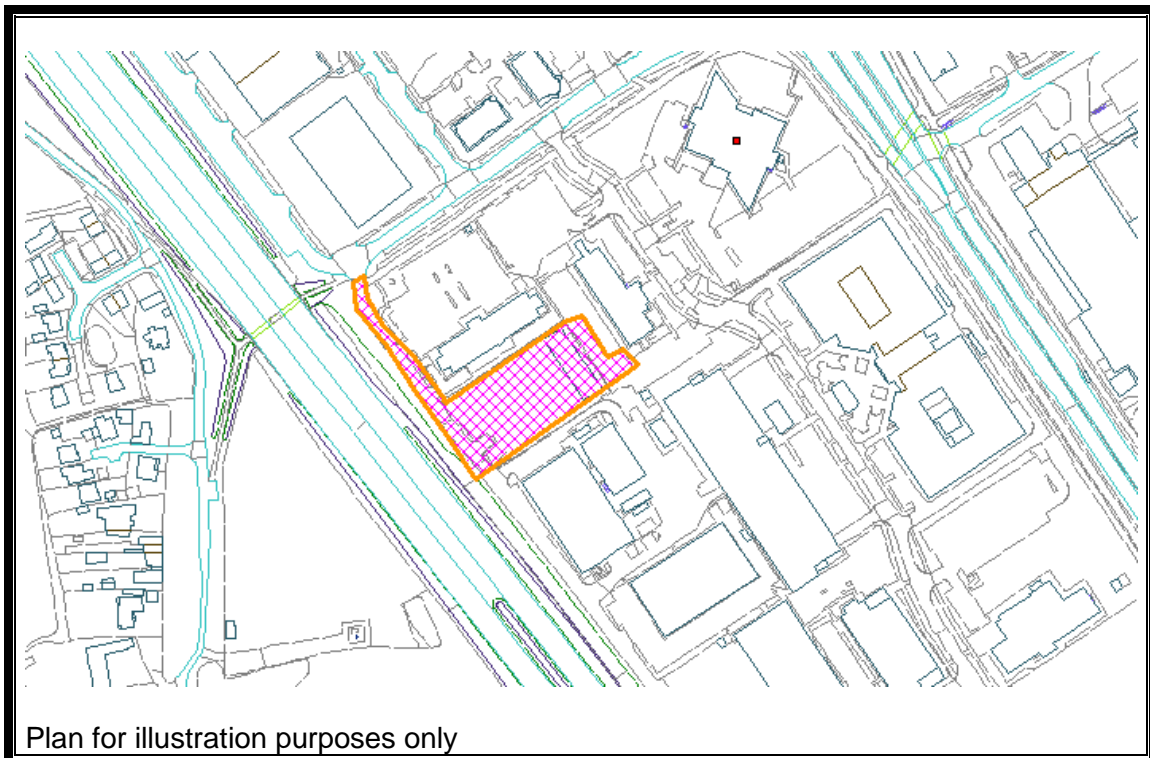


Meeting:	Planning and Development Committee	Agenda Item:
Date:	4 April 2023	
Author:	Linda Sparrow	01438 242837
Lead Officer:	Zayd Al-Jawad	01438 242257
Contact Officer:	Linda Sparrow	01438 242837

Application No :	22/00931/FPM
Location :	MBDA UK, Six Hills Way, Stevenage
Proposal :	Demolition of an existing single storey building and ancillary buildings to allow for the erection of a new three-storey light industrial building with offices, and associated landscaping
Drawing Nos.:	7662_VGA_B4500_XX_DR_A_0100; 1954-10-43; 1954-10-44; 7662_VGA_B4500_00_DR_A_0110; 7662_VGA_B4500_01_DR_A_0111; 7662_VGA_B4500_02_DR_A_0112; 7662_VGA_B4500_RF_DR_A_0113; 7662_VGA_B4500_XX_DR_A_0105-PL02; 7662_VGA_B4500_XX_RP_A_0182; 7662_VGA_B4500_ZZ_DR_A_0120; 7662_VGA_B4500_ZZ_DR_A_0121; 7662_VGA_B4500_ZZ_DR_A_0130; 7662_VGA_B4500_ZZ_DR_A_0131; 7662_VGA_B4500_XX_DR_A_0001_;
Applicant :	MBDA UK
Date Valid:	18 October 2022
Recommendation :	GRANT PLANNING PERMISSION



1. SITE DESCRIPTION

- 1.1 The application site is located on the western side of Gunnels Wood Road which falls within the Gunnels Wood Employment Area. The application site and its immediate surrounding area comprises the MBDA UK complex which consists of two-storey warehousing and industrial units, modern three-storey office buildings, a waste storage compound, portacabins and surface car parking. The warehouse and industrial buildings are generally uniform in design, constructed from profiled sheet metal cladding and windows which run horizontally within the elevations. The buildings also have industrial roller shutters on the western elevation. The office buildings are modular in form and constructed from either brick or steel frames with large areas of glazing. The MBDA site is currently accessed from Six Hills Way and Gunnels Wood Road.
- 1.2 The surrounding area is characterised by a mixture of office, light industrial and warehouse developments. To the south of the application site is the Ford car dealership showroom. The site comprises a two-storey showroom which is constructed from profiled steel cladding with a large, glazed frontage. On the rear and eastern elevations are roller shutters for the service areas. To the west of the application site is the A1(M) motorway and to the east is Gunnels Wood Road. To the north of the site is the Premier Inn hotel on Six Hills Way which is a 5-storey building of yellow-buff brick with a flat roof. Beyond which is the office complex (Farnham House) that houses Hertfordshire County Council. This is a three-storey brick-built building with undercroft car parking. There is also Campus Six immediately adjacent to Farnham House which comprises a number of modern office buildings that are constructed from brick with large, glazed areas on the facade.

2. RELEVANT PLANNING HISTORY

- 2.1 Owing to MBDA's long history in the Town, they have an extensive site history. Following is the most recent history from 2018:

18/00153/FPM Erection of a two-storey modular office building with associated boundary treatments, hard landscaping and services. Granted 15.08.2018.

18/00507/FP Installation of a new HPC Mobile Data Centre. Granted 22.10.2018.

18/00544/COND Discharge of Condition 14 (Construction Management Plan) attached to planning permission reference number 18/00153/FPM. Discharged 03.10.2018.

