

**PLANNING AND DEVELOPMENT COMMITTEE
MINUTES**

Date: Tuesday, 11 January 2022

Time: 6.30pm

Place: Council Chamber

Present: Councillors: Simon Speller (Chair), Maureen McKay (Vice Chair), Doug Bainbridge, Myla Arceno, Adrian Brown, Teresa Callaghan, Matt Creasey, Michael Downing, Jody Hanafin, Graham Lawrence CC, Mrs Joan Lloyd, Adam Mitchell CC and Graham Snell

Start / End Start Time: 6.30pm
Time: End Time: 9.40pm

1 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were submitted on behalf of Councillor Tom Wren.

There were no declarations of interest.

2 21/01264/FPM - STATION CAR PARK NORTH

The Committee considered an application for the Construction of a Multi Storey Car Park and Secure Cycle Stores to provide 622 car parking spaces of which 30no. were accessible "Blue Badge" spaces, 80 secure cycle spaces, and 27 motorcycle spaces with associated hard and soft landscaping works. Up to 25% of car parking spaces were to be provided with active Electric Vehicle charging point and up to 50% of car parking spaces were to be provided with passive Electric Vehicle charging infrastructure for future activation to suit demand. The MSCP was six storeys tall with a central photovoltaic canopy on the open top deck.

The application was considered by Committee as it was a major application and the applicant was Stevenage Borough Council.

The Principal Planning Officer gave an introduction to the Committee. She advised that the main issues for consideration in the determination of this application were its acceptability in land use policy terms, Community Infrastructure Levy (CIL) and S106, design, layout and impact on the character and appearance of the area, impact on the amenity of neighbouring properties, impact on the railway network, impact on the highway network, access, parking, drainage and flooding, trees, landscaping, biodiversity and contamination.

Officers advised that the provision of a multi storey car park (MSCP) was a key criterion of the Local Plan for the Town Centre Station Major Opportunity Area (MOA). The redevelopment of the train station area was key for the long term sustainability, vitality and strong economy of Stevenage.

The Committee was provided details of the layout including access into the car park and exit back out onto Lytton Way and the high quality design of the car park including the images to be portrayed on the elevations. The scale, design and layout whilst visually intrusive in the landscape was not thought to be detrimental to the character and appearance of the area.

In relation to the impact on the highway network, it was noted that the Highway Authority had advised that the proposals were likely to have little material effect on the local highway network, including on existing travel patterns in terms of car park usage.

In terms of space configuration, officers advised that 30 were dedicated disabled bays and a total of 118 spaces being marked as dedicated Electric Vehicle Charging Points. There were also 87 standard cycle parking spaces, with non-standard spaces also proposed for cycles such as cargo cycles, trikes etc.

In response to a number of questions, Offices advised that:

- Although it was believed that the land was not contaminated, assessments had been undertaken and appropriate conditions imposed if any unforeseen contamination was encountered during development;
- The Highway Authority advised that the development was acceptable and was content with the consultant's forecast demand at the car park and the impact of trips displaced from other town centre car parks;
- It was hoped that the regeneration of the station was to happen in the future but this application was separate from that;
- There would be no net loss of car parking spaces in the Town Centre despite the loss of a number of surface level car parks;
- As opposed to previous applications on this site, this development was within the Council's control and funding had been secured which would ensure the development would happen;
- In relation to the provision of disabled spaces, the Assistant Director Planning and Regulation agreed that in consultation with the Chair of the Committee he would give consideration to the balance and the configuration of disabled parking spaces in the covered and uncovered areas within the car park;
- Cycle parking would be accessed through the existing drop off and pick up area;
- The Council would be managing the car park and monitor any inappropriate use of the disabled bays by non-blue badge holders;
- Concern was expressed that the Police had not been consulted on this application;
- The design of the car park would ensure it was fully functional with good manoeuvrability unlike some other multi storey car parks in the area;
- During construction, the south area car park would remain open and due to the numbers of people currently working from home there would be no issue in terms of parking capacity for commuters.

It was **RESOLVED** that planning permission be granted subject to the following

conditions and that:

1. The Assistant Director Planning and Regulation in consultation with the Chair of the Committee giving consideration to the balance and the configuration of disabled parking spaces in the covered and uncovered areas within the car park;
2. Subject to any comments made by the Police in relation to the safety concerns being considered by the Assistant Director Planning and Regulation in consultation with the Chair of the Committee and the Member raising the concerns.
3. That planning permission be **GRANTED** subject to the signing of a S106 Agreement in respect of the following –
 - Local employment and apprenticeships;
 - S278 highway works.

