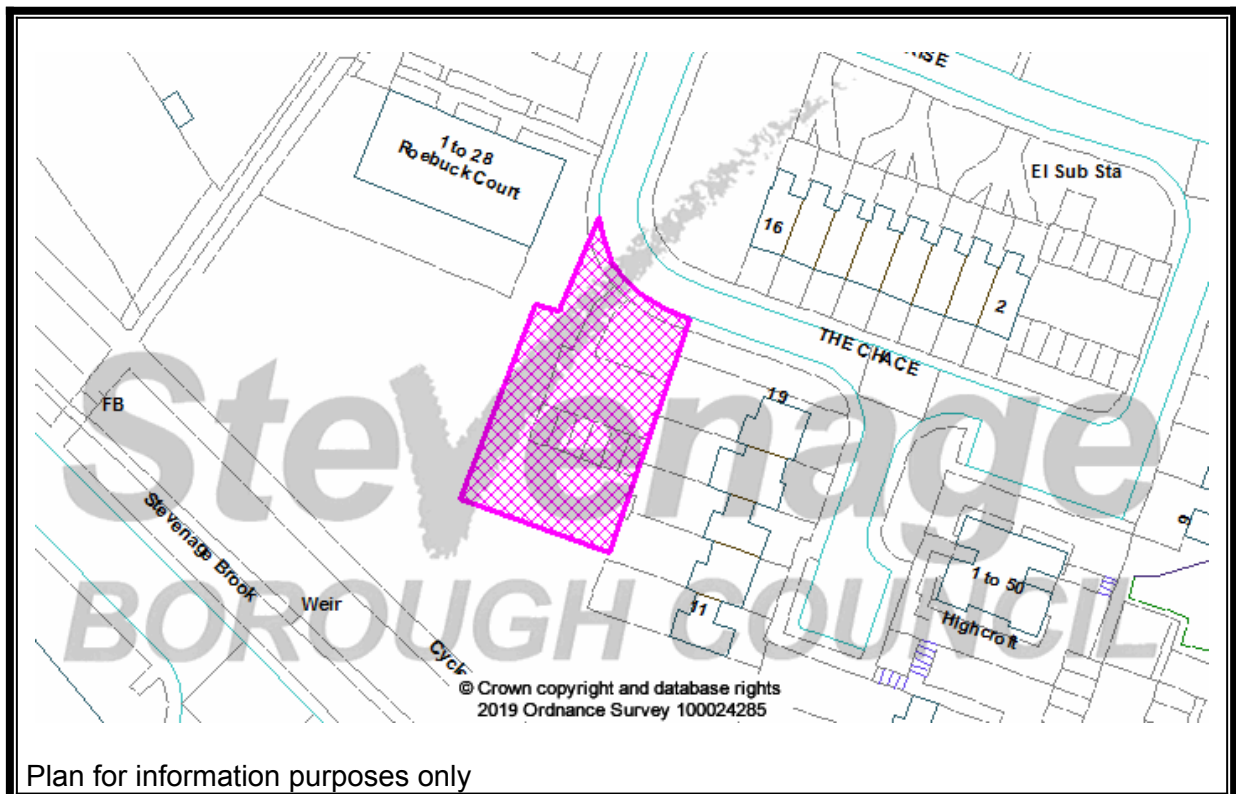


Meeting:	Planning and Development Committee	Agenda Item:
Date:	3 February 2021	
Author:	Ailsa Davis	01438 242747
Lead Officer:	Zayd Al-Jawad	01438 242257
Contact Officer:	Ailsa Davis	01438 242747

Application No:	20/00672/FP
Location:	Garages And Forecourt Area To Rear Of 13-19 The Chace
Proposal:	Erection of 3no. three bed dwellings, parking and amenity space following demolition of garages
Drawing Nos.:	3055.CHAC.100; 3055.CHAC.101 REV D; 3055.CHAC.102 REV C; 3055.CHAC.103 REV D; 3055.CHAC.104 REV B; 3055.CHAC.105 REV A; 3055.CHAC.106 REV A; 3055.CHAC.107
Applicant:	Surfbuild
Date Valid:	10 November 2020
Recommendation:	GRANT PLANNING PERMISSION



