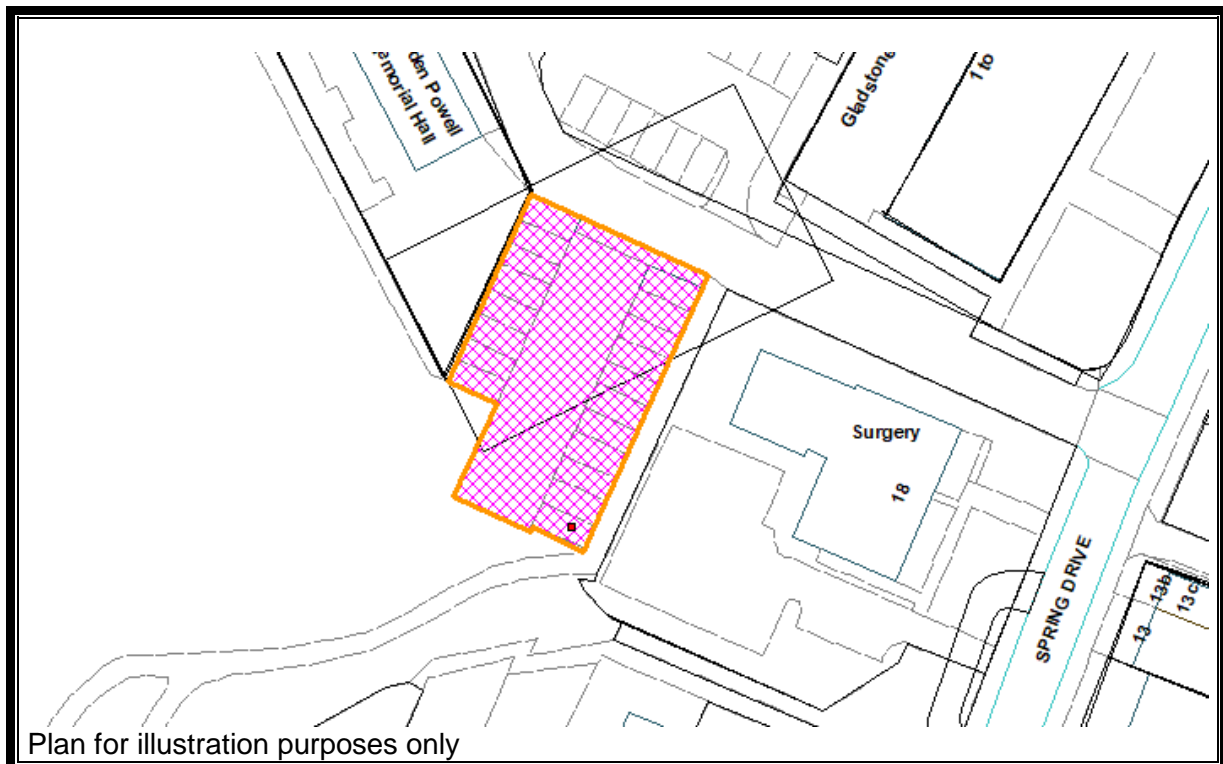


Meeting:	Planning and Development Committee	Agenda Item:
Date:	4 April 2023	
Author:	Linda Sparrow	01438 242837
Lead Officer:	Zayd Al-Jawad	01438 242257
Contact Officer:	Linda Sparrow	01438 242837

Application No:	22/00487/OP
Location:	Garage Block 31-49 Spring Drive
Proposal:	Outline planning permission (all matters reserved) for the demolition of garage compound and erection of 2no. three bed dwellings and 1no. two bed dwelling
Drawing Nos.:	542-C-028 820 01; SBC-01; SBC-02; SBC-03; SBC-04; SBC-05; SBC-06; SBC-06; SBC-08;
Applicant:	Estates Department, Stevenage Borough Council
Date Valid:	26 May 2022
Recommendation:	GRANT OUTLINE PLANNING PERMISSION.



1. SITE DESCRIPTION

- 1.1 The application site is located on the western side of Spring Drive, to the rear of the doctor's surgery and to the south of Gladstone Court. To the west of the site is a single storey building which houses the Whomerley Spiritual Church and Centre and to the south is a wooded area known as Marymead Spring with residential dwellings of Spring Drive beyond.

- 1.2 Access to the site is from Spring Drive via a concrete access road between Gladstone Court and the doctor's surgery.
- 1.3 The surrounding area is a mixture of flatted developments, single storey buildings, garage compounds and two storey residential dwellings. Most buildings are constructed in red brickwork with dual pitched roofs, although Gladstone Court is red brickwork with a flat roof and the Spiritual Church is pale blue horizontal cladding with a dual pitched metal roof.
- 1.4 The site is located within the Broadwater (Marymead) Conservation Area.

2. RELEVANT PLANNING HISTORY

- 2.1 No relevant history.

3. THE APPLICATION

- 3.1 This application seeks outline planning permission with all matters reserved for the demolition of the existing garage block and erection of 2no. three-bedroom dwellings and 1no. two-bedroom dwelling.
- 3.2 An indicative site layout plan has been submitted, showing how the site could accommodate three dwellings with associated car parking provision. Additional indicative floor plans and elevations have been provided to give an idea of how the properties could look in order to determine if there would be any harm to the character and appearance of the Broadwater (Marymead) Conservation Area.
- 3.3 This application comes before the Council's Planning and Development Committee as the applicant is Stevenage Borough Council.

4. PUBLIC REPRESENTATIONS

- 4.1 Following notification of the application via letter, the erection of a site notice and the issuing of a press notice, three public representations have been received.
- Whomerley Spiritual Church and Centre
 - Knebworth and Marymead Medical Practice
 - 5 Gladstone Court
- 4.2 A summary of the objections raised are as follows:-
- Contractors will park in, and store items in, Gladstone Court parking area;
 - New houses must have their own parking spaces;
 - Gladstone Court and bungalows house elderly and frail people so noise, dust and disruption will be unwelcome as already suffered from works to Gladstone Court;
 - Doctor's surgery is not up to modern healthcare standards and we would like to expand our site using the garage block;
 - Redevelopment of site for expanded medical centre would be more beneficial to local residents than private housing;
 - Concerned about light being blocked to church hall;
 - Concerned future residents will complain about church use and numbers of vehicles driving past their houses;
 - Concerned that construction will block access to our church.
- 4.3 The aforementioned is not a verbatim of the objections which have been raised. Full copies of the representations received can be viewed on the Council's website.

5. CONSULTATIONS

5.1 Hertfordshire County Council as Highways Authority

5.1.1 Initial comments received 9 June 2022:

Recommend refusal as no information provided on the current use of the garage block and whether its loss would result in an increase of on-street car parking.

Visibility along Spring Drive is acceptable; additional vehicle trips unlikely to have an adverse impact on highway safety; access is suitable for cars and ample turning space available; applicant will need a swept path analysis for heavy goods vehicles. Overall, this is considered to be a sustainable location. Given the site location within a relatively busy and tight estate, the highway authority would request a construction traffic management plan should a full application be submitted.

