

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

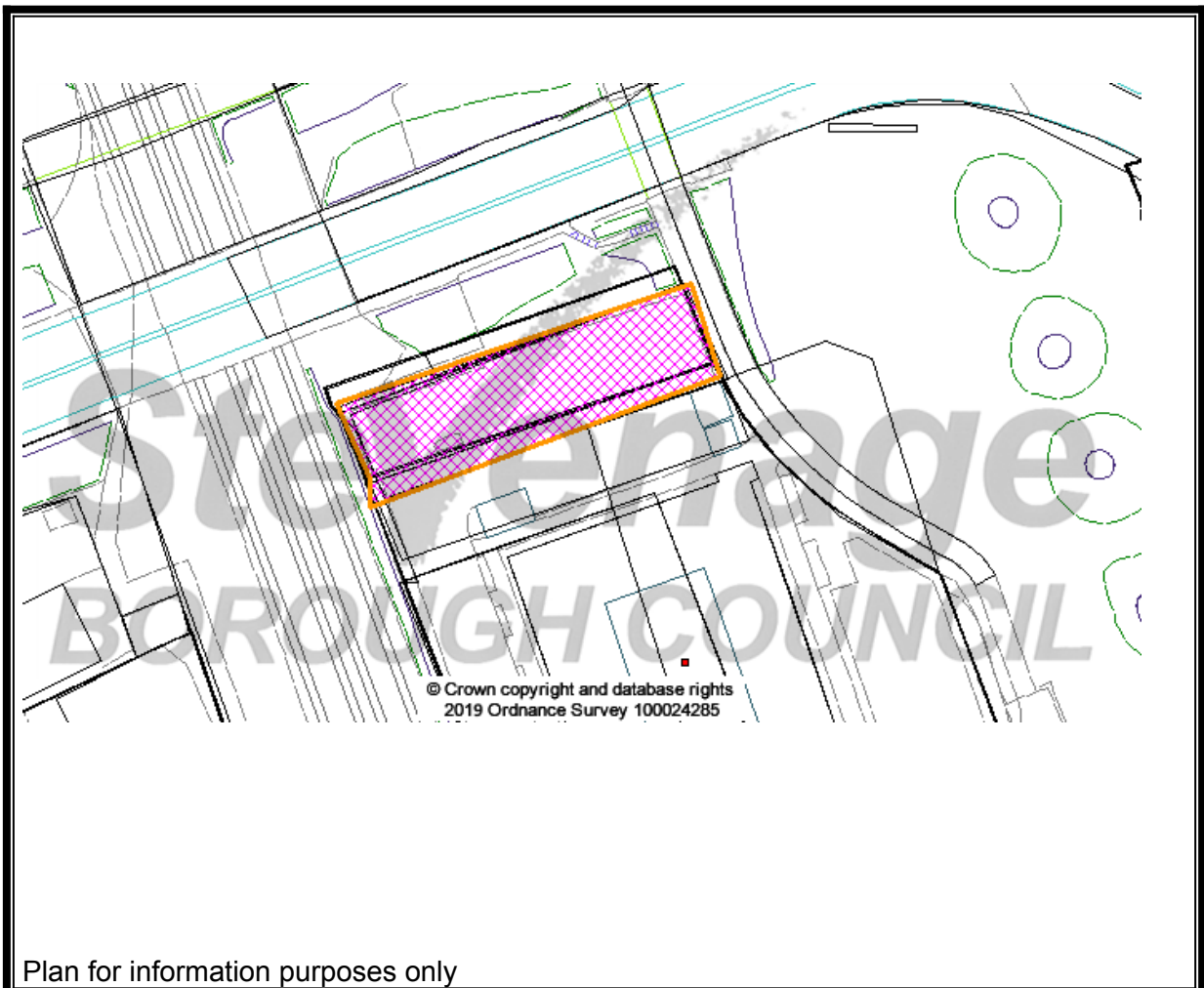
Date: 6 January 2021

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Application No:	20/00624/FPM
Location:	Land at Six Hills House, London Road, Stevenage.
Proposal:	Variation of condition 1 (Approved Drawings) and 6 (Car Parking) attached to planning permission 16/00482/FPM.
Drawing Nos.:	1233-P-13 A; 1233-P-14 A; 1255-P-15 A; 1233-P-16 A; 1233-P-17; 1233-P-21; 1233-P-22; 1233-P-23; 1233-P-24; 1233-P-25 A; 1233-P-26 A; 1233-P-31; 1233-P-32; 119-3EX-00; 119-3GA-01
Applicant:	Westgold Developments Ltd
Date Valid:	26 October 2020
Recommendation:	GRANT PLANNING PERMISSION



