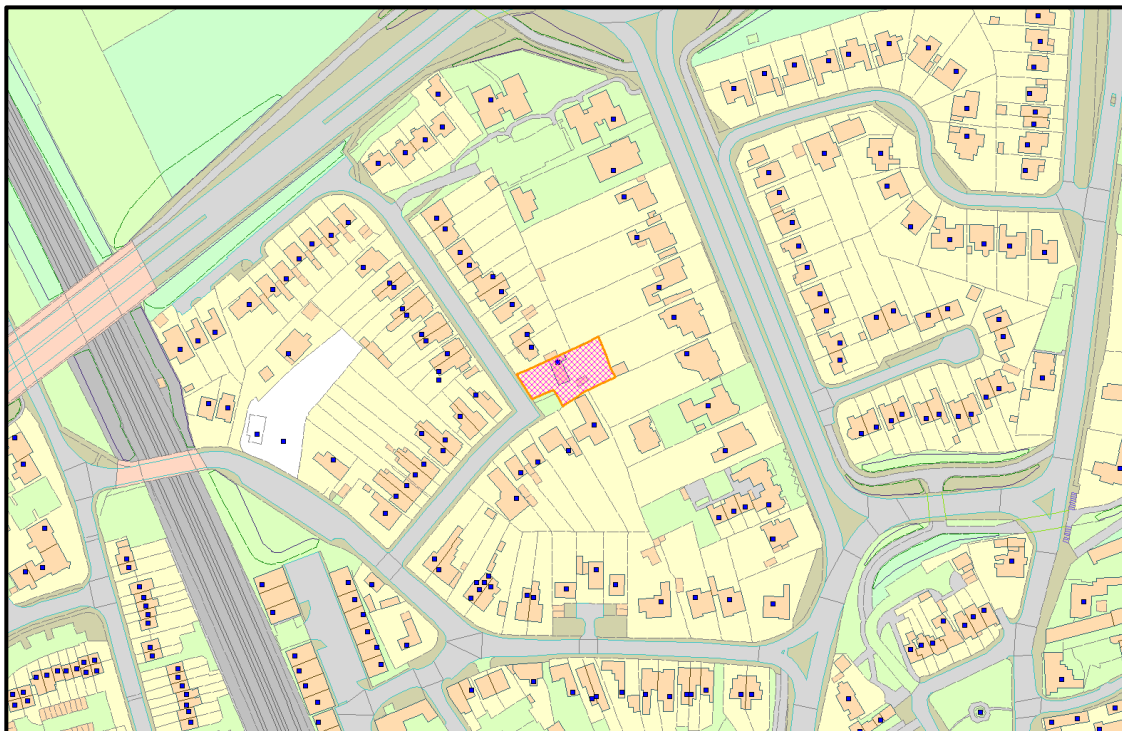


**Meeting:** Planning and Development Committee      **Agenda Item: 4**  
**Date:** 18 July 2023  
**Author:** Thomas Frankland-Wells  
**Lead Officer:** Zayd Al-Jawad  
**Contact Officer:** Thomas Frankland-Wells

Application No:	23/00186/FP
Location:	23 Essex Road, Stevenage, Herts, SG1 3EX
Proposal:	Demolition of existing entrance and detached garage, erection of part single storey, part two-storey side and rear extensions to facilitate conversion into 5no. one-bedroom flats with associated parking and ancillary works.
Drawing Nos.:	6925(P)001; 6925(P)104 Rev B; 6925(P)104-01 Rev B; 6925(P)105 Rev B; 6925(P)106 Rev B; 6925(P)107 Rev A; 200 Rev A; 6925(P)201 Rev A; 6925(P)202 Rev A; 6925(P)203;
Applicant:	Mr Ravinder Singh
Date Valid:	6 March 2023
Recommendation:	GRANT PLANNING PERMISSION



The above plan is for illustrative purposes only.

# 1 SITE DESCRIPTION

- 1.1 The application site is an irregularly shaped plot of land, extending to approximately 750m<sup>2</sup> and located on the eastern side of Essex Road. It is occupied by a detached two storey dwelling with a detached single garage and front and rear gardens. The dwelling is of a brick and tile construction and topped by a gable roof.
- 1.2 The sole vehicular and pedestrian access to the site is off Essex Road via a driveway which is shared with the two adjacent properties to the south. Once within the site, a private section of driveway provides parking for two cars.
- 1.3 The site is not subject to any relevant designations or environmental constraints. However, the boundary of the Orchard Road Conservation Area lies approximately 40m to the south-west of the site, starting at 7 Essex Road.
- 1.4 Land use in the surrounding area is predominantly residential, typically comprising two storey detached or semi-detached dwellings. Those on the western side of Essex Road and generally Victorian or Edwardian, whilst those on the eastern side are post-war or later. There is also a more modern example of flatted development to the north of the site at Champion Court, as well as a number of hotels and care homes fronting Hitchin Road to the east.

# 2 RELEVANT PLANNING HISTORY

- 2.1 03/00115/FP - Replacement front porch – Planning permission granted on 17/04/2003

# 3 THE CURRENT APPLICATION

- 3.1 The application seeks full permission for extensions and alterations to facilitate conversion of the property from a dwellinghouse to five flats.
- 3.2 The extensions would comprise both two storey and single storey elements. The two storey element would project beyond the existing southern flank elevation by approximately 5.1m and beyond the existing rear elevation by approximately 6m. It would be topped by intersecting gable roofs arranged in a T-shape, with the eaves set 5.2m and the ridge set at 7.2m above ground level.
- 3.3 The single storey element would extend across the entire width of the existing rear elevation plus the additional width of the two storey element and would have a depth of approximately 6.7m. It would be topped by a flat roof rising to 3m above ground level.
- 3.4 A new vehicular access would be formed leading directly off Essex Road (i.e. avoiding the shared driveway) to a parking area to the front of the building. This would provide eight parking spaces, including two visitor spaces and one disabled space.
- 3.5 A schedule of the proposed accommodation is shown in the table below.

