

# Planning Committee

## Supplemental Agenda

<b>Meeting date</b>	11 January 2022
<b>Officer</b>	Linda Sparrow
<b>Agenda Item</b>	Land Adjacent to 108 Oaks Cross, Stevenage
<b>Proposal</b>	Erection of 11no. modular homes (Use Class C3) and associated works.
<b>Reference</b>	21/01204/FPM
<b>ADDENDUM INFORMATION</b>	

The Planning Committee is requested to note the following amendments and updates to the committee report.

### 5. Consultations

#### 5.7. Herts and Middlesex Wildlife Trust

##### Additional comments received 5 January 2022

- 5.7.3 The submitted biodiversity net gain metric shows a shortfall of 0.195 habitat units, to achieve a biodiversity net gain of 10%. This cannot be provided onsite so an offsite solution is required. This can be provided by the applicant or via an agreement with SBC to provide this on their land. A condition will be required to achieve this.
- 5.7.4 The estimated cost of a financial contribution in lieu of on-site provision is £11,150 which includes £7,311.21 for the offset, £1,279.46 contingency payment and £2,558.92 management payment.

### 7. Appraisal

#### 7.12 Biodiversity, Ecology and Protected Species

##### New paragraphs

- 7.12.9 Herts and Middlesex Wildlife Trust have now provided updated comments as provided above in 5.7.3. In this regard, they have raised no concerns with the development but would welcome the addition of a new condition to be imposed on the decision notice should the Council be minded to grant planning permission. This condition would impose a requirement on the applicant to either provide the biodiversity net gain on site or provide a financial contribution in lieu via the section 106 legal agreement.
- 7.12.10 It has also been discussed with the applicant with regards to the Biodiversity financial contribution. In this regard, the financial contribution in lieu of the provision onsite is to be negotiated with the Parks and Amenities department prior to the finalisation of the legal agreement as some works to the hedgerow along the adjacent Ancient Lane have already been paid for by the applicant prior to the submission of the application. Consequently, it is considered acceptable that these prior commitments should be taken into account and discounted from the final contribution figure.

7.12.11 As such, this can be secured as part of the Section 106 agreement. It is also recommended that delegated powers are given to the Assistant Director of Planning and Regulation in consultation with the Chair to negotiate and agree the financial obligation for biodiversity net gain.

## 9. Recommendations

It is proposed that the following items be removed from the Section 106 Agreement as outlined in paragraph 9.1 of the report as they can be adequately covered by condition 20 of the decision notice (if members were minded to grant planning permission) which relates to the submission of a management plan for the site prior to the first occupation of the development:

- Provision of the supported housing units for the homeless to remain in perpetuity;
- The management of the un-adopted open space and highways areas as there will be no management company employed.

That paragraph 9.1 is subsequently amended as follows:

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

- Apprenticeships and construction jobs;
- Securing the provision of a 10% net gain in Biodiversity off-site within Stevenage;
- S.106 monitoring fees

9.2 An additional condition is added as follows:

29 Prior to commencement of development a Biodiversity Offsetting Scheme shall be submitted to and approved in writing by the Council. The Scheme shall be approved with the purpose of ensuring that the development shall result in a biodiversity net gain of 10% in accordance with the National Planning Policy Framework (2021) and the Stevenage Borough Council Planning and Biodiversity SPD (2021).

The Approved Scheme shall either include: -

1. The identity an appropriate receptor site or sites;
2. A management plan for the provision and maintenance of such offsetting measures for not less than 30 years from the date of implementation of the Scheme;
3. The provision of contractual terms to secure the delivery of the offsetting measures;

or;

1. provide a fixed sum contribution to be paid to Stevenage Borough Council based on using the Financial Contribution Calculator. The Biodiversity Contribution shall be sufficient to deliver a minimum of 0.195 habitat units. The Council shall use the biodiversity contribution to enhance and secure long term management of biodiversity within the vicinity of the Application Site.'

**REASON:-**To achieve a measurable biodiversity net gain in accordance with NPPF