5.1.2 Further comments received 5 September 2022:

Subsequent to the highway authority's previous response dated 9 June, the applicant has submitted a suite of amended plans for the proposed development. The access arrangements and parking provision appear to be unchanged. The use of the garages has not been addressed so it is still recommended that this application is refused.

5.1.3 Further comments received 15 September 2022:

Further to the highway authority's previous response dated 5 September, the applicant has provided evidence on the use of the garages and as such there is no reason to believe that the loss of the existing garage block will have impact on on-street parking. The highway authority no longer wishes to restrict the approval of this application but recommends the inclusion of conditions relating to the construction of the parking spaces and submission of a construction management plan.

5.2 B.E.A.M.S

5.2.1 The application site lies within the boundary of the Broadwater (Marymead) Conservation Area. The existing garages en bloc are a common feature within the town but the existing vacant garages do not make a positive contribution towards the character / appearance of the Conservation Area. As such, there is no objection to their demolition.

Three storey dwellings are not a feature of the wider Conservation Area however the site surroundings are varied and new dwellings would be seen in context with Gladstone Court (flats), the bungalows to the north and Doctors Surgery to the east. The development will be sited in a fairly discrete position. The terraced design is simple and looks to be in keeping with the Conservation Area / the wider Broadwater neighbourhood.

No objection; a condition requiring details of external construction materials is recommended.

5.3 Council's Environmental Health Section

5.3.1 No objections subject to conditions for contamination & construction hours.

5.4 Thames Water

5.4.1 With regard to SURFACE WATER drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have

no objection. There are public sewers crossing or close to the development site; we'll need to check that the development doesn't limit repair or maintenance activities or inhibit the services we provide in any other way. Thames Water would advise that with regard to WASTE WATER NETWORK and SEWAGE TREATMENT WORKS infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.

5.5 SBC Garage Services Department

5.5.1 I write to confirm that the garage site at 31-49 Spring Drive is all but derelict and has been this way for many years due to historic anti-social behaviour issues. These issues and the location of the site means there is no demand for the garages and we have no current applications. There are 4 tenants to be relocated and we have sufficient garages in close proximity to this site that we can move them to. The last termination on this site was completed in August 2017 meaning the 14 voids have been empty for at least 4 years.

5.6 SBC Waste and Recycling

5.6.1 No comments received.

5.7 Affinity Water

5.7.1 No comments received.

5.8 SBC Arboricultural and Conservation Manager

5.8.1 Initial Comments Received 20 October 2022

Having looked into this application and visited the site, I can confirm that I am not in favour of the proposed development. I believe that the proximity of the proposed dwellings to the existing, mature woodland, and the size of the existing trees would cause continuous pressure on the council from future residents to cut them back/down.

5.8.2 Further Comments Received 14 March 2023

I have analysed this proposal in light of the AIA and can confirm that I am happy with the latest proposal. As detailed in the AIA and Method Statement, I believe we need to ensure that, before any work can commence on site, the following tree work is carried out by the developer:

- T1 Crown reduce by 25%
- T2 Crown reduce by 20%
- T6 Crown reduce to north of canopy only by up to 3 metres in spread to create even canopy.
- G1 Fell to facilitate project
- W1 Fell 2 Poplar trees

6. RELEVANT PLANNING POLICIES

6.1 Background to the Development Plan

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

- The Stevenage Borough Council Local Plan 2011-2031

- Hertfordshire Waste Development Framework 2012 and Hertfordshire Waste Site Allocations Development Plan Document (adopted 2012 and 2014); and
- Hertfordshire Minerals Local Plan 2002 – 2016 (adopted 2007).

6.2 Central Government Advice

- 6.2.1 A revised National Planning Policy Framework (NPPF) was published in July 2021. This largely reordered the policy substance of the earlier 2012 version of the NPPF albeit with some revisions to policy. The Council are content that the policies in the Local Plan are in conformity with the revised NPPF and that the Local Plan should be considered up to date for the purpose of determining planning applications. The NPPF provides that proposals which accord with an up-to-date development plan should be approved without delay (para.11) and that where a planning application conflicts with an up-to-date development plan, permission should not usually be granted (para.12). This indicates the weight which should be given to an up-to-date development plan, reflecting the requirements of section 38(6) of the 2004 Act.
- 6.2.2 Since November 2018, housing delivery has been measured against the Housing Delivery Test (HDT) as set out by the Government planning policy and guidance. The results of the HDT dictate whether a local planning authority should be subject to consequences to help increase their housing delivery. Where an authority's HDT score is less than 85% of its housing requirement, the Council must incorporate a 20% buffer into its housing supply calculations in line with paragraph 74 of the NPPF. Where an authority's score is below 75%, the Council will be subject to the HDT's most severe penalty and must apply the presumption in favour of sustainable development. The latest HDT results, published by MHCLG (Now DLUHC) in January 2022 (DLUHC has not yet published the latest HDT results covering 2022), identifies that Stevenage delivered 79% of its housing requirement which exceeds the minimum requirement of 75% which means there is not a requirement to apply the presumption in favour of sustainable development. The figure does fail to meet the upper limit of 85% which means the Council must incorporate a 20% buffer in its housing supply calculations.
- 6.2.3 The Council has recently prepared an Action Plan to show how it is responding to the challenge of ensuring more homes are delivered in the Borough. This has been prepared in accordance with Planning Practice Guidance and analyses the reasons for under-delivery of new homes against the Government's requirements. It also sets out clear actions on how to improve housing delivery. Stevenage Borough Council published its Action Plan in July 2022 to demonstrate how it seeks to maintain the supply of housing:
<https://www.stevenage.gov.uk/documents/planning-policy/monitoring/five-year-housing-land-supply-position-statement-august-2021.pdf>
- 6.2.4 Turning to 5-year housing land supply, the Council recently published an Addendum Report in May 2022. The report set out that the Borough Council could demonstrate a housing supply of 5.91 years (including 20% buffer) for the period 1 April 2022 to 31 March 2027. However, since the Land West of Lytton Way appeal was allowed by the Planning Inspectorate for a development of 576 residential units (Appeal Reference: APP/K1935/W/20/3255692), the Council's Policy Department has confirmed the Council can now demonstrate a housing supply of 6.68 years (including 20% buffer).
- 6.2.5 The Council will also be commencing preliminary work into a potential review of its Local Plan, last adopted in May 2019. This is to ensure the policies within the Local Plan are up to date in accordance with the NPPF as well as ensuring the Council is delivering a sufficient supply of housing and employment.

