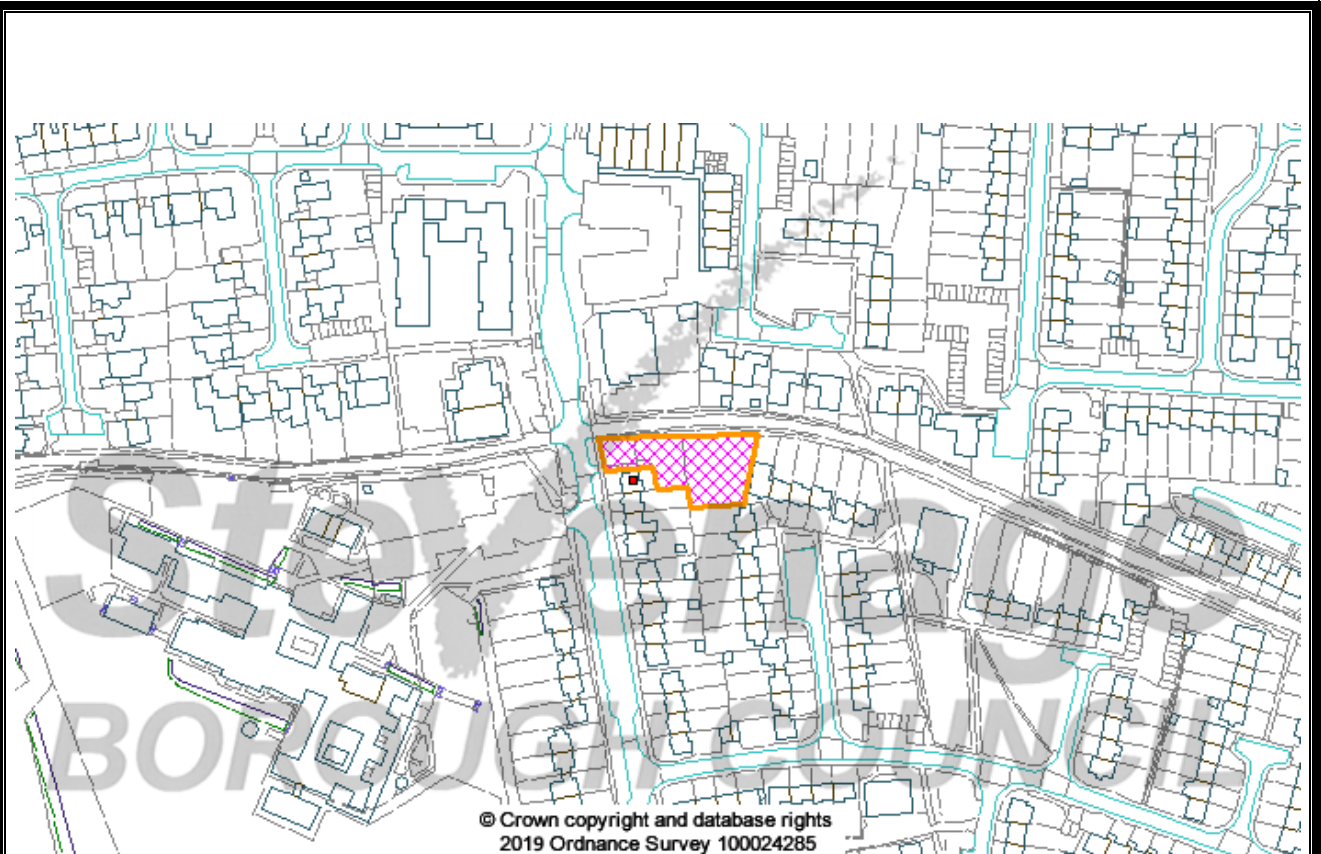


**Meeting:** Planning and Development Committee      **Agenda Item:**  
**Date:** 11 January 2022  
**Author:** James Chettleburgh      01438 242266  
**Lead Officer:** Zayd Al-Jawad      01438 242257  
**Contact Officer:** Linda Sparrow      01438 242837

Application No: 21/01204/FPM  
Location: Land adjacent to 108 Oaks Cross, Stevenage.  
Proposal: Erection of 11no. modular homes (Use Class C3) and associated works.  
Drawing Nos.: 21046wd2.01 A; 21046wd2.03 A; C7472/CE1; C7472/CE2; CHM-01 D5; CHM-83 D7; CHM-88 D4; CHM-89 D3; CHM-90 D3; CHM-D-02 D04; HILL23495-11A; HILL23495-12A; 9103-D-AIA A.  
Applicant: Stevenage Borough Council  
Date Valid: 8 November 2021  
Recommendation: GRANT PLANNING PERMISSION.



Plan for information purposes only

## **1. SITE DESCRIPTION**

- 1.1 The application site is located within Oaks Cross and comprises a 0.1ha area of land. The site is located adjacent to an Ancient Lane with associated hedgerow located to the north. The site comprised, before it was cleared and enclosed by a 1.8m high close board fence with concrete gravel board and posts, a detached garage and areas of hardstanding were present within the site. In terms of access, the site is served by an existing vehicular access off Oaks Cross. The site is adjoined to the south by 108 Oaks Cross which is a two-storey end of terrace dwellinghouse. The remaining area of the site is laid out to grass with a number of trees which run parallel along the sites northern border.
- 1.2 The surrounding area is characterised by predominantly two-storey dwellinghouses and to the north beyond the Ancient Lane with associated hedgerow lies the Pied Piper Public House. This also forms part of Oaks Cross neighbourhood centre which comprises three-storey buildings with ground floor retail with flats above which form a perimeter around a centralised parking court. To the north-west beyond the main highway lies Longmeadow Evangelical Church and to the west is Longmeadow Primary School.

## **2. RELEVANT PLANNING HISTORY**

- 2.1 There is no relevant planning history for this site.

## **3. THE APPLICATION**

- 3.1 This application seeks planning permission to demolish the existing garage and to erect 11 no. modular units that will be reserved for, and, occupied by the homeless. The homes would be sited around a private access and there would be the provision of associated cycle parking, a communal Air Source Heat Pump, soft and hard landscaping and associated parking.
- 3.2 The proposed units would have a floor area of 24 sq.m and be single-storey in height. These units have been designed as single accommodation and would comprise a sleeping area, kitchen and living area, together with a shower room and WC. The units will be fitted out with a fridge/freezer, washing machine and other essential items such as cutlery, plates and bed linen.
- 3.3 This application comes before the Council's Planning and Development Committee as the application is a Major residential development. In addition, the applicant is Stevenage Borough Council and objections have been raised against the application.

## **4. PUBLIC REPRESENTATIONS**

- 4.1 Following notification of the application via letter, the erection of a site notice and being publicised in the local press, six representations against the application have been received. A summary of the objections raised are as follows:-
- Loss of light and overshadowing;
  - Security;
  - Noise and disturbance;
  - Hazardous materials and generation of unacceptable levels of waste;
  - Unacceptable generation of odours;
  - Loss of trees;
  - Overdevelopment of the site;
  - Road access;
  - Anti-social behaviour and increase in crime;
  - Pose a safety issue for children who attend the nearby school;

- Need for supervision of future residents;
- A need for higher fencing for privacy and sound reduction;
- Impact on property values;
- Lack of consideration for local residents;
- Insufficient parking;
- Will impact on the operation of the highway through on-street parking;
- A need for increased police activity;
- The location of the homeless shelter is unacceptable to local residents due to proximity to existing local residents and the school;
- The houses should be located in a less residential area;
- Resources should really go towards rehabilitation of the homeless.

4.2 The aforementioned is not a verbatim of the objections which have been raised. Full copies of the representations received can be viewed on the Council's website.

## **5. CONSULTATIONS**

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

5.1.1 Subject to the imposition of conditions and informatives, it is not considered that the proposed development would have an unreasonable impact on the safety and operation of the adjoining highways and consequently do not have any objections on highway grounds.

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

5.2.1 The Lead Local Authority (LLFA) is unable to respond to any new consultations. It is recommended to review their guidance on SuDS, Flood Risk management and Climate Change allowances. In addition, consideration of sites with ordinary water courses which will require Section 23 Consent under the Land Drainage Act 1991 from the LLFA where an ordinary watercourse is contained within a site.

5.2.2 When the LLFA has cleared their backlog on consultations, they will be working on the principle of addressing the most significant cases, triaging and prioritising. This means that for many applications, the LLFA will not be able to provide detailed comments or input. For this site the LLFA advise that the LPA require evidence of infiltration to BRE Digest 365 standards ensure the site can drain feasibly. As such, the LLFA would not consider a discharge mechanism to have been proven at present. Infiltration testing should be conducted at the proposed depth of infiltration and ideally in the same location. Moreover, runoff generated on all road areas on site including the access road and parking spaces should receive robust treatment prior to the final discharge.

### **5.3 Wood Group UK Ltd (Drainage Consultants)**

5.3.1 The Drainage Statement extends to a total of 12 pages (including cover pages, contents and appendix cover sheets and two appendices (Appendix 1 comprising a Drainage (layout) Plan and Appendix 2 a data sheet for a proprietary product known as a 'Terrain Reduced Flow Rainwater Outlet' which is indicated as relating to the proposed 'blue roofs'). The technical content of the Drainage Statement is covered in 17 paragraphs.

5.3.2 A SuDS approach is proposed, comprising blue roofs for all buildings, permeable paving slabs and blocks for all hard ground surfaces, and infiltration by way of soakaway for the discharged surface water. Whilst the principle of infiltration would be supported as a sustainable approach to discharge, no evidence that such an approach would be suitable at the site has been provided. No details regarding the permeability of the underlying ground, contamination status, aquifer vulnerability, nor depth to groundwater have been presented in the Drainage Statement. The Contamination Assessment indicates that the site is

underlain by superficial deposits comprising glaciofluvial sand and gravel, which is classed as a Secondary A Aquifer, overlying bedrock geology comprising the HolyWell Nodular Chalk Formation and the New Pit Chalk Formation, a Principal Aquifer.

