

**PLANNING AND DEVELOPMENT COMMITTEE  
MINUTES**

Date: Tuesday, 8 December 2020

Time: 6.30pm

Place: Virtual (via Zoom)

**Present:** Councillors: Simon Speller (Chair), Maureen McKay (Vice Chair), Doug Bainbridge, Sandra Barr, Laurie Chester, Michael Downing, Michelle Gardner, Jody Hanafin, Lizzy Kelly, Graham Lawrence, John Lloyd, Graham Snell and Tom Wren

**Start / End**      Start Time:    6.30pm  
**Time:**            End Time:       10.40pm

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

There were no apologies for absence and no declarations of interest.

**2      MINUTES - 4 NOVEMBER 2020**

It was **RESOLVED** that the Minutes of the meeting of the Planning and Development Committee held on 4 November 2020 be approved as a correct record and signed by the Chair.

**3      UNIT B3, COCKERELL CLOSE, STEVENAGE (20/00548/FPM)**

The Committee considered an application for the installation of a mezzanine floor and enclosed external compound.

The Planning Officer gave an introduction to the Committee. She advised that the main issues for consideration in the determination of this application were the acceptability in land use policy terms, the impact on the character and appearance of the area, impact upon neighbouring amenities, parking provision and highway implications of the mezzanine floor and storage compound only.

The Committee was advised that the use of the premises by FIRA Elements was considered acceptable in land use policy terms and the installation of the mezzanine floor and external storage compound were not considered to harm the visual amenities of the area or the amenities of neighbouring residential dwellings and businesses. It was accepted that the car parking provision was below the recommended standard as laid out in the Car Parking Provision SPD (2020), however the site was in a highly sustainable location and offered excellent opportunities of non-car modes of transport and so, on balance, it was considered acceptable in this instance to allow a shortfall in car parking provision.

In response to a question regarding cycle parking, the Planning Officer advised that

the car parking provision SPD stated that for this size of business, 5 cycle spaces should be provided. A condition had therefore been imposed requesting details of cycle storage prior to the occupation of the premises.

It was **RESOLVED**:

That planning permission be granted subject to the following conditions:

1. The development hereby permitted shall be carried out in accordance with the following approved plans:  
1980-01A; 1980-02; 1980-03A; 1980-04A; 1980-05A; 1980-06A; 1980-07;  
1980-08; 1980-09; 1980-10; 1980-11; 1980-12; 1980-13; 1980-14; 1980-15;  
1980-16; 1980-17; 1980-18; 1980-Location; 1980 Block 500;
2. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
3. 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 08:00 and 18:00 on Mondays to Fridays and between the hours of 09:00 and 13:00 on Saturdays.
4. Prior to the first occupation of the development hereby permitted, details of secure cycle parking provision shall be submitted to and approved in writing by the Local Planning Authority. The secure cycle parking facility shall thereafter be implemented in accordance with the approved details.
5. The external storage compound hereby approved shall be constructed in accordance with the approved plans.
6. There shall be no open storage of refuse, goods or materials other than in compounds or areas specifically set aside for this purpose and shown on a plan submitted to and approved by the Local Planning Authority in writing.

### **Informative**

1. Community Infrastructure Levy

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

This application may be liable for CIL payments and you are advised to contact the CIL Team for clarification with regard to this. If your development is CIL liable, even if you are granted an exemption from the levy, please be advised that it is a requirement under Regulation 67 of The Community Infrastructure Levy Regulations 2010 (as amended) that CIL Form 6 (Commencement Notice) must be completed, returned and acknowledged by Stevenage Borough Council before building works start. Failure to do so will mean you risk losing the right to payment by instalments and a surcharge will

be imposed. NB, please note that a Commencement Notice is not required for residential extensions if relief has been granted.

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

#### 4 **WESTON ROAD CEMETERY, STEVENAGE (20/00538/AD)**

The Committee considered an application for the erection of 1 no. 6m high flagpole.

The application was before the Committee for determination as the applicant and landowner was Stevenage Borough Council.

The Planning Officer gave an introduction to the Committee. She advised that the application sought advertisement consent for the proposed erection of 1 no. 6m high flag pole. The flag pole would be constructed from fibreglass with a hinged base plate. The proposed flag would be cloth with white lettering on a green background. The flag would measure 90cm in height by 180cm in width with the maximum height of the lettering being 40cm. The flag would read "Green Flag Award" and include the green flag symbol of two figures and a tree.

The Committee was advised that the signage proposed would not have an adverse effect on the visual amenity of Weston Road Cemetery, the St. Nicholas Conservation Area or the Green Belt, and would acceptably promote the fact that the cemetery had been awarded Green Flag status, nor would it compromise the Green Corridor. Additionally, the signage would not present a safety risk to members of the public.