And subject to the following conditions, with any amendments to the head of terms and/or conditions listed in this report, be delegated to the Assistant Director of Planning and Regulation:-

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:
210311-FTK-MSCP-XX-DR-AX-30604; 210311-FTK-MSCP-XX-DR-AX-30603; 210311-FTK-MSCP-XX-DR-AX-30602; 210311-FTK-MSCP-XX-DR-AX-30601; 210311-FTK-MSCP-XX-DR-AX-30504; 210311-FTK-MSCP-XX-DR-AX-30503; 210311-FTK-MSCP-XX-DR-AX-30502; 210311-FTK-MSCP-XX-DR-AX-30501; 210311-FTK-MSCP-XX-DR-AX-30106; 210311-FTK-MSCP-XX-DR-AX-30105; 210311-FTK-MSCP-XX-DR-AX-30104; 210311-FTK-MSCP-XX-DR-AX-30103; 210311-FTK-MSCP-XX-DR-AX-30102; 210311-FTK-MSCP-XX-DR-AX-30101; 210311-FTK-MSCP-XX-DR-AX-30100; 210311-FTK-MSCP-XX-DR-AUTHOR-90603; 210311-FTK-MSCP-XX-DR-AX-90602; 210311-FTK-MSCP-XX-DR-AX-90601; 210311-FTK-MSCP-XX-DR-AX-90102; 210311-FTK-MSCP-XX-DR-AX-90101; 210311-FTK-MSCP-XX-DR-AX-90100; Arbtech AIA 01; Arbtech TPP 01.
- 2 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 3 No development shall take place (including site clearance) until a detailed Construction Management Plan (CMP) has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The Construction Management Plan shall include details of the following:
 - a) Phasing of the development of the site, including all highway works;
 - b) Construction vehicle numbers, type, routing;
 - c) Traffic and pedestrian management requirements;
 - d) Construction and storage compounds (including areas designated for car parking);
 - e) Siting and details of wheel washing facilities;
 - f) Cleaning of site entrances, site tracks and the adjacent public highway;
 - g) Timing of construction activities to avoid school pick up/drop off times;

- h) Provision of sufficient on-site parking prior to commencement of construction activities;
 - i) Hoarding, fencing, gates and any necessary footway closures;
 - j) Demonstrate consultation with the Asset Protection Project Manager at Network Rail;
 - k) Details of consultation and complaint management with local businesses and neighbours; and
 - l) A Site Waste Management Plan (SWMP) including mechanisms to deal with environmental impacts such as air quality and dust control measures, noise and vibration restriction measures, light and odour and predicted and latterly actual waste arisings and how this is to be managed and where it is sent to.
- 4 No development shall take place until a detailed surface water drainage scheme has been prepared, submitted to and approved in writing by the Local Planning Authority. The scheme should consider infiltration as a means of discharge in accordance with BRE Digest 365.
- 5 No development shall take place until a final design of the drainage scheme for the site based on the principles set out in Condition 4, 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 calculation and modelling for all rainfall events up to and including the 1 in 100 year plus climate change event, including infiltration options;
 - If infiltration is demonstrated to be impractical, and the current proposal to discharge to sewer is maintained, demonstrate that there is sufficient gradient and self-cleansing velocities along the connecting pipe between the outfall/flow control structure at the attenuation tank and the connection to Thames Water's sewer, in accordance with the Sewers for Adoption guidance;
 - Updated full detailed surface water drainage plan showing the proposed discharge point to Thames Water sewer, the location of the proposed SuDS features, the pipe runs, size and node numbers;
 - Detailed engineering drawings of the proposed SuDS features including their, size, volume, depth and any inlet and outlet features including any connecting pipe runs, node numbers along with all corresponding detailed calculations/modelling;
 - In case of informal flooding within the site this should be shown on a plan including extent and depth;
 - Exceedance flow paths for surface water for events greater than the 1 in 100 year + climate change.
- 6 Upon completion of the drainage works, a management and maintenance plan for 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.

- 7 No development shall take place until the developer shall has complied fully with the requirements of the Department for Transport's DMRB Standard BD 2: Technical Approval of Highway Structures. The Approval in Principle and Design and Check Certification, accompanied by full structural details, shall be submitted to and approved in writing by the Local Planning Authority. All works shall proceed in accordance with the details submitted and Construction Compliance certification and documentation submitted to the Local Planning Authority.
- 8 The multi-storey car park hereby approved shall be constructed in accordance with the materials and finishes as set out in Drawing numbers 210311-FTK-MSCP-XX-DR-AX-30501, 210311-FTK-MSCP-XX-DR-AX-30502, 210311-FTK-MSCP-XX-DR-AX-30503 and 210311-FTK-MSCP-XX-DR-AX-30504 to the satisfaction of and unless otherwise agreed in writing by the Local Planning Authority.
- 9 No site clearance or construction work relating to this permission shall be carried out on any Sunday, Public or Bank Holiday nor at any other time, except between the hours of 0730 and 1800 on Mondays to Fridays and between the hours of 0800 and 1300 on Saturdays, unless otherwise agreed in writing by the Local Planning Authority. These times apply to work which is audible at the site boundary.
- 10 No development shall take place until details of any external lighting have been submitted to and approved in writing by the Local Planning Authority. The details should ensure that there is no potential for train drivers to be dazzled by the location and colour of any proposed lighting at the site.
- 11 No development shall take place until details of any reflective surfaces such as glazing and/or metal proposed in the construction of the car park has been agreed by Network Rail to ensure that the proposal will not have a detrimental impact on the operation of the adjacent railway particularly in terms of signal sighting and driver distraction. The development shall thereafter be carried out in accordance with the approved details.
- 12 Prior to the use of the development hereby permitted, the vehicular access shall be provided and thereafter retained at the position shown on the approved plan drawing number 210311-FTK-MSCP-00-DR-AX-30100 Rev P3. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