1. SITE DESCRIPTION

- 1.1 The application site is located on the southern side of The Chace, which is a looped cul-de-sac off Turpins Rise. The application site comprises a hardsurfaced parking area and a block of pre-fabricated garages comprising 6no. garages in total and in part, an area of grassed open space to the south. The development site is located to the west of the rear gardens of Nos.11 – 19 The Chace, which is a terrace of two storey dwellings sited on a north/south axis. The rear facing windows of these dwellings face onto the application site. The topography of the site slopes downwards in a southerly direction towards the B197 London Road.
- 1.2 The surrounding area is predominantly residential in character comprising two-storey terraced houses, isolated garage blocks and two residential tower blocks known as Highcroft and Roebuck Court. The area immediately surrounding the application site comprises amenity grassland with scattered mature trees, which acts as a buffer between the B197 London Road to the south and the edge of the Roebuck residential area to the north. The site is accessed via the existing garage block vehicular access from The Chace.

2. RELEVANT PLANNING HISTORY

- 2.1 There is no relevant planning history relating to this site.

3. THE CURRENT APPLICATION

- 3.1 The application seeks full planning permission for the erection a terrace of 3no. three bedroom dwellings, parking and private amenity space following demolition of the garage block. The proposal would involve the creation of three vehicular accesses from The Chace with front driveways offering a tandem parking arrangement for two cars per dwelling. The proposed dwellings would be sited on an east/west axis in the centre of the site where the garage block is currently located. The rear gardens would incorporate the area of grassed amenity space to the south of the garage block. The eastern flank wall of dwelling 3 would face onto the rear elevation of Nos. 13, 15, 17 and 19 The Chace.
- 3.2 The application comes before Committee for consideration as it has been “called in” at the request of Councillor John Lloyd. The grounds for call in were as follows:
- Impact on neighbouring properties
 - Car parking
 - Impact on trees and landscaping
- 3.3 In addition, Cllr Lloyd cited the prospect of the development severely overlooking the houses in the cul-de-sac, the loss of 5 or 6 on street parking places and the fact there appears to be a side elevation window directly overlooking the houses.
- 3.4 There were concerns that the flank wall of the terrace was sited too close to the existing rear elevations of Nos. 13, 15, 17 and 19 The Chace, on the basis that the original plans did not meet the 15m side to rear separation distance between new and existing two storey dwellings, as specified in Appendix C Space standards and separation distances for dwellings of the Local Plan (2019). In response, amended plans were submitted re-siting the terrace away from the neighbouring dwellings. The proposed site plan now meets the 15m separation requirement. Additional information relating to visibility splays, access gradient and vehicle crossovers as requested by the Highway Authority was also submitted to remove their holding objection.

4. PUBLIC REPRESENTATIONS

4.1 The proposal has been publicised by way of letters to adjoining properties (Nos. 11 – 19 The Chace) and a site notice was displayed on the lamppost next to the site entrance. At the time of drafting this report, responses had been received from the occupiers of numbers 13, 15, 17 and 19 The Chace. These responses were based on the original plans, which have been superseded. The objections on the superseded plans are for the following reasons:-

- Loss of garages which could be used for parking will result in increased pressure for on street parking in locality;
- No evidence provided to support the statement that the garages are underused;
- Loss of light to rear rooms and gardens of Nos.13, 15 and 17 The Chace;
- Ground subsidence concern;
- Side window of plot 3 would overlook rear rooms and gardens of Nos. 13, 15 and 17 The Chace;
- Loss of trees and green space to rear of garage block;
- Damage to boundary fencing of No.15 The Chace;
- Loss of back yard gate access to No.15 The Chace;
- Loss of view from rear of No.15 The Chace;
- Terrace would have an overbearing impact of Nos. 11 – 19 The Chace;
- Impact on personal wellbeing and property values;
- Inaccurate reports supporting application
- Noise disturbance from occupiers of proposed dwellings

4.2 Following a neighbour re-consultation of the amended plans, the occupiers of Nos.15, 17 and 19 The Chace raised the following objections:

- Loss of parking;
- Poor design;
- What will happen to rear boundary wall which is part of the garages?
- Loss of light to rear of dwelling;
- Loss of outlook/visual amenity;
- Ground subsidence concern;
- Driveway gradient too steep;
- Loss of privacy and security concerns;
- Loss of trees, natural habitat and green area;
- Damage to boundary fencing;
- Unknown/unclaimed plot of land between Nos. 13 and 15 The Chace and the proposed terrace;
- Loss of back-yard gate access;
- Terrace would have an overbearing impact of Nos. 11 – 19 The Chace;
- Disturbance from building work;
- Inaccuracy of submitted reports and plans;
- Loss of view from rear of No.15 The Chace;

4.3 Following criticism that that Planning Authority had not consulted widely enough, consultation letters were sent to residents living within Roebuck Court to the north west of the site and Nos. 12, 14 and 16 The Chace opposite on the 21 December 2020. The following comments were received from No.14 The Chace and 23 Roebuck Court:

- Loss of parking would make on street parking more difficult in this area;
- Buildings seem to be too large for the space they are to be built on, and will lead to the loss of the green space behind them.