1. SITE DESCRIPTION

- 1.1 The application site is located at the northern end of the Six Hills House site and is currently occupied by surface car parking. To the south of the application site is Six Hills House which is an existing part four storey, part eight storey building being converted into residential apartments. The plant rooms associated with the old office building are also being converted to residential accommodation. The external elevations of the building have been finished in white coloured render and strategically placed colour panels utilising a simple palette of materials in order to provide a contemporary design. Additionally, well-proportioned windows and door openings have been installed on the main building in order to maximise natural light. There are also Juliette balconies which are finished in either timber or tinted glass balustrades. The roof areas have been finished with single ply painted copper effect roof membrane with a décor profile. The existing building is surrounded by surface car parking which is punctuated by trees with new cycle and bin stores being erected.
- 1.2 To the north of the application site is Six Hills Way, beyond which is Stevenage Police Station. To the east of the application site is the Six Hills Common which is an established Wildlife Site and comprises the Six Hills Mounds which is classed as a Scheduled Ancient Monument. Beyond the common is Asda supermarket and the North Hertfordshire College Campus. To the south of the application site is Kings Court which is a five storey office building with residential properties to the east of this office block which front London Road. To the west of the application site is the East Coast railway line with Gunnels Wood Employment Area beyond.

2. RELEVANT PLANNING HISTORY

- 2.1 Planning application reference 2/0131/80 sought permission for an office development. Permission was granted in June 1980.
- 2.2 Planning application reference 2/0342/80 sought permission for car parking and landscaping ancillary to the office development. Permission was granted in November 1980.
- 2.3 Planning application reference 2/0099/85 sought permission for 36 additional car parking spaces. Permission was granted in May 1985.
- 2.4 Prior approval application reference 14/00328/CPA sought approval for change of use of office building (Use Class B1(a)) to Residential Dwellings (Use Class C3) comprising 52 no. one bedroom and 80 no. two bedroom flats. This application was granted in August 2014.
- 2.5 Planning application reference 14/00639/FPM sought permission for the construction of 17no. three bed and 1no. two bed duplex units on roof area of floors 3 and 8, including external alterations to existing building and construction of refuse and cycle storage, pumping housing and new sub-station. The proposal also comprised of alterations to existing car parking layout incorporating additional landscaping and a new footpath/cycleway. This application was withdrawn in August 2016.
- 2.6 Planning application reference 15/00078/FP sought permission for the erection of 4no. bin and bicycle stores, 1 no. sub-station and 1 no. pumping station. This application was granted in April 2015.
- 2.7 Prior approval application reference 15/00225/CPA sought approval for the change of use of commercial roof top plant enclosures (Class B1) to 15no. residential apartments (Class C3). This application was granted planning permission in June 2015.

- 2.8 Planning application reference 15/00293/FP sought permission for the erection of a 4 storey lift enclosure alongside existing stair tower and external alterations to existing building. This application was granted planning permission in July 2015.
- 2.9 Prior approval application reference 15/00483/CPA sought prior approval for the change of use of the office building (Use Class B1(a)) to Residential dwellings (Use Class C3) comprising 128 no. one, two and three bedroom apartments. This application was granted planning permission in October 2015.
- 2.10 Discharge of condition application 15/00708/COND sought partial discharge of condition 3 (Archaeology) attached to planning permission reference 15/00078/FP. The application was discharged in March 2016.
- 2.11 Application 16/00250/NMA sought a non-material amendment to planning permission 15/00078/FP to relocate and increase the size of substation, amend the size and adjust positions of the bin store, increase in size and relocation of pumping station and amendment to the cycle canopy design. The Non-material amendment was agreed in May 2016.
- 2.12 Discharge of condition application 16/00252/COND sought to discharge condition 7 (Tree protection) attached to planning permission reference 15/00078/FP. A response to the discharge of condition was issued in June 2016.
- 2.12 Planning application 16/00482/FPM sought permission for the erection of an 8 storey residential building comprising of No. 17 one bedroom residential units, No. 34 two bedroom units, No. 13 three bedroom units and associated access. This application was granted planning permission in December 2017.
- 2.13 Section 106 Deed of Variation application 18/00515/S106 to vary "Contribution Trigger Event" under Section 1 and additional mortgagee clause imposed to Section 2 of the S.106 Agreement (dated 6 December 2017) approved under planning application 16/00482/FPM. The S.106 Deed of Variation was granted and issued in May 2019.
- 2.14 Discharge of condition application 20/00359/COND sought to discharge condition 3 (Samples of Materials) and 4 (Hard and Soft Landscaping) attached to planning permission reference 16/00482/FPM. The conditions were discharged in August 2020.
- 2.15 Application 20/00627/NMA sought a non-material amendment to planning approval 16/00482/FPM to increase the overall height of the building by 682mm. The Non-material amendment was agreed in November 2020.
- 2.16 Planning application reference 20/00625/FP seeks planning permission for the Installation of new fire escape route to be created from one of the two stair cores of the adjacent development approved under planning application 16/00482/FPM. The escape route is necessary as the stair core cannot discharge directly into the proposed car park. This application is pending consideration.