19/00014/FPM Variation of condition 1 (site plan) and condition 4 (Cycle Storage) attached to planning permission reference number 18/00153/FPM. Granted 12.02.2019.

19/00070/FP 2no. extensions to existing building 1900. Granted 01.04.2019.

19/00253/FPM Erection of a two-storey modular office building with associated boundary treatments and landscaping. Granted 05.09.2019.

19/00471/AD 1no. internally illuminated freestanding sign and alterations to existing signage. Granted 03.10.2019.

19/00539/FP Upgrade of existing security fencing and relocation of gatehouse barrier and turnstile access. Granted 31.10.2019.

19/00660/FP Erection of data centre building with associated plant enclosures and hard landscaping. Granted 30.12.2019.

19/00669/NMA Non-material amendment to planning application 19/00253/FPM to change the base materials of the modular building to profiled steel sheet cladding. Agreed 28.11.2019.

20/00072/FP Infill of courtyard to building 200 and additional lobby to provide additional internal office space with associated landscaping works. Granted 31.03.2020.

20/00095/COND Discharge of condition 7 (remediation scheme) attached to planning reference number 19/00660/FP. Discharged 31.03.2020.

20/00206/FP 2 No. external shipping containers to house specialist mechanical plant. Granted 11.06.2020.

20/00511/FP Proposed lobby extension to existing multi-purpose building. Granted 02.11.2020.

20/00772/FPM Variation of condition 1 (Approved Plans) attached to planning permission 19/00253/FPM. granted 03.03.2021.

21/00114/COND Discharge of conditions 9 (Drainage), 14 (Brise Soleil) and 15 (Landscaping) attached to planning permission 19/00253/FPM. Discharged 20.10.2021.

21/01108/FP Erection of new visitor entrance lobby and staff entrance to Building 1300. Granted 01.12.2021.

21/01325/AD Replacement internally illuminated totem signage and brickwork plinth. Granted 28.01.2022.

22/00317/AD Installation of 1 no. non-illuminated fascia sign mounted on the south end of the existing building. Granted 12.05.2022.

22/00402/COND Discharge of condition 8 (remediation scheme works) attached to planning permission reference number 19/00660/FP. Discharged 26.05.2022.

22/00468/FPM Demolition of an existing storage facility, and erection of a 3-Storey Research and Development Facility. Pending Legal Agreement.

22/00874/CLPD Certificate of lawfulness (Proposed) for installation of new Liquid Nitrogen tank to serve new test facility inside existing building. Granted 08.11.2022.

22/00887/TPTPO Crown reduction by 30% and removal of deadwood to Oak Tree (T2) protected by TPO 107. Granted 29.11.2022.

22/00975/FP External alteration to existing building comprising 1 no. roller shutter, installation of louvres, external lighting, construction of hardsurfacing area with associated engineering works. Granted 13.12.2022.

3. THE CURRENT APPLICATION

- 3.1. This application seeks planning permission to demolish the existing building 4000 and replace with a new three storey building 4500 which will provide additional office space and testing facilities to replace those facilities in the adjacent buildings 5000 and 5050.
- 3.2. The existing building has previously been used for storage but is no longer required by the business. The new building would comprise three storeys and have a gross external area of

2,858sqm. The ground floor would comprise the central testing hall (which extends up through all floors), staff amenities and some office space, while the remaining floors would comprise offices and plant rooms.

- 3.3. The employees that will work within the proposed building are currently working in the adjacent 5000 and 5050 buildings. Building 5050 is one of the oldest buildings on the site and is coming to the end of its expected lifespan and cannot be retrofitted to house the newer test facilities that MBDA require. The new testing and office facility will greatly aid MBDA in continuing to provide their services while also thinking about sustainability, providing a more energy efficient space to work in.
- 3.4. This application comes before the Planning and Development Committee for its decision as it is a Major.

4. PUBLIC REPRESENTATIONS

- 4.1 As a major planning application, the proposal has been publicised by way of neighbour notification via letters, site notices and a press notice. At the time of drafting this report, no responses have been received.

5. CONSULTATIONS

- 5.1 The following section contains summaries of consultation responses. Full copies of the responses are available on the Council's website.

5.2 Thames Water

- 5.2.1 The proposed development is located within 15 metres of our underground wastewater assets and as such we would like an informative attached to any approval granted in this regard. There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities or inhibit the services we provide in any other way.
- 5.2.2 With regard to surface water drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer.
- 5.2.3 Thames Water would advise that with regard to wastewater network and sewage treatment works infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.

5.3 Natural England

- 5.3.1 This application has triggered one or more Impact Risk Zones, indicating that impacts to statutory designated nature conservation sites (European sites or Sites of Special Scientific Interest) are likely. The designated site which could be impacted by this proposal is Knebworth Woods Site of Special Scientific Interest (SSSI). We raise no objections or concerns so long as the standing advise on protecting SSSI's is followed.

5.4 Herts County Council as Highways Authority

- 5.4.1 Objection on the basis of lack of information to demonstrate adequate car parking.

- 5.4.2 The Council advised HCC that this was not within their remit to assess.
- 5.4.3 Following this, revised comments were received stating that subject to informatives, this level of development is unlikely to generate any extra movements which would ultimately lead to demonstrable harm to the highway network in terms of free flow and capacity, therefore, the highway authority would not wish to restrict the grant of planning permission.

5.5 Crime Design Advisor

- 5.5.1 No concerns – support the application.

5.6 SBC Environmental Health

- 5.6.1 A watching brief must be kept during initial site preparation works to identify any potentially contaminated land or materials likely to be present.
- 5.6.2 Demolition and construction activities, both on and off site, by their nature can be noisy and intrusive for neighbouring occupiers, particularly in terms of noise, vibration, air quality (dust), smoke, odour and light and other possible matters, including construction vehicle parking or movements, or damage to neighbouring properties, services and facilities. Noise and vibration can arise in particular from piling operations, groundworks and excavations, and plant or machinery and their associated use. Early morning deliveries can also give rise to disturbance if not properly controlled and managed. Dust from site operations can also be an issue, particularly during periods of sustained dry weather.
- 5.6.3 Environmental Health expect developers to control the impact from the construction phase of their development by implementing suitable mitigation measures and following best practices in accordance with BS5228:2009 Part 1 (noise) and Part 2 (vibration), where appropriate. Hours of work for noisy construction works are limited to the following times only - 7:30am to 6:00pm on Weekdays, 8:00am to 1:00pm on Saturdays and at no times on Sundays or Public Holidays. The Developer may be required to formulate and implement a Construction Management Plan before commencement of any works.
- 5.6.4 Construction sites may cause the disturbance of rats and other vermin. Developers have a duty to manage the treatment of rats, vermin and pests on the site. Where suitable controls are not in place Prevention of Damage by Pest Act 1949 and nuisance and public health legislation will be used.