Flat	Type	GIA	Amenity
1	1 bed / 2 person	54.1 m <sup>2</sup>	20 m <sup>2</sup>
2	2 bed / 4 person	71.6 m <sup>2</sup>	25 m <sup>2</sup>
3	2 bed / 4 person	70.8 m <sup>2</sup>	36 m <sup>2</sup>
4	1 bed / 2 person	50.0 m <sup>2</sup>	6.5 m <sup>2</sup>
5	1 bed / 2 person	50.0 m <sup>2</sup>	6 m <sup>2</sup>

3.6 The application has been reported to the Planning and Development Committee because it has been called in by a ward councillor.

## **4 PUBLIC REPRESENTATIONS**

4.1 The application was publicised by way of letters to neighbouring occupiers and the posting of a site notice.

4.2 13 objections were received and the material issues raised are listed below. Please note that this is a summary of the issues and full copies of the representations are available on the Council's website.

- Loss of existing on-street parking
- Insufficient off-street parking provision
- Increased parking stress on Essex Road
- Harm to traffic flow on Essex Road
- Unacceptable impact on highway safety
- Loss of trees
- Increased flood risk
- Overdevelopment of the plot
- Harm to the Essex Road street scene
- Harm to the Old Town High Street Conservation Area
- Inappropriate mix of dwelling sizes
- Loss of natural light to neighbouring properties
- Loss of privacy to neighbouring occupiers
- Noise and disturbance to neighbouring occupiers
- Disruption caused by construction
- Increased crime and anti-social behaviour
- Ecological impact

## **5 CONSULTATIONS**

5.1 A summary of consultation responses is set out below. Full copies of all consultations can be found on the Council's website.

### **5.2 HCC Highways**

5.2.1 Please be aware, the maximum dropped kerb is 5.4m and not as show on drawing 104 as 7.52m. Furthermore, parking of construction vehicles must not displace resident parking. Efforts should be made to minimise the impacts of construction vehicle parking by encouraging car sharing, public transport etc. Subject to the informatives, this level of development is unlikely to generate any extra movements which would ultimately lead to demonstrable harm to the highway network in terms of free flow and capacity, therefore; the highway authority would not wish to restrict the grant of planning permission.

### **5.3 SBC Environmental Health (Noise)**

5.3.1 I have considered this application in relation to the potential noise and vibration. I have also read the relevant technical reports submitted in support of the application.

5.3.2 In my opinion, the key potential environmental impacts of the development are;

5.3.2.1 The potential exposure of new sensitive receptors associated with the development to existing sources of noise;

5.3.3 I am satisfied that the impacts of the proposed development will be acceptable in planning policy terms provided that the following conditions be attached.

#### 5.4 **SBC Environmental Health (Contaminated Land and Nuisance)**

5.4.1 No objection, subject to conditions relating to unexpected contamination, dust emissions, and hours of working.

#### 5.5 **SBC Arboriculture and Conservation Manager**

5.5.1 I have analysed this application and, whilst I have no objection as such, can put forward the following concerns from an Arboriculture view point:

- What would the impact of the proposed parking bays would be onto the existing tree in the front garden and how would this be mitigated?
- What would the impact of the main building (right hand corner of apartment 1) be onto the tree RPA of the nearest tree and how would this be mitigated.
- What are the species and size at planting (i.e. Standard 12-14 cm) for the 5 proposed trees?

#### 5.5.2 Further Comments (05/07/23)

5.5.3 I have studied the plans proposed which appear to be answering half of my 3rd point in as much as detailing the species of trees to be planted and their size. Whilst this helps, it still doesn't show which tree is going to be planted where.

5.5.4 There are still the first two points I initially raised which do not appear to have been answered. I appreciate the sentence: "trees will be protected in accordance to BS 5837 2015" however this does not show how the development would be achieved in line with the guidance from the British Standards when protecting the existing trees.

5.5.5 I am also unaware of an update of BS5837 from 2015.

5.5.6 Finally, noting that some of the proposed trees are large, such as Fagus Sylvatica, I wonder if NHBC guidance has been consulted regarding foundation depth and distance to 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 requires that planning applications be determined in accordance with the development plan unless material considerations indicate otherwise. For Stevenage, the statutory development plan comprises the following documents:

- The Stevenage Borough Council Local Plan 2011-2031 (adopted 2019)
- The Hertfordshire Waste Core Strategy & Development Management Policies Development Plan Document 2011-2026 (adopted 2012)
- The Hertfordshire Waste Site Allocations Development Plan Document 2011-2026 (adopted 2014)
- The Hertfordshire Minerals Local Plan Review 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**

6.3.1 The Planning Practice Guidance (“PPG”), with which Members are fully familiar, is an online resource containing guidance supplementing the NPPF. The PPG is a material consideration which should be taken into account in determining planning applications.