- 4.4 The above is not a verbatim of the comments and representations which have been received. A full copy of the comments received on this application can be viewed on the Council's website.

5. CONSULTATIONS

5.1 Hertfordshire County Council as Highway Authority (response dated 30/11/20)

- 5.1.1 *Notice is given under article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that Hertfordshire County Council as Highway Authority recommends that permission be refused for the following reasons:*

There is insufficient information supplied with this application to enable the Highway Authority to reach a recommendation. The plans do not provide the level of detail needed. Please see below for a guide to required information – (a) Detailed Vehicle Crossover drawing to scale; (b) Visibility splays and (c) Gradient of access.

- 5.1.2 The required information relating to vehicle crossovers, visibility splays and access gradients was submitted to the Planning Authority on the 9 December 2020 and the Highway Authority was re-consulted.

5.1.3 Hertfordshire County Council as Highway Authority (response dated 04/01/21)

- 5.1.4 *Notice is given under article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that the Hertfordshire County Council as Highway Authority recommends that permission be refused for the following reasons:*

The proposed plans for three consecutive fully ramped crossovers represent an accessibility issue in terms of the Highway Authorities' responsibility to provide a safe and suitable footway network for pedestrians of all ages and abilities and represents a safety issue in the event that the footway crossovers are subject to wet or icy conditions. At the entrances to the driveways a flat area with a width of 900mm carried through at footway level should be provided to enable pedestrians and wheelchair users to avoid the ramps to dropped kerbs. The proposed footway crossovers are not in-line with section 1.14.1 Footway and Verge Crossover of the Roads in Hertfordshire: Highway Design Guide.

- 5.1.5 Amended plans were submitted on the 16 January 2021 to address this issue. The Highway Authority was re-consulted and responded on 18 January 2021 with the following comments:

The Highway Authority are satisfied with the vehicle crossover detail shown on Drawing No. 3055.CHAC.106 as this includes a flat area with a width of 900mm carried through at footway level for all three proposed footway crossovers.

A Section 278 agreement will be required for works on the public highway. This S278 agreement will include the positioning and any associated costs for the relocation of the lamppost. As noted in the previous Highway Authority response (4th January 2021), the Highway Authority request that each dwelling is fitted with an electrical vehicle charging facility. Hertfordshire County Council (HCC) have announced a climate emergency and the provision of electric vehicle charging facilities is in-line with Policy 5 of the HCC Local Transport Plan. This has been recommended by way of Planning Condition.

Following the receipt of additional information, the Highway Authority does not wish to raise an objection to the proposals subject to the inclusion of the recommended planning conditions and informatives.

5.2 SBC Environmental Health

5.2.1 No objection, subject to conditions relating to contaminated land and construction noise.

5.3 SBC Garage Services

5.3.1 Confirmed that the garages are void and there is no demand for their use.

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 Council are content that the policies in the Local Plan are in conformity with the revised NPPF and that the Local Plan should be considered up to date for the purpose of determining planning applications. The NPPF provides that proposals which accord with an up to date development plan should be approved without delay (para.11) and that where a planning application conflicts with an up to date development plan, permission should not usually be granted (para.12). This indicates the weight which should be given to an up to date development plan, reflecting the requirements of section 38(6) of the 2004 Act. The NPPF and the PPG, with which Members are fully familiar, are both material considerations to be taken into account in determining this application.

6.3 Adopted Local Plan

Policy SP1: Presumption in favour of sustainable development;

Policy SP2: Sustainable development in Stevenage;

Policy SP6: Sustainable transport;

Policy SP7: High quality homes

Policy SP8: Good design;

Policy SP11: Climate change, flooding and pollution

Policy IT5: Parking and access;

Policy GD1: High quality design;

Policy HO5: Windfall Sites;

Policy HO9: Housing Types and Sizes;

Policy NH6: General protection for open space

Policy FP1: Climate change

6.4 Supplementary Planning Documents

Parking Provision and Sustainable Transport SPD (2020);
Stevenage Design Guide SPD (2009)

6.5 Community Infrastructure Levy Charging Schedule

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

7. APPRAISAL

- 7.1 The main issues for consideration in the determination of this application are its acceptability in land use policy terms, impact on the appearance of the area, impact upon residential/neighbouring amenities and means of access/loss of garages/parking.