5.7 WSP Group UK (Flood Risk and Drainage Consultant)

- 5.7.1 *Initial comments received 16.01.2023*
- 5.7.2 The submitted drainage strategy falls well short of the standard required to accompany a planning application. It does not meet the minimum requirements of the Lead Local Flood Authority across a number of metrics and fails to include surface SuDS.
- 5.7.3 For adequate detail to be available, drainage drawings need to include but are not limited to values such as proposed finished floor levels, invert levels for key pipe connections, sizing of proposed attenuation (volume, depth, footprint), proposed discharge rates, the location and footprint of the proposed attenuation tank, location of proposed treatment and accompanying calculations. Surface water exceedance pathways are also required. Calculations must include but are not limited to storage requirements for the critical storm duration 1 in 100 event plus climate change rainfall event, greenfield runoff rates, existing runoff rates (if appropriate, discussed further below), and (half) drain down times for the attenuation

5.7.4 A meeting was held between the applicant, their agent, their drainage consultant, planning officers and the Council's drainage consultant on 7 March 2023 to discuss a revised strategy. At the time of writing this report, the revised strategy has yet to be submitted. Any comments received from our drainage consultant in relation to a revised strategy will be reported to Members via an addendum report at the committee meeting.

5.7 SBC Arboricultural Manager

5.7.1 I have looked into this application and can confirm that I have no objection from an arboriculture viewpoint.

5.8 Herts County Council Waste & Minerals

5.8.1 A development of this size would require the consideration of minimising waste generated during demolition, construction and its subsequent occupation, encouraging the re-use of unavoidable waste where possible and the use of recycled materials where appropriate.

5.8.2 The County Council, as Waste Planning Authority, would expect commitment to producing a Site Waste Management Plan (SWMP) and for the SWMP to be implemented throughout the duration of the project. The SWMP must be prepared prior to commencement of the development and submitted to the Waste Planning Authority for comments.

5.9 Affinity Water

5.9.1 No comments received.

5.10 Lead Local Flood Authority

5.10.1 No comments received

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 earlier 2012 version of the NPPF, albeit with some revisions to policy substance. 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 purposes of determining planning applications. The NPPF provides that proposals which accord with an up-to-date development plan should be approved without delay (Paragraph 11) and that where a planning application conflicts with an up-to-date development plan, permission should not usually be granted (Paragraph 12). This indicates the weight which should be given to an up-to-date development plan, reflecting the requirements of section 38(6) of the 2004 Act.

6.2.2 The Council will nevertheless be commencing preliminary work into a review of its Local Plan, which was adopted in May 2019. This is to further ensure that the policies within the

Local Plan are up-to-date, as well as to ensure the Plan is performing well against its objectives.

6.3 Planning Practice Guidance

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

6.4 National Design Guide

6.4.1 The National Design Guide 2021 is Government guidance on the characteristics of well-designed places and demonstrates what good design means in practice. It has the same status as the PPG and should similarly be taken into account when determining planning applications.

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

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

SP1: Presumption in favour of sustainable development;
SP2: Sustainable development in Stevenage;
SP3: A strong, competitive economy;
SP8: Good design;
SP11: Climate change, flooding and pollution;
EC1: Allocated sites for employment development;
EC2: Gunnels Wood Employment Area and Edge-of-Centre Zone;
EC4: Remainder of Gunnels Wood;
GD1: High Quality Design;
IT5: Parking and Access;
FP1: Climate Change;
FP2: Flood risk in Flood Zone 1;
FP5: Contaminated Land;
FP7: Pollution;
NH5: Trees and Woodland;

6.6 Supplementary Planning Documents

6.6.1 The following supplementary planning documents are relevant to determining the application:

Developer Contributions SPD 2021
Parking Provision and Sustainable Transport SPD 2020
The impact of Development on Biodiversity SPD 2020
Design Guide SPD 2023

7. APPRAISAL

7.1 The main issues for consideration in the determination of the application are its acceptability in land use policy terms, impact on visual amenity; impact on neighbouring amenities; parking provision; means of access and highway safety; impact on the environment; and flood risk.

7.2 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 National Planning Policy Framework 2021 (NPPF) states that significant weight should be placed on both the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.
- 7.2.2 The application site is designated as part of the Gunnels Wood Employment Area where Policy EC2a (Gunnels Wood Employment Area) and EC4 (Remainder of Gunnels Wood) of the Local Plan (2019) apply. Policy EC2a defines the spatial extent of the Gunnels Wood Employment Area and Policy EC4 sets out what uses are acceptable in the employment area. The latter states that planning permission will be granted where development (including changes of use) is for use classes B1(b) research and development, B1(c) light industry, B2 general industry and / or B8 storage and distribution. Please note that as of September 2020, use classes B1(b) and B1(c) are now re-classified as use class E.
- 7.2.3 The application site is also designated in the Local Plan (2019) under Policy EC1/3 (Allocated sites for employment development) for 4,000m² of B1(b) and/or B1(c) (now use class E).
- 7.2.4 Policy SP3 (Strong, Competitive Economy) states that Gunnels Wood is to be continued to be remodelled to meet modern requirements and provide a high quality and attractive business destination. The proposed development would provide a new, modern, research and development facility, to meet the ongoing needs of MBDA, a long-standing employer in the Gunnels Wood area to ensure that it continues to meet the high-quality standards and offer a competitive business model.
- 7.2.5 The proposed building would have fallen within the former use class B1(b) research and development (now use class E). Therefore, the proposal fully accords with the land use policies in the Local Plan (2019). It is also in accordance with the aims and objectives of the NPPF (2021) insofar as it would support economic growth and productivity. Accordingly, the proposal is considered acceptable in land use policy terms.