In response to a question regarding what would happen to the flagpole if the green flag was no longer a current award, Officers advised that the flagpole consent was for five years only and conditions required that it should be maintained to a high standard. If the award was no longer relevant the pole and flag would be removed.

A member advised that the site for the flagpole had already been prepared prior to this permission having been granted. Officers advised that certain work could be carried out without permission but that this was at the applicant's own risk.

It was **RESOLVED:**

That ADVERTISEMENT CONSENT BE GRANTED subject to the following conditions:

1. The development hereby permitted shall be carried out in accordance with the following approved plans:  
'Location of Flag' and 'Flag Details'
2. This consent shall be for a limited period only, expiring five years after the

date of this notice and on or before that date the advertisements shall be removed and the buildings/land restored to its former condition.

3. (A) No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitles to grant permission.

(B) No advertisement shall be sited or displayed so as to:-

- i) Endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
- ii) Obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
- iii) Hinder the operation of any device used for the purpose of security of surveillance or for measuring speed of any vehicle.

(C) Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

(D) Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

(E) Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

## 5 **NORTH OF STEVENAGE (17/00862/OPM)**

The Committee considered an application for outline permission for the erection of 800 residential dwellings, creation of a new local centre, provision of a primary school, provision of landscaped communal amenity space including children's play space; creation of new public open space together with associated highways, landscaping, drainage and utilities works.

The Assistant Director (Planning and Regulatory) and the Development Manager gave an introduction to the Committee.

Officers advised that this application was originally considered by the Planning and Development Committee on 4<sup>th</sup> February 2020. The Committee resolved to grant Outline Planning Permission subject to the completion of a S.106 legal agreement. It was then referred to the Secretary of State who subsequently decided not to call in the application and remitted it back to the Council for determination. This meant that the legal agreement could not be completed before the 1<sup>st</sup> April 2020 which is when the Council adopted the Community Infrastructure Levy (CIL). Consequently, this application was being referred back to the Committee as the financial obligations to

be secured as part of the legal agreement had changed.

The Committee was also advised that since the last consideration of the application, developers for the Stevenage Rugby Club site, to the West of North Road and allocated for housing under Policy HO1/11, had come forward with development proposals. This had provided an opportunity to coordinate the access arrangements for both sites and the Applicants for this application, had amended their scheme to address this issue.

Officers reported that the main changes for consideration in the determination of this application were planning obligations and community infrastructure levy liability as well as an amendment to the access from North Road. All other matters remained materially the same as detailed in the previous report to Committee save for some minor revisions to the recommended conditions.

The Chair then invited Mr John Spiers, an objector to address the Committee. Mr Spiers' objections related to:

- The more recent ONS projections for increased housing in Stevenage, which had reduced in numbers should now be used and a review of the Stevenage Local Plan, which was drafted in 2016, undertaken to reflect this reduction.
- The long term impact of the coronavirus pandemic on working practices – The Local Plan was clear that new housing was primarily for those working in London. The pandemic had changed the way people were working and the need for this housing in Stevenage was reducing.
- In relation to air pollution, the officer report failed to inform the Council about major environmental factors. Most would use cars from this development leading to additional pollution.
- There were already 200 houses on sale in Stevenage in a similar price range.
- Permanent Loss of a valuable community asset with its physical and mental health benefits for residents.

The Chair then invited Jo Unsworth – Savills, on behalf of the applicant, Bellway Homes and Miller Homes to address the Committee. She advised that since the last meeting in February and the changes to the S106/CIL arrangements a different package of funding was required. She advised that the overall value of the CIL contributions was estimated at £2.5m which Members of the Committee would be able to allocate as they saw fit. The package of S106 contributions would address site specific projects. The applicant had worked with the Borough and County Council to come up with the maximum contributions that accorded with the regulations. She spoke about the new access arrangements. She advised that the development would result in a new community including a new school, country park, and promote the health and wellbeing of residents. There would be new footpaths cycleways and bus services which would connect to the surrounding area. A scheme of energy efficiency measures would be developed as part of the reserved matters application.

The Chair thanked Mr Spiers and Ms Unsworth for their contributions and invited contributions from the Members.

Concern was expressed regarding the current condition of the footpaths and rights of way over the land in respect of drainage and flooding making the land inaccessible to many people and the question was asked if this would be addressed in the proposed new development. Officers confirmed that a number of conditions would be imposed following a surface water drainage assessment and subject to a sensitivity study on the existing surface water flow. Members stressed the importance of the developers keeping to their proposal of a high quality country park allowing all people proper access to the land.

