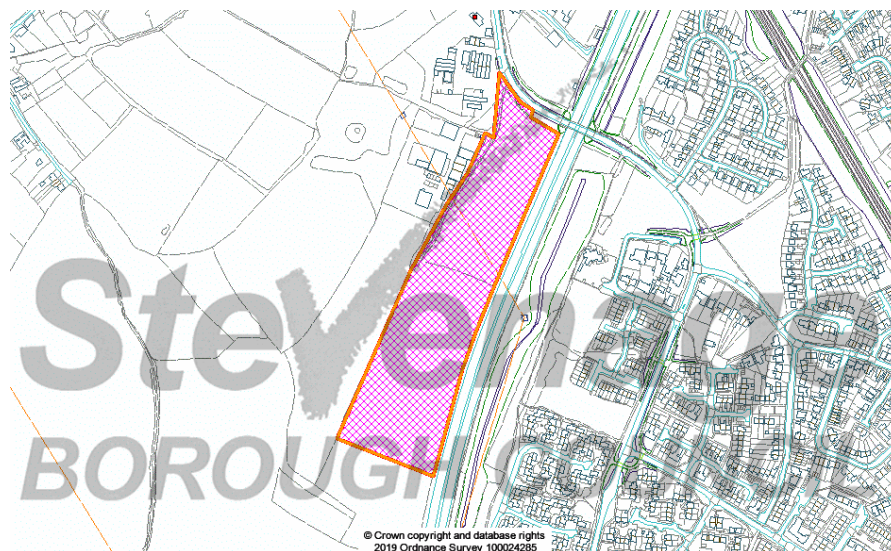


Meeting:	Planning and Development Committee	Agenda Item:
Date:	11 January 2022	
Author:	James Chettleburgh	01438 242266
Lead Officer:	Zayd Al-Jawad	01438 242257
Contact Officer:	James Chettleburgh	01438 242266

Application No:	20/00682/FPM
Location:	Land to west of A1(M) and south of Stevenage Road, Todds Green, Stevenage.
Proposal:	Variation of conditions 1 (Approved Plans), 9 (Flood Risk Assessment), 10 (Drainage) and 27 (Vehicle Access) attached to planning permission 19/00123/FPM.
Drawing Nos.:	SO01D; SO02 A; SO03; SK01H; SK05 D; SK06 D; SK07 A;; SK20 B; SK21 B; SK22 A; SK23 A; SK24 B; SK25 B; SK26 C; SK27 C; SK28 C; SK29 A; SK30 B; SK31 B; SK32 B; SK33 B; SK34 B; SK35 C; SK36 C; SK37 C; SK38 B; SK39 C; SK40 C; SK41 A; SK42 A; SK43 A; SK44 C; SK45 C; SK46 C; SK47 C; SK48 C; SK49 B; SK50 B; SK51 C; SK52 C; SK53 A; SK54 A; SK55 A; SK56 A; SK57 A; SK58 A; SK59 A; SK60 A; SK61; SK62; SK63; SK64 A; SK65 A; SK68; SK71 B; SK72 C; SK73 C; SK74 C; SK75 C; SK76 C; SK77; SK78; SK79; SK80; SK81; SK82; SK83; SK84; SK85; SK86; SK87; SK88; SK100; SK101; SK102; SK103; SK104; SK105; SK200; SK201A; SK202A; SK203B; SK204B; SK205.1A; SK205.2A; SK206B; SK207B; SK208B; SK209A; SK210A; SK211B; SK212B; SK213.1; SK213.2A; SK214B; SK215B; SK216B; LC 00331 01 G; 21172/SITEPLAN/1002/T6;21172/SITEPLAN/1003/T6; 21172/SITEPLAN/004/T6; 21172/SITEPLAN/1005/T5.
Applicant:	Taylor Wimpey UK Ltd
Date Valid:	13 November 2020
Recommendation:	GRANT PLANNING PERMISSION.



Plan for information purposes only

1. SITE DESCRIPTION

- 1.1 The application site is located in the north-western area of the Borough of Stevenage to the west of the A1(M) motorway and to the south of Fishers Green in Todds Green. The site is allocated in the adopted Local Plan (2019) as a West of Stevenage Safeguarded Corridor (Policy IT2) and it is a rectangular parcel of land which is approximately 5.6 hectares in area. It comprises agricultural fields which are punctuated by mature hedgerows, trees and vegetation. The land is set down from Stevenage Road and Fishers Green due to the sloping and undulating topography of the application site and the surrounding area. The site also straddles the border with North Hertfordshire District Council.
- 1.2 To the west of the application site is Shangri-La farm which comprises a mixture of commercial and light industrial premises along with agricultural fields and paddocks. To the east, beyond the A1(M) motorway is the main urban area of Stevenage including Fishers Green Common. To the north and north-west beyond Fishers Green and Stevenage Road is the hamlet of Todds Green. The hamlet of Todds Green comprises a mixture of detached and semi-detached properties which are of varying architectural styles and designs along with farms, agricultural holdings and stables.

2. RELEVANT PLANNING HISTORY

- 2.1 Planning application 01/00506/OP sought outline permission for the development of approximately 3,600 dwellings and business premises, shops and other uses, leisure, social and community facilities, open space and landscaping and provision of infrastructure, highways and public transport. This application was withdrawn in August 2013.
- 2.2 Planning application 01/00423/OP sought outline permission for the development of approximately 5,000 dwellings and business premises (B1 and B2); shops (A1, A2 and A3), leisure, social and community facilities (D1 and D2); open space and landscaping, provision of infrastructure, highways. This application was refused by the Secretary of State in October 2005.

- 2.3 Planning application 19/00123/FPM sought permission for the erection of 133 dwellings with associated amenity and open space provision, landscaping and access. This application was granted planning permission in September 2020.
- 2.4 Discharge of condition application 20/00580/COND sought to discharge conditions 3 (Materials) and 4 (Boundary Treatment) attached to planning permission 19/00123/FPM. The conditions were discharged November 2020.
- 2.5 Discharge of condition application 20/00581/COND seeks to discharge condition 10 (flood risk assessment) attached to planning permission reference 19/00123/FPM. This application is pending consideration.
- 2.6 Discharge of condition application 20/00582/COND sought to discharge condition 15 (Construction Management Plan) attached to planning permission reference 19/00123/FPM. The condition was discharged in December 2020.
- 2.7 Discharge of condition application 20/00583/COND seeks to discharge condition 28 (Roads) attached to planning permission reference 19/00123/FPM. This application is pending consideration.
- 2.8 Discharge of condition application 20/00584/COND seeks to discharge condition 21 (external lighting) attached to planning permission reference 19/00123/FPM. This application is pending consideration.
- 2.9 Discharge of condition application 20/00585/COND seeks to discharge condition 30 (infrastructure) attached to planning permission reference 19/00123/FPM. This application is pending consideration.
- 2.10 Discharge of condition application 20/00586/COND seeks to discharge condition 32 (Sustainable modes of travel) attached to planning permission reference 19/00123/FPM. This application is pending consideration.
- 2.11 Discharge of condition application 20/00587/COND seeks to discharge condition 34 (visibility splays) attached to planning permission reference 19/00123/FPM. This application is pending consideration.
- 2.12 Discharge of condition application 20/00588/COND sought to discharge condition 36 (Road surface finishes) attached to planning permission reference 19/00123/FPM. This condition was discharged in November 2020.
- 2.13 Discharge of condition application 20/00589/COND seeks to discharge condition 37 (access roads) attached to planning permission reference 19/00123/FPM. This application is pending consideration.
- 2.14 Discharge of condition application 20/00590/COND seeks to discharge condition 26 (energy statement) attached to planning permission reference 19/00123/FPM. This application is pending consideration.
- 2.15 Discharge of condition application 20/00591/COND sought to discharge condition 29 (Servicing and Delivery Plan) attached to planning permission reference 19/00123/FPM. This condition was discharged in May 2021.
- 2.16 Discharge of condition application 20/00592/COND seeks to discharge conditions 33 (Street Maintenance) and 35 (visibility splays) attached to planning permission reference 19/00123/FPM. This application is pending consideration.

- 2.17 Discharge of condition application 20/00636/COND sought to discharge condition 12 (Landscape and Ecological Management Plan) attached to planning permission reference 19/00123/FPM. The conditions were discharged in April 2021.
- 2.18 Discharge of condition application 20/00668/COND sought to partially discharge condition 15 (Construction Plan and Method Statement) attached to planning permission reference 19/00123/FPM. This condition was partially discharged in November 2020.
- 2.19 Discharge of condition application 20/00733/COND sought to discharge condition 40 (Management of Boreholes) attached to planning permission reference 19/00123/FPM. This condition was discharged in February 2021.