- 5.3.3 This geology should support infiltration, however, the Contamination Assessment indicates that the site is located in the Total Catchment of a groundwater Source Protection Zone and within an area at moderate risk of groundwater flooding, the implications of where are not considered in the Drainage Statement. Dimensions of the soakaway (cellular storage tank, 5m long, 3.5m wide and 0.8m deep, i.e. a total volume of 14m<sup>3</sup>) appear to be indicated in an accompanying Drainage Plan (DRG no. C7472/CE1, dated 21/10/2021), but no calculations are provided to support the sizing of this. It appears that no infiltration testing has been carried out to inform the dimensions proposed. There is no mention of any allowance for increase in rainfall intensity as a result of climate change. We would advise the LPA to require evidence of infiltration to BRE Digest 365 standards ensure the site can drain feasibly.
- 5.3.4 As such, we would not consider infiltration as a discharge mechanism to have been demonstrated as feasible at present. Infiltration testing should be conducted at the proposed depth of infiltration and ideally in the same location. A holistic approach to infiltration and ground conditions should be taken, whereby the contamination assessment takes account of the risk to groundwater associated with the proposed method of discharge (to the ground), and the proposed method of discharge is informed by the findings of the ground investigation/contamination assessment, including existing contaminative status, and depth to groundwater. Demonstration that runoff generated from road areas on site, including the access road and parking spaces, would have undergone suitable treatment prior to discharge should also be provided.
- 5.3.5 A greenfield run-off rate of 0.15 l/s is presented for the 1 in 1 year event, but no explanation is provided as to how this was determined. Based on a reported site area of 0.1087ha, this would relate to a low discharge rate of 1.38 l/s/ha for the 1 in 1 year event, which would be consistent with a permeable substrate capable of supporting an infiltration-based approach to discharge.
- 5.3.6 The Drainage Statement also indicates that all modular units would be served by 'blue roofs' (with attenuation provided on the roof of the building structures) and permeable paving (slabs or blocks) for all other hard surfaces. Presumably all other land cover would remain paving and landscaping, with no other hardstanding surfaces) would require minimal soakaway storage volume, thereby reducing any concerns relating to the lack of calculations to support the proposed dimensions of the soakaway. Furthermore, the Drainage Plan indicates that there would be scope to increase the size of this cellular storage tank if necessary (alongside potentially increasing its depth).
- 5.3.7 Despite not being referred to in the Drainage Statement, an engineering drawing showing typical drainage details for chambers, gullies, rodding points, pipe bedding and a cross section of the permeable paving was provided with the application. The suitability of these typical details for application at this site has not been discussed. For example, whether the depth of subgrade proposed for the permeable paving would be suitable for the proposed ground conditions and likely loadings on-site, for which no accompanying evidence has been provided to support the proposed design.
- 5.3.8 It is recommended that a Planning Condition requiring details of the proposed surface water drainage at the site, to be prepared in consultation with the Lead Local Flood Authority, be attached to any permission.
- 5.3.9 The proposed development falls entirely within Flood Zone 1, therefore passes the sequential test. The site use is considered appropriate within this flood zone under NPPF

guidance, meaning completion of the Exception Test is not required. The local policy requires that the approaches to both attenuation and disposal of surface water runoff follow standard hierarchies as set out in the SuDS Manual. Subject to provision of further details justifying the approach, these hierarchies have been followed.

5.3.10 Based on the review of the proposal set out in the FRA/DS we recommend the following conditions to the Local Planning Authority, should planning permission be granted.

- Infiltration Testing;
- Details design of the surface water run-off scheme;
- Adoption and maintenance.

#### **5.4 Council's Environmental Health Section**

##### Comments received 05 November 2021

5.4.1 Having read the noise assessment from Cass Allen (report ref. RP01-21155-R0). My main concern is the potential noise impact on the proposed dwellings from the existing commercial premises adjoining the site (the Pied Piper public house). This has been considered in the noise assessment report which recommends 'upgrading' the sound insulation to the modular homes and makes suggestions for the glazing configuration and wall construction that would result in acceptable internal noise levels.

5.4.2 However, when occupants open their windows they will be exposed to indoor noise levels well above the level referenced in the report (paragraph 5.5). This could give rise to future occupants of the site making complaints to the Council about noise from the pub, particularly during the summer months when occupants are likely to want to keep their windows open for much of the time and the pub beer garden adjacent to the site would generally be busier with customers. I note that Blocks C and D on the 'Proposed Site Layout' plan (Drawing no. 21046Wd201) are most likely to be affected by noise from the pub.

5.4.3 Given the above, I have recommended a condition in relation to the mitigation of noise from the existing commercial premises, if planning permission is granted. In relation to a scheme of noise mitigation measures, reliance on sound insulation of the proposed dwellings – assuming that this can be upgraded as suggested in the noise report, given that they are modular units – and on future occupants keeping their windows closed to achieve acceptable internal noise levels is not an ideal approach. An assessment should be made to determine whether other measures such as changes to the proposed site layout or the use of screening between the site and the adjoining commercial premises could achieve acceptable internal noise levels without reliance on windows to the dwellings being kept closed.

##### Comments received 22 December 2021

5.4.4 I have considered the additional information provided in the 'addendum' from Cass Allen to their noise assessment (RP01-21155-R0). With regard to noise from the pub adjacent to the site, I note the comments about the existing 'noise barrier' in place and the unfeasibility of achieving a significant further reduction in noise levels through either additional screening or site layout. I also note the comments about the overheating assessment that has been carried out for the proposed dwellings, indicating a reduced need for windows to be opened to maintain a comfortable indoor temperature.

5.4.5 In relation to noise from the MVHR, the addendum refers to a suggested specification for noise attenuation for the supply and extract ducting that would achieve the reference internal noise levels and states that the project team have agreed to include this in the design.

5.4.6 On the basis of the additional information provided and that the Council – via Housing Development – will be able to have oversight to ensure that the agreed design specifications for the MVHR, glazing and external wall construction of the modular units will achieve the noise limits set out in the noise assessment and addendum, I am in agreement that pre-commencement conditions for noise do not need to be included if planning permission is granted.

## **5.5 Police Crime Prevention Design Advisor**

5.5.1 Thank you for inviting me to comment on the proposal to install eleven self-contained modular housing units at the above location. I have studied the documentation on the council's planning website and have the following comments to make. Having contacted the company responsible for constructing the units, Volumetric, for further information I am pleased to say that these units will be compliant with the Police preferred minimum security standard that is Secured by Design (SBD) Silver award.

5.5.2 I would therefore encourage the applicant to contact me, once planning permission has been granted with a view to seeking to achieve SBD accreditation. My only substantive concern is regarding the cycle storage provision, as this appears to be a storage rack that is open to the elements and not in a secure building. The reason for my concern is that cycle theft is a regular prevalent crime. In order to mitigate this, I would recommend that the cycle storage be in a secure storage building that is fitted with suitable secure racks (see the SBD guidance Home 2019 for further information or contact the local Crime Prevention Design Advisor at the Constabulary HQ). If this is done then the site should be able to achieve the SBD Gold award.

5.5.3 In view of the comments above the Police Crime Prevention Design Service (CPDS) support this application. We would request that an Informative be added to the grant of planning permission that Prior to construction the applicant will contact the Hertfordshire Constabulary CPDS with a view to seeking to achieve accreditation to the Police preferred minimum security standard that is Secured by Design. The reason for this is to ensure that the development is compliant with both National and Local Planning Policies, in addition, this will also demonstrate the discharge of obligations under Approved Document Q Security of Building Regulations.

## **5.6 Thames Water**

5.6.1 With regard to surface water drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Management of surface water from new developments should follow Policy SI 13 Sustainable drainage of the London Plan 2021. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required.

5.6.2 There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way.

5.6.3 Thames Water would advise that with regard to the waste water network and sewage treatment works infrastructure capacity, Thames Water would not have any objection to the above planning application, based on the information provided.

## **5.7 Herts and Middlesex Wildlife Trust**

- 5.7.1 The applicant needs to submit a Biodiversity Net Gain Assessment. In accordance with the NPPF and Stevenage Planning and Biodiversity SPD and NE biodiversity metric must be used to assess the net impact of the development on biodiversity. It is expected to result in a small net loss in accordance with the submitted ecological report (Chapter 5.4, RPS). The report suggests that any shortfall can then be delivered on SBC land. This is acceptable and should be secured by condition e.g. derived from the template conditions contained in the Stevenage Planning and Biodiversity SPD.
- 5.7.2 The biodiversity metric should be completed before a decision can be made because proof of net gain is a requirement of planning and the figure that it generates must be included in the condition. A net gain is the baseline habitat score plus 10%.

## **5.8 Council's Parks and Amenities Section**

- 5.8.1 Following a review of the application, there are no concerns with the proposal. It is noted that there is the intention for the landscaping to be managed and maintained by a management company.

## **5.9 Affinity Water**

- 5.9.1 Following a review of the application, there are no comments to make.

## **5.10 NHS East and North Hertfordshire CCG**

- 5.10.1 On this occasion, there is no request for developer contributions for Primary Care/GP, Acute, Community or Mental Health. There are no other observations to comment on.

## **5.11 Council's Waste Section**

- 5.11.1 From what I can see, we have only allowed for 3x 1100ltr bins, which is fine. However we haven't allowed for any recycling, we would require space for at least 6x 360ltr bins. As the development is for homeless/single occupancy, there would still be a need for recycling requirements, but there can be a reduction from 3x 1100ltr bins for general waste down to 2x 1100ltr bins.

## **5.12 Council's Estate Department**

- 5.12.1 No comments to make.

## **5.13 Council's Arboricultural Manager**

- 5.13.1 I welcome the amendments on this latest plan, in particular because Block C appears to have been moved back from mature Hornbeam tree T003 which now will remain in situ and be protected (RPA, etc.). It also appears that the mature Cherry tree to the left rear corner of the site is being retained which is also welcomed. As already agreed last year (and you kindly funded), this tree (T003) should be overall reduced, and ivy killed off, sometime late January 2022 which will reduce the tree encroachment onto the proposed development and also compensate for any minor root damage during the construction stage.
- 5.13.2 Approximately a year ago, the overgrown vegetation (bramble and weeds) in the lane was cut back. On the cleared banks, also last winter, we planted some 300-400 new whips. Whilst they are currently still small, approximately 2-3 feet tall, the whips will eventually grow, in the next 4-5 years and recreate two rows of native hedgerow (Hawthorne, Blackthorn, Hazel and Field Maple) instead of the regrown mass of bramble.

5.13.3 With regards to the offer to plant more trees in the area, to compensate for the Acers removed at the front of the site, I would be minded to accept the 300-400 whips (trees) in the lane, already paid for and planted, as a replacement in advance, with no need, in my mind, for further planting.

5.13.4 There is a small error on the submitted Arboricultural Impact Assessment (AIA), in that the two trees now to be retained (T003 and T008) show as retained on the plans but the AIA has not been updated to reflect this and they are shown to be removed. This will need updating before sending to the Arboricultural Contractor.

## **5.14 Pre-application Consultation by SBC Housing Development (the Applicant)**

5.14.1 Prior to the submission of a planning application, the Housing Development team conducted consultation with residents and organisations in the local area. Information was provided to key stake holders, including those residents in the local area on Raban Close and along Oaks Cross. As well as this, the school, nearby church and ward members were also consulted. This included:

1. Delivering 26 letters to residents outlining detailed plans of the scheme, including proposed usage and providing various means for residents to engage with us if they wished to learn more, including telephone and email correspondence.
2. Delivering letters to the Longmeadow Evangelical Church, Longmeadow Primary school, Barnardo's family support group and the Playhouse pre-school.
3. Responding to queries sent to the housing development inbox
4. Responding to telephone enquiries

5.14.2 As a result of this consultation exercise, a total of two residents responded asking for some additional information on the proposals which were provided and any questions were answered. The scheme received no objections from the local ward Members, with the one Member articulating that they were happy with how the scheme was progressing.

5.14.3 In terms of the response from local community groups, a follow up visit was arranged with the local school to answer a variety of questions in regards to the development. The local church also contacted us to offer their full support for the proposals.