3. THE CURRENT APPLICATION

- 3.1 This application seeks to vary conditions 1 (Approved Drawings) and 6 (Car Parking). For reference, these conditions state the following:-

Condition 1 (Approved Drawings)

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

1233-P-12; 1233-P-13 A; 1233-P-14 A; 1255-P-15 A; 1233-P-16 A; 1233-P-17; 1233-P-21; 1233-P-22; 1233-P-23; 1233-P-24; 1233-P-31; 1233-P-32;

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

Condition 6 (Car Parking)

Prior to the first occupation of the dwellings hereby permitted the approved car parking area shall be marked, surfaced and constructed in accordance with the details identified on drawing 1233-P-12 and shall be permanently retained in that form.

REASON:- To ensure sufficient parking provision in accordance with the Council's adopted standards is maintained for all dwellings on site in perpetuity.

- 3.2 The proposal seeks to reduce the number of parking spaces from 32 to 25, resulting in the removal of seven spaces. The main reason for reducing the parking is, following the drawing up of the detailed design, there was not sufficient space for all of the associated plant and equipment which are required to service the development.
- 3.3 In terms of timeframes for implementing the planning permission, this would have expired in December 2020. However, under the provisions of the Business and Planning Act 1990 which was introduced due to the Coronavirus, an amendment to the Town and Country Planning Act 1990 (As amended) was made by Central Government. This amendment set out that where permission was to lapse between 19 August 2020 and 31 December 2020, these permissions are extended to 1 May 2021. Consequently, the applicant will have until the 1 May 2021 to commence works on-site as part of the original planning permission.
- 3.4 This current application before the Council has been referred to the Planning and Development Committee for its decision. This is because the level of parking of the approved development under planning permission 16/00482/FPM is proposed to be amended from that which was previously determined by the Committee.

4. PUBLIC REPRESENTATIONS

- 4.1 This planning application has been publicised by way of a site notice and neighbouring properties have been notified about the application via a letter. The application was also published in the local press as it is a major application. Three objections have been received from 505 West Terrace, Six Hills House; Laurels, London Road and Flat 4, Six Hills House. A summary of the objections are as follows:-
- An unacceptable reduction in off-street parking;
 - Potential impact of reduced parking on existing residents parking serving Six Hills House;
 - It will exacerbate parking problems on London Road;
 - Concerns over the potential safety implications of the construction phase of development;
 - Concerns over the location of contractor parking and the impact this will have on local residents.
- 4.2 The aforementioned is not a verbatim copy of the comments which have been received. A full copy of these comments can be found on the Council's website.

5. CONSULTATIONS

5.1 Hertfordshire County Council Highways

- 5.1.1 Hertfordshire County Council as Highways Authority do not consider the proposed condition variations are unlikely to result in a significant material increase or change in character of traffic in the vicinity of the site. Therefore, they raise no objection to the proposed variation to the conditions.

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 February 2019. This largely reordered the policy substance of the earlier 2012 version of the NPPF, albeit with some revisions to policy. The policies in the Local Plan are in conformity with the revised NPPF and that the Local Plan should be considered up to date for the purpose of determining planning applications. The NPPF provides that proposals which accord with an up to date development plan should be approved without delay (para.11) and that where a planning application conflicts with an up to date development plan, permission should not usually be granted (para.12). This indicates the weight which should be given to an up to date development plan, reflecting the requirements of section 38(6) of the 2004 Act. The NPPF with which Members are fully familiar, is a material consideration to be taken into account in determining this application.

6.3 Planning Practice Guidance

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

6.4 Stevenage Borough Local Plan 2011-2031 (Adopted 2019)

Policy SP1: Presumption in favour of sustainable development;
Policy SP2: Sustainable Development in Stevenage;
Policy SP6: Sustainable Transport
Policy IT5: Transport assessments and travel plans;
Policy IT5: Parking and Access;
Policy IT7: New and improved links for pedestrians and cyclists.

6.5 Supplementary Planning Documents

Parking Provision Supplementary Planning Document October 2020.
Stevenage Design Guide Supplementary Planning Document 2009.