6.3 Planning Practice Guidance

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

6.4 Adopted Local Plan (2019)

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

SP1 - Presumption for Sustainable Development;
SP2 - Sustainable Development in Stevenage;
SP6 - Sustainable Transport;
SP7 - High Quality Homes;
SP8 - Good Design;
SP11 - Climate Change, Flooding and Pollution;
GD1 - High Quality Design;
HO5 - Windfall Sites;
HO9 - House Types and Sizes;
IT5 - Parking and Access;
FP1 - Climate Change;

6.5 Supplementary Planning Documents

Parking Provision Supplementary Planning Document October 2020
Stevenage Design Guide Supplementary Planning Document January 2023.
Broadwater Conservation Area Management Plan 2012

6.6 Community Infrastructure Levy

Stevenage Borough Council adopted a Community Infrastructure Levy Charging Schedule in 2020. This allows the Council to collect a levy to fund infrastructure projects based on the type, location and floorspace of a development.

7. APPRAISAL

7.1.1 The main issues for consideration in the determination of this application are its acceptability in land use policy terms and the impact on the character and appearance of the Broadwater Conservation Area.

7.1.2 As this is an outline planning application with all matters reserved, only the principle of development is to be considered at this stage. Matters pertaining to access arrangements, parking provision, layout, appearance and landscaping are to be reserved for future consideration as part of a reserved matters application.

7.1.3 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 proposed site is undesignated in the adopted Stevenage Borough Local Plan 2011-2031 (2019). Given the application site is a vacant garage compound in spring drive, it is not allocated for residential development within the Local Plan and is, therefore, regarded as a 'windfall site'.
- 7.2.3 Policy SP7 identifies that there is a need to provide 7,600 new homes within Stevenage and allocates 1,950 new homes to be provided on windfall sites. Taking this into consideration, the proposed development would support the Council's aim of delivering a number of homes which fall outside the designated sites.
- 7.2.4 Policy HO5 of the Local Plan (2019) (windfall sites) stipulates that proposals should not prejudice the Council's ability to deliver residential development on allocated sites, and it does not overburden existing infrastructure.
- 7.2.5 For the purpose of clarity, the definition of previously developed land, as stated within the National Planning Policy Framework (NPPF) (2021) is "land which is or was occupied by a permanent structure including the curtilage of the developed land and any associated fixed surface infrastructure". The definition of previously developed land excludes private residential gardens and public open space. The proposed dwellings are located wholly within the footprint of the existing garage blocks and associated access/hardstand areas; consequently, it is considered that the proposal does constitute development of previously developed, brownfield land. Therefore, the proposal is in accordance with criterion (a) of Policy HO5. An assessment does have to be made however, as to the impact the development will have on the wider environment.
- 7.2.6 In accordance with Policy HO5, residential developments on windfall sites must have a good level of access to local facilities. The site is approximately 100m (2 minutes' walk) from the Marymead neighbourhood centre. There are primary and secondary schools within 2km and a doctor's surgery adjacent to the site with another surgery within a 15-minute walk. A bus route operates along Broadwater Crescent with the closest bus stop being at the Marymead neighbourhood centre. As such, the application site is considered to have an acceptable level of access to local facilities and alternative forms of travel to the private car and, therefore, deemed to be within a sustainable location.
- 7.2.7 Criterion (c) of Policy HO5 states that there should be no detrimental effect on the environment and the surrounding or adjoining properties. This issue will be assessed in detail in the following sections considering the impact on the character and appearance of the area and the impact on neighbouring amenity.
- 7.2.8 Further to the above, Policy HO5 also requires that there is access to local facilities and that residential proposals include opportunities to access alternative forms of travel to private motorised transport. As identified above, the site has good access to local facilities and services and also good access to the public transport network. The site has been demonstrated to be in a sustainable location and as such would comply with criterion (e) of the Policy HO5 of the Local Plan.
- 7.2.9 Finally, criterion (d) of Policy HO5 of the Local Plan requires proposals not to prejudice the Council's ability to deliver residential development on allocated sites. The site is not located near to any allocated development sites and is therefore acceptable in this regard.
- 7.2.10 Turning to 5-year land supply and housing delivery, Paragraph 68 of the NPPF (2021) states that planning policies should identify a supply of specific deliverable sites for years one to five of the plan period, and specific deliverable sites or broad locations for growth, for years 6 to 10 and where possible, for years 11 to 15.
- 7.2.11 Paragraph 74 of the NPPF (2021) stipulates policies should include a trajectory illustrating the expected rate of housing delivery over the plan period, and all plans should consider

whether it is appropriate to set out the anticipated rate of development for specific sites. Local Planning Authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their local housing need where the strategic policies are more than five years old. The supply of specific deliverable sites should, in addition, include a buffer (moved forward from later in the plan period) of:

- a) 5% to ensure choice and competition in the market for land; or
- b) 10% where the Local Planning Authority wishes to demonstrate a five-year supply of deliverable sites through an annual position statement or recently adopted plan, to account for any fluctuations in the market during that year; or
- c) 20% where there has been significant under delivery of housing over the previous three years, to improve the prospect of achieving the planned supply.

- 7.2.12 Since November 2018, housing delivery has been measured against the Housing Delivery Test (HDT) as set out by Government planning policy and guidance. The results of the HDT dictate whether a Local Planning Authority should be subject to consequences to help increase their housing delivery. Where an authority's HDT score is less than 85% of its housing requirement, the Council must incorporate a 20% buffer into its housing supply calculations in accordance with paragraph 74 of the NPPF. Where an authority's score is below 75%, the Council will be subject to the HDT's most severe penalty and must apply the presumption in favour of sustainable development in addition to incorporating the 20% buffer.
- 7.2.13 The latest HDT results, published by the MHCLG in January 2022, identifies that Stevenage delivered 79% of its housing requirement which exceeds the minimum requirement of 75% which means there is no longer a requirement to apply the presumption in favour of sustainable development. The figure does fail to meet the upper limit of 85% which means the Council must incorporate a 20% buffer in its housing supply calculations. The Council is also preparing an Action Plan in accordance with the requirements of the NPPF.
- 7.2.14 The Council recently published an Addendum Report in May 2022. The report set out that the Borough Council could demonstrate a housing supply of 5.91 years (including 20% buffer) for the period 1 April 2022 to 31 March 2027. However, since the Land West of Lytton Way appeal was allowed by the Planning Inspectorate for a development of 576 residential units (Appeal Reference: APP/K1935/W/20/3255692), the Council's Policy Department has confirmed the Council can now demonstrate a housing supply of 6.68 years (including 20% buffer). Given this position, this proposal is not fundamental in the Council's ability to meet its 5 Year Land Supply and the titled balance under para. 11d of the NPPF (2021) is not engaged. A copy of the latest monitoring report can be found online - <https://www.stevenage.gov.uk/documents/planning-policy/monitoring/five-year-housing-land-supply-update-may-2022.pdf>.
- 7.2.15 In respect to Policy HO9 (House types and sizes) of the adopted Local Plan (2019), that there is a structural imbalance in the existing housing stock (albeit in a limited manner) whereby there is a lack of smaller properties and larger aspirational homes in the Borough. The Design Guide SPD (2023) outlines that housing is an area of weaknesses across the town. One of the main issues is the lack of an appropriate mix of housing sizes, types and tenures with a high proportion of three-bedroom properties, and a lack of one and two bedroom properties. The lack of housing mix is exacerbated by changes in demographics leading to an increase in the number of single person households and couples needing homes. Due to growth requirements for the town, there is a need to provide a substantial number of additional homes in Stevenage. Higher density development is set out as a key requirement of National guidance, and, where appropriate, densities will need to be raised in order to meet these targets for new homes. This will need to be carefully balanced with the need to retain open space provision within the urban area as access to open space was a key original feature of the town.

