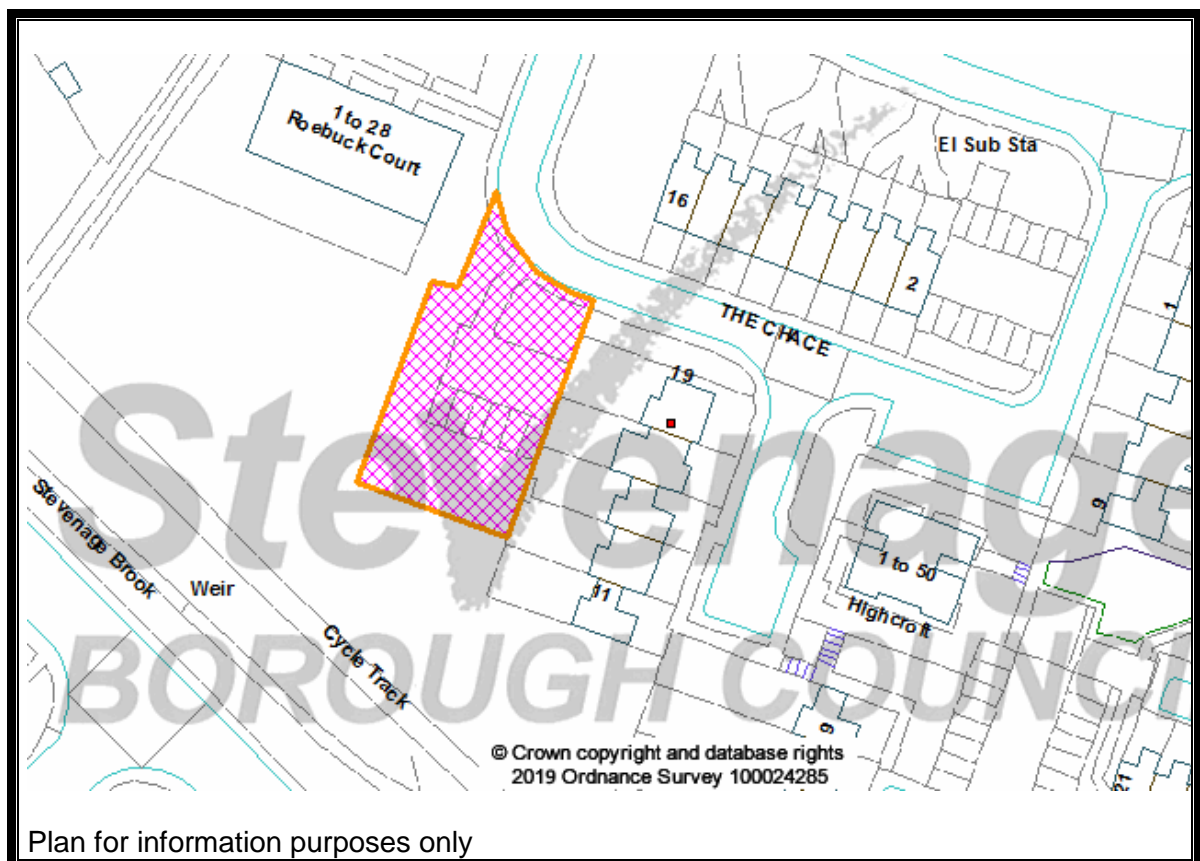


Meeting:	Planning and Development Committee	Agenda Item:
Date:	1 November 2022	
Author:	Ailsa Davis	07702 874529
Lead Officer:	Zayd Al-Jawad	01438 242257
Contact Officer:	Ailsa Davis	07702 874529

Application No:	22/00673/FP
Location:	Garages And Forecourt Area To Rear Of 13-19 The Chace
Proposal:	Variation of condition 1 (plans) of planning permission 20/00672/FP to allow the siting of 3no. three bed dwellings, parking and amenity space as built
Drawing Nos.:	3055.CHAC.200 Rev A; 3055.CHAC.201 Rev A; 3055.CHAC.202; 3055.CHAC.203 Rev A; 3055.CHAC.204; 3055.CHAC.205
Applicant:	Surfbuid
Date Valid:	22 July 2022
Recommendation:	GRANT PLANNING PERMISSION