## **6. RELEVANT PLANNING POLICIES**

### **6.1 Background to the Development Plan**

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

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

### **6.2 Central Government Advice**

6.2.1 A revised National Planning Policy Framework (NPPF) was published in 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

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 Adopted Local Plan (2019)**

6.4.1 The policies set out below are relevant in the determination of this application:

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 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 HO1: Housing allocations;  
Policy HO5: Windfall sites;  
Policy HO7: Affordable housing targets;  
Policy HO8: Affordable housing tenure, mix and design;  
Policy HO9: House types and sizes;  
Policy HO10: Sheltered and supported housing;  
Policy HO11: Accessible and adaptable housing;  
Policy GD1: High quality design;  
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.

## **6.5 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

## **6.6 Community Infrastructure Levy**

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**

7.1.1 The main issues for consideration in the determination of this application are its acceptability in land use policy terms, affordable housing and planning obligations, visual impact of the development, impact upon neighbouring amenities, impact upon future amenities of residents, parking provision, highway implications, development and flood risk, impact on the environment, trees, landscaping and the Ancient Lane, biodiversity, ecology and protected species and loss of open space.

7.1.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that all planning applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

## **7.2 Land Use Policy Considerations**

### Compliance with the Council's Housing Policies

- 7.2.1 The NPPF (2021) states at paragraph 7 that the purpose of the planning system is to contribute to the achievement of sustainable development. The NPPF also stipulates that decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area. In addition, the Framework also sets out that sustainable development needs to be pursued in a positive way and at the heart of the framework is a "presumption on favour of sustainable development". Paragraph 62 of the NPPF (2021) requires that the planning system should deliver, inter alia, a mix of housing particularly in terms of tenure and price to support a wide variety of households in all areas. Paragraph 69 of the Framework sets out that small and medium sites can make an important contribution to meeting housing requirements in an area, and this includes supporting the development of windfall sites.
- 7.2.2 Paragraph 119 of the NPPF (2021) stipulates that planning policies and decisions should promote the effective use of land in meeting the need for homes such as through the use of brownfield sites (previously developed land) and the development of underutilised land.
- 7.2.3 The site is not allocated in the Local Plan and would therefore, be classed as windfall. Policy HO5 of the adopted Local Plan (2019) deals with windfall housing sites and states that permission will be granted where: the site is on previously developed land or is a small, underused urban site; there is good access to local facilities; there will be no detrimental impact on the environment and the surrounding properties; proposals will not prejudice the Council's ability to deliver residential development on allocated sites; and, the proposed development would not overburden existing infrastructure.
- 7.2.4 Taking the above issues in turn, the site is not classed as previously developed land as it comprises part of a residential garden area which falls within the curtilage of 108 Oaks Cross. As such, the proposed development is in conflict with Policy HO5. Therefore, an assessment has to be undertaken to determine whether the overall harm of development outweighs the benefits. This will be assessed in detail across the relevant sections of this Committee report which will form part of the overall planning balance assessment.
- 7.2.5 In terms of the second criteria, the site does have good access to facilities as it lies in close proximity of the Oaks Cross Neighbourhood Centre. In addition, there are a number of bus stops which are positioned less than 400m from the site and just to the north is a shared surface cycle and pedestrian route. In terms of impact on the environment, this will be considered in greater detail in the following sections of the report. In terms of allocated sites, the development will not prejudice the ability to deliver any allocated site and due to its limited scale combined with the nature of the proposal, it would not significantly overburden existing infrastructure.

- 7.2.6 Turning to the use of the proposed modular units as homeless accommodation, it is of note that the Stevenage and North Hertfordshire Strategic Housing Market Assessment (SHMA) includes a projection that there will be increasing demand for supported housing needs during the Local Plan period. The SHMA uses the Homes and Communities Agency Vulnerable and Older People Needs Estimation Toolkit to estimate an increased need between 2011 and 2031 for people with: alcohol misuse, learning disabilities, mental health problems, offenders, moderate physical/sensory disabilities, serious physical/sensory disabilities, refugees, rough sleepers and single homeless with support needs totalling 190 dwellings over the plan period. The Local Plan evidence base has therefore identified that there will be an increasing demand for supported living accommodation. Given there is need for a variety of accommodation, including for people who are homeless, this evidence base demonstrates there is a need for this type of development and this weighs in favour of the application.
- 7.2.7 In addition to the above, there is evidence to demonstrate that homelessness is on the rise, especially as a consequence of the recent Covid-19 pandemic. In December 2019, the housing and homelessness charity Shelter composed a report of Local Authorities estimated homeless levels. This report set out that there was an estimated 259,400 individuals who are homeless in England. This figure is made up of 4,677 rough sleepers with the remainder in temporary living accommodation. Therefore, it is further evident there is a growing need to provide accommodation for people who are homeless. As such, this development is devised to be a steppingstone between rough sleeping or reliance on hostels. The units themselves have been devised in consultation with homeless charities and they are designed to help the needs of vulnerable residents and provide them with a robust, safe and secure space they can live in.
- 7.2.8 Turning now to the housing delivery test and 5 year land supply, Paragraph 74 of the NPPF (2021) stipulates that strategic policies should include a trajectory illustrating the expected rate of housing delivery over the plan period, and all plans should consider whether it is appropriate to set out the anticipated rate of development for specific sites. Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old. The supply of specific deliverable sites should in addition include a buffer (moved forward from later in the plan period) of:
- a) 5% to ensure choice and competition in the market for land; or
  - b) 10% where the local planning authority wishes to demonstrate a five year supply of deliverable sites through an annual position statement or recently adopted plan, to account for any fluctuations in the market during that year; or
  - c) 20% where there has been significant under delivery of housing over the previous three years, to improve the prospect of achieving the planned supply.
- 7.2.9 Turning to Five Year Housing Land Supply, the Council issued an Update Housing Land Supply Document in August 2021. This document was produced following the Appeal Decision for Land West of Lytton Way (APP/K1935/W/20/3255692). It sets out that the Council can demonstrate a Housing Land Supply of 5.85 years for the period 1 April 2021 to 31 March 2026, using the Liverpool methodology and guidance from the NPPF and Planning Practice Guidance (PPG). Given this position, whilst the Council has failed to meet its Housing Delivery Test, this document demonstrates that the proposal is not fundamental in the Council's ability to meet its 5 year land supply, even when incorporating the 20% buffer.
- 7.2.10 Notwithstanding the above, since November 2018, housing delivery has been measured against the Housing Delivery Test (HDT) as set out by 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 74 of the NPPF. Where an authority's score is below 75%, the Council will be subject to the HDT's most severe penalty and must apply the presumption in favour of sustainable development.

- 7.2.11 The latest HDT results, published by MHCLG in January 2021, identify that Stevenage only delivered 64% of its housing requirement. This is significantly below the 75% target and as set out in paragraph 9.2.2 of this report, 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, in substance, give great weight to the need to deliver housing. It is important to note that the presumption in favour of sustainable development as outlined in the NPPF kicks in if the Council fails either 5 year land supply, or the Housing Delivery Test (footnote 8 of Para. 11 of the NPPF). Therefore, whilst it can be demonstrated there is a 5 year land supply, the Council failed to meet its HDT requirement.
- 7.2.12 Given the aforementioned, as the Council has failed to meet the Government's Policy requirement in relation to supporting the delivery of housing in line with HDT, in accordance with the NPPF, as the presumption in favour of sustainable development kicks in, the Council must approve applications for housing development unless its impacts clearly outweigh the benefits.
- 7.2.13 In respect to Policy HO9 (House types and sizes) of the adopted Local Plan (2019), as the proposed development seeks to deliver smaller accommodation, it would be in accordance with this policy as it would help to balance the structural imbalances in the existing housing stock, i.e. due to the lack of smaller properties in the Borough as identified in the Local Plans supporting evidence base.
- 7.2.14 Taking the aforementioned assessment into consideration, it can be concluded that the proposed development would not accord with Policy HO5 of the adopted Local Plan (2019). This is because the proposed development would be delivered on land which is not defined as previously developed as defined by Annex 2 of the NPPF (2021). However, the proposed development does seek to deliver 11no. one person, homeless living accommodations. The evidence base which also supports the Local Plan (2019) includes a projection that there will be increasing demand for such housing during the Local Plan period (see paragraph 7.2.5). As such, this development would help to meet this growing demand.
- 7.2.15 Turning to policy HO10 of the adopted Local Plan (2019) states that planning permission for sheltered and supported housing schemes will be granted where:
- a) The site is well served by public transport;
  - b) There is good access to local services and facilities such as neighbourhood centres;
  - c) Appropriate levels of amenity space and parking for residents, visitors and staff are provided; and
  - d) The proposal is appropriately located.
- 7.2.16 Taking the above into consideration, as already established, the site is in a sustainable local location which is well served by public transport with good access to local facilities including Oaks Cross neighbourhood centre. In regards to amenity provision and parking, this is considered in greater detail in the relevant sections of this report. In terms of the sites location, it is appropriately located sitting within a well-established residential estate of Stevenage.

7.2.17 Consequently, it can be deduced that, despite the conflict with Policy HO5, the scheme is identified as being in a sustainable location with access to local services and facilities (see paragraph 7.2.5). The development would also deliver much needed housing due to the shortfall in housing delivery in the Borough as identified in paragraphs 7.2.9 to 7.2.11 of this report. Furthermore, and as evidence in paragraphs 7.2.6 and 7.2.7, there is a need for the delivery of accommodation which includes persons who are homeless. Moreover, the proposal would be acceptable in line with Policy HO10 in terms of criterion a, b and d.

7.2.18 Consideration of the effects of the development on the character of the area and neighbouring amenities, and the ability of the site to provide good living conditions for future residents as well as impact on the environment, biodiversity and infrastructure will be considered in the following sections of this report.

### **7.3 Affordable housing and planning obligations**

7.3.1 Policy HO7 of the adopted Local Plan (2019) stipulates that planning permission would be granted for residential development which would maximise affordable housing provision. Taking this into consideration, there is a requirement to provide 25% of new homes to be affordable on previously developed sites. In this regard, there would be a requirement to provide 2.75 (rounded up to 3) affordable units.

7.3.2 Turning to affordable housing tenure, mix and design, Policy HO7 states that planning permission will 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 In addition to the above, paragraph 65 of the NPPF (2021) stipulates that for major developments involving the provision for housing, planning decisions should expect at least 10% of the total number of homes to be made available for affordable home ownership (this includes affordable housing for rent, starter homes, discounted market sales housing and other routes including shared ownership, equity loans and other low cost homes (at a cost to at least 20% below market value)). However, the 10% requirement is part of the overall affordable housing contribution for the site.

7.3.4 The proposed development is seeking to deliver 11no. 1 person homeless living accommodations. Given this, as the proposed development does not seek the delivery of market housing, it would be exempt from providing affordable housing. However, to ensure these properties are retained as homeless living accommodation and not converted to market housing in the future, it is recommended a clause is added to any S.106 agreement in order to restrict the use of the properties for homeless living accommodation.

