

STEVENAGE BOROUGH COUNCIL

**PLANNING AND DEVELOPMENT COMMITTEE
MINUTES**

Date: Tuesday, 13 August 2019

Time: 6.30pm

Place: Council Chamber, Daneshill House, Danestrete

Present: Councillors: David Cullen (Chair), Michelle Gardner (Vice Chair),
Doug Bainbridge, Sandra Barr, Jody Hanafin, Liz Harrington,
Graham Lawrence, John Lloyd, Maureen McKay, Graham Snell and
Tom Wren

Start / End Start Time: 6.30pm
Time: End Time: 8.15pm

1 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were received from Councillor Lizzy Kelly and Sarah-Jane McDonough.

There were no declarations of interest.

2 MINUTES - 16 JULY 2019

It was **RESOLVED** that the Minutes of the meeting of the Planning & Development Committee held on 16 July 2019 be approved as a correct record and signed by the Chair.

3 19/00224/FP LAND WEST OF GRESLEY WAY AND SOUTH OF FERRIER ROAD

The Committee considered an application for the variation of Condition 1 (Approved Plans) attached to planning permission 17/00389/FPM to amend plans for boundary siting to plots 36 -40.

The application was before the Committee for determination as the plots affected by the revision were in the ownership of Stevenage Borough Council.

The Principal Planning Officer gave an introduction to the Committee. She advised Members that the main issues for consideration in the determination of the application were the acceptability of the changes to the scheme in respect of the visual amenities of the area, amenity of future occupiers and impact on the bridleway, as permitted under the original grant of planning permission.

Members were informed that the proposed reduction in garden depths and sizes as a consequence of moving the boundaries of these plots would result in an acceptable width of the bridleway being retained. The resultant impact of the boundary location changes on the character and visual amenity of the area were

considered to be acceptable and beneficial to the use of the bridleway.

In relation to the impact upon amenities of future occupiers, it was noted that although plots 38 and 39 would now be below the standard required, it was considered that the wider public benefit would significantly outweigh the reduction in garden size.

In response to a question regarding the works to trees and replacement planting schemes, officers advised that all revisions had been agreed with the Council's Tree Manager and the applicant had agreed to help re-establish a green wildlife route along the bridleway.

It was **RESOLVED:**

That planning permission be granted subject to the following conditions:

1. The development hereby permitted shall be carried out in general accordance with the following approved plans: 088-001C, C3506 001J, C3506 L001; 2016/3491/002D, E16-091-101P3, 088-PL200, 088-PL201, 088-PL202, 088-PL203, 088-PL204, 088-PL205, 088-PL206, 088-PL208, 088-PL210, 088-PL211 and 088-PL212.
2. The development shall be carried out in accordance with the schedule and samples of the materials hereby permitted as submitted to and approved in writing by the Local Planning Authority under reference 17/00830/COND on 16 January 2018.
3. The development shall be carried out in accordance with the scheme of soft and hard landscaping submitted to and approved by the Local Planning Authority under reference 17/00820/COND on 2 February 2018, as amended by drawing no. C3506 L001 hereby approved for the provision of planting along the south western boundary of the site. The approved details shall be implemented within the first available planting season following the first occupation of the buildings or the completion of the development whichever is the sooner.
4. Any trees or plants comprised within the landscaping details covered in condition 3 of this approval, 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.
5. No demolition or construction work relating to this permission shall be carried out on any Sunday, Public or Bank Holiday nor at any other time, except between the hours of 0730 and 1800 on Mondays to Fridays and between the hours of 0830 and 1300 on Saturdays, unless otherwise agreed in writing by the Local Planning Authority
6. The development shall be carried out in accordance with the Construction

Method Statement submitted to and approved in writing by the Local Planning Authority under reference 17/00816/COND on 29 January 2018.

- 7 The development shall be carried out in accordance with the Construction Traffic Management Plan submitted to and approved in writing by the Local Planning Authority under reference 17/00816/COND on 29 January 2018.
- 8 No removal of trees, scrub or hedges, shall be carried out on site between the 1st March and 31st August inclusive in any year, unless searched beforehand by a suitably qualified ornithologist.
- 9 The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) and Drainage Statement carried out by SDP Consulting Engineers, Job No. E16.091, Issue 2 dated of June 2017 including the following mitigation measures detailed within the FRA:
 1. Providing attenuation to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event.
 2. Implementing appropriate drainage strategy based on attenuation and discharge into Thames sewer including SuDS features as indicated on drawing No. E16-091-101 Rev. P2 – Drainage Layout, prepared by Hill dated of 12.06.17.
 3. Limiting surface water discharge off the site at a maximum allowable rate of 5.0 l/s/ha for the 1 in 100 year plus 40% climate change event.

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

- 10 The development shall be carried out in accordance with the final drainage scheme design completed, submitted to and approved in writing by the Local Planning Authority under reference 17/00821/COND on 5 April 2018.
- 11 The development shall be carried out in accordance with the boundary treatment details, including any walls, fences, gates or other means of enclosure approved by the Local Planning Authority under reference 17/00810/COND on 8 January 2018 as amended by drawing no. C3506 001 J hereby approved. The approved boundary treatments shall be completed before all of the dwellings are occupied.
- 12 The development hereby permitted shall not be completed and fully occupied until the proposed junction from Chells Park access road has been constructed and the junction improvement works as identified on the 'in principle' details on drawing no. 2016/3491/002 revision D have been provided to the current specification of Hertfordshire County Council and to the Local Planning Authority's satisfaction.