- 7.2.16 The proposed development seeks to deliver 2no. three bedroom and 1no. two-bedroom terraced dwellings. As such, the proposed development is not strictly in accordance with Policy HO9 as it would not fully seek to deliver alternative housing types to three-bedroom terraced dwellings.
- 7.2.17 Policy SP2 (Sustainable Developments) states permission will only be granted where proposals can meet a number of criteria. Included in these criteria are the following:
(g) promote journeys by bus, train, bike and foot and reduce the need to travel;
(j) Support facilities and services that encourage people to live, work and spend leisure time in Stevenage;
(k) Produce places and spaces that enable people to live a healthy lifestyle;
The proposal meets these criteria as mentioned previously in this response.
- 7.2.18 In summary, the Council is currently able to demonstrate a five-year supply of deliverable housing sites. Nonetheless, the proposed development would contribute to the aim of boosting housing supply through the redevelopment of sustainable brownfield sites, without compromising the delivery of housing on allocated sites or placing an undue burden on local infrastructure. Further, the proposal would provide three new dwellings and there would be some economic benefit during the construction phase, and future occupiers would be likely to contribute to local services and facilities, although, given the quantum of development and the fact that the supply of housing within the Borough is not currently constrained, it only attracts moderate weight in favour of the proposal.
- 7.2.19 On balance, having regard to all the policy considerations laid out above, and that the development would be on previously developed, brownfield land, the proposed development is considered to be acceptable in principle.

7.3 Impact on the Broadwater Conservation Area

- 7.3.1 As this is an outline planning application with all matters reserved, the design and appearance of the proposed dwellings are not considerations for this application. However, given the siting within the Broadwater (Marymead) Conservation Area, the general impact of the development on the character and appearance of the conservation area is relevant. Given this, the applicant has submitted illustrative plans to demonstrate one way in which development could be delivered on this site.
- 7.3.2 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) states that in the exercise of planning functions with respect to any buildings or other land in a conservation area, special attention should be paid to the desirability of preserving or enhancing the character or appearance of that area.
- 7.3.3 Paragraph 199 of the NPPF (2021) states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 7.3.4 Paragraph 200 goes on to state that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.
- 7.3.5 Paragraph 202 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

- 7.3.6 The application site lies within the boundary of the Broadwater (Marymead) Conservation Area which was designated in 2007 as a good example of one of Stevenage's Mark 1 'New Town' neighbourhoods. Conservation Areas are defined as "areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance" and are considered 'designated heritage assets' under the NPPF (2021).
- 7.3.7 The existing garages blocks are a common feature within the town but given the block of garages to which this application relates have been vacant for a number of years, they do not make a positive contribution towards the character and appearance of the Conservation Area. As such, their removal would not be considered harmful to the designated heritage asset. The Council's Listed Buildings and Conservation Advisor have not raised any objections to their removal.
- 7.3.8 The application illustratively proposes the construction of a terrace of three storey dwellings (town houses) with a low-pitched gabled roof to replace the garages. Owing to the topography of the area, the properties would be very slightly staggered, with the highest ridge point being 0.4m higher than the lowest ridge point. Each property would stand approximately 9.5m high to the ridge and each would be approximately 5.5m wide. For comparison, a two-storey semi-detached property in Spring Drive is approximately 5m-6m high and 5m wide.
- 7.3.9 Three storey dwellings are not a feature of the wider Conservation Area; however, the surrounding area contains a variety of building designs and heights from single storey to flatted development blocks. The new dwellings would be seen in context with Gladstone Court (flats), the bungalows to the north and Doctors Surgery to the east. Due to its location the development will be sited in a fairly discrete position; it will be seen from Spring Drive and it is likely that the upper floors and roofs will be visible from Broadwater Crescent to the north.
- 7.3.10 The indicative plans submitted indicate that the terraced design is simple and visibly in keeping with the Conservation Area and the wider Broadwater neighbourhood. The final design and appearance would be the subject of a reserved matters application should this outline permission be granted.
- 7.3.11 The Council's Conservation and Heritage Advisor have assessed the application and are satisfied that the development is unlikely to harm the character and appearance of the Conservation Area subject to reserved matters applications for the final design, appearance and materials being acceptable.

7.4 Impact on the Character and Appearance of the Area

- 7.4.1 It is noted that appearance, landscaping, layout and scale are reserved for future consideration. However, an assessment will be carried out of the indicative layout to confirm three dwellings can be accommodated on the site without harm to the character and appearance of the area.
- 7.4.2 In terms of design, paragraph 126 of the NPPF (2021) states that achieving high quality, beautiful and sustainable buildings and places is fundamental to the planning and development process and that good design is a key aspect of sustainable development. Further, paragraph 130 of the NPPF (2021) stipulates that planning decisions should ensure developments function well and add 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 developments 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 of the NPPF (2021) states that permission should be refused especially where it fails to reflect local design policies and government guidance on design (such as the National Design Guide), taking

into account any local design guidance and supplementary planning documents. Conversely, significant weight be given to:

- a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or
- b) outstanding or innovative designs which promote high levels of sustainability or help raise the standard of design more generally in an area, so long as the fit in with the overall form and layout of their surroundings.

7.4.3 Paragraph 131 of the NPPF places great importance on the role of trees in helping to shape quality, well designed places “Trees make an important contribution to the character and quality of urban environments and can also help mitigate and adapt to climate change”.

7.4.4 Policy GD1 of the Local Plan (2019) 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 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 towns’ built fabric. Policy GD1 of the Local Plan generally requires all forms of development to meet a high standard of design which includes form of built development, elevational treatment and materials along with how the development would integrate with the urban fabric, its relationship between buildings, landscape design and relevant aspects of sustainable design.

7.4.6 Policy HO5 requires residential development on unallocated sites to not have a detrimental impact on the environment and on surrounding properties. The Council’s Design Guide SPD (2023) generally reflects the aforementioned policies requiring development to respect surrounding buildings in terms of scale, massing, height and design. As such, it encourages good design as it can enhance the appearance of places.

7.4.7 The National Design Guide (2019) which was published by National Government is a material consideration in the determination of planning applications. It sets out that Buildings are an important component of places and proposals for built development are a focus of the development management system. However, good design involves careful attention to other important components of places. These include:

- the context for places and buildings;
- hard and soft landscape;
- technical infrastructure – transport, utilities, services such as drainage; and
- social infrastructure – social, commercial, leisure uses and activities.