3. THE CURRENT APPLICATION

- 3.1 The application before the Council seeks to vary conditions 1 (Approved Plans), 9 (Flood Risk Assessment), 10 (Drainage) and 27 (Vehicle Access) attached to planning permission 19/00123/FPM. For reference, these conditions state the following:-

Condition 1 (Approved Plans)

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

SK77; SK78; SK79; SK80; SK81; SK82; SK83; SK84; SK85; SK86; SK87; SK88; SK01G; SK03D; SK04D; SK05D; SK06D; SK100; SK101; SK102; SK103; SK104; SK105; SK201A; SK202A; SK203B; SK204B; SK205.1A; SK205.2A; SK206B; SK207B; SK208B; SK209A; SK210A; SK211B; SK212B; SK213.1A; SK213.2A; SK214A; SK215B; SK216B; SK20B; SK21B; SK22A; SK23A; SK24B; SK25B; SK26C; SK27C; SK28C; SK29A; SK30B; SK31B; SK32B; SK33B; SK34B; SK35C; SK36C; SK37C; SK38B; SK39C; SK40C; SK41A; SK42A; SK43A; SK44C; SK45C; SK46C; SK47C; SK48C; SK49B; SK50B; SK51C; SK52C; SK53A; SK54A; SK55A; SK56A; SK57A; SK58A; SK59A; SK60A; SK61; SK62; SK63; SK64A; SK68; SK65A; SK66A; SK67; SK69A; SK70; SK71B; SK72C; SK73C; SK74C; SK75C; SK76C; SO01D; SO02A; LC 00331 01G; LC 00331 02; SK02A; SK03D; SK06.1; SK06.2; SK07.1; SK08A; SK200A;

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

- 3.2 In terms of amendments to the approved development, specifically its layout, the houses which are located within plots 42 to 46 as well as Flat Block K2 would be moved south of their approved position. This is because when the detailed design of the development was drawn up, it was identified that the scaffolding required to construct these buildings being located within close distance to the overhead powerlines.
- 3.3 Given the aforementioned, the site layout has been amended to ensure the buildings when being constructed by the applicant, are not located too close to the overhead powerlines which poses a significant health and safety issue.

Condition 9 (Flood Risk Assessment)

The development permitted by this planning permission shall be carried out in accordance with the Flood Risk Assessment carried out by BWB reference TGS-BWB-ZZ-XX-RP-YE-0001_FRA dated February 2019; Sustainable Drainage Statement carried out by BWB reference TGS-BWB-ZZ-XX-RP-CD-0001_SDS dated February 2019 and Technical Note carried out by BWB reference TGS-BWB-

ZZ-XX-YE-0002_TN Revision P02 S2 dated 28 June 2019 and the following mitigation measures:-

1. Limiting the surface water run-off generated by the 1 in 100 year + 40% allowance for climate change event critical storm so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site.
2. Provide attenuation to ensure no increase in surface water run-off for all rainfall events up to and including the 1 in 100 year + 40% allowance climate change event.
3. Implement drainage strategy as indicated on the drainage strategy drawing reference TGS-BWB-XX-ZZ-DR-CD-0004 and TGS-BWB-ZZ-XX-CD-DR-0006 and to include above ground SuDS features.
4. Implemented drainage strategy to include daylighting of northern culvert with online detention basin with low flow channel for existing watercourses with detention basin as indicated on drawing TGS-BWB-XX-ZZ-DR-CD-0004.
5. Implement drainage strategy to incorporate the central watercourse with detention basin indicated on drawing TGS-BWB-ZZ-XX-CD-DR-0006.

REASON:- To reduce the risk of flooding to the proposed development and future occupants.

Condition 10 (Drainage)

The development permitted by this planning permission shall be carried out in accordance with the Flood Risk Assessment carried out by BWB reference TGS-BWB-ZZ-XX-RP-YE-0001_FRA dated February 2019; Sustainable Drainage Statement carried out by BWB reference TGS-BWB-ZZ-XX-RP-CD-0001_SDS dated February 2019 and Technical Note carried out by BWB reference TGS-BWB-ZZ-XX-YE-0002_TN Revision P02 S2 dated 28 June 2019. The scheme shall also include:

1. Detailed engineered drawings of the proposed SuDS features including their location, size, volume, depth and any inlet and outlet features including any connecting pipe runs and all corresponding calculations/modelling to ensure the scheme caters for all rainfall events up to and including the 1 in 100 year + 40% allowance climate change event.
2. Details regarding any areas of informal flooding (events those exceeding 1 in 30 years rainfall event), this should be shown on a plan with estimated extents and depths.
3. Details of final exceedance routes, including those for an event which exceeds to 1:100 + 40% allowance climate change rainfall event.
4. Details relating to the works to be carried out on the ordinary watercourses.

The scheme shall be fully implemented and subsequently maintained, 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:- To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site.

- 3.4 Due to the proposed layout changes prescribed in paragraph 3.3, the drainage strategy has been altered to reflect these proposed design changes. The Flood Risk Assessment which accompanied the original planning application itself would not be amended as part of this planning application.

Condition 27 (Vehicle Access)

Prior to the commencement of development hereby permitted, the vehicular accesses shall be provided and thereafter retained at the position shown on the approved in principle drawing number General Arrangement drawing number 17 941 - SK01 revision G. The principal access road shall be provided 6.75 metres wide [except for some minor traffic calming features shown on the drawing] complete with

10.0 metres radius kerbs. Thereafter, the internal access roads connected to the principal access road shall be provided at least 5.5 metres wide completed with 8.0 metres radius kerbs to the specification of Hertfordshire County Council from the date of this permission and to the Local Planning Authority's satisfaction. Arrangement shall be made for surface water drainage intercepted and disposed of separately so that it does not discharge from on 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.

- 3.5 This condition currently required the main access to the site to be provided before construction commences. However, the existing trigger point of "Prior to commencement of development" means the access cannot be delivered. The proposal seeks to amend the condition to be "Prior to the occupation of the first residential unit".
- 3.6 This current application before the Council has been referred to the Planning and Development Committee for its decision. This is because, whilst there are a number of changes to conditions which are technical in nature, the layout of the approved development has changed to that which was originally approved under planning application 19/00123/FPM. As such, it is a different scheme to that which was previously determined by the Planning and Development Committee.

4. PUBLIC REPRESENTATIONS

- 4.1 This application has been publicised by way of a site notice and nearby properties have also been notified by letter. The application was also published in the local press as it's a major application. At the time of drafting this report, 5 objections were received. A summary of the objections raised are as follows:-
- The applicant should conduct a traffic assessment for Eastbourne Avenue and its junction with Clovelly Way (similar roundabout at junction of Fishers Green (West) and Clovelly Way) with a view of constructing a mini roundabout in order to help manage increased traffic flows / reduce collisions;
 - A substantial felling of trees on the highway embankment will need to be undertaken in order to achieve acceptable visibility splays for the Toucan Crossing;
 - Officers misled the planning committee regarding the pedestrian crossing;
 - Development will exacerbate surface water flooding issues in the area;
 - Unacceptable development in the Green Belt;
 - Will set an unacceptable precedent for development on greenfield sites / rural areas;
 - The infrastructure cannot support the development;
 - The developer should look at delivering alternative access to the site;
 - Development should be located on brownfield sites which would reduce the need to deliver housing development on green belt sites.

5. CONSULTATIONS

5.1 Hertfordshire County Council as Highways Authority

- 5.1.1 Notwithstanding the approved drawings attached to planning permission 19/00123/FPM; the swept path analysis drawings 10548-RPS-XX-XX-DR-C-1004 and 10548-RPS-XX-XX-DR-C-1005 revision P1; show a smaller vehicle than was originally used on the swept path analysis of the initial submission, therefore Hertfordshire County Council as Highways Authority cannot confirm that the Variation of Condition 27 for the vehicular accesses is acceptable in highway terms.

5.2 Hertfordshire County Council as Lead Local Flood Authority

- 5.2.1 Hertfordshire County Council (HCC) as Lead Local Flood Authority (LLFA) note that we would have no comment regarding condition 27 as it does not relate to surface water drainage or flood risk. We understand it is proposed to relocate plots 42-46 and flat block K2 slightly south, and as such the drainage strategy needs to be slightly amended.
- 5.2.2 The LLFA advise that they have no objection in principle to updating the drainage strategy to reflect the updated location of plots 42-26 and flat block K2, however as per our recent response dated 16 November 2020 to application reference 20/00581/COND, we have several objections to the currently proposed drainage strategy.
- 5.2.3 Therefore, at present the LLFA objects to the proposed variation of conditions 9 and 10 to consider the latest drainage strategy prepared by RPS on the same basis as our previous letter.