- 13 Before the driveways to all dwellings are first brought into use, pedestrian visibility splays of 0.65 metres by 0.65 metres each side shall be provided and permanently maintained. Within this area there shall be no obstruction to visibility between 600 mm and 2.0 metres above the carriageway level. These measurements shall be taken from the intersection of the centre line of the junction with the edge of the carriageway of the highway respectively, along the access roads of the application site and from the intersection point along the edge of the carriageway.
- 14 Plots 23 – 40 of the development hereby permitted shall not be occupied until the proposed access from Ferrier Road has been constructed to base course construction for the first 20 metres as identified on the 'in principle' details on drawing no. C3506 001 revision J to the current specification of Hertfordshire County Council and to the Local Planning Authority's satisfaction.
- 15 The gradient of the access roads shall not be steeper than 1 in 20 for at least the first 20 metres from the edge of the carriageway.

4 **19/00062/OPM- MAXWELL ROAD, STEVENAGE**

The Committee considered an application for outline planning permission (with all matters reserved except access) for the demolition of existing buildings and replacement with buildings to accommodate up to 12,733 sq.m (GIA) office floorspace (Class B1) and up to 88 dwellings (Class C3), with associated public open space, landscaping, car parking and ancillary works.

The Principal Planning Officer gave an introduction to the Committee. He advised Members that the main issues for consideration in the determination of the application were the acceptability in land use policy terms, affordable housing and planning obligations, visual impact of the development, impact of the development on the setting of the listed building and the demolition of the non-designated heritage asset, impact on archaeology, impact on neighbouring amenities, impact on future amenities of residents, parking provision, highway implications, development and flood risk, impact on the environment, trees and landscaping and ecology.

Officers reported that although the proposed residential development would result in the loss of employment land, there would be a significant increase in employment floorspace in the proposed office building. As the development would provide additional windfall housing which would help the Council meet its housing requirements over the Local Plan period, officers considered that on balance the development was acceptable.

In relation to the residential development, the site was considered to be in a sustainable location and would constitute a mixture of 1 and 2 bedroom apartments. 25% of which would be affordable units. A number of S106 financial contributions would also be made to improve local infrastructure such as education facilities and sustainable transport.

In terms of the visual impact of the development, Officers advised that the indicative

plans demonstrated that a high quality residential development could be created along with a well-designed landmark office development on a prominent corner location. Soft landscaping along with the retention of important trees would also help create a high quality residential environment.

Officers reported on the impact on the Broomin Green Farmhouse, Grade II Listed Building which was outside the application boundary. Although the development would generate an element of harm to the setting of the grade II listed building, it was not considered to be less than substantial that the overall public benefits of the development would outweigh this harm. Moreover, the Officer advised the Committee that the immediate setting of the farmhouse was urbanised and industrial by nature. In addition, the development would not harm the amenities of neighbouring land users and would not adversely affect the operation or safety of the highway. The development would also provide sufficient car parking in accordance with the Council's standards.

Officers advised that issues relating to contamination, trees, wildlife, surface water drainage, affordable housing, open space, children's play and development contributions could be satisfactorily addressed through conditions and S106 legal agreements.

In relation to consultation with Herts County Council (HCC) as Highways Authority, officers tabled updated correspondence from HCC including additional conditions, an update to S106 contributions and an amended Highways informative.

Members expressed concern regarding the impact of the development on the neighbouring properties, in particular the Grade II Listed Broomin Green Farmhouse and also Mozart Court in Fairview Road. Officers advised that the proposed separation distances exceeded those required and in addition, the retention of the existing tree belt would help to preserve the privacy of the residents. It was also noted that the overall layout and scale of the development would be considered at the reserved matters stage whereby the impact on the outlook, privacy as well as the level of sunlight and daylight neighbouring properties received would be assessed in more detail.

In response to a question, officers advised that Members would be informed when the reserved matters application was submitted by the applicant and a decision would be taken at that point whether to submit the application to the Committee.

It was **RESOLVED** that application 19/00062/OPM be granted planning permission, subject to the following conditions and also additional conditions 60 to 73 set out below:

1. That outline planning permission be GRANTED subject to:-
 - A) No intervention from the Secretary of State from the Ministry of Housing, Communities and Local Government following reference of the application under the Town and Country Planning (Consultation)

(England) Direction 2009;

- B) The applicant having first entered into a S106 agreement to secure/provide contributions towards:-
- The provision of 25% affordable housing;
 - Primary education towards the expansion of Broom Barns Primary School;
 - Secondary education towards the expansion of Barclay School;
 - Library Services;
 - Youth Services;
 - Sustainable transport provision;
 - Monitoring of the Travel Plans (Residential and Offices);
 - The improvement of outdoor sport provision;
 - The improvement of children's play;
 - The provision of fire hydrants;
 - To secure the provision of a TRO for restricting commercial vehicles if the residential road is to be adopted;
 - To secure a trigger clause/mechanism to ensure that the office development is brought forward; and
 - To secure a financial contribution towards the provision of a TRO in order to introduce parking and waiting restrictions (As advised as an update at the Committee).

