

Meeting: Planning and Development Committee
Agenda Item:

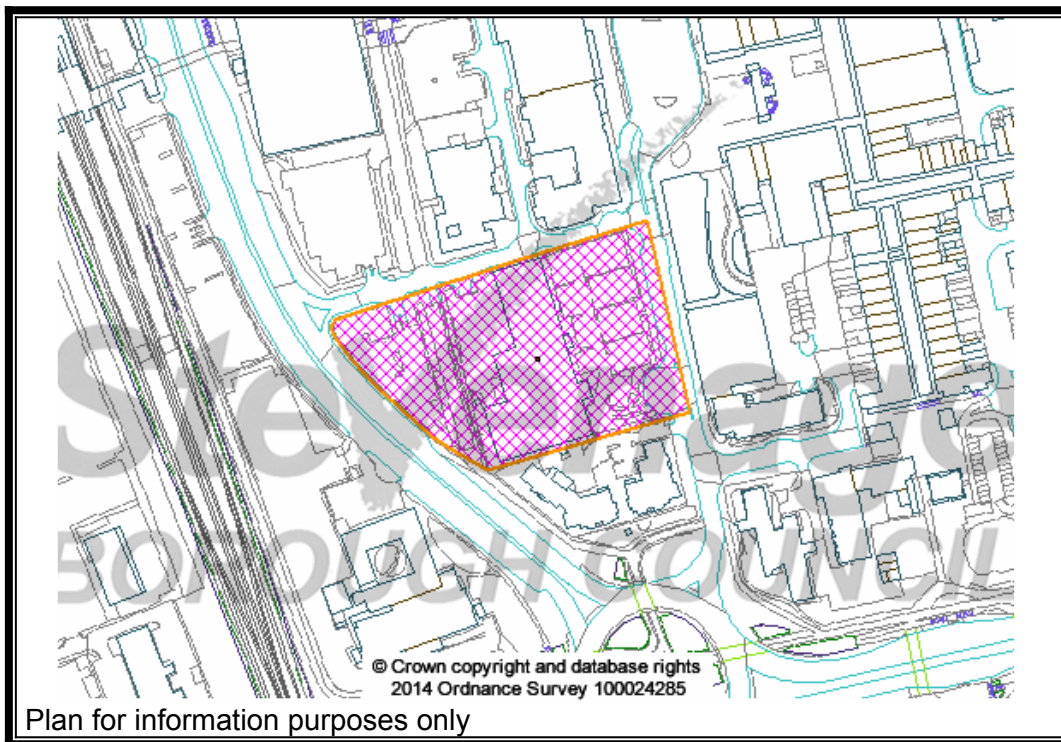
Date: 2 March 2021

Author: Gemma Fitzpatrick

Lead Officer: Zayd Al-Jawad

Contact Officer: Gemma Fitzpatrick

Application No :	20/00643/RMM
Location :	Matalan Unit B-C, Danestrete, Stevenage SG1 1XB
Proposal :	Reserved Matters application for access, appearance, layout, landscaping and scale pursuant to outline planning permission reference 14/00559/OPM for residential development of up to 526 residential apartments and commercial units Class A1 (retail) A2 (professional and financial) A3 (restaurant) and A4 (drinking establishments) and A5 (hot food take away) with associated access, parking and landscaping following demolition of existing buildings.
Drawing Nos.:	MTL-MLA-ZZ-00-DR-A-901100-P2; MTL-MLA-ZZ-01-DR-A-901101-P2; MTL-MLA-ZZ-02-DR-A-901102-P2; MTL-MLA-ZZ-03-DR-A-901103-P2; MTL-MLA-ZZ-04-DR-A-901104-P2; MTL-MLA-ZZ-05-DR-A-901105-P2; MTL-MLA-ZZ-06-DR-A-901106-P2; MTL-MLA-ZZ-07-DR-A-901107-P2; MTL-MLA-ZZ-08-DR-A-901108-P2; MTL-MLA-ZZ-09-DR-A-901109-P2; MTL-MLA-ZZ-10-DR-A-901110-P2; MTL-MLA-ZZ-11-DR-A-901111-P2; MTL-MLA-ZZ-12-DR-A-901112-P2; MTL-MLA-ZZ-13-DR-A-901113-P2; MTL-MLA-ZZ-14-DR-A-901114-P2; MTL-MLA-ZZ-15-DR-A-901115-P2; MTL-MLA-ZZ-16-DR-A-901116-P2; MTL-MLA-ZZ-17-DR-A-901117-P2; MTL-MLA-ZZ-18-DR-A-901118-P2; MTL-MLA-ZZ-19-DR-A-901119-P2; MTL-MLA-ZZ-20-DR-A-901120-P2; MTL-MLA-ZZ-21-DR-A-901121-P2; MTL-MLA-XX-EE-DR-A-902150-P1; MTL-MLA-XX-EE-DR-A-903100-P1; MTL-MLA-XX-EE-DR-A-903101-P1; MTL-MLA-XX-EE-DR-A-903102-P1; MTL-MLA-XX-EE-DR-A-903103-P1; MTL-MLA-XX-EE-DR-A-903104-P1; MTL-MLA-XX-EE-DR-A-903105-P1; MTL-MLA-XX-EE-DR-A-903106-P1; MTL-MLA-XX-EE-DR-A-903107-P1; MTL-MLA-XX-EE-DR-A-903108-P1; MTL-MLA-XX-EE-DR-A-903109-P1; MTL-MLA-XX-EE-DR-A-903110-P1; MTL-MLA-XX-XX-DR-A-903200-P1; MTL-MLA-XX-XX-DR-A-903201-P1; MTL-MLA-XX-XX-DR-A-903202-P1; MTL-MLA-XX-XX-DR-A-903203-P1; MTL-MLA-XX-XX-DR-A-903204-P1; MTL-MLA-XX-XX-DR-A-903205-P1; MTL-MLA-XX-XX-DR-A-903206-P1; MLUK-799-A-SK-080-R02;
Applicant:	Guinness Developments Ltd
Date Valid:	2 November 2020
Recommendation :	Grant Planning Permission



1. SITE DESCRIPTION

- 1.1 The application site comprises the existing Matalan retail store, its associated car park and the two car parks to the west. The site is located on the west side of Danestrete, bordered by Danesgate to the north and Lytton Way to the west. The site adjoins the Council Offices and Magistrates' Court to the north all separated by Danesgate. To the west on the opposite side of Lytton Way is the Police Station. To the south, the site adjoins Pinetree Court, a residential block of elderly people's accommodation. To the east, on the opposite side of Danestrete, is the Plaza development which contains a number of leisure/food and drink units. To the south of this is the Holiday Inn hotel. The site is located to the east (opposite) the area for the major Town Centre regeneration scheme known as SG1 for which a resolution to grant outline planning permission was made in October 2020. This scheme would see the demolition of existing buildings and redevelopment for a mixed use retail, leisure, commercial, residential, educational and community uses with associated circulation and public realm works.
- 1.2 The site is located close to the Town Square and existing Bus Station (approximately 60-100m away) and is located to the south east of the Rail Station, approximately some 180m away, separated by Lytton Way. Access to the Matalan part of the site is taken from a single access point via a mini roundabout off Danestrete. The current building on the site has a floor area of approximately 3000 sq.m and the associated parking area caters for 100 vehicles. The existing surface level car parks accommodate 76 vehicles. Between it and the Matalan building is a smaller Council owned car park for staff which accommodates approximately 20 cars. These car parks are accessed from Danesgate via Lytton Way.

2. RELEVANT PLANNING HISORY

- 2.1 06/00598/OP Application for outline permission for residential development of up to 354 residential apartments and commercial units Class A1 (retail) A2 (professional and financial) A3 (restaurant) and D1 (crèche) with associated access, parking and landscaping following demolition of existing buildings. 22.10.2019 - Withdrawn
- 2.2 08/00076/OP Application for outline permission for residential development of up to 354 residential apartments and commercial units Class A1 (retail) A2 (professional and

financial) A3 (restaurant) and D1 (crèche) with associated access, parking and landscaping following demolition of existing buildings. (Duplicate application to 06/00598/OP) 06.10.2008 - Not Proceeded With

- 2.3 14/00559/OPM Application for outline permission for residential development of up to 526 residential apartments and commercial units Class A1 (retail) A2 (professional and financial) A3 (restaurant) and A4 (drinking establishments) and A5 (hot food take away) with associated access, parking and landscaping following demolition of existing buildings. 20.10.2017 – Outline Permission Granted
- 2.4 20/00693/SCR EIA Screening Opinion: Not EIA Development

3. THE OUTLINE PLANNING PERMISSION (14/00559/OPM)

- 3.1 The application was submitted in order to establish the principle of development at the site and, therefore, all details were reserved for future approval. Submitted illustrative plans identified how the site could be laid out and offered guidance on how a detailed application might be designed for the site. The design principle incorporated two main blocks, one an inverted L-shaped fronting the north east part of Danesgate and Danestrete and the other an inverted V-shaped building fronting onto the north west part of Danesgate and returning onto Lytton Way. Indicative elevations were shown to identify how the appearance of the development might look along with an indication of the various heights. Two distinct right angle blocks were intended to create strong street corners each up to 13 storeys in height. At the Corner of Danesgate and Lytton Way the ground floor was shown to comprise a podium behind which would be the car park, service areas and garden areas for the flats on the floors above. Between these two elements on Danesgate the height would reduce to 6/7 storeys. Similarly, on the Lytton Way and Danestrete frontages as the development moves southwards the height reduces to 6 storeys to reflect the height of the existing buildings. Finally, the element adjoining Pinetree Court to the south would be reduced in height to 5/6 storeys in order to respect the height of that development and also the residential amenities of the occupiers.
- 3.2 The plan indicated that car parking for 109 cars, along with bin storage and cycle parking and servicing of the development would be provided on the lower ground floor. A retail element would be provided at ground floor level and would have frontages onto Danestrete and Danesgate. Additional retail floorspace would be provided on the level above, which would also incorporate some residential accommodation and amenity space for the residential occupiers. Above this element there would be further residential accommodation. The general massing of the blocks is indicated as six storeys with emphasis placed at the north east and north-west corners, which could rise to 13 storeys to act as focal points into the town centre and when viewed from Lytton Way. However, being mindful of the proximity of Pinetree Court, located to the south of the application site, it was indicated that the scale of the development would be reduced at the southern edge of the site in order to minimise any impact upon the occupiers of this development. The new development would be significantly larger in both footprint and height than that of the existing building.
- 3.3 Vehicular access to the site would be taken from Danestrete by a single access point in the same location as the current access to the Matalan site. The existing roundabout would be removed and the road made good and the pavement would be extended along Danestrete. This elevation was shown set back which would enable the footpath to be opened up in the future if required. Pedestrian access was proposed from a number of locations on Danestrete and Danesgate. The existing cycleway which currently runs through the eastern Council owned car park would need to be relocated to facilitate the development. It is intended that this would be provided along the site frontage onto Lytton Way linking to Danesgate.

- 3.4 In terms of the possible appearance of the new development, illustrations were provided which gave an idea of the type of design and materials which could be introduced. In particular, a contemporary design using projected and recessed elements and a mixture of brickwork, blockwork and render could be used to break up the appearance of the apartments, coupled with the use of balconies which would provide articulation to the buildings. The introduction of retail units fronting onto Danestrete and Danesgate would offer an active frontage along these thoroughfares to the town centre. This illustrative information demonstrated that at the detailed stage a high quality development could be created.
- 3.5 Permission was granted subject to an s106 Agreement which provides for contributions towards childcare, nursery education, primary education, libraries, affordable housing, outdoor open space and children's play space, provision of fire hydrants.

4. THE CURRENT APPLICATION

- 4.1 This application seeks Reserved Matters approval for details of the access, appearance, layout, landscaping and scale pursuant to outline planning permission reference 14/00559/OPM for a residential development of up to 526 residential apartments and commercial units Class A1 (retail) A2 (professional and financial) A3 (restaurant) and A4 (drinking establishments) and A5 (hot food take away) with associated access, parking and landscaping following demolition of existing buildings.
- 4.2 In relation to highways matters, this current application includes some differences to those envisaged in the Outline scheme. These include:
- Relocating the new vehicular access to the site on Danestrete further south to the site boundary (to be used for site access);
 - Creating an additional vehicular access to the site from Danesgate (to be used for site egress);
 - A lower parking provision;
 - Amending the envisaged servicing and delivery strategy so that it would take place on-street as opposed to within the site.

