTATIONS

- 5.1. SBC Garage Services Department

- 5.1.1 No comments received.

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 In order for a Local Plan to be effective, they need to be kept up-to-date. The NPPF states policies in local plans should be reviewed to assess whether they need updating at least once every 5 years. This is reflected under Regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) which sets out local planning authorities must review local plans every 5 years from their adoption to ensure that policies remain relevant and effectively address the needs of the local community.

6.2.4 The Stevenage Borough Local Plan (2011 – 2031) was formally adopted by the Council on the 22nd May 2019. As of the 22nd 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.

6.2.5 The Council is undertaking a review of the Local Plan and is undertaking a Regulation 18 consultation. Following this consultation period, the Council will seek to amend the Local Plan and then undertake a Regulation 19 consultation in the Winter of 2024. This will be where a further opportunity for representations can be made on the amendments to the Local Plan before it is submitted for examination to a planning inspector. The Council intends to submit the Local Plan for Examination in Public (EiP) in early 2025 with the aim to adopt an updated Local Plan by June 2025. As the updated Local Plan progresses through the relevant stages outlined above, more weight can be applied to the respective policies until its formal adoption by the Council.

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 Adopted Local Plan (2019)

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

Policy SP8: Good design;
Policy IT5: Parking and access;
Policy GD1: High quality design;

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).

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

6.7.1 The following supplementary planning documents are relevant to determining the application:

- Parking Provision Supplementary Planning Document October 2020
- Stevenage Design Guide Supplementary Planning Document January 2023.

6.8 Community Infrastructure Levy

6.8.1 Stevenage Borough Council adopted a Community Infrastructure Levy (“CIL”) Charging Schedule in 2020. This allows the Council to collect a levy to fund infrastructure projects based on the type, location, and floor space of a development.

7. APPRAISAL

7.1 The main issues in the assessment of the application are the impact on the character and appearance of the area, impact on neighbouring amenity and car parking provision.

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

7.2 Design and visual impact

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 Previously, the site was occupied by a pair of brick and timber construct sheds comprising corrugated sheet metal roofs which were in very poor condition and were much shallower than surrounding garages so as to be unusable by vehicles (See figure 1).



Figure 1: Photograph of sheds prior to their demolition.

7.2.6 The new garage is constructed with matching materials to the surrounding garages, and, whilst taller, this is marginal and not overly perceptible due to the topography of the compound.

7.2.7 The depth of the garage, however, is 0.9m deeper than surrounding garages which is highly noticeable in the street scene. It is acknowledged that the depth is at odds, visually, with the surrounding garages and is noticeable from the public domain in Oundle Path. However, this has been done to meet the internal space standards of new garages as set out in the Parking Standards SPD at 6m deep and the garage would not be acceptable for car parking if it were smaller.

- 7.2.8 Further to the above, it is important to note that the existing garages were constructed prior to current internal space standards and would generally not be sufficient for parking of most modern vehicles. The new standards have been designed to allow for parking of vehicles and additional storage space, for example, for bicycles, to meet modern living conditions.
- 7.2.9 The height of two adjacent garages were increased at the time of construction to allow for continuous rainwater guttering to be installed. The height was increased by approximately 0.2m which is acceptable and barely perceptible in the street scene.
- 7.2.10 Accordingly, whilst the new garage is deeper than surrounding garages, which is at odds with the visual amenities of the area, this is considered acceptable in this instance, in this location, to be acceptable in planning terms as the depth is required to provide a garage that meets the current space standards. The public benefits of providing a secure garage which meets current standards would be the resultant removal of a vehicle which currently parks on-street and would help to free up capacity on the highway. Whilst this benefit is limited due to the quantum of development, it is considered sufficient to outweigh the harm caused to the character and appearance of the area.

7.3 Impact on residential amenities

- 7.3.1 Paragraph 135 of the NPPF (2023) sets out that planning decisions should ensure places are created 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. .*
- 7.3.2 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, requires that development does not adversely impact the amenities of neighbouring occupiers.
- 7.3.3 The impact on the adjacent residential dwelling, No.11 Oundle Path, will be negligible, and would only arise from the increase in height of the new garage and the adjacent two that were refurbished. The increase in height is approximately 0.2m which is barely perceptible and not considered to give rise to harm to neighbouring amenities.

7.4 Car Parking and Cycle Provision

National Planning Policy Framework and Planning Practice Guidance

- 7.4.1 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

- 7.4.2 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.
- 7.4.3 The site formerly comprised 2no. brick and timber sheds which were in very poor condition and substantially shallower than surrounding garages. As such, they were not useable as garages for parking of vehicles.
- 7.4.4 The replacement garage, at 6m deep and 3.8m wide internally meets the standards for new garages such that it can accommodate a modern vehicle and additional storage space. In this regard, the garage is considered acceptable.

7.5 Biodiversity, Ecology and Protected Species

- 7.5.1 Paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 sets out that every planning permission granted for the development of land in England shall be deemed to have been granted subject to the 'biodiversity gain condition' requiring development to achieve a net gain of 10% of biodiversity value.
- 7.5.2 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).

7.6 Equality, Diversity and Human Rights

- 7.6.1 Consideration has been given to Articles 1 and 8 of the First Protocol of the European Convention on Human Rights. It is not considered that the decision would result in a violation of any person's rights under the Convention.
- 7.6.2 When considering proposals placed before Members it is important that they are fully aware of and have themselves rigorously considered the equalities implications of the decision that they are taking.
- 7.6.3 Rigorous consideration will ensure that proper appreciation of any potential impact of that decision on the Council's obligations under the Public Sector Equalities Duty. As a minimum this requires decision makers to read and carefully consider the content of any Equalities Impact Assessment (EqIA) produced by officers.
- 7.6.4 The Equalities Act 2010 requires the Council when exercising its functions to have due regard to the need to (a) eliminate discrimination, harassment, victimisation and other conduct prohibited under the Act; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and (c) foster good relations between persons who share protected characteristics under the Equality Act and persons who do not share it. The protected characteristics under the

Equality Act are: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion and belief; sex and sexual orientation.

- 7.6.5 The development does not block access to any other garage by persons using pushchairs or wheelchairs, or other mobility aids. The garage itself is accessible by all persons through level access. Accordingly, the development will not affect persons of protected characteristics.
- 7.6.6 It is considered that the decision has had regard to this duty. The development will not conflict with either Stevenage Borough Council's Equality Policy or the commitments set out in our Equality Objective and would support the Council in meeting its statutory equality responsibilities.

8. CONCLUSIONS

- 8.1 The proposal is considered to be in accordance with the development plan and 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 FOLLOWING CONDITIONS/REASONS

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:
267/836-P3; Site Location Plan;
REASON:- For the avoidance of doubt and in the interests of proper planning

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

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

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,
3. Stevenage Borough Local Plan 2011 – 2031 adopted 2019.
4. Hertfordshire County Council's Local Transport Plan 4 adopted May 2019.
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 December 2023 and Planning Practice Guidance.

Meeting: Planning and Development Committee**Agenda Item:****Date:** 29 October 2024**Author:** Lewis McGann**Lead Officer:** Zayd Al-Jawad**Contact Officer:** Lewis McGann

Application No :	24/00598/FP
Location :	1-12 Fovant Court, Ingleside Drive, Stevenage
Proposal :	Installation of perimeter edge guard railing to flat roof areas.
Drawing Nos.:	CD-ADC392-1-12FC-100_P1; CD-ADC392-1-12FC-101_P1; CD-ADC392-1-12FC-102_P1; CD-ADC392-1-12FC-200_P1; CD-ADC392-1-12FC-201_P1; CD-ADC392-1-12FC-202_P3; CD-ADC392-1-12FC-203_P3;
Applicant :	Mulalley & Company Ltd
Date Valid:	22 August 2024
Recommendation :	GRANT PLANNING PERMISSION



For information purposes only

1. SITE DESCRIPTION

- 1.1. The application site comprises a three storey, staggered terrace block of twelve flats located on the northern side of the southern-most branch road of Ingleside Drive, adjacent to the north-

west of St John Henry Newman School. Directly on the opposite side of the road to the north-east lies Cranbourne Court.