7.4.8 A well-designed place is unlikely to be achieved by focusing only on the appearance, materials and detailing of buildings. It comes about through making the right choices at all levels, including:

- the layout;
- the form and scale of buildings;
- their appearance;
- landscape;
- materials; and
- their detailing.

7.4.9 The Guide further iterates that all developments are made up of these components put together in a particular way. As such, the choices made in the design process contribute towards achieving the ten characteristics and shape the character of a place. For reference, these ten characteristics are as follows:-

- Context – enhances the surroundings;
- Identity – attractive and distinctive;
- Built form – a coherent pattern of built form;
- Movement – accessible and easy to move around;
- Nature – enhanced and optimised;
- Public spaces – safe, social and inclusive;
- Uses – mixed and integrated;
- Homes and buildings – functional, healthy and sustainable;
- Resources – efficient and resilient;
- Lifespan – made to last.

7.4.10 Paragraph 40 of the National Design Guide states that well-designed places are:

- Based on a sound understanding of the features of the site and the surrounding context, using baseline studies as a starting point for design;
- Integrated into their surroundings so they relate well to them;
- Influenced by and influence their context positively; and
- Responsive to local history, culture and heritage.

7.4.11 The Council recently adopted an updated Design Guide SPD (Jan 2023) and Sections B (Built Form) and H (Homes and Buildings) are particularly pertinent to the design of new residential units. An understanding and analysis of the original New Town design concepts led to some key issues becoming apparent. These have been used as key themes, which run throughout the entirety of this guidance. Considering these concepts at all stages of the development process will provide a good basis for the creation of a successful place; based on the recognised principles of urban design, but also building on the existing fabric of the town without taking away from Stevenage's history as Britain's first Mark One New Town. The themes have been identified as follows:

- Sustainability – incorporate principles of sustainable development from a town-wide perspective to measures incorporated into an individual property;
- Increasing densities – encourage high densities in accessible locations;
- Respecting existing characteristics – respect local characteristics and preserve and enhance existing features, where appropriate;
- Legibility – provide landmark developments at nodal points;
- Design innovation – showcase Stevenage as an example of high-quality design, creating safer places through urban design techniques.

7.4.12 The indicative layout shows 3no. three storey dwellings; one of which occupies a smaller plot size so would be shallower in depth than the other two and only have two bedrooms whilst the other two properties would have three bedrooms. Each property would have two parking spaces in their front curtilages.

7.4.13 The dwellings are located behind the doctor's surgery, approximately 43m from Spring Drive. They would be orientated with the front elevations facing north and south facing rear gardens backing on to the north facing rear gardens of the dwellings to the south in Spring Drive. The rear elevations would be approximately 60m-65m from the rear elevations of these southerly neighbours.

7.4.14 It is considered the indicative layout is acceptable and as such, it is concluded that the site could accommodate up to three dwellings without resulting in harm to the character and appearance of the area. The demolition of the existing vacant garage block would also serve to enhance the appearance of the site.

7.5 Impact upon Neighbouring Amenity

7.5.1 As stated previously in this report in section 7.4, detailed design and layout are reserved matters. However, an assessment of the likely impact on neighbouring properties will be undertaken to ascertain if three dwellings on this site would cause harm to neighbouring amenities.

7.5.2 The most affected properties would be the bungalows of Gladstone Court and Gladstone court itself to the north, the properties of Spring Drive to the south and the business premises of the Spiritual Church and the doctor's surgery either side of the application site.

7.5.3 In assessing the impact on neighbouring amenity, the Council's Design Guide SPD (2023) sets out standards which should be met to safeguard the privacy and outlook of adjoining properties from new development. In this regard, when assessing developments, the recommended separation distances are as follows:

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

7.5.4 The indicative site layout indicates that the front elevation of the proposed dwellings would be approximately 30m from the side of No.48 (a bungalow) to the north and approximately 25m from the side elevation of Gladstone Court. The rear of the proposed dwellings would be approximately 60m from the rear of the properties in Spring Drive to the south and the side elevations would be approximately 8m from the rear of the doctor's surgery and approximately 10m from the side of the Spiritual Church.

7.5.5 Turning to outlook, the ground levels in this area of Broadwater are very undulating and as such the bungalows to the north of the site, which are separated from the site by a large garage compound, are on much higher ground than the application site. In this regard, it is considered that the upper floors of the proposed dwellings would be on the same level as the bungalows and consequently it is not considered that the presence of the properties would unduly harm their outlook nor would the outlook from the front habitable rooms be compromised. Gladstone Court sits to the north-east of the front elevations of the properties so would not be directly in line with the habitable rooms of either site and therefore limited impacts would arise. The separation distance between the proposed dwellings and the Spring Drive neighbours to the south is such that there would be no harm to outlook to either site.

7.5.6 Accordingly, the indicative layout is considered acceptable in this regard as the proposed dwellings would be suitably separated from the surrounding properties so as to not result in undue levels of harm from overlooking, loss of privacy, reduced daylight or sunlight.

7.5.7 Further, the removal of a potential bad neighbour use from the predominantly vacant application site, would improve the environment for existing residential occupiers. It is considered therefore, that the indicative layout demonstrates the development of the site for up to three dwellings would not harm the amenity of neighbouring dwellings.

7.6 Impact upon future amenities of residents

7.6.1 In considering a residential scheme of this nature it is also important to ensure that living conditions for any future occupiers are appropriate. Whilst layout is a matter for future consideration, the proposed private amenity space as shown on the indicative layout plan will be assessed against the Council's Design Guide (2023) to confirm the site is capable of providing a satisfactory living environment for up to three dwellings.

7.6.2 The adopted Design Guide (2023) states that there is a requirement to provide 50sqm of private amenity space for each new dwelling. The indicative layout plan identifies that plots 2 and 3 would have approximately 100sqm with a depth of approximately 15m, whilst plot 1 would have approximately 63sqm with a depth of approximately 8.5m which is below the required 10m in the Design Guide. However, on balance, given the overall garden size exceeds the requirements, it is not considered that a minimal shortfall in the required depth would result in harm to the occupiers of this dwelling.

7.6.3 With regard to the requirements for new residential properties to meet Nationally Described Space Standards (NDSS) as defined by Policy GD1 of the adopted Local Plan (2019), 3-bedroom, 4-person, three storey dwellings should have a minimum gross internal floor space of 90sqm; however, 2-bedroom, 3-person, three storey dwellings do not have a minimum standard. The closest standards would be for 2 bedrooms over two storeys which for 3 persons would be 70sqm and 4 persons would be 79sqm.

7.6.4 The three-bedroom dwellings are indicated to have approximately 100sqm of internal floorspace which exceeds the requirements, and the two-bedroom property is indicated to have approximately 84sqm which, given there is no minimum standard, is considered acceptable.