5.3 Council's Arboricultural Manager

- 5.3.1 The proposed modified access road is deemed acceptable from an Arboriculture and Conservation view point. It is considered that the proposed pruning of the two Oak trees and the removal of the young Aspen groups is less damaging than the alternative access through the lane.

6. RELEVANT PLANNING POLICIES

- 6.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that the decision on the planning application should be in accordance with the development plan unless material considerations indicate otherwise. For Stevenage the statutory development plan comprises:

- The Stevenage Borough Council Local Plan 2011-2031
- Hertfordshire Waste Development Framework 2012 and Hertfordshire Waste Site Allocations Development Plan Document (adopted 2012 and 2014); and
- Hertfordshire Minerals Local Plan 2002 – 2016 (adopted 2007).

6.2 Central Government Advice

- 6.2.1 A revised National Planning Policy Framework (NPPF) was published in July 2021. This largely reordered the policy substance of the earlier 2012 version of the NPPF albeit with some revisions to policy. The Council are content that the policies in the Local Plan are in conformity with the revised NPPF and that the Local Plan should be considered up to date for the purpose of determining planning applications. The NPPF provides that proposals which accord with an up to date development plan should be approved without delay (para.11) and that where a planning application conflicts with an up to date development plan, permission should not usually be granted (para.12). This indicates the weight which should be given to an up to date development plan, reflecting the requirements of section 38(6) of the 2004 Act.
- 6.2.2 Since November 2018, housing delivery has been measured against the Housing Delivery Test (HDT) as set out by the Government planning policy and guidance. The results of the HDT dictate whether a local planning authority should be subject to consequences to help increase their housing delivery. Where an authority's HDT score is less than 85% of its housing requirement, the Council must incorporate a 20% buffer into its housing supply calculations in line with paragraph 73 of the

NPPF. Where an authority's score is below 75%, the Council will be subject to the HDT's most severe penalty and must apply the presumption in favour of sustainable development. The latest HDT results, published by the Ministry of Housing Communities and Local Government (MHCLG) (**now the Department for Levelling Up, Housing and Communities**) in January 2021, identifies that Stevenage only delivered 64% of its housing requirement. This is significantly below the 75% target and renders the adopted Local Plan housing policies as out of date. Consequently, Stevenage Borough Council must apply the presumption in favour of sustainable development in its decision making and give great weight towards the need to deliver housing.

- 6.2.3 The Council therefore, has to prepare an Action Plan to show how the Council is responding to the challenge of ensuring more homes are delivered in the Borough. It will have to be prepared in accordance with Planning Practice Guidance and analyse the reasons for under-delivery of new homes against the Government's requirements. It also has to set out clear actions on how to improve housing delivery. Consequently, Stevenage Borough Council is considering its position in relation to preparing an action plan to enhance housing supply on deliverable sites.
- 6.2.4 In terms of 5 year land supply, the Council has recently published the Five Year Land Supply Update (August 2021) which reveals that Stevenage has a 5.85 year supply of housing. A copy of the statement is found on:
<https://www.stevenage.gov.uk/documents/planning-policy/monitoring/five-year-housing-land-supply-position-statement-august-2021.pdf>
- 6.2.5 However, since the Land West of Lytton Way (APP/K1935/W/20/3255692) appeal decision has been quashed by a High Court Consent Order, the Council will need to prepare an updated 5 year land supply report. This is because the Council can now only demonstrate a 5.20 year supply of housing following the quashing of the appeal decision.
- 6.2.6 The Council will also be commencing preliminary work into a potential review of its Local Plan, last adopted in May 2019. This is to ensure the policies within the Local Plan are up to date in accordance with the NPPF as well as ensuring the Council is delivering a sufficient supply of housing and employment.

6.3 Planning Practice Guidance

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

6.4 Stevenage Borough Local Plan 2011-2031 (2019)

Policy SP1: Presumption in favour of sustainable development;
Policy SP2: Sustainable development in Stevenage;
Policy SP5: Infrastructure;
Policy SP6: Sustainable transport;
Policy SP7: High quality homes;
Policy SP8: Good design;
Policy SP11: Climate change, flooding and pollution;
Policy SP12: Green infrastructure and the natural environment;
Policy SP13: The historic environment;
Policy IT2: West of Stevenage safeguarded corridors;
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 HO5: Windfall sites;
 Policy HO7: Affordable housing targets;
 Policy HO8: Affordable housing tenure, mix and design;
 Policy HO9: House types and sizes;
 Policy HO11: Accessible and adaptable housing;
 Policy GD1: High quality design;
 Policy HC8: Sports facilities in new developments;
 Policy FP1: Climate change;
 Policy FP2: Flood risk in Flood Zone 1;
 Policy FP5: Contaminated land;
 Policy FP7: Pollution;
 Policy FP8: Pollution sensitive uses;
 Policy NH5: Trees and woodland;
 Policy NH6: General protection for open space;
 Policy NH7: Open space standards.

6.4 Supplementary Planning Documents

Parking Provision Supplementary Planning Document October 2020.
 Stevenage Design Guide Supplementary Planning Document January 2009.
 The Impact on Biodiversity SPD 2021
 Developer Contributions SPD 2021

6.5 Community Infrastructure Levy Charging Schedule

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

7. APPRAISAL

- 7.1 When considering applications of this type, local planning authorities are entitled to consider only the question of the conditions to which planning permission should be granted and must leave the original permission intact. In this instance, the other conditions imposed on the originally granted planning permission for this development remain relevant, so that the only issue for consideration in the determination of this application is how the variation of the conditions referred to above would impact on the approved scheme and whether any additional conditions are warranted.

- 7.2 The main issues for consideration of this application are, therefore, the acceptability of the proposed changes to the scheme in respect of affordable housing and Section 106 obligations, impact on the appearance of the area, impact upon residential amenity, highway implications, development and flood risk and trees.

7.3 Affordable housing and planning obligations

- 7.3.1 Policy HO7 of the adopted Local Plan (2019) states that planning permission will be granted for residential developments that maximise affordable housing provision. For developments on previously developed land, 25% of the dwelling units on these sites should be affordable. In regards to the proposed development, whilst the proposal seeks to provide 169 new dwelling units, there are 48 dwelling units which are to be

demolished in order to facilitate the construction of the development. Therefore, the Council can only seek affordable housing provision and financial contributions on the net addition which in this instance is 121 dwellinghouse units. Taking this into consideration, there is a requirement to provide 31 affordable housing units. Policy HO7 continues that planning permission will be refused where these targets are not at least achieved unless:-

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

7.3.2 Turning to affordable housing tenure, mix and design, Policy HO8 of the same document states that where affordable housing is secured through Policy HO7, planning permission would be granted where those dwellings:

- a. Are provided by the developer on site with at least 70% of the units being for rent and the remainder consisting of other tenures which is to be agreed with the Council's Housing team;
- b. Meets the requirements of Policy HO9 (House types and sizes);
- c. Are physically indistinguishable from other types of homes and are distributed across the site to avoid over-concentration in particular; and
- d. Will remain at an affordable price for future eligible households.

7.3.3 The applicant originally confirmed under planning permission 19/00123/FPM that the development would comprise 30% affordable units. As such, the development would be policy compliant in this instance. With respect to the exact location of the affordable units, the affordable housing tenure mix, size of the units, this was previously agreed with the Council's Housing Development Section.

7.3.4 In addition to affordable housing, financial contributions were are also required in accordance with the Hertfordshire County Council tool kit and contributions to Stevenage Borough Council for commuted payments. Based on the number of units proposed, the following contributions were secured as part of the Section 106 Agreement.

Stevenage Borough Council		Financial Contribution
Biodiversity improvements		£10,800.00
Biodiversity maintenance – 20 years		£68,176.75
Total (based on current figures provided)		£78,976.75
Hertfordshire County Council		
Sustainable Transport – financial contributions towards the continuation of the bus service.		£510,000.00
Travel Plan Contribution		£6,000.00
Total		£516,000
NHS and CCG		

GMS GP provision.	£94,078.84
Total	£94,078.84
Overall Total	£689,055.59

7.3.5 Further to the above, the S.106 agreement under the original planning permission (19/00123/FPM) also secured the provision of fire hydrants. In addition, it secured the provision and on-going maintenance of the play areas as well as secured the provision of a maintenance company. Moreover, the original agreement also set out a schedule of associated Section 278 Highway Works.

7.3.6 Taking the above into consideration, if Members were minded to grant this application planning permission, then there would be a requirement for the applicant to enter into a Deed of Variation (DoV) to the original S.106 Agreement. This DoV would bind the applicant to the original obligations which were secured under planning permission 19/00123/FPM. It can be confirmed that the DoV has been engrossed by all parties and if the Council is minded to grant permission, then the S.106 DoV would be completed accordingly in advance of the permission being issued.