#### 6.4 **Stevenage Borough Local Plan**

6.4.1 The Local Plan policies most relevant to determining the application are as follows:

SP1 Presumption in Favour of Sustainable Development  
SP2 Sustainable Development in Stevenage  
SP5 Infrastructure  
SP6 Sustainable Transport  
SP7 High Quality Homes  
SP8 Good Design  
SP9 Healthy Communities  
SP11 Climate Change, Flooding and Pollution  
SP12 Green Infrastructure and the Natural Environment  
SP13 The Historic Environment  
IT4 Transport Assessments and Travel Plans  
IT5 Parking and Access  
IT6 Sustainable Transport  
HO5 Windfall Sites  
HO9 Housing Types and Sizes  
HO11 Accessible and Adaptable Housing  
GD1 High Quality Design  
FP1 Climate Change  
FP2 Flood Risk in Flood Zone 1  
FP5 Contaminated Land  
FP7 Pollution  
FP8 Pollution Sensitive Uses  
NH10 Conservation Areas

#### 6.5 **Supplementary Planning Documents**

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

Parking Provision and Sustainable Transport SPD (2020)  
Developer Contributions SPD (2021)  
The Impact of Development on Biodiversity SPD (2020)  
Orchard Road Conservation Area Management Plan (2012)  
Design Guidance SPD (2023)

#### 6.6 **Community Infrastructure Levy**

6.6.1 Stevenage Borough Council adopted a Community Infrastructure Levy (“CIL”) Charging Schedule in 2020. This allows the Council to collect a levy to fund infrastructure projects based on the type, location, and floor space of a development. The proposal would be liable for CIL, charged at a rate of £100/m<sup>2</sup>.

## 7 **APPRAISAL**

7.1 The main issues for consideration in this case are: land use policy; the mix of dwelling sizes; the standard of the proposed accommodation; the impact on heritage assets; design and other visual considerations; the impact on the amenities of neighbouring occupiers; and the impact on highway safety and parking.

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

### 7.3 **Land Use Policy**

7.3.1 The application proposes housing in the form of the extension and conversion of an existing dwellinghouse to provide five flats. The site is not allocated in the Local Plan for any specific purpose and is therefore a windfall site.

7.3.2 Paragraph 119 of the NPPF 2021 states that planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Paragraph 120 goes on to say that they should promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively.

7.3.3 Policy SP7 of the Local Plan 2019 sets out the strategic objective of providing at least 7,600 new homes within Stevenage Borough between 2011 and 2031. Some of these homes are expected to be delivered on windfall sites.

7.3.4 Policy HO5 sets out the criteria for housing development on windfall sites. It states that planning permission will be granted where:

- The site is on previously developed land or is a small, underused urban site;
- There is good access to local facilities;
- There will be no detrimental impact on the environment and the surrounding properties;
- Proposals will not prejudice our ability to deliver residential development on allocated sites; and,
- The proposed development would not overburden existing infrastructure.

7.3.5 With the above in mind, it can be said that the site is on previously developed land as defined in Annex 2 to the NPPF. It also benefits from good access to local facilities, being in relatively close proximity to the Old Town, which is the historic economic centre of Stevenage. The proposal would not prejudice the delivery of residential development on allocated sites, given the scale of the proposal and the fact that there are no allocated housing sites in the immediate vicinity. It would also not overburden existing infrastructure, given that it would be CIL liable and the purpose of the CIL payment is to mitigate infrastructure impacts.

7.3.6 Surrounding properties may be impacted by the development but these impacts would arise from the design of the development rather than being an inevitable consequence of the use of the land for residential purposes. Indeed the existing use of the land is residential and the surrounding area is predominantly residential. Therefore, strictly from a land use perspective, it is considered that developing the site for additional housing would not have a detrimental impact on the environment or surrounding properties. The specific impacts on surrounding properties that arise from the design of the development are considered later in this report.

7.3.7 Having regard to the above, the proposal is considered to accord with Policy HO5 of the Local Plan 2019, insofar as it relates to the use of land for housing. It is also considered to accord with Policy SP7 because it would contribute to meeting the housing targets set by the policy.

7.3.8 Policy HO9 of the Local Plan 2019 states that Planning permission for residential schemes will be granted where:

7.3.9 An appropriate range of market and affordable housing types and sizes are provided taking into account:

- Structural imbalances in the existing housing stock;
- The housing needs of the Borough, as informed by up-to-date and relevant evidence;
- The location and accessibility of the application site; and
- Recent completions, existing permissions and sites in the five-year land supply;

7.3.10 The Design Guide SPD (2023) outlines that housing is an area of weakness 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 to meet these targets for new homes.

7.3.11 The resultant scheme would provide a density and character of development appropriate to its location and surroundings. Significantly higher densities should be achieved in easily accessible locations; and

7.3.12 Aspirational homes are provided in appropriate locations including, but not necessarily limited to:

- New neighbourhoods to the north, west and south-east of the town;
- Suitable suburban, edge-of-town sites;
- The town centre, Old Town and other highly accessible locations; and
- Other appropriate sites where aspirational homes would complement the prevailing character

7.3.13 The proposed development would provide a 3no. one-bed units and 2no. two-bedroom units. This is considered to be an appropriate range of sizes given the existing imbalance in the Borough's housing stock, which is weighted heavily towards dwellings with three or more bedrooms.

7.3.14 Likewise, the density and character of the development is considered to be appropriate to the site's surroundings, which contains a number of other medium density residential developments, particularly to the north and east. The site is considered to be relatively accessible and therefore able to sustain this type of development.

7.3.15 Having regard to the above, the proposal is considered to accord with Policy HO9 of the Local Plan 2019 and the Design Guide SPD (2023), which requires residential developments to provide a range of housing types and sizes to meet the Borough's needs.

#### 7.4 **Standard of Accommodation**

7.4.1 Paragraph 130 of the NPPF states that planning decisions should ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users. Accordingly, Policy GD1 of the Local Plan requires new residential developments to meet the nationally described space standard and to provide for the amenities of future occupants. Policy FP8 of the Local Plan states that planning permission for pollution sensitive uses, such as dwellings, will be granted where they will not be subjected to unacceptably high levels of pollution exposure from either existing or proposed pollution generating uses.