7.2 Land Use Policy Considerations

- 7.2.1 The principle of residential development within urban areas is set out in both national and local policy. Paragraph 61 of the National Planning Policy Framework (NPPF) (2019) requires that the planning system should deliver a mix of housing in terms of size, type, tenure and price to support a wide variety of households in all areas. Policy SP7 of the Local Plan states that the Council will support applications for housing development on unallocated sites where they are in suitable locations. As an unallocated site in the Local Plan, Policy HO5 relates to non-designated sites known as 'windfall' housing sites stating that permission for unallocated sites will be granted where:

- (a) The site is on previously developed land or is a small, underused urban site;
- (b) There is good access to local facilities;
- (c) There will be no detrimental impact on the environment and the surrounding properties;
- (d) Proposals will not prejudice our ability to deliver residential development on allocated sites; and
- (e) The proposed development would not overburden existing infrastructure.

- 7.2.2 For the purpose of clarity, the definition of previously-developed land, as stated within the NPPF, is 'land which is or was occupied by a permanent structure including the curtilage of the developed land and any associated fixed surface infrastructure'. The majority of the application site does meet the definition of previously developed land as it comprises a garage block and area of hardstanding and so complies with criterion (a) of Policy HO5.

- 7.2.3 The site is also conveniently located to access local facilities. It lies within walking distance of the neighbourhood centre in Broadwater Crescent, with shops and a doctor's surgery. A Tesco superstore is also located within walking distance of the site to the south, across London Road. It is considered therefore, that the site also complies with criterion (b) of Policy HO5. The impact on the environment and surrounding properties is addressed further in this response (criterion c of Policy HO5). The proposals would not prejudice the ability of the Council to deliver strategic residential development and three additional dwellings would not overburden existing infrastructure, complying with criteria (d) and (e) of Policy HO5.

- 7.2.4 In assessing the loss of open green space which forms part of the application site to the rear of the garage block, Policy NH6 stipulates that for development of any existing, unallocated open spaces, development would be permitted where:

- A) the loss of the open space is justified having regard to:
 - i) the quality and accessibility of the open space;
 - ii) the existence, or otherwise, or any interventions to improve the quality or access;
 - iii) whether the open space is serving its function and purpose; and
 - iv) whether alternative space(s) remain available for community use, and
- B) Reasonable compensatory provision is made.

7.2.5 The application site is, in part, formed of grassed amenity space which is located to the rear of the garage block. The space is part of a larger area of open space surrounding the application site, which acts as a buffer between the B197 London Road to the south and the edge of the Roebuck residential area to the north. The area of green space to be incorporated into the application site is small (approx. 260m²) compared to the total area of green space in this location. The remaining space, with its mature trees, will continue to provide usable amenity space for local residents and continue to serve its function as a separation buffer between London Road and the residential area to the north. As such, it is considered the loss of this small area of open space will not harm the function or amenity of the remaining space of which it is part and is therefore acceptable.

7.2.6 Turning to compensatory provision, given the limited area which is being incorporated into the application site compared to the total area of open space in this location, it would be unreasonable to require the applicant to provide compensatory open space elsewhere as the loss of the open space does not undermine the function of the remaining area.

7.2.7 Paragraph 73 of the NPPF stipulates that strategic policies should include a trajectory illustrating the expected rate of housing delivery over the plan period, and all plans should consider whether it is appropriate to set out the anticipated rate of development for specific sites. Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old. The supply of specific deliverable sites should in addition include a buffer (moved forward from later in the plan period) of:

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

7.2.8 Since November 2018, housing delivery has been measured against the Housing Delivery Test (HDT) as set out by the Government planning policy and guidance. The results of the HDT dictate whether a local planning authority should be subject to consequences to help increase their housing delivery. Where an authority's HDT score is less than 85% of its housing requirement, the Council must incorporate a 20% buffer into its housing supply calculations in line with paragraph 73 of the NPPF. Where an authority's score is below 75%, the Council will be subject to the HDT's most severe penalty and must apply the presumption in favour of sustainable development.

7.2.9 The latest HDT results, published by MHCLG in January 2021, identifies that Stevenage only delivered 64% of its housing requirement. This is significantly below the 75% target and renders the adopted Local Plan housing policies as out of date. Consequently, Stevenage Borough Council must apply the presumption in favour of sustainable development in its decision making and give great weight towards the need to deliver housing.