7.4 Community Infrastructure Levy

7.4.1 As indicated above, the Council adopted CIL on 1 April 2020 and the CIL Charging Schedule specifies a payment for new floorspace in line with the following rates (plus appropriate indexation):

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

7.4.2 CIL is a non-negotiable charge. The exact charge will be determined by the Council's CIL officer after an application has been granted in accordance with the CIL Charging Schedule and the Community Infrastructure Levy Regulations 2010 (as amended). Opportunities for relief or exemption from the CIL charge exist give an example of what these exemptions might be and will be taken into account in the calculation of the final CIL charge.

7.4.3 CIL replaces the need for S106 agreements to specify financial and/or land contributions for non-site-specific infrastructure projects. This allows infrastructure to be planned on a borough-wide scale rather than on a site-by-site basis as mitigation against the impacts of individual proposals. A CIL Form 1: Additional Information has been submitted along with the application. Following an assessment of the proposed development, the CIL liability for this development would be approximately £1,452,896.00 (This is calculated utilising the gross internal floor area which is generated by the proposed development and then this floor area is charged at £100 per sq.m). Even when you apply the exemptions (if agreed by the Council) on the affordable housing floorspace, the liability for this development would still be

approximately £1,130,989.00. The CIL charge for the development would be index linked based on when the development is commenced on-site. A CIL liability notice would be issued once planning permission is granted (subject to the Planning and Development Committee approving this application).

7.4.4 With regards to how the CIL monies are spent, the ultimate decision lies with Stevenage Borough Council as the collecting authority. However, Hertfordshire County Council could put forward a bid for monies which could potentially go towards the following:-

- Primary Education;
- Secondary Education;
- Nursery Education;
- Youth Facilities; and
- Libraries

7.4.5 The Council's Parks and Amenities Section could also make a bid for monies which could go towards Open Outdoor Sport Facilities. For reference, the aforementioned i.e. education, youth facilities, libraries and open outdoor sport are not site specific so they were not secured under the S.106 legal agreement in accordance with the relevant CIL Regs at the time.

7.5 Impact on the Character and Appearance of the Area

7.5.1 Paragraph 126 of the NPPF states that "The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve". It goes on to state that "good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities".

7.5.2 Paragraph 130 of the NPPF sets out a number of requirements for new development, including that development:

- will function well and add to the overall quality of an area;
- is visually attractive as a result of good architecture; layout and appropriate and effective landscaping;
- is sympathetic to local character and history;
- establishes or maintains a strong sense of place;
- optimises the potential of the site to accommodate and sustain an appropriate amount and mix of development;
- creates places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

7.5.3 Paragraph 131 of the NPPF places great importance on the role of trees in helping to shape quality, well designed places "Trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change".

7.5.4 Paragraph 132 of the NPPF states that applicants "should work closely with those affected by their proposals to evolve designs that take into account of the views of the community. Applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot".

7.5.5 Policy SP8 of the adopted Local Plan (2019) requires new development to achieve the highest standards of design and sustainability which can deliver substantial improvements to the image and quality of the town's built fabric. Policy GD1 of the

Local Plan 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.

7.5.6 Policy HO5: windfall sites require residential development on unallocated site to not have a detrimental impact on the environment and on surrounding properties. The Council's Design Guide SPD (2009) generally reflects the aforementioned policies whereby it seeks development to respect surrounding buildings in terms of scale, massing, height and design. As such, it encourages good design as it can enhance the appearance of places.

7.5.7 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.

7.5.8 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.

7.5.9 The Guide further iterates that all developments are made up of these components put together in a particular way. As such, the choices made in the design process contribute towards achieving the ten characteristics and shape the character of a place. For reference, these ten characteristics are as follows:-

- Context – enhances the surroundings;
- Identity – attractive and distinctive;
- Built form – a coherent pattern of built form;
- Movement – accessible and easy to move around;
- Nature – enhanced and optimised;
- Public spaces – safe, social and inclusive;
- Uses – mixed and integrated;
- Homes and buildings – functional, healthy and sustainable;
- Resources – efficient and resilient;
- Lifespan – made to last.

7.5.10 Paragraph 40 of the National Design Guide states that well-designed places are:

- Based on a sound understanding of the features of the site and the surrounding context, using baseline studies as a starting point for design;
- Integrated into their surroundings so they relate well to them;

- Influenced by and influence their context positively; and
- Responsive to local history, culture and heritage.

- 7.5.11 The proposal as detailed in paragraph 3.2 seeks to amend the approved layout of the development, more specifically, to move the residential dwellings within plots 42 to 46 as well as apartment block K2. These are located centrally within the development site between the proposed central green to the north and the proposed country side green to the south. The proposal does not seek any amendments to the approved visual appearance of the buildings.
- 7.5.12 The dwellings (Plots 42 to 46) and residential apartment block (Block K2) would move approximately 10m south of their approved location under permission 19/00123/FPM. This is due the proximity of the overhead powerlines which is a health and safety issue regarding the arcing distance between the top of the scaffolding required to construct the houses and the overhead powerlines.
- 7.5.13 However, by moving these properties from their approved position, it does result in a reduction in the overall width of the Countryside Green from approximately 43m (Max) to 29m (Min) down to 36m (Max) to 24m (Min). Notwithstanding this, in order to compensate for this, the Central Green would increase from approximately 68m in length to approximately 75m in length. The space would also increase in width from approximately 37m (Max) to 41m (Max). As such, the proposed enlargement of the Central Green would compensate for the reduction in the size of the Countryside Green.
- 7.5.14 In summary, it is not considered that the proposed amendment to the layout of the specified development would harm the overall approved visual appearance of the scheme as previously considered by the Council. In addition, there would still be an acceptable level of open space which ensures the scheme would have a high quality visual environment as viewed from the wider streetscape.

7.6 Impact upon residential amenity

- 7.6.1 It is not considered that the proposed changes would impact on the amenities of neighbouring properties. This is because the proposal does not seek to bring the buildings closer to residential properties which are located outside of the application site. In addition, the residential properties within the development would still have adequate amenity areas and set sufficient distant apart to ensure the privacy of each dwelling unit is acceptable in line with the Council's Design Guide SPD.

7.7 Highway implications

- 7.7.1 As set out in paragraph 3.5, condition 27 attached to the original planning permission currently requires the main access to the site to be provided before construction commences. However, the existing trigger point of "Prior to commencement of development" means the access cannot be delivered. The proposal seeks to amend the condition to be "Prior to the occupation of the first residential unit". In terms of the principle of amending the trigger point of condition 27, Hertfordshire County Council as Highways Authority did not raise any concerns.
- 7.7.2 Turning to the proposed amendments to the site's internal layout as detailed in Section 7.5 of this report, the application is accompanied by drawing number 10548-RPS-XX-XX-DR-C-1004 and 10548-RPS-XX-DR-C-1005 revision P1. These plans show a detailed swept path analysis of waste collection vehicles to demonstrate how larger vehicles can safely manoeuvre within the site. Given the plans show a smaller vehicle used, Hertfordshire County Council has raised concerns accordingly.

- 7.7.3 Notwithstanding the above, under discharge of condition application 20/00591/COND (Discharge of condition 29 – Servicing and Delivery Plan), the applicant provided extensive details of swept path analysis for fire tenders, buses and refuse collection vehicles. For reference, this condition stated the following:

No development shall take place until a Servicing and Delivery Plan has been submitted to and approved in writing by the Local Planning Authority. The Servicing and Delivery Plan shall contain the delivery and servicing requirements, waste collection points for the proposed development, a scheme for coordinating deliveries and servicing for the proposed development, areas within the development site that will be used for loading and manoeuvring of delivery and servicing vehicles, and circulation route and constructed in accordance with the approved details. Thereafter, the route shall be maintained in accordance with those approved details.

REASON:- In the interests of maintaining highway efficiency and safety.

- 7.7.4 The relevant plans which accompanied the discharge of condition application, which also included details of the proposed amended site layout as detailed under this application (20/00682/FPM) were as follows-

- Vehicle Tracking - Fire Tender Sheet 1 (drawing number:- 10548-RPS-XX-XX-DR-C-1001 T3);
- Vehicle Tracking - Fire Tender Sheet 2 (drawing number:- 10548-RPS-XX-XX-DR-C-1002 T3);
- Vehicle Tracking - Bus (Drawing number:- 10548-RPS-XX-XX-DR-C-1003 T3);
- Vehicle Tracking - Refuse Sheet 1 (Drawing number:- 10548-RPS-XX-XX-DR-C-1004 T3);
- Vehicle Tracking - Refuse Sheet 2 (Drawing number:- 10548-RPS-XX-XX-DR-C-1005 T3).