7.4.2 A schedule of the proposed accommodation is set out at paragraph 3.5. The proposed flats would in all cases meet the requirements of the technical housing standards.



- 7.4.3 Beyond space standards, the proposed development is considered to be of an acceptable quality in terms of the living conditions of future occupants. Occupants of the ground floor would experience some limits on privacy given that their gardens would be enclosed only by low hedging. However, the same hedging would nonetheless provide a degree of defensible space and the communal garden to the rear, from where the most impactful views would be possible, would not be a high traffic area. Furthermore, prospective occupants would be able to exercise a degree of choice over whether this is acceptable.
- 7.4.4 Occupants of the upper floors would otherwise enjoy a reasonable degree of privacy due to the orientation of the building and positioning of the windows, noting that the medium density form of surrounding development does afford a degree of mutual overlooking between neighbours.
- 7.4.5 In terms of natural light, all but one of the proposed flats would be dual aspect. The remaining flat, Flat 2, would benefit from a good degree of glazing and would receive some direct sunlight during the morning hours. On this basis, it is considered that all of the flats would benefit from a reasonable amount of natural light.
- 7.4.6 In terms of noise, the Council's Environmental Health Team have assessed the proposal and identify the local road network and nearby commercial premises as potential sources of noise. It is considered that this could be effectively mitigated through the imposition of conditions.
- 7.4.7 Turning to outdoor amenity space, the Design Guidance SPD states that all dwellings, including flats, should have private open space. The only exception to this is where flats are developed in very central locations, where public open space is easily accessible and higher densities are required. In flatted developments, where private open space is required, the Council will normally aim to achieve a minimum useable communal area of 50 square metres for schemes up to 5 units.
- 7.4.8 The current proposal would provide a communal garden almost treble this size, measuring 144 square metres. This is in addition to private (in the sense of ownership rather than overlooking) outdoor space for each flat, which would range in size from 6 to 36 square metres each. The proposal is therefore well above standard in terms of outdoor amenity space.
- 7.4.9 Having regard to the above, it is considered that the proposed development would offer an acceptable standard of accommodation. In this sense, the proposal is considered to accord with Policies GD1 and FP8 of the Local Plan 2019 insofar as these policies relate to quality of accommodation.

## 7.5 **Heritage Assets**

- 7.5.1 The site is located approximately 40m from the boundary of the Orchard Road Conservation Area, which is a designated heritage asset. The front elevation of the dwelling is visible from within the conservation area and as a result, the site is considered to form part of its setting.
- 7.5.2 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in exercising any functions under the Planning Acts with respect to buildings or other land in a conservation area, special attention should be paid to the desirability of preserving or enhancing the character and appearance of that area.
- 7.5.3 Paragraphs 199 to 201 of the NPPF 2021 set out national policy for considering potential impacts on heritage assets, stating that great weight should be given to the conservation of designated heritage assets, irrespective of whether any potential harm amounts to substantial harm, total loss, or less than substantial harm.

- 7.5.4 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.
- 7.5.5 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.
- 7.5.6 Policy NH10 of the Local Plan states that development proposals affecting a conservation area should have regard to the relevant conservation area management plan SPD.
- 7.5.7 The significance of the Orchard Road Conservation Area is as a small area of Victorian expansion, which is now separated from the Old Town by Lytton Way. Its most important distinctive characteristics are its unaltered Victorian and Edwardian buildings, spatial layout, green spaces, early land boundaries, hedgerows, and landmark buildings.
- 7.5.8 Essex Road has a mixed character and only falls partially within the conservation area. Its western side is almost entirely made up of Victorian and Edwardian buildings, whereas its eastern side dates almost entirely from the post-war period.
- 7.5.9 A full description of the proposed works is set out at paragraphs 3.2 and 3.3 of this report.
- 7.5.10 The majority of the extensions would be carried out to the rear of the property, with only the front face of the side extension being readily appreciable from within the conservation area. Although still relatively large in scale, it would nonetheless fall within the bounds of what might ordinarily be expected for a residential extension, being approximately half the width of the existing dwelling and with matching eaves and ridge heights. It would also be set back from the main façade, which would limit its prominence and afford a degree of subservience. In terms of materials, the side extension would match the existing façade and in this respect it would integrate well with the existing dwelling.
- 7.5.11 In light of the above, as well as the distance between the site and the boundary of the conservation area, it is considered that the proposed development would have an acceptable impact on the setting of the Orchard Road Conservation Area and would have no impact on the character and appearance of the area itself. It follows that the proposal accords with NPPF policies relating to heritage assets and Policy NH10 of the Local Plan.

## 7.6 **Design and Other Visual Considerations**

- 7.6.1 Paragraph 127 of the NPPF 2021 stipulates that planning decisions should ensure development functions well and adds to the overall quality of the area, not just in the short term but over the lifetime of the development. It also sets out that development should be visually attractive as a result of good architecture, layout and appropriate and effective landscaping, is sympathetic to local character and history, including the surrounding built environment and landscape setting.
- 7.6.2 Paragraph 134 goes on to say that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to:
- 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

- 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 they fit in with the overall form and layout of their surroundings.

7.6.3 Policy SP8 of the Local Plan requires new development to achieve the highest standards of design and sustainability. Policy GD1 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.

7.6.4 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.

7.6.5 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.

7.6.6 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.

7.6.7 The Council's Design Guidance SPD (2023) provides further guidance on the implementation of design policies within the Local Plan.

7.6.8 A full description of the proposed works is set out at paragraphs 3.2 and 3.3 of this report.

7.6.9 The proposed extensions would be large in scale, extending right across the existing rear elevation and beyond the southern flank elevation, more than doubling the footprint of the

building. However, as noted above, the only element that would be readily appreciable from Essex Road would be the side extension.