6.6 Community Infrastructure Levy Charging Schedule

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

7. APPRAISAL

- 7.1 When considering applications of this type, local planning authorities are entitled to consider only the question of the conditions to which planning permission should be granted and must leave the original permission intact. In this instance, the other conditions imposed on the originally granted planning permission for this development remain relevant, so that the only issue for consideration in the determination of this application is how the variation of the condition referred to above would impact on the approved scheme and whether any additional conditions are warranted.
- 7.2 The main issues for consideration of this application are, therefore, the acceptability of the proposed changes to the scheme in respect of affordable housing and Section 106 obligations, impact on the appearance of the area and impact on parking.

7.2 Affordable housing and developer contributions

- 7.2.1 Policy HO7 of the adopted Local Plan (2019) stipulates that planning permission will be granted for residential developments that maximise affordable housing provision. For developments on previously developed sites, 25% of the dwelling units should be affordable. In regards to the proposed development, this would equate to 5.5 units (rounded up to 6). Policy HO7 continues that “planning permission will be refused where these targets are not at least achieved unless:

- a) Developers robustly demonstrate that the target cannot be achieved due to site-specific constraints resulting in higher than normal costs, which affect its viability; or
- b) Meeting the requirements would demonstrably and significantly compromise other policy objectives.”

- 7.2.2 The applicant, under the original planning permission, had provided a detailed financial viability assessment which demonstrated that the development proposal was unable to provide the policy compliant position of 25% affordable housing. This appraisal had been independently assessed by the Council’s own viability consultants who had confirmed that the application is unable to provide the full amount of affordable housing provision. However, whilst the full amount could not be provided, as an alternative a financial contribution in lieu of on-site affordable housing of £62,290.05 had been negotiated with the applicant, which would equate to approximately 1% of the affordable housing. Whilst the contribution was considered very low at the time, it would be in accordance with the NPPF as it has been clearly demonstrated that the scheme would not be viable with the usual full requirement of affordable housing provision. Consequently, the financial contribution was considered to be acceptable when the application was original determined by the Council.

- 7.2.3 In addition to affordable housing, financial contributions are also required in accordance with the Hertfordshire County Council tool kit and contributions to Stevenage Borough Council for commuted payments towards the improvement of nearby outdoor sports

facilities/open space and children’s play space. These financial contributions are set out in the table below:-

Stevenage Borough Council	Financial Obligation
Open outdoor sport/open space	£3,082.24
Children’s play space	£2,782.71
Total	£5,864.95
Hertfordshire County Council	
Primary Education	£46,845.00
Overall total	£52,709.95

7.2.4 Taking the above financial obligations into consideration, if Members were minded to grant this planning application, then there would be a requirement for the applicant to enter into a Deed of Variation (DoV) to the original S.106 agreement. This DoV to the original S.106 would bind the applicant to the above obligations which were originally secured by the Council. It can be confirmed that the applicant has agreed to enter into a DoV with the Council on the S.106 agreement. It is important to note that all financial contributions would be index linked as per the original agreement as well. The applicant has agreed to enter into the DoV which will require the financial obligations to be paid Prior to the Commencement of development.

7.2.5 It is important to note that we cannot re-consider any S.106 obligations (including Affordable Housing) under this planning application which is before the Council. This is because this application does not seek to alter the number of approved dwellings or change the overall approved housing mix either.

7.3 Impact on the appearance of the area

7.3.1 This application does not seek to extend or alter the external appearance of the approved building. The only changes to the development relate to the reconfiguration of the surface car park which would serve the development. Therefore, the proposal would not have a detrimental impact on the character and appearance of the development or the visual amenities of the wider street scene.

7.4 Parking

Car parking

7.4.1 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. When the Council originally determined the 2016 planning application (Planning reference:- 16/00482/FPM), this application was determined against the Car Parking Standards SPD (2012). However, in October 2020, the 2012 standards had been superseded by the Council adopted the Car Parking Standards SPD (2020).

7.4.2 The aforementioned new standards introduced new parking standard requirements for flatted developments as well as an amendment to the residential accessibility zones. Where a site falls within a particular accessibility zone, the standard allowed for a reduction in the maximum number of parking spaces required to serve the development. The table below shows the differences between the previous 2012 standards against the recently adopted 2020 standards.

Parking Standards SPD 2012		Parking Standards SPD 2020	
Maximum Parking Requirement	94 spaces	Maximum Parking Requirement	88 spaces
Accessibility Zone 1 – 25% to 50%	24 to 47 spaces	Town Centre Accessibility zone – 0% to 25%	0 to 22 spaces
Accessibility Zone 2 – 50% to 75%	47 to 71 spaces	Accessibility Zone 2 – 50% to 75%	44 to 66 spaces
Planning Permission 16/00482/FPM		Proposed Development	
Spaces Proposed	32 spaces	Spaces Proposed	25 spaces