7.3 Impact on Visual Amenity

- 7.3.1 In terms of design, Paragraph 126 of the NPPF (2021) states that *“the creation of high quality, beautiful and sustainable buildings is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development”*, whilst Paragraph 130 stipulates that planning decisions should ensure development functions well and adds to the overall quality of the area, not just in the short term but over the lifetime of the development. It also sets out that development should be visually attractive as a result of good architecture, layout and appropriate and effective landscaping is sympathetic to local character and history, including the surrounding built environment and landscape setting. Paragraph 134 then goes on to re-iterate that *“development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents”*
- 7.3.2 Policy GD1 of the Local Plan (2019) and the Design Guide SPD (2023) 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.
- 7.3.3 The application site is located on land which is owned and operated by MBDA. The site for the proposed building is currently occupied by building 4000 on the eastern side with the remaining area occupied by open hardstanding and car parking. It is bordered by buildings 1200 to the east, 5000 & 5050 to the south and the Premier Inn hotel to the north (which is

outside the red line plan) in addition to a number of smaller buildings and housings for plant and machinery.

- 7.3.4 The existing industrial buildings closest to the proposed building site are generally uniform in design, constructed from profiled sheet metal cladding and windows which run horizontally within their respective elevations. The existing offices within the wider MBDA campus are generally modern in design and articulated in built form, constructed from either brick, steel or stone cladding, with large areas of glazing and full height glazed entrance features.
- 7.3.5 The Premier Inn hotel to the north is a five-storey cuboid building with a flat roof. It is constructed with yellow-buff brickwork and is unique in its built form and materials for this area of Gunnels Wood Road/Six Hills Way.
- 7.3.5 The proposed building will replace the existing building 4000 which is located in the north-western part of the site. This existing building is single storey in height and is used for site maintenance storage purposes. The building would be 3-storeys in height with a low profiled dual pitched roof. Given the surrounding buildings vary from single storey to 3 storeys, from a wider visual standpoint, the building would appear in keeping with the surrounding buildings.
- 7.3.6 The building would measure approximately 31m wide and 57m deep and have a gross external floor area of 2,858sqm over the three floors. The lower sections of the building will be clad in profiled sheet metal, horizontally laid whilst the upper section will be composite insulated flat cladding panels. The south eastern corner will contain the entrance to the building which will feature curtain walling with exposed vertical mullions to highlight and make a feature of the entrance.
- 7.3.7 Windows will mainly be limited to office areas and have a horizontal appearance with a taller profile to maximise natural daylight inside whilst the entrance lobby will be full height of the building to enhance its 'grand' stature when entering the building.
- 7.3.8 Externally, roller shutters for movement of larger items into/out of the testing rooms are placed on the north, south and west elevations along with pedestrian escape doors.
- 7.3.9 Enhancements to existing soft landscaping combined with additional soft landscaping would help to better define the building's boundary within the site. Additionally, the provision of an enhanced landscape strategy would further help to soften the appearance of the building.
- 7.3.10 Given the aforementioned assessment, it is considered that the proposed development will appear sensitive to the existing buildings on the MBDA site whilst creating a modern building, fit for purpose that adds visual interest through this changing site. Accordingly, it would not have a detrimental impact on the character and appearance of the site, or the visual amenities of the area. Therefore, it would be in accordance with Policies GD1 and SP8 of the Adopted Local Plan (2019).

7.4 Impact on Neighbouring Amenities

- 7.4.1 Policy FP7 of the Local Plan (2019) requires all development proposals to minimise, and where possible, reduce air, water, light, and noise pollution. Planning permission will be granted when it can be demonstrated that the development will not have unacceptable impacts on general amenity and the tranquillity of the wider area.
- 7.4.2 Policy GD1 also requires that developments do not have an adverse impact on neighbouring uses or the surrounding area.

- 7.4.3 The application site is located within the established employment area of Gunnels Wood Road amidst a range of other established commercial uses, with the nearest residential properties located approximately 430m away and positioned the other side of the A1(M) in Norton Green.
- 7.4.4 The presence of the nearby Premier Inn hotel is noted. A Noise Assessment has been prepared by Hoare Lea which concludes that during the daytime, the building services plant noise should be limited to 47dB(A) and during the night-time it should be limited to 41dB(A). Noise mitigation measures include the selection of low noise equipment, silencers on air handling units, the use of acoustic enclosures and anti-vibration mounts fitted to all equipment.
- 7.4.5 The report indicated that the surrounding noise climate is predominantly formed of road traffic noise from the adjacent A1(M) with some aircraft noise observed occasionally. There is also a possibility of noise emanating from the re-filling of nitrogen gas tanks although this was not observed during the duration of the noise assessment.
- 7.4.6 The Council's Environmental Health department have assessed the application and have raised no concerns. However, it is recommended that a condition be imposed restricting the hours of construction on-site. This is to ensure that the amenities and operation of nearby businesses are protected during the construction phase of the development. Subject to this condition, it is considered that the proposed development would not have a detrimental impact on the amenities of neighbouring occupiers, in accordance with Policies FP7 and GD1 of the Local Plan (2019).

7.5 Car Parking and Cycle Parking Provision

- 7.5.1 Policy IT5 of the Local Plan (2019) states that planning permission will be granted where proposals comply with the parking standards set out in the Parking Provision and Sustainable Transport SPD (2020). The proposed building will be use class E (formerly B1b). The SPD sets out the maximum level of parking requirements for use class E development, with research and development/industrial processes being required to provide 1 parking space per 35sqm of gross floorspace. On the basis of the proposed building having an approximate floorspace of 2,858sqm, there would be a requirement for 81.6 parking spaces, rounded up to 82 spaces.
- 7.5.2 The site is located in accessibility zone 2 and as such, a degree of restraint can be applied to the maximum level of parking which is required. In the case of zone 2 developments, between 25% and 50% of the total parking provision can be provided. It is also understood that following the COVID-19 pandemic, MBDA like many businesses has re-assessed its working patterns for staff and are adopting a new "Dynamic Working" model. This will allow for greater flexibility of working hours and an increase in the number of personnel who will be working from home.
- 7.5.3 The Council are open to being flexible on the matter of car parking for the MBDA site given the business changes following the pandemic and the new dynamic working model. As such, the car parking requirements will be assessed holistically across the entire site and not for each individual building.
- 7.5.4 The Parking Statement accompanying the submitted Planning Statement advises that there are currently 1,850 car parking spaces on site for staff and visitors, which are spread out across the whole site and comprise open air surface parking and multi-storey car parking.
- 7.5.5 Following the COVID-19 pandemic, MBDA invested substantially in secure off-site working arrangements, which has resulted in the daily on-site work force falling from 2,600 persons to 1,000-1,200 persons. This has subsequently seen a fall in cars on site to approximately 700-850 cars on site each day.