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

2. The proposal be subject to the following conditions:-

Definitions

'Commercial Development Plot' means the plot identified on drawing number PL113

'Residential Development Plot' means the plot identified on drawing number PL113

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:
PL01; PL02; 8180606/6101 C .
- 2 Development shall not commence in relation to the either the Residential Development Plot or Commercial Development Plot until details of the layout, scale, appearance and the landscaping associated with that Development Plot (hereinafter called "the reserved matters") have been submitted to and approved in writing by the Local Planning Authority.
- 3 All applications for the approval of the reserved matters shall include a

statement to demonstrate how the reserved matters have been prepared in accordance with the development parameters set out on submitted plans:

PL03B; PL104A; PL105A; PL106; PL107; PL108A; PL109A.

- 4 The total number of Residential Units (within Class C3) hereby permitted shall not exceed 88 dwellings and the height of the buildings within the Residential Development Plot shall be no greater than 7 storeys (excluding any roof top plant and core overrun).
- 5 The maximum gross internal floorspace (GIA) to be provided within the Commercial Development Plot shall not exceed 12,733 sq.m and the height of the office building shall be no greater than 7 storeys (excluding any roof top plant and core overrun).
- 6 Application(s) for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
- 7 The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.
- 8 No development shall commence within the Commercial Development Plot (unless the Local Planning Authority agree that a set amount of development must first commence to enable compliance with this condition) until a remediation strategy to deal with the risks associated with contamination of the Commercial Development Plot, has been submitted to, and approved in writing by the local planning authority. This strategy shall include the following components:
 1. A preliminary risk assessment which has identified:
 - All previous uses;
 - Potential contaminants associated with those uses;
 - A conceptual model of the site indicating sources, pathways and receptors;
 - A potentially unacceptable risks arising from contamination at the site.
 2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.
 3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
 4. A verification plan providing details of the data that will be collected in

order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

- 9 Prior to any part of the Commercial Development Plot being brought forward into use, a verification report demonstrating the completion of works set out in the approved remediation strategy and include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.
- 10 Prior to commencement of development within the Commercial Development Plot (unless the Local Planning Authority agree that a set amount of development must first commence to enable compliance with this condition) a monitoring and maintenance plan in respect of contamination, including a timetable of monitoring and submission of reports to the local planning authority, shall be submitted to and approved in writing by, the local planning authority. Reports as specified in the approved plan, including details of any necessary contingency action arising from the monitoring, shall be submitted to, and approved in writing by, the local planning authority.
- 11 If, during development of the Commercial Development Plot, contamination not previously identified is found to be present within the development plot, then no further development of that development plot (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall be implemented as approved.
- 12 No drainage systems for the infiltration of surface water to the ground for the Commercial Development plot are permitted other than with the written consent of the local planning authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.
- 13 Piling or any other foundation design using penetrative methods shall not be permitted within the Commercial Development Plot other than with the express consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant risk to groundwater. The development shall be carried out in accordance with the approved details.
- 14 A scheme for managing any borehole installed within the Commercial Development Plot for the investigation of soils, groundwater or geotechnical purposes shall be submitted to and approved in writing by the local planning authority. The scheme shall provide details of how redundant boreholes are to be decommissioned and how any boreholes that needs to be retained, post-

development, for monitoring purposes with be secured, protected and inspected. The scheme as approved shall be implemented prior to the occupation of the Commercial Development Plot.

- 15 Prior to the use within the Commercial Development Plot hereby permitted, a Framework Travel Plan, shall be submitted to and approved in writing by Local Planning Authority. The Framework Travel Plan, as submitted, shall follow the current 'Travel Plan Development Control Guidance' issued by Hertfordshire County Council and will include:
 1. Targets for sustainable travel arrangements;
 2. Effective measures for the ongoing monitoring (including appointment of the Travel Plan Coordinator) of the Travel Plan;
 3. A commitment to delivering the travel plan objectives for a period of at least five years from first occupation of the development;
 4. Effective mechanisms to achieve the objectives of the travel plan by both present and future occupiers of the development. The development shall be implemented only in accordance with the approved travel plan.
- 16 No trees, scrub or hedges within the Commercial Development Plot, shall be removed during the bird nesting season (between the 1st March and 31st July inclusive in any year), unless searched beforehand by a suitably qualified ornithologist.
- 17 No development within the Commercial Development Plot, including any site clearance or demolition works, shall commence until all trees within the development plot, and adjacent to it on Maxwell Road, which are to be retained have been protected by fencing or other means of enclosure in accordance with a detailed scheme submitted to and approved in writing by the Local Planning Authority. Such protection as may be agreed shall be inspected and approved by the Local Planning Authority prior to the commencement of the work and maintained until the conclusion of all site and building operations.
- 18 Within the tree protection areas to be fenced off in accordance with condition 17, there shall be no alteration to the ground level and they shall be kept clear of vehicles, materials, surplus soil, temporary buildings, plant and machinery.
- 19 No external lighting shall be installed on the office building unless details of such lighting, including the intensity of illumination and predicted light contours, have first been submitted to, and approved in writing the Local Planning Authority prior to first occupation of the office development. Any external lighting shall accord with the details so approved.
- 20 Prior to the commencement of the relevant part of development within the Commercial Development Plot, a Demolition/Construction Management Plan/Method Statement for the demotion and construction phases shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the works of demolition and construction of the development shall only be carried out in accordance with the approved statement. The

Demolition/Construction Management Plan/Method Statement shall address the following matters:-

