

Meeting: Planning and Development Committee **Agenda Item:**

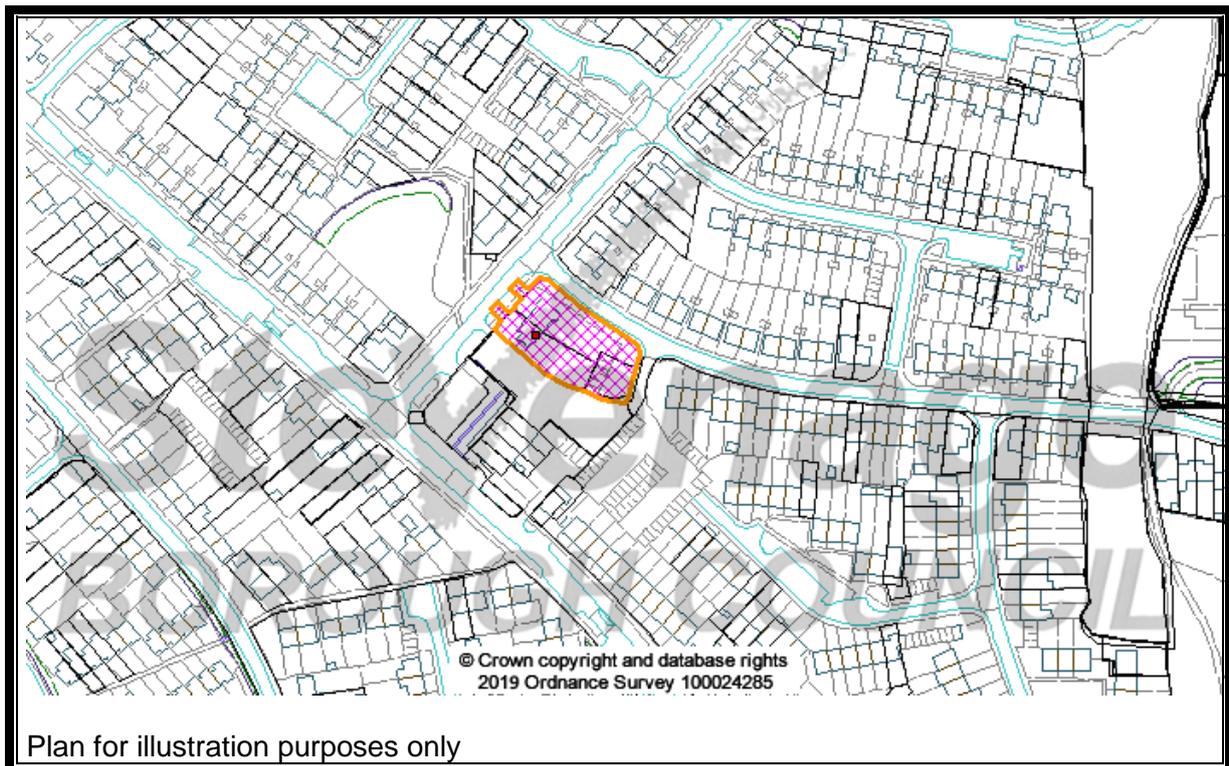
Date: 18 July 2023

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Application No:	22/00437/FPM
Location:	10A and 10B Burwell Road, Stevenage, Herts, SG2 9RF
Proposal:	Demolition of existing 2no. semi-detached houses and erection of 20 no. flats comprising 12 no. 1 bed and 8 no. 2 bed, associated parking and ancillary works.
Drawing Nos.:	13761-S199-A; 13761-P200-F; 13761-P203-A; 13761-P202-C; 13761-P201-G;
Applicant:	Hertford Planning Service
Date Valid:	9 May 2022
Recommendation:	GRANT PLANNING PERMISSION.



1. SITE DESCRIPTION

- 1.1 The application site is located on the south-eastern side of Burwell Road, to the north of the Burwell Road neighbourhood Centre. The site occupies a corner plot location at the junction of Burwell Road and Chertsey Rise. To the south of the site, beyond the shopping precinct is the main highway of Shephall Way. To the west of the site beyond the highway of Burwell Road is a large area of public open space which is fully grassed with mature tree

landscaping to its perimeter. Between the site and the shopping precinct is a three-storey flatted development granted planning permission in 2017.

- 1.2 The surrounding area is characterised by predominantly two-storey dwellinghouses which are constructed in buff coloured brick with dual pitched tiled roofs. The adjacent flat block is constructed of buff coloured brick with a dual pitched tiled roof. This development also contains a number of Juliet balconies and parking is provided in a dedicated parking area to the rear of the building, accessed from Chertsey Rise via the same access as a large garage compound.

2. RELEVANT PLANNING HISTORY

- 2.1 2/0109/67 - Erection of a pair of police houses with neighbourhood police office and block of six garages at 8-10 Burwell Road. Permission granted 18.08.1967.
- 2.2 00/00306/OP - Outline planning application for residential development, land to rear of 10A-10B Burwell Road. Permission refused 04.06.2001 for the following reason:-
 1. Due to the loss of off-street parking provision that it would create, the proposed development would exacerbate on street parking congestion in the locality to the detriment of the residential amenities of the area and prejudicial to highway safety, contrary to policy T7 of the Stevenage District Plan 1990 Review and policies H7 and T18 of the Second Deposit Draft of the Stevenage District Plan Second Review 1991-2011.

The following applications relate to the flatted development adjacent the site on the former March Hare public house site:

- 2.3 17/00586/FPM - Erection of 6no two bedroom and 9no one-bedroom flats with associated parking. Permission Granted 22.02.2018
- 2.4 18/00162/COND - Discharge of Conditions 3 (materials); 4 (landscaping); 9 (tree protection) and 11 (boundary treatments) attached to planning permission reference number 17/00586/FPM. Conditions Discharged 27.04.2018
- 2.5 19/00294/FPM - Variation of Condition 1 of planning permission number 17/00586/FPM to amend approved drawings. Permission granted 24.10.2019

3. THE APPLICATION

- 3.1 This application seeks planning permission to demolish the existing pair of semi-detached dwellings and the six garages to the rear and erect a part two storey, part three storey building accommodating 20no. flats, comprising 12no. one bedroom and 8no. two-bedroom units. There would be the provision of associated cycle parking, waste and recycling bin storage, plant room, soft and hard landscaping and associated parking.
- 3.2 The two accesses on Burwell Road for the existing dwellings would be closed and access to the development would be via Chertsey Rise at the rear of the site.
- 3.3 The application was originally put forward by a private developer and was done so on behalf of Stevenage Borough Council's (SBC) Housing Development team. However, the Council has recently purchased the site in order to deliver additional affordable housing within Stevenage. As such, if planning permission was to be granted, then this development go towards the delivery of additional affordable housing which would be managed and maintained by the Council.