- 7.4.3 As you will see from the above table, reference has been made to two distinct accessibility zones. This is because the application site fell on the boundary of two different residential accessibility zones. Under the old 2012 Parking SPD, in accessibility zone 1, there was a requirement to provide between 25% to 50% of the maximum number of car parking spaces. This would equate to a requirement of between 23.5 (rounded up to 24) to 47 car parking spaces. In relation to accessibility zone 2, there was a requirement to provide between 50 to 75% of the maximum number of space. This equates to between 47 spaces to 70.5 (rounded up to 71).
- 7.4.4 The 2016 planning permission approved 32 parking spaces which equated to 45% of the maximum number of parking spaces required under the former 2012 SPD. As such, it was considered that, despite the proposed development being below the 50% to 75% range for zone 2 development, it would have fallen well within the 25% to 50% parking requirement as set out in the former SPD for zone 1 development. Consequently, the development was considered to be acceptable by the Council as the Local Planning Authority.
- 7.4.5 The recently adopted Car Parking SPD (2020),, the proposed development would now require 87.5 spaces (rounded up to 88) as a maximum. In the Town Centre accessibility zone, there is a requirement to provide between 0% to 25% of the maximum number of car parking spaces. This equates to a requirement of between 0 to 22 parking spaces. In relation to accessibility zone 2, there is a requirement to provide between 50% to 75% of the maximum number of spaces required. This equates to a requirement of between 44 spaces to 66 spaces.
- 7.4.6 The development as now proposed comprises the provision of 25 spaces. This equates to 28% of the maximum parking requirement for the development. Consequently, the proposal is well below the 50% to 75% parking requirement for Zone 2 development. However, due to the site also falling in part in the Town Centre accessibility zone, which has a lower requirement, the level of parking provided would be acceptable. This is because it would exceed the 22 spaces required for development which falls in the Town Centre accessibility zone, using the same methodology as previously.
- 7.4.7 Further to the above, despite the shortfall based on zone 2 requirements, the application site is in a highly sustainable location as it is located in close proximity to a number of local services and amenities (including Post Office, health care facilities and convenience stores) located within Stevenage Town Centre along with the Asda Superstore and the Leisure Park. The site is also highly accessible via public footpath and cycle path connection which are located immediately adjacent to the eastern boundary of the site. The site is also in close proximity to a number of bus services and within walking distance to Stevenage Train Station. Moreover, it is located only 1.1km from Broom Barns Primary School and within 2km of Thomas Alleynes and Barclays Secondary School, which have large catchment areas. In addition to this, the site is within walking distance to the established employment

area of Gunnels Wood Road. Furthermore, there are parking restrictions along London Road and Kings Road with double yellow lines, so vehicles would be unable to park on the local highway which would have affected highway safety if these were not in place. Consequently, the overall level of parking being provided on-site is acceptable due to the site's highly sustainable location.

- 7.4.8 Turning to the existing development at Six Hills House, the proposal does result in the loss of 42 car parking spaces. However, there would still be, following the implementation of the development, 114 car parking spaces to serve the Six Hills House which would exceed the requirement of a maximum of 90 spaces to serve the existing development in line with the Council's Car Parking Standards. Furthermore, these spaces were never made available to the occupiers of Six Hills House as the original landowner, when they got planning permission for the 2016 permission, enclosed the application site so the parking spaces could not be used by residents when they started to move into Six Hills House. This is due to the land being re-developed in line with the 2016 planning permission.

Cycle parking

- 7.4.9 The Council's Parking Standards (2020) stipulates the following requirements for cycle parking:-

- 1 space per 1-bed unit;
- 2 spaces per 2-bed unit; and
- 3 spaces per 3 bed unit.

- 7.4.10 Given the aforementioned, the overall level of cycle parking requirements has increased over the previously adopted standard in 2009 which was a ratio of 1 space per 1 dwelling unit (ratio of 1:1). Consequently, under the new standards, there would now be a requirement to provide 124 spaces. This is an increase of 52 spaces from that which was previously approved by the Council. Given updated cycle parking details have not been provided based on the new standards, it is recommended a condition is imposed to any permission issued (there is sufficient space on ground and first floor levels to accommodate this additional provision). This condition will ensure the necessary level of cycle parking in line with the recently adopted standards is provided prior to the development first being occupied.

Electric Vehicle Charging

- 7.4.11 The adopted Parking Standards SPD (2020) stipulates that for all new development, car parking should be designed to fulfil a Passive Electrical Vehicle (EV) Charging Point standard. This means the underlying infrastructure is provided for connection to the electricity network but will need to be activated through the installation of a charge point to be used in the future as technologies evolve and uptake increases. In addition, a minimum of 20% of new parking on the site should have access to an active EV charging point.