- (i) Details of construction phasing programme (including any pre-construction demolition or enabling works);
- (ii) Hours of operations including times of deliveries and removal of waste;
- (iii) Demolition and construction works between the hours of 0730 and 1800 on Mondays to Fridays and between the hours of 0830 and 1300 on Saturdays only.
- (iv) The site set-up and general arrangements for storing plant including cranes, materials, machinery and equipment, temporary offices and other facilities, construction vehicle parking and loading/unloading and vehicle turning areas;
- (v) Access and protection arrangements around the site for pedestrians, cyclists and other road users;
- (vi) Details of the provisions for temporary car parking, loading/unloading and vehicle turning areas during construction;
- (vii) A map showing the location of construction traffic routes to and from the site, details of their signing, monitoring and enforcement measures;
- (viii) Screening and hoarding;
- (ix) End of day tidying procedures;
- (x) Construction and storage compounds (including areas designated for car parking);
- (xi) Siting, methodology and facilities of wheel washing facilities;
- (xii) Cleaning of site entrances, site tracks and the adjacent public highway;
- (xiii) Control measures to manage noise and dust; and
- (xiv) Disposal of surplus materials.
- (xv) The date of commencement and completion of works on site
- (xvi) The estimated number and type of vehicles per day/week
- (xvii) Details of vehicle holding area;
- (xviii) Details of any vehicle call up procedure;
- (xix) Details of any changes to on-street waiting and loading restrictions that will be required;
- (xx) Details of measures and training to reduce the danger posed to cyclists by HGVs, including membership of the Freight Operators Recognition Scheme or an approved equivalent;

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

22 No development shall take place within the Commercial Development Plot until the final design of the drainage scheme is complemented and sent to the LPA for approval. The surface water drainage system will be based on the submitted Flood Risk Assessment Technical Note, dated 8th May 2019. REF: U8603PM/KER/001 and the proposed surface water drainage strategy drawing, drawing No. FRA104, Rev; A, dated 08.05.2019, prepared by JPP

Consulting Ltd. The scheme shall also include:

1. Detailed engineered drawings of the proposed SuDS features including their location, size, volume, depth and any inlet and outlet features including any connecting pipe runs and all corresponding calculations/modelling to ensure the scheme caters for all rainfall events and up to and including 1 in 100 year + climate change event.
 2. Demonstrate an appropriate SuDS management and treatment train and inclusion of above ground features such as permeable paving etc. and reducing the requirement for any underground storage.
- 23 Upon completion of the drainage works within the Commercial Development Plot, a management and maintenance plan for the SuDS features and drainage network must be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:
1. Provision of a complete set of as built drawings for site drainage.
 2. Maintenance and operational activities.
 3. Arrangements for adoption and any other measures to secure the operation of the scheme throughout its lifetime.
- 24 The development within the Commercial Development Plot shall not be occupied until the proposed accesses for vehicles, pedestrians and cyclists have been constructed as detailed on the approved drawings, and, the existing access to the west of the Development Plot has been closed and the existing footway/verge has been reinstated to the current specification of Hertfordshire County Council and to the Local Planning Authority's satisfaction.
- 25 The gradient of the main access from Maxwell Road into the Commercial Development Plot shall not be steeper than 1 in 20 for the first 15m measured from the edge of the carriageway.
- 26 No development (including demolition) shall take place within the Commercial Development Plot until an Archaeological Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of archaeological significant and research questions; and:
1. The programme and methodology of site investigation and recording;
 2. The programme and methodology of site investigation and recording as suggested by the evaluation;
 3. The programme for post investigation assessment;
 4. Provision to be made for analysis of the site investigation and recording;
 5. Provision to be made for publication and dissemination of the analysis and records of the site investigation;
 6. Provision to be made for archive deposition of the analysis and

- records of the site investigation;
7. Nominations of a competent person or persons/organisations to undertake the works set out within the Archaeological Written Scheme of Investigation.
- 27 No development shall take place within the Commercial Development Plot (unless the Local Planning Authority agree that a set amount of development must first commence to enable compliance with this condition) until any necessary on site archaeological works have been completed in accordance with the Written Scheme of Investigation approved under condition 26.
- 28 The development within the Commercial Development Plot shall not be occupied and used until the archaeological site investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition 26 and shall be submitted to the Local Planning Authority.
- 29 Prior to commencement of works above slab level within the Commercial Development Plot details of measures to reduce energy and water consumption to ensure the development is adaptable to climate change, shall be submitted to and approved in writing by the local planning authority. The measures shall thereafter be installed in accordance with the approved details.
- 30 Noise resulting from the operation of any fixed plant within the commercial development plot introduced in connection with this planning consent shall not exceed the existing background level inclusive of any penalty for tonal, impulsive or other distinctive acoustic characteristics when measured or calculated according to the provisions of BS4142:2014.
- 31 No development, including site clearance and demolition works, or any tree or vegetation removal, within the Commercial Development Plot shall take place until a Breeding Birds Survey for Black Redstarts is carried out, one in May and one in June in accordance with the recommendations detailed in the submitted Phase I Habitat Survey and Preliminary Bat Survey Update 2018 (prepared by 4 Acre Ecology Limited, Issue No. 2, issued on 22/01/2019).
- 32 Prior to commencement of works above slab level within the Commercial Development Plot a scheme to provide suitable bird boxes shall be submitted to and approved in writing by the Local Planning Authority. The approved boxes shall be installed prior to the first occupation of the development.
- 33 No development or demolition works shall take place on the FIRA building until an appropriate programme of historic building recording and analysis has been secured and implemented in accordance with a written scheme of investigation which has been submitted to and approved in writing by the local planning authority. The development shall be carried out at all times in strict accordance with the approved scheme, or such other details as may be subsequently agreed in writing by the Local Planning Authority.