- 3.4 This application was previously determined by the Council's Planning and Development Committee on the 4th October 2022. It was determined by this committee that planning permission be granted subject to the completion of a Section 106 Agreement. The reason this application is being referred back to the Planning and Development Committee for its decision is because the applicant (SBC) has recently confirmed in writing that the development at 10A and 10B Burwell Road will now serve as the off-site affordable housing provision for the proposed residential development at 224-230 Bedwell Crescent (Planning Reference: 22/00965/FPM) (Also known as Shephall View). This is also a development which is being delivered by SBC which is also subject to the Planning and Development Committee's decision.
- 3.5 A copy of the Committee Report from 4th October 2022 is attached as an appendix (Appendix 1) to this committee report.

4. PUBLIC REPRESENTATIONS

- 4.1 Details of the public representations lodged against this application can be found in the Committee Report dated 4th October 2022.

5. CONSULTATIONS

- 5.1 Details of the consultee responses to this application can be found in the Committee Report dated 4th October 2022. Updated comments with regards to drainage are set out below.

Council's Flood Risk and Drainage Consultant

- 5.2.1 Due to resourcing issues at Hertfordshire County Council as Lead Local Flood Authority (LLFA), the LLFA has been unable to comment on this planning application. The Council has appointed an independent drainage consultant to assess the Flood Risk Assessment and Surface Water Drainage Strategy in line with Guidance issued by the LLFA.

- 5.2.2 Since the application was previously determined by the Planning and Development, the applicant has continued to negotiate with the Council's drainage consultant in order to deliver an acceptable drainage strategy for this development. The Council's consultant has recently provided updated comments for the purpose of this Planning Committee. They have advised the following:

- An updated Drainage Report (replacing the original submission), reflecting the amendments deemed acceptable in the Addendum and addressing the outstanding matters. The primary reason for requesting this is to ensure that there is one report which captures the agreed Strategy which can be referred to in a planning condition as the basis for detail design. The updated Drainage Strategy should include:
 - An infiltration rate between 10^{-5} and 7×10^{-5} would achieve a half drain time less than 24 hours. For an event exceeding 24-hour half drain down time (between 7×10^{-5} and 10^{-6} a subsequent 1 in 10-year event should be simulated to test the capacity of the system. Updated drainage calculations simulating the subsequent 1 in 10-year storm event where appropriate to inform whether an increased depth of subgrade would be sufficient to contain the additional 1 in 10 year event and allow an infiltration approach to be pursued.
 - Additional detail on the rainwater harvesting system proposed, including a commitment as to the conceptual strategy and how much of the development it would serve.
 - Clarification of the permeable paving and attenuation storage volume required for the alternative drainage strategy and amendment of drawing 21210-FCE-XX-XX-DR-D-0505.

- Consideration of the need for buildings to be kept between 3 and 6.5m away from existing public sewers crossing the site as highlighted in the pre-planning enquiry to Thames Water submitted with the Sustainable Drainage Strategy, Appendix D (21210-FCE-XX-XX-RP-D-0001).

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 73 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 the Ministry of Housing Communities and Local Government (MHCLG) (now the Department for Levelling Up, Housing and Communities (DLUHC)) in January 2022 (DLUHC have not yet published the latest HDT results), identifies that Stevenage delivered 79% of its housing requirement. This exceeds the 75% target and renders the adopted Local Plan housing policies as being in-date. However, this is still well below the 95% target which is set out in the NPPF (2021). Consequently, the Council has to apply a 20% buffer in its 5-year housing supply calculations. In addition, the Council also has to produce an Action Plan in order to boost housing delivery.

6.2.3 The Council prepared an Action Plan in July 2022 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. A copy of the Stevenage Borough Council published Action Plan is set out in the link below:

<https://www.stevenage.gov.uk/documents/planning-policy/monitoring/housing-delivery-test-action-plan-2022.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 currently demonstrate a housing supply of 6.68 years (including 20% buffer).
- 6.2.5 The Council, based on its HDT score and 5-year housing land supply calculations, the Council is not currently subject to the most severe penalty under paragraph 11(d) of the NPPF (2021). For reference, if this policy was to be engaged, it would mean the Local Plan policies would be classed as out-of-date.
- 6.2.6 The Council is now commencing preliminary work into a 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:

Policy SP1: Presumption in favour of sustainable development;
 Policy SP2: Sustainable development in Stevenage;
 Policy SP5: Infrastructure;
 Policy SP6: Sustainable transport;
 Policy SP7: High quality homes;
 Policy SP8: Good design;
 Policy SP11: Climate change, flooding and pollution;
 Policy SP12: Green infrastructure and the natural environment;
 Policy IT4: Transport assessments and travel plans;
 Policy IT5: Parking and access;
 Policy IT6: Sustainable transport;
 Policy IT7: New and improved links for pedestrians and cyclists;
 Policy HO1: Housing allocations;
 Policy HO5: Windfall sites;
 Policy HO7: Affordable housing targets;
 Policy HO8: Affordable housing tenure, mix and design;
 Policy HO9: House types and sizes;
 Policy HO10: Sheltered and supported housing;
 Policy HO11: Accessible and adaptable housing;
 Policy GD1: High quality design;
 Policy FP1: Climate change;
 Policy FP2: Flood risk in Flood Zone 1;
 Policy FP5: Contaminated land;
 Policy FP7: Pollution;
 Policy FP8: Pollution sensitive uses;
 Policy NH5: Trees and woodland.

6.5 Supplementary Planning Documents

Parking Provision Supplementary Planning Document October 2020
Stevenage Design Guide Supplementary Planning Document January 2023.
The Impact on Biodiversity SPD 2021
Developer Contributions SPD 2021

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 which is currently before the Planning and Development Committee for its decision relate to affordable housing and planning obligations. In addition, where there has been a change in policy, an updated assessment has been undertaken accordingly. For reference, the main planning issues affected by a change in policy / updated consultee comments since previously determined by the Committee are as follows:

- Visual impact of the development.
- Impact on residential amenity.
- Impact on future amenities of residents.
- Development and Flood Risk.
- Other matters.