- 1.2. The block of flats in question is divided into four distinct main buildings, all of which are constructed of a red brick course with elements of white and some brown horizontal cladding. Each main building is roofed with a flat roof and is fitted with white uPVC windows and steel external doors. All twelve properties feature a balcony or ground floor patio on their south-eastern elevation, and these are finished with black metal balustrading.
- 1.3. The surrounding area is characterised by a mixture of flat blocks, terraced and semi-detached housing, typically laid out in staggered rows that are generally of a similar age and style to the application site.

2. RELEVANT PLANNING HISTORY

- 2.1 Planning permission 24/00193/FP - Replacement cladding, communal entrance doors and windows to flats and communal areas, together with replacement flat roof covering, fascias, gutters and downpipes and replacement balustrading to balconies and ground floor patios. Granted permission May 2024.

3. THE CURRENT APPLICATION

- 3.1 This application seeks planning permission for the following works:
 - New freestanding galvanised steel handrail perimeter safety guarding with counterweights.
- 3.2 This application comes before the Planning and Development Committee because the landowner is Stevenage Borough Council. Therefore, in line with the Council's constitution, this application is being referred to the aforementioned committee for its decision.

4. PUBLIC REPRESENTATIONS

- 4.1 Following notification of the application via a site notice, no comments were received.

5. CONSULTATIONS

- 5.1. No statutory consultations were necessary for this application.

6. RELEVANT PLANNING POLICIES

6.1. Background to the Development Plan

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

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

6.2 Central Government Advice

6.2.1 A revised National Planning Policy Framework (NPPF) was published in 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 Council are content that the policies in the Local Plan are in conformity with the revised NPPF and that the Local Plan should be considered up to date for the purpose of determining planning applications. The NPPF provides that proposals which accord with an up-to-date development plan should be approved without delay (para.11) and that where a planning application conflicts with an up-to-date development plan, permission should not usually be granted (para.12). This indicates the weight which should be given to an up-to-date development plan, reflecting the requirements of section 38(6) of the 2004 Act.

6.2.3 In order for a Local Plan to be effective, they need to be kept up-to-date. The NPPF states policies in local plans should be reviewed to assess whether they need updating at least once every 5 years. This is reflected under Regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) which sets out local planning authorities must review local plans every 5 years from their adoption to ensure that policies remain relevant and effectively address the needs of the local community.

6.2.4 The Stevenage Borough Local Plan (2011 – 2031) was formally adopted by the Council on the 22nd May 2019. As of the 22nd 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.

6.2.5 The Council is undertaking a review of the Local Plan and is undertaking a Regulation 18 consultation. Following this consultation period, the Council will seek to amend the Local Plan and then undertake a Regulation 19 consultation in the Winter of 2024. This will be where a further opportunity for representations can be made on the amendments to the Local Plan before it is submitted for examination to a planning inspector. The Council intends to submit the Local Plan for Examination in Public (EiP) in early 2025 with the aim to adopt an updated Local Plan by June 2025. As the updated Local Plan progresses through the relevant stages outlined above, more weight can be applied to the respective policies until its formal adoption by the Council.

6.3 Planning Practice Guidance

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

6.4 National Design Guide

6.4.1 The National Design Guide 2019 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 Adopted Local Plan (2019)

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

Policy SP8: Good design;
Policy GD1: High quality design;

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).

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 Supplementary Planning Document January 2023.

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.

7. APPRAISAL

7.1.1 The only issue in the assessment of the application is the impact on the character and appearance of the area. There are no changes to the number of units within the building and no enlargement of the buildings or number and locations of fenestrations so there will be no change to the car parking provision nor any changes to existing impacts on neighbouring properties.

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 Impact on the Character and Appearance of the Area

7.2.1 In terms of design, paragraph 131 of the NPPF (2023) states that achieving high quality, beautiful and sustainable buildings and places is fundamental to the planning and development process and that good design is a key aspect of sustainable development. Further, paragraph 135 of the NPPF (2023) stipulates that planning decisions should ensure developments function well and adds to the overall quality of the area, not just in the short term but over the lifetime of the development. It also sets out that developments should be visually attractive as a result of good architecture, layout and appropriate and effective landscaping is sympathetic to local character and history, including the surrounding built environment and landscape setting.

7.2.2 Paragraph 139 of the NPPF (2023) states that permission should be refused especially where it fails to reflect local design policies and government guidance on design (such as the National Design Guide), taking into account any local design guidance and supplementary planning documents. Conversely, significant weight be given to:

- a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or
- b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as the fit in with the overall form and layout of their surroundings.

7.2.3 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.

7.2.4 Policy SP8 of the adopted Local Plan (2019) requires new development to achieve the highest standards of design and sustainability which can deliver substantial improvements to the image and quality of the towns' built fabric. Policy GD1 of the Local Plan generally requires all forms of development to meet a high standard of design which includes form of built development, elevational treatment and materials along with how the development would integrate with the urban fabric, its relationship between buildings, landscape design and relevant aspects of sustainable design.

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

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

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

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

- their detailing.

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

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

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

- Based on a sound understanding of the features of the site and the surrounding context, using baseline studies as a starting point for design;
- Integrated into their surroundings so they relate well to them;
- Influenced by and influence their context positively; and
- Responsive to local history, culture and heritage.

7.2.9 The Council recently adopted an updated Design Guide SPD (Jan 2023). An understanding and analysis of the original New Town design concepts led to some key issues becoming apparent. These have been used as key themes, which run throughout the entirety of this guidance. Considering these concepts at all stages of the development process will provide a good basis for the creation of a successful place; based on the recognised principles of urban design, but also building on the existing fabric of the town without taking away from Stevenage's history as Britain's first Mark One New Town. The themes have been identified as follows:

- Sustainability – incorporate principles of sustainable development from a town-wide perspective to measures incorporated into an individual property;
- Increasing densities – encourage high densities in accessible locations;
- Respecting existing characteristics – respect local characteristics and preserve and enhance existing features, where appropriate;
- Legibility – provide landmark developments at nodal points;
- Design innovation – showcase Stevenage as an example of high-quality design, creating safer places through urban design techniques.

7.2.10 The proposed works would involve the installation of perimeter edge guard railings to the flat roof area, which would be in galvanised steel. The railing would be 1.1m in height. The works would be in addition to the external refurbishment works granted permission in May 2024. Whilst the railing would be partially visible on the roof, it is considered that it would have a very limited impact on the character and appearance of the wider area.

7.2.11 Having regard to the above, it is considered that the proposed development would have an acceptable impact on the character and appearance of the area. In this respect, the proposal accords with Policies SP8 and GD1 of the Local Plan 2019, which together require development to be of a high quality and sympathetic to its surroundings.

7.3 Biodiversity Net Gain

7.3.1 Paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 sets out that every planning permission granted for the development of land in England shall be deemed to have

been granted subject to the 'biodiversity gain condition' requiring development to achieve a net gain of 10% of biodiversity value. This is subject to exemptions, an exemption applies in relation to planning permission for a development which is below the de minimis threshold, meaning development which:

- 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
- 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).

Applicants for planning permission are required to make a statement as to whether the biodiversity gain condition will apply if permission is granted.

7.3.2 The applicant has confirmed in their statement that if granted planning permission, the general Biodiversity Net Gain Condition (as set out in Paragraph 13 of Schedule of the Town and Country Planning Act (as amended) does not apply. This is because the development proposal is below the threshold which will not have an impact on a priority habitat, and it will impact less than 25sqm of onsite habitat and less than 5m of linear hedgerow. This is because the development is limited to the existing footprint of the building only.

7.4 Other Matters

Equality, Diversity and Human Rights

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

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

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

responsibilities. This is because the proposed development will not impact upon person who have protected characteristics.