- 13 Prior to the commencement of the use hereby permitted, a visibility splay measuring 2.4m x 66m shall be provided to each side of the access where it meets the highway and such splays shall thereafter be maintained at all times free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway.
- 14 Prior to first occupation/use of the development, a Car Parking Management Plan relating to public car parking shall be submitted to and approved in writing by the Local Planning Authority. It shall include the following:
- i. Details of car parking allocation and distribution;
 - ii. Operational details, and integration with other Stevenage Borough Council managed car parks within the town centre area;
 - iii. Scheme for signing car park and any real time capacity information system;
 - iv. Provision for Electric Vehicle Charging Points (which will serve as dual charging points with the capacity) in accordance with the approved plans;
 - v. Details of the infrastructure that will be provided as part of the development and subsequently, both within the site and off site as necessary, to enable the capacity of vehicle charging provision to be increased to an agreed figure in the future; and
 - vi. Monitoring required of the Car Park Management Plan to be submitted to and approved in writing in accordance with a time frame to be agreed by the Local Planning Authority.

The Car Parking Management Plan shall be fully implemented before the development is first occupied or brought into use (and updated at stages to be agreed through the Masterplan build out), in accordance with a timeframe agreed by the Local Planning Authority, and thereafter retained for this purpose.

- 15 Notwithstanding the details indicated on the approved drawings no on-site works above slab level shall commence until a detailed scheme for the offsite highway improvement works to include pedestrian access to the railway station and footpath/cycleway (on the site's western boundary), have been submitted to and approved in writing by the Local Planning Authority. Prior to first use of the car park, the scheme(s) shall be implemented in accordance with the approved details.
- 16 Prior to the first occupation of the development hereby permitted full details of the secure and covered cycle parking stores shall be submitted to and approved in writing by the Local Planning Authority. Details shall also include how the stores are to be managed and maintained. The cycle stores shall thereafter be completed and ready for use in accordance with the approved details and thereafter retained for the sole use of cycle parking.
- 17 The development hereby approved shall be constructed in accordance with the measures to address adaptation to climate change as laid out in the Design and Access Statement to include the following:

- Low energy LED lighting with motion sensors;
- Natural ventilation;
- Modular construction system including steel frame circa.

These measures shall then be permanently maintained in accordance with the approved details.

- 18 No development shall take place until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be completed in accordance with the approved plans.
- 19 All planting, seeding and turfing comprised in the approved landscaping details as agreed under condition 18 of this approval shall be carried out in the first planting and seeding seasons following the first occupation of the development hereby permitted or, the completion of the approved development whichever is the sooner.
- 20 All hard surfacing comprised in the approved landscaping details as specified in condition 19 of this approval shall be carried out prior to first occupation of the development hereby permitted or, the completion of the approved development, whichever is the sooner.
- 21 Any trees or plants comprised within the scheme of landscaping, which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless otherwise agreed in writing by the Local Planning Authority.
- 22 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.
- 23 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.
- 24 Following removal of the identified trees in the Arboricultural Method Statement (AMS) and before any development commences, including any site clearance, all retained trees identified in the AMS shall be protected in accordance with the details as approved in the AMS. The protection measures shall be maintained until the conclusion of all site and building operations, unless otherwise agreed by the Local Planning Authority
- 25 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 26 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 27.

- 26 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.
- 27 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 25, 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.

INFORMATIVE

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

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

residential extensions if relief has been granted.

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

2 Hertfordshire County Council as Highways Authority

The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/businessanddeveloper-information/development-management/highways-developmentmanagement.aspx> or by telephoning 0300 1234047.

3 Hertfordshire County Council as Highways Authority

Parking and Storage of materials: The applicant is advised that all areas for parking, storage, and delivery of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx> or by telephoning 0300 1234047.

4 Hertfordshire County Council as Highways Authority

Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website: <http://www.hertfordshire.gov.uk/services/transtreets/highways/> or by telephoning 0300 1234047.

5 Hertfordshire County Council as Highways Authority

Debris and deposits on the highway: It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing

land, or any rubbish on a made up carriageway, or any or other debris on a highway to the interruption of any highway user. Section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.

6 Network Rail

Fail Safe Use of Crane and Plant: All operations, including the use of cranes or other mechanical plant working adjacent to Network Rail's property, must at all times be carried out in a "fail safe" manner such that in the event of mishandling, collapse or failure, no materials or plant are capable of falling within 3.0m of the nearest rail of the adjacent railway line, or where the railway is electrified, within 3.0m of overhead electrical equipment or supports.

With a development of a certain height that may/will require use of a crane, the developer must bear in mind the following. Crane usage adjacent to railway infrastructure is subject to stipulations on size, capacity etc. which needs to be agreed by the Asset Protection Project Manager prior to implementation.

