

STEVENAGE BOROUGH COUNCIL

**PLANNING AND DEVELOPMENT COMMITTEE
MINUTES**

Date: Tuesday, 9 January 2024

Time: 6.30pm

Place: Council Chamber

Present: Councillors: Michael Downing (Chair), Claire Parris (Vice Chair), Julie Ashley-Wren, Forhad Chowdhury, Nazmin Chowdhury, Chris Howells, Graham Lawrence CC, Maureen McKay, Adam Mitchell CC, Ellie Plater, Graham Snell, Carolina Veres, Anne Wells and Conor McGrath

Start / End Time: Start Time: 6.30pm
End Time: 8.45pm

1 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were submitted on behalf of Councillor Rob Broom. Councillor Conor McGrath was in attendance as substitute.

There were no declarations of interest.

2 MINUTES - 29 NOVEMBER AND 7 DECEMBER 2023

It was **RESOLVED** that the Minutes of the Planning and Development Committees held on 29 November 2023 and 7 December 2023 be approved as correct records and signed by the Chair.

At this juncture, the Assistant Director Planning and Regulation gave the following updates to the Committee:

- **Small Land Sales** – the first quarterly update on small land sales had been sent out to Members by the Council’s Estates Team in December;
- **National Planning Policy Framework** – the update to the NPPF had been published just before Christmas. One of the additional requirements of the NPPF was the Housing Delivery Test which related to the number of houses that had been delivered within a three year period. The Council had delivered 57% of its target over the last three years and because of that there would have to be a presumption of development and meant that this would hold a greater weight than would have previously done;
- **Novotel** – the Committee was advised that enforcement action was now underway at the Hotel.

It was **RESOLVED** that the updates be noted.

3 23/00637/FP- LAND OPPOSITE 25 AND 26 ST. ALBANS DRIVE, STEVENAGE, HERTS

The Committee considered an application for the erection of 3 no. 3 bedroom dwellinghouses with associated parking, landscaping, access and ancillary works.

The application was before the Committee for determination as the applicant and landowner was Stevenage Borough Council and there had been more than 5 objections to the application.

The Senior Planning Officer gave an introduction to the Committee. She advised that the application for the dwellings and associated parking was on Council land which had been designated as an informal area of public open space. The existing communal parking bay would be retained in-situ and remain unchanged.

The Chair introduced Mr Justin Mills, Contour Planning, who would be speaking on behalf of residents who had objected to the application, to the Committee to address the meeting. He advised that the application site offered a contribution to the street scene and wildlife and was an area for local people to use and children to play. The application would have a detrimental impact on the environment and neighbouring properties and would be contrary to policy HO5 in the Council's Local Plan. The application also failed to comply with the separation distance standards between dwellings at ground floor levels.

The Chair then invited Councillor Margaret Notley, Woodfield Ward Councillor to address the meeting. Councillor Notley concurred with the comments made by Mr Mills and advised that the style of housing was out of keeping with the existing properties. She also expressed concern regarding the loss of the green space in the area.

The Chair thanked both of the speakers for their contributions.

The Senior Planning Officer advised the Committee that the main issues for consideration in the determination of the application were the acceptability of the proposal in land use policy terms, both as a windfall housing site and loss of amenity space; design and impact on the character and visual amenity of the area, amenity of future occupiers and neighbouring properties and highways access and parking provision.

Members were advised that the issues considered were consistent with the most recent revision of the NPPF. The Council was required to apply the tilted balance in favour of sustainable development by reason of its housing delivery position.

Officers advised that the proposed development would result in the delivery of 3no. three bedroom dwellings, making a small, but significant contribution towards meeting the Borough's housing needs and the scheme would provide a good standard of accommodation which carried significant weight in favour of the proposal.

In the Officer's opinion, the proposal was acceptable in terms of the impact on the amenities of neighbouring occupiers, the collection of waste and recycling, appearance and the proposed car parking and cycle parking.

In relation to the loss of public open space, the Committee was advised that the loss of the area of informal open space was justified having regard to the quality and accessibility of the open space and whether alternate spaces would remain available for community use. The benefits of providing additional housing were considered to outweigh any harm caused by the loss of this small area of open space.