1. SITE DESCRIPTION

- 1.1 The application site is located on the southern side of The Chace, which is a looped cul-de-sac off Turpins Rise. The application site comprises a terrace of 3no. 3 x bedroom dwellings with parking and amenity space currently under construction granted planning permission

under ref. 20/00672/FP in February 2021. The area formerly comprised a block of 6no. pre-fabricated garages and an area of grassed open space to the south. The development site is located to the west of the rear gardens of Nos.11 – 19 The Chace, which is a terrace of two storey dwellings sited on a north/south axis. The rear facing windows of these dwellings face onto the application site. The topography of the site slopes downwards in a southerly direction towards the B197 London Road.

- 1.2 The surrounding area is predominantly residential in character comprising two-storey terraced houses, isolated garage blocks and two residential tower blocks known as Highcroft and Roebuck Court. The area immediately surrounding the application site comprises amenity grassland with scattered mature trees, which acts as a buffer between the B197 London Road to the south and the edge of the Roebuck residential area to the north. The site is accessed via vehicular access from The Chace.

2. RELEVANT PLANNING HISTORY

- 2.1 Planning permission was granted under ref. 20/00672/FP on 5 February 2021 for the erection of 3no. three bed dwellings, parking and amenity space following demolition of garages. The scheme was modified by a non-material amendment application ref. 21/00999/NMA granted 4 October 2021, which allowed rear pedestrian access and fencing to serve No.15 The Chace.

3. THE CURRENT APPLICATION

- 3.1 This application seeks to vary the suite of drawings approved under condition 1 of planning permission 20/00672/FP. The revisions stem from a setting-out error which has resulted in the dwellings being located 1.2m deeper into the site than approved, with consequential changes to the front parking / amenity areas and rear gardens / fencing / steps.
- 3.2 The proposal would result in no change to the scale, size, height, relationship to flank boundaries or other variation of note to that approved under 20/00672/FP (as modified under 21/00999/NMA). For clarity the rear pedestrian access and fencing secured under 21/00999/NMA would be retained.
- 3.3 The revisions comprise the following:
- Front build line of the dwellings set 1.2m deeper into the site as measured from the front boundary with The Chace;
 - Consequential revisions to front forecourt / soft landscaping and rear garden area.
- 3.4 The proposed revisions would have the effect of altering the wording of condition 1 of 20/00672/FP as follows.

Current Wording of Condition 1 on 20/00672/FP:

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

3055.CHAC.100, 3055.CHAC.101 Rev D, 3055.CHAC.102 Rev C, 3055.CHAC.103 Rev D, 3055.CHAC.104 Rev B, 3055.CHAC.105 Rev A, 3055.CHAC.106 Rev A and 3055.CHAC.107.

Proposed Revised Wording of Condition 1:

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

3055.CHAC.200 Rev A; 3055.CHAC.201 Rev A; 3055.CHAC.202; 3055.CHAC.203 Rev A; 3055.CHAC.204; 3055.CHAC.205; 3055.CHAC.106 Rev A and 3055.CHAC.107.

- 3.6 This application previously came before the Planning and Development Committee in October 2022 and was deferred to allow the applicant to provide an explanation as to why the setting out error has occurred. A letter has been submitted from the 'setting-out' Surveyor for the development explaining what went amiss, the implications of the same and related considerations. The letter is appended to this report for Member's consideration.

4. PUBLIC REPRESENTATIONS

- 4.1 This planning application has been publicised by way of a site notice and neighbouring properties have been notified about the application via a letter. The same addresses have been notified who were notified previously for application ref. 20/00672/FP or who submitted representations. At the time of drafting this report, three objections have been received from Nos. 15 and 17 The Chace and No.23 Roebuck Court. Their comments can be summarised as follows:

- Objection to the loss of the garages on the basis they are still needed;
- Objection to the loss of trees;
- Querying how a setting out error could occur if the site was being inspected;
- Inaccuracy of plans showing separation distance of 15m to rear of Nos.15 and 17 The Chace. Separation distance is less than 15m;
- Back to back minimum separation distance of 25m should be applied;
- Nos.13 – 19 The Chace have lost privacy and light to their rear rooms and gardens;
- The dwellings appear overbearing;
- The principle of houses on this site do not comply with Local Plan policy NH4 'Green Links'
- The gradient of the driveways is too steep;
- The houses have been built higher than approved;
- Views of local residents being ignored.