- 7.2.10 Additionally, Policy SP7 of the adopted local plan also identifies that there is a need to provide 7,600 new homes within Stevenage and this policy allocates 1,950 new homes to be provided elsewhere in the Borough. Taking this into consideration, the proposed development would support the Council's ambition in delivering a number of homes which fall outside the designated sites.
- 7.2.11 It is therefore concluded that, subject to a satisfactory impact on the environment and surrounding properties to be discussed below, the principle of residential development on this site is considered acceptable.

7.3 Impact on the Character and Appearance of the Area

- 7.3.1 In terms of design, Paragraph 127 of the NPPF (2019) stipulates that planning decisions should ensure development functions well and adds to the overall quality of the area, not just in the short term but over the lifetime of the development. It also sets out that development should be visually attractive as a result of good architecture, layout and appropriate and effective landscaping is sympathetic to local character and history, including the surrounding built environment and landscape setting. Paragraph 130 of the NPPF (2019) states that permission should be refused for development of poor design that fails to make available opportunities for improving the character and quality of an area and the way it functions.
- 7.3.2 Policy GD1 of the Local Plan (2019) generally requires all forms of development to meet a high standard of design which includes forms of built development, elevational treatment and materials along with how the development would integrate with the urban fabric, its relationship between buildings, landscape design and relevant aspects of sustainable design.
- 7.3.3 The proposal seeks the demolition of a block of 6 garages and a hard surfaced area. The existing pre-fabricated garages, visible from The Chace, are relatively poor in appearance and have no architectural merit. The replacement of the garages with a terrace of three dwellings, with off street parking as proposed, is considered to enhance the visual amenities of the area. The proposed terrace would have a similar footprint to the existing garage block and area of hardstanding and the proposed dwellings are of a similar size and design to other properties in the road, which is predominantly characterised by terraced properties.
- 7.3.4 In terms of proposed design and external materials, the dwellings will comprise grey concrete roof tiles with Rijswaard Baksteen buff stock facing brick. The fenestration design will be of a standard style. The front entrances will be shielded by an open sided front porch. It is considered that the design and external materials would reflect the existing architectural character of the area and the proposed dwellings would fit well into the wider locality in terms of their siting and appearance.
- 7.3.5 Taking into account the aforementioned, it is not considered that the introduction of a terrace of three dwellings or the layout of the proposed development would be unduly harmful to the character and appearance of the area.

7.4 Amenity of occupiers of proposed dwellings

- 7.4.1 The local plan stipulates criterion for new development in respect of living standards, in line with the nationally prescribed space standards contained in the Nationally Described Space Standards (2015). These standards address the total unit space and bedroom sizes to ensure proposed residential units provide a good living environment.

- 7.4.2 The standards recommend the minimum gross internal floor area for a two storey three bedroom dwelling with five bed spaces (as shown on the submitted plans) would be 93sq.m. The submitted plans suggest all three units will have approximately 95sq.m gross internal floor area, which just exceeds the requirements. Built in storage space is shown on the first floor plan provided. Furthermore, the standards stipulate bedroom sizes for double rooms. A double bedroom should be a minimum of 11.5sq.m in area. The proposed double bedrooms fall short of this requirement and average approximately 9sq.m in area. However, it is considered as the bedrooms are only slightly under and the total floor space for the dwellings meets National Space Standards, the internal living accommodation is acceptable.
- 7.4.3 The proposed dwellings would have windows serving all the habitable rooms. As such, the outlook from and daylight/sunlight levels within the dwellings are considered to provide an acceptable form of living accommodation for the proposed occupiers.
- 7.4.4 Turning to external amenity space, the Council's Design Guide (2009) states a minimum of 50sq.m of useable garden with a minimum 10m depth where the boundary abuts another property to the rear. However, this is more in reference to privacy standards and these are addressed in the next section. All three dwellings would have a garden area in excess of 65sq.m, with a depth of 12m. The amount of external private amenity space proposed exceeds the Council's standards in terms of area and length. The proposal is therefore considered acceptable in this regard.
- 7.4.5 In terms of siting, the proposed dwellings will form a terrace where the front and rear building line will be uniform. It is considered the orientation and siting of the proposed dwellings are acceptable and will not lead to a loss of amenity or poor living environment for future occupiers of these properties.