Additionally, following the grant of planning permission on neighbouring sites at SG1 and the relocated Bus Station, the applicant is also proposing further amendments to the local highway network beyond that originally envisaged in the Outline Consent.

- 4.3 The new, local landmark building, which would be 20 storeys high, would be located in the north western corner. This location was chosen for its increased prominence and visibility from a distance and also limits the effect of overshadowing to any immediate residential receptors. This building would also be visible to travellers arriving both by train and from the A1(M). It would act as a distinctive marker and also as a signal to the wider changes proposed in the town. Designed as an equal sided hexagon, which is derived from the angle of the junction of Danesgate and Lytton Way, it would have an equal presence from all directions.
- 4.4 The Applicant has taken account of the adjoining SG1 development, which has come forward since the consideration of the Outline Scheme on this site was approved. The massing of the current proposal has been developed with an awareness of the areas which are more sensitive to taller buildings, particularly along the eastern edge which is closer to the Town Square Conservation Area and the Pinetree Court development to the south. It has also been considered in the context of the SG1 Masterplan and seeks to complete the SG1 Courtyard blocks with a series of blocks of similar height and width along Danestrete.
- 4.5 The massing approach provides the opportunity of large, shared courtyards at ground level to provide amenity space for the residential units. It also provides the opportunity for the

planting of substantial trees and ensures greater distances between dwellings in different blocks ensuring privacy for the new occupiers.

- 4.6 Commercial uses at ground level along Danestrete would relate to the town centre uses and provide an active frontage. In recognition of the importance of the Danestrete and Danesgate junction, commercial uses are focused on this corner.
- 4.7 The scheme also recognises the long term ambition to change the nature of Lytton Way and proposes community uses on the corners of buildings along Lytton Way. These would be flexible spaces that address the street to allow for the changing nature of this frontage.
- 4.8 The lobbies of the proposed residential blocks have been designed to provide a direct sightline from the street into the courtyards when passing along the street. Each core block would have residents' rooms; flexible spaces outside of individual dwellings, which would face the courtyard bringing activities to its edges.
- 4.9 Discussions during the design phase with both Council officers and the Design Review Panel resulted in the removal of the plant room at ground level to create a direct connection between the courtyard and the southern mews as well as reducing the number of single aspect, north facing homes from 16% to 12% and the removal of a storey on two of the blocks.
- 4.10 Compact balconies with generous glazed doors are proposed both as a means of opening up the internal spaces and providing interest to the elevations. They would be the full width of their openings and would be arranged in careful groupings to enhance the proportions of the facades. The balustrade and relatively open handrail would be clearly differentiated, adding to the visual permeability and lightness of these objects.

Facades

- 4.11 In considering the design of the proposals the architects studied the architectural language of Stevenage and other New Towns. It found several themes in common which gave them their distinct character. These include directional facades, regularity of fenestration, emphasis on the horizontal and the use of pattern and colour.
- 4.12 All elevations would have fairly uniformly arranged window openings, darker bases and a pronounced precast concrete opening. All elevations are striped, except for the gables, which would be plain and mid tone, mediating between the darker street and lighter courtyard elevations. Each façade would have a darker base tonally to its main colour. The gables would be plain to mediate between the darker and lighter stripes
- 4.13 The hexagonal tower would have two distinct elevation types. The first type, which accounts for four of the six elevations, would have four openings per level of a horizontal proportion. Up to the 11th floor, there would be projecting balconies that lend articulation and tie the architecture to that of the wider scheme. Above this the windows vary subtly in height until the top three floors which have consistently tall windows. Finally, large openings corresponding with the window widths announce the roof terrace. The second type, on the garden facing elevation and the elevation facing the apex of the scheme, would have six openings per level. The expression is more gridded, with smaller, squarer windows with deeper reveals. Also, the windows here become subtly wider and taller as they ascend, such that the tower becomes less visually heavy as it rises.
- 4.14 The proposed development would provide residential accommodation in the following form:
- 287 no. 1 Bed (2 Person) apartments (55%);
 - 37 no. 2 Bed (3 Person) apartments (7%); and
 - 202 no. 2 Bed (4 Person) apartments (38%).

5. PUBLIC REPRESENTATIONS

5.1 The application has been publicised by way of site notices and neighbour notification letters as well as a press notice in the local paper. Representations were received from No's 10, 30 & 35 Pinetree Court, Danestrete, and their comments are summarised below:

- Residents were previously told that the Tower Block would be no more than 15 storeys high and current proposal is for 20 storeys – would stick out like a sore thumb;
- 26 Parking spaces is insufficient for 526 flats and restaurant, pub and take away; previous scheme was amended to increase the number of parking spaces;
- Where are all the new residents coming from? Why do we need such a huge development if only for Stevenage people?;
- Council promised a crossing for the elderly residents of Pinetree Court and a gate to prevent others using their car park;
- Traffic, noise and pollution of what could be 1578 people using Danestrete; and
- Congratulations to the Guinness Partnership for their imaginative design which I personally approve. However, the writer goes on to express concern over fire safety at the highest block and the ability of the fire service to rescue people from the upper stories.

5.2 Separately, the Residents Association representing Pinetree Court raise concerns about the excessive height of the proposed buildings, 20 storey building would be out of keeping with the Town, new buildings would cause excessive overlooking and loss of privacy and light to existing residents, no room for substantial landscaping to soften the appearance of the new development, lack of an active frontage at ground floor level would provide potential for anti-social behaviour, the driveway proposed for next to our vehicle/pedestrian is extremely dangerous; proposed commercial loading bay would further affect visibility for residents; parking provision is totally inadequate; increase of traffic along Danestrete; what is the level of affordable housing and what percentage is shared ownership and what is for rent?; what is the reason for the amount of commercial floorspace when there is so much vacant floorspace in the Town Centre?; Applicant's representatives previously said they did not plan to have Hot Food outlets which would cause disturbance to residents; what protections will be put in place to protect residents from noise and disturbance during construction?. In summary, the association consider the proposal to be a gross overdevelopment of the site leading to a poor relationship with existing properties.

5.3 The aforementioned is not a verbatim copy of the comments which have been received. A full copy of these comments can be found on the Council's website.

6. CONSULTATIONS

6.1 Hertfordshire County Council Highways

6.1.1 Hertfordshire County Council as Highways Authority raises no objections to the proposals subject to conditions. Subsequent to the outline planning application for the Matalan site, the applicant seeks the following changes to the layout, as noted below:

- Relocating the new vehicular access to the site on Danestrete further south to the site boundary (to be used for site access);

- Creating an additional vehicular access to the site from Danesgate (to be used for site egress);
- A lower parking provision than that envisaged in the Outline Consent; and
- Amending the envisaged servicing and delivery strategy so that it occurs on-street as opposed to within the site. It is noted that the applicant seeks an emergency access into the courtyard area from Danesgate and an egress onto Lytton Way. This is envisaged to be for fire tenders and any other blue light use. These works should be incorporated into the S278 agreement and may take the form of dropped. In terms of its location, very low car parking provision and access to public transport facilities, the development is considered to be consistent with the principles as set out within the Local Transport Plan 4.

6.1.2 The Highways Authority does not consider these changes or the scheme as a whole would prejudice the safety and operation of the highway network.

6.2 Hertfordshire County Council as Waste and Minerals Authority

6.2.1 Although prior extraction may not be feasible in this instance due to the site being located in an already heavily built up area, the County Council encourages the opportunistic use of the deposits of sand and gravel within the developments, if they are found in the creation of the foundations, footings and SuDS.

6.2.2 It is encouraging to see the commitments set out within the Sustainability Statement and the intention to manage waste using a circular approach. The Waste Planning Authority's comments on the outline application (provided on 30 October 2014) stated that a Site Waste Management Plan (SWMP) should be prepared to support the developments, in line with adopted Waste Local Plan Policy 12 Sustainable Design, Construction and Demolition.

6.2.3 The Waste Planning Authority would like to reiterate this point and ask that a SWMP (or similar) be prepared to support the developments. This development will give rise to a very large amount of construction, demolition and excavation (C, D, & E) waste, which will need to be managed appropriately. Given the significant capacity gap for C, D, & E waste in Hertfordshire, it is important that every effort is made to reduce, reuse and recycle as much of this waste as possible.

6.2.4 No objection is raised subject to a condition requiring the submission and approval of a Site Waste Management Plan.

6.3 Hertfordshire County Council as Lead Local Flood Authority

6.3.1 Attenuation storage is to be provided in two detention basins as well as two below ground geocellular tanks. Overall, the proposed drainage strategy is promising, and we are pleased that most attenuation storage is proposed within above-ground SuDS. The LLFA is satisfied with the proposals and recommends conditions to secure the principle of the scheme and the final details.

6.4 Thames water

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

6.5 Environment Agency

6.5.1 Since we commented on the outline permission in 2014 we no longer have a remit for surface water, this having been passed to the Lead Local flood Authority. As such we have no further comments to make in relation to this site.

6.6 Crime Prevention Design Service

6.6.1 Thank you for inviting me to comment on this planning application. I have previously met with the project team to discuss the proposals. I am pleased to say that the intent is to seek full accreditation to the police preferred minimum security standard is the Secured by Design. During our meeting and subsequent emails all my comments were incorporated into the design that has been submitted for the Council's approval. As such I have nothing more to say other than the Police Crime Prevention Design Service fully support this application.

6.7 Herts Fire and Rescue Service

6.7.1 Following some initial concerns the Applicant entered into discussions with the Fire and Rescue Service (FRS). Further information and amendments were submitted by the Applicant and the FRS has confirmed that they are broadly satisfied with the proposals subject to further details at the Building Regulation stage.

6.7.2 The FRS has however raised concerns with regard to electric vehicle charging points (EVCPs) within the covered carpark. However, one of the conditions recommended by the Highway Authority requires the prior submission and approval of the details of the siting, type and specification of EVCPs, the energy sources and the strategy/management plan for supply and maintenance of the EVCPs and it is therefore considered that this matter can be addressed at this stage.

6.8 Environmental Health

6.8.1 Following receipt of additional information, I now have no objections to the proposed development and issues around noise can be addressed via the use of Planning Conditions relating to the detailed design stage.

6.9 County Archaeologist

6.9.1 No objections were raised at the Outline stage and conditions were attached to that permission requiring a Written Scheme of Investigation prior to the commencement of development. No further issues are raised at this stage.

6.10 Arboriculture and Conservation Manager

6.10.1 I am in agreement with the Arb Report and would not object to any of the tree removal on the basis that none of them are of a particularly great merit. Contrarily, the majority of the trees are, in my view, of a less than average condition and providing that they are appropriately replaced, I would not object to their removal.

6.11 Natural England

6.11.1 No Objection - Provided standing advice.

6.12 Herts and Middlesex Wildlife Trust

6.12.1 I have had a look at the information and am happy with the ecological report and its recommendations. These should be secured by a suitably worded condition. Part of the

condition should require a plan of the location of all the integrated bat and bird boxes, together with the make and model of the boxes (before commencement). This is important because they will need to be incorporated into the brickwork, so their location needs to be planned. They can't be retro fitted. The Swift boxes should go as high on the building as possible.

7. RELEVANT PLANNING POLICIES

Background to the Development Plan

7.1.1 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)

7.2 Central Government Advice

7.2.1 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. At the time the revised NPPF was published, the Stevenage Local Plan was subject to a Holding Direction by the Secretary of State following an Examination in Public in 2017. On 25 March 2019 the Secretary of State withdrew the Holding Direction on the understanding that the Council would adopt it as part of the Development Plan. The Council are content that the policies in the Local Plan are in conformity with the revised NPPF and that the Local Plan be considered up to date for the purpose of determining planning applications.