8. CONCLUSIONS

- 8.1 The proposal is considered to be in accordance with the development plan and 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 following conditions and informatives:

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: CD-ADC392-1-12FC-100_P1; CD-ADC392-1-12FC-101_P1; CD-ADC392-1-12FC-102_P1; CD-ADC392-1-12FC-200_P1; CD-ADC392-1-12FC-201_P1; CD-ADC392-1-12FC-202_P3; CD-ADC392-1-12FC-203_P3;

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

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

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

- 3 The materials to be used in the development hereby permitted shall be as per the approved plans and associated documents to the satisfaction of the Local Planning Authority.

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

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

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

INFORMATIVE

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- Excavation for foundations
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- Concrete oversite
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- 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>.

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.
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 December 2023 and National Planning Practice Guidance.

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Meeting: Planning and Development Committee

Agenda Item:

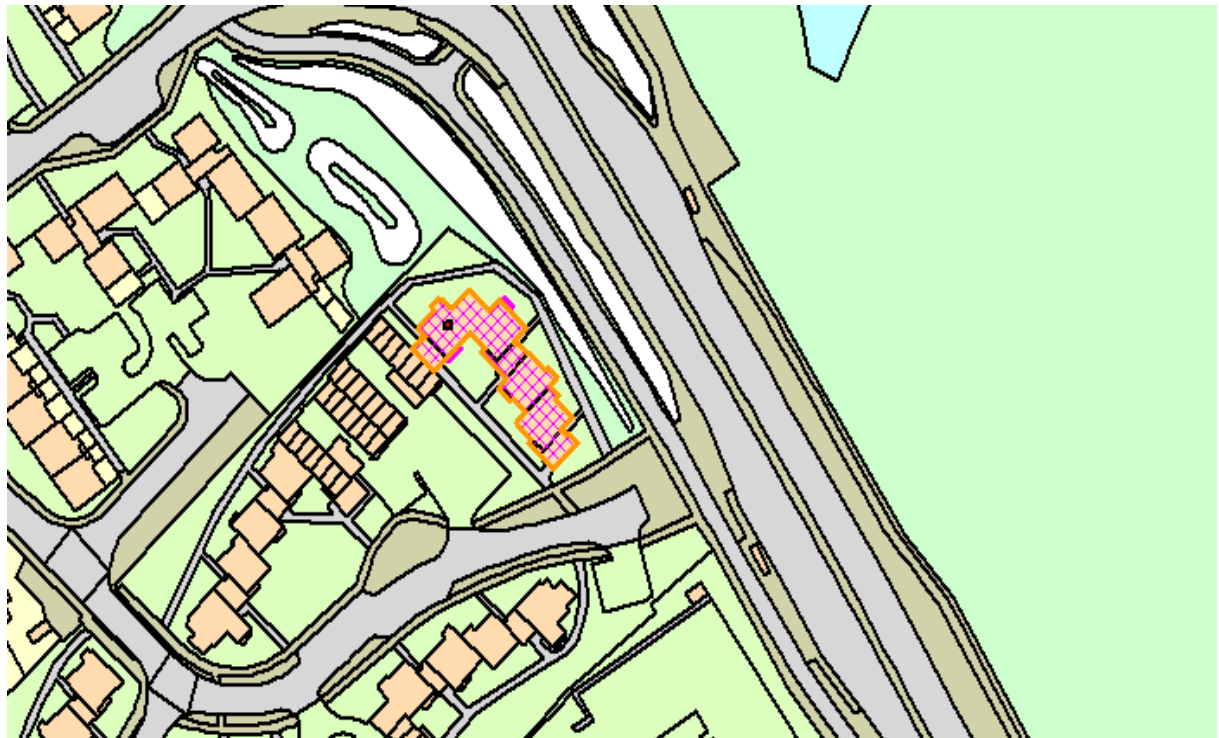
Date: 29 October 2024

Author: Lewis McGann

Lead Officer: Zayd Al-Jawad

Contact Officer: Lewis McGann

Application No :	24/00626/FP
Location :	1-14 Cavalier Court, Ingleside Drive, Stevenage
Proposal :	Installation of perimeter edge guard railing to flat roof areas.
Drawing Nos.:	CD-ADC392-1-14CC-100_P1; CD-ADC392-1-14CC-101_P1; CD-ADC392-1-14CC-102_P1; CD-ADC392-1-14CC-200_P1; CD-ADC392-1-14CC-201_P1; CD-ADC392-1-14CC-202_P2; CD-ADC392-1-14CC-203_P2;
Applicant :	Mulalley & Company Ltd
Date Valid:	03 September 2024
Recommendation :	GRANT PLANNING PERMISSION



For information purposes only

1. SITE DESCRIPTION

- 1.1. The application site comprises a three storey, staggered terrace block of fourteen flats located on the northern side of the road at the end of Ingleside Drive. Adjacent to the south-west lies Cranbourne Court and the partially concealed, integrated car park it shares with Cavalier Court. Directly on the opposite side of the road to the south lies Knowle Court, whilst to the east runs the A602, Hitchin Road.
- 1.2. The block of flats in question is divided into four distinct main buildings, all of which are constructed of a red brick course with elements of white and brown horizontal cladding. Each main building is roofed with a flat roof and is fitted with white uPVC windows with and steel external doors. Nine of the properties feature a balcony or ground floor patio on their south-western elevation with the remaining five properties featuring a balcony or ground floor patio on their south-eastern elevation. All of the balconies and ground floor patios are finished with black metal balustrading.
- 1.3. The immediate surrounding area is characterised by flat blocks, typically laid out in staggered rows that are generally of a similar age and style to the application site.

2. RELEVANT PLANNING HISTORY

- 2.1 Planning permission 24/00281/FP - Replacement cladding, communal entrance doors and windows to flats and communal areas, together with replacement flat roof covering, fascias, gutters, downpipes, external balustrading. Granted permission in August 2024.

3. THE CURRENT APPLICATION

- 3.1 This application seeks planning permission for the following works:
 - New freestanding galvanised steel handrail perimeter safety guarding with counterweights.
- 3.2 This application comes before the Planning and Development Committee because the landowner is Stevenage Borough Council. Therefore, in line with the Council's constitution, this application is being referred to the aforementioned committee for its decision.

4. PUBLIC REPRESENTATIONS

- 4.1 Following notification of the application via letters to neighbouring properties and the erection of a site notice, no comments were received.

5. CONSULTATIONS

- 5.1. No statutory consultations were necessary for this application.

6. RELEVANT PLANNING POLICIES

6.1. Background to the Development Plan

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

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

6.2 Central Government Advice

6.2.1 A revised National Planning Policy Framework (NPPF) was published in 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 Council are content that the policies in the Local Plan are in conformity with the revised NPPF and that the Local Plan should be considered up to date for the purpose of determining planning applications. The NPPF provides that proposals which accord with an up-to-date development plan should be approved without delay (para.11) and that where a planning application conflicts with an up-to-date development plan, permission should not usually be granted (para.12). This indicates the weight which should be given to an up-to-date development plan, reflecting the requirements of section 38(6) of the 2004 Act.

6.2.3 In order for a Local Plan to be effective, they need to be kept up-to-date. The NPPF states policies in local plans should be reviewed to assess whether they need updating at least once every 5 years. This is reflected under Regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) which sets out local planning authorities must review local plans every 5 years from their adoption to ensure that policies remain relevant and effectively address the needs of the local community.

6.2.4 The Stevenage Borough Local Plan (2011 – 2031) was formally adopted by the Council on the 22nd May 2019. As of the 22nd 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.

6.2.5 The Council is undertaking a review of the Local Plan and is undertaking a Regulation 18 consultation. Following this consultation period, the Council will seek to amend the Local Plan and then undertake a Regulation 19 consultation in the Winter of 2024. This will be where a further opportunity for representations can be made on the amendments to the Local Plan before it is submitted for examination to a planning inspector. The Council intends to submit the Local Plan for Examination in Public (EiP) in early 2025 with the aim to adopt an updated Local Plan by June 2025. As the updated Local Plan progresses through the relevant stages outlined above, more weight can be applied to the respective policies until its formal adoption by the Council.

6.3 Planning Practice Guidance

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

6.4 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 Adopted Local Plan (2019)

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

Policy SP8: Good design;
Policy GD1: High quality design;

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).