The following points were raised by Members, and responses were given:

- Conditions 9 and 10 in the Officer's report dealt with the treatment of the hedgerow and associated trees. A management plan would be drawn up but the hedgerow would be owned and maintained by the Council;
- Members were concerned that the alternative play area suggested in the report although being a large area of open space at the northern end of St Albans Drive was not visible to the main road and had a limited amount of play space;
- In relation to separation distances, the required 15m would be achieved at first floor level and the front of the proposed dwellings would be approximately 28m from the front of the bungalows to the east of the site. The proposed windows at ground floor and first floor on both side elevations would all serve bathrooms or W.C.'s and would be obscurely glazed so there would be no direct overlooking or loss of privacy between the two dwellings;
- In terms of daylight and sunlight, all rooms with a requirement for daylight and sunlight and all required windows passed the daylight distribution test;
- Officers confirmed that the applicant was the Estates Department at Stevenage Borough Council;
- The site had been classified by the Environment Agency as being of very low risk to surface water flooding;
- In relation to biodiversity net gain, it was noted that although there would be a 2% loss, the applicant would provide a financial contribution, secured by a S106 legal agreement to achieve a 10% net gain, which would be spent on improving biodiversity on another site in Stevenage to be agreed with the Council's Green Spaces Development Officer.

It was **RESOLVED** 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 a 10% net gain in biodiversity off-site within Stevenage;
- SBC Section 106 monitoring fee – 2.5% of the total financial obligations.

The detail of which would be delegated to the Assistant Director of Planning and Regulation in liaison with the Council's appointed solicitor, along with delegated powers to the Assistant Director in liaison with the Council's appointed solicitor to enforce the obligations set out in the S106 Legal Agreement on behalf of Stevenage Borough Council and / or appoint another Planning Authority to enforce planning obligations on behalf of Stevenage Borough Council as and where legally required to do so. In addition, the imposition of suitable safeguarding conditions, with authority given to the Assistant Director of Planning and Regulation in consultation with the Chair and Vice 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:
LS2077-01; 22077.su1.01; 22077.su1.02; 22077.wd2.03; 22077.wd2.04; 22077.wd2.05; 22077.wd2.01-B; 22077.wd2.02-A;
- 2 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 3 Unless otherwise agreed in writing by the Local Planning Authority, no demolition or construction activities audible at the site boundary shall be carried out except between the hours of 08:00 to 18:00 Monday to Friday and 08:00 to 13:00 on Saturdays. For the avoidance of doubt, no such work shall be carried out on Sundays or Bank Holidays.
- 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.
- 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.
- 6 The development to which this permission relates shall be carried out in accordance with the mitigation measures as specified in Section 5 of "Ecological Impact Assessment" authored by Ecology by Design dated June 2023 unless otherwise agreed in writing by the Local Planning Authority.
- 7 No development shall commence (including site clearance) until a Construction Management Statement has been submitted to and approved in writing by the Local Planning Authority, including elements of the CLOCS standards as set out in the Highway Authority's Construction Management template. Thereafter the construction of the development shall only be carried out in accordance with the approved Statement. The Construction Management Statement shall include details of:
 - a) Construction vehicle numbers, type, routing;
 - b) Access arrangements to the site;
 - c) Traffic management requirements;
 - d) Construction and storage compounds (including areas designated for car parking, loading/unloading and turning areas);
 - e) Siting and details of wheel washing facilities;

- f) Cleaning of site entrances, site tracks and the adjacent public highway;
 - g) Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times;
 - h) Provision of sufficient on-site parking prior to commencement of construction activities;
 - i) Post construction restoration/reinstatement of the working areas and temporary access to the public highway;
 - j) where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements.
 - k) Demolition and construction works between the hours of 0730 and 1800 on Mondays to Fridays and between the hours of 0800 and 1300 on Saturdays only (These times relate to works which are audible at the boundary)
 - l) hours of construction operations including times of deliveries and removal of waste;
- 8 Before any development commences, including any site clearance or demolition works, any trees on the site shall be protected by fencing or other means of enclosure in accordance with a detailed scheme submitted to and approved in writing by the Local Planning Authority. Such protection as may be agreed shall be inspected and approved by the Local Planning Authority prior to the commencement of the work and maintained until the conclusion of all site and building operations.
- 9 No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of works to the hedgerow, and associated trees and scrub habitat. The scheme shall include details of all existing trees and hedgerows on the land and details of intended works.
- 10 Notwithstanding the details shown in this application the treatment of all boundaries including details of any walls, fences, gates or other means of enclosure shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The approved boundary treatments shall be completed before the use hereby permitted is commenced or before the building(s) is occupied.
- 11 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 dwelling 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.
- 12 No development shall take place above slab level 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.