7 Network Rail

Excavations/Earthworks: All excavations/ earthworks carried out in the vicinity of Network Rail property/ structures must be designed and executed such that no interference with the integrity of that property/ structure can occur. If temporary works compounds are to be located adjacent to the operational railway, these should be included in a method statement for approval by Network Rail. Prior to commencement of works, full details of excavations and earthworks to be carried out near the railway undertaker's boundary fence should be submitted for the approval of the Local Planning Authority acting in consultation with the railway undertaker and the works shall only be carried out in accordance with the approved details. Where development may affect the railway, consultation with the Asset Protection Project Manager should be undertaken. Network Rail will not accept any liability for any settlement, disturbance or damage caused to any development by failure of the railway infrastructure nor for any noise or vibration arising from the normal use and/or maintenance of the operational railway. No right of support is given or can be claimed from Network RAILS infrastructure or railway land.

8 Network Rail

Security of Mutual Boundary: Security of the railway boundary will need to be maintained at all times. If the works require temporary or permanent alterations to the mutual boundary the applicant must contact Network Rail's Asset Protection Project Manager.

9 Network Rail

Demolition: Any demolition or refurbishment works must not be carried out on the development site that may endanger the safe operation of the railway, or the stability of the adjoining Network Rail structures. The demolition of buildings or other structures near to the operational railway infrastructure must be carried out in accordance with an agreed method statement. Approval of the method statement must be obtained from Network Rail's Asset Protection Project Manager before the development can commence.

10 **Network Rail**

Vibro-impact Machinery: Where vibro-compaction machinery is to be used in development, details of the use of such machinery and a method statement should be submitted for the approval of the Local Planning Authority acting in consultation with the railway undertaker prior to the commencement of works and the works shall only be carried out in accordance with the approved method statement.

11 **Network Rail**

Scaffolding: Any scaffold which is to be constructed within 10 metres of the railway boundary fence must be erected in such a manner that at no time will any poles over-sail the railway and protective netting around such scaffold must be installed.

12 **Network Rail**

Bridge Strikes: Applications that are likely to generate an increase in trips under railway bridges may be of concern to Network Rail where there is potential for an increase in 'Bridge strikes'. Vehicles hitting railway bridges cause significant disruption and delay to rail users. Consultation with the Asset Protection Project Manager is necessary to understand if there is a problem. If required there may be a need to fit bridge protection barriers which may be at the developer's expense.

13 **Network Rail**

Abnormal Loads: From the information supplied, it is not clear if any abnormal loads will be using routes that include any Network Rail assets (e.g. bridges and level crossings). We would have serious reservations if during the construction or operation of the site, abnormal loads will use routes that include Network Rail assets. Network Rail would request that the applicant contact our Asset Protection Project Manager to confirm that any proposed route is viable and to agree a strategy to protect our asset(s) from any potential damage caused by abnormal loads. I would also like to advise that where any damage, injury or delay to the rail network is caused by an abnormal load (related to the application site), the applicant or developer will incur full liability.

14 **Network Rail**

Two Metre Boundary: Consideration should be given to ensure that the construction and subsequent maintenance can be carried out to any proposed buildings or structures without adversely affecting the safety of, or encroaching upon Network Rail's adjacent land, and therefore all/any building should be situated at least 2 metres from Network Rail's

boundary. This will allow construction and future maintenance to be carried out from the applicant's land, thus reducing the probability of provision and costs of railway look-out protection, supervision and other facilities necessary when working from or on railway land.

15 Network Rail

Encroachment: The developer/applicant must ensure that their proposal, both during construction, and after completion of works on site, does not affect the safety, operation or integrity of the operational railway, Network Rail and its infrastructure or undermine or damage or adversely affect any railway land and structures. There must be no physical encroachment of the proposal onto Network Rail land, no over-sailing into Network Rail airspace and no encroachment of foundations onto Network Rail land and soil. There must be no physical encroachment of any foundations onto Network Rail land. Any future maintenance must be conducted solely within the applicant's land ownership. Should the applicant require access to Network Rail land then must seek approval from the Network Rail Asset Protection Team. Any unauthorised access to Network Rail land or airspace is an act of trespass and we would remind the council that this is a criminal offence (**s55 British Transport Commission Act 1949**). Should the applicant be granted access to Network Rail land then they will be liable for all costs incurred in facilitating the proposal.

16 Network Rail

Access to the Railway: All roads, paths or ways providing access to any part of the railway undertaker's land shall be kept open at all times during and after the development.

3 21/01204/FPM - LAND ADJACENT TO 108 OAKS CROSS, STEVENAGE

The Committee considered an application for the erection of 11no. modular homes (Use Class C3) and associated works.

The application was before the Committee as it was a major residential development. In addition, the applicant was Stevenage Borough Council and objections had been raised against the application.

The Senior Planning Officer gave an introduction to the Committee. She advised that the main issues for consideration in the determination of this application were 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 space.

Officers advised that the scheme was identified as being in a sustainable location with access to local services and facilities. The development would also deliver much needed housing due to the shortfall in housing delivery in the Borough and a need for the delivery of accommodation which includes homeless persons.