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 Supplementary Planning Document January 2023.

6.8 Community Infrastructure Levy

- 6.8.1 Stevenage Borough Council adopted a Community Infrastructure Levy Charging Schedule in 2020. This allows the Council to collect a levy to fund infrastructure projects based on the type, location and floorspace of a development.

7. APPRAISAL

- 7.1.1 The only issue in the assessment of the application is the impact on the character and appearance of the area. There are no changes to the number of units within the building and no enlargement of the buildings or number and locations of fenestrations so there will be no change to the car parking provision nor any changes to existing impacts on neighbouring properties.

- 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 Impact on the Character and Appearance of the Area

- 7.2.1 In terms of design, paragraph 131 of the NPPF (2023) states that achieving high quality, beautiful and sustainable buildings and places is fundamental to the planning and development process and that good design is a key aspect of sustainable development. Further, paragraph 135 of the NPPF (2023) stipulates that planning decisions should ensure developments function well and adds to the overall quality of the area, not just in the short term but over the lifetime of the development. It also sets out that developments should be visually attractive as a result of good architecture, layout and appropriate and effective landscaping is sympathetic to local character and history, including the surrounding built environment and landscape setting.
- 7.2.2 Paragraph 139 of the NPPF (2023) states that permission should be refused especially where it fails to reflect local design policies and government guidance on design (such as the National Design Guide), taking into account any local design guidance and supplementary planning documents. Conversely, significant weight be given to:
- a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or
 - b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as the fit in with the overall form and layout of their surroundings.
- 7.2.3 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.
- 7.2.4 Policy SP8 of the adopted Local Plan (2019) requires new development to achieve the highest standards of design and sustainability which can deliver substantial improvements to the image and quality of the towns' built fabric. Policy GD1 of the Local Plan generally requires all forms of development to meet a high standard of design which includes form of built development, elevational treatment and materials along with how the development would integrate with the urban fabric, its relationship between buildings, landscape design and relevant aspects of sustainable design.
- 7.2.5 The National Design Guide (2019) which was published by National Government is a material consideration in the determination of planning applications. It sets out that Buildings are an important component of places and proposals for built development are a focus of the development management system. However, good design involves careful attention to other important components of places. These include:
- the context for places and buildings;
 - hard and soft landscape;
 - technical infrastructure – transport, utilities, services such as drainage; and
 - social infrastructure – social, commercial, leisure uses and activities.
- 7.2.6 A well-designed place is unlikely to be achieved by focusing only on the appearance, materials and detailing of buildings. It comes about through making the right choices at all levels, including:
- the layout;

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

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

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

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

- Based on a sound understanding of the features of the site and the surrounding context, using baseline studies as a starting point for design;
- Integrated into their surroundings so they relate well to them;
- Influenced by and influence their context positively; and
- Responsive to local history, culture and heritage.

7.2.9 The Council recently adopted an updated Design Guide SPD (Jan 2023). An understanding and analysis of the original New Town design concepts led to some key issues becoming apparent. These have been used as key themes, which run throughout the entirety of this guidance. Considering these concepts at all stages of the development process will provide a good basis for the creation of a successful place; based on the recognised principles of urban design, but also building on the existing fabric of the town without taking away from Stevenage's history as Britain's first Mark One New Town. The themes have been identified as follows:

- Sustainability – incorporate principles of sustainable development from a town-wide perspective to measures incorporated into an individual property;
- Increasing densities – encourage high densities in accessible locations;
- Respecting existing characteristics – respect local characteristics and preserve and enhance existing features, where appropriate;
- Legibility – provide landmark developments at nodal points;
- Design innovation – showcase Stevenage as an example of high-quality design, creating safer places through urban design techniques.

7.2.10 The proposed works would involve the installation of perimeter edge guard railings to the flat roof area, which would be in galvanised steel. The railing would be 1.1m in height. The works would be in addition to the external refurbishment works granted permission in August 2024. Whilst the railing would be partially visible on the roof, it is considered that it would have a very limited impact on the character and appearance of the wider area.

7.2.11 Having regard to the above, it is considered that the proposed development would have an acceptable impact on the character and appearance of the area. In this respect, the proposal accords with Policies SP8 and GD1 of the Local Plan 2019, which together require development to be of a high quality and sympathetic to its surroundings.

7.3 Biodiversity Net Gain

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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.
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- 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>

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.
3. Stevenage Borough Local Plan 2011 – 2031 adopted 2019.
4. Stevenage Borough Local Plan Partial Review (2024).
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 December 2023 and National Planning Practice Guidance.

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Meeting: Planning and Development Committee

Agenda Item:

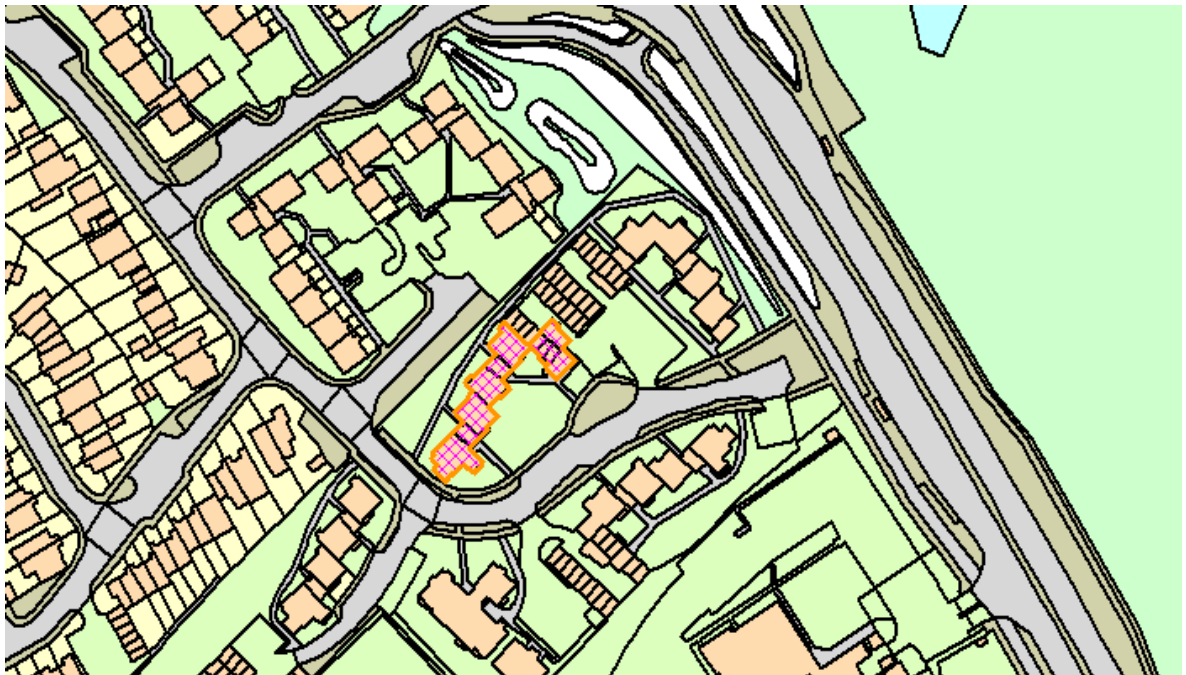
Date: 29 October 2024

Author: Lewis McGann

Lead Officer: Zayd Al-Jawad

Contact Officer: Lewis McGann

Application No :	24/00627/FP
Location :	Cranbourne Court, Ingleside Drive, Stevenage
Proposal :	Installation of perimeter edge guard railing to flat roof areas.
Drawing Nos.:	CD-ADC392-1-14CC-100_P1; CD-ADC392-1-14CC-101_P1; CD-ADC392-1-14CC-102_P1; CD-ADC392-1-14CC-200_P1; CD-ADC392-1-14CC-201_P1; CD-ADC392-1-14CC-202_P2; CD-ADC392-1-14CC-203_P2;
Applicant :	Mulalley & Company Ltd
Date Valid:	03 September 2024
Recommendation :	GRANT PLANNING PERMISSION



For information purposes only

1. SITE DESCRIPTION

- 1.1. The application site comprises a three storey, staggered terrace block of fourteen flats located on the northern side of the road at the end of Ingleside Drive, adjacent to the north-west of St

John Henry Newman School. Directly on the opposite side of the road to the south-west lies Fovant Court.