7.5 Impact upon Amenity of Neighbouring Properties

- 7.5.1 The application site is adjoined by Nos. 11 to 19 The Chace to the east and is surrounded on all other sides by open space (except the access). The main issue to consider with regards to impact on neighbouring amenity is whether the siting of the terrace, in particular the dwelling in plot 3, would harm the amenity of the occupiers of Nos.13, 15, 17 and 19 The Chace to the east by reason of overbearing impact, loss of outlook, light or privacy.
- 7.5.2 As discussed in paragraph 3.5 above, in light of concerns that the flank wall of the terrace was sited too close to the existing rear elevations of Nos. 13, 15, 17 and 19 The Chace, amended plans were submitted moving the terrace away from the neighbouring dwellings. The proposed site plan now meets the 'side to rear' 15m separation requirement as set out within Appendix C Space standards and separation distances for dwellings of the Local Plan (2019). On this basis, it is concluded sufficient separation has been achieved to ensure there will be no loss of outlook to the rear rooms of Nos. 13 – 19 The Chace.
- 7.5.3 With regards to privacy, a planning condition can be added requiring the proposed ground and first floor flank windows in the dwelling in plot 3, which serve the staircase area to be obscure glazed to avoid mutual overlooking between the proposed dwelling and Nos. 13 – 19 The Chace. This would sufficiently overcome the issue and avoid the need to refuse the application for this reason.
- 7.5.4 In terms of differences in height and the potential for the proposed terrace to have an overbearing impact on Nos. 13 – 19 The Chace or overshadow the rear gardens and rooms of these dwellings, Chapter 5 of the Design Guide (2009) advises where there is doubt that adequate sunlight and daylight will be achieved, indicators can be used to assess the amount of light reaching a new or existing window. The Building Research Establishment (BRE) guidelines "Site Layout Planning for Daylight and Sunlight: A Guide to Good

Practice” (1991) should be used, which provides guidance on avoiding unacceptable impacts and sets out non-mandatory targets for levels of daylight and sunlight within existing and proposed developments.

- 7.5.5 This can be established by undertaking a simple 25° ‘rule of thumb’ test using the BRE guidelines. If the proposed development cuts through the 25° line, then it is likely to interfere with the diffuse skylight enjoyed by the existing buildings. This being the case the proposal is likely to cause problems of loss of light and it will be necessary to undertake a detailed sunlight and daylight assessment. On considering the height difference and separation distance between Nos. 13 – 19 The Chace and the proposed terrace on site section drawing ref. 3055.CHAC.104 REV B, the proposed development passes the 25° rule of thumb test. As such, it is considered the proposal will not have an overbearing impact or cause a loss of light to the rear gardens and rooms of Nos. 13 – 19 The Chace.

7.6 Means of access/loss of garages/parking

- 7.6.1 With regard to access, the proposal seeks to use the existing vehicle access and proposes the creation of two additional crossovers so each dwelling has its own access, driveway and off street parking. Following a request from the Highway Authority for further information, details of the proposed vehicle crossovers, access gradients and visibility splays were provided. Following a second consultation response from the Highway Authority dated 4 January 2021, the proposed vehicle crossovers were further amended to provide a flat area with a width of 900mm carried through at footway level at the entrances to the driveways to enable pedestrians and wheelchair users to avoid the ramps to dropped kerbs.

- 7.6.2 The Highway Authority confirmed in their response dated 18 January 2021 the proposed footway crossovers now comply with section 1.14.1 Footway and Verge Crossover of the Roads in Hertfordshire: Highway Design Guide and that as all other matters had been resolved, their holding objection could be lifted. The Highway Authority has determined that the proposed access arrangements are acceptable, subject to the conditions and informatives set out in section 9 below.

- 7.6.3 With regards to the concern that the proposed accesses would result in the loss of existing on street parking along The Chace, leading to increased pressures elsewhere for parking within the locality, the existing on street parking is an informal arrangement only and not protected under the Local Plan. As such, the loss of these spaces is not a material planning consideration and there is no requirement to replace them.

- 7.6.4 The Council’s Parking Provision SPD (2020) requires two off street parking spaces to be provided for a three bedroom dwelling. The proposed parking arrangements show two tandem parking spaces for each dwelling, in accordance with standards. The proposal would not result in an unacceptable level of on-street parking, which would prejudice highway safety and is considered acceptable in terms of parking provision.