All other planning issues relating to this development are not affected by policy changes and remain as assessed as being acceptable by the Planning and Development Committee on the 4th October 2022.

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

7.2 Affordable housing and planning obligations

7.2.1 Policy HO7 of the adopted Local Plan (2019) stipulates that planning permission would be granted for residential development which would maximise affordable housing provision. Taking this into consideration, there is a requirement to provide 25% of new homes to be affordable on previously developed sites. In this regard, there would be a requirement to provide 5 affordable units.

7.2.2 Turning to affordable housing tenure, mix and design, Policy HO8 states that planning permission will be granted where those dwellings:

- a) Are provided by the developer on site with at least 70% of the units being for rent and the remainder consisting of other tenures which is to be agreed with the Council's Housing team;
- b) Meets the requirements of Policy HO9 (House types and sizes);
- c) Are physically indistinguishable from other types of homes and are distributed across the site to avoid over-concentration in particular; and
- d) Will remain at an affordable price for future eligible households.

- 7.2.3 In addition to the above, paragraph 65 of the NPPF (2021) stipulates that for major developments involving the provision for housing, planning decisions should expect at least 10% of the total number of homes to be made available for affordable home ownership (this includes affordable housing for rent, starter homes, discounted market sales housing and other routes including shared ownership, equity loans and other low cost homes (at a cost to at least 20% below market value)). However, the 10% requirement is part of the overall affordable housing contribution for the site.
- 7.2.4 On the 24 May 2021, the Government announced its First Home policy through a Written Ministerial Statement (WMS) and accompanying changes to the Planning Practice Guidance (PPG). As a result, these changes came into effect on the 28 June 2021. First Homes are designed to support local first-time buyers onto the property ladder, by offering homes at a discount to the market price. The discount will apply to the homes- in perpetuity, meaning that generations of new buyers and the local community will continue to benefit every time the property is sold.
- 7.2.5 First Homes are a specific kind of discounted market sale units which:
- a) must be discounted by a minimum of 30% against the market value
 - b) are sold to a person or persons meeting the First Homes eligibility criteria (see below);
 - c) on their first sale, will have a restriction registered on the title at HM Land Registry to ensure this discount (as a percentage of current market value) and certain other restrictions are passed on at each subsequent title transfer; and,
 - d) after the discount has been applied, the first sale must be at a price no higher than £250,000.
- 7.2.6 First Homes are the government's preferred discounted market tenure and should account for at least 25% of all affordable housing units delivered by developers through planning obligations.
- 7.2.7 In regards to affordable housing delivery, the Council's evidence base has demonstrated that since the start of the Local Plan period, delivery of affordable housing has been limited to 282 units, an average of 31 units per annum. Consequently, this evidence does demonstrate that there has been a significant under provision of affordable housing delivery within the Borough. This is also reflected in the appeal decision letter for Land West of Lytton Way appeal whereby the inspector states (para. 87) and quote
- "I have been referred to other schemes which have been granted planning permission or it has been resolved that planning permission should be granted. In these schemes, for one reason or another, affordable housing provision has been lower than the expected policy figure of 20%. Indeed 52 homes would equate to over 17% of the affordable housing that has been delivered thus far in the Local Plan period. In these circumstances of poor delivery of affordable homes and with sizeable unmet need for such housing, I give the provision of affordable housing significant weight".*
- 7.2.8 The proposed development is seeking to deliver 20no. dwellings, which, taking into account the existing pair of semi's, is a net gain of 18 dwellings. Accordingly, the overall provision of affordable housing as originally proposed was 5 units, broken down as follows:
- 70% affordable rent – 4 units
 - 25% First Homes – 1 unit
 - 5% to be determined by the Council's Housing Development Team – zero units
- 7.2.9 However, since the application was determined by the Planning and Development Committee, the Council has recently purchased this site. In this regard, SBC as applicant is

now seeking to provide 100% affordable homes as part of this development. This is in order to provide for the level of off-site affordable housing which is required for the residential development at 224-230 Bedwell Crescent (Planning Reference: 22/00965/FPM) (Also known as Shephall View). Therefore, the affordable housing required arising from the development at Bedwell Crescent (14 units) would be delivered at the application site i.e., 10A and 10B Burwell Road. Given this, the two sites are inter-linked with each other as the capital receipts from the proposed development at Bedwell Crescent would help to financially fund the affordable housing scheme at 10A and 10B Burwell Road. In terms of the final affordable housing mix for this development, this would be negotiated and secured as part of any S.106 agreement if the Council was minded to grant permission.

- 7.2.10 In order to secure the proposed off-site affordable housing provision for Bedwell Crescent, it would have to be secured via a linked Section 106 agreement. In addition, the triggers with how the affordable housing would be delivered would also be dealt with as part of the Section 106 agreement as well. As a consequence, if planning permission were to be granted for this development, the level of affordable housing the development would provide is deemed to be a significant benefit. This is because firstly, it would deliver 22.8% of the annual requirement i.e, 114 units of affordable homes which have to be delivered on an annual basis over the Local Plan period i.e. 2031. Moreover, there is currently an identified shortfall of over 900 affordable homes which still have to be delivered up to end of the Local Plan period.
- 7.2.11 With regards to the financial contributions and obligations which are detailed in the 14th October 2022 committee report, these contributions and obligations remain unchanged, and these would also be secured as part of any Section 106 Legal Agreement.

7.3 Visual impact of the development

7.3.1 On 30 January 2023 the Council adopted the Stevenage Design Guide SPD (2023). The Design Guide generally reflects the Key Design Principles as set out in the National Design Guide (2019). Sections B (Built Form) and H (Homes and Buildings) of the Design Guide 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.

7.3.2 The proposed development is located within the confines of a residential estate, predominantly formed of two storey terraced dwellings which are uniform in design and materials. Adjacent to the site is a three-storey flatted development constructed with similar materials to the surrounding terraced dwellings. Burwell Road slopes upwards from Shephall Way towards Chertsey Rise.

7.3.3 The proposed development would comprise one L-shaped building with frontages on Burwell Road and Chertsey Rise. The building would be three storeys in height along

Burwell Road, reducing to two storeys along Chertsey Rise. The building would have dual pitched gable fronted roofs and would be of a similar height to the existing flatted development, although taking account of the topography of the area, the proposed building would appear visually taller at its northern end. When viewed from north to south on Chertsey Rise, the two-storey element would be seen against the backdrop of the three storey flatted development next door.