In relation to the visual appearance, although out of character with the traditional style of housing in the area, the site would be screened by mature hedgerows and additional landscape planting. The units were also single storey in height and deemed to be limited in size and scale so as not to appear dominating when viewed from the wider street.

Car parking spaces on-site would be designated for visiting staff members only. As such and due to the nature of the development, no parking would be made available to the occupiers of the units as it was envisaged that they would not have the means to own or run a vehicle of their own. There would be one disabled parking bay in line with Council's standards.

In terms of crime prevention, it was noted that despite the concerns raised, the Police Crime Prevention Advisor considered the development would be acceptable subject to the implementation of Secure by Design measures.

In response to a number of questions raised by Members, Officers advised:

- There was no vehicular access onto Shephall Green Lane;
- Contributions to bio-diversity would likely be used to improve the Lane. Some work on the hedgerows and tidying the Lane had already begun;
- Those residents being housed in the units would have a Stevenage connection in compliance with the Council's duty to house local people;
- The units had a 60 year life cycle warranty;
- There would be no permanent manager on-site;
- The colour of the units was yet to be determined.

It was **RESOLVED** 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.

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

- 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.
- 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.
- 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.
- 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.
- 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.

- 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.
- 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.
- 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.
- 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.
- 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.
- 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.
- 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.
- 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.

- 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.
- 24 At least 50% of the residential units are Category 2: Accessible and Adaptable dwellings.
- 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.
- 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.
- 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.
- 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.

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 or by contacting the Council's CIL Team at 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 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.

4 LAND TO THE WEST OF THE A1(M) AND SOUTH OF STEVENAGE ROAD, TODDS GREEN

The Committee considered an application for the Variation of conditions 1 (Approved Plans), 9 (Flood Risk Assessment), 10 (Drainage) and 27 (Vehicle Access) attached to planning permission 19/00123/FPM.

The application had been referred to the Planning and Development Committee for decision. This was as a result of a number of technical changes to conditions; the layout of the approved development had changed to that which was originally approved under planning application 19/00123/FPM. As such, it was a different scheme to that which was previously determined by the Planning and Development Committee.

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

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

Officers advised that the proposed amendment to the layout was partly due to the proximity of the overhead powerlines but would not harm the overall approved visual appearance of the scheme as previously considered by the Council. In addition, there would still be an acceptable level of open space which would ensure the scheme would have a high quality visual environment as viewed from the wider streetscape.

In response to a question, the Development Manager confirmed that there would be no change in the proposed plot or garden sizes.

It was **RESOLVED** that planning permission be **GRANTED** subject to the applicant having first entered into a Deed of Variation to the S106 agreement to secure/provide contributions towards:-

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

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

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

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

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

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

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

The boundary treatment would comprise the following:-

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

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

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

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

- 4 No demolition or construction work relating to this permission shall be carried out on any Sunday, Public or Bank Holiday nor at any other time, except between the hours of 0730 and 1800 on Mondays to Fridays and between the hours of 0830 and 1300 on Saturdays, unless otherwise agreed in writing by the Local Planning Authority. These times apply to work which is audible at the site boundary.
- 5 No removal of trees, scrubs or hedges shall be carried out on site between 1st March and 31st August inclusive in any year, unless a pre-works survey of the vegetation to be removed and surrounding vegetation, is undertaken immediately prior to removal by a suitable qualified, and approved confirmed by the local planning authority.
- 6 The noise mitigation measures as specified in the documents listed below, shall be erected/installed in accordance with the approved details prior to first occupation of the development hereby permitted:-

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

The noise mitigation measures are detailed as follows:-

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

- 7 No properties shall be occupied until confirmation has been provided that either all wastewater network upgrades required to accommodate the additional flows from the development have been completed or a housing and infrastructure phasing plan has been submitted to and approved in writing by the local planning authority in consultation with Thames Water to allow additional properties to be occupied. Where a housing and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan.
- 8 The development permitted by this planning permission shall be carried out in accordance with the Flood Risk Assessment carried out by BWB reference TGS-BWB-ZZ-XX-RP-YE-0001_FRA dated February 2019; Sustainable Drainage Statement carried out by BWB reference TGS-BWB-ZZ-XX-RP-CD-0001_SDS dated February 2019 and Technical Note carried out by BWB reference TGS-BWB-ZZ-XX-YE-0002_TN Revision P02 S2 dated 28 June 2019 and the following mitigation measures:-
1. Limiting the surface water run-off generated by the 1 in 100 year + 40% allowance for climate change event critical storm so that it will not

exceed the run-off from the undeveloped site and not increase the risk of flooding off-site.

2. Provide attenuation to ensure no increase in surface water run-off for all rainfall events up to and including the 1 in 100 year + 40% allowance climate change event.
3. Implement drainage strategy as indicated on the drainage strategy drawing reference TGS-BWB-XX-ZZ-DR-CD-0004 and TGS-BWB-ZZ-XX-CD-DR-0006 and to include above ground SuDS features.
4. Implemented drainage strategy to include daylighting of northern culvert with online detention basin with low flow channel for existing watercourses with detention basin as indicated on drawing TGS-BWB-XX-ZZ-DR-CD-0004.
5. Implement drainage strategy to incorporate the central watercourse with detention basin indicated on drawing TGS-BWB-ZZ-XX-CD-DR-0006.