- 7.7.5 Following consultation with Hertfordshire County Council as Highway Authority as part of the application process for 20/00591/COND, they advised that the details submitted met the reasons and purposes for the condition. They stated and quote “although the swept path analysis of the waste collection vehicle is not as the agreed waste collection vehicle tracking to be used, which was for the 12.1 m vehicle, the amended swept path analysis showing the 11.999 m Vulture 3025(N) vehicle the details shown have been considered by HCC as being acceptable”.

- 7.7.6 Given the aforementioned, whilst Hertfordshire County Council as Highways Authority have not provided any updated comments on this application which is before the Council, it is clearly evident that they do not have any concerns with the amended development layout as they advise the swept path details are acceptable. Therefore, it can be concluded that larger vehicles can safely manoeuvre within the development site without prejudicing highway. Therefore, the proposed amendments sought to the respective conditions are deemed to be acceptable from a highways perspective.

7.8 Development and Flood Risk

- 7.8.1 The proposed layout changes prescribe that the drainage strategy needs to be amended as previously approved by Hertfordshire County Council (HCC) as Lead Local Flood Authority. Following initial consultation with the LLFA, they have advised that they have no objection in principle to updating the drainage strategy to reflect the updated location. However, they do have concerns with the details set out in discharge of condition application 20/00581/COND (Discharge of Condition 10 (flood risk assessment) attached to planning permission reference number 19/00123/FPM).

- 7.8.2 In terms of the concerns raised, the latest comments received from the LLFA on the above application (letter dated 03 November 2021) set out the following:-
- The LLFA was pleased to see the provision of permeable paving in the northern yard. This part of the site will discharge to the south to manhole S47 before discharging to Basin 3. The access road will also drain to Basin 3, as well as the area to the south from manhole S40.
 - The applicant needs to clarify how runoff generated on the site itself (not including flows entering the site via the ordinary watercourse to the east) will be restricted prior to its discharge to the ordinary watercourse, including the locations of any flow controls;
 - Basin 2 will discharge the southern part of the site via hydrobrake at 17.7l/s to the mapped ordinary watercourse west of the site, however, it is not indicated how flows from the parts of the site draining via Basin 3 will be restricted;
 - At this stage, the LLFA would also expect half drain down times for all SuDS features on site, however, these have not been provided. These half drain times should not exceed 24 hours;
 - Any updates to the scheme in accordance with the above will need to be supported by revised drawings / calculations where appropriate.
- 7.8.3 Firstly, dealing with the application which is before the Council, the proposal is merely seeking to amend the layout of development with the conditions amended accordingly and not to discharge the respective conditions. As such, and as advised by the LLFA, there are no concerns from a drainage perspective to amend the conditions to reflect the amended layout.
- 7.8.4 Notwithstanding this, with regards to the concerns outlined in relation to discharge of condition application 20/00581/COND as detailed above, it is recommended that condition 10 of planning permission 19/00123/FPM is re-imposed (Condition 9 as listed in Section 9 of this report) if the Council is minded to grant planning permission. This will ensure that any outstanding drainage matters can be resolved and the condition, thereafter, discharged once the LLFA has agreed the drainage strategy is deemed to be acceptable for this development.

7.9 Trees

- 7.9.1 The application is accompanied by a tree protection plan (drawing number 10018 TPP 01) which details the following:-
- Removal of a group of trees in order to install an aluminium trackway as part of the temporary access for development;
 - Pruning and crown reduction works to a number of trees;
 - Root protection measures for construction of the aluminium trackway;
 - Protective fencing in accordance with BS5837:2012.
- 7.9.2 Following consultation with the Council's Arboricultural Manager, they consider the tree protection measures, removal of the identified tree group and works to the trees are deemed to be acceptable from an Arboricultural perspective. With regards to any trees which are being lost, the development is seeking to deliver a significant number of new trees as part of the overall approved landscaping strategy.. Therefore, the proposed tree planting schedule as set out in the approved landscaping strategy would compensate for any tree which has to be removed as part of the highway access works.

7.10 Other matters

Equality, Diversity and Human Rights

- 7.10.1 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.
- 7.10.2 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.
- 7.10.3 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.
- 7.10.4 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.
- 7.10.5 It is not considered that the proposed amendments detailed under this application would have an impact on persons with protected characteristics under the Equality Act.

Green Belt

- 7.10.6 It is noted that objections have been raised regarding the development having a detrimental impact on the openness of the Green Belt. Whilst the majority of Todds Green does fall within the Metropolitan Green Belt, including parts of the hamlet which fall under the jurisdiction of North Hertfordshire District Council, the application site was not previously identified as falling within the Green Belt under the Stevenage District Plan Second Review 1991 – 2011 (2004). In addition, this site is still not designated as Green Belt under the adopted Stevenage Borough Local Plan 2011 to 2031 (adopted May 2019).

Impact on the highway network / alternative access and highway arrangements

- 7.10.7 It is noted that concerns have been raised about the impact this development would have on the local highway network. In addition, local residents recommend that alternative access arrangements / highway arrangements should be considered in order to reduce the impact the development would have on the local highway network.
- 7.10.8 It needs to be advised that the principle of development has already been established as being acceptable under planning permission 19/00123/FPM. As such, matters around the impact on the highway network have already been determined as being acceptable, as confirmed by Hertfordshire County Council as Highways Authority at the time the application was determined. Therefore, it would

not be reasonable to require the applicant to consider alternative access and/or highway arrangements as part of this application as it merely seeks to amend the approved plans under planning permission 19/00123/FPM.

Toucan / Pedestrian crossing

- 7.10.9 There have been representations received regarding details of a toucan crossing under this application as well as concerns raised that the committee was previously misled around pedestrian access. With regards to the plans submitted with the application, it does provide additional details of a toucan crossing. However, there will be a condition (Condition 31) if the Council is minded to grant planning permission which deals with the toucan crossing. The condition will require detailed plans to be provided, including any requirements to remove tree(s) to allow the provision of suitable visibility splays with details themselves requiring written approval by the Council. In addition, Hertfordshire County Council as Highways Authority would be consulted on the application and would have to advise whether or not this crossing (including any tree removal) is acceptable from a highways perspective. As such, the plan which accompanies this application with respect to details on the toucan crossing must only be treated as indicative.
- 7.10.10 Turning to the concerns raised regarding misleading the planning committee, no formal complaint was lodged to ascertain through investigation as to whether or not the Committee was misled by officers. Furthermore, the planning decision was not challenged by Judicial Review if it was felt that the Council has erred in its decision with regards to pedestrian access and/or impacts of the development on the highway network. Moreover, Hertfordshire County Council as Highways Authority were consulted on the original application (19/00123/FPM) and raised no objections, subject to the imposition of appropriate conditions and obligations which were to be secured by way of a S.106 Legal Agreement.

Development will set an unacceptable precedent.

- 7.10.11 Whilst these concerns are noted, each application has to be assessed on its merits in accordance with relevant planning policy, guidance and legislation which is adopted at both the national and the local level. As such, whilst one development may be acceptable in a certain location within the Borough, a similar development in another location within the Borough may not be acceptable in planning terms as it could fall within for example the Metropolitan Green Belt.

8. CONCLUSIONS

- 8.1 In summary, and through the use of appropriated worded conditions and the securing of planning obligations through a S.106 DoV to mitigate the development's impact, it is not considered that the proposed amendment to the layout of the specified development would harm the overall approved visual appearance of the scheme as previously considered by the Council. In addition, there would still be an acceptable level of open space which ensures the scheme would have a high quality visual environment as viewed from the wider streetscape.
- 8.2 The proposed amendments to the scheme would not prejudice the safety and operation of the highway network and an acceptable drainage strategy can be secured through the use of a condition. Moreover, there are no arboricultural related issues with the amendments which are proposed under this application.
- 8.3 Given the above, the proposed amendments as detailed under this application accord with the policies set out in the adopted Local Plan (2019), the Council's Supplementary Planning Documents, the NPPF (2021) and associated Planning

Practice Guidance. Therefore, it is recommended that planning permission be granted.

9. RECOMMENDATIONS

9.1 That planning permission be GRANTED subject to the applicant having first entered into a Deed of Variation to the S106 agreement to secure/provide contributions towards:-

- The provision of 30% affordable housing;
- Biodiversity improvement works and maintenance to Fishers Green Common;
- Sustainable Transport and Infrastructure contribution;
- Travel Plan contribution;
- Trees and plants from UK nurseries;
- Secure the provision and on-going maintenance of the play areas;
- Secure the provision of a maintenance company for the development;
- GP Provision;
- Provision of fire hydrants; and
- Associated Section 278 Highway Works.