- 7.3.4 The building would be constructed with similar materials to the surrounding dwellings although it is considered appropriate to impose a condition that requires samples of the materials to be seen prior to construction to ensure that the final appearance of the building would be acceptable in the street scene.
- 7.3.5 To the rear of the building would be the car parking area which would also contain a cycle storage unit, bin store and plant room. This area would be constructed on the site of the existing gardens, garage block and associated hardstands. Level access footpaths would be provided to the external areas of the building.
- 7.3.6 The cycle store would be located within the car parking area to the rear of the building although no final details of its size or appearance has been provided within the application submission. In this regard, it is considered appropriate that should planning permission be granted, then a condition is imposed to request this information to ensure it has an acceptable appearance and can accommodate the required number of bicycles. Notwithstanding this, its siting within the rear yard area of the site would mean it would have very limited views from the public domain and it is not considered that it would have a detrimental impact on the visual amenities of the area.
- 7.3.7 The bin store and plant room are sited on the north-eastern side of the site and would be visible from Chertsey Rise. Submitted plan 13761-P200-F shows these compounds to be constructed with timber hit and miss fencing with black hinges and locks. They would both measure approximately 2.5m high. The plant area would be approximately 2.4m wide and 4.7m long whilst the bin store would be approximately 2.4m wide and 7.3m long. Their construction with natural appearance timber is considered acceptable and as such they are not considered to harm the visual amenities of the street scene.
- 7.3.8 The scale of the proposed development is considered to be acceptable. Whilst it does adopt a three-storey approach, it would be predominantly seen in context with the three storey flatted development adjacent to the site. Further, given the steep slope upwards from Shephall Way along Burwell Road, the two storey dwellings to the north of the site would only be 0.8m lower than the highest part of the development. As such, the proposed development would not appear over dominant in views along Burwell Road.
- 7.3.9 As the development would adopt a shallow roof pitch and with the difference in ground levels, the scale of the building in relation to the neighbouring residential properties is considered to be acceptable. Whilst the building would evidently be of a different scale to the existing retail units in the Burwell Road neighbourhood centre, this is considered to be acceptable as they would have different functions, the proposal being residential whilst the retail units are obviously commercial and the existing three storey flatted development would sit between the two sites.
- 7.3.10 Secondly, it is recognised that the predominant residential character of the area is of semi-detached and terraced dwellings of two storeys with traditional pitched roofs. Local residents have raised concerns that the development would 'spoil the look' of the area and be out of keeping. However, this site is considered to be able to accommodate a different, distinctive form of development given its position adjacent to the existing three storey flatted development and the defined small neighbourhood centre and at a prominent junction between Shephall Way and Burwell Road. Although providing a different form of development in the shape of a flatted development, the proposal would be of similar

appearance to the adjacent flatted development to provide a cohesive visual appearance along Burwell Road and when viewed from the east in Chertsey Rise. Further, it does reference the roof form of the neighbouring residential properties by providing dual-pitched roofs in the form of a double ridge and valley arrangement on both the front and rear blocks. It should also be noted that there is no 'right to a view' and so it is not considered that the development would have a detrimental impact on any views from neighbouring properties.

- 7.3.11 Finally, whilst the proposal is of a different, contemporary design than the surrounding two storey dwellings, this design itself is not considered to be harmful and would be similar to the adjacent flatted development. As the building proposed would obviously differ from the traditional two storey residential development in the area, it is critical that the building is well designed in its own right and uses high quality materials. To achieve this, the mass of the building has been divided into distinct sections – the Burwell Road frontage has 3 smaller sections whilst the Chertsey Rise frontage has 2no. three storey elements and a two storey element which utilise the difference in levels across the site. Additionally, the facades of the building have been designed to complement the adjacent existing block. The gable ends have been designed to be of a more domestic scale with a conservative brick finish.
- 7.3.12 Key to achieving an appropriate design is the use of high-quality materials. With a condition attached, to the grant of any planning permission requiring samples of materials, the design of the building is considered to be acceptable. Therefore, and as previously considered by the Planning and Development Committee in October 2022, the proposed development is deemed to be in accordance with the policies on design in the adopted Local Plan (2019), the NPPF (2021) and PPG. Furthermore, it is officers' opinion that the proposed development also accords with the updated guidelines set out in the recently adopted Stevenage Design Guide SPD (2023).

7.4 Impact on residential amenity

- 7.4.1 As set out in paragraph 7.3.1, the Council adopted a new Design Guide which supersedes the Design Guide SPD (2009). In assessing the impact on neighbouring amenity, the Council's Design Guide 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 (para. U22), the recommended separation distances (which are not too dissimilar to the ones set out in the superseded 2009 Design Guide) 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

- 7.4.2 In relation to the impact of the proposed development on existing residential amenity, the most affected properties would be Nos. 1 and 12 Burwell Road to the north-west/north, Nos. 288 and 290 Chertsey Rise to the north, No.225 Chertsey Rise to the east and the occupiers of the flatted development to the south.

- 7.4.3 It is noted that Nos.1 and 12 Burwell Road, Nos.288 and 290 Chertsey Rise and No.225 Chertsey Rise would have side to side, front to side or front to front orientations and therefore there are no minimum separation distances for these situations. Notwithstanding this, No.12 Burwell Road has dense, mature landscaping along their side boundary so would have limited views of the development from their side profile and No.225 Chertsey Rise has no windows on their side elevation. The rear facing flats in the proposed development would be approximately 43m from the boundary of No.225 Chertsey Rise's rear garden which exceeds the 35m back-to-back separation as shown in the table above so would be of a sufficient distance so as not to result in an undue level of overlooking of this private rear garden.
- 7.4.4 The rear facing windows of the proposed development would be approximately 21m from side of the existing flatted development and there would be approximately 10m at an oblique angle between other back to side orientations. There is no specific criteria for three storey separation distances, however, it is considered that there would be sufficient separation in this instance so as to not have any unduly harmful impact on the privacy of occupiers in either building and each flat would have an acceptable level of outlook from their respective habitable rooms.
- 7.4.5 With regards to sunlight, daylight and overshadowing, the proposed development is due north of the adjacent flatted development so no loss of daylight would occur to this existing development. Owing to the steep topography of the area, the proposed development is largely the same height as No.12 Burwell Road and Nos. 288 and 290 Chertsey Rise to the north. Given the separation distance between the development and the neighbouring properties in Chertsey Rise, it is not considered that there would be any loss of daylight and sunlight to these neighbours.
- 7.4.6 Whilst the frontages of the building contain a number of Juliet balconies, it is not considered that there would be an unduly harmful impact to privacy give the separation distances between the development and the properties in Burwell Road and Chertsey Rise. There are no balconies proposed on the internal rear elevations which are closest to the existing flatted development.
- 7.4.7 Given the aforementioned assessment, the proposal, as also previously determined by the Planning and Development Committee in October 2022, is not considered to have a detrimental impact on the amenities of neighbouring residential properties. As such, the proposal would accord with the policies in the adopted Local Plan (2019), the Council's Design Guide SPD (2023), the NPPF (2021) and PPG.