- 1.2. The block of flats in question is divided into five distinct main buildings, all of which are constructed of a red brick course with elements of white and some brown horizontal cladding. Each main building is roofed with a flat roof and is fitted with white uPVC windows with and steel external doors. Twelve of the properties feature a balcony or ground floor patio on their south-eastern elevation with the remaining two properties featuring a balcony on their south-western elevation and these are all finished with black metal balustrading. The north-eastern-most building of the block of flats contains a row of garages at ground floor level which form part of a larger area of concealed residential garages to the north-east.
- 1.3. The surrounding area is characterised by a mixture of flat blocks, terraced and semi-detached housing, typically laid out in staggered rows that are generally of a similar age and style to the application site.

2. RELEVANT PLANNING HISTORY

- 2.1 Planning permission 24/00224/FP - Replacement cladding, communal entrance doors and windows to flats and communal areas, together with replacement flat roof covering, fascias, gutters and downpipes and replacement balustrading to balconies and ground floor patios. Granted permission in May 2024.

3. THE CURRENT APPLICATION

- 3.1 This application seeks planning permission for the following works:
 - New freestanding galvanised steel handrail perimeter safety guarding with counterweights.
- 3.2 This application comes before the Planning and Development Committee because the landowner is Stevenage Borough Council. Therefore, in line with the Council's constitution, this application is being referred to the aforementioned committee for its decision.

4. PUBLIC REPRESENTATIONS

- 4.1 Following notification of the application via letters to neighbouring properties and the erection of a site notice, no comments were received.

5. CONSULTATIONS

- 5.1. No statutory consultations were necessary for this application.

6. RELEVANT PLANNING POLICIES

6.1. Background to the Development Plan

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

- The Stevenage Borough Council Local Plan 2011-2031

- Hertfordshire Waste Development Framework 2012 and Hertfordshire Waste Site Allocations Development Plan Document (adopted 2012 and 2014); and
- Hertfordshire Minerals Local Plan 2002 – 2016 (adopted 2007).

6.2 Central Government Advice

6.2.1 A revised National Planning Policy Framework (NPPF) was published in 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 Council are content that the policies in the Local Plan are in conformity with the revised NPPF and that the Local Plan should be considered up to date for the purpose of determining planning applications. The NPPF provides that proposals which accord with an up-to-date development plan should be approved without delay (para.11) and that where a planning application conflicts with an up-to-date development plan, permission should not usually be granted (para.12). This indicates the weight which should be given to an up-to-date development plan, reflecting the requirements of section 38(6) of the 2004 Act.

6.2.3 In order for a Local Plan to be effective, they need to be kept up-to-date. The NPPF states policies in local plans should be reviewed to assess whether they need updating at least once every 5 years. This is reflected under Regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) which sets out local planning authorities must review local plans every 5 years from their adoption to ensure that policies remain relevant and effectively address the needs of the local community.

6.2.4 The Stevenage Borough Local Plan (2011 – 2031) was formally adopted by the Council on the 22nd May 2019. As of the 22nd 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.

6.2.5 The Council is undertaking a review of the Local Plan and is undertaking a Regulation 18 consultation. Following this consultation period, the Council will seek to amend the Local Plan and then undertake a Regulation 19 consultation in the Winter of 2024. This will be where a further opportunity for representations can be made on the amendments to the Local Plan before it is submitted for examination to a planning inspector. The Council intends to submit the Local Plan for Examination in Public (EiP) in early 2025 with the aim to adopt an updated Local Plan by June 2025. As the updated Local Plan progresses through the relevant stages outlined above, more weight can be applied to the respective policies until its formal adoption by the Council.

6.3 Planning Practice Guidance

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

6.4 National Design Guide

6.4.1 The National Design Guide 2019 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 Adopted Local Plan (2019)

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

Policy SP8: Good design;
Policy GD1: High quality design;

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).

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 Supplementary Planning Document January 2023.

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.

7. APPRAISAL

7.1.1 The only issue in the assessment of the application is the impact on the character and appearance of the area. There are no changes to the number of units within the building and no enlargement of the buildings or number and locations of fenestrations so there will be no change to the car parking provision nor any changes to existing impacts on neighbouring properties.

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 Impact on the Character and Appearance of the Area

7.2.1 In terms of design, paragraph 131 of the NPPF (2023) states that achieving high quality, beautiful and sustainable buildings and places is fundamental to the planning and development process and that good design is a key aspect of sustainable development. Further, paragraph 135 of the NPPF (2023) stipulates that planning decisions should ensure developments function well and adds to the overall quality of the area, not just in the short term but over the lifetime of the development. It also sets out that developments should be visually attractive as a result of good architecture, layout and appropriate and effective landscaping is sympathetic to local character and history, including the surrounding built environment and landscape setting.

7.2.2 Paragraph 139 of the NPPF (2023) states that permission should be refused especially where it fails to reflect local design policies and government guidance on design (such as the National Design Guide), taking into account any local design guidance and supplementary planning documents. Conversely, significant weight be given to:

- a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or
- b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as the fit in with the overall form and layout of their surroundings.

7.2.3 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.

7.2.4 Policy SP8 of the adopted Local Plan (2019) requires new development to achieve the highest standards of design and sustainability which can deliver substantial improvements to the image and quality of the towns' built fabric. Policy GD1 of the Local Plan generally requires all forms of development to meet a high standard of design which includes form of built development, elevational treatment and materials along with how the development would integrate with the urban fabric, its relationship between buildings, landscape design and relevant aspects of sustainable design.

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

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

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

- the layout;
- the form and scale of buildings;

- their appearance;
- landscape;
- materials; and
- their detailing.

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

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

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

- Based on a sound understanding of the features of the site and the surrounding context, using baseline studies as a starting point for design;
- Integrated into their surroundings so they relate well to them;
- Influenced by and influence their context positively; and
- Responsive to local history, culture and heritage.

7.2.9 The Council recently adopted an updated Design Guide SPD (Jan 2023). An understanding and analysis of the original New Town design concepts led to some key issues becoming apparent. These have been used as key themes, which run throughout the entirety of this guidance. Considering these concepts at all stages of the development process will provide a good basis for the creation of a successful place; based on the recognised principles of urban design, but also building on the existing fabric of the town without taking away from Stevenage's history as Britain's first Mark One New Town. The themes have been identified as follows:

- Sustainability – incorporate principles of sustainable development from a town-wide perspective to measures incorporated into an individual property;
- Increasing densities – encourage high densities in accessible locations;
- Respecting existing characteristics – respect local characteristics and preserve and enhance existing features, where appropriate;
- Legibility – provide landmark developments at nodal points;
- Design innovation – showcase Stevenage as an example of high-quality design, creating safer places through urban design techniques.

7.2.10 The proposed works would involve the installation of perimeter edge guard railings to the flat roof area, which would be in galvanised steel. The railing would be 1.1m in height. The works would be in addition to the external refurbishment works granted permission in May 2024. Whilst the railing would be partially visible on the roof, it is considered that it would have a very limited impact on the character and appearance of the wider area.

7.2.11 Having regard to the above, it is considered that the proposed development would have an acceptable impact on the character and appearance of the area. In this respect, the proposal accords with Policies SP8 and GD1 of the Local Plan 2019, which together require development to be of a high quality and sympathetic to its surroundings.

7.3 Biodiversity Net Gain

7.3.1 Paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 sets out that every planning permission granted for the development of land in England shall be deemed to have been granted subject to the 'biodiversity gain condition' requiring development to achieve a net gain of 10% of biodiversity value. This is subject to exemptions, an exemption applies in relation to planning permission for a development which is below the de minimis threshold, meaning development which:

- 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
- 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).