7.2.2 Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is itself a material consideration. Given that the advice that the weight to be given to relevant policies in the local plan will depend on their degree of consistency with the NPPF, it will be necessary in the determination of this application to assess the consistency of the relevant local plan policies with the NPPF. The NPPF applies a presumption in favour of sustainable development.

7.2.3 In addition to the NPPF, advice in Planning Practice Guidance must also be taken into account. It states that, where the development plan is absent, silent or the relevant policies are out of date, paragraph 11 of the National Planning Policy Framework requires the application to be determined in accordance with the presumption in favour of sustainable development unless otherwise specified.

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

Policy SP1: Presumption in favour of sustainable development;

Policy SP2: Sustainable Development in Stevenage;

Policy SP4: A vital Town Centre

Policy SP6: Sustainable Transport

Policy SP7: High quality homes

Policy SP8: Good design

Policy SP11; Climate change, flooding and pollution

Policy SP13: The historic environment

Policy TC1: Town Centre

Policy TC2: Southgate Park Major Opportunity Area
Policy TC5: Central core Major Opportunity Area
Policy IT3: Infrastructure
Policy IT4: Transport assessments and travel plans
Policy IT5: Parking and Access;
Policy IT6: Sustainable transport
Policy IT7: New and improved links for pedestrians and cyclists
Policy HO9: Housing types and sizes
Policy HO11: Accessible and adaptable housing
Policy GD1: High quality design
Policy FP1: Climate change
Policy FP2: Flood risk in Zone 1
Policy FP5: Contaminated land
Policy FP7: Pollution
Policy FP8: Pollution sensitive uses
Policy NH5: Trees and woodland
Policy NH7: Open space standards

Supplementary Planning Documents

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

Community Infrastructure Levy Charging Schedule

- 7.3.1 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. However, as outline planning permission was granted prior to the adoption of CIL this development is not CIL liable, rather infrastructure contributions would be collected as agreed in the s106 attached to the outline permission.

The application was supported by the following:

- Planning Statement
- Design & Access Statement (DAS)
- Landscaping Strategy (included within DAS)
- Ecological Impact Assessment
- Arboricultural Impact Assessment
- Flood Risk Assessment and Surface Water Drainage Strategy
- Daylight & Sunlight Report
- Noise and Vibration Report
- Air Quality Assessment
- Energy Strategy Report
- Thermal Comfort Report
- Sustainability Statement & BREEAM Pre-assessment
- Wind Microclimate Assessment
- Transport Statement
- Framework Travel Plan (included within Transport Statement)

8. APPRAISAL

- 8.1 The principle of the residential land use and the quantum of development to provide up to 526 dwellings, along with some commercial uses on the site have been established with the grant of outline planning permission which also considered the impact of the loss of the retail use of the site. The main issues for consideration now are the impact upon the

character and appearance of the area; whether the design of the development is of high quality in accordance with policy; the effect of the proposed development of the amenities of existing neighbours; whether the development would provide an acceptable living environment for future residents; the impact of the development on the highway network; parking provision; flood risk, trees and landscaping/open space, ecology, sustainable construction and climate change.

8.2 Land use policy considerations

Compliance with the Council's Housing Policies

8.2.1 The application site is located within the Southgate Park Major Opportunity Area. Within this area Policy TC2 states that permission will be granted for high density residential units, new multi storey or basement car parking with landmark buildings in prominent locations, with the widening of Danesgate along its length from Lytton Way to Danestrete and the corner of Danestrete eased to allow buses to negotiate the corner more easily. It is considered that the application proposal meets the requirements of this policy.

Compliance with the Council's Retail Policies

8.2.2 Policy TC8: Town Centre Shopping Area of the adopted Local Plan (2019) sets out that in the Town Centre Shopping Area (TCSA), uses which are appropriate will be permitted at ground floor level, including Use Classes A1, A2, A3, A3, C1, D1 and/or D2. The policy provides that uses other than A1 will be granted in respect of premises which are not within a primary retail frontage, where the benefits to the overall vitality and viability of the town centre would equal or outweigh those that would be provided by an A1 or A2 use in the equivalent location. This will be considered having regard to whether:

- The proposal will retain an active frontage;
- The proposal will generate footfall equivalent to, or greater than, an A1 or A2 use in the equivalent location; and
- The unit has been unsuccessfully marketed for A1 or A2 use, or has remained vacant for at least six months.

8.2.3 The commercial floorspace has been designed to activate the ground floor at key points attracting footfall to the area. The Applicant is intending to retain the site as a long term asset holder and would manage the development in the longer term. The Outline permission allows for a number of commercial uses such as retail, office, food and drink, including hot food takeaway, under recent changes to the Use Classes Order, Class E (commercial, business and Service) provides for a wide variety of potential uses and the ability to move between the uses without the need for further planning permission. While the Applicant has stated that it is not their intention to install a hot food take away use they require the flexibility to ensure the best chance of the units being occupied.

8.3 Impact upon the Character and appearance of the Area

8.3.1 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. In addition, the NPPF sets out that development should establish or maintain a strong sense of place, using arrangements of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit. It also stipulates that development should optimise the potential of the site to accommodate and sustain an appropriate mix of development and finally, create places that are safe, inclusive and accessible.

- 8.3.2 Paragraph 130 of the NPPF states that “permission should be refused for development of poor design that fail to make available opportunities for improving the character and quality of an area and the way it functions”.
- 8.3.3 The National Design Guide (2019), which was published by National Government, is a material consideration in the determination of planning applications. It sets out that buildings are an important component of places and proposals for built development are a focus of the development management system. However, good design involves careful attention to other important components of places. These include: the context for places and buildings; hard and soft landscape; technical infrastructure – transport, utilities, services such as drainage; and social infrastructure – social, commercial, leisure uses and activities.
- 8.3.4 A well-designed place is unlikely to be achieved by focusing only on the appearance, materials and detailing of buildings. It comes about through making the right choices at all levels, including: the layout; the form and scale of buildings; their appearance; landscape; materials and their detailing.
- 8.3.5 In terms of design policies in the adopted Local Plan (2019), Policy SP8 requires new development to achieve the highest standards of design and sustainability.

Policy GD1: High quality design generally requires all forms of development to meet a high standard of design which includes form of built development, elevational treatment and materials along with how the development would integrate with the urban fabric, its relationship between buildings, landscape design and relevant aspects of sustainable design.

Policy GD1 Criteria

a. Respects and makes a positive contribution to its location and surrounds

- 8.3.6 The development has been designed to create a clear perimeter block to ensure well defined and legible streets with a new landmark building to announce arrival to Stevenage. It would include a mixture of taller and shorter buildings to soften the building volume and minimise impact on the local townscape. There would be the provision of varied green spaces including secure gardens close to homes and improved public realm on surrounding streets. The scheme provides an opportunity to deliver distinctive architecture that builds on the New Town heritage of Stevenage. The design principles have been formulated to place the importance of generous courtyards and a well-considered public realm at the heart of the proposals.

b. Improves the overall ease of movement within an area for all users

- 8.3.7 Pedestrian access into the Site would be available from multiple sides, with entrances to the western courtyard located on Danesgate from the north and Lytton Way from the south west, and entrances to the eastern courtyard on Danesgate from the north and Danestrete from the east. Residential cores would be accessible directly from the landscaped courtyards.
- 8.3.8 The proposals would result in footways on both sides of Danestrete being widened and made either at grade or near to the grade of the carriageway and on Danesgate the setting back of the building line further south of the existing site boundary would create a significant amount of additional footway width.
- 8.3.9 The existing cycle lane, which dissects the Matalan Site and Danesgate Long Stay Car Park would be diverted along the site’s western boundary to connect with the route further

north across Danesgate. The diverted cycle lane would be subject to significant improvements in terms of quality and materials. Adjacent to the cycle lane, an improved footway would be provided with active frontages to the proposed development on its eastern edge.

8.3.10 To the south of Danestrete, the existing roundabout would be removed and the carriageway straightened along its existing alignment. As part of these works the existing vehicular access to Pinetree Court would be improved and extended out to meet the new road alignment. These amendments are considered to result in significant improvements to highway safety, given the existing proximity of the Pinetree Court access to the roundabout.

c. Creates a safe environment that designs out crime

8.3.11 The Applicant engaged with the Hertfordshire Police Crime Prevention Design Service during the design evolution and prior to the submission of the application. The Design Officer has confirmed that all his comments have been incorporated into the scheme as proposed and he is fully supportive of the proposals.

d. Creates, enhances, or improves access to, areas of public open space, green infrastructure, biodiversity and other public realm assets

8.3.12 The development would create a substantial increase in planting and landscaping as part of the proposals. These would consist of a diverse selection of species chosen to provide colour and interest throughout the year. The new courtyards would be of a substantial scale and include two generous lawns. The courtyards would be supplemented with improved amenity and biodiversity on building roofs.

8.3.13 The proposals would be transformative for local ecology. As well as additional planting, specific habitat creation measures would be incorporated with enhanced with invertebrate features, including sand piles, log piles, rubble piles and water trays. Additionally, swift, sparrow and bat boxes would be integrated into the fabric of the new buildings.

e. Does not lead to an adverse impact on the amenity of future occupiers, neighbouring uses or the surrounding area

8.3.14 The massing approach allows for large shared planted courtyards at ground level with parking accommodated within the building footprint. The scale of these courtyards also has a benefit at upper levels as it ensures a greater distance between homes providing more privacy to residents. A key part of the design development was to create a balance between the height of the taller and lower buildings, not just to ensure the delivery of the 526 dwellings granted in the Outline permission, but also to relate well to the surrounding development including the proposed SG1 scheme where a series of comparable courtyard blocks of similar height and length are proposed along Danestrete. A decision has been made to focus lower buildings along the southern edge of the site. Here buildings would have a maximum height of seven storeys to respect the adjoining Pinetree Court, the nearest neighbour. In response to this relationship, the buildings would be arranged as a series of smaller buildings rather than as a continuous frontage,

f. Complies with the separation distances for dwellings set out in this plan

8.3.15 In assessing the impact on neighbouring amenity, the Council's Design Guide sets out standards which should be met to safeguard the privacy and outlook of adjoining properties from new developments. In this regard, when assessing developments over 2 storeys in height, the recommended separation distances are 30m for a back to back relationship or 20m for a back to side relationship. There are no standards relating to front to front, front to rear or front to side relationships. Separation distances between new dwellings would vary between 26m and 50m. It is not uncommon in urban environments and town centres such

as this to have reduced separation distances where densities are much higher. For example in Park Place, the separation distance between properties is approximately 12m. The properties in Eastgate and The Quadrant as well as Market Place have a separation distance between them of 12.5m. Similar separations between dwellings to those proposed in the Matalan scheme are proposed at the SG1 Development. Therefore, it is considered that the overall level of separation would be acceptable, especially given the context of the development site.

g. Minimises the impact of light pollution on local amenity, intrinsically dark landscapes and nature conservation

8.3.16 The proposed development would be located in the Town Centre where light levels are already high. A condition is recommended requiring further details of external lighting including access roads, footpaths and footways proposed to be submitted to and approved by the Local Planning Authority before the development is occupied. This would ensure that the development does not prejudice the amenities of adjoining occupiers, the visual amenities of the area and to protect foraging bats.

h. incorporates high quality boundary treatments when located on the street frontage

8.3.17 Breaks in between the buildings would allow for views into the courtyards from the street. The proposed planting scheme would be defined by signature trees on prominent corners and entrances to the courtyards. Street trees would be mid-sized species with distinctive colour, flora and leaf shape to add character to the streets surrounding the blocks. Courtyards would be gated to provide privacy for residents and make the spaces useable without pedestrian cut through.

i. Complies with other relevant policies and has regard to guidance which may influence site layout and design, including (but not necessarily limited to): (i) Requirements relating to active frontages in Policy EC5; (ii) The parking and access standards in Policy IT5 and the Parking Provision SPD; (iii) Site-specific considerations identified in Policies HO1, HO2, HO3 and HO4; (iv) Housing mix requirements in Policies HO8, HO9 and H10; (v) Accessibility requirements in Policy HO11; (vi) SuDs and flood risk considerations in policies FP1 and FP2; (vii) Open space standards in Policy NH7; and (viii) Conservation area guidance in Policy NH10

8.3.18 The proposed development meets the objectives of the above mentioned policies and compliance is discussed throughout this report.

j. Meets the nationally described space standards

8.3.19 55% one-bedroom homes and 45% two-bedroom homes are proposed. Two-bedroom homes would be a mix of 3 and 4 person dwellings to provide flexibility for families at different life stages. All homes meet or exceed the Nationally Described Space Standards which range from 50sqm for a one bedroom flat to 70sqm for a 2 bedroom, 4 person flat.

k. Makes adequate provision for the collection of waste

8.3.20 Waste would be separated at source into recyclable, non-recyclable and food waste. Residents would be responsible for transferring waste from their homes to consolidated waste storage rooms at ground level adjacent to each core. The Waste storage rooms have been design to accommodate a full week's volume of residential waste. This would be collected by SBC from the loading bays located on the highway as part of the overall servicing strategy of the site.

l. Has regard to the Stevenage Design Guide Supplementary Planning Document and any other appropriate guidance.