- 34 No development shall commence within the Residential Development Plot (unless the Local Planning Authority agree that a set amount of development must first commence to enable compliance with this condition) until a remediation strategy to deal with the risks associated with contamination of the Residential Development Plot, has been submitted to, and approved in writing by the local planning authority. This strategy shall include the following components:
1. A preliminary risk assessment which has identified:
 - All previous uses;
 - Potential contaminants associated with those uses;
 - A conceptual model of the site indicating sources, pathways and receptors;
 - A potentially unacceptable risks arising from contamination at the site.
 2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.
 3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
 4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.
- Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.
- 35 Prior to any part of the Residential Development Plot being brought forward into use, a verification report demonstrating the completion of works set out in the approved remediation strategy and include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.
- 36 Prior to commencement of development within the Residential Development Plot (unless the Local Planning Authority agree that a set amount of development must first commence to enable compliance with this condition) a monitoring and maintenance plan in respect of contamination, including a timetable of monitoring and submission of reports to the local planning authority, shall be submitted to and approved in writing by, the local planning authority. Reports as specified in the approved plan, including details of any necessary contingency action arising from the monitoring, shall be submitted to, and approved in writing by, the local planning authority.

- 37 If, during development of the Residential Development Plot, contamination not previously identified is found to be present within the development plot, then no further development of that development plot (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall be implemented as approved.
- 38 No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the local planning authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.
- 39 Piling or any other foundation design using penetrative methods shall not be permitted within the Residential Development Plot other than with the express consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant risk to groundwater. The development shall be carried out in accordance with the approved details.
- 40 A scheme for managing any borehole installed within the Residential Development Plot for the investigation of soils, groundwater or geotechnical purposes shall be submitted to and approved in writing by the local planning authority. The scheme shall provide details of how redundant boreholes are to be decommissioned and how any boreholes that need to be retained, post-development, for monitoring purposes will be secured, protected and inspected. The scheme as approved shall be implemented prior to the occupation of the Residential Development Plot.
41. Prior to first occupation within the Residential Development Plot hereby permitted, a Framework Travel Plan shall be submitted to and approved in writing by the local planning authority, in consultation with the Highway Authority. The Framework Travel Plan, as submitted, shall follow the current 'Travel Plan Development Control Guidance' issued by Hertfordshire County Council and will include:
- (i) Targets for sustainable travel arrangements.
 - (ii) Effective measures for the ongoing monitoring (including appointment of the Travel Plan Coordinator) of the travel plan.
 - (iii) A commitment to delivering the travel plan objectives for a period of at least five years from first occupation of the development.
 - (iv) Effective mechanisms to achieve the objectives of the travel plan by both present and future occupiers of the development. The development shall be implemented only in accordance with the approved travel plan.'
- 42 No trees, scrub or hedges within the Residential Development Plot, shall be removed during the bird nesting season (between the 1st March and 31st July inclusive in any year), unless searched beforehand by a suitably qualified ornithologist.

- 43 No development within the Residential Development Plot, including any site clearance or demolition works, shall commence until all trees within the development plot, and those adjacent to it on Maxwell Road, which are to be retained have been protected by fencing or other means of enclosure in accordance with a detailed scheme submitted to and approved in writing by the Local Planning Authority. Such protection as may be agreed shall be inspected and approved by the Local Planning Authority prior to the commencement of the work and maintained until the conclusion of all site and building operations.
- 44 Within the tree protection areas to be fenced off in accordance with condition 43, there shall be no alteration to the ground level and they shall be kept clear of vehicles, materials, surplus soil, temporary buildings, plant and machinery.
- 45 Prior to commencement of works above slab level within the Residential Development Plot, details of any external lighting, including the intensity of illumination and predicted light contours, shall be submitted to and approved in writing by the Local Planning Authority. Any external lighting shall accord with the details so approved.
- 46 Prior to the commencement of the relevant part of development within the Residential Development Plot, a Demolition/Construction Management Plan/Method Statement for the demolition and construction phases shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the works of demolition and construction of the development shall only be carried out in accordance with the approved statement. The Demolition/Construction Management Plan/Method Statement shall address the following matters:-
- (i) Details of construction phasing programme (including any pre-construction demolition or enabling works);
 - (ii) Hours of operations including times of deliveries and removal of waste;
 - (iii) Demolition and construction works between the hours of 0730 and 1800 on Mondays to Fridays and between the hours of 0830 and 1300 on Saturdays only.
 - (iv) The site set-up and general arrangements for storing plant including cranes, materials, machinery and equipment, temporary offices and other facilities, construction vehicle parking and loading/unloading and vehicle turning areas;
 - (v) Access and protection arrangements around the site for pedestrians, cyclists and other road users;
 - (vi) Details of the provisions for temporary car parking, loading/unloading and vehicle turning areas during construction;
 - (vii) A map showing the location of construction traffic routes to and from the site, details of their signing, monitoring and enforcement measures;
 - (viii) Screening and hoarding;
 - (ix) End of day tidying procedures;
 - (x) Construction and storage compounds (including areas designated for car parking);
 - (xi) Siting, methodology and facilities of wheel washing facilities;
 - (xii) Cleaning of site entrances, site tracks and the adjacent public highway;