7.3.5 Turning to the recently adopted Developer Contributions SPD (2021), this SPD introduces a new requirement that developers of major development when signing an agreement with the Council, will need to:

- Attempt to fill 5% to 10% of construction jobs on-site associated with the development with Stevenage Residents;
- Attempt to fill 1 apprenticeship position per 10 construction jobs on-site with a Stevenage Resident or Student (cap requirement of 10 apprenticeships);

- Report whether or not these requirements are met; and
- Provide a financial contribution in lieu of not achieving either or both targets.

The applicant has agreed to the requirement to include a Construction Training Plan as part of the S.106 agreement.

- 7.3.6 In terms of monitoring, the Council Developer Contributions SPD set out that the Council will seek a monitoring fee of 2.5% of the value of the contributions being monitored. The fee would be capped at £25,000.00. The monitoring fee itself would be secured as part of any S.106 legal agreement.
- 7.3.7 Turning to the areas of open space on the site, including areas of highway which are not to be formally adopted by the Council or Hertfordshire County Council, it is recommended that the Legal Agreement secures the provision of a Management Company. This is to ensure that the areas of un-adopted open space and highways which form part of the development are properly managed and maintained during the lifetime of the development.

## **7.4 Visual impact of the development**

- 7.4.1 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”.
- 7.4.2 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.
- 7.4.3 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”.
- 7.4.4 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”.
- 7.4.5 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.

- 7.4.6 Policy HO5: windfall sites require residential development on unallocated sites 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 requiring 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.
- 7.4.7 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.
- 7.4.8 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.
- 7.4.9 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.
- 7.4.10 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.
- 7.4.11 This part of the application has been assessed against the key policy criteria on good design, as well as how the scheme meets the four key objectives in the National Design



Guide on what is considered as a well-designed place. The proposed development would comprise the construction of 11 no. 1 bedroom modular units. The modular homes have an internal area of 24 sq. m, and are single storey in height. The units themselves would measure approximately 7.98m in length, span 3.94m in width with an overall height of 3.08m with a flat roof design. The units would be constructed from steel lined external walls finished in a combination of dark grey and orange with aluminium framed windows (finished in grey) and doors (finished in orange). The units would have fully integrated gutters.

- 7.4.12 The units would be positioned around a private access with three units and dedicated cycle provision being provided at the northern part of the site. The eastern part of the site includes six units which are sighted at a slight angle from the north-east corner of the site. The last 2 units are positioned to the south. There would be a small paved area to the front of each of the units as a breakout space and there would be additional landscaping. The scheme also comprises a communal refuse store along with a communal Air Source Heat Pump.
- 7.4.13 The cycle store would measure approximately 6.52m in width, 2.06m in length with a height of 2.23m. In terms of the bin-store, this would have an L-shaped footprint measure a maximum of 5.36m in length, 3.77m in width with an overall height of 1.86m. The bin store and cycle store would be constructed from timber which will have a natural finish. In terms of the Communal Air Source Heat Pump, this would be housed in an enclosure measuring 1.89m in width, 1.31m in length and 3.0m in height. The housing would be constructed in aluminium cladding finished in grey.
- 7.4.14 Taking the aforementioned into consideration, it is noted that the proposed development in terms of its visual appearance would be out of character with the traditional style of housing in the area. However, the northern edge of the site would be screened by the mature hedge which forms part of the Ancient Lane. This established hedgerow would be further enhanced through new native planting which has been undertaken by the Council along with the retention of the mature Hornbeam Tree and Cherry Tree help to further soften the appearance of the development. At the front of the site, the planting of natural deciduous grass and evergreen hedging would form a natural screen as viewed from Oaks Cross once it has been fully established. There would also be additional landscape planting in the site comprising a mixture of hedge, shrub and further retention of 2 no. mature trees and the planting of 3 additional trees would help to visually enhance the site.
- 7.4.15 The units would also be screened from the south when travelling along Oaks Cross by the existing two-storey dwelling (108 Oaks Cross) and from longer views to the north by the public house and additional landscaping on the northern side of the Ancient Lane. Moreover, the units would be generally self-contained within the site with the bulk of the units of the units positioned to the rear so would only be visible from acute angles when one travels along Oaks Cross. Furthermore, the units are single-storey in height, so are deemed to be limited in size and scale so as to not appear dominating when viewed from the wider street.
- 7.4.16 Given the aforementioned assessment, the proposed development is therefore, considered acceptable in accordance with the policies on design in the adopted Local Plan (2019), the Design Guide SPD (2009), the NPPF (2021) and PPG.

## **7.5 Impact upon Neighbouring Amenity**

- 7.5.1 In assessing the impact on neighbouring amenity, the Council's Design Guide sets out standards which should be met to safeguard the privacy and outlook of adjoining properties from new development. In this regard, when assessing developments which are single-storey in height, the recommended separation distances are as follows:

No of Storeys	Type of Separation	Min. distance (metres)
Between existing and new 2 storey or a mix of 1 and 2 storey dwellings.	Back to Back Back to Side	25m 15m
Between new 2 storeys or a mix of 1 and 2 storey	Back to Back Back to side	20m 12m
Over 2 storeys between existing and new dwellings	Back to Back Back to Side	35m 25m
Between new dwellings over 2 storeys in height.	Back to Back Back to Side	30m 20m

- 7.5.2 Following an assessment of the proposed development, the proposed 2no. units positioned in block B would be located approximately 9m from the rear elevation of no. 108 Oaks Cross. As such, the proposed development would fail to accord with the back-to-back requirements of the Design Guide SPD. However, the units would only be single-storey and between them and the rear garden or no. 108 Oaks Cross would be a 1.8m high close boarded fence. As such, as the units are single-storey, the bedroom windows of the modular units would look out onto the boundary fence. As such, they would not cause any loss of privacy.
- 7.5.3 In terms of outlook, the units would only project approximately 1.28m above the fence line and being set over 2m from the shared common boundary with number 108 Oaks Cross, it would not appear overbearing or create a significant loss of outlook to the owner / occupiers of the property.
- 7.5.4 Turning to the impact on number 21 Raban Close, the proposed units within Block A are located within approximately 4m from the flank (side) wall of this property. As a consequence, they fall below the 15m separation distance as defined in the Design Guide SPD. However, the flank elevation of this property does not comprise of any habitable windows. This combined with the fact the units are single-storey, there are no issues in relation to outlook or privacy.
- 7.5.5 Notwithstanding the above, it is noted that the three of the units in block A would fall in line with the rear garden area of 21 Raban Close. However, the proposed units have been set back between 2.9m to 5.16m to ensure they do not appear overbearing as viewed from the private garden area and ground floor habitable windows of the aforementioned property.
- 7.5.6 In relation to the impact on number 19 Raban Close, the southernmost unit of block A is positioned approximately 4m from the side elevation of this property. However, again there are no windows in the flank elevation which serve habitable rooms which would be affected by the proposed development. In terms of impact on the private garden area, the unit would be set between 3.3m to 3.8m from the shared common boundary. This combined with the presence of the 1.8m high close board fence would mean the units would not cause any issue with respect to outlook or privacy.
- 7.5.7 With respect to the impact on number 106 Oaks Cross, whilst the southernmost unit is positioned approximately 1m from the shared common boundary, they would be sited well over 10m from the rearward facing habitable windows of this property. In addition, being single-storey, they would have a limited projection over the boundary fence to cause any significant harm in terms of privacy or outlook.
- 7.5.8 In regards to sunlight, daylight and overshadowing, whilst concerns have been raised by local residents as to the developments potential impact, it is important to note that the units are sited due north of the nearest residential properties. This combined with the fact that they are single-storey, they do not breach the 45 degree line in plan or the 25 degree line as

set out in the BRE Sunlight and Daylight guidelines. In addition, whilst the garden area of number 21 Raban Close would be slightly affected by the new fence which has been erected, there are no restrictions on this site to erect a fence as a fence up to 2m in height could be erected via permitted development under Schedule 2, Part 2, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (As amended). As such, there would not be sufficient grounds to warrant refusal in this instance.

7.5.9 Given the aforementioned assessment, the proposal would not have a detrimental impact on the amenities of neighbouring residential properties. As such, the proposal would accord with the policies in the adopted Local Plan (2019), the Council's Design Guide SPD (2009), the NPPF (2021) and PPG. In regards to the impact of noise and light pollution on the amenities of neighbouring residents, these aspects have been considered in detail in section 7.10 of this report.

## **7.6 Impact upon future amenities of residents.**

7.6.1 In considering a residential scheme of this nature it is also important to ensure that living conditions for any future occupiers are appropriate. In regards to private amenity space, there are no set standards for a development of this nature. As such, the nearest standard will be for apartments where there is a requirement to provide 50 sq.m of amenity space for schemes of up to 5 units, plus an additional, 10sq.m for every additional unit above 5.

7.6.2 Based on the number of units proposed, there would be a requirement to provide 110 sq.m of private amenity space. The proposed development does not seek to provide private amenity space in the traditional sense due to the nature of development. However, each modular unit does comprise a small, paved area which is provided to the front of each of the homes to provide a breakout space. There is also an area of approximately 151 sq.m of private landscaped amenity grassland at the southern part of the site which could be used as an area to sit out on. The site is also within walking distance to Shephalbury Park which provides an additional area of open space which could be utilised by future residents.

7.6.3 With regard to the requirements for new residential properties to meet Nationally Described Space Standards (NDSS) as defined by Policy GD1 of the adopted Local Plan (2019), for 1 bedroom, 1 person flats, there is a requirement to provide 37/39 sq.m of floorspace. The proposed units would only be approximately 24 sq.m in area. Given the aforementioned, the proposed units would be well below NDSS requirements. However, it is important to note that this development is for the creation of living accommodation i.e. temporary and emergency accommodation for people who are homeless. Consequently, this development is not designed to be a place of permanent residence and therefore, it considered that the proposal in this instance would not be required to meet NDSS requirements.

7.6.4 Turning to Policy HO11, this requires that for Major Developments, there will be a requirement to provide at least 50% of all new units to be accessible and adaptable dwellings. The units, whilst they are small, have been designed to meet Part M4(2) of the Building Regulations (Accessible and Adaptable dwellings). As such, they can be adapted for persons who have mobility issues. Therefore, and if the Council is minded to grant planning permission, it will require 50% of all new dwellings to be accessible and adaptable in accordance with Policy HO11.

7.6.5 In terms of outlook, privacy, sunlight and daylight, due to the siting and position of the proposed units, combined with their overall height, each unit would have an acceptable level of privacy and outlook. In addition, each unit would receive sufficient sunlight and daylight in accordance with BRE guidance.