In relation to CIL and Section 106 payments, Officers clarified that the CIL was a non-negotiable charge and would be granted in accordance with the CIL charging schedule. With regards to how the CIL monies were spent, the ultimate decision lay with Stevenage Borough Council as the collection authority. In response to a question regarding the NHS, officers confirmed that despite being contacted on a number of occasions, the NHS had not provided a formula to demonstrate how they arrived at the financial contribution they sought which would be compliant with CIL Regulations and therefore the Council unfortunately could not require the developer to contribute in this regard. However the NHS would be able to submit bids for CIL monies in the future.

Kate Ma, Herts County Council Children's Service Department gave an update to Committee on the arrangements for the additional secondary provision that would be delivered as part of the proposed development.

In response to a question regarding sustainable transport and in particular bus services, officers advised that the existing bus service route would be extended and enhanced through the S106 contributions. There would also be new cycle and pedestrian connections all of which would be connected to the wider urban area.

Concern was expressed by several Members regarding traffic congestion. The HCC Highways officers advised that they had reviewed the proposal and were satisfied that the cumulative impact of traffic from the proposed development would not result in a severe impact on the local highway network. It was advised that the applicants would be required to enter into agreements with the Highway Authority to cover the design, construction, implementation and adoption of highways works within the existing public highway and adoptable highway works on land within the applicant's control.

In response to a question regarding potential air pollution, officers confirmed that there were no air quality issues across the Borough as levels were low enough not to cause any concern.

A Member asked about the protections for the Council if the development did not get fully built due to changes in market forces. Officers reported that there would be trigger points built into the contracts and a delivery programme agreed with conditions and legal agreements built in.

It was **RESOLVED:**

That planning permission be **GRANTED** subject to the applicant having first entered

into a S106 agreement to secure/provide contributions towards:-

- The provision of 30% affordable housing;
- The provision of a 2FE Primary School including nursery provision
- Sustainable Transport and Infrastructure contribution ;
- Travel Plan contribution and monitoring fee;
- Trees and plants from UK nurseries;
- the provision of the Country Park
- the provision and on-going maintenance of the play areas;
- the provision of a maintenance company for the development;
- Transfer of the land to SBC and provision of the Country Park;
- Landscape management Plan;
- Contribution towards GP Provision;
- Community use agreement of the school facilities
- Provision of fire hydrants
- Associated Section 278 Highway Works.

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

The proposal be subject to the following conditions, including a revised Condition 31:-

1. The development hereby permitted shall be carried out broadly in accordance with the following approved plans: UD01 Rev C, UD02 Rev O, UD03 Rev O, UD04 Rev N, UD05 Rev O, SK21 Rev K, SK28 Rev A, NPA 10651, 300, P02, NPA 10651 702 P03, NPA 10651 504 Rev P02.
2. 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.
3. Application for approval of the first reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission with all reserved matters to be submitted for approval within five years of the date of this permission.
4. Approval of the details of the layout, scale, appearance and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority, prior to the commencement of any part of the development.
5. No development, including site clearance, shall take place until a phasing plan, identifying the areas of the site to be developed under each phase for the delivery of housing, infrastructure, open space and the Country Park, have been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the phasing plan.
6. No more than 300 properties shall be occupied until a housing and

infrastructure phasing plan has been submitted to and approved in writing by the Local Planning Authority and assessed in conjunction with the appropriate sewerage and water company to allow additional properties to be occupied. Where a housing and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan.

7. No development on any phase shall take place (including any demolition, ground works, site clearance but excluding work on the site access(es)) until a method statement for dealing with ecology at the site prepared in accordance with BS 42020:2013, D.2.2 has been submitted to and approved in writing by the Local Planning Authority. The content of the method statement shall include :-

- a) purpose and objectives for the proposed works;
- b) detailed design(s) and/or working method(s) necessary to achieve stated objectives (including, where relevant, type and source of materials e.g. species in planting schemes and species mixes for wildflower meadow, to be used);
- c) extent and location of proposed works shown on appropriate scale maps and plans;
- d) timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;
- e) persons responsible for implementing the works and funding details;
- f) initial aftercare, long-term maintenance, monitoring and requirement for remedial action should management be judged to be failing;
- g) disposal of any wastes arising from works.
- h) Number, model and location of integrated bat and bird boxes in built environment.

The planting works shall be carried out strictly in accordance with the approved details in the first planting season relating to the agreed phasing after the approval of the method statement and shall be retained in that manner thereafter and other agreed ecology measures shall be carried out strictly in accordance with the approved method statement within the first suitably available season relating to the agreed phasing, unless otherwise agreed in writing by the Local Planning Authority.