- (xiii) Control measures to manage noise and dust; and
 - (xiv) Disposal of surplus materials.
 - (xv) The date of commencement and completion of works on site
 - (xvi) The estimated number and type of vehicles per day/week
 - (xvii) Details of vehicle holding area;
 - (xviii) Details of any vehicle call up procedure;
 - (xix) Details of any changes to on-street waiting and loading restrictions that will be required;
 - (xx) Details of measures and training to reduce the danger posed to cyclists by HGVs, including membership of the Freight Operators Recognition Scheme or an approved equivalent;
- 47 No development shall take place within the Residential Development Plot until a detailed Site Waste Management Plan (SWMP) has been submitted to and approved in writing by the Local Planning Authority. The SWMP shall detail how waste materials generated as a result of the proposed demolition and/or construction works will be disposed of, and the level and type of soil to be imported to the site as part of the development.
- 48 No development shall take place within the Residential Development Plot until the final design of the drainage scheme is complemented and sent to the LPA for approval. The surface water drainage system will be based on the submitted Flood Risk Assessment Technical Note, dated 8th May 2019. REF: U8603PM/KER/001 and the proposed surface water drainage strategy drawing, drawing No. FRA104, Rev; A, dated 08.05.2019, prepared by JPP Consulting Ltd. The scheme shall also include:
1. Detailed engineered drawings of the proposed SuDS features including their location, size, volume, depth and any inlet and outlet features including any connecting pipe runs and all corresponding calculations/modelling to ensure the scheme caters for all rainfall events and up to and including 1 in 100 year + climate change event.
 2. Demonstrate an appropriate SuDS management and treatment train and inclusion of above ground features such as permeable paving etc. and reducing the requirement for any underground storage.
- 49 Upon completion of the drainage works within the Residential Development Plot, a management and maintenance plan for the SuDS features and drainage network must be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:
1. Provision of a complete set of as built drawings for site drainage.
 2. Maintenance and operational activities.
 3. Arrangements for adoption and any other measures to secure the operation of the scheme throughout its lifetime.
- 50 The development within the Residential Development Plot shall not be occupied until the proposed accesses for vehicles, pedestrians and cyclists have been constructed as detailed on the approved drawings, and, the

existing access serving the surface car park has been closed and the existing footway/verge has been reinstated to the current specification of Hertfordshire County Council and to the Local Planning Authority's satisfaction.

- 51 The gradient of the main access from Maxwell Road into the Residential Development Plot shall not be steeper than 1 in 20 for the first 15m measured from the edge of the carriageway.
- 52 Prior to commencement of works above slab level within the Residential Development Plot a scheme to provide suitable bird boxes has been submitted to and approved in writing by the Local Planning Authority. The approved boxes shall be installed prior to the first occupation of any residential dwelling.
- 53 No development (including demolition) shall take place within the Residential Development Plot until an Archaeological Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of archaeological significant and research questions; and:
 1. The programme and methodology of site investigation and recording;
 2. The programme and methodology of site investigation and recording as suggested by the evaluation;
 3. The programme for post investigation assessment;
 4. Provision to be made for analysis of the site investigation and recording;
 5. Provision to be made for publication and dissemination of the analysis and records of the site investigation;
 6. Provision to be made for archive deposition of the analysis and records of the site investigation;
 7. Nominations of a competent person or persons/organisations to undertake the works set out within the Archaeological Written Scheme of Investigation.
- 54 No development shall take place within the Residential Development Plot (unless the Local Planning Authority agree that a set amount of development must first commence to enable compliance with this condition) until any necessary on site archaeological works have been completed in accordance with the Written Scheme of Investigation approved under condition 53.
- 55 Prior to first occupation of the development within the Residential Development Plot the archaeological site investigation assessment shall be completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition 53 and submitted to the Local Planning Authority.
- 56 Prior to commencement of works above slab level within the Residential Development Plot details of measures to reduce energy and water consumption to ensure the development is adaptable to climate change, shall be submitted to and approved in writing by the local planning authority. The

measures shall thereafter be installed in accordance with the approved details.

57. As part of any reserved matters application relating to the Residential Development Plot, the applicant shall submit a full noise assessment in line with BS4142: 2014 in regards to noise from nearby commercial premises on the adjacent industrial estate. In addition, the noise assessment will also need to consider noise arising from road and air transport sources. The applicant shall also submit a detailed scheme for ensuring that internal noise levels do not exceed those specified in BS8233:2014 in so far as to the living rooms, dining rooms and bedrooms in the residential development. In addition, details shall also be provided with respect to ventilation and thermal comfort arrangements which would be utilised within the residential development. None of the dwellings shall be occupied until such a scheme has been implemented in accordance with the approved details, and shown to be effective, and it shall be retained in accordance with those details thereafter.
58. No development, including site clearance and demolition works, or any tree or vegetation removal, within the Residential Development Plot shall take place until a Breeding Birds Survey for Black Redstarts is carried out, one in May and one in June in accordance with the recommendations detailed in the submitted Phase I Habitat Survey and Preliminary Bat Survey Update 2018 (prepared by 4 Acre Ecology Limited, Issue No. 2, issued on 22/01/2019).
59. Prior to commencement of works above slab level within the Residential Development Plot a scheme to provide suitable bird boxes shall be submitted to and approved in writing by the Local Planning Authority. The approved boxes shall be installed prior to the first occupation of any residential dwelling.
60. Before the use of the office building commences within the Commercial Development Plot the access serving that Development Plot, as defined on drawing Proposed Site Accesses Visibility Splay Analysis reference 8180606/6101 Rev C, shall be provided with vehicle to vehicle visibility splays of 2.4 metres by 43 metres in both directions and permanently maintained to the Maxwell Road vehicle access. Within which, there shall be no obstruction to visibility between 600 mm and 2.0 metres above the footway level. These measurements shall be taken from the intersection of the centre line of the permitted access with the edge of the footway and from the intersection point along the edge of the carriageway.
61. Before first occupation of the buildings within the Residential Development Plot the access serving that Development Plot, as defined on drawing Proposed Site Accesses Visibility Splay Analysis reference 8180606/6101 Rev C, shall be provided with vehicle to vehicle visibility splays of 2.4 metres by 43 metres in both directions and permanently maintained to the Maxwell Road vehicle access. Within which, there shall be no obstruction to visibility between 600 mm and 2.0 metres above the footway level. These measurements shall be taken from the intersection of the centre line of the permitted access with the edge of the footway and from the intersection point along the edge of the carriageway.