- 7.5.6 Going forward, whilst MBDA will still operate under a hybrid working pattern, they expect more staff to utilise on-site working, although not to the extent of pre-pandemic levels. It is expected that approximately 2000-2200 staff could be on site at any given time, which would result in approximately 1400-1500 cars on site. Even at these increased numbers, there would still be an over-supply of existing car parking provision with 1850 spaces on site.
- 7.5.7 The proposed development is expected to increase employee numbers by approximately 15-20. Accordingly, the Council is satisfied that the MBDA site as a whole has enough surplus existing car parking that there is no requirement to provide any additional car parking with this current application.
- 7.5.8 With respect to cycle parking, the Parking Standards sets out that there is a requirement to provide 1 long-term space per 500sqm of floorspace and 1 short-term space per 1000sqm of floor space. With an approximate floorspace of 2,858sqm, there would be a requirement for 6 long term spaces and 3 short term spaces.
- 7.5.9 There are currently 199 cycle spaces on site. MBDA estimate that around 70% of employees travel to work via car with the remaining 30% arriving by other means. This would equate to approximately 650 people arriving by other means. It is therefore considered that 199 cycle spaces across the site will be acceptable.
- 7.5.10 Notwithstanding this, the submitted plans indicate that 8 car parking spaces would be provided, of which one would be an allocated disabled space. As such, if planning permission is granted then it is considered appropriate to impose conditions that require these spaces to be provided prior to occupation and that they must comply with the Parking Provision SPD (2020) and have the necessary infrastructure provided to be capable of EV charging.
- 7.5.11 Given the aforementioned assessment, it is considered that the proposed development would be in accordance with Policy IT5 of the Local Plan (2019) and the Parking Provision and Sustainable Transport SPD (2020).

7.6 Means of Access and Highway Safety

- 7.6.1 Policy IT4 of the Local Plan 2019 states that planning permission will be granted where development will not have an adverse impact on highway safety.
- 7.6.2 The building would be accessed via the existing access points within the site, which are served from the main access point on Six Hills Way. There are no proposals to amend any of the main existing access points. Herts County Council (HCC) as Highways Authority have assessed the application and, although they initially raised concerns over parking provision, upon a secondary assessment, they removed this objection as it is not within their remit to comment on parking provision and raised no concerns in relation to highway safety.
- 7.6.3 Turning to the traffic generation from the development, the applicant has confirmed that the proposed development is expected to generate no more than 15-20 new employees. The proposed development is to support the existing operations of the MBDA site. Further, as discussed in points 7.5.5 and 7.5.6 above, the new hybrid working adopted by MBDA has resulted in a marked decrease in the number of persons travelling to and from the site each day with increased home working. Taking this into consideration, the proposed development would not significantly change the level of traffic which is currently generated from the application site.

- 7.6.4 In terms of access for emergency vehicles, it is considered that all parts of the building are within 45 metres from the internal access roads. In addition, the geometrical layout of the internal roads would be able to accommodate the safe manoeuvrability of emergency vehicles within the site without prejudicing highway safety. In relation to pedestrian access, the proposed development does not alter any existing access points from Gunnels Wood Road or Six Hills Way. Therefore, persons cycling to work would still be able to access the site from both access points.
- 7.6.5 Taking into consideration of the above, the proposed development as confirmed by HCC as the Highways Authority would not have a detrimental impact on the safety and operation of the highway network, in accordance with Policy IT4 of the Local Plan (2019).

7.7 Pollution

- 7.7.1 The application site is located on previously developed land so there is the potential presence of contamination. Taking this into consideration, the Council's Environmental Health Officer has recommended that a condition be imposed stipulating that during the construction phase of the development, if any contamination is identified they will be required to undertake an investigation and agree a remediation scheme with the Council. This will ensure that in the event any potential contaminants are identified, they are mitigated against and that the health of person(s) working on-site (both construction contractors and office workers) the wider environment and buildings are protected.

7.8 Development and Flood Risk

- 7.8.1 The application site is located within Flood Zone 1 within the Environment Agency's flood risk map. Flood Zone 1 is defined as land having less than 1 in 100 annual probability of flooding.
- 7.8.2 Policy FP2 of the Local Plan requires applications for major development in Flood Zone 1 to be accompanied by an appropriate flood risk assessment. It also requires that the use of sustainable drainage systems (SuDS) are maximised on site so as not to increase flood risk and to reduce flood risk wherever possible.
- 7.8.3 The application was accompanied by a Flood Risk Assessment (FRA) by RSK LDE Ltd, dated October 2022 and a Below Ground Drainage Statement by Alan Baxter dated September 2022. These advise that the existing surface water from buildings and hardstanding's drain into downpipes and road gullies which then discharge into the surface water drainage system uncontrolled which then discharges into the public surface water sewer to the north of the site on Six Hills Way. Foul water from the existing building 4000 discharges into the public foul water sewer, also in Six Hills Way.
- 7.8.4 The reports go on to state that sustainable drainage systems (SuDS) measures through an underground attenuation tank can achieve at least a 50% reduction of existing run-off rates and would include an oil filter to remove hydrocarbons.
- 7.8.5 Given that the application is for major development and involves the provision of SuDS, the Lead Local Flood Authority is a statutory consultee. However, following the service announcement of the Lead Local Flood Authority that they are currently not providing a consultation service because of extreme resourcing issues and severe workload backlogs, the Council have appointed WSP Group UK to undertake drainage and flooding assessments of planning applications on the Council's behalf.
- 7.8.6 The Council's Drainage Consultant raised a number of concerns regarding the submitted drainage strategy, stating that it falls short of the standard required to accompany a planning application. It does not meet the minimum requirements of the Lead Local Flood Authority across a number of metrics and fails to include surface SuDS. Following their

initial comments, a meeting was held on 6th March 2023 between the applicant, their agent, their drainage consultant, planning officers and the Council's drainage consultant to discuss the requirements for a revised drainage strategy.