5. CONSULTATIONS

5.1 SBC Arboriculture and Conservation Manager

- 5.1.1 No comments.

5.2 SBC Parks and Amenities

- 5.2.1 No comments.

6. RELEVANT PLANNING POLICIES

6.1 Background to the development plan

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

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

6.2 Central Government Advice

- 6.2.1 A revised National Planning Policy Framework (NPPF) was published in July 2021. This largely reordered the policy substance of the earlier 2012 version of the NPPF albeit with some revisions to policy. The Council are content that the policies in the Local Plan are in conformity with the revised NPPF and that the Local Plan should be considered up to date for the purpose of determining planning applications. The NPPF provides that proposals which accord with an up to date development plan should be approved without delay (para.11) and that where a planning application conflicts with an up to date development plan, permission should not usually be granted (para.12). This indicates the weight which should be given to an up to date development plan, reflecting the requirements of section 38(6) of the 2004 Act.

6.3 Planning Practice Guidance

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

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

Policy SP8: Good Design
 Policy SP12: Green Infrastructure and the natural environment
 Policy GD1: High quality design
 Policy NH4: Green Links
 Policy NH5: Trees and Woodland
 Policy IT5: Parking and Access

6.5 Supplementary Planning Documents

Parking Provision and Sustainable Travel SPD (2020)
 Design Guide SPD (2009)

6.6 Community Infrastructure Levy Charging Schedule

- 6.6.1 Stevenage Borough Council adopted a Community Infrastructure Levy Charging Schedule in 2020. This allows the Council to collect a levy to fund infrastructure projects based on the type, location and floor space of a development. This proposal would be CIL liable.

7. APPRAISAL

- 7.1.1 The main issues for consideration in the determination of this application are whether the siting of the dwellings as built 1.2m further south into the site than approved under ref. 20/00672/FP has a detrimental impact on the Green Link designation, trees, the character and appearance of the area, the amenity of neighbouring properties and car parking for the development.

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

7.2 Land Use Policy Considerations

7.2.1 The principle of residential development on this site was established by planning permission 20/00672/FP, including the siting, scale and layout of the houses and associated parking and amenity areas. It can be concluded therefore that the principle of development has already been accepted and therefore no further consideration is required for the purposes of this application.

7.2.2 The issue related to land use policy to be considered is whether the siting of the dwellings as built 1.2m further south into the site than approved under ref. 20/00672/FP has a detrimental impact on the Green Link designation within which the southern part of the application site sits. The southern part of the application site falls within the southern tip of the Fairlands Valley Green Link in the Council's Local Plan (2019). The original approved plans showed just the rear gardens encroaching into the Green Link, with the footprint of the houses confined to the garage block and forecourt. Due to the setting out error, 1.2m of the dwellings have been built within the Green Link along with the rear gardens.

7.2.3 Local Plan Policy NH4 'Green Links' states planning permission will be granted where proposals:

- a) Would not create a substantive physical or visual break in a Green Link;
- b) Would not otherwise have a material effect on the recreational, structural, amenity or wildlife value of a Green Link;
- c) Reasonably provide extensions of, or connections to, existing Green Links through the provision of on-site open space;
- d) Reasonably contribute towards the maintenance, improvement or extension of Green Links.

7.2.4 Residential development on this area of Fairlands Valley Green Link was established by planning permission 20/00672/FP. The issue to consider is whether the 1.2m encroachment by the dwellings, rather than just the gardens would conflict with the aims of Policy NH4. The Green Link which forms the southern area of the application site is part of a larger area of grassed open space surrounding the application site, which acts as a buffer between the B197 London Road to the south and the edge of the Roebuck residential area to the north. The area of green space (Green Link) incorporated into the application site is small (approx. 222m²) compared to the total area of green space in this location.