- 7.4.12 The requirement to provide electric vehicle charging was introduced by Hertfordshire County Council under Local Transport 4 which was published in 2019 and more recently been formally adopted by the Council in the Car Parking SPD (2020). Turning to the original 2016 permission, this was determined by the Council before the aforementioned were published. As such, there was no requirement to provide electric vehicle charging provision at the time.

- 7.4.13 Turning to the current application which is before the Council, the applicant has not submitted any electric vehicle charging points details within this application. However, it is recommended a condition is imposed requiring the applicant to provide further details of EV charge points which are to be installed as part of the development. The condition will also

require the applicant to install these EV charging points in accordance with the relevant details before the development is occupied.

Disabled Parking

- 7.4.14 With respect to disabled parking, the Council's Parking Standards SPD (2020) recommends the provision of a minimum of 5% of the total number of spaces to be designated for use by people with mobility issues. This equates to a requirement of 1.25 spaces (rounded up to 2). Whilst the applicant has not provided specific details for this parking, there is sufficient space within the development to accommodate two dedicated 2 spaces.. As such, this requirement can be secured by condition.
- 7.4.15 In summary, and subject to conditions, the proposed development would have sufficient off-street parking, cycle parking, disabled parking and electric vehicle charging facilities. Therefore, the proposal would accord with the policies set out in the adopted Local Plan (2019), the Council's Car Parking Standards SPD (2020), the NPPF (2019) and PPG (2014).

7.5 Other matters

Community Infrastructure Levy

- 7.5.1 The proposed amendments to the approved development does not seek to increase the approved level of floorspace to that already approved. Therefore, this development would not be subject to any CIL liability in this instance.

Highways impact

- 7.5.2 This application does not seek to extend or alter any existing vehicular or pedestrian access points or routes beyond what has already been approved by the Council. In addition, the amendments sought under this application will not impact on the level of traffic generation which has been established to be acceptable under the 16/00482/FPM permission. Therefore, Hertfordshire County Council as Highways Authority considers the proposed changes to the aforementioned scheme under this application to be acceptable.

8. CONCLUSIONS

- 8.1 In summary, and subject to conditions, the principle of the proposed amendments sought under this Section 73 application are acceptable. In addition, these changes would not have a detrimental impact on the character and appearance of the development or the visual amenities of the wider street scene. Furthermore, they would not impact on the amenities of neighbouring properties and there would be sufficient off-street parking, cycle parking and electric vehicle parking facilities as well.
- 8.2 Given the aforementioned, the proposed development under this Section 73 application is considered to be acceptable in line with the Council adopted Local Plan, Planning and Design Guide SPD (2009), the Council's Car Parking Standards SPD (2020), the NPPF (2019) and NPPG (2014).

9. RECOMMENDATIONS

- 9.1 That Planning permission be GRANTED subject to the applicant having first entered into and completed a deed of variation to the original S106 agreement which was secured under planning permission 16/00395/FPM. This is in order to bind this planning permission to the obligations set out in the original S.106 agreement. The detail of the deed of variation of the

S106 agreement to be delegated to the Assistant Director of Planning and Regulation in conjunction with the Council's appointed solicitor and subject to the following conditions/reasons:

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

1233-P-13 A; 1233-P-14 A; 1255-P-15 A; 1233-P-16 A; 1233-P-17; 1233-P-21; 1233-P-22; 1233-P-23; 1233-P-24; 1233-P-25 A; 1233-P-26 A; 1233-P-31; 1233-P-32; 119-3EX-00; 119-3GA-01

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

- 2 The development hereby permitted shall be begun before 1 May 2021.
REASON:- To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 17 of the Business and Planning Act 2020).

- 3 The external surfaces of the development hereby permitted shall be completed in accordance with the approved materials specified under discharge of condition application 20/00359/COND.

REASON:- To ensure the development has an acceptable appearance and to protect the visual amenities of the area.

- 4 The hard and soft landscaping of the development hereby permitted shall be implemented in accordance with the approved hard and soft landscaping details specified under discharge of condition 20/00359/COND.

REASON:- To ensure the development has an acceptable appearance and to protect the visual amenities of the area. Furthermore, to ensure the landscaping scheme does not affect the operation of the adjoining railway network.

- 5 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.

- 6 Prior to the first occupation of the dwellings hereby permitted the approved car parking area shall be marked, including the provision of two disabled bays in accordance with Manual for Street standards, shall be surfaced and constructed in accordance with the details identified on drawing 119-3GA-01 and shall be permanently retained in that form.

REASON:- To ensure sufficient parking provision in accordance with the Council's adopted standards is maintained for all dwellings on site in perpetuity.

- 7 Prior to the first occupation of the dwellings hereby permitted, details of the secure cycle parking facilities shall be submitted to and approved in writing by the Local Planning Authority. The cycle parking facilities shall be provided in accordance with the approved details prior to first occupation of the development hereby permitted.