Applicants for planning permission are required to make a statement as to whether the biodiversity gain condition will apply if permission is granted.

7.3.2 The applicant has confirmed in their statement that if granted planning permission, the general Biodiversity Net Gain Condition (as set out in Paragraph 13 of Schedule of the Town and Country Planning Act (as amended) does not apply. This is because the development proposal is below the threshold which will not have an impact on a priority habitat, and it will impact less than 25sqm of onsite habitat and less than 5m of linear hedgerow. This is because the development is limited to the existing footprint of the building only.

7.4 Other Matters

Equality, Diversity and Human Rights

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

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

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

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

7.4.5 Measures will be put in place during the construction phase of the development to minimise harm to neighbouring properties arising from noise and dust. Accordingly, it is not considered that the development would contravene the Human Rights Act by way of preventing or hindering the right to peaceful enjoyment of a home.

- 7.4.6 It is considered that the decision has had regard to this duty. The development would not conflict with either Stevenage Borough Council's Equality Policy or the commitments set out in our Equality Objectives and would support the Council in meeting its statutory equality responsibilities. This is because the proposed development will not impact upon person who have protected characteristics.

8. CONCLUSIONS

- 8.1 The proposal is considered to be in accordance with the development plan and 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 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-102_P1; CD-ADC392-1-14CC-200_P1; CD-ADC392-1-14CC-201_P1; CD-ADC392-1-14CC-202_P2; CD-ADC392-1-14CC-203_P2;
REASON:- For the avoidance of doubt and in the interests of proper planning
 - 2 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON:- To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).
 - 3 The materials to be used in the development hereby permitted shall be as per the approved plans and associated documents to the satisfaction of the Local Planning Authority.
REASON:- To ensure the development has an acceptable appearance.

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

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

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 **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

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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>.

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.
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 December 2023 and National Planning Practice Guidance.

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 : 23/00202/COND
Date Received : 13.03.23
Location : Courtlands Riding Stables Todds Green Stevenage Herts
Proposal : Discharge of conditions 4 (construction management plan); 5 (site waste management plan); 6 (vehicular access); 7 (cycle and bin storage); 8 (parking spaces); 9 (EV charging points); 13 (ecological mitigation); 14 (bird & bat boxes and hedgehogs); 21 (tree protection measures); 24 (boundary treatments); 25 (contamination); 26 (contamination); 27 (contamination); 30 (acoustic fencing); 32 (water supplies & hydrants) and 33 (ground investigations & excavations) attached to planning permission reference number 21/00971/FPM
Date of Decision : 03.10.24
Decision : **The Condition(s)/Obligation(s) cannot be discharged but are deemed Acceptable**

2. Application No : 24/00196/OP
Date Received : 14.03.24
Location : Land To South Of Chantry Farm Old Chantry Lane Todds Green Stevenage
Proposal : Outline application for erection of up to 5 dwellings (all matters reserved)
Date of Decision : 09.09.24
Decision : **Outline Planning Permission is GRANTED**

3. Application No : 24/00203/COND
Date Received : 19.03.24
Location : Land To The North Of Stevenage Weston Road Stevenage Herts
Proposal : Discharge of condition 35 (Drainage Strategy) attached to planning permission reference 17/00862/OPM for Phase 1D (22/00806/RMM).
Date of Decision : 19.09.24
Decision : **The Condition(s)/Obligation(s) cannot be discharged but are deemed Acceptable**
4. Application No : 24/00222/COND
Date Received : 26.03.24
Location : Land To The North Of Stevenage Weston Road Stevenage Herts
Proposal : Discharge of conditions 7 (Swift and Bat Boxes), 10 (External Materials), 12 (renewable Energy) and 13 (Hardstanding Finishes) attached to planning permission 22/00806/RMM Phase 1D Miller plots only
Date of Decision : 29.08.24
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**
5. Application No : 24/00310/COND
Date Received : 29.04.24
Location : Land To The North Of Stevenage Weston Road Stevenage Herts
Proposal : Discharge of condition 18 (service and delivery plan) attached to planning permission reference number 17/00862/OPM
Date of Decision : 18.09.24
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**

6. Application No : 24/00311/COND
 Date Received : 29.04.24
 Location : Land To The North Of Stevenage Weston Road Stevenage Herts
 Proposal : Discharge of condition 5 (landscaping phasing plan) attached to planning permission reference number 22/00808/RMM.
 Date of Decision : 23.08.24
 Decision : **The Condition(s)/Obligation(s) cannot be discharged but are deemed Acceptable**
7. Application No : 24/00319/COND
 Date Received : 01.05.24
 Location : 10A Burwell Road Stevenage Herts SG2 9RF
 Proposal : Discharge of conditions 12 (Drainage 1); 13 (Drainage 2); and 29 (Drainage 3) attached to planning permission reference number 22/00437/FPM
 Date of Decision : 04.10.24
 Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**
8. Application No : 24/00326/FPH
 Date Received : 03.05.24
 Location : 3 Brookhill Stevenage Herts SG2 8RR
 Proposal : Erection of single-storey garage.
 Date of Decision : 13.09.24
 Decision : **Planning Permission is REFUSED**
- For the following reason(s);
1. The proposed garage, by virtue of its siting within eight metres of Stevenage Brook, would not maintain the necessary buffer zone from the top of the bank of the watercourse along the entire length of the watercourse on the application site, which would result in the Environment Agency not being able to gain access to maintain the Brook where required. This, together with the fact a Flood Risk Assessment has not been submitted to demonstrate that the proposal would not increase the risk of flooding downstream and/or to the application site itself, the proposal is contrary to Policy FP3 of the Stevenage Borough Local Plan (2019), the National Planning Policy Framework (2023) and associated National Planning Policy Guidance.

9. Application No : 24/00381/COND
Date Received : 30.05.24
Location : Land To The North Of Stevenage Weston Road Stevenage Herts
Proposal : Discharge of conditions 3 (Signage Details) and 4 (Benches and Bins) attached to planning permission reference number 22/00808/RMM
Date of Decision : 20.09.24
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**
10. Application No : 24/00383/FPH
Date Received : 31.05.24
Location : 49 Grove Road Stevenage Herts SG1 3NT
Proposal : Erection of single-storey side extension.
Date of Decision : 02.09.24
Decision : **Planning Permission is GRANTED**
11. Application No : 24/00400/COND
Date Received : 08.06.24
Location : Land Between 40 Conifer Walk And 7 Conifer Close Stevenage Herts
Proposal : Discharge of conditions 3 (Materials); 9 (Climate Change); and 17 (CMP) attached to planning permission reference number 22/00674/FP
Date of Decision : 02.09.24
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**
12. Application No : 24/00405/FP
Date Received : 12.06.24
Location : 30 High Street Stevenage Herts SG1 3AU
Proposal : Partial change of use of ground floor from Hot Food Takeaway (Sui Generis) to Residential (Class C3) to create 1no. one bedroom flat
Date of Decision : 23.09.24
Decision : **Planning Permission is GRANTED**

13. Application No : 24/00406/LB
Date Received : 12.06.24
Location : 30 High Street Stevenage Herts SG1 3AU
Proposal : Partial change of use of ground floor from Hot Food Takeaway (Sui Generis) to Residential (Class C3) to create 1no. one bedroom flat
Date of Decision : 23.09.24
Decision : **Listed Building Consent is GRANTED**
14. Application No : 24/00412/FPH
Date Received : 14.06.24
Location : 108 Letchmore Road Stevenage Herts SG1 3PT
Proposal : Erection of part single storey, part two storey side and rear extension.
Date of Decision : 29.08.24
Decision : **Planning Permission is GRANTED**
15. Application No : 24/00434/FPH
Date Received : 22.06.24
Location : 1 Granby Road Stevenage Herts SG1 4AR
Proposal : Demolition of existing conservatory to facilitate the erection of a part two storey, part single storey rear extension, first floor side extension, garage conversion and relocation of existing vehicle access and alterations to the height of the roof of the existing dwelling.
Date of Decision : 29.08.24
Decision : **Planning Permission is GRANTED**
16. Application No : 24/00452/COND
Date Received : 28.06.24
Location : Land To The North Of Stevenage Weston Road Stevenage Herts
Proposal : Discharge of condition 35 (Drainage Strategy) of application 17/00862/OPM relating to the Country Park.
Date of Decision : 20.09.24
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**