## **7.7 Parking Provision**

- 7.7.1 Policy IT5 of the adopted Local Plan (2019) states that planning permission will be granted where proposals comply with the parking standards set out in the plan. The Council's Parking Provision and Sustainable Transport SPD (2020) provide requirements for supported living accommodation based on 3 spaces per 4 units for small units (1-2 persons) and one space per unit for family units (3 persons +). The proposal includes the provision of 11 small units requiring a total of 6 car parking spaces.
- 7.7.2 However, the application site is located within residential accessibility zone 3, where the Council would seek between 75% to 100% of the maximum number of car parking spaces to serve the development. This equates to a total requirement of 4.5 to 6 car parking spaces. The proposed development would seek to provide 3 parking spaces which is 1.5 spaces below the Council's adopted Parking Standards SPD. Notwithstanding this, the car parking spaces are to be designated for visiting staff members only. These spaces would be utilised when occasional maintenance of the premises is undertaken or when staff do support visits.
- 7.7.3 As such, and due to the nature of the development, no parking will be made available for occupiers of the units. This is because the expectation is that residents of the facility will not have the means to own or run a vehicle of their own. However, the applicant has confirmed that prior to an offer for housing, a resident will be assessed to ensure that they do not require parking facilities and will be advised that parking provision is not available on-site. However, where their circumstances change, the applicant would seek to find suitable alternative accommodation.
- 7.7.4 Given the above, it is recommended that if the Council is minded to grant planning permission, a condition is imposed restricting the use of the parking area for staff and maintenance contractors only. In addition, a condition should also be imposed where a detailed management plan of the site is submitted to the Council as Local Planning Authority for its approval. This is to ensure that the parking is properly managed on-site and to ensure that residents who reside in the temporary accommodation do not use these spaces to park a private car.
- 7.7.5 Turning to disabled parking, in line with the Council's adopted Standards, 5% of the total number of spaces should be designated for disabled persons. In this regard, there would be a requirement to provide 1 disabled parking bay. The proposal seeks to provide 1 disabled parking bay in line with the Council's standards.
- 7.7.6 In regards to cycle parking, the Council's Parking Standards SPD stipulates for this development, there is the requirement to provide 1 long-term cycle space per 1-bedroom unit. Taking this requirement into consideration, there would be the provision of a cycle store. This would ensure that there is more than sufficient cycle parking to serve the development.
- 7.7.7 Turning to electric vehicle parking, the Car Parking SPD (2020) now introduces a minimum requirement for electric vehicle parking. The requirements for new developments would need to abide by the following:-
- All new car parking should be designed to fulfil a Passive Electrical Vehicle Charging Point standard (providing the necessary underlying infrastructure);
  - The blend of access to charging points provided within new developments;
  - A minimum of 20% of new parking on a site to have access to an active EV charging point;
  - A flexible approach to the requirement of charging facilities as technology changes.
- 7.7.8 The applicant has not provided any details of electric vehicle charging facilities as part of this application submission. Therefore, a condition would be imposed requiring details of electric vehicle charging facilities to serve this development to be submitted to and

approved in writing by the Local Planning Authority. This will allow staff and contractors who attend the site to be able to charge their vehicle.

- 7.7.9 In terms of existing on-site parking, the applicant has demolished the existing garage which was previously located on the site. However, this garage was no longer utilised by any residential properties, including number 108 Oaks Cross for the parking of motor-vehicles. This is because the garage, based on historic photographic evidence, appears to be insufficient in terms of its size to accommodate a modern motor-vehicle and it also appeared to have been in an extremely poor condition. Even if it was argued that the scheme did result in the loss of a parking space, it can be deduced that the overall benefits that the development would deliver, would outweigh the harm caused by the loss of this one parking space.
- 7.7.10 Given the aforementioned assessment, and through the use of appropriately worded conditions, there would be sufficient parking (including cycle parking, disabled parking and EV parking) in accordance with the Council's adopted Parking Standards. In addition, there is sufficient evidence to demonstrate that the applicant would not be required to deliver replacement parking following demolition of the garage. Therefore, the proposal would be in accordance with policies set out in the adopted Local Plan (2019), the Council's Parking Standards SPD (2020), the NPPF (2021) and PPG.

## **7.8 Highway implications**

- 7.8.1 The proposed development seeks to utilise the existing access point off Oaks Cross to serve the new development. This existing access would be widened to 3.72m in width in order to accommodate a fire tender. The altered vehicle access, as confirmed by Hertfordshire County Council (HCC) as Highways Authority would have suitable vehicle-to-vehicle inter-visibility and pedestrian visibility in accordance with the Department for Transport (DfT) Manual for Streets.
- 7.8.2 In terms of pedestrian access, this would be taken off the existing footpath which leads to Oaks Cross. In terms of accessibility, the site is highly accessible by foot as it does lie within close proximity to an established cycle network which runs up to Shephalbury Park to the west and the A602 Broadhall Way to the east. The site is also located in close proximity to bus stops which are located on Oaks Cross and the site is also within a short walking distance to the neighbourhood centre. Consequently, the site is identified as being within a highly sustainable location.
- 7.8.3 With regards to waste collection, the bin store has been located within close proximity to the public highway so would be easily accessible for refuse teams. The site can also be easily accessed by emergency vehicles such as fire tenders. In terms of the parking areas, these have been designed to ensure that vehicles can safely manoeuvre within the site and egress onto the highway in a forward gear. Further, the provision of disabled parking and cycle parking, also accord with the County Council's Local Transport Plan 4.
- 7.8.4 In relation to traffic generation, due to the limited scale of the proposed development, it would not generate a significant increase in vehicle traffic which likely affects the overall operation of the highway network. With regards to the Construction Phase of development, the application is accompanied by a Construction Plan and Construction Transport Plan whereby HCC as Highways Authority have not raised any concerns with how construction will be managed as part of this development. As such, it is recommended that the Construction Plan and Construction Transport are secured by way of condition to ensure that during the construction phase, the development is carried out in accordance with the relevant details to ensure construction activities do not prejudice highway safety.
- 7.8.5 Given the aforementioned, subject to the imposition of appropriately worded conditions to ensure the development is acceptable in highway terms, it is not considered by HCC

Highways that the proposed development would prejudice the safety and operation of the highway network. Therefore, it can be concluded that the proposal would accord with the policies set out in the adopted Local Plan (2019), the County Council's Local Transport Plan 4 (2018), the NPPF (2021) and PPG. Turning to the suggested conditions themselves, if the Council was minded to grant permission these would cover the following:-

- Vehicle access to be an appropriate width and reinstatement of the footway; and
- The materials of the access road.

7.8.6 HCC as Highways Authority has also suggested an informative is imposed relating to highway related works associated with the development being in accordance with HCC Highway requirements.

## **7.9 Development and Flood Risk**

7.9.1 The application site is located within Flood Zone 1 within the Environment Agency's flood risk map. Flood Zone 1 is defined as land having less than 1 in 100 annual probability of flooding, consequently, all developments are generally directed to Flood Zone 1. Notwithstanding this, the application which has been submitted to the Council is classified as a Major, therefore, in line with the Town and Country Planning (General Development Procedure) (England) Order 2015, the applicant has provided a Sustainable Urban Drainage Strategy.

7.9.2 The application is accompanied by the following:-

- Foundation 200 Oaks Cross Stevenage Drainage Statement for Hill Partnerships (October 2021) Reference: C7472 prepared by Walker Associates Consulting);
- Drainage Plan (Drg no. C7472/CE1, dated 21/10/2021);
- Tier 1 Contamination Risk Assessment (Document Reference: 66202214-SWE-ZZ-RP-J-0001, prepared by SWECO.

7.9.3 The drainage strategy for this scheme comprises the use of blue roofs for all buildings, permeable paving slabs and blocks for hard ground surfaces and infiltration by way of soakaway for the discharged surface water. The soakaway which comprises a cellular storage tank (5m long, 3.5m wide and 0.8m i.e. total volume 14m<sup>3</sup>) is indicated in the drawings which have been submitted.

7.9.4 Following the service announcement of the Lead Local Flood Authority that they are currently not providing a consultation service because of extreme resourcing issues and severe workload backlogs, the Council have appointed Wood Group UK Ltd to undertake drainage and flooding assessments of planning applications on the Council's behalf.

7.9.5 The Council's Drainage Consultant has advised that no infiltration testing has been carried out to inform the dimensions proposed for the soakaway. Therefore, they advise the evidence of infiltration to BRE Digest 365 standards should be undertaken to ensure the site can drain feasibly. As such, the consultant advises that infiltration as a discharge mechanism has not been demonstrated as feasible. Therefore, infiltration needs to be conducted at the proposed depth of infiltration and ideally at the same location. The consultant advised that a holistic approach to infiltration and ground conditions should be taken, whereby the contamination assessment takes account of the risk to groundwater associated with the proposed method of discharge (to the ground), and the proposed method of discharge is informed by the findings of the ground investigation/contamination assessment, including existing contaminative status, and depth to groundwater. Demonstration that runoff generated from road areas on site, including the access road and parking spaces, would have undergone suitable treatment prior to discharge should also be provided.

- 7.9.6 In terms of run-off rate, a greenfield run-off rate of 0.15 l/s is presented for the 1 in 1 year event. However, the Council's consultant advises that no explanation is provided as to how this was determined. Based on a reported site area of 0.1087ha, this would relate to a low discharge rate of 1.38 l/s/ha for the 1 in 1 year event, which would be consistent with a permeable substrate capable of supporting an infiltration-based approach to discharge.
- 7.9.7 The Drainage Statement also indicates that all modular units would be served by 'blue roofs' (with attenuation provided on the roof of the building structures) and permeable paving (slabs or blocks) for all other hard surfaces. The consultant advises that such an approach (blue roofs, permeable paving and landscaping, with no other hardstanding surfaces) would require minimal soakaway storage volume, thereby reducing any concerns relating to the lack of calculations to support the proposed dimensions of the soakaway. Furthermore, the Drainage Plan indicates that there would be scope to increase the size of this cellular storage tank if necessary (alongside potentially increasing its depth).
- 7.9.8 Despite not being referred to in the Drainage Statement, an engineering drawing showing typical drainage details for chambers, gullies, rodding points, pipe bedding and a cross section of the permeable paving was provided with the application. The suitability of these typical details for application at this site has not been discussed. For example, whether the depth of subgrade proposed for the permeable paving would be suitable for the proposed ground conditions and likely loadings on-site, for which no accompanying evidence has been provided to support the proposed design.
- 7.9.9 Taking the above into consideration, the consultant advises that a planning condition is imposed requiring details of the proposed surface water drainage at the site if the Council is minded to grant planning permission. Further conditions on infiltration-testing, and once a detailed drainage design is agreed, a condition covering adoption and maintenance of the drainage strategy. With these conditions in place, a suitable drainage strategy can be secured as part of this development.

## **7.10 Impact on the environment**

- 7.10.1 The application site according to historic OS Maps of the site, sets out that prior to the site being developed out in the 1960s, the site was part of open fields. Therefore, there would be very low risk of contamination.
- 7.10.2 Following consultation with the Council's Environmental Health Section, they do not raise any concerns from a land contamination perspective subject to the imposition of conditions. The conditions imposed would require a remediation strategy is submitted for approval in the event contaminants are identified during the construction phase of development.

### Groundwater

- 7.10.3 The application site is located within a Source Protection Zone 3 for potable water. However, no concerns have been raised by Thames Water or Affinity Water with respect to potential impact from the development on this Source Protection Zone. This is due to the limited risk of contaminants being present on this site.