7.6.5 Additionally, the NDSS require double bedrooms to be at least 11.5sqm and single bedrooms to be at least 7.5sqm. All bedrooms in the three-bedroom properties meet these requirements so are considered acceptable. The double bedroom in the two-bedroom property falls marginally short at approximately 11.3sqm. However, as layout is reserved for future consideration, this marginal failure of the NDSS could be addressed in future applications and is not considered a reason for refusal of this outline application.

7.7 Parking Provision and Highways Implications

7.7.1 Access arrangements and parking provision are reserved for future consideration. However, an assessment of whether the indicative parking arrangements and the loss of the existing garage block are acceptable will be undertaken.

7.7.2 Policy IT5 of the adopted Local Plan (2019) states that planning permission will be granted where proposals comply with the parking standards set out in the plan. The Council's Parking Provision and Sustainable Transport SPD (2020) requires 3-bedroom units to have 2 spaces and 2-bedroom units to have 1.5 spaces. The indicative layout plan shows each property can be served with two parking spaces of adequate size in the front curtilage.

7.7.3 Turning to visitor parking provision, the Council's Parking Standards SPD (2021) sets out that there is a requirement to provide 0.25 visitor parking spaces per dwelling. This would equate to a requirement of 1 visitor parking space. The submitted indicative layout plan does not provide for visitor spaces. However, the area to the front of the properties measures approximately 19.5m wide; allowing for 6 parking spaces plus 1 visitor space

would require an area 17m wide. In this regard, whilst the submitted plans do not provide reference to visitor parking, it is considered that the site offers sufficient space for it to be provided as part of a future reserved matters application without compromising the dedicated parking spaces or pedestrian movements around the site. This requirement can be secured by way of condition.

- 7.7.4 Policy IT5 also states that permission for developments which result in the loss of off-street parking spaces will only be granted if the parking spaces lost are replaced as near as possible to the site or it can be demonstrated that the provision is not suitable or required.
- 7.7.5 The Garages Services department of the Council have provided confirmation that of the 16 garages on site, only 4 are occupied, with the rest vacant, and some have been vacant since at least 2002. They have confirmed that of the 4 current occupiers, only 2 use their garage for the parking of a motor vehicle and that all 4 of the current occupiers will be accommodated elsewhere in the area. Accordingly, the Council is satisfied that the majority of the current parking provision is not required, and those which are required, will be re-accommodated satisfactorily.
- 7.7.6 Herts County Council (HCC) as Highways Authority have assessed the application and are satisfied that the majority of the current garage block is vacant, and those remaining tenants can easily be re-accommodated within the immediate area and therefore the loss of the existing parking provision is acceptable as it will not result in an increase to on-street parking in Spring Drive.
- 7.7.7 HCC Highways have requested a Construction Management Plan to be submitted with any future reserved matters application and have also requested further consideration of large vehicle access to the site which would be considered when the reserved matters for access are submitted should this outline application be granted permission.
- 7.7.8 Cycle parking and electric vehicle charging would be reserved matters for future consideration. However, an assessment needs to be made to ensure they can be accommodated. In regard to cycle parking, the Council's Parking Standards SPD stipulates for this development, there is the requirement to provide 2 spaces per 2-bedroom unit and 3 spaces per 3-bedroom unit. The plot sizes and layouts are of sufficient size that secure cycle parking can be accommodated within the rear gardens without compromising the overall amenity of the rear gardens. Full details of the size and location would be a matter for the reserved matters application in future, but it is considered that the development would be acceptable in this regard.
- 7.7.9 Turning to electric vehicle parking, the Car Parking SPD (2020) now introduces a minimum requirement for electric vehicle parking. The requirements for new developments would need to abide by the following:-
- All new car parking should be designed to fulfil a Passive Electrical Vehicle Charging Point standard (providing the necessary underlying infrastructure);
 - The blend of access to charging points provided within new developments;
 - A minimum of 20% of new parking on a site to have access to an active EV charging point;
 - A flexible approach to the requirement of charging facilities as technology changes.
- 7.7.10 Whilst no details are required as part of this outline application, it is considered that the proposed parking spaces could meet the aforementioned requirements. This would be requested as part of any future reserved matters application and secured via condition.
- 7.7.11 Concerns from local residents regarding construction traffic are noted, however this would be a matter for consideration under a future application when access and layout are considered. A Construction Management Plan would also be required which would ensure

the construction traffic does not block access to the neighbouring church hall or residents of Gladstone Court.

- 7.7.12 Given the aforementioned assessment, and through the use of appropriately worded conditions, the development would be in accordance with the policies set out in the adopted Local Plan (2019), the Council's Parking Standards SPD (2020), the NPPF (2021) and PPG.

7.8 Impact on the environment

- 7.8.1 The application site according to historic OS Maps of the site, sets out that prior to the site being developed out in the 1960s, the site was part of open fields. Therefore, there would be very low risk of contamination.

- 7.8.2 Following consultation with the Council's Environmental Health Section, they do not raise any concerns from a land contamination perspective subject to the imposition of conditions. The conditions imposed would require a remediation strategy is submitted for approval in the event contaminants are identified during the construction phase of development.

Groundwater

- 7.8.3 The application site is not located within a Source Protection Zone and no concerns have been raised by Thames Water or Affinity Water with respect to potential impact from the development.

Air Quality

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

- 7.8.5 In order to mitigate the construction phase, it is recommended a condition is imposed on any permission issued. This condition would require the applicant to adhere to the Construction Management Plan which details measures on controlling levels of dust and air pollutions which are generated during the construction phase of development.

- 7.8.6 With regards to the operational aspect of the development, due to its limited scale, the proposed development would give rise to a very small rise in NO₂ emissions which in accordance with IAQM/EPUK guidance is identified as having a negligible impact at all receptors in the area. As such, the need for additional mitigation has not been identified as being required. As such, the Council's Environmental Health Section has not raised any concerns with respect to the operational impact the development would have on air quality.

Noise Pollution

- 7.8.7 With respect to noise, Policy FP8: Pollution Sensitive Uses stipulates that planning permission for pollution sensitive uses will be granted where they will not be subjected to unacceptably high levels of pollution exposure from either existing, or proposed pollution generating uses.

- 7.8.8 Dealing firstly with the impact of noise from the construction phase of the development, detailed measures will be required in the Construction Management Plan (CMP). Through the CMP the hours in which noisy activities take place are to be controlled along with the imposition of relevant mitigation measures being put in place to minimise the impact of noise from construction activities. Moreover, if a breach were to take place, the Council can

enforce the condition accordingly. Consequently, the imposition of such a condition is supported by the Council's Environmental Health Section.