- 7.6.10 This element would be two storey and would match the existing eaves and ridge height. Although large in scale in its own right, the side extension would measure a little under half the width of the original dwelling and would be set back from the main façade by approximately 2.4m, which is a significant distance and would be sufficient to afford the extension a degree of subservience. The proposed materials would match the existing and in this sense the extension would integrate well.
- 7.6.11 The removal of the existing pitched roof atop the single storey projection to the northern flank of the building, as well as the demolition of the existing entrance lobby and canopy, would also have an impact on the Essex Road street scene, primarily on approaching the site from the north. The lobby and canopy are considered to be of no particular architectural merit and as a result, their demolition is considered to be acceptable. Meanwhile the replacement of the pitched roof with a flat roof would be appropriate given the degree of setback from the road and the fact that flat roofs are already present in the street scene, albeit in the form of garages.
- 7.6.12 The remaining elements of the proposal, which would make up the bulk of the extensions, would be to the rear of the building and would only be readily appreciable from neighbouring properties and the site itself. Whilst still an important consideration, any impacts here carry less weight than impacts on views from public vantage points.
- 7.6.13 Here again the extensions would be large in scale but would otherwise generally integrate well due to the use of matching materials. The one exception to this is considered to be the single storey element, which would be topped by a flat roof. Although it is not unusual for dwellings with a pitched roof to have single storey extensions with flat roofs, and indeed the proposed flat roof to the northern flank of the building is considered appropriate, the rear element would be so large in scale that its flat roof would appear out of place and would result in some harm to the appearance of the building. However, as already noted, the impact on any public views would be very limited.
- 7.6.14 In light of the above, the overall acceptability of the proposal in design terms is considered to be finely balanced, with the incongruous but well-hidden design to the rear weighed against the appropriate and highly visible design to the front. Overall, it is considered that the limited harm arising from the inappropriate rear design would not be sufficient to justify the refusal of the application as a whole and consequently, the proposal is considered to accord in design terms with Policies SP8 and GD1 of the Local Plan.

## 7.7 Neighbouring Amenities

- 7.7.1 Policy FP7 of the Local Plan requires all development proposals to minimise, and where possible, reduce air, water, light and noise pollution. Planning permission will be granted when it can be demonstrated that the development will not have unacceptable impacts on general amenity and the tranquillity of the wider area. Policies GD1 and HO5 also require that developments do not have an adverse impact on neighbouring uses or the surrounding area.
- 7.7.2 The principal properties to be considered in terms of the impact on neighbouring amenities are the immediately adjacent properties to the north and south of the site.
- 7.7.3 Natural Light
- 7.7.3.1 In terms of natural light, the proposed development would comfortably pass the 45-degree test in respect of the nearest habitable room windows at both immediately adjoining neighbours, indicating that it would have an acceptable impact on daylight. In terms of

sunlight, the neighbour to the north would experience a degree of overshadowing of their rear garden but this would be limited to the morning hours. Meanwhile, the other adjoining neighbour would experience no overshadowing due to its location to the south of the site.

#### 7.7.4 Overbearing Appearance

7.7.4.1 In terms of overbearing appearance, it is recognised that the development would result in a significant amount of additional built form on the site. In the case of the southern neighbour, this built form would also be sited much closer to the boundaries of the site than is currently the case.

7.7.4.2 However, a gap of approximately 2.4m would still be maintained between the proposed extensions and both the northern and southern boundaries of the site. This, together with the fact that much of the extensions would be single storey and limited to 3m in height, would be sufficient to ensure that the development would not appear overbearing when viewed from neighbouring properties.

#### 7.7.5 Privacy

7.7.5.1 In terms of privacy, the presence of the first-floor terraces is noted but these would be fitted with privacy screens to the north and south to prevent any views directly over neighbouring properties. The result outlook would then be similar to a rear-facing window, with views primarily being over the rear of the application site. It is recommended that the privacy screens be secured by condition.

7.7.5.2 No windows are proposed at first floor level in either of the flank elevations of the building, meaning that as with the proposed terraces, views would principally be over the rear of the application site. Whilst there would be some degree of aspect over neighbouring properties, this would be very limited and scope and such a relationship is typical in a suburban context.

#### 7.7.6 Noise

7.7.6.1 It is recognised that the intensification of the use of the site would result in some additional noise. However, the volume and character of noise would nonetheless be typical for a residential property and in a predominantly residential area, this is considered to be appropriate.

#### 7.7.7 Construction Impacts

7.7.7.1 It is also recognised that the construction of the development would have the potential to cause disturbance to neighbouring occupiers. However, this would not amount to anything over and above what might ordinarily be expected from a residential area and in a residential area this is considered to be appropriate. It is nonetheless recommended that a construction management plan be secured by condition to mitigate any potential impacts.

#### 7.7.8 Overall

7.7.8.1 Overall, it is considered that the proposed development would result in some impacts on the living conditions of neighbouring occupiers. However, these impacts would be very limited, to the extent that no material harm would result. In this respect, the proposal is considered to accord with Policies FP7, GD1 and HO5 of the Local Plan.

### 7.8 **Parking**

#### 7.8.1 Car Parking

7.8.1.1 Policy IT5 of the Local Plan requires development proposals to comply with the parking standards set out in the Council's Parking Provision and Sustainable Transport SPD 2020. According to these standards, 1 car parking space should be provided per one-bed flat, and 1.5 spaces should be provided per two-bed flat. For the current proposal, this results in a requirement for 6 car parking spaces.

7.8.1.2 According to the SPD, visitor parking should be provided at a rate of 0.25 spaces per dwelling. For the current proposal, once rounded up, this results in a requirement for two visitor spaces.