7.2.5 It is considered the remaining space will continue to provide usable recreational / amenity space for local residents and to serve its function as a separation buffer between London Road and the residential area to the north. As such, it is considered the small encroachment of the dwellings into this area with their gardens (as built), combined with the fact there would be no substantive physical or visual break to the Link as a whole and the fact planning permission has already been established for residential development in this location will not harm the function, amenity or overarching quality of the remaining Fairlands Valley Green Link of which the area is part.

7.2.6 It is also not considered that all four criteria in Policy NH4 should be met before planning permission could be granted. That analysis would be difficult as there are two positive and two negative propositions in the policy and it would be impossible, in a situation where you

are at the terminus of a Link such as this, to be able to meet all four criteria. This interpretation has been supported by legal advice. It is therefore considered the planning application complies with Policy NH4 and is acceptable in terms of land use policy.

7.3 Impact on Trees

7.3.1 Following the grant of planning permission for the original scheme, details were submitted under condition 4 'landscaping' which sought agreement for the removal and replacement of 5 trees ref. 22/00055/COND. The Council's Arboriculture and Conservation manager stipulated the 5 trees subject to removal should be replaced with 15 "standards" trees (12-14cm girth) or above, and should be maintained (watered) until established as per Council policy. The location and species of the replacement trees has been agreed as part of the discharge of the landscaping condition and it is expected for the trees to be planted in the next available planting season.

7.3.2 The siting of the dwellings 1.2m further south into the plot than approved has not impacted on the agreed landscaping scheme and therefore no further consideration is required in this regard.

7.4 Impact on Character and Appearance of the area

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

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

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

7.4.3 Policy SP8 of the adopted Local Plan (2019) requires new development to achieve the highest standards of design and sustainability which can deliver substantial improvements to the image and quality of the town's built fabric. Policy GD1 of the Local Plan generally requires all forms of development to meet a high standard of design which includes form of built development, elevational treatment and materials along with how the development would integrate with the urban fabric, its relationship between buildings, landscape design and relevant aspects of sustainable design.

7.4.5 The Council's Design Guide SPD (2009) generally reflects the aforementioned policies requiring development to respect surrounding buildings in terms of scale, massing, height and design. As such, it encourages good design as it can enhance the appearance of places.

7.4.6 In terms of design, scale and landscaping the dwellings have been built as approved, therefore the principle of the design approach in this location has been established. Members of the Planning and Development committee in granting planning permission judged that three dwellings in this location as designed would not harm the character and appearance of the area and complied with national and local design policies. It is considered the siting of

the dwellings 1.2m further south into the plot has not made a material change to the visual impact they have on the surrounding area, compared to the previously approved scheme. The dwellings as built are therefore considered to be acceptable with regards to their impact on the character and appearance area.

7.5 Impact on Amenity of Neighbouring Properties

7.5.1 The application site is adjoined by Nos. 11 to 19 The Chace to the east and is surrounded on all other sides by open space (except the access). The dwellings have been constructed in accordance with the approved plans in terms of height and distance from the dwellings on the Chace, therefore the concerns raised in the neighbour objections around amenity were previously considered by the Planning and Development committee at the time the original application was permitted. The main issue to consider under this application with regards to impact on neighbouring amenity is whether the siting of the terrace (as built) i.e. 1.2m further south than approved harms the amenity of the occupiers of Nos.13, 15, 17 and 19 The Chace to the east by reason of overbearing impact, loss of outlook, light or privacy.

7.5.2 With regards to privacy, a planning condition was added to the original planning permission requiring the proposed ground and first floor flank windows in the dwelling in plot 3, which serve the staircase area, to be obscure glazed to avoid mutual overlooking between the proposed dwelling and Nos. 13 – 19 The Chace. It is understood from the developer that this window is obscure glazed and permanently fixed shut as per the requirements of the condition, which addresses the concern around direct mutual overlooking.