7.5 Impact upon future amenities of residents.

- 7.5.1 In considering a residential scheme of this nature it is also important to ensure that living conditions for any future occupiers are appropriate. In regards to private amenity space, the Design Guide SPD (2023) states there should be a minimum useable communal garden area of 50 square metres for schemes up to 5 units, plus an additional 10 square metres for every additional unit over 5 (This is a similar requirement to the now superseded 2009 Design Guide).
- 7.5.2 Based on the number of units proposed, there would be a requirement to provide 200sqm of private amenity space. The submitted plans are unclear on areas set aside as open space but it is estimated to provide approximately 140sqm of open space at the rear/side of the site. This is below standard and there are no traditional balconies which would provide each flat with additional space. However, there is a large area of public open space opposite the site, an extensive area of public open space in Kymswell Road to the south which is a 5-minute walk and Fairlands Valley park is less than a 10-minute walk north. In this regard, whilst the development site itself has an unsatisfactory provision of private

amenity space, it is considered that there is sufficient good quality local public space to provide adequate outdoor amenity provisions.

- 7.5.3 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), there have been changes to these requirements. Therefore, as set out in the October 2022 Committee Report, all of the residential units including their bedrooms accorded with NDSS.
- 7.5.4 In terms of outlook, privacy, sunlight and daylight, due to the siting and position of the proposed units, combined with their overall height, each unit would have an acceptable level of privacy and outlook. In addition, each unit would receive sufficient sunlight and daylight in accordance with BRE guidance (Site layout planning for daylight and sunlight: a guide to good practice, 2022). Units 7 and 14 within the two-storey element are the only units which would have rooms facing due south. Accordingly, through negotiations with the agent, these are noted on the submitted plans to have south facing windows fitted with internal blinds and reflective glass to minimise heat gain. All affected rooms are also dual aspect so would still receive adequate levels of daylight with blinds closed/partially closed.
- 7.5.5 With regards to the requirements for accessible and adaptable residential units in Major residential developments as requirement under Policy HO11, there have been no changes in policy or guidance since the application was previously determined by the Planning and Development Committee in October 2022. Therefore, an updated assessment has not been undertaken in this instance.
- 7.5.6 Taking the above into consideration, and as considered by the Planning and Development Committee in October 2022, there would be an acceptable living standard for future occupiers of the development. Moreover, there have not been any substantive changes in guidance with respect to residential amenity between the 2009 and 2023 versions of the Design Guide. As such, the proposal would therefore, on balance, would be considered to be acceptable in line with the policies set out in the adopted Local Plan (2019), the Council's Design Guide SPD (2023), the NPPF (2021) and PPG.

7.6 Development and Flood Risk

- 7.6.1 The Council's Drainage Consultant has provided formal comments on this application (See paragraphs 5.2.1 and 5.2.2 of this report) related to an amended drainage strategy. The updated drainage strategy seeks to improve upon the scheme which was detailed in the October 2022 Committee Report. These follow on from comments issued by the Council's Drainage Consultant at the time with respect to the original proposal.
- 7.6.2 The updated proposal for the drainage system seeks to now limit the level of discharge from the two discharge points to a maximum of 2l/s, i.e. 4l/s for the whole site (the previous iteration of the drainage strategy was discharging at a rate 8l/s using a flow control device). This is considered to an improvement on the previous scheme as the level of discharge into the sewer network has been reduced.
- 7.6.3 The updated scheme also comprises the provision of permeable paving areas with additional capacity. The proposal now also incorporates a rainwater harvesting system into the built form. Notwithstanding, whilst the improvements are welcome it is noted that there are currently still some outstanding issues relating to the drainage strategy which are yet to be resolved. Following discussions with the applicant, they have confirmed that they will continue to negotiate with the Council's drainage consultant in order to deliver an acceptable system for this development.
- 7.6.4 Given the aforementioned, if the Council was minded to grant planning permission, there will be requirement on the applicant to complete a Section 106 legal agreement in order to

secure the relevant planning obligations. As this will take time to negotiate and finalise the relevant obligations, it is recommended that delegated powers are given to the Assistant Director of Planning and Regulation and the Chairman of the Planning Committee. This delegation is to allow the applicant time to address the outstanding issues raised by the consultant and that in the event the Council's Drainage Consultant advise the finalised strategy is acceptable and recommend a suggested list of conditions, then through delegated powers 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.

7.7 Other Matters

Sustainable construction and climate change

7.7.1 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.

7.7.2 The Council's Design Guide SPD (2023) sets out additional requirements with respect to climate change. The guide states that all developments are required to make efforts to minimise energy usage and to incorporate methods of using renewable energy, including:-

- reducing energy demand;
- using passive environmental systems, e.g. natural ventilation;
- daylighting and passive solar gains;
- using high levels of insulation and air tightness in the fabric of the building;
- specifying energy efficient services, controls and appliances;
- implementing water recycling and the provision of water butts;
- using renewable energy;
- using low/zero carbon technologies to provide as much of the energy load as is technically and economically feasible, minimising use of fossil fuels; and
- using efficient fossil fuel technologies, such as Combined Heat and Power and condensing boilers.