REASON:- To ensure that there is sufficient cycle parking provision in accordance with the Council's adopted standards is maintained for all dwellings on site in perpetuity.

- 8 No construction work relating to this permission shall be carried out on any Sunday, Public or Bank Holiday nor at any other time except between the hours of 0730 and 1800 on Mondays to Fridays and between the hours of 0900 and 1300 on Saturdays.

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

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

REASON:- In order to protect the amenities of the occupiers of Six Hills and to not prejudice the safety and operation of the adjacent highway and railway network.

10 An Armco or similar barrier should be located in positions where vehicles maybe in a position to drive into or roll onto the railway or damage the lineside fencing. Network Rail's existing fencing/wall must not be removed or damaged. The barrier would need to be installed at each turning area, roadway and car parking area which is located adjacent to the railway.

REASON:- In order to protect infrastructure associated with the railway line managed by Network Rail.

11 No development shall take place until a construction method statement and Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The approved statement and plan shall be adhered to throughout the construction period. The statement shall provide for:

- Parking of vehicles of site operatives and visitors;
- Routes for construction traffic;
- Hours of operation;
- Method of wheel cleaning to reduce the transfer of mud onto the highway;
- Pedestrian and cycle protection;
- The proposed methods of construction (including details of any excavation/buildings/piling/scaffolding which are located within 10m of the railway line and/or in close proximity to Thames Water assets);
- Risk assessment in relation to the railway;
- Arrangement and siting and construction compounds;
- Details on the screening or enclosure of plant and machinery;
- Details of dust control measures;
- Details of any vibro-compaction machinery which is to be used in development

REASON:- To safeguard the amenities of neighbouring properties, to protect the safety and operation of the highway network and the adjoining railway network.

12 In line with the Phase 1 Environmental Assessment (Document reference: 016/1462 Rev 01, prepared by EAME dated July 2016) a watching brief should be adopted during the initial preparation works to identify any potentially contaminated materials e.g. hydrocarbon staining due to the previous use of the site of the car park. Where identified, materials should be segregated, sampled, analysed, categorised and disposed of off-site in accordance with current legislative requirements.

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.

13 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 14, 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 15.

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.

- 14 In the event contamination is found, the 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.

- 15 The approved remediation scheme as required under condition 14 if contamination is found 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.

- 16 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.

REASON:- To protect the amenities of adjoining land users.

- 17 The development hereby permitted shall be constructed in accordance with the Noise Impact Assessment Report (Report reference 13395.NIA.01, prepared by KP Acoustics Ltd, dated 01/07/2016).

REASON:- To ensure that the amenities of future owner/occupiers of the development are protected from the noise generated from the adjacent railway line and nearby highway network.

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

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

- 19 Prior to the first occupation of the development hereby permitted, the applicant shall provide details of the Electric Vehicle Charging Points and Passive Infrastructure which shall be submitted and approved in writing by the Local Planning Authority. The Electric Vehicle Charging Points and Passive infrastructure shall be implemented in accordance with the approved details prior to first occupation of the development.

REASON:- To ensure there is sufficient electric vehicle charging facilities provided for future residents in accordance with the Council's adopted standards.

Pro-active Statement

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

Police Crime Prevention

The proposed development should achieve Secured By Design (SBD) accreditation in order for it to comply with current Building Regulations. The Police Crime Prevention Design Advisor by telephone on 01707 355227 or email mark.montgomery@herts.pnn.police.uk

Thames Water

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 02035779483 or by emailing wwqriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality

Through the centre of the proposed development there are easements and wayleaves. These are Thames Water Assets. The company will seek assurances that it will not be affected by the proposed development.

Network Rail

Fail Safe Use of Crane and Plant

All operations, including the use of cranes or other mechanical plant working adjacent to Network Rail's property, must at all times be carried out in a "fail safe" manner such that in the event of mishandling, collapse or failure, no materials or plant are capable of falling within 3.0m of the nearest rail of the adjacent railway line, or where the railway is electrified, within 3.0m of overhead electrical equipment or supports.

Excavations/Earthworks

All excavations/ earthworks carried out in the vicinity of Network Rail property/ structures must be designed and executed such that no interference with the integrity of that property/ structure can occur. If temporary works compounds are to be located adjacent to the operational railway, these should be included in a method statement for approval by Network Rail. Prior to commencement of works, full details of excavations and earthworks to be carried out near the railway undertaker's boundary fence should be submitted for the approval of the Local Planning Authority acting in consultation with the railway undertaker and the works shall only be carried out in accordance with the approved details. Where development may affect the railway, consultation with the Asset Protection Project Manager should be undertaken. Network Rail will not accept any liability for any settlement, disturbance or damage caused to any development by failure of the railway infrastructure nor for any noise or vibration arising from the normal use and/or maintenance of the operational railway. No right of support is given or can be claimed from Network RAILS infrastructure or railway land.