Design of the development

- 8.3.21 The Council's Design Guide SPD (2009) sets out that a high quality environment is essential for providing a good quality of life for residents. A well-designed and managed space not only provides a visually attractive environment, but can also help to ensure that a place is easy to move around and within, is safe and secure, and is useful for all members of the community.
- 8.3.22 The proposed flats would be laid out in six urban blocks distributed across the site and framing two courtyard gardens. The height and modulation of the individual buildings has been determined by consideration of adjacent buildings and features. The design and appearance of the proposed blocks has been influenced by the geometric pattern and bold use of colours which are the hallmark of the art and design that proliferated during the time of Stevenage's New Town's conception.
- 8.3.23 The tallest building proposed would be a 20 storey tower which would be located on the corner of the site fronting Lytton Way. The height of the tower relates to buildings proposed in the SG1 scheme opposite, which includes a 19 storey building. This is also the furthest point from existing residents at Pinetree Court. In line with the Outline permission the building line is set back by approximately 4m from the southern boundary with Pinetree Court to reduce overlooking and to protect daylight and sunlight impacts.
- 8.3.24 The varied height of blocks and within blocks is ordered according to their immediate neighbours and according to the composition as a whole. In this way, the scale relationships create a visual harmony between the proposed development and the urban fabric of the town centre. This is reflected in the form, massing and lively silhouette. Proportion is introduced into the elevations by the arrangement of the fenestration and placement of balconies. This also creates a harmonious appearance and would ultimately visually enhance the urban landscape of the town centre.
- 8.3.25 With regard to the proposed external appearance of the building, it would be constructed in contrasting facing brickwork with the use of different coloured and, occasionally, patterned brickwork giving the appearance of tradition and substance. Elevations would have fairly uniformly arranged window openings with darker bases and pronounced concrete coping. All elevations would be striped except for the gables which would be plain and mid tone, mediating between the darker street and lighter courtyard elevations.
- 8.3.26 The proposal would provide new open spaces with designed landscapes that would enhance biodiversity. The two courtyards would provide areas of 540sqm and 865sqm of playspace space respectively. Roof terraces would also include grow gardens providing opportunities for residents to grow food and help develop a sense of community.
- 8.3.27 Overall it is considered that the proposed development would make a positive contribution to its location and surrounding area, and would establish a new community with a distinctive and positive identity.

Design Review Panel

- 8.3.28 As part of their Pre application process the Applicant entered into a review process with The Design Council to better inform their design development. This involved the Applicant's Project Team meeting with The Design Council and SBC Officers to put forward their proposals and, following extensive discussions, including a site visit and two meetings. The Panel concluded that:-

“Whilst there remain aspects of the scheme that we believe could be improved, it is our view that ultimately the scheme is of good quality and will set a critical benchmark for the emerging regeneration of Stevenage. In particular, the architectural language is of a high standard and in balance, the massing, including the taller building, is appropriate to the area. It is our view that this proposal would be an asset to Stevenage town centre. We believe the Guinness Partnership has ambitions to deliver a distinctive place that supports a good quality of life for residents and contributes to the wider development of Stevenage town centre. Similarly, the design team led by Maccreanor Lavington are very skilled, and alongside the Guinness Partnership can continue to develop the proposal to a high standard. Subsequently we are supportive of the Matalan Site planning application”.

Summary

- 8.3.29 This scheme would revitalise this under-utilised urban site which is dominated by surface parking. The introduction of high quality architecture, new landscaped open space, with ground floor commercial uses alongside much needed housing would help transform this part of Stevenage. The development would have a number of synergies with neighbouring sites, including the new bus interchange and neighbouring SG1 redevelopment. The proposal would make efficient and imaginative use of the site and provide for a tenure blind community in a distinctive new neighbourhood.
- 8.3.30 In summary, the Applicant has actively worked with officers and The Design Council in order to enhance the overall design. It is considered that the design as proposed would deliver high quality, well-designed architecture which would enhance the wider regeneration of the town centre and deliver townscape and visual enhancements of the existing site and the wider area.
- 8.3.31 The proposal therefore delivers on the policy objectives outlined in the Local Plan along with the requirements of the National Design Guide, the Framework and associated Planning Practice Guidance.

8.4 Impact upon the Character and appearance of the Conservation Area

- 8.4.1 The *Planning (Listed Buildings and Conservation Areas) Act 1990* incorporates several ‘statutory duties’ for decision-makers, all of which are applicable to the proposed development. Section 16(2) of the Act stipulates that when considering whether to grant listed building consent for any works special regard must be had to the desirability of preserving the building or its setting or any features or special architectural or historic interest which it possesses.
- 8.4.2 Paragraphs 193 to 196 of the NPPF (2019) have to be considered in the determination of this planning application. As established through case law, if there is any harm to designated heritage assets, great weight has to be given as to the impact the development may have on these assets.
- 8.4.3 Policy SP13 of the Adopted Local Plan relates to the historic environment. This states that the council will preserve and enhance the most important area and characteristics of Stevenage. The policy goes on to state that the Council will:-
- a. Have carried out Heritage Impact Assessments for development sites within, or adjacent to, conservation areas. Site specific mitigation measures have been incorporated to minimise the impacts of development.
 - b. Will use national guidance and legislation to review, designate and determine planning applications affecting heritage assets.

c. Will protect areas of archaeological importance and other relevant heritage assets by applying the detailed policies set in this plan.

8.4.4 Policy NH10 Conservation Areas states those development proposals within, or affecting a conservation area should have regard to the guidance provided by the relevant Conservation Area Management Plan Supplementary Planning Document. In terms of site specific policy, Policy TC2 stipulates that a heritage assessment and design work to preserve and enhance the significance of the Town Square Conservation Area and the contribution made by its setting has to be considered as part of the scheme's design. This requirement is also reflected in Policy TC5. This policy under criterion IV also sets out that all development proposals should continue the preservation and enhancement of the Town Square Conservation Area.

The Town Square Conservation Area

8.4.5 The Conservation Areas was originally designated in 1988. The boundary of this was extended in 2010 following a review and is drawn tightly around the properties that enclose Queensway. This is the main north-south spine which runs through the retail area. It also includes Market Place which extends east from Queensway and there are also the properties on the northern and south side of Town Square which form its enclosure. The review considered that the Conservation Area boundary should only be focused on the whole of Phase 1 pedestrianised area of the New Town. The justification for not expanding the conservation area boundary beyond its current limit was because it was agreed by the Council at the time that it would not be beneficial or appropriate for the future of the town centre and would include newer developments such as the Matalan site, The Plaza, The Forum and the West Gate shopping centre. None of these were part of the original town centre masterplan and none are of significant architectural or historic interest to warrant inclusion in the conservation area.

8.4.6 The Conservation Area also includes the Clock Tower and surrounding pool and the Joy Ride sculpture both of which are Grade II listed. Given this, the proposed development could potentially have an impact on the setting of the Town Square Conservation as well indirectly impact on the setting of the Joy Ride sculpture and Clock Tower.

Contributions of the application site (Conservation Area and Listed Buildings)

8.4.7 The application site is located approximately 50m west of the Town Square Conservation Area. The Listed structures are located approximately 100m to the north east of the application site boundary. The sculpture can only be experienced from within the Town Square, while the top of the Clock Tower can be seen in views from Danesgate, albeit largely obscured by existing built form on Danestrete. The application site is therefore considered to make a neutral contribution to the setting and significance of the two listed structures and the proposed development would not result in harm to their setting.

8.4.8 The application site is already somewhat restricted from view from within the Conservation Area. The proposed development would be seen from the edge of the Town Square. However, the proposed SG1 scheme would obscure this view to a large extent with only the top floors of the proposed Landmark tower visible from the Conservation Areas.

Summary

8.4.9 In summary, it is not considered that the proposed development would cause harm to the setting of the Town Square Conservation Area nor the Grade II listed Joy Ride Sculpture and Clock Tower. The proposal would deliver a number of significant public benefits. These public benefits include the removal of the existing development of the retail store and its car park, which is considered to have a negative impact on the setting of the conservation area, and its replacement with much needed housing in an attractively designed development

which would complement the wider town centre regeneration proposals. It would also improve cycle and pedestrian routes which build on the original ethos of the “pedestrianised” streets of the original town centre.

8.5 Affordable housing and Section 106 Financial Obligations

- 8.5.1 Policy HO7 of the adopted Local Plan (2019) which governs affordable housing, stipulates that planning permission will be granted for residential development which would maximise affordable housing provision. There is a requirement to provide 25% of new homes to be affordable.
- 8.5.2 In the submission of the Outline planning application the then applicant provided a detailed financial viability assessment which demonstrated that the proposal would not be viable if the full requirement for on-site affordable housing were to be sought. That appraisal was independently assessed by the Council’s own viability consultant who concurred with that view. In this instance, the viability appraisal indicated that a reduced provision of only 24 social rented units could be provided (4.6%) and this was negotiated with the applicant and secured by way of a S106 legal agreement. That approach was in accordance with the NPPF as it had been clearly demonstrated that the scheme would not be viable with the usual full requirement of affordable housing provision.
- 8.5.3 The current Applicant, as a Registered Social Housing Provider, is committed to the provision of high quality affordable homes and is exploring the possibility of substantially increasing that provision. At this stage, they have indicated that that number could increase to 50% of the proposed dwellings to include both affordable rent and shared ownership, although it would not be possible to insist on this as part of the current application. The remaining 50% of dwellings would be for the open market.
- 8.5.4 In addition to affordable housing, financial contributions were also required in accordance with the Hertfordshire County Council tool kit and contributions to Stevenage Borough Council for the maintenance of the Public Realm (although the precise figure is yet to be agreed) and the provision of the Primary School within the development site. The previous applicant under the Outline planning application had agreed to provide contributions toward Primary and Nursery Education, Childcare and Library facilities. They had also agreed to provide contributions to SBC toward improvements to outdoor open space and children’s play provision which would be calculated on the mix of residential units. These were secured by way of a S106 legal agreement.

8.6 Impact on Amenity

Impact on the amenities of existing neighbours

- 8.6.1 The scheme has been designed so as to locate the tallest building in the North West corner of the site along Lytton Way to ensure overshadowing to existing and new residents is limited. Distances between buildings and breaks between buildings would ensure that new dwellings would receive adequate daylight and sunlight and overshadowing would be limited. Daylighting assessments have informed the design of the layout of homes and window openings. Accordingly, no likely significant effects are considered to arise in terms of sunlight, daylight and overshadowing.

Amenities of future residents

- 8.6.1 All apartment layouts meet national standards and their shared circulation spaces are appropriate. The two bedrooms dwellings would offer flexibility with a number of different internal layouts. Private external amenity, by way of balconies and shared amenity is clearly defined through an animated landscape scheme. A significant number of the dwellings would have access to private balconies. Those on the upper levels of the tower, where

projecting balconies are not considered suitable would have full height glazing and wide ranging views of the surrounding countryside. The roof terrace on the top level of the tower would provide communal amenity space to capitalise on these views. Operational and service facilities are generous and well placed so as not to compromise the potential for social interaction and inclusion.