8. No development on any phase shall take place (including demolition, ground works, vegetation clearance but excluding work on the site access(es)) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the Local Planning Authority. The CEMP (Biodiversity) shall include the following:-

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of biodiversity protection zones.
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- d) The location and timing of sensitive works to avoid harm to biodiversity features.



- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

9. No development on any phase shall take place, including demolition, ground works and vegetation clearance but excluding work on the site access(es), until a biodiversity monitoring strategy has been submitted to, and approved in writing by, the Local Planning Authority. The purpose of the strategy shall be to ensure the implementation and establishment of each of the phases of the proposed Country Park before phased adoption by the Local Planning Authority to encourage a net increase in biodiversity. The content of the Strategy shall include the following:-

- a) Aims and objectives of monitoring to match the stated purpose.
- b) Identification of adequate baseline conditions prior to the start of development.
- c) Appropriate success criteria, thresholds, triggers and targets against which the effectiveness of the various conservation measures being monitored can be judged.
- d) Methods for data gathering and analysis.
- e) Location of monitoring.
- f) Timing and duration of monitoring.
- g) Responsible persons and lines of communication.
- h) Review, and where appropriate, publication of results and outcomes.

A report describing the results of monitoring shall be submitted to the local planning authority at intervals identified in the strategy. The report shall also set out (where the results from monitoring show that conservation aims and objectives are not being met) how contingencies and/or remedial action will be identified, agreed with the local planning authority, and then implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The monitoring strategy will be implemented in accordance with the approved details.

10. 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.
11. Piling or any other foundation design using penetrative methods shall not be permitted within the development 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.

12. A scheme for managing any borehole installed within the development 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.
13. No removal of trees, scrubs or hedges shall be carried out on site between 1<sup>st</sup> March and 31<sup>st</sup> August inclusive in any year, unless a pre-works survey of the vegetation to be removed and surrounding vegetation, is undertaken immediately prior to removal by a suitable qualified Ornithologist, and approved confirmed by the Local Planning Authority.
14. Prior to the commencement of any phase of the development (including site clearance) a Construction Traffic Management Plan for the construction phases shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the works of construction relating to that phase of the development shall only be carried out in accordance with the approved statement and Hertfordshire County Council's specifications. The Construction Management Plan shall address the following matters:-
  - (i) Details of construction phasing programme (including any pre-construction enabling works);
  - (ii) Hours of operations including times of deliveries and removal of waste which should avoid school pick up/drop off times;
  - (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 during construction which shall be provided prior to the commencement of construction activities;
  - (vii) 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 and details of wheel washing facilities;
  - (xii) Cleaning of site entrances, site tracks and the adjacent public highway;
  - (xiii) Control measures to manage noise and dust;

- (xiv) Disposal of surplus materials;
  - (xv) Post construction restoration/reinstatement of the working areas and access to the public highway.
  - (xvi) Details of the access and highways works from Fishers Green to accommodate construction traffic.
  - (xvii) Details of consultation and compliant management with local businesses and neighbours.
  - (xviii) Mechanisms to deal with environmental impacts such as noise and vibration, air quality and dust, light and odour;
  - (xix) Details of any proposed piling operations, including justification for the proposed piling strategy, a vibration impact assessment and proposed control and mitigation measures;
  - (xx) Details of a Site Waste Management Plan (SWMP) detailing actual waste arising and how waste is managed (i.e. re-used, recycled or sent off site for treatment or disposal) and where it is sent to. Further updated should be provided throughout the life of the development at an interim of two months or sooner should the level of waste be considered significant by the developer.
15. The development hereby permitted shall not commence (except for works related to the construction of access(es) from North Road, ground works, and site clearance) until at least one access has been constructed from North Road to accommodate construction traffic to base course construction for the first 25 metres. The join to the existing carriageway shall be constructed in accordance with Hertfordshire County Council specification and the Local Planning Authority's satisfaction.
16. Prior to occupation of the first dwelling the southern access shall be provided, and prior to occupation of the 300th dwelling hereby permitted, the northern vehicular accesses shall be provided and thereafter retained at the position shown on the approved in principle drawing number General Arrangement drawing number BM1-OC-V1-ZZ-DR-C-0034 Rev PO6. The principal access road shall be provided 6.75 metres wide. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.
17. Prior to the occupation of each phase of development full details (in the form of scaled plans and written specifications) shall be submitted to and approved in writing by the Local Planning Authority to illustrate the following:
- i) Roads, footways.
  - ii) Cycleways.
  - iii) Foul and surface water drainage.
  - iv) Visibility splays.
  - v) Access arrangements.
  - vi) Parking provision in accordance with adopted standard.
  - vii) Bus Stops.
  - viii) Turning areas.
18. Prior to the occupation of each phase of the development, the applicant shall