- 7.8.9 With regards to noise which could arise during the operational phase of development, if any complaints arose regarding tenants who would be housed within the development, these would be dealt with by the Borough Council's Environmental Health department.
- 7.8.10 The Spiritual Church have raised concerns regarding noise from their activities and potential complaints from future residents. The closest property is approximately 11.5m from the side of the church hall. This is considered an acceptable distance between the two buildings. There are a number of trees in the locality which would act as good sound absorbers and buffers. Further, a 'fabric first' approach which would ensure the components and materials of the buildings mitigate against noise impacts, with careful consideration of the internal layouts so that noise sensitive rooms on the closest dwelling could be avoided on the flank elevation closest to the hall, it is considered that acceptable mitigation any potential noises issues can be achieved. Notwithstanding this, Environmental Health have not raised any concerns in this regard.
- 7.8.11 With regards to the doctor's surgery, it is not considered that this premise would result in levels of noise that could pose harm to the future occupiers of the dwellings. This is because a medical practice, by virtue of the nature of the business is not considered to be a noise generating activity; further its operating hours are limited to predominantly daytime hours, ceasing at 6.30pm, which would therefore not impact on future residents of an evening.
- 7.8.12 Environmental Health have assessed the application and raised no concerns in relation to noise. Should future issues arise then Environmental Health would have powers to act in this regard. Additionally, there are no records of noise complaints against either the church hall or the doctor's surgery raised by surrounding residential dwellings so it is not considered likely that there would be complaints in the future.

Light Pollution

- 7.8.13 In terms of light pollution, Policy FP7: Pollution of the adopted Local Plan (2019) requires all development proposals should minimise, where possible, light pollution. Applications for development where pollution is suspected must contain sufficient information for the application to make a full assessment on impacts. Planning permission will be granted where it can be demonstrated that the development will not have unacceptable impacts on:
- a. the natural environment, general amenity and the tranquillity of the wider area which includes light pollution;
 - b. health and safety of the public; and
 - c. The compliance with statutory environmental quality standards.
- 7.8.14 Turning to the operational side of the development, the applicant has not submitted a detailed lighting strategy. However, the dwellings would be sited away from the main highways and therefore any external lighting is not considered to prejudice highway safety or cause a substantive nuisance to neighbouring residential properties. Notwithstanding, details of external lighting can be dealt with at the reserved matters stage.
- 7.8.15 In terms of lighting associated with the construction aspect of the proposed development, this is dealt with as part of a Construction Management Plan.

7.9 Trees and Landscaping

- 7.9.1 Policy NH5 of the adopted Local Plan (2019) states that development proposals will be expected to protect and retain individual trees within the development site and should include new planting where appropriate.
- 7.9.2 Landscaping is a reserved matter for future consideration and as such full landscaping details and details of tree protection measures for the adjacent wooded area would be submitted as part of a future application.
- 7.9.3 The area to the west and south of the site is a woodland area, although not protected by a tree preservation order as it is within the ownership of Stevenage Borough Council. Following concerns raised by the Council's Arboricultural Manager, the applicant submitted an Arboricultural Assessment to determine if there would be any impacts on the adjacent woodland area or if this woodland would impact the living conditions of future occupiers.
- 7.9.4 The submitted report identifies in Section 3 (page 31) some works that would be required to reduce some trees and fully remove others. Having assessed the submitted documents, the Council's Arboricultural Manager confirmed that the proposed development, and proposed tree works, are acceptable. This work would be required prior to commencement of development and could be secured via a suitably worded condition. The works suggested in the report, and agreed by our Arboricultural Manager are as follows:
- T1 (Silver Birch) Crown reduce by 25%
 - T2 (Common Oak) Crown reduce by 20%
 - T6 (Common Oak) Crown reduce to north of canopy only by up to 3 metres in spread to create even canopy.
 - G1 (Ash) Remove
 - W1 Remove 2 Poplar trees
- 7.9.5 The indicative layout plan suggests that the site is developed to its maximum potential and there does not appear to be much room for soft landscaping. However, some soft landscaping could potentially be provided along the eastern and western edges of the front curtilage. Notwithstanding this, the current site is fully concreted, and the surrounding area is fully concrete with the only soft landscaping being the woodland area and some trees and open grass around the perimeter of Gladstone Court.
- 7.9.6 Whilst the site offers limited opportunity for soft landscaping within the front curtilage, the introduction of the rear gardens where there is currently concrete and garages is considered to be an improvement to the existing offer. Therefore, whilst limited landscaping could be offered, it would be beneficial to the visual appearance of the area and provide an improved environment for wildlife.

7.10 Other Matters

Sustainable construction and climate change

- 7.10.1 Policy FP1 of the adopted Local Plan (2019) stipulates that planning permission will be granted for development that can incorporate measures to address adaptation to climate change. New developments will be encouraged to include measures such as:
- Ways to ensure development is resilient to likely variations in temperature;
 - Reducing water consumption to no more than 110 litres per person per day, including external water use;
 - Improving energy performance of buildings;
 - Reducing energy consumption through efficiency measures;
 - Using or producing renewable or low carbon energy from a local source; and

- Contributing towards reducing flood risk through the use of SuDS or other appropriate measures.

7.10.2 No details have been provided with the application and therefore it is considered appropriate to impose a condition on any decision issued to secure the details.

Waste and Recycling

7.10.3 The Design Guide (2009) states, provision should be made within new development for the storage and collection of waste from a site. Layout is a reserved matter and as such details for the provision for general waste and recycling will be submitted under a future application. However, the indicative layout plan shows that plots 1 and 2 could accommodate their vessels within the side/rear garden and be within 15m of the road in terms of drag distance which complies with the 30m maximum in Manual for Streets. Plot 2 has no rear access, but the vessels could be stored within the front curtilage without impeding parking provision.

Community Infrastructure Levy

7.10.4 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	

7.10.5 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.

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

Equality, Diversity and Human Rights

7.10.7 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.

- 7.10.8 When considering proposals placed before Members it is important that they are fully aware of and have themselves rigorously considered the equalities implications of the decision that they are taking.
- 7.10.9 Rigorous consideration will ensure that proper appreciation of any potential impact of that decision on the Council's obligations under the Public Sector Equalities Duty. As a minimum this requires decision makers to read and carefully consider the content of any Equalities Impact Assessment (EqIA) produced by officers.
- 7.10.10 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.
- 7.10.11 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.

7.11 Matters Raised in Representations

- 7.11.1 The use of the land to expand the medical practice is not a material planning consideration. The owners of the land have submitted the application for housing and therefore this is the development proposal to be considered. Further, the land in question is not identified in the Local Plan for expansion of the medical practice and as such, this argument carries no weight in the determination of this application.

8. CONCLUSIONS

- 8.1 The Council is currently able to demonstrate a five-year supply of deliverable housing sites (with a 20% buffer) and the Housing Delivery Test indicates that the delivery of housing was 79% of the housing requirement over the previous three years. Therefore, the policies that are most important for determining the application are considered up-to-date and Paragraph 11(d) of the Framework is not engaged.
- 8.2 The proposed development would contribute to the aim of boosting housing supply through the redevelopment of sustainable brownfield sites, without compromising the delivery of housing on allocated sites or placing an undue burden on local infrastructure. This carries significant weight in favour of the proposal.
- 8.3 There would be some economic benefit during the construction phase, and future occupiers would be likely to contribute to local services and facilities. It is considered that these benefits would be modest and therefore only attracts moderate weight in favour of the proposal.
- 8.4 Matters relating to access and parking, layout, design and appearance and landscaping are reserved for future consideration, however, the indicative layout has been assessed to be acceptable and the site can accommodate up to three dwellings.