- 7.6.5 In assessing the loss of the existing garages and the associated 6 car parking spaces, Policy IT5 of the Local Plan states planning permission for development proposals which result in the loss of off-street parking spaces (excluding public car parks) or formally defined on-street bays will be granted where:

c. The parking lost is replaced as near as possible to the existing provision in an accessible location; or

d. It can be demonstrated that the provision is not suitable or required.

- 7.6.6 The development proposal, whilst seeking to provide the required amount of off street parking for the proposed dwellings, does not seek to replace the parking lost as a result of the redevelopment of the garages. Therefore, criterion (d) of policy IT5 is relevant. Comments have been sought from the Council's Garages Services section, who has confirmed that the garage block is void and that there has been no demand for their use. This has led to the decision by the Council to sell them. Consequently, it is considered it has been sufficiently demonstrated that the existing garages are not required and therefore criterion (d) of Policy IT5 has been met. The loss of the garages is therefore considered acceptable.
- 7.6.7 With regards to secure cycle parking and refuse/recycling storage, all units are shown to have adequate refuse/recycling storage at the front and secure, covered cycle parking within the rear gardens. The proposal is therefore considered acceptable in this regard.

7.7 Other Matters

Community Infrastructure Levy

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

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

- 7.7.2 CIL is a non-negotiable charge. The exact charge will be determined by the Council's CIL officer after an application has been granted in accordance with the CIL Charging Schedule and the Community Infrastructure Levy Regulations 2010 (as amended). Opportunities for relief or exemption from the CIL charge exist and will be taken into account in the calculation of the final CIL charge.
- 7.7.3 CIL replaces the need for S106 agreements to specify financial and/or land contributions for non-site-specific infrastructure projects. This allows infrastructure to be planned on a borough-wide scale rather than on a site-by-site basis as mitigation against the impacts of individual proposals. A CIL Form 1: Additional Information has been submitted with the application. This proposal would be CIL liable.

Trees and Landscaping

- 7.7.4 The proposed site plan shows that all existing trees within and adjoining the application site are to be retained and incorporated into the rear gardens to provide amenity value for the future occupiers. A landscaping condition will be added to any planning permission requiring details of a scheme of soft and hard landscaping and details of the treatment of all hard surfaces. The scheme shall include details of all existing trees and hedgerows on the land and details showing all trees to be removed, or retained, together with details of all new planting to take place including species, size and method of planting. A further

condition protecting all retained trees during and after construction will also be included to ensure the existing landscape setting is maintained.

Climate Change Mitigation

- 7.7.5 Policy SP11 and FP1 of the Local Plan specifies the Council's position on climate change and energy conservation. Much of this can be addressed through building techniques and the materials proposed. A condition will be added to any future planning permission requiring details to be submitted of measures to address adaptation to climate change.

Impact on property values

- 7.7.6 Concern has been raised about the impact that the development would have on property values. However, despite the concerns raised, it has long been established through planning case law that property values are not material planning considerations.

Consultation

- 7.7.7 A number of concerns have been raised by local residents that the Council has not undertaken a thorough consultation process with local residents about this planning application. However, the Council has complied with the regulations which are set out in the Town and Country Planning (Development Management Procedure) (England) Order 2015 and gone further by undertaking additional consultation of the residents opposite and the residents at Roebuck Court to the north west.

- 7.7.8 In line with the aforementioned Order, residential properties adjoining the application site have been notified via a letter and a site notice has also been erected next to the site entrance. Furthermore, this planning application has been published on the weekly planning list and all of the relevant plans and documentation associated with this application have been uploaded onto the Council's website.

Loss of rear gated access

- 7.7.9 In response to assertions made by some occupiers in nos. 11-19 The Chace that they have access rights from their rear boundary onto the site, the applicant's representatives were asked to approach the Council to establish whether the Council are aware of or have granted access rights to said occupiers to access Council land. The response from the Council's Estates team was that as far as they are aware, there are no such access rights from the Council land into the rear of The Chace properties.

Damage to neighbouring boundary fencing

- 7.7.10 In the unlikely event that this does occur during construction, it will be the responsibility of the developer to rectify the issue with the owner of the fencing.

Ground Subsidence Concern

- 7.7.11 The Ground Investigation report accompanying the application does not raise any issues regarding the likelihood of subsidence occurring as a result of the proposed development.