### Air Quality

- 7.10.4 Policy FP7 of the adopted Local Plan (2019) states that all development proposals should minimise, and where possible, reduce air, water, light and noise pollution. Looking at air quality and air pollution specifically, The Air Quality Annual Status Report (ASR) 2019 by Stevenage Borough Council identifies that the development site is not located within or in close proximity to an Air Quality Management Area (AQMA). In terms of Air Quality in the

nearby area surrounding the development site, the nearest diffusion tubes and their readings in the aforementioned Report are as follows:-

- Tube 2 (Ashdown Road) – 17.5 NO<sub>2</sub> µg/m<sup>3</sup>;
- Tube 3 (Monksview) – 18.1 NO<sub>2</sub> µg/m<sup>3</sup>

The data above shows that the readings do not exceed the NO<sub>2</sub> annual mean objective of 40µg/m<sup>3</sup>. This generally shows that the Air Quality in the area is within national guidelines.

- 7.10.5 In order to mitigate the construction phase, it is recommended a condition is imposed on any permission issued. This condition would require the applicant to adhere to the Construction Management Plan which details measures on controlling levels of dust and air pollutions which are generated during the construction phase of development.
- 7.10.6 With regards to the operational aspect of the development, due to its limited scale, the proposed development would give rise to a very small rise in NO<sub>2</sub> emissions which in accordance with IAQM/EPUK guidance is identified as having a negligible impact at all receptors in the area. As such, the need for additional mitigation has not been identified as being required. As such, the Council's Environmental Health Section has not raised any concerns with respect to the operational impact the development would have on air quality.

#### Noise Pollution

- 7.10.7 With respect to noise, Policy FP8: Pollution Sensitive Uses stipulates that planning permission for pollution sensitive uses will be granted where they will not be subjected to unacceptably high levels of pollution exposure from either existing, or proposed pollution generating uses.
- 7.10.8 Dealing firstly with the impact of noise from the construction phase of the development, detailed measures are set out in the Construction Management Plan which accompanies this application. Through the CMP the hours in which noisy activities take place are to be controlled along with the imposition of relevant mitigation measures being put in place to minimise the impact of noise from construction activities. Moreover, if a breach were to take place, the Council can enforce the condition accordingly. Consequently, the imposition of such a condition is supported by the Council's Environmental Health Section.
- 7.10.9 With regards to noise which could arise during the operational phase of development, the site would be operated and managed by Stevenage Borough Council. As such, if any complaints arose regarding tenants who would be housed within the development, these would be dealt with by the Borough Council's Housing Teams accordingly. Notwithstanding, it is recommended a management plan for this site is secured by way of condition.
- 7.10.10 In terms of noise which is generated from the MVHR (Mechanical Ventilation and Heat Recovery System) / Communal Air Source Heat Pump, the Cass Allen noise assessment (RP01-21155-R0 dated 08 October 2021) and the addendum letter by Cass Allen (LR01-21155-R0 dated 20 December 2021) provides details of noise mitigation measures for the MVHR. In addition, the assessment sets out the measures used to for the proposed units to ensure that a suitable living environment can be achieved. Following consultation with the Environmental Health Section, they consider the mitigation measures which will be put in place are acceptable. In this regard, the development would a suitable living environment and it should not cause any significant issues in terms of the external plant in relation to neighbouring properties.
- 7.10.11 Notwithstanding the above, to ensure the relevant mitigation measures are put in place, a suitably worded condition would be imposed if the Council was minded to grant planning permission.



## Light Pollution

7.10.12 In terms of light pollution, Policy FP7: Pollution of the adopted Local Plan (2019) requires all development proposals should minimise, where possible, light pollution. Applications for development where pollution is suspected must contain sufficient information for the application to make a full assessment on impacts. Planning permission will be granted where it can be demonstrated that the development will not have unacceptable impacts on:

- a. the natural environment, general amenity and the tranquillity of the wider area which includes light pollution;
- b. health and safety of the public; and
- c. The compliance with statutory environmental quality standards.

7.10.13 Turning to the operational side of the development, the applicant has not submitted a detailed lighting strategy. However, to ensure that any external lighting does not prejudice highway safety or cause a substantive nuisance to neighbouring residential properties, a condition should be imposed to any permission issued. Details which would need to be provided as part of an overall lighting strategy should include:-

- Description of the proposed hours of operation, light spillage and column heights (if required);
- A layout plan of the proposed site showing beam orientation;
- Details of the proposed equipment design;
- Details of the expected impact on neighbouring properties and roads;
- A statement of any proposed measures to mitigate for the possible impact of the development (i.e. planting of trees, hedges and shrubs).

7.10.14 In terms of lighting associated with the construction aspect of the proposed development, this is dealt with as part of a Construction Management Plan.

## **7.11 Trees, landscaping and the Ancient Lane.**

7.11.1 Policy NH3 Green Corridors of the adopted Local Plan (2019) identifies that Shephall Green Lane (NH3/15) is defined as an ancient lane which is located just to the north of the application site. As such, the proposal could potentially have an impact on the Ancient Lane. Therefore, regard is given to the following criterion set out under Policy NH3, i.e. planning permission will be granted where:

- a) would not have a substantive adverse effect upon a Green Corridor;
- b) Retain and sensitively integrate any Green Corridor which must be crossed or incorporated into the site layout;
- c) Provide replacement planting, preferably using local native species, where hedgerow removal is unavoidable; and
- d) Reasonably contribute towards the improvement of Green Corridors in the vicinity of the application site.

7.11.2 With regards to trees, Policy NH5 of the adopted Local Plan (2019) states that development proposals will be expected to protect and retain individual trees within the development site and should include new planting where appropriate.

7.11.3 Dealing firstly with the Ancient Lane, the applicant advises that works were agreed about a year ago (23/12/2020) to undertake works along the Lane as part of a contribution to improvements to the wider area. The specification below was provided by the Council's Arboricultural Manager, and a contribution of £6,712 was paid by Housing Development towards the works:

Total cost of £8,712 which includes:

- Cut down and clear all poor condition vegetation and debris on both sides of the lane for the length of the proposed development (approx. 100 metres in total see map with area surrounded in red line below);
- Replant the whole section with native species whips, leaving appropriate gaps for the entrances to the site;
- Overall reduce mature Hornbeam tree by 30% and kill off Ivy from trunk (to mitigate in advance for any inevitable ground disturbance during the built);
- Fell/poison multi stem self-set Maple trees to the front corner of the site.

7.11.4 Much of the clearance and tidying works have taken place already, but no new planting has been undertaken as an early version of the scheme proposals saw entrances taken directly off of the Lane into some of the units (as alluded to above). Current proposals have been designed to take all accesses off of Oaks Cross, so the line of the replacement hedgerow can remain uninterrupted.

7.11.5 With regards to trees, approx. 8 trees were removed from the site earlier in the year, as agreed with the Council's Arboricultural Manager back in May. As these trees are not protected, the applicant would not have required consent from the Council as Local Planning Authority. In regards to Category B Trees as identified in the updated Arboricultural Assessment, Trees T003 (Hornbeam) and T008 (Cherry) which were previously shown as being removed are now to be retained. The applicant, as detailed in the amended plans, has also moved the communal ASHP plant to the south in order for tree T008 to be retained.

7.11.6 Following consultation with the Council's Arboricultural Manager, he welcomes the retention of the Category B trees as they are key features which help to define the Ancient Lane. In addition, and as advised by the Arboricultural Manager, it was agreed last year (and was funded by the applicant), that tree (T003) should be overall reduced, and ivy killed off, sometime late January 2022 which will reduce the tree encroachment onto the proposed development and also compensate for any minor root damage during the construction stage.

7.11.7 In addition to the above, the Council's Arboricultural Manager advises that approximately a year ago, the overgrown vegetation (bramble and weeds) in the lane were cut back. On the cleared banks, also last winter, we planted some 300-400 new whips. Whilst they are currently still small, approximately 2-3 feet tall, the whips will eventually grow, in the next 4-5 years, and recreate two rows of native hedgerow (Hawthorne, Blackthorn, Hazel and Field Maple) instead of the regrown mass of bramble. With regards to the offer to plant more trees in the area, to compensate for the Acers removed at the front of the site, the Council's Arboricultural Manager has advised that he is minded to accept the 300-400 whips (trees) in the lane, already paid for and planted, as a replacement in advance, with no need, in their opinion, for further planting.

7.11.8 In terms of tree protection, the Arboricultural Impact Assessment prepared by Hayden's Arboricultural Consultants (document reference 9103, dated 22 December 2021, Revision A) and drawing number 9103-D-AIA A provide details of the measures in accordance with BS5837:2012 which need to be put in place prior to commencement of development. These measures once in place, will ensure that any retained tree is not detrimentally effected by the proposed development. With respect to the overall construction of development, where works would affect the root protection areas of any retained tree, the aforementioned plans and assessment provide details of the construction methodology in these areas. This will ensure that any works within the Root Protection Areas do not cause any damage to the retained tree. The Council's Arboricultural Manager has not raised any concerns with respect to protection measures and the construction methodology.

- 7.11.9 Taking the above into consideration, through the use of an appropriately worded condition, the tree protection measures will need to be put in place prior to any construction works taking place. In addition, that the construction methodology is strictly adhered to. Through these measures, the development would not have a detrimental impact on any tree which is to be retained.
- 7.11.10 In regards to soft landscaping drawing HILL23495-11A provides details of a planting specification for trees, shrubs and amenity grass areas. With respect to hard landscaping, this HILL23495-12A, this would comprise a mixture of permeable paving in a stretcher bond pattern, permeable asphalt and granite gravel. Following consultation with the Council's Parks and Amenities Officer, he does not raise any concerns with the proposed landscaping strategy. In addition, the Council's Arboricultural Manager does not raise any concerns either. As such, and subject to an appropriately worded condition, the proposed landscaping strategy once delivered would help to create a well-designed development in line with policy requirements.
- 7.11.11 In terms of landscape management, the application is accompanied by a landscape management plan prepared by Hill and ACD Environmental (Document reference: HILL23495 man, dated Oct 2021) which includes details of a maintenance schedule and the body responsible for maintaining the soft landscaping on the site. This management plan ensures that the landscaping strategy for this site is kept to a high standard. As such, it is recommended this management plan is secured by way of condition.

## **7.12 Biodiversity, Ecology and Protected species**

- 7.12.1 The NPPF and accompanying Planning Practice Guidance requires the Council to achieve measurable net gains in biodiversity at development sites and across the Borough. To achieve a biodiversity net gain, a development must deliver a minimum of 10% net gain post development, when compared with the pre-development baseline. The Council's recently adopted Biodiversity SPD (2021) requires all major and minor applications other than the following exemptions currently suggested by the Government to demonstrate a net gain in biodiversity:
- i. Permitted development;
  - ii. Householder development, including extensions;
  - iii. Nationally significant infrastructure, which falls within scope of the Planning Act 2008;
  - iv. Some brownfield sites with marginal viability and substantial constraints. It is expected that full details to be set out in secondary legislation, but considerations are likely to include where sites contain a high proportion of derelict land and buildings and only a small percentage of the site is undeveloped, land values are significantly lower than average, and the site does not contain any protected habitats; and
  - v. Developments that would not result in measurable loss or degradation of habitat, for instance change of use of or alterations to building
- 7.12.2 The site is approximately 0.1 ha in size and comprises recently cleared land that is currently revegetating with species characteristic of disturbed, waste and urban garden habitats, with some mounds of garden waste resulting from recent site clearance works. The site is located in an urban setting and is bordered by residential properties to the south and west, by a belt of trees and scrub and a public footpath to the north and by Oaks Cross road to the west. The wider environment is generally urban in nature comprising a mixture of residential buildings along with hardstanding, trees and amenity grassland. The application is accompanied by a Biodiversity Net Gain Assessment and Ecological Appraisal to assess the potential for the site and adjoining habitats to have species that receive legal protection at either UK and/or European level. The survey comprised a desk top study from Hertfordshire Biological Records Centre and from the multi-agency

Geographical Information for the Countryside (MAGIC). A field survey was also undertaken along with a Bat Survey.