7.7.3 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

7.7.4 The Council's Design Guide SPD (2023) sets out new requirements for general waste and recycle storage facilities for residential and commercial developments:

Bin Type	Use	Domestic / Trade	External Dimensions mm H x L x D (H + open lid)
180ltr Wheelie Bin (Black)	General Waste	Domestic	1070 x 580 x 730
240ltr Wheelie Bin (Brown)	Green & Food Waste	Domestic	1100 x 600 x 800

60ltr Bag (Black)	Recyclables - Plastic & Cans	Domestic	490 x 350 x 350
60ltr Bag (Blue)	Recyclables - Paper & Card	Domestic	490 x 350 x 350
23ltr Caddy (Red)	Glass	Domestic	405 x 320 x 400
23ltr Caddy	Food Waste	Domestic	405 x 320 x 400
240ltr Wheelie Bin (Black)	General Waste	Domestic	1100 x 600 x 800
360ltr Wheelie Bin	General Waste / Recyclables	Domestic / Trade	1120 x 630 x 890
660ltr Eurobin	Recyclables	Trade	1400 x 1300 x 720
1100ltr Eurobin	General Waste / Recyclables	Trade	1400 x 1300 x 1000

7.7.5 The Design Guide also sets out the following requirements in terms of the overall design and location of general waste and recycle facilities:

External storage area features:	Housing developments	Flatted developments
Should be located within 10 metres of an external access but not near ground storey windows.	✓	✓
Storage and collection points must be as close as possible to, and preferably within 10 metres of, a place suitable for a collection vehicle to stop.	✓	✓
Must be at or near street level, and should be accessible via appropriately sized and graded ramps to allow bins to be wheeled to and from the collection point easily.	✓	✓
Must be safe for users by being well lit and visible from public vantage points and nearby dwellings / tenancies.	✓	✓
Should be unroofed, unless they are fully enclosed and secured (ideally inaccessible to animals).	✓	✓

External storage area features:	Housing developments	Flatted developments
Should be accessible for collection purposes and not impede pedestrian or vehicular access on public thoroughfares or to and from buildings.	✓	✓
Should be located as close to the front property boundary as possible, preferably behind the front boundary wall, without detracting from the street scene.		✓
Consideration should be given to the <ul style="list-style-type: none"> • allocation of additional external storage space in the future, e.g. additional bins, • composting facilities - in residential development with a garden or landscaping, • provision of onsite storage for bulky waste (i.e. furniture) items and potential opportunities for re- use of these items. 		✓

7.7.6 Following an assessment of the plans which were submitted as part of the original application, the bin stores as detailed do not meet the updated requirements set out in the adopted Design SPD. Therefore, and as agreed with the applicant, a condition would be imposed to any permission issued requiring the applicant to submit details of secure general waste and recycle storage facilities which are to be approved by the Council.

7.7.7 Given the aforementioned, with an appropriate condition in place, suitable refuse and recycle storage facilities can be delivered to meet the criterion set out in the Council's Design Guide SPD (2023).

Equality, Diversity and Human Rights

7.7.8 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.

7.7.9 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.

7.7.10 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.

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

7.7.12 In terms of inclusive access, the scheme has been designed to be DDA (Disability Discrimination Act) compliant. In addition, in accordance with Policy HO11: Accessible and Adaptable Housing of the adopted Local Plan (2019), as this is a major scheme at least 50% of all new dwellings will need to be category 2: accessible and adaptable dwellings.

The development also comprises of level access to the car park and ground floor areas of the building.

- 7.7.13 The scheme also seeks to deliver the necessary disabled parking provision in accordance with the Council's adopted Parking Standards SPD (2020). The bays will meet the relevant size standards and have been located in an appropriate location in close proximity to the entrance of the main residential building.

8. CONCLUSIONS

- 8.1 In summary, it has been established that the proposed development fails to fully accord with criterion (a) of Policy HO5 as it would be partially located on land which does not meet the definition of previously developed land as stated within the NPPF (2021) nor is it considered to be a small underused urban site. This policy contravention carries significant weight against the proposal.
- 8.2 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.
- 8.3 The development would provide 20 dwellings, making a strong contribution to the aim of boosting housing supply, which in this instance, would be through partially redeveloping a sustainable brownfield site. Given the quantum of development and the fact that the supply of land for housing within the Borough is not currently constrained, it only attracts moderate weight in favour of the proposal. However, the proposal will provide additional affordable housing for the Council which also carries significant weight in favour of the proposal.
- 8.4 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 moderate and therefore only attracts moderate weight in favour of the proposal.
- 8.5 The proposed development would have an acceptable impact on the amenities of neighbouring occupiers and the collection of waste and recycling is acceptable; these are neutral matters.
- 8.6 The development has been assessed to be acceptable in appearance and would not harm the visual amenities of the area. The car parking and cycle parking meet the requirements of the adopted Parking Provision SPD and are therefore considered to be policy compliant. Additionally, HCC Highways have determined that the development would not harm highway safety. This carries moderate weight in favour of the proposal.
- 8.7 The development has been assessed to be unacceptable in terms of private amenity a space provision which is contrary the adopted Design Guide (2023) and subsequently contrary to Policy GD1 of the Local Plan (2019). This carries moderate weight against the development.
- 8.8 The provision of affordable housing and other developer contributions can be satisfactorily addressed through the use of a S106 Legal Agreement.
- 8.9 Given the aforementioned, whilst there is a policy conflict with Policies HO5 and GD1, the development would, on balance, accord with the majority of the policies in the adopted Local Plan (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

the policy conflicts identified. Therefore, it is recommended that planning permission be granted.

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:-

- Securing the provision of affordable housing linked to 224-230 Bedwell Crescent (22/00965/FPM).
- Apprenticeships and construction jobs.
- Securing the provision of a 10% net gain in Biodiversity off-site within Stevenage.
- S.106 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:-

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

13761-P200-F; 3761-P203-A; 13761-P202-C; 13761-P201-G; 13761-S199-A;

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 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 4 which is subject to the approval of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 5.

REASON:- To ensure that the site does not pose any risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is completed.