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

9.2 In addition, the imposition of suitable safeguarding conditions, with authority given to the Assistant Director of Planning and Regulation in consultation with the Chair of Planning Committee, to amend or add to the suggested draft conditions set out in this report, prior to the decision notice being issued, where such amendments or additions would be legally sound and most effectively deliver the development that the Planning Committee has resolved to approve

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

SO01D; SO02 A; SO03; SK01H; SK05 D; SK06 D; SK07 A; SK20 B; SK21 B; SK22 A; SK23 A; SK24 B; SK25 B; SK26 C; SK27 C; SK28 C; SK29 A; SK30 B; SK31 B; SK32 B; SK33 B; SK34 B; SK35 C; SK36 C; SK37 C; SK38 B; SK39 C; SK40 C; SK41 A; SK42 A; SK43 A; SK44 C; SK45 C; SK46 C; SK47 C; SK48 C; SK49 B; SK50 B; SK51 C; SK52 C; SK53 A; SK54 A; SK55 A; SK56 A; SK57 A; SK58 A; SK59 A; SK60 A; SK61; SK62; SK63; SK64 A; SK65 A; SK68; SK71 B; SK72 C; SK73 C; SK74 C; SK75 C; SK76 C; SK77; SK78; SK79; SK80; SK81; SK82; SK83; SK84; SK85; SK86; SK87; SK88; SK100; SK101; SK102; SK103; SK104; SK105; SK200; SK201A; SK202A; SK203B; SK204B; SK205.1A; SK205.2A; SK206B; SK207B; SK208B; SK209A; SK210A; SK211B; SK212B; SK213.1; SK213.2A; SK214B; SK215B; SK216B; LC 00331 01 G; 21172/SITEPLAN/1002/T6; 21172/SITEPLAN/004/T6; 21172/SITEPLAN/1005/T5;

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

2 The external surfaces of the development hereby permitted shall be constructed in the following approved materials:-

- o Facing Brick (Plots 10 - 24, 42 - 125) in Wienerberger Orange Multi Gilt Stock;

- o Facing Brick (Plots 1-9, 25-32, 33-41, 126-133 (Apartment Blocks)) in Trinity Cream Gilt Stock;
- o Contrasting Brick (Plots 1-9, 25 - 32, 33-41, 126-133 (Apartment Blocks)) in Wienerberger Orange Multi Gilt Stock;
- o Roof Tiles (Plots 10 - 24, 42 - 125) in Forticrete, Gemini red;
- o Roof Tiles (Plots 1-9, 25 - 32, 33-41, 126-133 (Apartment Blocks)) in Forticrete Gemini - Slate Grey;
- o Rainwater Pipes in PVC-U black;
- o Windows in PVC-U white;
- o Front doors in IG Entrance Doors PVC-U with timber frames;
- o Rear doors in IG PVC-U frames finishes in white; and
- o Porch entrances with Stormking GRP canopies.

REASON:- To ensure the finished appearance of the development enhances the visual amenities of the area.

- 3 The boundary treatment, including any retaining walls, shall be constructed in accordance with the following approved details:-

- o External Works and Boundary Treatment Sheet 1 of 4 (Drawing number:- 21172/SITE PLAN/1001 T3);
- o External Works and Boundary Treatment Sheet 2 of 4 (Drawing number:- 21172/SITE PLAN/1002 T5);
- o External Works and Boundary Treatment Sheet 3 of 4 (Drawing number:- 21172/SITE PLAN/1003 T5);
- o External Works and Boundary Treatment Sheet 4 of 4 (Drawing number:- 21172/SITE PLAN/1004 T5);

The boundary treatment would comprise the following:-

- o Brick Wall at 1.8m in height;
- o Brick Wall at 0.45m in height;
- o Close boarded fence at 1.8m in height;
- o Retaining wall with close boarded fence at 1.8m in height;
- o Metal railings at 1.2m in height; and
- o Picket fencing at 1m in height.

In addition, the 4.00m to 8.00m high acoustic fence shall be erected in accordance with the following approved plans:-

- 21172/SITE PLAN/PL01 P1;
- 1005834 1 of 4;
- 1005834 2 of 4;
- 1005834 3 of 4;
- 1005834 4 of 4.

Thereafter, the hereby approved boundary treatment(s) shall be permanently retained and maintained.

REASON:- To ensure that the finished appearance of the development will enhance the character and visual amenities of the area.

- 4 No demolition or construction work relating to this permission shall be carried out on any Sunday, Public or Bank Holiday nor at any other time, except between the hours of 0730 and 1800 on Mondays to Fridays and between the hours of 0830 and 1300 on Saturdays, unless otherwise agreed in writing by the Local Planning Authority. These times apply to work which is audible at the site boundary.

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

- 5 No removal of trees, scrubs or hedges shall be carried out on site between 1st March and 31st August inclusive in any year, unless a pre-works survey of the vegetation to be removed and surrounding vegetation, is undertaken immediately prior to removal by a suitable qualified, and approved confirmed by the local planning authority.

REASON:- Nesting birds are protected from disturbance under the Wildlife and Countryside Act 1981 (As amended).

- 6 The noise mitigation measures as specified in the documents listed below, shall be erected/installed in accordance with the approved details prior to first occupation of the development hereby permitted:-

- Acoustic Report Memorandum - Matt Torjurssen (20th January 2021 - 17977c-1);
- Air Quality Assessment Report - Ana Grossinho (10th October 2020 - 2020/10/1509/002);
- Acoustic Fence Setting Out - RPS (19th February 2020 - 17977B 1 R3).

The noise mitigation measures are detailed as follows:-

- Erection of an acoustic barrier (dealt with under application 21/00806/COND);
- Plot specific glazing specifications;
- Plot specific built fabrications;
- Plot specific ventilation.

REASON:- To protect the amenity of future occupiers of the development from noise from road traffic sources.

- 7 No properties shall be occupied until confirmation has been provided that either all wastewater network upgrades required to accommodate the additional flows from the development have been completed or a housing and infrastructure phasing plan has been submitted to and approved in writing by the local planning authority in consultation with Thames Water to allow additional properties to be occupied. Where a housing and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan.

REASON:- The development may lead to sewage flooding and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional flows anticipated from the new development. Any necessary reinforcement works will be necessary in order to avoid sewer flooding and/or potential pollution incidents.

- 8 The development permitted by this planning permission shall be carried out in accordance with the Flood Risk Assessment carried out by BWB reference TGS-BWB-ZZ-XX-RP-YE-0001_FRA dated February 2019; Sustainable Drainage Statement carried out by BWB reference TGS-BWB-ZZ-XX-RP-CD-0001_SDS dated February 2019 and Technical Note carried out by BWB reference TGS-BWB-ZZ-XX-YE-0002_TN Revision P02 S2 dated 28 June 2019 and the following mitigation measures:-

1. Limiting the surface water run-off generated by the 1 in 100 year + 40% allowance for climate change event critical storm so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site.

2. Provide attenuation to ensure no increase in surface water run-off for all rainfall events up to and including the 1 in 100 year + 40% allowance climate change event.

3. Implement drainage strategy as indicated on the drainage strategy drawing reference TGS-BWB-XX-ZZ-DR-CD-0004 and TGS-BWB-ZZ-XX-CD-DR-0006 and to include above ground SuDS features.

4. Implemented drainage strategy to include daylighting of northern culvert with online detention basin with low flow channel for existing watercourses with detention basin as indicated on drawing TGS-BWB-XX-ZZ-DR-CD-0004.

5. Implement drainage strategy to incorporate the central watercourse with detention basin indicated on drawing TGS-BWB-ZZ-XX-CD-DR-0006.

REASON:- To reduce the risk of flooding to the proposed development and future occupants.

9 The development permitted by this planning permission shall be carried out in accordance with the Flood Risk Assessment carried out by BWB reference TGS-BWB-ZZ-XX-RP-YE-0001_FRA dated February 2019; Sustainable Drainage Statement carried out by BWB reference TGS-BWB-ZZ-XX-RP-CD-0001_SDS dated February 2019 and Technical Note carried out by BWB reference TGS-BWB-ZZ-XX-YE-0002_TN Revision P02 S2 dated 28 June 2019. The scheme shall also include:

1. Detailed engineered drawings of the proposed SuDS features including their location, size, volume, depth and any inlet and outlet features including any connecting pipe runs and all corresponding calculations/modelling to ensure the scheme caters for all rainfall events up to and including the 1 in 100 year + 40% allowance climate change event.

2. Details regarding any areas of informal flooding (events those exceeding 1 in 30 years rainfall event), this should be shown on a plan with estimated extents and depths.