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

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

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme or within any other period as may subsequently be agreed in writing by the local planning authority.

- 10 Upon completion of each phase of the drainage works, a complete set of as built drawings for the site drainage management should be submitted to and

approved in writing by the Local Planning Authority. The scheme shall also include:

1. Final confirmation of management and maintenance requirements
 2. Provision of complete set of as built drawings for both site drainage and overland flow route management
 3. Details of any inspection and sign-off requirements for completed elements of the drainage systems.
- 11 The landscape and ecological management plan (LEMP) prepared by Aspect Ecology (Report reference:- 6061-LEMP.vf1/SF/LN/ES/DS dated 10 March 2021 shall be implemented in accordance with the approved details specified within the LEMP.
- 12 The bat and bird box strategy as detailed in the approved plans and ecological report shall be fully installed prior to first occupation of dwelling units 16; 18; 21 to 23; 25 to 32 to 41; 46; 48 to 50; 53; 55; 56; 69; 72; 73; 83; 85; 91; 95; 114 to 116; 118 and 124 hereby permitted. The bat and bird boxes shall be retained thereafter.
- 13 Notwithstanding the provisions of Class A of Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revising, revoking and re-enacting that Order with or without modification), no internal or external alterations shall take place to any garage, which would preclude its use for housing motor vehicles and/or bicycles unless permission is granted on an application made to the Local Planning Authority.
- 14 The Construction Management Plan/Method Statement as approved under discharge of condition application 20/00582/COND and the Site Waste Management Plan approved under discharge of condition application 20/00668/COND shall be strictly adhered to during the construction phases of the development hereby permitted.
- 15 In the event contamination is found during site clearance and/or construction phase of the development, the applicant must undertake an appropriate investigation and provide a remediation strategy which is to be submitted to and approved in writing by the Local Planning Authority. This investigation and assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site. Moreover, it must include:
- (i) a survey of the extent, scale and nature of contamination;
 - (ii) an assessment of the potential risks to:
 - o human health,
 - o property (existing or proposed) including buildings, crops, livestock, pets,
 - o woodland and service lines and pipes,
 - o adjoining land,

- o groundwaters and surface waters,
- o ecological systems.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition.

- 16 A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historic environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.
- 17 The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval in writing of the Local Planning Authority.
- 18 Prior to the first occupation of dwelling units 1 to 9; 25 to 32; 33 to 41 and 126 to 133 hereby permitted the approved refuse and recycle stores shall be constructed in accordance with the details submitted with this application and shall be permanently retained in the form.
- 19 Prior to the first occupation of dwelling units 1 to 9; 25 to 32; 33 to 41 and 126 to 133; hereby permitted the approved secure cycle parking areas and public cycle parking shall be constructed in accordance with the approved details submitted with this planning application and shall be permanently retained in that form thereafter.
- 20 No external lighting shall be installed on site unless details of such lighting, including the intensity of illumination and predicted light contours, have first been submitted to, and approved in writing the Local Planning Authority prior to first occupation of the development. Any external lighting shall accord with the details so approved.
- 21 The landscaping scheme as detailed in the approved drawings shall be implemented in the first available planting season prior to the first occupation of the buildings or the completion of the development, whichever is the sooner.
- 22 Any trees or plants comprised within the scheme of landscaping, which within

a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless otherwise agreed in writing by the Local Planning Authority.

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

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

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

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

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

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

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

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

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

31 Notwithstanding the details as set out in the drawings which accompany this planning application submission, A network of footways/cycleways linking all

areas of the development with the railway station, bus station and Stevenage Town Centre, which shall include a toucan crossing along Fishers Green in an appropriate location close to the new junction, shall be provided prior to occupation of any dwelling. The route shall be detailed and identified on a drawing showing appropriate hard surfacing, illustrated with a minimum width of 2.0 metres where possible or shared use provision with a cycleway with a minimum width of 3.0 metre shall be submitted to, prior to the commencement of development above slab level, and approved in writing by the Local Planning Authority. The network of footways/cycleways shall be implemented in accordance with the approved details and retained thereafter.