7.8.1.3 The site is not located within a Residential Parking Accessibility Zone, which means no reduction is applied.

7.8.1.4 The application proposes 8 parking spaces, including two visitor spaces. This exactly matches the requirements of the SPD and is considered acceptable.

#### 7.8.2 Disabled Parking

7.8.2.1 The Parking Provision and Sustainable Transport SPD requires 5% of all car parking spaces to be provided for disabled motorists. In this case, this would amount to one space.

7.8.2.2 One disabled parking space is shown on the submitted plans and this has sufficient clearance to the side and rear to allow it to be used safely. The proposal is therefore acceptable in terms of disabled parking provision.

#### 7.8.3 Electric Vehicle Charging Points

7.8.3.1 The Council is committed to supporting the transition to electric vehicles. Accordingly, development proposals are expected to adhere to the following principles:

- All new car parking should be designed to fulfil a Passive Electrical Vehicle Charging Point standard. This will mean that the underlying infrastructure is provided for connection to the electricity network but it will need to be activated through the installation of a charge point to be used in the future as technologies evolve and uptake increases.
- The blend of access to charging points provided within new developments (i.e. public, restricted access, open access, shared) should be determined having regard to a travel plan.
- A minimum of 20% of new parking on a site should have access to an active EV charging point.
- A flexible approach to the requirement for speed of charging will be taken due to the pace of change of this technology. Ultra-fast charging points will become expected at short term, non-residential parking spaces as technology improves to make the use of electric vehicles more efficient.

7.8.3.2 Electric vehicle charging points are not shown on the submitted plans. However, the above standards could be secured through the imposition of a suitably worded condition.

#### 7.8.4 Cycle Parking

7.8.4.1 The standard for cycle parking is for 1 space per one-bed unit and 2 spaces per two-bed unit. This amounts to a total requirement for 7 cycle parking spaces to serve the development.

7.8.4.2 The submitted plans show a cycle store with space for 8 cycles to the rear of the building adjacent to the communal garden. This is considered to be acceptable and it is

recommended that full details of the store (in terms of appearance, security features, etc.) be secured by condition.

#### 7.8.5 Loss of On-Street Parking

7.8.5.1 A new access would be formed off Essex Road to serve the development and it is recognised that this would displace at least two existing on-street car parking spaces. However, the Local Plan does not contain any policies which seek to restrict the loss of existing unmarked on-street parking spaces. Furthermore, the formation of a new driveway and associated access at the property could be carried out under permitted development rights without the need to apply to the Council for permission.

7.8.5.2 Given this, it would be unreasonable to resist the application on the basis of loss of the on-street spaces.

#### 7.8.6 Overall

7.8.6.1 The proposed development would provide off-street parking exactly in accordance with the Parking Provision and Sustainable Transport SPD. The proposal is therefore in accordance with Policy IT5 of the Local Plan.

### 7.9 **Highway Safety**

7.9.1 Policy IT4 of the Local Plan 2019 states that planning permission will be granted where development would not have an adverse impact on highway safety.

7.9.2 The proposed development would be served by a new access leading off Essex Road. HCC Highways, as local highway authority, was consulted on the proposals and raised no objection, subject to a series of informatives relating to the potential impacts of construction activity on the highway.

7.9.3 The highway authority did however advise that the proposed dropped kerb was wider than would be allowed under their dropped kerb policy. The plans have subsequently been amended to fall within the permitted limits.

7.9.4 Construction traffic will require careful consideration given the limited parking available on Essex Road and the highway authority highlighted this in their response. A condition is recommended to secure a construction transport management plan to address this issue.

7.9.5 Having regard to these considerations, it is considered that the proposed development would not have an adverse impact on highway safety. It follows that the proposal is in accordance with Policy IT4 of the Local Plan 2019.

### 7.10 **Flood Risk and Drainage**

7.10.1 The applicant has not submitted a drainage strategy in support of the application, nor any details of the existing drainage system. The application form states that the development would discharge surface water to the mains sewer.

7.10.2 Whilst this is regrettable, the site is located in Flood Zone 1 and the proposal is for minor development, meaning there is no requirement to utilise SuDS or submit a site-specific flood risk assessment. As such, the proposal is considered to be acceptable in terms of flood risk and drainage.

### 7.11 **Impact on the environment**

#### 7.11.1 Land Contamination

- 7.11.1.1 Policy FP5 of the Local Plan requires development proposals to be supported by an appropriate preliminary risk assessment (PRA), demonstrating that any necessary remediation and subsequent development poses no risk to the population, environment or groundwater bodies.
- 7.11.1.2 The application site as it exists today is the result of housing development in the mid-20<sup>th</sup> Century. This is a not a use likely to have contaminated the land and the development is not considered to give rise to any significant risks as a result of contamination.
- 7.11.1.3 Having regard to the above, it is considered that the development would not have any unacceptable adverse impacts as a result of land contamination. The proposal is therefore considered to be in accordance with Policy FP5 of the Local Plan 2019. A condition is nonetheless recommended to secure remediation in the event that any unexpected contamination is found during the course of construction.

#### 7.11.2 Light pollution

7.11.2.1 In terms of light pollution, Policy FP7 of the Local Plan 2019 requires all development proposal should, where possible, minimise 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.

7.11.2.2 The application does not provide details of external lighting. However, a condition is recommended to ensure that any external lighting installed at the site is angled so as not to result in any spillage beyond the site boundaries. Subject to this condition, it is considered that any external lighting would not cause nuisance to nearby residential occupiers or have any adverse impact on the wider environment.

#### 7.12 **Trees and Landscaping**

7.12.1 Paragraph 131 of the NPPF is clear that trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change. Planning decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments, that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible.