62. No development shall commence within the Commercial Development Plot until the drawings showing that the gradients of the new pedestrian crossing facilities in Maxwell Road are shown to be not steeper than 1 in 20. The gradients should be in place before the use of the crossings.
63. No development shall commence within the Residential Development Plot until the drawings showing that the gradients of the new pedestrian crossing facilities in Maxwell Road are shown to be not steeper than 1 in 20. The gradients should be in place before the use of the crossings.
64. The detailed plans submitted in connection with approval of reserved matters shall clearly demonstrate that all vehicles, including refuse and emergency vehicles, can safely and conveniently access and route through the site, and that there is a sufficient turning space for each of the parking areas, inclusive of provision of sufficient turning and operating areas. The areas shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use. All necessary turning and operating areas shall be in place before first occupation / use of the development.
65. Prior to the occupation of the site, the existing western most vehicular access to/from Maxwell Road should be formally closed up as shown on the submitted drawing Illustrative Proposed Layout PL103B.
66. Prior to first occupation of the Residential Development Plot, the bus improvement works including provision of raised Kassel kerbing, shelter and a bench at the existing southbound bus stop in Gunnels Wood Road should have been undertaken. This work shall be fully completed to the satisfaction of the Highway Authority before first occupation.
67. Prior to the first occupation of the Residential Development Plot hereby permitted the "Keep Clear Markings" on the A1072 Gunnels Wood Road near the junction with Maxwell Road must be secured in place and implemented.
68. Prior to the first occupation of the Commercial Development Plot hereby permitted, a Traffic Regulation Order (TRO), including for parking and waiting restrictions in the form of double yellow lines that are required as part of improving access and accessibility to the commercial site, must be secured in place and implemented over a distance of 10 metres of either side of the site access junctions stop-lines and the opposite side of the road.
69. Prior to the first occupation of the Residential Development Plot hereby permitted, a Traffic Regulation Order (TRO), including for parking and waiting restrictions in the form of double yellow lines that are required as part of improving access and accessibility to the residential site, must be secured in place and implemented over a distance of 10 metres of either side of the site access junctions stop-lines and the opposite side of the road.
70. Prior to the use first commencing within the Commercial Development Plot the following improvement works to walking and cycling shall be completed to

the satisfaction of the Highway Authority.

- i) a new pedestrian crossing facility adjacent to the Development Plot in Maxwell Road;
- ii) a shared pedestrian/cycle link from the site to the cycle track in the south.
- iii) improvements to pedestrian access to Gunnels Wood Road bus stop by resurfacing and provision of dropped kerbs and tactiles where necessary.

The works shall be fully completed to the satisfaction of the Highway Authority before first occupation.

71. Prior to the first occupation of the development within the Residential Development Plot the following improvement works to walking and cycling shall be completed to the satisfaction of the Highway Authority.

- i) a new pedestrian crossing facility in Maxwell Road;
- ii) resurfacing of the existing footway along the site's northern boundary;
- iii) new footway on the southern side of Maxwell Road between the two new accesses;
- iv) a shared pedestrian/cycle link from the site to the cycle track in the south.

The works shall be fully completed to the satisfaction of the Highway Authority before first occupation.

INFORMATIVE

1 Environment Agency

The developer should follow the risk management framework provided in CLR11, Model Procedures of Land Contamination, when dealing with land affected by contamination. Refer to the Environment Agency Guiding principles for land contamination that are required in order to assess risks to controlled waters from the site. The Local Authority can advise on risk receptors such as human health. Consider using the National Quality Mark Scheme for Land Contamination Management which involves the use of competent persons to ensure that land contamination risks are appropriately managed. In addition, to consideration should be made to the Environment Agency's approach to groundwater protection February 2018 version 1.2.

Refer to the contaminated land pages on GOV.UK for more information. It is expected the site investigations to be carried out in accordance with best practice guidance for site investigations on land affected by land contamination, for example British Standards, when investigating potentially contaminated sites and groundwater, and references with these documents:

- BS5930:2015 Code of practice for site investigations;
- BS10175:2011 A1:2013 Code of practice for investigation of potentially contaminated sites;
- BS ISO 5667-22:2010 Water quality, sampling, Guidance on the design

- and installation of groundwater monitoring points;
- BS ISO 5667-11:2009 Water quality, sampling, Guidance on sampling of groundwater's (A minimum of 3 groundwater monitoring boreholes are required to establish the groundwater levels, flow patterns and groundwater quality, more monitoring locations may be required to establish the conceptual model);
- Use MCERTS accredited methods for testing contaminated soils at the site.
- A Detailed Quantitative Risk Assessment (DQRA) for controlled waters using the results of the site investigations with consideration of the hydrogeology of the site and the degree or any existing groundwater and surface water pollution should be carried out.