7.5.3 With regards to overbearing impact, loss of outlook and loss of light, it is considered the siting of the terrace 1.2m further south into the plot has not materially changed the relationship of the terrace with Nos. 13 – 19 The Chace compared to what was considered and approved by the Planning and Development committee under the previous application that would now justify a refusal of planning permission. Whilst the change in siting means more of the flank wall of plot 3 is visible to the occupiers of No.15 when viewed from the rear rooms and garden, it is not considered to cause material harm to the amenity of the occupiers of this dwelling. It is noted there continue to be objections raised around the distance of the dwelling in plot 3 and the rear of Nos. 13 and 15 The Chace, however the dwellings have been built as approved in this regard and therefore all of the issues relating to this relationship were considered under the previous application and it is not for this application to re-visit those.

7.5.4 For the above reasons, it is not considered the siting of the terrace 1.2m further south into the plot than originally approved raises amenity concerns with the neighbouring dwellings at Nos. 13 – 19 The Chace over and above what was previously considered acceptable by the Planning and Development committee. The dwellings as built are therefore considered to be acceptable with regards to their impact on the amenity of neighbouring properties.

7.6 Highway Safety and Car Parking

7.6.1 The setting out error has not impacted on the provision of two parking spaces per dwelling in accordance with the Council's Parking Provision SPD (2020) and as approved. The visibility splays, accesses and driveway layout have been built as approved. The gradient of the driveways which has been raised in the neighbour objection was considered by the Highway Authority at the time the original application was approved and found to be acceptable in terms of access and highway safety.

7.6.2 The dwellings as built are therefore considered to be acceptable with regards highway safety and car parking.

7.7 Other Matters

Loss of the Garages

- 7.7.1 During the determination of the previous application, Council's Garages Services team confirmed that the garage block was void and that there had been no demand for their use. This led to the decision by the Council to sell them. Consequently, it was determined by the Planning and Development committee that it had been sufficiently demonstrated that the garages were not required and criterion (d) of Policy IT5 'Parking and Access' had been met. The loss of the garages was therefore considered acceptable.

Community Infrastructure Levy

- 7.7.2 The development is liable for Community Infrastructure Levy under the Council's adopted Charging Schedule (2020). The CIL Charging Schedule specifies a payment for new floorspace in line with the following rates (plus appropriate indexation):

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

- 7.7.3 CIL is a non-negotiable charge. The exact charge will be determined by the Council's CIL officer after an application has been granted in accordance with the CIL Charging Schedule and the Community Infrastructure Levy Regulations 2010 (as amended). Opportunities for relief or exemption from the CIL charge exist and will be taken into account in the calculation of the final CIL charge.
- 7.7.4 CIL replaces the need for S106 agreements to specify financial and/or land contributions for non-site-specific infrastructure projects. This allows infrastructure to be planned on a borough-wide scale rather than on a site-by-site basis as mitigation against the impacts of individual proposals.
- 7.7.5 A CIL Form 1: Additional Information has not been submitted along with the application.

Equality and Human Rights Considerations

- 7.7.6 Consideration has been given to Articles 1 and 8 of the First Protocol of the European Convention on Human Rights. It is not considered that the decision would result in a violation of any person's rights under the Convention. It is not considered that the decision would result in a violation of any person's rights under the Convention.
- 7.7.7 When considering proposals placed before the Council as Local Planning Authority, it is important that it is fully aware of and has themselves rigorously considered the equalities implications of the decision that they are taking. Therefore, rigorous consideration has been undertaken by the Council as the Local Planning Authority to ensure that proper appreciation of any potential impact of the proposed development on the Council's obligations under the Public Sector Equalities Duty. The dwellings comply with current approved document M under the Building Regulations.

7.7.8 The Equalities Act 2010 requires the Council when exercising its functions to have due regard to the need to (a) eliminate discrimination, harassment, victimisation and other conduct prohibited under the Act; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and (c) foster good relations between persons who share protected characteristics under the Equality Act and persons who do not share it. The protected characteristics under the Equality Act are: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion and belief; sex and sexual orientation.

7.7.9 It is considered that the decision has had regard to this duty. The development would not conflict with either Stevenage Borough Council's Equality Policy or the commitments set out in our Equality Objectives, and would support the Council in meeting its statutory equality responsibilities.