7.12.2 Policy NH5 of the Local Plan states that development proposals will be expected to protect and retain individual trees within development sites and should include new planting where appropriate.

7.12.3 The existing site contains five semi-mature trees, none of which are protected or considered to make any especially positive contribution to the character and appearance of the area. Limited landscaping details have been submitted with the application, which show that two of the existing trees would be lost and nine new trees would be planted.

7.12.4 Given the existing condition of the site and its physical constraints, the overall level of proposed landscaping is considered to be acceptable. However, the Council's Arboriculture and Conservation Manager has raised concerns regarding the detail of the landscaping proposals and the protection of the retained trees.



7.12.5 It is recommended that these details be secured by condition. Subject to this condition, the proposal would accord with Policy NH5 of the Local Plan.

### 7.13 **Climate Change**

7.13.1 Policy FP1 of the Local Plan states that planning permission will be granted for developments that can incorporate measures to address adaptation to climate change. New development, including building extensions, refurbishments and conversions will be encouraged to include measures such as:

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

7.13.2 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.

7.13.3 The application is not supported by an energy strategy and no specific measures have been put forward in terms of adaptation to climate change. However, the submitted design and access statement states that water efficient fixtures and fittings would be installed in the development and overall CO2 emissions would be 35% less than required by the Building Regulations.

7.13.4 It is recommended that a condition be imposed on any grant of permission to secure full details of the sustainability measures for the scheme. Subject to this condition, the proposal would accord with Policy FP1 of the Local Plan 2019.

### 7.14 **Developer Obligations and CIL**

7.14.1 Stevenage Borough Council adopted a Community Infrastructure Levy Charging Schedule on 1 April 2020. This allows the Council to collect a levy to fund infrastructure projects based on the type, location and floor space of a development, in line with the rates shown in the table below.

Development Type	CIL Rate (£ per square metre)	
	Zone 1: Stevenage Central, Stevenage West Urban Extension and North of Stevenage Extension	Zone 2: Everywhere else

Residential		
Market housing	£40/m <sup>2</sup>	£100/m <sup>2</sup>
Sheltered housing		£100/m <sup>2</sup>
Extra care housing		£40/m <sup>2</sup>
Retail development		£60/m <sup>2</sup>
All other development		£0/m <sup>2</sup>

7.14.2 The proposed development would be liable for CIL, which would be chargeable at a rate of £100/m<sup>2</sup>.

7.14.3 The development would not give rise to any requirement for bespoke obligations.

## 7.15 Ecology and Biodiversity

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

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

7.15.2 The application is supported by an ecological impact assessment and biodiversity net gain assessment. The former shows that the site does not contain suitable habitats for protected species but nonetheless recommends a series of precautionary measures and enhancements. It is recommended that these be secured by condition.

7.15.3 The latter demonstrates that the development would achieve a 13.8% net gain in biodiversity, with reference to the DEFRA biodiversity metric. This would be achieved through the planting of an additional nine trees on the site. It is recommended that a landscape and ecological management plan be secured by condition to ensure that the biodiversity value of the site is maintained for the required 30 years.

## 7.16 Waste and Recycling

7.16.1 Provision should be made within new developments for the storage and collection of waste from a site. The submitted plans indicate that there is sufficient provision for general waste and recycling for this site, showing a bin store to the south-west of the building. In addition, the bin stores are located within acceptable drag distances for future occupiers as well as refuse collectors. A condition is recommended to secure full details of the proposed bin stores and ensure the stores are provided prior to first occupation of the development.

## 7.17 Human Rights and Equalities

- 7.17.1 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.
- 7.17.2 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. 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
- 7.17.3 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.
- 7.17.4 The proposal would provide policy complaint disabled parking and the proposed ground floor flats would be accessible to wheelchair users. Aside from this, it is considered that the proposed development would not impact persons with any of the protected characteristics listed under the Equalities Act.

## **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 result in a net increase of four dwellings on the site, which would make a small but nonetheless positive contribution towards meeting the Council's housing targets. This is a benefit which carries significant weight in favour of the proposal.
- 8.3 In all other respects, the proposal is considered to be in accordance with Local Plan policies. These are neutral matters.
- 8.4 Having regard to all the above, it is considered that the benefits associated with providing additional housing of an acceptable quality would outweigh the potential adverse impacts of the loss of on-street car parking. Therefore, on balance, the proposal is considered to accord with the development plan when read as a whole.
- 8.5 In the absence of any other material considerations which indicate that permission should be refused, it is recommended that planning permission be granted.

## **9 RECOMMENDATION**

- 9.1 That planning permission be GRANTED subject to the following conditions and with delegated 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.

## Conditions

### General

1. The development hereby permitted shall be carried out in accordance with the following approved plans: 6925(P)001; 6925(P)104 Rev B; 6925(P)104-01 Rev B; 6925(P)105 Rev B; 6925(P)106 Rev B; 6925(P)107 Rev A; 200 Rev A; 6925(P)201 Rev A; 6925(P)202 Rev A; 6925(P)203.

**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. No demolition, construction or maintenance activities audible at the boundary and no deliveries of construction and demolition materials shall be undertaken outside the hours 07:30 hours to 18:00 hours Monday to Friday and 08:00 hours to 13:00 hours on Saturdays. For the avoidance of doubt, no such activity shall take place on Sundays or Bank Holidays, unless otherwise agreed in writing with the Local Planning Authority.

**REASON:-** To ensure the demolition of the existing buildings and the construction and maintenance of the development does not prejudice the amenities of occupiers of nearby premises due to noise pollution.

4. Any external lighting installed at the site shall be angled so as to avoid any spillage beyond the site boundaries unless otherwise agreed in writing by the local planning authority.