- 8.6.2 The central space allows the occupants to meet each other and the smaller spaces allow for more intense social interaction. These, and the whole site, are defined by rich landscape, which would improve air quality as well as a softening of the built form.
- 8.6.3 The development is ideally placed to be accessible to public transport and other town centre facilities, in walking distance. The existing cycle track also adds to accessibility. The development would be recognisable through its form and place making, defined by the buildings as a memorable grouping and sense of place.

Daylight and sunlight

- 8.6.4 The application is accompanied by a Daylight and Sunlight Report which assessed the daylight and sunlight impacts of the scheme in line with BRE guidelines and Local Plan Policy GD1. It includes consideration of individual rooms in the adjoining Pinetree Court which face the new development. The application site currently has a low rise retail store and undeveloped open car park and as such, the neighbouring property currently enjoys an open outlook which is unusual for an urban location. A number of the surrounding windows are self-constrained by balconies / building design and this causes an increased sensitivity. The results of the daylight technical analysis for Pine Tree Court have shown deviations from the BRE targets; however the majority of windows indicate levels in line with those expected within an urban location. Daylight design has been considered to minimise the adverse impacts upon this neighbouring property and this is shown by the massing stepping down as a response. There are isolated incidences below the alternative targets; however these are primarily driven by other factors such as limited outlook or overhanging balconies. Further technical analysis including the SG1 development has been considered and the results indicate little material change.
- 8.6.5 The results of the sunlight analysis to neighbouring properties have shown full compliance with the BRE guidance. In addition, analysis considering the daylight and sunlight potential within the SG1 Scheme have shown high levels of daylight potential to the upper levels and sunlight potential overall. The results do show that the lower levels show lower daylight potential; however the retained levels remain broadly in line with the levels expected for an urban location. Whilst there are areas of constraint, these should be considered flexibly given the wider regeneration of the site.
- 8.6.7 The assessment of sunlight (overshadowing) within the proposed areas of shared amenity space have shown that 5 of 6 areas would experience compliant sunlight levels. The remaining area shows levels just below the suggested targets. Given the minor nature of the deviation, together with the overall areas indicating sunlight levels in line with the BRE targets, the results are considered acceptable. The assessment of daylight within the proposed apartments has shown that the vast majority of rooms receive good levels in excess of the relevant BRE targets. The results of the sunlight assessment have shown that 37% (34% with the SG1 scheme in place) of main living rooms achieve APSH levels in line with the targets. The remaining rooms are primarily north, west, and east facing, with a number of windows overhung by balconies. Overall the analysis shows that the impacts and retained levels are consistent with the guidance in an urban context such as the application site.

Noise impact on existing and future residents

- 8.6.8 With respect to noise, Policy FP8: Pollution Sensitive Uses stipulates that planning permission for pollution sensitive uses will be granted where they will not be subjected to unacceptably high levels of pollution exposure from either existing, or proposed pollution generating uses. Taking this policy into consideration, it is appreciated the application site does sit within a town centre environment so there is already a significant amount of background noise generated by traffic, plant and equipment, pedestrians and residents as well as the operation of existing businesses. As such, these noise sources could have an impact on the future amenities of the future residents of the development as well.
- 8.6.9 An environmental noise and vibration survey was carried out at the site by the Applicant prior to the submission of this application. It concluded that when considering the good acoustic design process that has been followed and demonstrated within the report, along with the pre-existing ambient noise levels which present a medium risk of adverse noise effects at the site, it is considered that the noise environment for the Proposed Development would be within acceptable levels. Additionally vibration effects due to the Proposed Development are not expected.
- 8.6.10 Dealing first with the impact of noise from the development, specifically construction, a condition was imposed to the Outline Planning Permission (Condition 10) restricting the hours in which noisy activities can take place. The imposition of such condition is supported by the Council's Environmental Health Section. With this condition in place, it ensures the protection of the amenities of existing nearby residents and business operators from unacceptable noise levels outside of the hours specified in the condition.
- 8.6.11 Additional conditions are recommended now to deal with noise mitigation measures, delivery and servicing of the development as well as sound attenuation works and limits on the hours of operation of the proposed Sui Generis (formerly A4 & A5 uses). With these conditions imposed, it would ensure that the amenities of future residents of the proposed development as well as existing adjoining residents would be protected.

Thermal comfort

- 8.6.12 The application includes an assessment of the risk of overheating of the residential spaces. Several sample dwellings were assessed against the overheating criteria set out within the CIBSE's Technical Memorandum (TM) 59 Design methodology for the assessment of overheating risk in homes (2017) guidance. The results of the analysis of the Proposed Development indicate that the assessed dwellings meet the relevant requirements for all occupied bedrooms, kitchen and living rooms as well as commercial units and community areas.

8.7 Means of access and highway safety

- 8.7.1 The proposed highways works in Danestrete have been designed in relation to the proposals for SG1 and the relocated Bus Station. The carriageway width would be reduced to enable a more generous footway on the western side. The proposals would result in footways on both sides of Danestrete to be widened and made either at grade or near to the grade as the carriageway. This would enable proposed parking and loading bays to be provided at grade allowing them to be used by pedestrians when not in use whilst also giving pedestrians greater priority alongside a low speed limit restriction.
- 8.7.2 The existing roundabout on Danestrete would be removed, and the carriageway straightened along its existing alignment. As part of these works, the existing vehicular access to Pinetree Court would be improved and extended out to meet the new road alignment.

Pedestrian crossing

- 8.7.3 Condition 22 of the Outline Consent required the applicant to submit details in relation to a new pedestrian crossing along Danestrete. To facilitate improved pedestrian and cyclists crossing and, in recognition of the changes proposed as a result of the SG1 redevelopment and new Bus Station which will result in significant changes to the public realm around Danestrete, the Applicant is proposing a raised surface on the corner of Danestrete and Danesgate to increase connectivity and permeability between the site and the Town Centre. This would be subject to detailed design with the intention of providing shared pedestrian and cyclist priority.
- 8.7.4 To complement the proposals for Danestrete the Applicant is proposing a similar treatment to Danesgate, reducing the carriageway width, and providing improved facilities for parking and loading. At the western end of Danesgate the proposals look to tie into those already consented as part of the Bus Station application with the proposed building line set back to provide increased footway width and improve the pedestrian experience.
- 8.7.5 On Lytton Way, the existing cycle lane, which currently shares the central private car park adjacent to the application site, would be diverted and upgraded along the site boundary to connect with the route further north across Danesgate. Adjacent to the cycle lane, an improved footway will be provided with active frontages to the proposed development on its eastern edge.

Servicing and Deliveries

- 8.7.6 On-street loading bays are proposed to facilitate the servicing, deliveries, and waste collection of the development, one on Danestrete and two on Danesgate.

Summary

- 8.7.7 The detailed proposals include a range of improvements to the local highway network and would result in additional benefits to the local transport networks, particularly for pedestrians and cyclists, over and above the improvements originally envisaged in the Outline Consent. Co-ordination with the proposals for SG1 and the Bus station would deliver public realm improvements on both sides of Danestrete and significant additional footway width on Danesgate alongside the net reduction of vehicle accesses into the site from Danesgate.
- 8.7.8 The proposed development of the Site would support a sustainable pattern of development. The improved accessibility and connectivity of the Site would ensure development in this location could make a positive contribution to sustainable living. The reduction of car parking within the current application relative to the Outline Permission would further assist in promoting environmentally friendly behavioural change in line with the Council's recent climate emergency declaration.
- 8.7.9 In addition to the above, the Highway Authority consider that the proposed development in terms of access and associated highway works, would not prejudice the safety and operation of the highway network and would help to facilitate modal shift.

8.8 Parking Provision

- 8.8.1 Policy IT5 of the adopted Local Plan (2019) states that planning permission will be granted where proposals comply with the parking standards set out in the plan. When the Council originally determined the outline application this application was determined against the Car Parking Standards SPD (2012). However, in October 2020, the 2012 standards had been superseded by the Council adopted the Car Parking Standards SPD (2020).

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

Parking Standards SPD 2012		Parking Standards SPD 2020	
Maximum Parking Requirement	699 spaces	Maximum Parking Requirement	646 spaces
Accessibility Zone 1 – 25% to 50%	175-350 spaces	Town Centre Accessibility zone – 0% to 25%	0 to 162 spaces
Planning Permission 14/00559/OPM		Proposed Development	
Spaces Proposed	109 spaces	Spaces Proposed	52 spaces

8.8.3 The Outline permission agreed to the loss of the parking serving the existing Matalan store as well as the spaces provided in both of the Council’s car parks. Whilst the car parking spaces for the retail unit would no longer be required, it was agreed that the loss of the spaces in the two Council owned car parks would be absorbed in the St Georges Multi Storey Car Park which was considered capable of offering enough spaces to cope with the displaced spaces from the two Council owned car parks.

8.8.4 With regard to the parking to serve the new development, a total of 109 spaces were proposed. Whilst that was a shortfall of 64 spaces on the standards applied at the time, given the central location and the fact the site is highly accessible in relation to the town's bus and rail stations which are within close walking distance, the parking proposed within the development was considered to be acceptable.

8.8.5 The current application proposes a lower parking provision than that envisaged in the Outline Consent. 52 parking spaces are proposed within the site. These would be provided across a single covered car park at street level and in the centre of the plan which would be accessed from Danestrete from the south with egress onto Danesgate to the north. A further six parking spaces are proposed within the amended highway layout on Danestrete and Danesgate which would be part of the highway and therefore their use will be at the discretion of SBC. The Applicant is proposing the car parking at ground floor level with a gated fob key entry system. The car parking spaces would be provided to residents of the development under a ‘right to park’ basis. This sees spaces effectively leased to residents, therefore ensuring that there is long term flexibility in the operation and management of the spaces.

8.8.6 It is considered that the now proposed parking provision, having regard to the very accessible location, within close proximity to public transport, shopping and leisure facilities, is acceptable and would comply with the Parking SPD. This location, as well as access to a car through the proposed Car Club, would encourage a sustainable lifestyle not reliant on a private car. Furthermore, with the reduced level of parking proposed, the level of traffic generation from that previously determined at the outline stage would be reduced having a

positive impact on the highway network. This is supported by Hertfordshire County Council as Highways Authority.

Cycle parking

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

- 1 space per 1-bed unit;
- 2 spaces per 2-bed unit;

8.8.8 Each of the six residential blocks would be provided with a secure cycle store for the residents of that block. A total of 765 secure long stay cycle parking spaces are provided across the site in long stay/resident cycle storage areas. This would accord with the requirement in the adopted SPD. Visitor cycle parking would be provided within the public realm. A total of 40 spaces for non-residents / visitors would be available across the site in the following locations:

- 7 x Sheffield Stands (equating to 14 cycle parking spaces) would be provided within the eastern courtyard;
- 11 x Sheffield Stands (equating to 22 cycle parking spaces) would be provided within the western courtyard;
- 7 x Sheffield Stands (equating to 14 cycle parking spaces) would be provided within the adopted highway public realm on Danestrete which would be slightly in excess of the standard set in the SPD which would require 13.5 spaces.

Windows are proposed into the cycle stores from the street and the Courtyard to make the spaces pleasant and naturally lit and to bring a level of residential activity to the frontages.

Electric Vehicle Charging

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

8.8.10 The requirement to provide electric vehicle charging was introduced by Hertfordshire County Council under Local Transport Plan 4 (LTP 4) which was published in 2019 and more recently been formally adopted by the Council in the Car Parking SPD (2020). Turning to the original 2016 permission, this was determined by the Council before the aforementioned were published. As such, there was no requirement to provide electric vehicle charging provision at the time. The Herts Fire and Rescue Service have raised some concerns about the location of EV charging points in the covered car park. As such, a condition is therefore, recommended requiring the details of these EVCPs and their siting be provided before occupation.

Disabled Parking

8.8.11 In accordance with adopted SPD, 5% of the total number of car parking spaces would be provided for Blue Badge Holders (3 spaces).

8.8.12 In summary, the proposed development would have sufficient off-street parking, cycle parking, disabled parking and electric vehicle charging facilities. Therefore, the proposal would accord with the policies set out in the adopted Local Plan (2019), the Council's Car Parking Standards SPD (2020), the NPPF (2019) and PPG (2014).