- 7.12.3 The Ecological Appraisal identifies that there are no impacts on any designated sites are expected as a result of construction or use of the development. In addition, no habitats of conservation interest were present on site. The development will result in the loss of some scrub to the north of the site and some mature trees, but this is not considered to be a significant impact given the small size of the site. The majority of the site is not considered to have any potential for protected species in its current condition.
- 7.12.4 The scrub and trees to the north of the site have potential for nesting birds, and it is therefore recommended that any further tree works or scrub removal is undertaken outside of the bird breeding season (which runs from March – August inclusive). If habitat removal during the breeding season is unavoidable, any trees or scrub to be removed should be checked by an ornithologist no more than 28 hours before works commence. Any active nests found should be left undisturbed until the chicks have fledged.
- 7.12.5 Most of the trees remaining on site have no bat roost potential. There is a large multi-stemmed Hornbeam on the north boundary which has a dense Ivy cover on the trunks and is therefore considered to have low-moderate bat roost potential. As this tree will be retained, it is not considered that any further surveys are necessary. However, if any further works are proposed to this tree that would affect the trunks, it is recommended that a bat emergence survey is undertaken to determine whether any roosts are present that might be affected by such works. It is also recommended that any external lighting is directed away from this tree and from the north boundary in general, to minimise any potential impacts on foraging or commuting bats that might use the footpath north of the site.
- 7.12.6 No other impacts on protected species would occur as identified in the Ecological Appraisal. In terms of recommendations, it does recommend, apart from the landscape planting, the provision of bird and bat boxes which are to be installed on retained trees.
- 7.12.7 With regards to biodiversity net gain and following recent correspondence with Herts and Middlesex Wildlife Trust, the applicant has undertaken a Biodiversity Net Gain calculation utilising the Defra Metric. The calculation identified that the baseline value of the site is 0.35 habitat units, the total net habitat unit change is -0.16 units meaning the post-intervention value of the site is 0.19. To get to 10% net gain the applicant will need to provide contributions to provide a total of 0.385 units (the baseline of 0.35 + 10%) which is a provision of 0.195 habitat units off-site.
- 7.12.8 At the time of writing this report, Herts and Middlesex Wildlife Trust were re-consulted on the Biodiversity Net Gain Calculation but had not provided any updated comments. Therefore, if any comments are received in advance of the Planning and Development Committee, their comments would be reported accordingly. In addition, it is recommended that delegated powers be given to the Assistant Director of Planning and Regulation in consultation with the Chairman, to secure any additional conditions which may be requested by the Wildlife Trust. In addition, as the site cannot meet 10% net-gain, a financial contribution is likely to be required in order to off-set this shortfall within Stevenage. Therefore, it is also recommended that delegated powers be given to the Assistant Director of Planning and Regulation in consultation with the Chairman to secure any financial obligations which may be required to off-set biodiversity shortfall which would form part of a S106 Legal Agreement.

## **7.13 Loss of open space**

- 7.13.1 In assessing the loss of open green space which forms part of the application site to the west of the site and to the rear of the garage blocks, Policy NH6 stipulates that for

development of any existing, unallocated open spaces, development would be permitted where:

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

7.13.2 The application site is, in part, formed of grassed amenity space which is located to the front of the site. The space forms part of a larger collection of open spaces surrounding the wider area of Oaks Cross, acting as a buffer between the highway and residential properties to the west and north of the garages. The area of green space to be incorporated into the application site is small compared to the total area of green space in this location. The remaining space will continue to provide a break in the built form of the surrounding area. As such, it is considered the loss of this small area of open space will not harm the function or amenity of the remaining space of which it is part and is therefore acceptable.

## 7.14 Other Matters

### Sustainable construction and climate change

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

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

7.14.2 The application is supported by detailed Water Efficiency Measures Calculation (BRE Water Efficiency Calculator), Carbon Emissions Reduction Measures Report (Carbon Emissions Reduction Statement by Volumetric dated August 2020) along with the sustainability measures set out in the Building Control Compliance Statement (prepared by Volumetric 2020). It is set out that the units would be served by a communal Air Source Heat Pump. The units themselves would comprise insulation layers on all respective walls and floors with high air tightness to reduce leakage. Low energy lighting would be installed throughout with all appliances fitted being energy efficient. The measures in place would reduce the carbon footprint of the development by 39.17%.

7.14.3 In terms of water efficiencies, the use of dual flush cisterns, flow rate controlled taps showers, washing machines and dishwashers to ensure that the total consumption on site is no more than 110 litres per person per day.

7.14.4 Given the above, and subject to conditions, it would ensure the development is designed in order to be adaptable to climate change as well as ensure a suitable waste management plan is provided.

### Waste and Recycling

- 7.14.5 The Design Guide (2009) states, provision should be made within new development for the storage and collection of waste from a site. The submitted plans indicate that sufficient provision for general waste and recycling for this site. In addition, the bin stores are located within acceptable drag distances for future occupiers as well as refuse collectors. As such, a condition would be imposed to ensure the stores are provided prior to first occupation of the development.

### Crime Prevention/anti-social behaviour/security

- 7.14.6 In regards to crime prevention, it is noted that despite the concerns raised by local residents, the Police Crime Prevention Design Advisor considers the development would be acceptable subject to the implementation of Secure by Design measures. The applicant has sought to engage with the Crime Prevention Design Advisor during the course of the application and improvements have been made to enable them to support the scheme. Such matters would also form part of any future Building Regulations approval under Part Q. Notwithstanding this, an informative can be imposed to any decision issued to require the applicant to continue to engage with the Police Crime Prevention Advisor in regards to Designing out Crime.

### Community Infrastructure Levy

- 7.14.7 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 meter)	
	Zone 1: Stevenage Central, Stevenage West Urban Extension and North of Stevenage Extension	Zone 2: Everywhere else
Residential		
Market housing	£40/m <sup>2</sup>	£100/m <sup>2</sup>
Sheltered housing	£100/m <sup>2</sup>	
Extra care housing	£40/m <sup>2</sup>	
Retail development	£60/m <sup>2</sup>	
All other development	£0/m <sup>2</sup>	

- 7.14.8 CIL is a non-negotiable charge. The exact charge will be determined by the Council's CIL officer after an application has been granted in accordance with the CIL Charging Schedule and the Community Infrastructure Levy Regulations 2010 (as amended). Opportunities for relief or exemption from the CIL charge exist and will be taken into account in the calculation of the final CIL charge.
- 7.14.9 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.

### Equality, Diversity and Human Rights

- 7.14.10 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.
- 7.14.11 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.
- 7.14.12 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.
- 7.14.13 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.
- 7.14.14 In terms of inclusive access, the scheme has been designed to be DDA (Disability Discrimination Act) compliant. In addition, in accordance with Policy HO11: Accessible and Adaptable Housing of the adopted Local Plan (2019), as this is a major scheme at least 50% of all new dwellings will need to be category 2: accessible and adaptable dwellings. Whilst this would be secured via condition, the applicant has provided details to demonstrate that 50% of the units will meet Accessible and Adaptable Housing Standards.
- 7.14.15 The scheme also seeks to deliver the necessary disabled parking provision in accordance with the Council's adopted Parking Standards SPD (2020). The bays will meet the relevant size standards and have been located in an appropriate location in close proximity to the entrance of the main residential building.

## **8. CONCLUSIONS**

- 8.1 In summary, it is acknowledged that there would be a conflict with Policy HO5 of the adopted Local Plan (2019). However, it can be concluded that the development would deliver significant public benefits which would outweigh the policy conflict in this instance. This is because the homeless living accommodation would meet an identified shortfall and need as supported by the evidence base in the Local Plan. Furthermore, as the Council has failed the HDT, great weight must be given to the delivery of housing, which is deemed to meet Paragraphs 8 and 11 of the NPPF in terms of sustainable development. In addition to this, the site is identified to be in a sustainable location within Stevenage with development being delivered on previously developed land in accordance with Policy HO5. Moreover, whilst the proposal would result in the loss of a small area of structural open space, the overall benefits of the development outweigh the loss of this space. Furthermore, it does not form any public function and there would still be sufficient public open space within the surrounding area. In addition, the overall benefits of this development would outweigh any harm caused by the loss of this small area of structural open space.
- 8.2 The scheme would, subject to conditions, not have a detrimental impact on the character and appearance of the area and it would not harm the amenities of neighbouring residential properties. Furthermore, the scheme would have acceptable living standards, would have sufficient off-street parking and would not prejudice highway safety and a suitable drainage

strategy can be secured through appropriately worded conditions. The development would not have a detrimental impact on the environment and a suitable landscaping strategy can be delivered to compensate for the loss of any existing trees and impact on the Ancient Land / Green Corridor. In addition, whilst the scheme would not deliver biodiversity net gain, a financial contribution can be sought to help off-set any shortfall. Moreover, the development would be adaptable to climate change. The scheme would also comprise sufficient general waste and recycle storage.

- 8.3 Given the aforementioned, whilst there is a policy conflict with Policy HO5, the development would on balance; accord with the majority of the policies in the adopted Local Plan (2019) as well as the Council's adopted Supplementary Planning Documents. It would accord with the policies set out in the NPPF (2021) and PPG. In addition, it has been identified in the overall planning balance, that the overall benefits of the scheme outweigh the policy conflict identified. 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 S106 legal agreement to secure/provide contributions towards:-

- Securing the provision of the supported housing units for the homeless to remain in perpetuity;
- Apprenticeships and construction jobs;
- Management Company to manage areas of un-adopted open space and highways;
- Securing the provision of a 10% net gain in Biodiversity off-site within Stevenage;
- S.106 monitoring fee.

- 9.2 The detail of which would be delegated to the Assistant Director of Planning and Regulation in liaison with the Council's appointed solicitor, as well as 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. These suggested conditions are as follows:-

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:  
21046wd2.01 A; 21046wd2.03 A; C7472/CE1; C7472/CE2; CHM-01 D5; CHM-83 D7; CHM-88 D4; CHM-89 D3; CHM-90 D3; CHM-D-02 D04; HILL23495-11A; HILL23495-12A; 9103-D-AIA A.  
**REASON:-** For the avoidance of doubt and in the interests of proper planning.
- 2 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  
**REASON:-** To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).
- 3 The materials to be used in the construction external elevations of the development hereby permitted shall be as specified in the application submission unless otherwise agreed in writing by the Local Planning Authority.  
**REASON:-** To ensure the development has an acceptable appearance.