- 7.8.7 At the time of writing this report, a revised strategy has not yet been submitted. Therefore, if the revised strategy and comments from our drainage consultant are not received by the time the application is to be determined at Planning and Development Committee, it is recommended that delegated powers are given to the Assistant Director of Planning and Regulatory Services and the Chairman of the Planning Committee that in the event the Council's Drainage Consultant do provide comments on the strategy with a suggested list of conditions, then these conditions would be imposed accordingly before any planning permission is issued by the Council. However, if the Council's Drainage Consultant raises a substantive objection to the application and this cannot be resolved, then it is recommended that the application is referred back to the Planning and Development Committee for its decision.

7.9 Trees and Landscaping

- 7.9.1 Section 15 of the NPPF (2021) requires developments to preserve and enhance the natural environment. Policy NH5 of the Local Plan (2019) states that development proposals will be expected to protect and retain individual trees within development sites and should include new planting where appropriate.
- 7.9.2 It is noted that there are no trees or vegetation which would be affected by the development.
- 7.9.3 As set out under paragraph 6.25 of the adopted Local Plan (2019), the Council encourage the use/creation of high-quality boundaries and/or landscaping which help to create a strong definition and improve the streetscape. As such, it is considered that there is an opportunity to improve landscaping as part of this development as this would help to create an enhanced natural environment and increase biodiversity on an otherwise industrial complex.
- 7.9.4 Paragraph 131 of the NPPF (2021) states that: *"Trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in development, that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible"*.
- 7.9.5 Whilst there is no requirement to provide a biodiversity net gain, soft landscaping is an important aspect of any site, even largely industrial sites such as MBDA. It can have a positive impact on both the people using the site, and local wildlife. The submitted proposed site layout plan details the improvements to be made to the surrounding soft landscaping.
- 7.9.6 The Council's Arboricultural and Conservation Manager has assessed the application and they raise no concerns. Given the application has not been accompanied by a detailed landscaping strategy, it is considered appropriate to impose a condition on the decision notice should planning permission be granted, that requires a more detailed landscaping strategy to be submitted to and approved in writing by the Council prior to the first occupation of the building. Subject to this condition, it is considered that the proposed development would be acceptable in arboricultural and landscape terms.
- 7.9.7 Natural England were consulted as part of the application and they advised there was potential for the site to impact on the nearby Site of Special Scientific Interest (SSSI) and they advise that veteran trees within the site boundary should also be retained. A SSSI is

a conservation designation which describes an area of particular interest to science due to the flora, fauna, geological features or physiological features that may be found within it. Whilst they provided statutory guidance on SSSI's and planning applications, they did not request any specific conditions in relation to this application. The Knebworth Woods SSSI is located approximately 100m from the south-western boundary of the site and is separated by the A1(M). In this regard, it is considered that the SSSI is separated a sufficient distance from the site boundary so as not to be harmed by the construction or future use of the site.

7.10 Other Matters

Biodiversity Net Gain

7.10.1 The NPPF and accompanying Planning Practice Guidance requires the Council to achieve measurable net gains in biodiversity at development sites and across the Borough. To achieve a biodiversity net gain, a development must deliver a minimum of 10% net gain post development, when compared with the pre-development baseline. The Council's recently adopted Biodiversity SPD (2021) requires all major and minor applications, other than the following exemptions currently suggested by the Government, to demonstrate a net gain in biodiversity:

- i) Permitted development;
- ii) Householder development, including extensions;
- iii) Nationally significant infrastructure, which falls within scope of the Planning Act 2008;
- iv) Some brownfield sites with marginal viability and substantial constraints. It is expected that full details to be set out in secondary legislation, but considerations are likely to include where sites contain a high proportion of derelict land and buildings and only a small percentage of the site is undeveloped, land values are significantly lower than average, and the site does not contain any protected habitats; and
- v) Developments that would not result in measurable loss or degradation of habitat, for instance change of use of or alterations to building

7.10.2 As the application site comprises hard surfaced areas and industrial buildings, it is considered it would meet exception criteria iv) and v) above as the site is currently developed and does not contain any protected habitats. On this basis, there would be no requirement to achieve a 10% biodiversity net gain on the site.

Sustainable Construction and Climate Change

7.10.3 Policy FP1 of the Local Plan (2019) states that planning permission will be granted for development that can incorporate measures to address adaptation to climate change and section R (Resources) of the Design Guide SPD (2023) requires new developments to mitigate against and adapt to climate change. New developments will be encouraged to include measures such as:

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

7.10.4 A Climate Change and Energy Statement has been submitted by Hoare Lea. The building services will focus on providing efficient systems which aim to reduce demand on the energy grid minimising both CO2 emissions and the cost of operations. The energy strategy

follows the “Be Lean, Clean and Green” energy hierarchy which utilises fabric first approach (high performance building materials and efficient systems) to maximise the reduction in energy through passive design measures. Compliance against the Building Regulations Part L has been achieved. The use of air source heat pumps further reduces CO2 emissions in addition to direct electric DHW units. It is estimated that the proposed measures of low and zero carbon technologies will provide an anticipated reduction of 34.7% in CO2 emissions beyond the Part L requirements. Part L was updated in June 2022 but the updated version does not apply to buildings where an Initial Notice for the work is submitted prior to June 2023. In this regard, the submitted report confirms that an Initial Notice has already been submitted and as such they need only comply with the 2013 version of Part L.

- 7.10.5 Notwithstanding this, to reflect progress made in decarbonising the UK’s electricity grid since Part L 2013 was released, the proposed update to the SAP methodology, SAP 10.1, includes a 74% reduction in the carbon factor of electricity used to calculate regulated CO2 emissions. In line with current trends and the imminent adoption of Part L 2021, carbon emission reductions have been calculated using the carbon factors set out in the SAP 10.1 guidance. Through the measures outlined in the energy strategy, it is anticipated that overall a 34.7% reduction in CO2 emissions will be achieved beyond the gas boiler baseline using SAP 10.1 carbon factors.
- 7.10.6 Solutions for reducing demand for potable water, such as low flow fixtures and fittings, leak detection and flow control devices, will be explored and implemented where feasible. By minimising water consumption, the proposed development would be resilient to and further mitigate its contribution to a warming climate.
- 7.10.7 Given the aforementioned assessment, the applicant has demonstrated that the development, through use of suitable building materials, water and energy saving devices, would be considered to be adaptable to climate change and would be a sustainable form of development, in compliance with Policy FP1 of the adopted Local Plan (2019).