8.9 Impact on the Environment

8.9.1 Policy FP5 of the Local Plan (2019) specifies that planning permission will be granted for development on brownfield sites if an appropriate Preliminary Risk Assessment (PRA) is submitted which demonstrates that any necessary remediation and subsequent development poses no risk to the population, environment and ground water bodies.

Groundwater

8.9.2 The site lies outside of the Groundwater Source Protection Zone (SPZs) for drinking water. Therefore, the proposed development during its construction phase would be unlikely to have a detrimental impact on the designated SPZs.

Air quality and air pollution

8.9.3 Policy FP7 of the adopted Local Plan (2019) states that all development proposals should minimise, and where possible, reduce air, water, light and noise pollution. Looking at air quality and air pollution specifically, the development is not located within or in close proximity to an Air Quality Management Area (AQMA). In terms of the impact of the development on air quality, the air quality assessment undertaken by the Applicant's consultant focuses on both the demolition/construction phase and operational phase of the development. Dealing with the construction phase, it is noted that there would be activities which will affect local air quality. These include dust emissions and exhaust emissions from plant, machinery and construction traffic.

8.9.4 The Air Quality Assessment in terms of the construction phase has shown that for the proposed development, limited releases of dust and particulate matter are likely to be generated from on-site activities. However, through good site practice and the implementation of suitable mitigation measures, the impact of dust and particulate matter releases may be effectively mitigated and the resultant impacts are considered to be negligible. A condition is recommended to control any emissions.

8.9.5 There is no significant traffic associated with the proposed development, therefore the impact of existing traffic has been considered with respect to the suitability of the site for residential use only. It is concluded that air quality does not pose a constraint to the redevelopment of the Site as proposed, either during construction or once operational.

Environmental Wind

8.9.6 The application was accompanied by a Pedestrian Level Wind Microclimate Assessment. The proposed development was assessed with the proposed landscaping scheme in place in order to present the most accurate wind conditions. With the Proposed Development introduced, wind conditions at ground level would range from suitable for sitting to strolling use during the windiest season with isolated instances of walking use wind conditions at the roof level of Blocks C and E. As such, all accessible areas on-Site and off-Site would have suitable wind conditions for the intended use.

8.9.7 In the summer season, wind conditions would range from suitable for sitting use to suitable for strolling use with more areas around the Proposed Development experiencing sitting use wind conditions. Strolling use wind conditions would occur at the roof levels of Blocks C, E and F, however, roof terrace amenity space on Blocks B, C, D and E would have suitable wind conditions for the intended use. Consequently, all accessible areas of the

Proposed Development and surrounding area would also have suitable wind conditions during the summer season.

8.9.8 Initial analysis demonstrated that some proposed balconies would have unsuitable and potentially unsafe wind conditions. Subsequently, these balconies have been removed from the design. As such all balcony locations around the Proposed Development would also have suitable and safe wind conditions for the intended use and would not require mitigation measures.

8.9.9 In summary, the environmental wind conditions when the development is in place are not considered significant. With the Proposed Development in place, all areas of the Proposed Development and surrounding area would have safe and suitable wind conditions for their intended use.

8.10 Development and Flood risk

8.10.1 The site is in Flood Zone 1 which is an area with a low probability of flooding for tidal or fluvial water course. Therefore, all developments are generally directed to Flood Zone 1. The application has been accompanied by a Flood Risk Assessment and Surface Water Drainage Strategy as a Major application. The proposal is to discharge surface water via three connections to the Thames Water sewer network. Attenuation storage would be provided in two attenuation basins as well as two below ground geocellular tanks. The Lead Local Flood Authority has assessed the proposals and considers the proposed drainage strategy is promising and recommends conditions to secure the principles of the scheme and final details.

8.11 Trees and landscaping/open space

8.11.1 Paragraph 175 of the NPPF (2019) states that when determining planning applications local planning authorities should apply the principle, in respect of veteran and ancient trees, that if a development results in the loss or deterioration of irreplaceable habitats it should be refused unless there are wholly exceptional reasons and a suitable compensation strategy exists. Policy NH5 of the Local Plan (2019) states that development proposals will be expected to protect and retain individual trees within development sites and should include new planting where appropriate.

8.11.2 There are no statutorily protected trees on the site. The existing trees on the site suffer from poor rooting conditions in the existing hard surfaced car park. The most visually prominent trees are the three horse chestnuts at the north-west corner of the site that are displaying signs of significant decline and would in any management context require removal within the coming few years on the basis of prudent health and safety practice. In addition, the Council's Arboricultural Manager has not raised any concerns with respect to the removal of trees within the site.

8.11.3 The Applicant's approach to tree planting in the new development has been informed by the existing hierarchy of trees within the town centre. A diverse selection of native and non-native trees is proposed to provide colour and interest throughout the year.

8.11.4 'Signature' trees would be planted at key junctions and the entrances to courtyards. Large, long lived species have been selected for these locations with the intention that when they reach maturity they will add to the established structure of the local urban canopy. Street trees would include mixed size species with distinctive colour, flora and leaf shape to add character to the streets surrounding the block. The courtyards would be planted with some signature trees to provide continuity to views in from the streets. Also proposed are several

species with open canopies to allow light through to understorey planting which would include a mix of shrubs, perennials, grasses and ferns. In addition some fruit trees will be included within the courtyards.

- 8.11.5 The layout of the courtyards has been informed by sunlight analysis. Central lawns and play spaces would be located in areas which benefit from sunlight for more than two hours a day throughout the year. The courtyards themselves would provide important amenity spaces for residents for both relaxation and play with a careful balance of safety and privacy for users. Doorstep play would be provided in excess of policy requirements to add animation, with an area of more than 1400sq.m between the two communal gardens dedicated to play spaces.
- 8.11.6 A generous lawn would form a central gathering space in both courtyards with gently undulating topography. Screen planting would frame the lawns and play spaces in the centre with distinct areas for play and relaxation with a degree of privacy for residents.
- 8.11.7 In terms of providing new tree planting at the site to address the proposed loss of existing tree in numerical terms, this amounts to a significant increase in the number of trees within the site. It is considered that the overall effect of the proposed development is therefore positive, both in terms of its impact upon the public realm as provided by tree planting and the proposed hard and soft landscaping in the Courtyards for the enjoyment of future occupiers.

Summary

- 8.11.8 The proposed development demonstrates compliance with the relevant planning policies, at national and local level - specifically, by providing landscaping details that demonstrate a net gain in the amount and the quality of green infrastructure (including trees) at the site.

8.12 Ecology

- 8.12.1 National Planning Policy on biodiversity and conservation is set out in the National Planning Policy Framework (NPPF). This emphasises that the planning system should seek to minimise impacts on biodiversity and provide net gains in biodiversity wherever possible as part of the Government's commitment to halting declines in biodiversity and establishing coherent and resilient ecological networks. Chapter 15: Conserving and Enhancing the Natural Environment, is of particular. Paragraph 174 states:-"To protect and enhance biodiversity and geodiversity, plans should:

a) Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation; and

b) promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity."

- 8.12.2 The application was accompanied by an Ecological Impact Assessment. This identified the potential ecological impacts, mitigation, compensation and enhancement measures for re-development of the site.
- 8.12.3 It found that the existing building had low suitability for roosting bats and no bats were observed emerging during the emergence survey and therefore the building is now

assessed as having negligible potential. In addition, the site was found to be impacted by strong illumination from the adjacent dual carriageway. There was a horse-chestnut and a willow tree with potential roosting features for bats. It also found some nesting opportunities for birds within the trees, hedgerow and building. There are two ponds within 500m of the site, however, these are situated across major dispersal barriers and there is limited and fragmented terrestrial habitat on site suitable for great crested newts. In addition is considered that there were negligible opportunities for other protected or priority species and that habitat within the site are of negligible intrinsic ecological interest.

8.12.4 In the absence of mitigation, development within the site may result in:

- Destruction of bat roosts within two low-potential trees; and
- Destruction of active birds' nests during vegetation clearance.

To mitigate the loss of the existing trees and hedgerows, a landscape plan has been devised which would involve the planting of trees and the creation of biodiverse roofs. These would be seeded with wildflower mixes suitable to the area and would be enhanced with invertebrate features, including sand piles, log piles, rubble piles and water trays. Swift, sparrow and bat boxes would be integrated into the fabric of the new buildings.

8.12.5 Having regard to the above assessment and following consultation with Herts & Middlesex Wildlife Trust it is considered that a substantial net gain in biodiversity would occur as a result of the development.

8.12.6 Turning to the Knebworth Woods SSSI, the development site falls within the impact zone of this SSSI. However, the site is separated from the SSSI by some distance (0.9km) and urban development and highway infrastructure (including the A1(M)). As such, Natural England had not raised concerns as to the potential impact this development could have on the SSSI (including increased recreational pressure from residents residing from this development). In terms of the nearest Wildlife Site located to the south at Six Hills Barrows, due to the level of separation and the presence of highway infrastructure and the wider urban environment, it is not considered the proposed development would cause harm to this wildlife site.

8.13 Sustainable construction and Climate change

8.13.1 Policy FP1 of the Local Plan (2019) stipulates that planning permission will be granted for development that can incorporate measures to address adaptation to climate change. New developments will be encouraged to include measures such as:

- Ways to ensure development is resilient to likely variations in temperature;
- Reducing water consumption to no more than 110 litres per person per day, including external water use;
- Improving energy performance of buildings;
- Reducing energy consumption through efficiency measures;
- Using or producing renewable or low carbon energy from a local source; and
- Contributing towards reducing flood risk through the use of SuDS or other appropriate measures.

8.13.2 The application is accompanied by an Energy Strategy Report which incorporates

- Energy efficient fabric and building services design.
- Air source Heat Pumps (ASHP) serving the space heating and cooling for the commercial units and community space.
- Electric instantaneous hot water for the commercial units and community space.
- Electric radiator heating to meet the heating demand for the residential apartments.
- Air source Heat Pumps (ASHP) to meet the domestic hot water (DHW) demand for the residential apartments.

- The site-wide results indicate a regulated carbon saving of 188 tCO₂/year, which is 39% of the site regulated carbon emissions of 486 tCO₂/year based on the new SAP 10 carbon factors.

8.13.3 Water use would be minimised through the specification and use of efficient fittings, sanitary ware and appliances, delivering a development that will use less water than standard. For the non-residential portion of the development, the design will follow the requirements of WAT01: Water Consumption, BREEAM 2018. Water consumption would be monitored through pulsed water meters. These would enable users to monitor their water usage and help them to identify ways to reduce this. They would also enable tenants to install leak detection to raise an alarm if unexpected water use is detected. This minimises water wastage if there are any leaks. As part of an integrated water strategy, the landscape design will consider how best to reduce water consumption for outdoor areas. The plants in general landscape areas have been chosen so that, once established, they will not require irrigation to thrive. All of these measures would all contribute to a reduction in water consumption as part of the development, working towards meeting the target of less than 105 litres of water or less per person per day, for each of the dwellings.

8.13.4 These measures are considered to be appropriate and accord with the Council's sustainability requirements. A condition is recommended to ensure these measures are provided before the development is occupied.

8.14 Impact on Archaeological Remains

8.14.1 The NPPF paragraph 128 states that "*In determining applications...Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation*".

8.14.2 The County Archaeologist assessed the archaeological assessment submitted with the Outline application and raised no objection to the proposal. The Outline Planning Permission includes a condition requiring the submission and approval of an Archaeological Written Scheme of Investigation prior to the commencement of development.

Other Matters

Community Infrastructure Levy

8.15.1 The proposed amendments to the approved development do not seek to increase the approved level of floorspace to that already approved in the Outline permission. Therefore, this development would not be subject to any CIL liability in this instance.

Fire & Safety

8.15.2 The Applicant's approach to fire safety goes over and above minimum regulatory standards. The external wall build up contains no combustible materials and each residential core includes 2 sets of staircases. The buildings would be provided with sprinklers throughout and smoke ventilation of residential corridors is achieved through mechanical ventilation. The tower has been designed to have full structural fire resistance for 120 minutes and provided with a wet fire main. Fire-fighting and fire evacuation lifts are provided in all cores throughout the development. Fire alarms and smoke detection systems are to be incorporated in all flats. Herts Fire and Rescue Service has confirmed that they are content with the proposals.