- 4 All planting, seeding and turfing comprised in soft landscaping as detailed in drawing number HILL23495-11A shall be carried out in the first planting and seeding seasons following the first use of the site or the completion of the development whichever is the sooner.  
**REASON:-** To ensure a satisfactory appearance for the development.
- 5 Any trees or plants comprised within the approved plans or subsequently approved landscaping scheme, which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless otherwise agreed in writing by the Local Planning Authority.  
**REASON:-** To ensure a satisfactory appearance for the development.
- 6 No tree shown retained on the approved plans, or subsequently approved landscaping scheme, shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped within five years of the completion of development without the written approval of the Local Planning Authority.  
**REASON:-** To ensure the protection of those trees which should be retained in the interests of visual amenity.
- 7 Following the planting of the approved soft landscaping strategy, the landscape management plan prepared by Hill and ACD Environmental (Document reference: HILL23495 man, dated Oct 2021) which includes details of a maintenance schedule and the body responsible for maintaining the soft landscaping on the site shall be implemented accordingly. This management plan shall remain in place during the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.  
**REASON:-** To ensure a satisfactory appearance for the development.
- 8 All hard surfacing as specified in hard landscaping drawing HILL23495-12A shall be carried out prior to the first use of the site or the completion of the development, whichever is the sooner. The hardsurfacing area shall be permanently maintained during the lifetime of the development.  
**REASON:-** To ensure a satisfactory appearance for the development.
- 9 No development shall take place (excluding site clearance) until the tree protection measures as detailed in the Arboricultural Impact Assessment prepared by Hayden's Arboricultural Consultants (document reference 9103, dated 22 December 2021, Revision A) and drawing number 9103-D-AIA A have been implemented accordingly. The tree protection measures shall remain in place until the development has been completed. In addition, the methodology of construction for works which are to be undertaken within the root protection areas of those trees which are to be retained shall be carried out in accordance with the documents and plans specified in this condition.  
**REASON:-** To ensure the protection of those trees which should be retained in the interests of visual amenity.
- 10 The entire width of the widened access shall be reconstructed in a hard surfacing material for the first 5.00 metres from the channel of the adjacent carriageway.  
**REASON:-** To ensure construction of a satisfactory development, in the interests of highway safety, to prevent loose material from passing onto the public highway which may be detrimental to highway safety, in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).
- 11 The development hereby permitted shall be carried out in accordance with the Construction Phase Health and Safety Plan prepared by Hill dated 19/10/2021 and Construction Transport Management Plan prepared by Hill (document reference PDN05-G3-12.02.2018) unless otherwise agreed in writing by the Local Planning Authority.

**REASON:-** In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan.

- 12 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 13 which is subject to the approval of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 14.

**REASON:-** To ensure that the site does not pose any risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is completed.

- 13 In the event that contamination is found at any time when carrying out the approved development that was not previously identified, 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.

- 14 In the event that contamination is found at any time when carrying out the approved development that was not previously identified, as required under condition 12, 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.

- 15 Prior to first occupation of the development hereby permitted details of external lighting to the site shall be submitted to the Local Planning Authority and approved in writing. There shall be no other sources of external illumination.

**REASON:-** To minimise pollution of the environment and to safeguard the safety of the adjacent highway network.

- 16 The dwellings hereby permitted shall not be occupied until the cycle storage areas as detailed in the application submission have been implemented accordingly. The cycle storage areas shall be retained and maintained accordingly during the lifetime of the development.

**REASON:-** To ensure that adequate cycle parking is provided in accordance with the Council's adopted supplementary planning documents.

- 17 The dwellings hereby permitted shall not be occupied until the general waste and recycle store associated with the development hereby permitted shall be implemented in accordance with the details as specified in the application submission.

**REASON:-** To ensure the general waste and recycle store is of a sufficient size to accommodate the number of bins which are required for this development. In addition, to ensure the proposed bin store has an acceptable appearance.

- 18 Prior to first occupation of the development hereby permitted, details of the siting, type and specification of Electric Vehicle Charging Points (EVCPs), the energy sources and the strategy/management plan for supply and maintenance of the EVCPs shall be submitted to and approved in writing by the Local Planning Authority. All EVCPs shall be installed in accordance with the approved details prior to occupation of each of the units and permanently maintained, and retained, unless otherwise agreed in writing by the Local Planning Authority.

**REASON:-** In order to provide facilities to charge electric vehicles and to help reduce the impact of vehicle emissions on the local environment.

- 19 Prior to first occupation of the development hereby permitted the car parking spaces as detailed in drawing number 21046wd2.01 A and HILL23495-12A shall be surfaced and marked out in accordance with the approved details and shall thereafter be permanently retained and shall only be used for the parking of motor-vehicles only.

**REASON:-** To ensure there is sufficient off-street parking to serve the development hereby permitted.

- 20 Prior to first occupation of the development hereby permitted, a detailed site management plan of how the site will be managed and operated, including details of parking management and safeguarding protocols for future occupiers of the development shall be submitted to and approved in writing by the Local Planning Authority. The site management plan shall thereafter be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

**REASON:-** In order to protect the amenities of neighbouring properties and the safety and well-being of the occupiers of the site as well to manage on-site parking provision.

- 21 Infiltration testing should be in accordance with BRE Digest 365 which should be carried out at the location of any infiltration measure(s). Where infiltration is not possible, evidence that approval has been sought from the relevant water authority should be provided for any connection into a public surface water sewer.

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

- 22 No development shall take place until a final design of the drainage scheme for the site based on the principles set out in Condition 21, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is occupied. The scheme shall include:

- Updated surface water drainage calculations and modelling for all rainfall events up to and including the 1 in 100 year plus climate change event, including infiltration options.
- Updated full detailed surface water drainage plan showing the proposed discharge point, the location of the proposed SuDS features, any pipe runs and size.
- Detailed engineered drawings of the proposed SuDS features including their, size, volume, depth and any inlet and outlet features including any connecting pipe runs along with all corresponding detailed calculations/modelling.
- Exceedance flow paths for surface water for events greater than the 1 in 100 year plus climate change.

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

- 23 Upon completion of the drainage works, a management and maintenance plan for the SuDS features and drainage network must be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:
- Provision of complete set of as built drawings including the final drainage layout for site drainage network.
  - Maintenance and operational activities for the lifetime of the development.
  - Arrangements for adoption and any other measures to secure the operation of the scheme throughout its lifetime.

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

- 24 At least 50% of the residential units are Category 2: Accessible and Adaptable dwellings.  
**REASON:-** To ensure the development will meet the increase in demand for accessible and adaptable units for elderly and disabled residents in accordance with Policy HO11 of the Stevenage Borough Local Plan 2011 – 2031 (adopted 2019).

- 25 All areas of hedges, scrub or similar vegetation where birds may nest which are to be removed as part of the development, are to be cleared outside the bird-nesting season (March – August inclusive) or if clearance during the bird nesting season cannot be reasonably be avoided, a suitably qualified ecologist will check the areas to be removed immediately prior to clearance and advise whether nesting birds are present. If active nests are recorded, no vegetation clearance or other works that may disturb active nests shall proceed until all young have fledged the nest.  
**REASON:-** Nesting birds are protected from disturbance under the Wildlife & Countryside Act 1981 (as amended).

- 26 The noise mitigation measures as detailed in the Cass Allen noise assessment (RP01-21155-R0 dated 08 October 2021) and the addendum letter by Cass Allen (LR01-21155-R0 dated 20 December 2021) shall be implemented in accordance with the approved details.  
**REASON:-** To ensure there is an acceptable living environment for future occupiers and neighbouring residential properties.

- 27 Prior to the first occupation of the development hereby permitted, provision of bird and bat boxes as specified in the Ecological Appraisal prepared by RPS (Document reference ECO02143 C dated 28 October 2021) shall be erected accordingly and thereafter permanently retained and maintained.  
**REASON:-** To provide suitable roosting and nesting opportunities for bats and birds as an ecological enhancement of the site.

- 28 The Water Efficiency Measures (BRE Water Efficiency Calculator) and Carbon Emissions Reduction Measures (Carbon Emissions Reduction Statement by Volumetric dated August 2020) along with the sustainability measures set out in the Building Control Compliance Statement (prepared by Volumetric 2020) shall be implemented in accordance with the approved details.  
**REASON:-** To ensure the development is adaptable to climate change.

### **Pro-active Statement**

Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant at the pre-application stage and during the determination process which lead to improvements to the scheme. The Council has

therefore acted pro-actively in line with the requirements of the National Planning Policy Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

## **INFORMATIVES**

### **1 Drainage**

The drainage system has been designed to attenuate to the 1 in 1 year rainfall event, which is more stringent than required. The 1 in 2 year rainfall event is acceptable.

Blue roofs may not be appropriate in this case due to the structural requirements of the buildings. As set out in Chapter 12 of the SuDS Manual the 'Extensive' blue green roof option would be more appropriate. The SuDS Manual defines 'Extensive roofs to '...*, have low substrate depths (and therefore low loadings on the building structure), simple planting and low maintenance requirements; they tend not to be accessible.*

### **2 Hertfordshire County Council Highways**

HCC recommends inclusion of the following highway informative to ensure that any works within the public highway are carried out in accordance with the provisions of the Highway Act 1980: Construction standards for new and widened vehicle access: Where works are required within the public highway to facilitate the widened or new vehicular access, the Highway Authority require the construction of such works to be undertaken to their satisfaction and specification, and by a contractor who is authorised to work in the public highway. If any of the works associated with the construction of the access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, statutory authority equipment etc.) the applicant will be required to bear the cost of such removal or alteration.

Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website <https://www.hertfordshire.gov.uk/droppedkerbs/> or by telephoning 0300 1234047.

### **3 Community Infrastructure Levy**

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

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

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

### **4 Party Wall etc. Act 1996**

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

<https://www.gov.uk/government/publications/the-party-wall-etc-act-1996-revised-explanatory-booklet>

## **5 Building Regulations**

To obtain advice regarding current Building Regulations please contact Hertfordshire Building Control Ltd. by emailing us at [building.control@hertfordshirebc.co.uk](mailto:building.control@hertfordshirebc.co.uk) or phoning us on 01438 879990.

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

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

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

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

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

## **6 Police Crime Prevention Design Service**

Prior to construction the applicant will contact the Hertfordshire Constabulary CPDS with a view to seeking to achieve accreditation to the Police preferred minimum security standard that is Secured by Design. The reason for this is to ensure that the development is compliant with both National and Local Planning Policies, in addition, this will also demonstrate the discharge of obligations under Approved Document 'Q' – Security of Building Regulations".

## **7 Arboricultural Impact Assessment**

Before an Arboricultural Contractor is employed to undertake the works to the trees, the Arboricultural Impact Assessment will need to be updated to ensure that trees T003 and T008 are marked as being retained as per the approved soft landscaping scheme.

### **13. 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, The impact of Development on Biodiversity adopted March 2021, Stevenage Borough Council Developer Contributions adopted March 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 July 2021 and Planning Policy Guidance March 2014.