submit a Servicing and Delivery Plan. This plan is to be submitted and approved in writing by the Local Planning Authority. The Servicing and Delivery Plan shall contain the delivery and servicing requirements, waste collection points for the proposed use, a scheme for coordinating deliveries and servicing for the proposed development, areas within the development site that will be used for loading and manoeuvring of delivery and servicing vehicles, and access to from the site for delivery and servicing vehicles. The details shall include waste vehicle circulation route and constructed in accordance with the approved details. Thereafter the route shall be maintained in accordance with those approved details.

19. Prior to occupation of any dwellings within the development for which full planning permission has been granted, the following transport infrastructure shall be constructed in accordance with a detailed scheme to be agreed in writing with the Local Planning Authority in consultation with the Highway Authority:

The provision of an Improved Signalised junction at the Graveley Road/ North Road junction;

The introduction of two new Signalised junctions that includes a sustainable transport access to the southern end of the development that includes a bus gate;

Pegasus crossing across the carriageway of North Road to the south of the development;

Pegasus crossings for pedestrians and cyclists on the site access arm of each junction, linking in with a new continuous 3.5m wide shared footway/cycleway along the eastern side of North Road;

Improved footway and cycleway provision from the development to Coreys Mill Lane and:

A scheme of footway/cycleway signing to Stevenage Town Centre, Bus Station and Railway Station.

20. Prior to the completion of the primary road as identified on drawing ref: UD02 Rev O, the following passenger transport infrastructure shall be constructed in accordance with a detailed scheme to be agreed in writing with the Local Planning Authority:-

The provision of road infrastructure both within the development site and on the wider routes that the proposed public transport services will travel to facilitate delivery of the strategy. This infrastructure shall comprise of but is not limited to the following:

Provide temporary bus stops along North Road during the first phase of the buildout of the development i.e. to serve the dwellings that are not more than 400 metres from the temporary bus stops.

High quality bus stop facilities along the bus service route within the development to include raised height kerbs and shelters that are within 400 metres of all residential areas, Real time information signs at key stops.

The future locations of all bus stops within the development should be determined prior to commencement of works and clearly marked on site during construction of the internal roads to ensure visibility for perspective purchasers.

21. Prior to the occupation of each phase of the development, full details shall be submitted to and approved in writing by the Local Planning Authority in relation to the proposed arrangements for the future management and maintenance of the proposed streets within the development. Following the provision of such streets, the streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under Section 38 of the Highways Act 1980 or a Private Management and Maintenance Company has been established in accordance with the approved details.
22. Prior to the occupation of each phase of the development, the visibility splays to be provided shall be agreed with Hertfordshire County Council and such splays shall thereafter be maintained at all times free from any obstruction between 600mm and 2.0 metres above the level of the adjacent highway carriageway.
23. Prior to the first occupation / use of the development hereby permitted any Traffic Regulation Orders (TROs), including extension to 30mph speed restriction and waiting/loading restrictions that are required as part of improving access and accessibility to the site must be secured in place and implemented.
24. Prior to commencement of each phase of the development, details of all materials to be used for hard surfaced areas within the site, including roads, drainage details, driveways and car parking areas shall be submitted to the Local Planning Authority for approval in writing.
25. Prior to the commencement of development a Written Scheme of Investigation detailing a programme of archaeological trial trench evaluation of the proposed development site shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details.
26. No development shall commence in each phase of the development until an Archaeological Written Scheme of Investigation detailing a programme of archaeological mitigation, as appropriate given the results of the archaeological evaluations, has been submitted to and approved by the Local Planning Authority in writing.
27. The development in each phase shall take place in accordance with the Written Scheme of Investigation approved under condition 26.
28. The development of each phase shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition 26 and the provision made for analysis and publication where appropriate.”
29. Prior to the occupation of each phase, details of Electric Vehicle Charging

Points in that phase to include provision for at least 20% of the car parking spaces to be designated for plug-in Electric Vehicles have been submitted to and approved in writing by the Local Planning Authority. The approved Electric Vehicle Charge Points shall be installed in accordance with the approved details and thereafter permanently retained.