Security of Mutual Boundary

Security of the railway boundary will need to be maintained at all times. If the works require temporary or permanent alterations to the mutual boundary the applicant must contact Network Rail's Asset Protection Project Manager.

OPE

Once planning permission has been granted and at least six weeks prior to works commencing on site the Asset Protection Project Manager (OPE) MUST be contacted, contact details as below.

The OPE will require to see any method statements/drawings relating to any excavation, drainage, demolition, lighting and building work or any works to be carried out on site that may affect the safety, operation, integrity and access to the railway.

Cranes

With a development of a certain height that may/will require use of a crane, the developer must bear in mind the following. Crane usage adjacent to railway infrastructure is subject to stipulations on size, capacity etc. which needs to be agreed by the Asset Protection Project Manager prior to implementation

Scaffolding

Any scaffold which is to be constructed within 10 metres of the railway boundary fence must be erected in such a manner that at no time will any poles over-sail the railway and protective netting around such scaffold must be installed.

Encroachment

The developer/applicant must ensure that their proposal, both during construction, and after completion of works on site, does not affect the safety, operation or integrity of the operational railway, Network Rail and its infrastructure or undermine or damage or adversely affect any railway land and structures. There must be no physical encroachment of the proposal onto Network Rail land, no over-sailing into Network Rail air-space and no encroachment of foundations onto Network Rail land and soil. There must be no physical encroachment of any foundations onto Network Rail land. Any future maintenance must be conducted solely within the applicant's land ownership. Should the applicant require access to Network Rail land then must seek approval from the Network Rail Asset Protection Team. Any unauthorised access to Network Rail land or air-space is an act of trespass and we would remind the council that this is a criminal offence (**s55 British Transport Commission Act 1949**). Should the applicant be granted access to Network Rail land then they will be liable for all costs incurred in facilitating the proposal.

Trees/Shrubs/Landscaping

Where trees/shrubs are to be planted adjacent to the railway boundary these shrubs should be positioned at a minimum distance greater than their predicted mature height from the boundary. Certain broad leaf deciduous species should not be planted adjacent to the railway boundary. We would wish to be involved in the approval of any landscaping scheme adjacent to the railway. Where landscaping is proposed as part of an application adjacent to the railway it will be necessary for details of the landscaping to be known and approved to ensure it does not impact upon the railway infrastructure. Any hedge planted adjacent to Network Rail's boundary fencing for screening purposes should be so placed that when fully grown it does not damage the fencing or provide a means of scaling it. No hedge should prevent Network Rail from maintaining its boundary fencing. Lists of trees that are permitted and those that are not permitted are provided below and these should be added to any tree planting conditions:

Acceptable:

Birch (Betula), Crab Apple (Malus Sylvestris), Field Maple (Acer Campestre), Bird Cherry (Prunus Padus), Wild Pear (Pyrus Communis), Fir Trees – Pines (Pinus), Hawthorne (Cretaeagus), Mountain Ash – Whitebeams (Sorbus), False Acacia (Robinia), Willow Shrubs (Shrubby Salix), Thuja Plicatata "Zebrina"

Not Acceptable:

Acer (Acer 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 europea)

A comprehensive list of permitted tree species is available upon request to Network Rail.

Access to Railway

All roads, paths or ways providing access to any part of the railway undertaker's land shall be kept open at all times during and after the development. Network Rail is required to recover all reasonable costs associated with facilitating these works.

The construction method statement would need to be agreed with the Asset Protection Project Manager, Network Rail (London North Eastern), Floor 3B, George Stephenson House, Toft Green, York, YO1 6JT or email assetprotectionneem@networkrail.co.uk

Hertfordshire County Council as the Highways Authority

Works to be undertaken on the adjoining Highway will require the applicant to enter a Section 278 Agreement with the Highway Authority.

The Highway Authority requires the alterations to or the construction of the vehicle crossover to be undertaken such that the works are carried out to their specification and by a contractor who is authorised to work in the public highway. The applicant will need to contact HCC HIGHWAYS either via the Website <http://www.hertsdirect.org/services/transtreets/highways/> or ring (Telephone 0300 1234047) to arrange this.

10. BACKGROUND DOCUMENTS

1. The application file, forms, plans and supporting documents having the reference number relating to this item.
2. Stevenage District Plan Second Review 1991-2011.
3. Stevenage Borough Council Supplementary Planning Documents – Parking Provision adopted January 2012.
4. Stevenage Borough Local Plan 2011-2031 Publication Draft.
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 March 2012 and National Planning Policy Guidance March 2014.