Refuse and Recycle Facilities

- 8.15.3 The Design Guide (2009) states, provision should be made within new development for the storage and collection of waste from a site. The submitted plans indicate that there would be sufficient refuse facilities which would serve the proposed residential properties and commercial premises. As such, a condition can be imposed requiring these facilities to be delivered in accordance with the details specified in the application.

Community Engagement

- 8.15.4 The Applicant has sought from an early stage to demonstrate compliance with local and national planning policy and guidance on community engagement. The Applicant and their advisors sought to formulate a community involvement programme that was appropriate for the 'Reserved Matters' nature of the application. It was recognised that the Outline Permission was approved some time ago and that it was important to convey the fundamental principles around quantum of development that was already agreed along with how these principles were now going to be implemented in detailed design terms.
- 8.15.5 Because of the Covid restrictions they were unable to hold traditional physical or face to face public events with the exception of limited and controlled COVID-Secure briefings of small groups. In situ and virtual briefings took place with the residents at Pinetree Court and the Cycle UK Stevenage Group involving 6 residents' representatives and 6 members of the cycling group. The programme was widely promoted through the delivery of some 1,400 letters to a catchment around the Site and transacted through a combination of limited socially distanced physical meetings, a video briefing, use of a website, social media and the holding of a webinar where 32 people attended. The dedicated website attracted 1,248 page views and 69 Facebook page views.
- 8.15.6 Residents in Pinetree Court raised specific issues in relation to the provision of a pedestrian crossing on Danestrete, the treatment of boundaries and the need to ensure that appropriate measures were taken to protect privacy in relation to proposed roof gardens. They also requested that any construction impacts should be mitigated as much as possible. Issues raised by the Cycle UK Stevenage Group related to ensuring the continuity of operation of cycle routes during construction.

Equalities Impact and Human Rights

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

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

8.15.11 In terms of inclusive access, the new buildings have been designed to be fully accessible and inclusive. All spaces in the new buildings would be accessible to all; the floors and thresholds are level and there are lifts serving all floors. The routes into the buildings are clear and would be signed and demarcated appropriately using landscape treatments. There are no abrupt changes in levels on the approach to the new proposed buildings.

9. CONCLUSIONS

9.1 The redevelopment of the Matalan site as a mixed use scheme with commercial and community uses at ground floor level with residential dwellings above would support the wider redevelopment of the Town Centre, which is being most significantly progressed through the SG1 Masterplan. It would help the Council to meet its housing requirement by delivering high quality homes within generously landscaped amenity areas. The carefully sited buildings would allow for generous footways with substantial tree planting to provide a high quality public realm while the strategically located tower building would deliver a landmark to the Town visible from road and rail. Although different in character to the mainly low rise residential neighbourhoods surrounding the town centre, the proposal would provide an opportunity for a more sustainable lifestyle that is focused on walking and cycling, and is supported by the close proximity to the Train and bus stations as well as local shops and amenities.

9.2 Although different in character to the mainly low rise residential neighbourhoods surrounding the town centre, the proposal would provide an opportunity for a more sustainable lifestyle that is focused on walking and cycling, and is supported by the close proximity to the Train and bus stations as well as local shops and amenities.

9.3 Given the above, the proposed development is considered to accord with the policies contained within the adopted Local Plan (2019), the Council's Design Guide SPD (2009), the Council's Parking Standards SPD (2012), the NPPF (2019) and PPG (2014).

10. RECOMMENDATION

10.1 That Reserved Matters is GRANTED subject to the following conditions:

1. Approved Plans

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

MTL-MLA-ZZ-00-DR-A-901100-P2; MTL-MLA-ZZ-01-DR-A-901101-P2; MTL-MLA-ZZ-02-DR-A-901102-P2; MTL-MLA-ZZ-03-DR-A-901103-P2; MTL-MLA-ZZ-04-DR-A-901104-P2; MTL-MLA-ZZ-05-DR-A-901105-P2; MTL-MLA-ZZ-06-DR-A-901106-P2; MTL-MLA-ZZ-07-DR-A-901107-P2; MTL-MLA-ZZ-08-DR-A-901108-P2; MTL-MLA-ZZ-09-DR-A-901109-P2; MTL-MLA-ZZ-10-DR-A-901110-P2; MTL-MLA-ZZ-11-DR-A-901111-P2; MTL-MLA-ZZ-12-DR-A-901112-P2; MTL-MLA-ZZ-13-DR-A-901113-P2; MTL-MLA-ZZ-14-DR-A-901114-P2; MTL-MLA-ZZ-15-DR-A-901115-P2; MTL-MLA-ZZ-16-DR-A-901116-P2; MTL-MLA-ZZ-17-DR-A-901117-P2; MTL-MLA-ZZ-18-DR-A-901118-P2; MTL-MLA-ZZ-19-DR-A-901119-P2; MTL-MLA-ZZ-20-DR-A-901120-P2; MTL-MLA-ZZ-21-DR-A-901121-P2; MTL-MLA-XX-EE-DR-A-902150-P1; MTL-MLA-XX-EE-DR-A-903100-P1; MTL-MLA-XX-EE-DR-A-903101-P1; MTL-MLA-XX-EE-DR-A-903102-P1; MTL-MLA-XX-EE-DR-A-903103-P1; MTL-MLA-XX-EE-DR-A-903104-P1; MTL-MLA-XX-EE-DR-A-903105-P1; MTL-MLA-XX-EE-DR-A-903106-P1; MTL-MLA-XX-EE-DR-A-903107-P1; MTL-MLA-XX-EE-DR-A-903108-P1; MTL-MLA-XX-EE-DR-A-903109-P1; MTL-MLA-XX-EE-DR-A-903110-P1; MTL-MLA-XX-XX-DR-A-903200-P1; MTL-MLA-XX-XX-DR-A-903201-P1; MTL-MLA-XX-XX-DR-A-903202-P1;

MTL-MLA-XX-XX-DR-A-903203-P1; MTL-MLA-XX-XX-DR-A-903204-P1; MTL-MLA-XX-XX-DR-A-903205-P1; MTL-MLA-XX-XX-DR-A-903206-P1; MLUK-799-A-SK-080-R02.

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

2. Two year time limit

The development hereby permitted shall be begun before the expiration of two 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. External materials

Before any above-ground work is commenced on any individual phase of the development hereby permitted, samples of all external finishing materials shall be submitted to and approved in writing by the Local Planning Authority. This shall include:

- i) Facing and roof materials;
- ii) Balcony treatment;
- iii) Window material details;
- iv) The boundary treatment;
- v) External rainwater goods where permitted.

The development shall be carried out in accordance with the approved details and shall thereafter be retained.

REASON:- To ensure the development has an acceptable appearance in accordance with Policy.

4. Surfacing materials

No development (excluding any demolition and enabling works) of the development shall commence until details of the following matters in respect of the outline have been submitted and approved in writing by the Local Planning Authority:

- a) surfacing materials;
- b) contamination;
- c) green/brown roofs;
- d) cycle parking;
- e) electric vehicle parking provision; and
- f) tree protection in accordance with British Standards.

The development shall be carried out in accordance with the approved details.

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

5. Telecommunications/Satellite Strategy

Prior to occupation of each phase(s) of development within the application site, details of any associated communal telecommunications infrastructure and plant shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out strictly in accordance with the details approved and maintained as such thereafter.

REASON:- To ensure satisfactory appearance and facilitate equitable access to telecommunications services.

6. External lighting

Prior to above ground works in each phase of development pursuant to condition 4, details of any external lighting (including access roads, footpaths and footways) proposed shall be

submitted to and approved in writing by the Local Planning Authority. The approved external lighting shall be provided before that phase of development is occupied.

REASON:- To ensure that the development does not prejudice the amenities of adjoining occupiers, visual amenities of the area and to protect bats.

7. Ecology

Prior to occupation of each phase(s) of development within the application site the measures detailed in the Ecological Impact Assessment (Non EIA) prepared by Ecologybydesign dated October 2020 shall be fully implemented.

REASON:- To ensure that the development contributes to improving the ecology and biodiversity of the area.

8. Bird and Bat Boxes

Prior to above ground works for each phase of development, a strategy for the siting and maintenance of permanent nesting and roosting boxes within the façade and roof ledges of built structure and/or trees shall be submitted to and approved in writing by the Local Planning Authority. Nesting and roosting boxes shall be provided in accordance with the approved strategy prior to occupation of the relevant building.

REASON:- To ensure that the development contributes to improving the ecology and Biodiversity of the area.

9. Landscaping

No development shall take place above slab level for each phase of development until there has been submitted to and approved in writing 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 satisfactory landscape treatment of the site which will enhance the character and appearance of the area

10. Long term management

Any trees or plants comprised within the scheme of landscaping , which within a period of five years from the completion of any phase 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 form of development.

11. Energy and Sustainability statement

Prior to any occupation the measures detailed in the submitted Energy and Sustainability Statement to manage adaptability to climate change along with measures to manage overheating and cooling shall be implemented in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

REASON:- To ensure the development is adaptable to climate change and to avoid overheating and minimising cooling demand.

12. Highways Accesses

Prior to the first occupation of Phase 2 of the development hereby permitted, the vehicular access(es) and egresses shall be provided and thereafter retained at the position(s) shown on the approved plan(s) drawing numbers 20164-MA-XX-XX-DR-C-0016 Rev P01 and 20164-MA-XX-XX-DR-C-0017 RevP01. Arrangement shall be made for surface water

drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

REASON:- To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

13. Highways Visibility Splays

Prior to the first occupation of Phase 2 of the development hereby permitted, visibility splay(s) measuring 2.4 x 43 metres shall be provided to each side of the access(es) where it meets the highway and such splays shall thereafter be maintained at all times free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway.

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

14. Provision of Parking and Servicing Areas

Prior to the first occupation or use of the development hereby permitted, the proposed access, onsite cycle parking for that phase in accordance with SBC standards, servicing / loading, unloading / turning / waiting area(s) shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan(s)

(20164-MA-XX-XX-DR-C-0016 Rev P01, 20164-MA-XX-XX-DR-C-0017 Rev P01 and MTL-MLA-ZZ-00-DR-A-901100 Rev P2), 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).

15. Parking Permits and Car Club

Prior to the occupation of 50% of the dwellings in Phase 1 hereby permitted, details of the following shall be submitted to and agreed in writing by the Local Planning Authority and thereafter be implemented:

(i) 15 parking spaces to be secured, at the Applicant's expense, in Council owned car parks in the Town Centre; and

(ii) The Applicant shall use best endeavours to encourage the use of a Car Club by future residents.

The Applicant shall be released from obligation (i) detailed above upon the delivery of car parking in Phase 2 of the development hereby permitted.

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).

16. Existing Access to be closed

Prior to the first occupation / use of the development hereby permitted, vehicular and pedestrian (and cyclist) access to and egress from the adjoining highway shall be limited to the access(es) shown on drawing number MTL-MLA-ZZ-00-DR-A-901100 P2 only. Any other access(es) or egresses shall be permanently closed, and the footway / highway verge shall be reinstated in accordance with a detailed scheme to be agreed with the Local Planning Authority, concurrently with the bringing into use of the new access(es).

REASON:- To ensure construction of a satisfactory development and in the interests of highway safety and amenity in accordance with Policies 5 and 7 of Hertfordshire's Local Transport Plan (adopted 2018).

17. Highway Works

No development shall commence until a detailed scheme for the offsite highway improvement works to facilitate a pedestrian crossing from the site frontage on Danesgate into the new bus interchange as indicated on drawing number 20164-MA-XX-XX-DR-C-0017 Rev P01 have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to any occupation or use of the development hereby permitted.

REASON:- To ensure construction of a satisfactory development and that the highway improvement works are designed to an appropriate standard in the interest of highway safety and amenity and in accordance with Policy 5, 13 and 21 of Hertfordshire's Local Transport Plan (adopted 2018).