- 32 Prior to the occupation of any dwellings, full details shall be submitted to and approved in writing by the Local Planning Authority of the proposed arrangements for the future management and maintenance of the proposed streets within the development. Following the provision of such streets in accordance with the approved details, the streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time an agreement has been entered into under Section 38 of the Highways Act 1980 or a Private Management and Maintenance Company has been established in accordance with the approved details.
- 33 Prior to the commencement of the development, visibility splays measuring 2.4 metres x 53 metres to the north west and 2.4 metres x 54 metres to the south east shall be provided to each side of the main access onto Fishers Green and the visibility splays shall thereafter be maintained at all times free from any obstructions between 600mm and 2.0 metres above the level of the adjacent highway carriageway.
- 34 Prior to the first occupation of the development hereby permitted, visibility splays measuring 2.4 metres x 43 metres shall be provided each side of each access where it meets the highway and such splays shall thereafter be maintained at all times free from any obstructions between 600mm and 2.0 metres above the level of the adjacent highway carriageway.
- 35 The hardsurfaced areas, including roads, associated drainage details, driveways and car parking areas shall be carried out in accordance with the following approved details:-
 - Surface Finishes Sheet 1 of 4 (drawing number:- 10548-RPS-XX-XX-DR-C-0208 Rev T3);
 - Surface Finishes Sheet 2 of 4 (drawing number:- 10548-RPS-XX-XX-DR-C-0209 Rev T3);
 - Surface Finishes Sheet 3 of 4 (drawing number:- 10548-RPS-XX-XX-DR-C-0210 Rev T3);
 - Surface Finishes Sheet 4 of 4 (drawing number:- 10548-RPS-XX-XX-DR-C-0211 Rev T3).
- 36 Prior to the first occupation of the development hereby permitted, the gradient of the main access road shall not be steeper than 1 in 50 for the first 12m thereafter the main access and internal access roads shall not be steeper

than 1 in 20.

- 37 No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the local planning authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.
- 38 Piling or any other foundation design using penetrative methods shall not be permitted within the development other than with the express consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant risk to groundwater. The development shall be carried out in accordance with the approved details.
- 39 The scheme for managing any borehole installed within the development for the investigation of soils, groundwater or geotechnical purposes which provides details of how redundant boreholes are to be decommissioned and how any boreholes that need to be retained, post-development, for monitoring purposes will be secured, protected and inspected which have been detailed in the approved Borehole Decommissioning Strategy (Prepared by RSK, dated 11th November 2020, Reference:- 1920238 L05 (00)), shall be implemented prior to the occupation of the Residential Development Plot.
- 40 Notwithstanding the provisions of Classes B and C of Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revising, revoking or re-enacting that Order with or without modification) no loft conversions including dormer windows / roof extensions, or roof lights and openings shall be constructed on the dwellinghouse(s) hereby permitted unless permission is granted on an application made to the Local Planning Authority.

INFORMATIVE

Hertfordshire County Council as Lead Local Flood Authority

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

Hertfordshire County Council as Highways Authority

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

information is available via the website:

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

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

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

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

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

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

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

AN5. Rights of Way

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

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

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

that routes through the site along the proposed development.

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

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

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

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

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

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

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

Arboricultural Impact

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

Cadent Gas

Affected Apparatus

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

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

Requirements

BEFORE carrying out any work you must:

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

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

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

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

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

GUIDANCE

Excavating Safely - Avoiding injury when working near gas pipes:

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

Standard Guidance

Essential Guidance document:

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

General Guidance document:

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

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

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

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

<https://www.nationalgrid.com/sites/default/files/documents/24414ExcavatingSafelyCreditCardElectricity.pdf>

Community Infrastructure Levy

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

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

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

5 **21/01101/FP - 303 RIPON ROAD, STEVENAGE**

The Committee considered an application for Conversion of 1 no. 4 bedroom dwelling to 3 no. studios, single storey front and rear extensions and conversion of garage including the change of use from public amenity land to residential use and associated parking.

The application was before the Committee for determination as it had been called in at the request of a local Ward Member.

The Principal Planning Officer gave an introduction to the Committee. Following two previous refusals on this site, this was the third application for the conversion of the property which now involved widening the existing parking area to enable the parking of three vehicles and the relocation of a lamp column to create the space. The Principal Planning Officer advised that the main issues for consideration in the determination of the application were the acceptability in land use policy terms, impact on the character and appearance of the area, impact on the amenities of future occupiers and neighbouring properties and car parking provision.

At this juncture, the Chair invited Mr Gordon Symons, a local resident and objector to the application to address the Committee. Mr Symons' concerns related to the unusually high number of public representations that had been submitted objecting to the application and the need to retain family housing in Stevenage.

The Chair then invited Councillor Claire Parris, St Nicholas Ward Member to address the Committee. Cllr Parris' concerns also related to the need for family housing in the area and the impact of this type of development on community cohesion. Concern was also expressed by Councillor Parris regarding the proposed removal/relocation of the lamppost and potential impact on other properties.

The Chair then invited Mr Graham Tennant, the applicant to address the Committee. Mr Tennant advised that the application would help Stevenage to meet its housing delivery targets and that these new properties would allow young people to own their own homes. He confirmed that the lamppost would be relocated rather than

removed and that during construction the noise and disruption would be kept to a minimum.

A number of points and concerns were raised by Members:

- In relation to the three parking spaces, officers confirmed that the parking standards which were set by Central Government would be met following the removal of the lamppost;
- The location for the re-sited lamppost would be agreed with the Street Lighting Design Team at Herts County Council;
- Commercial vehicles could not be banned from parking on the site;
- Officers advised that the number of occupants per unit was likely to be one but this could not be guaranteed as planning legislation could not limit the number of occupiers.