- 8.5 The proposed development is considered to not harm the visual amenities of the area and would therefore, result in less than substantial harm, at the lower end of the scale, to the Broadwater Conservation Area and that the overall benefits of the proposed development would outweigh the less than substantial harm caused.
- 8.6 Given the aforementioned, whilst there is a potential policy conflict with Policy GD1 in terms of the indicative internal floorspace and private amenity space (which will be assessed in full detail under future consideration), the development would, on balance, accord with the adopted Local Plan policies (2019) as well as the Council's adopted Supplementary Planning Documents. It would accord with the policies set out in the NPPF (2021) and PPG. In addition, it has been identified in the overall planning balance, that the overall benefits of the scheme outweigh any policy conflicts identified. Therefore, it is recommended that outline planning permission be granted.

9. RECOMMENDATIONS

- 9.1 That outline planning permission be GRANTED subject to the following conditions:
- 9.2 The detail of which would be delegated to the Assistant Director of Planning and Regulation in liaison with the Council's appointed solicitor, as well as the imposition of suitable safeguarding conditions, with authority given to the Assistant Director of Planning and Regulation in consultation with the Chair of Planning Committee, to amend or add to the suggested draft conditions set out in this report, prior to the decision notice being issued, where such amendments or additions would be legally sound and most effectively deliver the development that the Planning Committee has resolved to approve. These suggested conditions are as follows:-
- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:
542-C-028 820 01; 542-C-028 820 02; SBC-01; SBC-02; SBC-03; SBC-04; SBC-05; SBC-06; SBC-08;
REASON:- For the avoidance of doubt and in the interests of proper planning
 - 2 Approval of the details of the layout, scale, appearance, the means of access thereto and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority, prior to the commencement of any part of the development.
REASON:- To comply with the provisions of Regulations 6 and 7 of the Town and Country Planning (General Development Procedure) Order 2015.
 - 3 Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
REASON:- To comply with the requirements of Section 92 of the Town and Country Planning Act 1990
 - 4 The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.
REASON:- To comply with the requirements of Section 92 of the Town and Country Planning Act 1990

- 5 No development shall commence (including site clearance) until a Construction Management Statement has been submitted to and approved in writing by the Local Planning Authority, including elements of the CLOCS standards as set out in the Highway Authority's Construction Management template. Thereafter the construction of the development shall only be carried out in accordance with the approved Statement. The Construction Management Statement shall include details of:
- Construction vehicle types and numbers;
 - Access arrangements to the site;
 - Construction and storage compounds including areas designated for loading/unloading and turning areas;
 - Timing of construction activities (including delivery times and removal of waste) to avoid school pick up/drop off times;
 - Provision of sufficient on-site parking for contractors/operatives prior to commencement of construction activities;
- REASON:-** In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan (adopted 2018).
- 6 No development shall take place above slab level until details of measures to address adaptation to climate change have been submitted to and approved in writing by the Local Planning Authority. These measures shall then 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.
- 7 Notwithstanding the details shown in this application the treatment of all boundaries, including details of any walls, fences, gates or other means of enclosure shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The approved boundary treatments shall be completed before the use hereby permitted is commenced or before the building(s) is occupied.
- REASON:-** To ensure a satisfactory standard of development in the interests of amenity and that it has an acceptable appearance.
- 8 No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of soft and hard landscaping and details of the treatment of all hard surfaces. The scheme shall include details of all existing trees and hedgerows on the land and details showing all trees to be removed, or retained, together with details of all new planting to take place including species, size and method of planting.
- REASON:-** To ensure a satisfactory appearance for the development.
- 9 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.
- 10 Prior to the commencement of development, the works to trees identified in Section 3, page 31, of the Tree Survey and Arboricultural Impact Assessment, ref. 23_5837_02_14 by ROAVR Group dated 22 February 2023 shall be undertaken to the satisfaction of the Local Planning Authority.
- RESON:-** To ensure that the development does not adversely impact the adjacent woodland area.

- 11 Before any development commences, including any site clearance or demolition works, any trees on, or adjacent to, the site shall be protected by fencing or other means of enclosure in accordance with the Tree Survey and Arboricultural Impact Assessment, ref. 23_5837_02_14 by ROAVR Group dated 22 February 2023. Such protection shall be inspected and approved by the Local Planning Authority prior to the commencement of the work and maintained until the conclusion of all site and building operations.
REASON:- To ensure that the retained tree(s) are not damaged or otherwise adversely affected during site operations.
- 12 No development shall commence until full details (in the form of scaled plans and/or written specifications) have been submitted to and approved in writing by the Local Planning Authority to illustrate the following:
a) roads, footways;
b) cycleways;
c) foul and surface water drainage;
d) visibility splays;
e) access arrangements;
f) parking provision in accordance with adopted standard;
g) loading areas;
h) turning areas.
REASON:- To ensure suitable, safe and satisfactory planning and development of the site in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).
- 13 Prior to the occupation of the dwellinghouses hereby permitted, the parking spaces shown on approved plan SBC-02 shall be provided with the underlying infrastructure for connection to the electricity network to enable them to be served by an electric vehicle charging point.
REASON:- To ensure construction of a satisfactory development and to promote sustainable development
- 14 No development shall take place until a detailed car parking plan, to include details of visitor parking spaces, has been submitted to and approved in writing by the Local Planning Authority. The parking areas shall be constructed in a porous material or provision shall be made for a sustainable urban drainage system (SuDS) to be built into the hardsurfaced areas. Once provided the parking facilities shall be retained in that form and thereafter be used for the parking of vehicles only.
REASON:- To ensure that adequate parking facilities are available within the site and to prevent surface water from passing onto the public highway which may be detrimental to highway safety.
- 15 Notwithstanding the details shown in this application, details of the waste and recycling storage and cycle storage shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The storage areas shall be completed before any of the dwellings are occupied and retained and maintained accordingly during the lifetime of the development.
REASON:- To ensure a satisfactory standard of development in the interests of amenity.
- 16 No demolition or construction work relating to this permission which is audible at the site boundary shall be carried out on any Sunday, Public or Bank Holiday nor at any other time, except between the hours of 07:30 and 18:00 on Mondays to Fridays and between the hours of 08:00 and 13:00 on Saturdays.
REASON:- To safeguard the amenities of the occupiers of neighbouring properties.

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

- 1 Outline Planning Permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. 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.

INFORMATIVE

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 – Parking Provision adopted October 2020, Stevenage Design Guide adopted January 2023 and the Broadwater Conservation Area Management Plan.
3. Stevenage Borough Local Plan 2011-2031 adopted 2019.
4. Responses to consultations with statutory undertakers and other interested parties referred to in this report.
6. Central Government advice contained in the National Planning Policy Framework July 2021 and Planning Policy Guidance March 2014.