3. Details of final exceedance routes, including those for an event which exceeds to 1:100 + 40% allowance climate change rainfall event.

4. Details relating to the works to be carried out on the ordinary watercourses.

The scheme shall be fully implemented and subsequently maintained, 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:- To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site.

10 Upon completion of each phase of the drainage works, a complete set of as built drawings for the site drainage management should be submitted to and approved in writing by the Local Planning Authority. The scheme shall also include:

1. Final confirmation of management and maintenance requirements

2. Provision of complete set of as built drawings for both site drainage and overland flow route management

3. Details of any inspection and sign-off requirements for completed elements of the drainage systems.

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

- 11 The landscape and ecological management plan (LEMP) prepared by Aspect Ecology (Report reference:- 6061-LEMP.vf1/SF/LN/ES/DS dated 10 March 2021 shall be implemented in accordance with the approved details specified within the LEMP.
REASON:- In order to improve and enhance biodiversity within the development site and the surrounding so as to offset its impact.
- 12 The bat and bird box strategy as detailed in the approved plans and ecological report shall be fully installed prior to first occupation of dwelling units 16; 18; 21 to 23; 25 to 32 to 41; 46; 48 to 50; 53; 55; 56; 69; 72; 73; 83; 85; 91; 95; 114 to 116; 118 and 124 hereby permitted. The bat and bird boxes shall be retained thereafter.
REASON:- In order to enhance roosting opportunities for bats and nesting opportunities for birds.
- 13 Notwithstanding the provisions of Class A of Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revising, revoking and re-enacting that Order with or without modification), no internal or external alterations shall take place to any garage, which would preclude its use for housing motor vehicles and/or bicycles unless permission is granted on an application made to the Local Planning Authority.
REASON:- To ensure that alterations are not carried out which would preclude the use of the garages for the parking of motor-vehicles or bicycles and to ensure the development remains in accordance with the Council's adopted Parking Standards.
- 14 The Construction Management Plan/Method Statement as approved under discharge of condition application 20/00582/COND and the Site Waste Management Plan approved under discharge of condition application 20/00668/COND shall be strictly adhered to during the construction phases of the development hereby permitted.
REASON:- To minimise the impact of construction vehicles and to maintain the amenity of the local area.
- 15 In the event contamination is found during site clearance and/or construction phase of the development, the applicant must undertake an appropriate investigation and provide a remediation strategy which is to be submitted to and approved in writing by the Local Planning Authority. This investigation and assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site. Moreover, it must include:
(i) a survey of the extent, scale and nature of contamination;
(ii) an assessment of the potential risks to:
o human health,
o property (existing or proposed) including buildings, crops, livestock, pets,
o woodland and service lines and pipes,
o adjoining land,
o groundwaters and surface waters,
o ecological systems.
Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition.
REASON:- To prevent harm to human health and pollution of the water environment in accordance with Government policy set out in the National Planning Policy Framework.

- 16 A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historic environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.
REASON:- To prevent harm to human health and pollution of the water environment in accordance with Government policy set out in the National Planning Policy Framework.
- 17 The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval in writing of the Local Planning Authority.
REASON:- To prevent harm to human health and pollution of the water environment in accordance with Government policy set out in the National Planning Policy Framework.
- 18 Prior to the first occupation of dwelling units 1 to 9; 25 to 32; 33 to 41 and 126 to 133 hereby permitted the approved refuse and recycle stores shall be constructed in accordance with the details submitted with this application and shall be permanently retained in the form.
REASON:- To ensure that there is sufficient refuse/recycle provision in accordance with the Council's standards and maintained for all dwellings and the development as a whole in perpetuity.
- 19 Prior to the first occupation of dwelling units 1 to 9; 25 to 32; 33 to 41 and 126 to 133; hereby permitted the approved secure cycle parking areas and public cycle parking shall be constructed in accordance with the approved details submitted with this planning application and shall be permanently retained in that form thereafter.
REASON:- To ensure that there is sufficient cycle parking provision in accordance with the Council's adopted standards is maintained for all dwellings and the development as a whole on site in perpetuity.
- 20 No external lighting shall be installed on site unless details of such lighting, including the intensity of illumination and predicted light contours, have first been submitted to, and approved in writing the Local Planning Authority prior to first occupation of the development. Any external lighting shall accord with the details so approved.
REASON:- In order to protect the amenities and operations of neighbouring properties and to ensure any external lighting does not prejudice highway safety. In addition, to ensure the development does not have a detrimental impact on foraging bats.
- 21 The landscaping scheme as detailed in the approved drawings shall be implemented in the first available planting season prior to the first occupation of the buildings or the completion of the development, whichever is the sooner.
REASON:- To ensure a satisfactory appearance for the development.

- 22 Any trees or plants comprised within the scheme of landscaping, which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless otherwise agreed in writing by the Local Planning Authority.
REASON:- To ensure a satisfactory appearance for the development.
- 23 No development, including site clearance, shall commence until the trees as specified in the Arboricultural Impact Assessment, prepared by BWB (dated February 2019) to be retained on the site have been protected by fencing in accordance with the vertical tree protection fencing detailed in the Arboricultural Impact Assessment. In addition, all works which are to be undertaken within the Root Protection Areas of trees which are to be retained as specified on the aforementioned drawings shall be undertaken in accordance with the details specified in the Arboricultural Impact Assessment.
REASON:- To ensure that the retained trees are not damaged or otherwise adversely affected during site operations.
- 24 Within the areas to be fenced off in accordance with condition 23, there shall be no alteration to the ground levels and they shall be kept clear of vehicles, materials, surplus soils, temporary buildings and machinery.
REASON:- To ensure that the retained trees are not damaged or otherwise adversely affected during site operations.
- 25 Prior to the first occupation of the dwellings hereby permitted, the measures to ensure the development is adaptable to climate changes as detailed in the Energy Statement (prepared by energist dated 15th February 2019) (As amended by AES Sustainability Consultants - Sustainability Strategy) shall have been installed and implemented across the whole development in accordance with the approved details.
REASON:- To ensure that the development is adaptable to climate change.
- 26 Prior to the commencement of development hereby permitted, the vehicular accesses shall be provided and thereafter retained at the position shown on the approved in principle drawing number General Arrangement drawing number 17 941 - SK01 revision G. The principal access road shall be provided 6.75 metres wide [except for some minor traffic calming features shown on the drawing] complete with 10.0 metres radius kerbs. Thereafter, the internal access roads connected to the principal access road shall be provided at least 5.5 metres wide completed with 8.0 metres radius kerbs to the specification of Hertfordshire County Council from the date of this permission and to the Local Planning Authority's satisfaction. Arrangement shall be made for surface water drainage intercepted and disposed of separately so that it does not discharge from on 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.
- 27 Prior to first occupation of the development hereby permitted, full details (in the form of scaled plans and written specifications) to illustrate the following:-
- i) roads;
 - ii) footways;
 - iii) cycleways;
 - iv) visibility splays;
 - v) access arrangements;
 - vi) parking provision in accordance with adopted standards;
 - vii) bus stops;

viii) turning area.

Have been submitted to and approved in writing by the Local Planning Authority. The details for i) to viii) shall thereafter be constructed in accordance with the approved details.

REASON:- To ensure suitable, safe and satisfactory planning and development of the site.

- 28 The Servicing and Delivery Plans which contain details of the delivery and servicing requirements, waste collection points for the proposed development, as well as a scheme for coordinating deliveries and servicing for the proposed development, areas within the development site that will be used for loading and manoeuvring of delivery and servicing vehicles, and circulation route shall be constructed in accordance with the following approved plans:-

- o Vehicle Tracking - Fire Tender Sheet 1 (drawing number:- 10548-RPS-XX-XX-DR-C-1001 T3);
- o Vehicle Tracking - Fire Tender Sheet 2 (drawing number:- 10548-RPS-XX-XX-DR-C-1002 T3);
- o Vehicle Tracking - Bus (Drawing number:- 10548-RPS-XX-XX-DR-C-1003 T3);
- o Vehicle Tracking - Refuse Sheet 1 (Drawing number:- 10548-RPS-XX-XX-DR-C-1004 T3);
- o Vehicle Tracking - Refuse Sheet 2 (Drawing number:- 10548-RPS-XX-XX-DR-C-1005 T3).

Thereafter, the route shall be maintained in accordance with the approved details.

REASON:- In the interests of maintaining highway efficiency and safety.

- 29 The provision of infrastructure both within the development site and on the wider routes that the proposed public transport service will travel to facilitate the delivery of the public transport strategy, shall comprise of, but is not limited to the following:-

- 1) high quality bus stop facilities to include raised height kerbs and shelters;
- 2) real time information signs at key stops.