30. Prior to the first occupation of the non-residential units, a scheme for the installation of any equipment to control the emission of fumes and smell from the premises including any air conditioning equipment shall be submitted to and approved in writing by the Local Planning Authority and the approved scheme shall be implemented prior to the first occupation of these units. All equipment installed as part of the scheme shall thereafter be operated and maintained in accordance with the manufacturer's instructions.
31. Notwithstanding the requirements of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that order) the non-residential units shall be used for Use Classes A1 /A2 /A3/ A4/ B1/ D1/ D2 only of the schedule to the Town and Country Planning (Use Classes) Order 1987 and for no other purposes, unless agreed in writing or approved by way of separate planning permission.
32. The development permitted by this planning permission shall be carried out in accordance with the approved surface water drainage assessment carried out by Flood and Drainage Technical Note, reference 70061701, dated 15 January 2020 and the following mitigation measures detailed within the FRA:
  1. Limiting the surface water run-off generated by the critical storm events so that it will not exceed the surface water run-off rate of 23.7 l/s during the 1 in 100 year event plus 40% of climate change event.
  2. Providing storage 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 providing a minimum of 20,750 m<sup>3</sup> (or such storage volume agreed with the LLFA) of total storage volume in swales, attenuation basin and deep-bore soakaway.
  3. Discharge of surface water from the private drain into the Anglian Water sewer network and 25 deep-bore soakaways.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.
33. No development shall take place until a detailed surface water drainage scheme for the site based on the approved drainage strategy and sustainable drainage principles, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including 1 in 100 year + climate change critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

1. Detailed drainage plan including location of SuDS measures, pipe runs and discharge point.
  2. Detailed engineered drawings of the proposed SuDS features including cross section drawings, their size, volume, depth and any inlet and outlet features including any connecting pipe runs.
  3. Detailed, updated post-development calculations/modelling in relation to surface water for all rainfall events up to and including the 1 in 100 year return period including a + 40% allowance for climate change.
  4. Exceedance flow paths for surface water for events greater than the 1 in 100 year including climate change allowance.
  5. Final detailed management plan to include arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its lifetime.
34. No development shall take place until a sensitivity study to determine how the existing surface water flow path in the east of the site can be managed has been submitted to and approved in writing by the local planning authority. The sensitivity study should demonstrate a viable method of managing the flow path during storm events up to and including the 1 in 30 year event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The study should consider:
1. Viable method of a positive discharge for the flow path and the proposed discharge rates.
  2. The required attenuation volumes for all return periods up to and including the 1 in 30 year event.
  3. Consultation with the LLFA and LPA regarding any proposals and the requirements they may have.
35. No development shall take place within the development parcels on the phasing plan to be submitted pursuant to condition 5, within which the proposed underground cable corridor runs as shown on the Illustrative Masterplan SK21 Rev K, until a scheme, including timetabling, for undergrounding the 132Kv overhead power lines and removal and replacement of pylons as shown on this drawing, has been implemented or unless otherwise agreed on writing by the local planning authority.

## **INFORMATIVES**

### **Hertfordshire County Council as Lead Local Flood Authority**

Any works taking place within and/or over the culvert or within 3m of the top of the bank of the ordinary watercourse will require prior written consent from Hertfordshire County Council regardless of any planning permission. Any works proposed to be carried out that may affect the flow within an ordinary watercourse will require the prior written consent from the Lead Local Flood Authority under Section 23 of the Land Drainage Act 1991. This includes any permanent and or temporary works regardless of any planning permission.

### **Hertfordshire County Council as Highways Authority**

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/business-and-developer-information/development-management/highways-development-management.aspx>

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/business-and-developer-information/development-management/highways-development-management.aspx>

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/business-and-developer-information/development-management/highways-development-management.aspx>

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 38 and 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 noted below:

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

AN5. Rights of Way



Before commencement of the proposed development, the applicant shall contact Hertfordshire County Council's Rights of Way Service <http://www.hertfordshire.gov.uk/services/envplan/countrysideaccess/row/> (Tel: 0300 123 4047, email at row@hertfordshire.gov.uk ) to obtain their requirements for the ongoing maintenance of the surface of the Public Right of Way that routes through the site along the proposed development.

Reason: To ensure the surface of the Public Right of Way does not deteriorate as a result of an increase in vehicle movements using the access, in the interests of pedestrian safety on a Public Right of Way.

The Public Right of Way should remain unobstructed by vehicles, machinery, materials, tools and any other aspects of the construction during works.

The safety of the public using the route and any other routes to be used by construction traffic should be a paramount concern during works, safe passage past the site should be maintained at all times.

The condition of the route should not deteriorate as a result of these works. Any adverse effects to the surface from traffic, machinery or materials (especially overflows of cement & concrete) should be made good by the applicant to the satisfaction of this Authority.

All materials should be removed at the end of the construction and not left on the Highway or Highway verges.