18. Electric Vehicle Charging Points (EVCP)

Prior to the occupation of the Car Park hereby permitted, the details of the [siting, type and specification of EVCPs, the energy sources and the strategy/management plan for supply and maintenance of the EVCPs shall be submitted to and approved in writing by the Local Planning Authority. All EVCPs shall be installed in accordance with the approved details prior to occupation of each of the units and permanently maintained and retained.

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).

19. Cycle Parking

Prior to the occupation of each relevant phase and/or use of the development hereby permitted, a scheme for the parking of cycles including details of the design, level and siting of the proposed parking shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented before the development is first occupied or brought into use and thereafter retained for this purpose.

REASON:- To ensure the provision of adequate cycle parking that meets the needs of occupiers of the proposed development and in the interests of encouraging the use of sustainable modes of transport in accordance with Policies 1, 5 and 8 of Hertfordshire's Local Transport Plan (adopted 2018).

20. Public Highway

The proposed new highway boundary(ies) or areas of public highway/realm under control of Stevenage Borough Council shall be marked out on site prior to commencement of construction of any part of the development fronting the highway.

REASON:- To prevent unauthorised structures being erected within the highway boundary.

21. Dedication of public highway

The proposed new highway boundary(ies) to facilitate a new public footway and cycleway on land fronting Lytton Way/Danesgate as illustrated on drawing number 20164-MA-XX-XX-DR-C-00 P02

HIGHWAYS AMENDMENTS PROPOSED WORKS AND ORDERS DRAFT shall be marked out on site prior to commencement of construction. No part of the development shall be occupied until the details have been approved in writing and an Agreement made under Section 38 of the Highways Act 1980 is in place.

REASON:- To prevent unauthorised structures being erected within the highway boundary.

22. Access Gates – Configuration

Prior to the first occupation /use of each relevant phase of the development hereby permitted any access gate(s), bollard, chain or other means of obstruction shall be hung to open inwards (permit fire tender access), set back, and thereafter retained a minimum distance of 6 metres from the edge of the highway.

REASON:- To enable vehicles to safely draw off the highway before the gate(s) or obstruction is opened and/or closed in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

23. Sustainable Drainage Systems

The development permitted by this planning permission shall be carried out in accordance with the approved surface water drainage assessment carried out by Conisbee reference MTL-CON-xx-xx-RP-C-000001 Version 3 dated 26 October 2020, the Designers Response to LLFA SuDS Review reference 200523/A Prais Version 1 dated 15 January 2021 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 17.5 l/s during the 1 in 100 year event plus 30% 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 255 m³ (or such storage volume agreed with the LLFA) of total storage volume in detention basins, rain gardens and attenuation tanks.
3. Discharge of surface water from the private drain into the Thames Water sewer network.

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.

- REASON:-**
1. To prevent flooding by ensuring the satisfactory disposal and storage of surface water from the site.
 2. To reduce the risk of flooding to the proposed development and future occupants.

24. Surface Water Drainage

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. Final, fully detailed drainage layout including detailed engineered drawings of the proposed SuDS features with cross section drawings, their size, volume, depth and any inlet and outlet features including all connecting pipe runs.
2. Final, detailed post-development network calculations including half drain down times up to and including the 1 in 100 year + 30% climate change event. Please note that the main site network to be modelled separately to the Highways network.
3. Evidence that any consequential flood risk to the highway up to the 1 in 100 year + climate change event can be managed without increasing flood risk to adjacent properties. If there is to be flooding, it should be managed effectively with third party agreement.

Upon completion of the drainage works and in accordance with the timing/phasing arrangement, a management and maintenance plan for the SuDS features and drainage network must be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

1. Provision of a complete set of as built drawings for site drainage.
2. Maintenance and operational activities.
3. Arrangements for adoption and any other measures to secure the operation of the scheme throughout its lifetime.

REASON:- To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

25. Delivery and Servicing Plan

Prior to the first occupation of each relevant phase of the development hereby permitted, a Delivery and Servicing Plan shall be submitted and approved in writing by the Local Planning Authority, in consultation with the Highway Authority.

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).

26. Noise

Prior to first occupation of the proposed development, details of the proposed noise mitigation measures shall be submitted for approval to the Local Planning Authority. The noise mitigation measures shall be based upon "Redevelopment of the Matalan Site, Stevenage, Residential Planning Noise and Vibration Report" Report reference 20297-R03-C dated 26th October 2020 by Sandy Brown Associates. Following approval, the measures shall be maintained thereafter.

REASON:- To protect the residential amenities of future residents.

27. Noise

At the nearest noise sensitive premises, the cumulative noise levels from the operation of all new plant shall comply with the plant noise limits specified in Table 10 of "Redevelopment of the Matalan Site, Stevenage, Residential Planning Noise and Vibration Report" Report reference 20297-R03-C dated 26th October 2020 by Sandy Brown Associates.

REASON:- To protect the residential amenity of existing and future residents.

28. Sound Attenuation

Before the use of the building for Sui Generis (former Use Class A4 or A5) purposes is commenced a scheme of sound attenuation works shall be submitted to the Local Planning Authority for written approval, installed and thereafter retained. The scheme of works shall be capable of restricting noise breakout from the A4 use to the flat above to levels complying with the following:

Bedrooms. Noise Rating Curve NR20 (2300 to 0700 hrs)

Living Rooms. Noise Rating Curve NR25 (0700 to 2300 hrs)

Noise Rating Curve shall be measured as a 15 minute linear Leq at the octave band centre frequencies 31.5 Hz to 8 kHz.

REASON:- To protect the residential amenity of future residents.

29. Deliveries and Servicing Hours

Deliveries and servicing by commercial vehicles shall only be made to or from the commercial premises between 0700 to 1800 hrs on any day, and at no other time without the prior agreement in writing of the Local Planning Authority.

REASON:- To protect the amenities of existing and future residents.

30. Hours of operation

The Sui Generis (formerly A4 and A5) uses hereby permitted shall only operate Monday to Saturday 10.00hrs to 23.00hrs and 10.00hrs to 22.00hrs on Sundays and Bank Holidays.

REASON:- to protect the residential amenity of existing and future residents.

31. Extraction and ventilation

Details of the kitchen extract ventilation scheme to be used by Sui Generis uses (former A4 or A5 class) shall be submitted to the Local Planning Authority for approval. The extract ventilation system shall incorporate a three-stage carbon filtration or similar system based on current standards. Following approval and installation, the system shall thereafter be permanently maintained.

REASON:- to protect the residential amenity of existing and future residents.

32. External Lighting

A detailed lighting scheme shall be undertaken and submitted to the Local Planning Authority for approval with details of all external lighting, including lighting required for pedestrian walkways, parking areas and security lighting and there shall be no external illumination erected, installed or operated on any part of the site other than in accordance with the approved details.

The following limits shall not be exceeded by the exterior light installations:

Sky Glow ULR (Max%) 5.0

Maximum light into windows Ev (lux) 07.00 to 23.00hrs 10 Lux; 23.00 to 07.00hrs 2 Lux

Source intensity I 07.00 to 23.00hrs 10 kcd; 23.00hrs to 07.00hrs 1 kcd

Building luminance 07.00 to 23.00hrs Average L 10 (cd/m sq)

REASON:- to protect the residential amenity of existing and future residents

33. Landscaping, Public Realm, children's play and Street Furniture

Prior to the first occupation of buildings in each phase of development pursuant to condition 4, a scheme of landscaping scheme including details of both hard and soft landscaping, street furniture, the pond and children's play for that relevant phase(s) shall be submitted and approved in writing by the local planning authority. The scheme shall also include a schedule of all trees (including tree pit design), shrub, plants and other vegetation planting which shall form part of any landscaping scheme. The scheme as approved shall be implemented within the first available planting season following the completion of each relevant phase(s) of development. Any trees, shrubs or plants that die within a period of two years (the period in which the developer is responsible for maintenance) from the completion of each relevant phase(s) of development, or are removed and/or become seriously damaged or diseased in that period, shall be replaced (and if necessary continue to be replaced) in the first available planting season with others of similar size and species, unless the Local Planning Authority gives written permission for any variation.

REASON:- To ensure satisfactory landscape treatment of the site which will enhance the character and appearance of the area.

34. Planting Season

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 each phase of development or the completion of the development whichever is the sooner.

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

35. Hard surfacing

All hard surfacing comprised in the approved details of landscaping shall be carried out within Three; months of the first occupation of each phase of the development or the completion of the development, whichever is the sooner.

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

36. Restriction on change of use

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 hereby permitted shall be used only for Use Classes E and Sui Generis (formerly A4 & A5) of the schedule to the Town and Country Planning (Use Classes) Order 1987 and for no other purposes (including Use Class C3 – Residential), unless agreed in writing or approved by way of separate planning permission

REASON:- To ensure the retention of active frontage, appropriate infrastructure is retained to support the residential community and because highway and other impacts have been assessed on the basis of the above uses.

INFORMATIVES

HIGHWAY INFORMATIVES:

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

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>

AN5) Construction standards for works within the highway: The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website:

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

AN6) Estate Road Adoption: The applicant is advised that if it is the intention to request that Hertfordshire County Council as Highway Authority adopt any of the highways included as part of this application as maintainable at the public expense then details of the specification, layout and alignment, width and levels of the said highways, together with all the necessary highway and drainage arrangements, including run off calculations must be submitted to the Highway Authority. No development shall commence until the details have been approved in writing and an Agreement made under Section 38 of the Highways Act 1980 is in place. The applicant is further advised that the County Council will only consider roads for adoption where a wider public benefit can be demonstrated. The extent of adoption as public highway must be clearly illustrated on a plan. Further information is available via the website:

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

Flooding

For further advice on what we expect to be contained within the FRA to support a planning application, please refer to our Developers Guide and Checklist on our surface water drainage webpage:

<https://www.hertfordshire.gov.uk/services/recycling-waste-and-environment/water/surface-water-drainage/surface-water-drainage.aspx>

Building Regulations

To obtain advice regarding current Building Regulations please contact Hertfordshire Building Control Ltd. by emailing us at buildingcontrol@hertfordshirebc.co.uk or phoning us on 01438 879990.

To make a building regulations application please apply through our website portal at <https://www.hertfordshirebc.co.uk/contact-us/> payment can be made online or by phoning the above number after the application has been uploaded. Please phone Hertfordshire Building Control for fees guidance on 01438 879990.

Hertfordshire Building Control can also be contacted by post at Hertfordshire Building control Ltd., 4th Floor, Campus West, Welwyn Garden City, Hertfordshire, AL8 6BX.

Once a building regulations application has been deposited with relevant drawings and fee building work may commence. You will be advised in their acknowledgement letter of the work stages we need to inspect but in most instances these are usually:

- Excavation for foundations
- Damp proof course
- Concrete oversite
- Insulation
- Drains (when laid or tested)
- Floor and Roof construction
- Work relating to fire safety
- Work affecting access and facilities for disabled people
- Completion

Please phone Hertfordshire Building Control on 01438 879990 before 10.00am to ensure a same day inspection (Mon - Fri).

Party Wall etc. Act 1996

Any work that affects a party wall, including foundations dug within 3.0m of a neighbouring building, may be controllable under the Act and may require approval from the adjoining owner(s). Party Wall Act matters are always civil matters and it is neither Stevenage Borough Council's nor Hertfordshire Building Control Ltd's remit to control or enforce Party Wall act matters. Please refer to the Government's explanatory booklet The Party Wall etc. Act 1996, a copy of which is available online at <https://www.gov.uk/government/publications/the-party-wall-etc-act-1996-revised-explanatory-booklet>

Pro-active statement

Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the Applicant during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the National Planning Policy Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

11. 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 and Stevenage Design Guide adopted October 2009.
3. Stevenage Borough Local Plan 2011 – 2031 adopted 2019.
4. Hertfordshire County Council's Local Transport Plan 4 adopted May 2019.
5. Responses to consultations with statutory undertakers and other interested parties referred to in this report.
6. Central Government advice contained in the National Planning Policy Framework February 2019 and Planning Policy Guidance March 2014.

APPENDIX

1. Officer's Report on the Outline application (14/00559/OPM)