Following further consideration, it was moved by Councillor Doug Bainbridge, seconded by Councillor Teresa Callaghan and **RESOLVED** that application 21/01101/FP be refused planning permission for the following reasons:

- 1) The proposed conversion of the 4 bedroom family dwelling to 3 no. 1 bedroom studios combined with the conversion of similar properties to HMOs or flats within Ripon Road would further erode the provision of family homes which are needed to create a balanced and sustainable community. The proposed development is therefore, contrary to Policies SP7 and HO9 of the Stevenage Borough Local Plan 2011 – 2031 (adopted 2019), the NPPF (2021) and PPG.
- 2) The proposed development would comprise the reduction of the private garden area to hardsurfacing to create surface parking combined with the front and rear extensions and the conversion of the property, including the garage to create 3 no. 1 bedroom studios would result in an overdevelopment of the site resulting in a detrimental impact to the character and appearance of the street scene of this part of Ripon Road. Therefore, the proposed development would be contrary to Policies SP8 and GD1 of Stevenage Borough Local Plan 2011 – 2031 (adopted 2019), the Council's Design Guide SPD (2009), the NPPF (2021) and PPG.
- 3) The proposed relocation of the existing street light would result in an area to the rear of the property which would not be properly illuminated and this would create an unwelcoming environment which could give rise to a fear of crime. Therefore, the proposed development would be contrary to Policies SP8 and GD1 of Stevenage Borough Local Plan 2011 – 2031 (adopted 2019), the Council's Design Guide SPD (2009), the NPPF (2021) and PPG.

6 **21/01149/FP - 36 HASTINGS CLOSE, STEVENAGE**

The Committee considered an application for a single storey front extension and change of use of land from public amenity to private residential.

The application was before the Committee for determination as the applicant and

landowner was Stevenage Borough Council and there had been objections to the proposal.

The Senior Planning Officer gave an introduction to the Committee. She advised that the main issues for consideration in the determination of the application were the loss of the open space, the impact on the character and visual amenity of the area, impact on neighbour amenity and car parking provision.

In response to a question, the Senior Planning Officer advised that the area of amenity land although open in nature with no access restrictions, was too small to be considered an area of meaningful open space for leisure activities for members of the public. Members agreed that the general issue of the loss of amenity space across the Town should be considered and reviewed by Officers and Councillors at a future date.

It was **RESOLVED:**

That planning permission be granted subject to the following conditions:

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

2021/42/01; 2021/42/02;
2. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
3. The materials to be used in the construction of the external surfaces of the single storey front extension hereby permitted shall match the materials used in the construction of the original dwelling to the satisfaction of the Local Planning Authority.
4. The parking space shown on drawing number 2021/42/01 shall be provided, marked out and hard surfaced ready for use prior to the first occupation of the extension and shall be retained in that form and kept available for those purposes thereafter.

INFORMATIVES

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

This application may be liable for CIL payments and you are advised to contact the CIL Team for clarification with regard to this. If your development is CIL liable, even if you are granted an exemption from the levy, please be advised that it is a requirement under Regulation 67 of The Community Infrastructure Levy Regulations 2010 (as amended) that CIL Form 6 (Commencement Notice) must be completed, returned and acknowledged by

Stevenage Borough Council before building works start. Failure to do so will mean you risk losing the right to payment by instalments and a surcharge will be imposed. NB, please note that a Commencement Notice is not required for residential extensions if relief has been granted.

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

2 **Building Regulations**

To obtain advice regarding current Building Regulations please contact Hertfordshire Building Control Ltd. by emailing us at 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).

3 **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>

- 4 Hertfordshire County Council as Highways Authority**
Parking and Storage of materials: The applicant is advised that all areas for parking, storage, and delivery of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website:
<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx> or by telephoning 0300 1234047.
- 5 Hertfordshire County Council as Highways Authority**
Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website:
<http://www.hertfordshire.gov.uk/services/transtreets/highways/> or by telephoning 0300 1234047.
- 6 Hertfordshire County Council as Highways Authority**
Construction standards for new vehicle access: Where works are required within the public highway to facilitate the new or amended 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, bus stop signs or shelters, 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, requirements and for the work to be carried out on the applicant's behalf. Further information is available via the website
<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/dropped-kerbs/dropped-kerbs.aspx> or by telephoning 0300 1234047.
- 7 Hertfordshire County Council as Highways Authority**
Stopping up of the highway: Highway rights will need to be extinguished across the area of land affected in accordance with a Stopping Up Order, to be made by the Secretary of State for the Department of Transport, under

Section 247 of the Town and Country Planning Act 1990 before development can commence. Further information is available on the Planning Portal at: https://www.planningportal.co.uk/info/200187/your_responsibilities/40/other_permissions_you_may_require/14 and on the government website: <https://www.gov.uk/government/publications/stopping-up-and-diversion-of-highways>.

7 **INFORMATION REPORT - DELEGATED DECISIONS**

Noted.

8 **INFORMATION REPORT - APPEALS/CALLED IN APPLICATIONS**

None.

9 **URGENT PART I BUSINESS**

None.

10 **EXCLUSION OF THE PRESS AND PUBLIC**

Not required.

11 **URGENT PART II BUSINESS**

None.

CHAIR