Details of future locations of all bus stops within the development site shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development works. The bus stops will need to be clearly marked out on-site during construction of the internal road to ensure visibility for future residents and the wider community.

REASON:- To ensure proper management of the development layout in the interests of highway safety and efficiency.

- 30 Upon first occupation of any dwelling, the provision of two vouchers per dwelling entitling the residents to 12 months free bus travel within the area travelling to Stevenage Town Centre covered by a PlusBus season ticket will be made available. Residents will be able to apply for the vouchers via a scheme to be outlined in the Travel Plan to be approved. The vouchers are to be valid for exchange during the first six months following the occupation of the respective dwelling unit.

REASON:- To ensure management of a modal shift and encourage use of sustainable modes of travel within Stevenage.

- 31 Notwithstanding the details as set out in the drawings which accompany this planning application submission, A network of footways/cycleways linking all areas of the development with the railway station, bus station and Stevenage Town Centre, which shall include a toucan crossing along Fishers Green in an appropriate location close to the new junction, shall be provided prior to occupation of any dwelling. The route shall be detailed and identified on a drawing showing appropriate hard surfacing, illustrated with a minimum width of 2.0 metres where possible or shared use provision with a cycleway with a minimum width of 3.0 metre shall be submitted to, prior to the commencement of development above slab level, and approved in writing by the Local Planning Authority. The network of footways/cycleways shall be implemented in accordance with the approved details and retained thereafter.
REASON:- To ensure management of a modal shift and encourage use of sustainable modes of travel within Stevenage.
- 32 Prior to the occupation of any dwellings, full details shall be submitted to and approved in writing by the Local Planning Authority of the proposed arrangements for the future management and maintenance of the proposed streets within the development. Following the provision of such streets in accordance with the approved details, the streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time an agreement has been entered into under Section 38 of the Highways Act 1980 or a Private Management and Maintenance Company has been established in accordance with the approved details.
REASON:- To ensure satisfactory development of the site and to ensure the estate roads are managed and maintained thereafter, to a suitable and safe standard.
- 33 Prior to the commencement of the development, visibility splays measuring 2.4 metres x 53 metres to the north west and 2.4 metres x 54 metres to the south east shall be provided to each side of the main access onto Fishers Green and the visibility splays shall thereafter be maintained at all times free from any obstructions between 600mm and 2.0 metres above the level of the adjacent highway carriageway.
REASON:- To ensure construction of a satisfactory development and in the interests of highway safety.
- 34 Prior to the first occupation of the development hereby permitted, visibility splays measuring 2.4 metres x 43 metres shall be provided each side of each access where it meets the highway and such splays shall thereafter be maintained at all times free from any obstructions between 600mm and 2.0 metres above the level of the adjacent highway carriageway.
REASON:- To ensure construction of a satisfactory development and in the interests of highway safety.
- 35 The hardsurfaced areas, including roads, associated drainage details, driveways and car parking areas shall be carried out in accordance with the following approved details:-
- o Surface Finishes Sheet 1 of 4 (drawing number:- 10548-RPS-XX-XX-DR-C-0208 Rev T3);
 - o Surface Finishes Sheet 2 of 4 (drawing number:- 10548-RPS-XX-XX-DR-C-0209 Rev T3);
 - o Surface Finishes Sheet 3 of 4 (drawing number:- 10548-RPS-XX-XX-DR-C-0210 Rev T3);
 - o Surface Finishes Sheet 4 of 4 (drawing number:- 10548-RPS-XX-XX-DR-C-0211 Rev T3).

REASON:- To ensure that internal roads, drainage and parking areas are to highway standards and requirements set by Hertfordshire County Council as Highways Authority.

- 36 Prior to the first occupation of the development hereby permitted, the gradient of the main access road shall not be steeper than 1 in 50 for the first 12m thereafter the main access and internal access roads shall not be not steeper than 1 in 20.

REASON:- In order to protect highway safety and amenity of other users of the public highway and rights of way.

- 37 No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the local planning authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.

REASON:- To ensure that the development does not contribute to, is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants.

- 38 Piling or any other foundation design using penetrative methods shall not be permitted within the development other than with the express consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant risk to groundwater. The development shall be carried out in accordance with the approved details.

REASON:- To protect groundwater environment, including groundwater. Some piling techniques can cause preferential pathways for contaminants to migrate to groundwater and cause pollution. A piling risk assessment should be submitted with consideration of the EA guidance. Given the site's location in SPZ2 we will also require a groundwater monitoring programme during any piling work at the site. This groundwater monitoring programme should incorporate mitigation measures to be adopted design should piling works be noted to be adversely impacting on groundwater quality beneath the site.

- 39 The scheme for managing any borehole installed within the development for the investigation of soils, groundwater or geotechnical purposes which provides details of how redundant boreholes are to be decommissioned and how any boreholes that need to be retained, post-development, for monitoring purposes with be secured, protected and inspected which have been detailed in the approved Borehole Decommissioning Strategy (Prepared by RSK, dated 11th November 2020, Reference:- 1920238 L05 (00)), shall be implemented prior to the occupation of the Residential Development Plot.

REASON:- To ensure that the development does not contribute to, is not put at unacceptable levels of water pollution caused by mobilise contaminants. This is in line with paragraph 170 of the National Planning Policy Framework and adopted local plan policy FP5: Contaminated land.

- 40 Notwithstanding the provisions of Classes B and C of Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revising, revoking or re-enacting that Order with or without modification) no loft conversions including dormer windows / roof extensions, or roof lights and openings shall be constructed on the dwellinghouse(s) hereby permitted unless permission is granted on an application made to the Local Planning Authority.

REASON:- To enable the Local Planning Authority to fully consider the effects of development normally permitted by that Order to safeguard the amenities of the neighbouring properties from overlooking/loss of privacy and to ensure sufficient parking is available.

The Council has acted Pro-Actively for the following reason:-

Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted pro-actively in line with the requirements of the National Planning Policy Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

INFORMATIVE

Hertfordshire County Council as Lead Local Flood Authority

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

Hertfordshire County Council as Highways Authority

AN1. Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website:

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

AN2. Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website:

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

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

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

AN4. Construction standards for works within the highway: The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 38 and Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website noted below:

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

AN5. Rights of Way

Before commencement of the proposed development, the applicant shall contact Hertfordshire County Council's Rights of Way Service:

<http://www.hertfordshire.gov.uk/services/envplan/countrysideaccess/row/>

(Tel: 0300 123 4047, email at row@hertfordshire.gov.uk) to obtain their requirements for the ongoing maintenance of the surface of the Public Right of Way that routes through the site along the proposed development.

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

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

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

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

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

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

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

Arboricultural Impact

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

Cadent Gas

Affected Apparatus

The apparatus that has been identified as being in the vicinity of your proposed works is:

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

Requirements

BEFORE carrying out any work you must:

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

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

Ensure that all persons, including direct labour and contractors, working for you on or near Cadent and/or National Grid's apparatus follow the requirements of the HSE Guidance Notes HSG47 - 'Avoiding Danger from Underground Services' and GS6 –

'Avoidance of danger from overhead electric power lines'. This guidance can be downloaded free of charge at <http://www.hse.gov.uk>

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

GUIDANCE

Excavating Safely - Avoiding injury when working near gas pipes:

<https://www.nationalgrid.com/sites/default/files/documents/24410-Excavating%20Safely%20Leaflet%20Gas.pdf>

Standard Guidance

Essential Guidance document:

<http://www2.nationalgrid.com/WorkArea/DownloadAsset.aspx?id=8589934982>

General Guidance document:

<http://www2.nationalgrid.com/WorkArea/DownloadAsset.aspx?id=35103>

Excavating Safely in the vicinity of gas pipes guidance (Credit card):

<https://www.nationalgrid.com/sites/default/files/documents/24413-Excavating%20Safely%20Credit%20Card%20Gas.pdf>

Excavating Safely in the vicinity of electricity cables guidance (Credit card):

Community Infrastructure Levy

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

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

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

10. BACKGROUND DOCUMENTS

1. The application file, forms, plans and supporting documents having the reference number relating to this item.
2. Stevenage Borough Council Supplementary Planning Documents – Parking Provision adopted October 2020, Stevenage Design Guide adopted October 2009, Developer Contributions SPD 2021, Impact on Biodiversity SPD 2021.
3. Stevenage Borough Local Plan 2011-2031 adopted 2019.
4. Hertfordshire County Council's Local Transport Plan 4 adopted May 2018.
5. Responses to consultations with statutory undertakers and other interested parties referred to in this report.
6. Central Government advice contained in the National Planning Policy Framework February 2021 and Planning Policy Guidance March 2014.
7. Community Infrastructure Levy 2010 (as amended).