- 4 In the event that contamination is found at any time when carrying out the approved development that was not previously identified, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historic environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.
REASON:- To prevent harm to human health and pollution of the water environment in accordance with Government policy set out in the National Planning Policy Framework.
- 5 In the event that contamination is found at any time when carrying out the approved development that was not previously identified, as required under condition 3, the approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval in writing of the Local Planning Authority.
REASON:- To prevent harm to human health and pollution of the water environment in accordance with Government policy set out in the National Planning Policy Framework.
- 6 At least 50% of the residential units are Category 2: Accessible and Adaptable dwellings.
REASON:- To ensure the development will meet the increase in demand for accessible and adaptable units for elderly and disabled residents in accordance with Policy HO11 of the Stevenage Borough Local Plan 2011 - 2031 (adopted 2019).
- 7 All areas of hedges, scrub or similar vegetation where birds may nest which are to be removed as part of the development, are to be cleared outside the bird-nesting season (March - August inclusive) or if clearance during the bird nesting season cannot be reasonably be avoided, a suitably qualified ecologist will check the areas to be removed immediately prior to clearance and advise whether nesting birds are present. If active nests are recorded, no vegetation clearance or other works that may disturb active nests shall proceed until all young have fledged the nest.
REASON:- - Nesting birds are protected from disturbance under the Wildlife & Countryside Act 1981 (as amended).
- 8 The noise mitigation measures as detailed in the Noise Impact Assessment prepared by Sound Planning Ltd dated 22 April 2022 shall be implemented in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.
REASON:- To ensure there is an acceptable living environment for future occupiers and neighbouring residential properties.
- 9 Prior to the commencement of any landscaping, a landscape and ecological management plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The content of the LEMP shall ensure the delivery of the agreed number of habitat and hedgerow units as a minimum (0.5233 habitat units, 0.4050 hedgerow units) to contribute to a net gain in biodiversity and include the following.
- a) Description and evaluation of features to be managed.
 - b) Aims and objectives of management.
 - c) Appropriate management options for achieving target condition for habitats as described in the approved metric.
 - d) Prescriptions for management actions, only definitive measures are acceptable.

- e) Preparation of a 30 year annual work schedule (capable of being rolled forward in perpetuity), clearly marked on plans.
- f) Details of the body or organisation responsible for implementation of the plan.
- g) Ongoing monitoring plan and remedial measures to ensure habitat condition targets are met.
- h) Details of species selected to achieve target habitat conditions as identified in approved metric, definitively stated and marked on plans.
- i) Details (make, model and location) of 10 integrated bat boxes and 10 integrated swift boxes to be included in the proposal

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

REASON:- In order to improve and enhance biodiversity within the development site and the surrounding so as to offset its impact.

- 10 No development shall take place (including site clearance) until the tree protection measures as detailed on the Arboricultural Impact Assessment (AIA) plan prepared by GHA Trees Arboricultural Consultancy, Rev B, dated April 2022 have been implemented accordingly. The tree protection measures shall remain in place until the development has been completed. Within the tree protection areas to be fenced off in accordance with the AIA there shall be no alteration to the ground level and they shall be kept clear of vehicles, materials, surplus soil, temporary buildings, plant and machinery.

REASON:- To ensure the protection of those trees which should be retained in the interests of visual amenity.

- 11 Prior to the commencement of the development (including demolition and site clearance), a 'Construction Traffic Management Plan shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The 'Construction Traffic Management Plan' shall identify details of:

- a) Demolition and removal plans
- b) Provision of sufficient on-site parking prior to commencement of construction activities.
- c) Additional measure to stop construction related vehicles parking onto public highways (Burwell Road and Chertsey Rise)
- d) Construction vehicle numbers, type, routing.
- e) Traffic management requirements
- f) Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times
- g) Construction and storage compounds (including areas designated for car parking, loading/ unloading and turning areas).
- h) Cleaning of site entrances, site tracks and the adjacent public highway.
- i) Post construction restoration/reinstatement of the working areas and temporary access to the
- j) public highway.
- k) Wheel cleaning arrangement

REASON:- In order to protect highway safety and the amenity of other users of the public highway and rights of way.

- 12 No development shall take place until a final design of the drainage scheme for the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is occupied. The scheme shall include:

- Updated surface water drainage calculations and modelling for all rainfall events up to and including the 1 in 100 year plus climate change event, including infiltration options.
- Updated full detailed surface water drainage plan showing the proposed discharge point, the location of the proposed SuDS features, any pipe runs and size.
- Detailed engineered drawings of the proposed SuDS features including their, size, volume, depth and any inlet and outlet features including any connecting pipe runs along with all corresponding detailed calculations/modelling.
- Exceedance flow paths for surface water for events greater than the 1 in 100 year plus climate change.

REASON:- To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site. To reduce the risk of flooding to the proposed development and future users.

- 13 Upon completion of the drainage works, a management and maintenance plan for the SuDS features and drainage network must be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:
- Provision of complete set of as built drawings including the final drainage layout for site drainage network.
 - Maintenance and operational activities for the lifetime of the development.
 - Arrangements for adoption and any other measures to secure the operation of the scheme throughout its lifetime.

REASON:- To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

- 14 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 of the buildings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON:- To ensure the development has an acceptable appearance.

- 15 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.

- 16 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.

- 17 Prior to first occupation of the development hereby permitted details of external lighting to the site shall be submitted to the Local Planning Authority and approved in writing. There shall be no other sources of external illumination.

REASON:- To minimise pollution of the environment and to safeguard the safety of the adjacent highway network.

- 18 Prior to the first occupation of the development hereby permitted, details of the cycle storage areas shall be submitted to the Local Planning Authority and approved in writing. The cycle storage areas shall be retained and maintained accordingly during the lifetime of the development.

REASON:- To ensure that adequate cycle parking is provided in accordance with the Council's adopted supplementary planning documents.