If the above conditions cannot reasonably be achieved, then a Temporary Traffic Regulation Order would be required to close the affected route and divert users for any periods necessary to allow works to proceed. A fee would be payable to Hertfordshire County Council for such an order.

Reason: To ensure the surface of the Public Right of Way does not deteriorate as a result of an increase in vehicle movements using the access, in the interests of pedestrian safety on a Public Right of Way.

### **Arboricultural Impact**

Although the Arboricultural Impact Assessment mentions the need for an arboriculturalist if any large roots are encountered, it is suggested the whole section of the fence near the tree line should be supervised. Also, as this type of work could potentially weaken the root system and therefore, the trees stability, it is also suggested a Highways England inspector would want to be aware of this matter. This also applies to the aerial part of the tree as considerable amount of their crowns would have to be cut back to accommodate the installation of the high fence.

### **Cadent Gas**

#### **Affected Apparatus**

The apparatus that has been identified as being in the vicinity of your

proposed works is:

Low or Medium pressure (below 2 bar) gas pipes and associated equipment. (As a result it is highly likely that there are gas services and associated apparatus in the vicinity).

### **Requirements**

#### **BEFORE carrying out any work you must:**

Carefully read these requirements including the attached guidance documents and maps showing the location of apparatus.

Contact the landowner and ensure any proposed works in private land do not infringe Cadent and/or National Grid's legal rights (i.e. easements or wayleaves). If the works are in the road or footpath the relevant local authority should be contacted.

Ensure that all persons, including direct labour and contractors, working for you on or near Cadent and/or National Grid's apparatus follow the requirements of the HSE Guidance Notes HSG47 – 'Avoiding Danger from Underground Services' and GS6 – 'Avoidance of danger from overhead electric power lines'. This guidance can be downloaded free of charge at <http://www.hse.gov.uk>

In line with the above guidance, verify and establish the actual position of mains, pipes, cables, services and other apparatus on site before any activities are undertaken.

## **6 14 BRICK KILN ROAD, STEVENAGE (20/00568/FP)**

The Committee considered an application for the change of use from care home (C2) into 8 bedroom HMO (sui generis).

The application was before the Committee for determination as the application had been called in at the request of Councillor Loraine Rossati and due to the fact that the applicant was Stevenage Borough Council.

The Planning Officer gave an introduction to the Committee. She advised that the main determining issues related to the acceptability of the application in land use policy terms, the impact of the development on the character and appearance of the area, the impact on the amenities of neighbouring occupiers and the provision of appropriate parking to serve the property.

The Chair then invited Councillor Loraine Rossati, who had called the application in to address the Committee. Councillor Rossati's objections related to:

- Inadequate consultation with residents in the surrounding area;
- Insufficient provision for on-site parking which would lead to increased

- parking on the road;
- Increase in anti-social behaviour and concern over the safety of existing residents – why was there a need for 24 hour security?
- Increased noise and disturbance.

The Chair then invited Mr Roger Buckley, a local resident and objector to the application to address the Committee. Mr Buckley's concerns related to:

- The inadequacy of the planning notice and the consultation process including the very few number of properties and local residents which had been consulted on the application;
- There were too many bedrooms and inadequate shared living space for the proposed number of residents;
- Insufficient on-site parking;
- No account had been taken of the loss of a family home in the road.

The Chair then invited the Assistant Director (Housing Development) at Stevenage Borough Council and the applicant to address the Committee. He advised that the works were to create a much needed supported accommodation scheme for those in immediate need. The scheme would be managed by Stevenage Borough Council and would have on-going support from partner organisations with 24 hour staff to effectively manage the site.

The Planning Officer advised that the application had been publicised by way of a site notice and neighbour notification letter. Hertfordshire County Council as Highways Authority and SBC Environmental Health had raised no objections to the application.

Officers advised that the rooms and amenity space within the property were all of an acceptable size and that the 4 parking spaces were in accordance with the Council's Parking Provision SPD.

Members expressed concern regarding the perceived lack of consultation and engagement with local residents. A more comprehensive and direct consultation with those in the area would have allowed more of the residents affected to have been able to respond rather than having to rely on neighbours to tell neighbours. There was a discussion about potentially deferring the item and the Assistant Director Housing Development commented.

The Chair asked Members to consider the officer's recommendation which upon being put to the vote was refused with the majority of members abstaining. The Assistant Director Planning and Regulation through the Chair asked for clarification if those abstaining had wanted to defer. A vote was then held and it was **RESOLVED** that determination of the application be deferred to allow further extensive consultation to be undertaken within the neighbourhood and brought back to a future meeting of the Committee.

The Committee considered an application for the change of use from amenity and highway land to private residential land with hardstand for one vehicle and replacement communal parking bays.