17. Application No : 24/00455/FPH
Date Received : 01.07.24
Location : 32A Taywood Close Stevenage Herts SG2 9QP
Proposal : Retention of single storey side extension and outbuilding
Date of Decision : 28.08.24
Decision : **Planning Permission is GRANTED**
18. Application No : 24/00459/FP
Date Received : 02.07.24
Location : The Chequers 164 High Street Stevenage Herts
Proposal : Retention of pizza van to rear of pub on patio area
Date of Decision : 23.08.24
Decision : **Planning Permission is GRANTED**
19. Application No : 24/00467/FPH
Date Received : 05.07.24
Location : 27 Oakwell Close Stevenage Herts SG2 8UG
Proposal : Erection of part two storey, part first floor rear extension
Date of Decision : 30.08.24
Decision : **Planning Permission is GRANTED**
20. Application No : 24/00478/CLPD
Date Received : 10.07.24
Location : 17 Taywood Close Stevenage Herts SG2 9QP
Proposal : Lawful Development Certificate (Proposed) for rear dormer window and two front roof lights
Date of Decision : 03.09.24
Decision : **Certificate of Lawfulness is APPROVED**

21. Application No : 24/00479/FPH
Date Received : 10.07.24
Location : 17 Taywood Close Stevenage Herts SG2 9QP
Proposal : Erection of first floor side extension
Date of Decision : 02.09.24
Decision : **Planning Permission is GRANTED**
22. Application No : 24/00494/FP
Date Received : 16.07.24
Location : 29-29A High Street Stevenage Herts SG1 3AU
Proposal : External changes to building including new external staircase
Date of Decision : 06.09.24
Decision : **Planning Permission is GRANTED**
23. Application No : 24/00496/FPH
Date Received : 17.07.24
Location : 26 Vallansgate Stevenage Herts SG2 8PY
Proposal : Two storey rear extension.
Date of Decision : 10.09.24
Decision : **Planning Permission is GRANTED**
24. Application No : 24/00497/FPH
Date Received : 18.07.24
Location : 61 Brixham Close Stevenage Herts SG1 2SA
Proposal : Erection of single storey front extension with covered porch to entrance
Date of Decision : 11.09.24
Decision : **Planning Permission is REFUSED**
For the following reason(s);

25. Application No : 24/00500/FP
Date Received : 19.07.24
Location : Larwood Academy School Larwood Drive Stevenage Herts
Proposal : Installation of a new floodlighting system to MUGA pitch consisting of 4no LED floodlights fitted to existing 5m fence columns
Date of Decision : 11.10.24
Decision : **Planning Permission is GRANTED**
26. Application No : 24/00523/FP
Date Received : 22.07.24
Location : 54 St. Albans Drive Stevenage Herts SG1 4RU
Proposal : Change of use of public amenity land to private residential garden, and erection of timber fence enclosure.
Date of Decision : 19.09.24
Decision : **Planning Permission is GRANTED**
27. Application No : 24/00526/CLPD
Date Received : 23.07.24
Location : 15 North Road Stevenage Herts SG1 4BD
Proposal : Lawful Development Certificate (Proposed) for single-storey side / rear extensions.
Date of Decision : 17.09.24
Decision : **Certificate of Lawfulness is REFUSED**
- For the following reason(s);
1. The proposed single storey rear extension to the kitchen would also attach to the rear wall of the existing dining room and would project more than 3m from the original rear wall of this semi-detached dwellinghouse. Therefore, the proposed development would fail to accord with Schedule 2, Part 1, Class A (f) (i) of the Town and Country Planning (General Permitted Development) (England) Order 2015 and therefore, requires planning permission.

28. Application No : 24/00527/FPH
Date Received : 25.07.24
Location : 35 Ayr Close Stevenage Herts SG1 5RZ
Proposal : Garage conversion
Date of Decision : 23.09.24
Decision : **Planning Permission is GRANTED**
29. Application No : 24/00528/FP
Date Received : 26.07.24
Location : 14 Lower Sean Stevenage Herts SG2 9XN
Proposal : Change of use of public amenity land to private residential land and enclosure with 1m high picket fence
Date of Decision : 27.09.24
Decision : **Planning Permission is GRANTED**
30. Application No : 24/00529/HPA
Date Received : 26.07.24
Location : 5 Christie Road Stevenage Herts SG2 0NT
Proposal : Single storey rear extension which will extend beyond the rear wall of the original house by 3.50m for which the maximum height will be 3.45m and the height of the eaves will be 3.00m
Date of Decision : 03.09.24
Decision : **Prior Approval is REQUIRED and GIVEN**
31. Application No : 24/00536/CLPD
Date Received : 27.07.24
Location : 1 Beehive Way Stevenage Herts SG2 9TQ
Proposal : Lawful Development Certificate (Proposed) for rear dormer and side window for loft conversion
Date of Decision : 18.09.24
Decision : **Certificate of Lawfulness is APPROVED**

32. Application No : 24/00538/FPH
Date Received : 29.07.24
Location : 28 Baron Court Stevenage Herts SG1 4RR
Proposal : Alterations to roof to increase height by 150mm and installation of solar panels to front roof slope.
Date of Decision : 10.09.24
Decision : **Planning Permission is GRANTED**
33. Application No : 24/00541/TPTPO
Date Received : 31.07.24
Location : 34 Granby Road Stevenage Herts SG1 4AS
Proposal : 1 x oak tree (T.10) to be trimmed back 1- 2 meters around, protected by Tree Preservation Order 14
Date of Decision : 23.09.24
Decision : **CONSENT TO CARRY OUT WORKS TO A TREE, THE SUBJECT OF A TREE PRESERVATION ORDER**
34. Application No : 24/00543/FPH
Date Received : 31.07.24
Location : 23 Bray Drive Stevenage Herts
Proposal : Two storey front and rear extensions and insertion of side facing first floor window
Date of Decision : 17.09.24
Decision : **Planning Permission is GRANTED**
35. Application No : 24/00548/AD
Date Received : 01.08.24
Location : Lytton Way Stevenage Herts
Proposal : Installation of non-illuminated advertising billboard
Date of Decision : 23.09.24
Decision : **Advertisement Consent is GRANTED**

36. Application No : 24/00550/FP
 Date Received : 01.08.24
 Location : Autolus Marshgate Stevenage Herts
 Proposal : Elevational alterations at ground and mezzanine level in connection with refit of ground floor and removal of undercroft parking. Installation of additional equipment at roof level.
 Date of Decision : 12.09.24
 Decision : **Planning Permission is GRANTED**
37. Application No : 24/00551/TPTPO
 Date Received : 02.08.24
 Location : 5 Wilson Close Stevenage Herts SG1 4TD
 Proposal : A 25% reduction to the sides OR an overall reduction of 25% on 1no. Oak Tree (T12) protected by Tree Preservation Order 22
 Date of Decision : 10.09.24
 Decision : **CONSENT TO CARRY OUT WORKS TO A TREE, THE SUBJECT OF A TREE PRESERVATION ORDER**
38. Application No : 24/00552/TPCA
 Date Received : 02.08.24
 Location : Thomas Alleyne Academy High Street Stevenage Herts
 Proposal : 3 x mature Sycamore - reduce by 30%. 2 x Pines - fell and remove. 7 x Pines - cut back by approx 3 metres. 1 x Large Sycamore - reduce by 30%. 10 x Conifers - fell and remove dead standing conifers, reduce height of remaining trees by 3 metres.
 Date of Decision : 09.09.24
 Decision : **CONSENT TO CARRY OUT WORKS TO A TREE IN A CONSERVATION AREA**
39. Application No : 24/00553/FPH
 Date Received : 05.08.24
 Location : 68 Stirling Close Stevenage Herts SG2 8TQ
 Proposal : Erection of single storey rear and front extensions, creation of disabled car parking spaces, and installation of bin store, cycle store and EV charging point
 Date of Decision : 25.09.24
 Decision : **Planning Permission is GRANTED**