Waste and Resources

- 7.10.8 Any scheme will produce waste during works and the Council will require the preparation of a Site Waste Management Plan (SWMP). Details of waste and re-cycling facilities will be required and how waste may be controlled through measures such as the Construction Environmental Management Plan (CEMP).

Employment and Apprenticeships

- 7.10.9 In accordance with the Developer Contributions SPD 2021, the developer would be required to contribute to local employment in the following ways:
- attempt to employ Stevenage residents in 5% to 10% of on-site construction jobs
 - attempt to employ one Stevenage resident or student as an apprentice for every ten on-site construction jobs (up to a maximum of ten apprenticeships)
 - report whether or not they met these requirements
 - pay a one-off sum of £4,000 per job shortfall
 - pay of one-off sum of £1,250 per apprentice shortfall
- 7.10.10 The applicant has agreed to these measures and is willing to enter into a legal agreement to secure them. In addition, there will be an associated monitoring fee which will ensure the aforementioned is complied with. This will also form part of any S.106 legal agreement.

Community Infrastructure Levy

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

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

7.10.12 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.

7.10.13 CIL replaces the need for S106 agreements to specify financial and/or land contributions for non-site-specific infrastructure projects. This allows infrastructure to be planned on a borough-wide scale rather than on a site-by-site basis as mitigation against the impacts of individual proposals. A CIL Form 1: Additional Information has been submitted along with the application.

7.10.14 The proposed development would be liable for CIL but would be zero rated since it would fall into the "all other development" category.

Equality, Diversity and Human Rights

7.10.15 Consideration has been given to Articles 1 and 8 of the First Protocol of the European Convention on Human Rights. It is not considered that the decision would result in a violation of any person's rights under the Convention.

7.10.16 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.

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

7.10.18 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.

7.10.19 The proposed building will be fully compliant with the Equalities Act through the implementation of level access throughout the ground floor, all passageways and doorways will be a minimum of 850mm wide internally and 1000mm wide externally. Accessible WC facilities will be available on each floor and a lift will serve the building for those who cannot use stairs. A disabled parking space is to be provided outside the front entrance of the building.

8. CONCLUSIONS

8.1 The policies considered to be most relevant for determining this application are all considered to be consistent with the most recent revision of the NPPF and are therefore considered to be up-to-date. Accordingly, Paragraph 11(d) of the NPPF is not engaged and the application falls to be determined against a straightforward planning balance.

8.2 The proposed development will contribute to building a strong, responsive and competitive economy by replacing redundant storage on the MDBA site with a new R&D facility. The proposed development will potentially increase the number of employees by approximately 15-20, which is not especially significant but a public benefit nevertheless. However, the proposal would allow MBDA to further expand its client offerings which would therefore continue to support their role as a key employer in the Town and maintain the existing level and range of jobs currently on site.

8.3 The development would also bring economic benefits in terms of construction related jobs and increased expenditure in the local economy during the construction period. These benefits carry significant weight in favour of the proposal.

8.4 The proposal is considered to be acceptable in land use policy terms. It would also have an acceptable impact on the character and appearance of the area, on the amenities of neighbouring occupiers, on parking, highway safety, pollution, and trees and landscaping. These are neutral matters.

8.5 Given the above, the proposed development accords with the Local Plan (2019), the Council's Supplementary Planning Documents, the NPPF (2019) and PPG (2014).

9. RECOMMENDATIONS

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

- Apprenticeships and construction jobs;
- Monitoring Fee

9.2 The detail of which would be delegated to the Assistant Director of Planning and Regulation in liaison with the Council's appointed solicitor, as well as the imposition of suitable safeguarding conditions, with authority given to the Assistant Director of Planning and Regulation in consultation with the Chair of Planning Committee, to amend or add to the suggested draft conditions set out in this report, prior to the decision notice being issued, where such amendments or additions would be legally sound and most effectively deliver the development that the Planning Committee has resolved to approve. These suggested conditions are as follows:-

General

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:
7662_VGA_B4500_XX_DR_A_0100; 1954-10-43; 1954-10-44;
7662_VGA_B4500_00_DR_A_0110; 7662_VGA_B4500_01_DR_A_0111;
7662_VGA_B4500_02_DR_A_0112; 7662_VGA_B4500_RF_DR_A_0113;
7662_VGA_B4500_XX_DR_A_0105-PL02; 7662_VGA_B4500_XX_RP_A_0182;
7662_VGA_B4500_ZZ_DR_A_0120; 7662_VGA_B4500_ZZ_DR_A_0121;
7662_VGA_B4500_ZZ_DR_A_0130; 7662_VGA_B4500_ZZ_DR_A_0131;
7662_VGA_B4500_XX_DR_A_0001_;
REASON:- For the avoidance of doubt and in the interests of proper planning
- 2 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON:- To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).
- 3 Notwithstanding Section 55 of the Town and Country Planning Act (as amended) and Part 3 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification), the development to which this permission relates shall be used for purposes falling within Class E(g)(ii) of the Schedule to the Use Classes Order 1987 (as amended) (or within any provision equivalent to those Classes in any statutory instrument revoking and re-enacting that Order with or without modification).
REASON:- To prevent the site being used for purposes that would have a detrimental impact on the economic function of the area.
- 4 No site clearance or construction work relating to this permission shall be carried out 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.
REASON:- To safeguard the amenities of the occupiers of neighbouring properties.
- 5 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 submitted to and approved in writing by the local planning authority. Following completion of measures identified in the approved remediation scheme a verification report must be submitted to and approved in writing by the local planning authority.
REASON:- To ensure that the site does not pose any risk to human health and to ensure that the development does not contribute to unacceptable concentrations of pollution posing a risk to public water supply from previously unidentified contamination sources at the development site and to prevent deterioration of groundwater and/or surface water by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is completed.
- 6 The development to which this permission relates shall be carried out in accordance with the Energy Statement as set out at Appendix A of report reference REP-2324417-05-JP-20220808-Climate change and energy statement-Rev01 unless otherwise agreed in writing by the local planning authority.
REASON:- To ensure the development is adaptable to climate change and results in limited CO2 emissions.