8. CONCLUSIONS

- 8.1 The proposal is considered to be a residential windfall site on previously developed land. Whilst the proposal would result in the loss of existing garaging and an area of hardstanding, it has been demonstrated that the existing garages are void and underused. Adequate parking provision for the proposed dwellings is considered to be provided. Additionally, the proposal has demonstrated that the development of three dwellings on this

site could be accommodated without detriment to the character and appearance of the area and without adversely affecting residential amenity. Sufficient amenity space would be available for future occupiers and the parking and access arrangements are considered to be acceptable.

- 8.2 Given the above, it is recommended that planning permission is granted subject to the conditions set out in section 9 of this report.

9. RECOMMENDATIONS

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

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

3055.CHAC.100; 3055.CHAC.101 REV D; 3055.CHAC.102 REV C; 3055.CHAC.103 REV D; 3055.CHAC.104 REV B; 3055.CHAC.105 REV A; 3055.CHAC.106 REV A; 3055.CHAC.107

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

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

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

- 3 The building works required to implement this permission shall be carried out only between the following times:

0800 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.

REASON:- To satisfactorily protect the residential amenities of nearby occupiers and the operation of adjoining businesses.

- 4 No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of soft and hard landscaping and details of the treatment of all hard surfaces. The scheme shall include details of all existing trees and hedgerows on the land and details showing all trees to be removed, or retained, together with details of all new planting to take place including species, size and method of planting.

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

- 5 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the first occupation of the building(s) or the completion of the development whichever is the sooner.

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

- 6 All hard surfacing comprised in the approved details of landscaping shall be carried out within 3 months of the first occupation of the building(s) or the completion of the development, whichever is the sooner.

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

- 7 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.
- 8 No tree shown retained on the approved plans, or subsequently approved landscaping scheme, shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped within five years of the completion of development without the written approval of the Local Planning Authority.
REASON:- To ensure the protection of those trees which should be retained in the interests of visual amenity.
- 9 The ground and first floor flank windows in the eastern elevation of the dwelling in plot 3 shall be glazed with obscured glass and shall be fixed so as to be incapable of being opened below a height of 1.7 metres above floor level, and shall be retained in that form thereafter.
REASON:- To safeguard the privacy of the occupiers of adjoining properties.
- 10 Notwithstanding the details shown in this application the treatment of all boundaries including details of any walls, fences, gates or other means of enclosure shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The approved boundary treatments shall be completed before the use hereby permitted is commenced or before the building(s) is occupied.
REASON:- To ensure a satisfactory standard of development in the interests of amenity and that it has an acceptable appearance.
- 11 If during the course of development any contamination is found or suspected, works shall cease and the local planning authority shall be informed immediately. The local planning authority may request the nature and extent of any contamination to be investigated in order that a suitable remediation strategy can be proposed. The development shall not continue until any required remediation as agreed in writing by the local planning authority has been undertaken, and the local planning authority has confirmed it has been undertaken to its satisfaction.
REASON:- To prevent harm to human health and pollution of the water environment.
- 12 No development shall take place above slab level until details of measures to address adaptation to climate change have been submitted to and approved in writing by the Local Planning Authority. These measures shall then be implemented and permanently maintained in accordance with the approved details.
REASON:- To ensure the development is adaptable to climate change through provision of energy and water efficiency measures.
- 13 Prior to the first occupation / use of the development hereby permitted the proposed access /on-site car and cycle parking / servicing / loading, unloading / turning /waiting area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
REASON:- To ensure construction of a satisfactory development and in the interests of highway safety in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).
- 14 Prior to the occupation / use of the development hereby permitted, the development shall include provision for each dwelling to be served by an active electric vehicle charging point.
REASON:- To ensure construction of a satisfactory development and to promote sustainable development in accordance with Policies 5, 19 and 20 of Hertfordshire's Local Transport Plan (adopted 2018).

INFORMATIVES

1. Community Infrastructure Levy

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

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

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

2. 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/business-licences/business-licences.aspx> or by telephoning 0300 1234047.
3. Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.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.
5. Construction standards for 278 works within the highway: The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to

apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx> or by telephoning 0300 1234047.

10. BACKGROUND DOCUMENTS

1. The application file, forms, plans and supporting documents having the reference number relating to this item.
2. Stevenage Borough Council Supplementary Planning Documents – Parking Provision adopted October 2020.
3. Stevenage Borough Local Plan 2011-2031 adopted 2019.
4. Hertfordshire County Council's Local Transport Plan 4 adopted May 2018.
5. Responses to consultations with statutory undertakers and other interested parties referred to in this report.
6. Central Government advice contained in the National Planning Policy Framework February 2019 and Planning Policy Guidance March 2014.