8. CONCLUSIONS

8.1 In summary, the setting-out error which has resulted in the dwellings being built 1.2m deeper into the site than approved, with consequential changes to the front parking / amenity areas and rear gardens / fencing / steps is not considered to cause material harm to the Fairlands Valley Green Link, character and appearance of the area, the amenity of the occupiers of Nos.13 – 19 The Chace to the east or the approved car parking arrangements. Given the aforementioned, the application proposal is considered to be acceptable and in accordance with Policies SP8, SP12, GD1, NH4, NH5 and IT5 of the Council's adopted Local Plan (2019), the NPPF (2021) and NPPG (2014).

9. RECOMMENDATIONS

9.1 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:
3055.CHAC.200 Rev A; 3055.CHAC.201 Rev A; 3055.CHAC.202; 3055.CHAC.203 Rev A; 3055.CHAC.204; 3055.CHAC.205; 3055.CHAC.106 Rev A and 3055.CHAC.107.

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

2 The building works required to implement this permission shall be carried out only between the following times:

0800 to 1800 Mondays to Fridays

0830 to 1300 Saturdays

And not at all on Sundays and Bank Holidays.

The hours specified relate to activities which are audible at the site boundary.

REASON:- To satisfactorily protect the residential amenities of nearby occupiers and the operation of adjoining businesses.

3 The development hereby permitted shall be retained in accordance with the scheme of soft and hard landscaping approved under discharge of condition application ref. 22/00055/COND and permanently maintained in accordance with the approved details.

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

4 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the first occupation of the building(s) or the completion of the development whichever is the sooner.

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

- 5 All hard surfacing comprised in the approved details of landscaping shall be carried out within 3 months of the first occupation of the building(s) or the completion of the development, whichever is the sooner.
REASON:- To ensure a satisfactory appearance for the development.
- 6 Any trees or plants comprised within the scheme of landscaping, which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless otherwise agreed in writing by the Local Planning Authority.
REASON:- To ensure a satisfactory appearance for the development.
- 7 No tree shown retained on the approved plans, or subsequently approved landscaping scheme, shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped within five years of the completion of development without the written approval of the Local Planning Authority.
REASON:- To ensure the protection of those trees which should be retained in the interests of visual amenity.
- 8 The ground and first floor flank windows in the eastern elevation of the dwelling in plot 3 shall be glazed with obscured glass and shall be fixed so as to be incapable of being opened and shall be retained in that form thereafter.
REASON:- To safeguard the privacy of the occupiers of adjoining properties.
- 9 The development hereby permitted shall be retained in accordance with the details of boundary treatments approved under discharge of condition application ref. 22/00055/COND and permanently maintained in accordance with the approved details.
REASON:- To ensure a satisfactory standard of development in the interests of amenity and that it has an acceptable appearance.
- 10 If during the course of development any contamination is found or suspected, works shall cease and the local planning authority shall be informed immediately. The local planning authority may request the nature and extent of any contamination to be investigated in order that a suitable remediation strategy can be proposed. The development shall not continue until any required remediation as agreed in writing by the local planning authority has been undertaken, and the local planning authority has confirmed it has been undertaken to its satisfaction.
REASON:- To prevent harm to human health and pollution of the water environment.
- 11 The development hereby permitted shall be retained in accordance with the measures to address adaptation to climate change approved under discharge of condition application ref. 21/00795/COND. These measures shall be implemented and permanently maintained in accordance with the approved details.
REASON:- To ensure the development is adaptable to climate change through provision of energy and water efficiency measures.
- 12 Prior to the occupation / use of the development hereby permitted, the development shall include provision for each dwelling to be served by an active electric vehicle charging point.
REASON:- To ensure construction of a satisfactory development and to promote sustainable development in accordance with Policies 5, 19 and 20 of Hertfordshire's Local Transport Plan (adopted 2018).

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

10. BACKGROUND DOCUMENTS

1. The application file, forms, plans and supporting documents having the reference number relating to this item.
2. Stevenage Borough Local Plan (2019).
3. Responses to consultations with statutory undertakers and other interested parties referred to in this report.
4. Central Government advice contained in the National Planning Policy Framework (2021) and National Planning Policy Guidance (2014).