Prior to Commencement

- 7 No development shall take place (including site clearance) until a construction management plan 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) Construction vehicle numbers, type, routing;
 - b) Access arrangements to site;
 - c) Traffic and pedestrian management requirements;
 - d) Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas);
 - 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 (including delivery times and removal of waste) and to avoid school pick up/drop off times;
 - h) Provision of sufficient on-site parking prior to commencement of construction activities;
 - i) Post construction restoration/reinstatement of the working areas and temporary access to the public highway;
 - j) Where works cannot be contained wholly within the site, a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements;
 - k) A Site Waste Management Plan 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.
 - l) Dust control measures during demolition and construction from plant and machinery, and vehicles.

REASON:- In order to protect highway safety and the amenity of other users of the public highway and rights of way, in the interests of amenities of neighbouring properties, to ensure suitable, safe and satisfactory planning and development, in order to reduce the level of waste generated during groundworks and construction phases of development and to recycle all waste materials where possible.

- 8 No development shall take place (including site clearance) until a final detailed design for the drainage scheme for the site has been submitted to and approved in writing by the Local Planning Authority. The approved drainage scheme shall be implemented in full prior to the beneficial occupation of the development to which this permission relates and shall be permanently retained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.

REASON:- To adhere to the hierarchy of drainage options, as set out in paragraph 080 (Reference ID: 7-080-20150323) of the Planning Practice Guidance; to maximise the use of SuDS in the interests of mitigating the risk of flooding to the site itself and downstream; and to maximise the sustainability of the development.

Prior to Slab Level

- 9 No development shall take place above slab level until a schedule and samples of the materials to be used in the construction of the external surfaces and hard landscaping of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and permanently retained as such thereafter.

REASON:- To ensure the development has a high quality appearance.

10 No development shall take place above slab level until a scheme for the provision of adequate water supplies and fire hydrants, necessary for firefighting purposes at the site, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the scheme has been implemented in accordance with the approved details.

REASON:- To ensure adequate water infrastructure provision is made on site for the local fire service to discharge its statutory firefighting duties

11 No development shall take place above slab level until a landscaping and planting plan has been submitted to and approved in writing by the local planning authority. The approved plan shall then be implemented in the first planting and seeding season following completion of the development unless otherwise agreed in writing by the local planning authority.

REASON:- To ensure a satisfactory appearance upon completion of the development.

Prior to Occupation

12 The parking, turning and servicing areas shown on drawing number 7662-VGA-B4500-XX-DR-A-0105-PL02 shall be provided, marked out and hard surfaced ready for use prior to the first occupation of the building and shall be retained in that form and kept available for those purposes thereafter. The hardstand areas shall be made of a porous material, or provision shall be made to direct surface water run-off water from the hardstanding to a permeable or porous area or surface within the curtilage of the building.

REASON:- To ensure that adequate parking and servicing facilities are available within the site and that there is no detriment to the safety of adjoining highways and to ensure the development is sustainable and accords with the aspirations of Class F, Part 1 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 2015.

13 Prior to the first occupation of the development hereby permitted, details of the siting of active electric vehicle charging points (EVCP) and spaces with the underlying infrastructure for connection to the electricity network to enable them to be served by an electric vehicle charging point across the MBDA site shall be submitted to and approved in writing by the Local Planning Authority. The approved EVCPs shall be permanently retained as such thereafter.

REASON:- To ensure adequate provision of active EVCPs within in the site and for all types of drivers is available at all times to promote sustainable modes of transport.

14 Prior to the first occupation of the development hereby permitted the proposed access arrangements, on-site car and cycle parking, servicing, loading, and turning areas shall be implemented in accordance with the approved plans and thereafter kept free from obstruction and retained for their intended purposes.

REASON:- To ensure construction of a satisfactory development and in the interests of highway safety.

15 Prior to the beneficial occupation of the development to which this permission relates, a management and maintenance plan for the approved SuDS features and drainage network must be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- a) provision of a complete set of as built drawings, including the final drainage layout for the site drainage network;
- b) maintenance and operational activities;
- c) arrangements for adoption; and,
- d) any other measures necessary to secure the operation of the scheme throughout its lifetime.

The approved plan shall be fully implemented from the date of approval and thereafter for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.

REASON:- To maximise the use of SuDS in the interests of mitigating the risk of flooding to the site itself and downstream; and to maximise the sustainability of the development.

- 16 Prior to the first occupation of the development hereby permitted, details of the external lighting shall be submitted to and agreed in writing by the local planning authority.
REASON:- In order to protect the amenities and operations of neighbouring properties, to ensure any external lighting does not prejudice highway safety and in the interests of minimising light pollution.

Post Completion

- 17 Any trees or plants comprised within the approved 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.
- 18 No tree shown on the 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.

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

- 1 Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the National Planning Policy Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

INFORMATIVES

1 Public Information on Planning Applications

Warning: all information provided on your planning application is now publicly available. Individuals and organisations offering their services may contact you. The Council does not endorse or approve any builders, surveyors, trades persons or other supplier, and advises householders to obtain quotes/references, and check the legitimacy of any contractor who contacts them before making payment.

2 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.

3 **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).

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 **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.

- 6 **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.
- 7 **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.

10. BACKGROUND DOCUMENTS

1. The application file, forms, plans and supporting documents having the reference number relating to this item.
2. Stevenage Borough Council Supplementary Planning Documents – Developer Contributions SPD 2021; Parking Provision and Sustainable Transport SPD 2020; The impact of Development on Biodiversity SPD 2020; Design Guide SPD 2023.
3. Stevenage Borough Local Plan 2011 – 2031 adopted 2019.
4. Hertfordshire County Council’s Local Transport Plan 4 adopted May 2019.
5. Responses to consultations with statutory undertakers and other interested parties referred to in this report.
6. Central Government advice contained in the National Planning Policy Framework July 2021 and Planning Policy Guidance.