The application was before the Committee for determination as the land was owned by Stevenage Borough Council and over five objections had been received.

The Planning Officer gave an introduction to the Committee. She advised that the main issues for consideration in the determination of the application were the impact of the loss of this piece of public and highway land, the impact on the character and appearance of the area and the impact on parking provision.

The Committee was advised that the change of use was considered acceptable in policy terms as it would not undermine the Council's policy to protect open spaces. The loss of a cherry tree was also considered acceptable due to the condition of the tree and the very close proximity to Martins Wood. The use of low level fencing would also reduce anti-social behaviour in the area due to the more open and overlooked aspect of the land.

It was **RESOLVED** that **PLANNING PERMISSION BE GRANTED** subject to the following conditions:

1. The development hereby permitted shall be carried out in accordance with the following approved plans:  
Site Location Plan; Parking Layout
2. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
3. The proposed hardstanding shall be made of a porous material, or provision shall be made to direct surface water run-off water from the hardstanding to a permeable or porous area or surface within the curtilage of the dwellinghouse.
4. The area of land, shown red on the approved site location plan, located to the north-east of the dwelling of No. 189 Ascot Crescent shall be enclosed with timber fencing no higher than 1m high; the areas of land shown red and blue, to the east and south-east of the dwelling and rear garden shall at no time be enclosed unless otherwise agreed in writing by the Local Planning Authority.
5. The area of land, shown blue on the approved site location plan, located to the south-east of the application site shall not be used for the parking of vehicles and shall be kept clear at all times to facilitate access to the approved communal parking area.
6. No garage or other type of structure (including outbuildings) shall be erected on the land the subject of this application unless an application for planning permission is submitted to and approved in writing by the Local Planning Authority.
7. The parking bay hereby approved shall be provided, marked out and hard

surfaced in accordance with Condition 3 and made available for general public use prior to the first occupation of the land adjacent to No. 189 Ascot Crescent.

8 **56 AUSTEN PATHS, STEVENAGE (20/00559/FP)**

The Committee considered an application for the change of use from single dwelling house (Class C3) to 6-bedroom House of Multiple Occupation (HMO) Class 4, together with alterations to existing access to provide 3 off street parking spaces.

The application was before the Committee for determination as it had been called in at the request of Councillor Stephen Booth on the following grounds:

- Impact on neighbouring properties
- Impact on character of street scene
- Residential amenity
- Car parking
- Highway issues

The Planning Officer gave an introduction to the Committee. She advised that the main determining issues related to the acceptability of the application in land use policy terms, the impact of the development on the character and appearance of the area, the impact on the amenities of neighbouring occupiers and the provision of appropriate parking to serve the property.

The Committee was advised that the proposed change of use was considered to be acceptable in land use policy terms and would not harm the character and appearance of the area or the amenities of adjoining premises. Furthermore, the development would accord with the Council's adopted car parking standards and was considered to be acceptable in highway safety terms.

In response to a question regarding the parking situation, officers advised that the current property was a 4 bedroom dwelling and based on the Council's adopted parking standards would require 3 parking spaces to serve the unit. The conversion of the property into a 6 bed HMO would require 0.5 spaces per tenancy unit giving a total requirement of 3 spaces. Whilst the concerns of the objectors in respect of parking provision and access to the site were noted, the scheme was in accordance with the Council's adopted parking standards. Officers also informed the Committee that the access arrangements were considered to be acceptable by the County Council as highway authority who had raised no objections.

It was **RESOLVED**:

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

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

001; 003; AUS100; AUS120; AUS270

- 2 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 3 The building works required to implement this permission shall be carried out only between the following times:

0730 to 1800 Mondays to Fridays  
0830 to 1300 Saturdays  
And not at all on Sundays and Bank Holidays.

The hours specified relate to activities which are audible at the site boundary.

4. The on-site parking spaces indicated on the approved drawing AUS120 shall be provided prior to the first use of the premises hereby permitted and permanently maintained thereafter.
5. The use of the premises shall be as a 6 bed House in Multiple Occupation only.

### **INFORMATIVES**

1. Community Infrastructure Levy

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

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

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

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

telephoning 0300 1234047.

- 3 Parking and Storage of materials: The applicant is advised that all areas for parking, storage, and delivery of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website:  
<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx> or by telephoning 0300 1234047.
  
- 4 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.

9 **INFORMATION REPORT - DELEGATED DECISIONS**

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

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

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

11 **URGENT PART I BUSINESS**

None.

12 **EXCLUSION OF THE PRESS AND PUBLIC**

Not required.

13 **URGENT PART II BUSINESS**

None.

**CHAIR**