40. Application No : 24/00557/FP
Date Received : 06.08.24
Location : Land To The North East Of Stevenage Bioscience Catalyst
Gunnels Wood Road Stevenage Herts
Proposal : The relocation and re-erection of a temporary single storey modular building to provide 993sqm of Use Class E office and laboratory floorspace, and the construction of new internal access road, temporary pedestrian access links, and other associated works.
Date of Decision : 11.10.24
Decision : **Planning Permission is GRANTED**
41. Application No : 24/00559/FP
Date Received : 07.08.24
Location : Glaxo SmithKline Research And Development Ltd Gunnels Wood Road Stevenage Herts
Proposal : Erection of an electricity substation, hardstanding and associated works
Date of Decision : 03.10.24
Decision : **Planning Permission is GRANTED**
42. Application No : 24/00562/FPH
Date Received : 07.08.24
Location : 30 Tates Way Stevenage Herts SG1 4WP
Proposal : Single storey side and rear extension with insertion of rooflights, following demolition of existing outbuilding
Date of Decision : 27.09.24
Decision : **Planning Permission is GRANTED**
43. Application No : 24/00570/FPH
Date Received : 10.08.24
Location : 13 Longfields Stevenage Herts SG2 8QD
Proposal : Erection of single storey rear extension
Date of Decision : 30.09.24
Decision : **Planning Permission is GRANTED**

44. Application No : 24/00575/CPA
Date Received : 12.08.24
Location : 14 The Grange High Street Stevenage Hertfordshire
Proposal : Prior approval for change of use of first floor office (Use Class E(g)(i)) to 1no. one bedroom dwelling (Use Class C3)
Date of Decision : 24.09.24
Decision : **Prior Approval is REQUIRED and GIVEN**
45. Application No : 24/00577/FPH
Date Received : 13.08.24
Location : 8 Marlborough Road Stevenage Herts SG2 9HP
Proposal : Part single storey, part two storey front extension, insertion of windows on side elevations.
Date of Decision : 04.10.24
Decision : **Planning Permission is GRANTED**
46. Application No : 24/00579/TPTPO
Date Received : 14.08.24
Location : 37 Fishers Green Road Stevenage Herts SG1 2PD
Proposal : Oak Tree - (T1) Reduce by 30%, protected by Tree Preservation Order 78
Date of Decision : 24.09.24
Decision : **CONSENT TO CARRY OUT WORKS TO A TREE, THE SUBJECT OF A TREE PRESERVATION ORDER**
47. Application No : 24/00586/FP
Date Received : 15.08.24
Location : 42 - 72 And 43 - 77 Bradman Way Stevenage Herts SG1 5RE
Proposal : Replacement guttering and roof, including a rise in its height
Date of Decision : 09.10.24
Decision : **Planning Permission is GRANTED**

48. Application No : 24/00581/FPH
Date Received : 14.08.24
Location : 64 Walkern Road Stevenage Herts SG1 3RB
Proposal : Proposed creation of roof terrace with privacy screens and new window and double doors at first floor
Date of Decision : 07.10.24
Decision : **Planning Permission is REFUSED**
- For the following reason(s);
1. The proposed balcony would be in very close proximity to the sole window of the attached neighbour's bedroom window. The proposed height of the privacy screens would be insufficient to prevent overlooking and loss of privacy to this habitable room. Further, any increase in the height of the privacy screens would result in a poor outlook from this neighbouring window. Accordingly, the proposal is considered contrary to Policies GD1 and SP8 of the Stevenage Local Plan (2019), the National Planning Policy Framework (2023) and Planning Practice Guidance.
49. Application No : 24/00587/FPH
Date Received : 15.08.24
Location : 20 Trafford Close Stevenage Herts SG1 3RY
Proposal : Erection of single storey front extension and extension to side dormer window.
Date of Decision : 10.10.24
Decision : **Planning Permission is GRANTED**
50. Application No : 24/00589/FP
Date Received : 16.08.24
Location : Old School Of Nursing Lister Hospital Coreys Mill Lane Stevenage
Proposal : Window and external door replacement
Date of Decision : 01.10.24
Decision : **Planning Permission is GRANTED**

51. Application No : 24/00590/FPH
Date Received : 16.08.24
Location : 491 Vardon Road Stevenage Herts SG1 5BE
Proposal : Erection of single storey rear extension
Date of Decision : 10.10.24
Decision : **Planning Permission is GRANTED**
52. Application No : 24/00593/CLPD
Date Received : 21.08.24
Location : 2 Wilson Close Stevenage Herts SG1 4TD
Proposal : Lawful Development Certificate (Proposed) for a single storey rear extension
Date of Decision : 03.10.24
Decision : **Certificate of Lawfulness is APPROVED**
53. Application No : 24/00602/FP
Date Received : 23.08.24
Location : 86 Queensway Town Centre Stevenage Herts
Proposal : Construction of new shop frontage comprising new windows and power assisted entrance doors.
Date of Decision : 11.10.24
Decision : **Planning Permission is GRANTED**
54. Application No : 24/00623/TPCA
Date Received : 02.09.24
Location : 128 Hydean Way Stevenage Herts SG2 9XP
Proposal : Branch and height reduction of Field Maple, Ash and Hawthorn Trees (T1 to T9) on boundary with the Old Red Lion Pub.
Date of Decision : 08.10.24
Decision : **CONSENT TO CARRY OUT WORKS TO A TREE IN A CONSERVATION AREA**

55. Application No : 24/00620/HPA
Date Received : 30.08.24
Location : 76 Peartree Way Stevenage Herts SG2 9EA
Proposal : Single-storey rear extension which will extend beyond the rear wall of the original house by 4.50m, for which the maximum height will be 3.50m and the height of the eaves will be 2.40m
Date of Decision : 07.10.24
Decision : **Prior Approval is REQUIRED and REFUSED**
For the following reason:-
1. The proposed development would have a detrimental impact on the amenities of neighbouring properties at No.74 and No.78 Peartree Way in accordance with Schedule 2, Part 1, Class A of the Town and County Planning (General Permitted Development) (England) Order 2015 (As amended) and therefore, prior approval is required and refused.
56. Application No : 24/00624/TPCA
Date Received : 02.09.24
Location : Oak Lodge Rectory Lane Stevenage Herts
Proposal : Fell to ground level Holly Tree (T1).
Date of Decision : 10.10.24
Decision : **CONSENT TO CARRY OUT WORKS TO A TREE IN A CONSERVATION AREA**
57. Application No : 24/00632/FP
Date Received : 03.09.24
Location : 338 - 354 York Road Stevenage Herts SG1 4EL
Proposal : Installation of perimeter edge guard railing to flat roof areas.
Date of Decision : 10.10.24
Decision : **Planning Permission is GRANTED**
58. Application No : 24/00635/FP
Date Received : 03.09.24
Location : 444 - 464 Canterbury Way Stevenage Herts SG1 4EA
Proposal : Installation of perimeter edge guard railing to flat roof areas.
Date of Decision : 10.10.24
Decision : **Planning Permission is GRANTED**

59. Application No : 24/00654/FP
 Date Received : 09.09.24
 Location : 4 Stony Croft Stevenage Herts SG1 3TN
 Proposal : Retrospective permission for a change of use from public amenity land to residential curtilage and creation of a driveway.
 Date of Decision : 04.10.24
 Decision : **Planning Permission is GRANTED**
60. Application No : 24/00669/PADEMO
 Date Received : 16.09.24
 Location : Flats 1 - 32 Walpole Court And 33 - 38 Walpole Court Blenheim Way Stevenage Herts
 Proposal : Prior approval for the demolition of 2 storey block of flats consisting of 32 flats and 6 bungalows
 Date of Decision : 10.10.24
 Decision : **Prior Approval is NOT REQUIRED**

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.

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Meeting: Planning and Development
Committee

Agenda Item:

Date: 29 October 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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