- 19 No development shall take place above slab level until of general waste and recycle stores associated with the development hereby permitted shall be submitted to and approved in writing by the local planning authority. The general waste and recycle stores shall be erected in accordance to the approved details prior to first occupation of the development and to be maintained and permanently during the lifetime of the development.
REASON:- To ensure the storage areas have an acceptable appearance and are of sufficient size to accommodate the number of bins which are required for this development.
- 20 Prior to the first occupation of the development hereby permitted, the parking spaces shown on approved plan 13761-200-F 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
- 21 Prior to the first occupation of the dwelling hereby permitted the access, turning and parking provision as shown on approved plan 13761-P200-F shall be constructed, hardsurfaced and made ready for use. 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 and servicing facilities are available within the site and to prevent surface water from passing onto the public highway which may be detrimental to highway safety.
- 22 Prior to the first occupation of the development hereby permitted, provision of bird boxes and bat bricks or boxes as specified in the Ecological Appraisal prepared by Windrush Ecology dated March 2022 shall be erected accordingly and thereafter permanently retained and maintained.
REASON:- To provide suitable roosting and nesting opportunities for bats and birds as an ecological enhancement of the site.
- 23 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 first occupation of the development hereby permitted. The approved boundary treatments shall be completed before the development is first occupied.
REASON:- To ensure a satisfactory standard of development in the interests of amenity and that it has an acceptable appearance.
- 24 Prior to the first occupation of the development, additional plans must be submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority, which show the detailed engineering and construction design of the following highway works under s278 as indicated on the drawing 5737/1001 listed below and these works shall be constructed to the specification of the Highway Authority and Local Planning Authority's satisfaction:
- a) The existing access points off Burwell Road servicing the 10A and 10B permanently closed off and reinstate of full high kerbs, highway verge and footways;
 - b) All pedestrian access points to highways as indicated on the proposed drawing (Ref 13761-P200-F) should be designed in accordance with the inclusive mobility guidance (Ramp, slope etc.)
 - c) Provide new footway along new access point and connect with the existing footway along Chertsey Rise as shown the drawing (Ref- 5737/1001);
 - d) Provide tactile crossing points as shown on the drawing (Ref-5737/1001);
 - The junction of Burwell Road and Chertsey Rise;
 - The junction of Chertsey Rise and private road (the proposed site access road);

- New pedestrian's crossing point onto Burwell Road opposite the site frontage to connect opposite site footway;
- The junction of Burwell Road and Burwell Shop access point.

REASON:- To ensure residents and visitors of the development have the realistic option of travelling by local bus routes, and not a reliance on the private motorcar, in accordance with paragraphs 110 - 112 of the NPPF (2021).

25 Prior to the first occupation of the development, additional plans must be submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority, which show the detailed engineering and construction design of the bus shelter, Kassel Kerb under s278 as indicated on the drawing 5737/1001 at the existing flagpole bus stops onto Chertsey Rise (directly eastern side of the site) and these works shall be constructed to the specification of the Highway Authority and Local Planning Authority's satisfaction before first occupation.

REASON:- In the interest of sustainable travel.

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

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

27 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.

28 No tree shown retained on the approved plans, or subsequently approved landscaping scheme, shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped within five years of the completion of development without the written approval of the Local Planning Authority.

REASON:- To ensure the protection of those trees which should be retained in the interests of visual amenity.

29 Infiltration testing should be in accordance with BRE Digest 365 which should be carried out at the location of any infiltration measure(s). Where infiltration is not possible, evidence that approval has been sought from the relevant water authority should be provided for any connection into a public surface water sewer.

REASON:- To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site. To reduce the risk of flooding to the proposed development and future users.

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.

INFORMATIVE

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

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

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

2 **Building Regulations**

To obtain advice regarding current Building Regulations please contact Hertfordshire Building Control Ltd. by emailing us at building.control@hertfordshirebc.co.uk or phoning us on 01438 879990.

To make a building regulations application please apply through our website portal at <https://www.hertfordshirebc.co.uk/contact-us/> payment can be made online or by phoning the above number after the application has been uploaded. Please phone Hertfordshire Building Control for fees guidance on 01438 879990.

Hertfordshire Building Control can also be contacted by post at Hertfordshire Building Control Ltd, 4th Floor, Campus West, Welwyn Garden City, Hertfordshire, AL8 6BX.

Once a building regulations application has been deposited with relevant drawings and fee building work may commence. You will be advised in their acknowledgement letter of the work stages we need to inspect but in most instances these are usually:

- Excavation for foundations
- Damp proof course
- Concrete oversite
- Insulation
- Drains (when laid or tested)
- Floor and Roof construction
- Work relating to fire safety
- Work affecting access and facilities for disabled people
- Completion

Please phone Hertfordshire Building Control on 01438 879990 before 10.00am to ensure a same day inspection (Mon - Fri).

3 **Party Wall etc. Act 1996**

Any work that affects a party wall, including foundations dug within 3.0m of a neighbouring building, may be controllable under the Act and may require approval from the adjoining owner(s). Party Wall Act matters are always civil matters and it is neither Stevenage Borough Council's nor Hertfordshire Building Control Ltd's remit to control or enforce Party Wall act matters. Please refer to the Government's explanatory booklet The Party Wall etc. Act 1996, a copy of which is available online at

<https://www.gov.uk/government/publications/the-party-wall-etc-act-1996-revised-explanatory-booklet>

- 4 **Hertfordshire County Council as Highways Authority**
Extent of highway: Information on obtaining the extent of public highway around the site can be acquired from the County Council's website at:
www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/extent-of-highways.aspx
- 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**
Construction Management Plan (CMP): The purpose of the CMP is to help developers minimise construction impacts and relates to all construction activity both on and off site that impacts on the wider environment. It is intended to be a live document whereby different stages will be completed and submitted for application as the development progresses. A completed and signed CMP must address the way in which any impacts associated with the proposed works, and any cumulative impacts of other nearby construction sites will be mitigated and managed. The level of detail required in a CMP will depend on the scale and nature of development. The CMP would need to include elements of the Construction Logistics and Community Safety (CLOCS) standards as set out in our Construction Management template, a copy of which is available on the County Council's website at:
<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>
- 8 **Hertfordshire County Council as Highways Authority**
The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website
<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/businessanddeveloper-information/development-management/highways-developmentmanagement.aspx> or by telephoning 0300 1234047.

9 Police Crime Prevention Design Service

Prior to construction the applicant will contact the Hertfordshire Constabulary CPDS with a view to seeking to achieve accreditation to the Police preferred minimum security standard that is Secured by Design. The reason for this is to ensure that the development is compliant with both National and Local Planning Policies, in addition, this will also demonstrate the discharge of obligations under Approved Document 'Q' - Security of Building Regulations"

13. BACKGROUND DOCUMENTS

1. The application file, forms, plans and supporting documents having the reference number relating to this item.
2. The application file, forms, plans and supporting documents having the reference number 17/00586/FPM, relating to the flatted development adjacent to the site.
2. Stevenage Borough Council Supplementary Planning Documents – Parking Provision adopted October 2020, Stevenage Design Guide adopted January 2023, The impact of Development on Biodiversity adopted March 2021, Stevenage Borough Council Developer Contributions adopted March 2021.
3. Stevenage Borough Local Plan 2011-2031 adopted 2019.
4. Hertfordshire County Council’s Local Transport Plan 4 adopted May 2018.
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.
7. Appendix 1 – Copy of 4 October 2022 Committee Report.