The verification plan should include proposals for a groundwater monitoring programme to encompass regular monitoring for a period date before, during and after ground works. For example, monthly monitoring before, during and for a least the first quarter after completion of ground works, and then quarterly for the remaining 9-month period. Where SuDS are proposed, infiltration SuDS should not be located in unsuitable and unstable land affect by contamination or solution features.

Where infiltration SuDS are to be used for surface run-off from roads, car parking and public or amenity areas, they should have a suitable series of treatment steps to prevent the pollution of groundwater. For the immediate drainage catchment areas used for handling and storage of chemicals and fuel, handling and storage of waste, lorry, bus and coach of parking turning areas, infiltration SuDS are not permitted without an environmental. Further advice in the updated CIRIAL SuDS manual should be used as reference.

2 Hertfordshire Highways

The Highway Authority recommends inclusion of the following Advisory Notes (ANs) to ensure that any works as part of this development are carried out in accordance with the provisions of the Highways Act 1980 and other relevant processes.

AN1) Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047.

AN2) Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right

of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website:-

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

AN3) Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website:-

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

AN4) Construction standards for works within the highway. The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 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/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047.

AN5) Estate Road Adoption: The applicant is advised that Hertfordshire County Council as Highway Authority no longer adopts new highway as maintainable at the public expense unless a wider public benefit can be demonstrated. However, all internal roads should be built to adoptable standards and the Highway Authority may consider the adoption of main spine roads within the site as part of the wider outline planning application. In that case, the applicant should discuss with the Highway Authority at the earliest opportunity the extent of highways to be included as maintainable at the public expense and mark these on a plan, together with details of the specification, layout and alignment, width and levels of the said highways together with all the necessary highway and drainage arrangements, including run off calculations must be submitted to the Highway Authority. No development shall commence until the details have been approved in writing and an Agreement made under Section 38 of the Highways Act 1980 is in place. For any sections of highway that will not be adopted, the developer should put in place a permanent arrangement for long term maintenance, and

at the entrance of any such residential estates, a road name plate should indicate that it is a private road to inform purchasers of their future maintenance liabilities. Further information is available via the website:- <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047.

Advisory Notes:

The Highway Authority recommends inclusion of the following Advisory Notes (AN) to ensure that any works within the highway are carried out in accordance with the provisions of the Highway Act 1980.

AN1. The applicant should be advised that this development would attract a 'second strand' sustainable transport planning obligation derived in accordance with the document 'Planning Obligations Guidance - Toolkit for Hertfordshire (Hertfordshire County Council's requirements)' which can be downloaded at:-

<http://www.hertfordshire.gov.uk/your-council/hcc/resandperf/hertsprop/planningobs/>.

This funding will be targeted towards the delivery of the s278 schemes identified in the Highway Authority's comments.

AN2. Construction standards for works within the highway: The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The requirement as part of the offsite s278 works is to provide:

- Access works;
- Provision of two pedestrian crossing facilities in Maxwell Road;
- Resurfacing of the existing footway along the site's northern boundary;
- Provision of a new footway between the two new pedestrian crossing facilities;
- Provision of two shared pedestrian/cycle links from the site to the cycle track in the south.
- Gunnels Wood Road bus stop improvements: provision of Kassel kerbing, bus shelter, bench.
- Improvements to cycle and pedestrian facilities;
- Improve pedestrian access to Gunnels Wood Road bus stop by resurfacing and provision of dropped kerbs and tactiles.

The details should be included as part of the s278 drawing as part of the required highway work in conjunction with the development. 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:-

<http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.

3 **Thames Water**

With regards to surface water drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water, we would have no objection. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required.

4 **Ecology**

As part of any reserved matters application relating to landscaping, it is recommended that where possible, brash or log-piles should be created at the edge of the site if any tree/shrub clearance is undertaken, to provide wildlife stacks for invertebrates and small mammals. In addition, any closed board fencing as part of any boundary treatment should have Hedgehog gaps placed in them (150mm wide and 100mm high) to allow them and other small animals access throughout the site and area.

5 **Trees and Landscaping**

As part of any reserved matters application relating to landscaping, the Council's Arboricultural Manager recommends that the following tree works should part of any landscaping scheme submitted to the Council for its approval:-

1. Removal of 2 no. Poplar Trees in the North East corner of Block 1;
2. 30% reduction of first row of trees on the Eastern boundary by Blocks 1 and 2;
3. 30% reduction of the two Lime trees by the South Eastern corner of the site;
4. 30% overall reductions on the two groups of Maple trees on the northern boundary near Block 4 and Office Block;
5. Removal (including stump grinding) of the two Maple trees on the North side by the sub-station.

5 **INFORMATION REPORT - DELEGATED DECISIONS**

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

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

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

7 **URGENT PART I BUSINESS**

None.

8 **EXCLUSION OF THE PRESS AND PUBLIC**

Not required.

9 **URGENT PART II BUSINESS**

None.

CHAIR