**REASON:-** In order to protect the amenities and operations of neighbouring properties, to ensure any external lighting does not prejudice highway safety and in the interests of minimising light pollution.

5. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the local planning authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be submitted to and approved in writing by the local planning authority. Following completion of measures identified in the approved remediation scheme a verification report must be submitted to and approved in writing by the local planning authority.

**REASON:-** To ensure that the site does not pose any risk to human health and to ensure that the development does not contribute to unacceptable concentrations of pollution posing a risk to public water supply from previously unidentified contamination sources at the development site and to prevent deterioration of groundwater and/or surface water by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is completed.

6. The development shall be carried out in accordance with the recommendations set out in Section 6 of Ecological Impact Assessment reference J3175-0523 unless otherwise agreed in writing by the local planning authority.

**REASON:-** In the interests of the protection of important species and to promote biodiversity.

### Prior to Commencement

7. No development shall take place (including site clearance and demolition) until a construction management plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved plan. The construction management plan shall include details of the following:

- a) Construction vehicle numbers, type, routing;
- b) Access arrangements to site;
- c) Traffic and pedestrian management requirements;
- d) Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas);
- e) Siting and details of wheel washing facilities;
- f) Cleaning of site entrances, site tracks and the adjacent public highway;
- g) Timing of construction activities (including delivery times and removal of waste);
- h) Provision of sufficient on-site parking prior to commencement of construction activities;
- i) Post construction restoration/reinstatement of the working areas and temporary access to the public highway;
- j) Where works cannot be contained wholly within the site, a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements;
- k) A Site Waste Management Plan including mechanisms to deal with environmental impacts such as air quality and dust control measures, noise and vibration restriction measures, light and odour and predicted and latterly actual waste arisings and how this is to be managed and where it is sent to.
- l) Dust control measures during demolition and construction from plant and machinery, and vehicles.

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

8. No development shall take place (including site clearance and demolition) until a tree protection plan, which provides for the protection of the three retained trees has been submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved plan.

**REASON:-** To protect trees worthy of retention.

Prior to Work above Slab Level

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

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

10. No development shall take place above slab level until details of refuse stores have been submitted to and approved in writing by the Local Planning Authority. The approved refuse stores shall then be installed in full prior to beneficial occupation of the development and permanently retained as such thereafter.

**REASON:-** To ensure the proper disposal of waste for the lifetime of the development

11. No development shall take place above slab level until a detailed scheme for cycle parking and electric vehicle charging points has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to beneficial occupation of the development and permanently retained as such thereafter.

**REASON:-** To ensure adequate provision of parking facilities within in the development and to promote sustainable modes of transport.

12. No development shall take place above slab level until a detailed hard and soft landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full in the first planting and seeding season following completion of the development and any trees or shrubs which die or become damaged within five years of that date shall be replaced to the satisfaction of the Local Planning Authority.

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

#### Prior to Occupation/Completion

13. Prior to the beneficial occupation of the development to which this permission relates, the car parking spaces as shown on the approved plans shall be provided with a hard-bound, dust-free surface with provision made to direct surface water away from the public highway. The parking spaces shall be permanently kept free from obstruction and retained for their intended purpose thereafter unless otherwise agreed in writing by the local planning authority.

**REASON:-** To ensure adequate provision of parking facilities within in the development.

14. Prior to the beneficial occupation of the development to which this permission relates, evidence that the development will achieve a 35% improvement upon Part L of the Building Regulations in terms of regulated CO2 emissions and potable water usage of no more than 110L per person per day shall be submitted to and approved in writing by the local planning authority. Any measures necessary to achieve these targets shall then be implemented as approved and permanently retained as such thereafter unless otherwise agreed in writing by the local planning authority.

**REASON:-** To ensure the development is adaptable to climate change through provision of energy and water efficiency measures.

15. Prior to the beneficial occupation of the development to which this permission relates, privacy screens shall be installed along the northern and southern edges of the approved terraces. The screens shall measure 1.8m from the finished floor level of the terrace they serve and shall be fitted with obscure glass to level 3 on the standard scale. The screens shall be permanently retained as such thereafter unless otherwise agreed in writing by the local planning authority.

**REASON:-** In the interests of the living conditions of neighbouring occupiers.

#### **Informatives**

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

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

or by telephoning 0300 1234047.

2. 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 County Council website at:

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

or by telephoning 0300 1234047.

3. 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.

4. The developer is strongly encourage to achieve Secured by Design (SBD) accreditation for the development. The Police Crime Prevention Design Advisor can be contracted by telephone on 01707 355227

5. Building Regulations

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

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

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

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

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

Work affecting access and facilities for disabled people  
Completion

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

## 6. 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](http://www.stevenage.gov.uk/CIL) or by contacting the Council's CIL Team at [CIL@Stevenage.gov.uk](mailto:CIL@Stevenage.gov.uk).

### **Pro-active Statement**

Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant during the determination process which lead 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.

## **10. BACKGROUND DOCUMENTS**

- 10.1 The application file, forms, plans and supporting documents having the reference number relating to this item.
- 10.2 The Stevenage Local Plan 2011-2031.
- 10.3 Stevenage Borough Council Supplementary Planning Documents – Parking Provision and Sustainable Transport SPD (2020); Developer Contributions SPD (2021); The Impact of Development on Biodiversity SPD (2020); Orchard Road Conservation Area Management Plan (2012); Design Guidance SPD (2023).
- 10.4 Hertfordshire County Council Local Transport Plan LTP4 2018-2031
- 10.5 Central Government advice contained in the National Planning Policy Framework July 2021 and the National Planning Practice Guidance.
- 10.6 Responses to consultations with statutory undertakers and other interested parties referred to in this report.