- 13 No development shall take place above slab level until details (make, model, location) of integrated (installed within the brickwork) bat boxes and integrated swift boxes have been submitted to and approved in writing by the Local Planning Authority. These must be fully installed in accordance with the approved details prior to occupation and retained as such thereafter.
- 14 Prior to the first occupation of the dwellings hereby permitted the parking provision, access and visibility splays as shown on approved plan 22077wd2.01-B, shall be constructed, hardsurfaced and made ready for use. Any new areas of hardstanding created, or existing areas which are replaced, 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.
- 15 Prior to the occupation of the dwellings hereby permitted, the parking spaces shown on approved plan 22077wd2.01-B 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.
- 16 The development hereby approved shall be constructed in accordance with the measures to address climate change as laid out in the Design and Access Statement by Kyle Smart Associates dated June 2023.
- 17 Prior to the first occupation of the dwellings hereby permitted, the cycle storage as shown on plan 22077wd2.01-B shall be implemented accordingly. The cycle storage shall be retained and maintained accordingly during the lifetime of the development.
- 18 Prior to the first occupation of the dwellings hereby permitted, the general waste and recycling storage associated with the development shall be implemented in accordance with the details as specified on plan number 22077wd2.01-B.
- 19 All planting, seeding and turfing shall be carried out in the first planting and seeding seasons following the first use of the site or the completion of the development whichever is the sooner.
- 20 Any trees or plants comprised within the approved plans 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.
- 21 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.

INFORMATIVE

1 Public Information on Planning Applications

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

2 Community Infrastructure Levy

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

This application may be liable for CIL payments and you are advised to contact the CIL Team for clarification with regard to this. If your development is CIL liable, even if you are granted an exemption from the levy, please be advised that it is a requirement under Regulation 67 of The Community Infrastructure Levy Regulations 2010 (as amended) that CIL Form 6 (Commencement Notice) must be completed, returned and acknowledged by Stevenage Borough Council before building works start.

Failure to do so will mean you risk losing the right to payment by instalments and a surcharge will be imposed. NB, please note that a Commencement Notice is not required for residential extensions if relief has been granted.

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

3 Building Regulations

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

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

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

Once a building regulations application has been deposited with relevant

drawings and fee building work may commence. You will be advised in their acknowledgement letter of the work stages we need to inspect but in most instances these are usually:

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

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

4 Party Wall etc. Act 1996

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

5 Herts Police Crime Prevention Design Advisor

Prior to construction the developer is advised to 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".

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

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.

8 Hertfordshire County Council as Highways Authority

Debris and deposits on the highway: It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made up carriageway, or any or other debris on a highway to the interruption of any highway user. Section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.

9 Hertfordshire County Council as Highways Authority

Avoidance of surface water discharge onto the highway: The applicant is advised that the Highway Authority has powers under section 163 of the Highways Act 1980, to take appropriate steps where deemed necessary (serving notice to the occupier of premises adjoining a highway) to prevent water from the roof or other part of the premises falling upon persons using the highway, or to prevent so far as is reasonably practicable, surface water from the premises flowing on to, or over the footway of the highway.

10 Hertfordshire County Council as Highways Authority

Construction standards for new vehicle access: Where works are required within the public highway to facilitate the new or amended vehicular access, the Highway Authority require the construction of such works to be undertaken to their satisfaction and specification, and by a contractor who is authorised to work in the public highway. If any of the works associated with the construction of the access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) the applicant will be required to bear the cost of such removal or alteration.

Before works commence the applicant will need to apply to the Highway Authority to obtain their permission, requirements and for the work to be carried out on the applicant's behalf. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/dropped-kerbs/dropped-kerbs.aspx> or by telephoning 0300 1234047.

11 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>

12 **Environmental Health**

During the demolition and construction phase of the development, the guidance in BS5228-1:2009 (Code of Practice for Noise Control on Construction and Open Sites) should be adhered to.

4 **23/00357/OP - LAND AT 2 MARLBOROUGH ROAD, STEVENAGE, HERTS**

The Committee considered an application for outline planning permission (all matters reserved) for the erection of 2no.three or four bed dwellings.

The application was before the Committee for determination as the applicant and landowner was Stevenage Borough Council and there had been more than 5 objections to the application.

The Senior Planning Officer gave an introduction to the Committee. She advised that the main issues for consideration was its acceptability in land use policy terms. Only the principle of the development was to be considered at this stage, matters pertaining to access arrangements, parking provision, layout, appearance and landscaping were to be reserved for future consideration as part of a reserved matters application.

An addendum report had been circulated to the Committee which included information relating to a new site survey plan received from Affinity Water which showed a different location of the water pipe. It was noted that there was ongoing dialogue between the applicant and Affinity Water to discuss their concerns regarding easement width and to form an exact location of the pipe.

The Chair then invited Mr Keith Price, an objector to address the Committee. Mr Price's concerns related to the following objections:

- Objection from Affinity Water that the proposed build would be within the easement (no build) area of a critically important 24 inch water main;
- Concerns that private ownership of the land without the ability to build would lead to the land becoming derelict;
- Loss of mature trees and the resulting impact on climate and loss of wildlife

- habitats;
- Loss of amenity land and the resulting adverse changes to the appearance of the estate;
- Increase in parking congestion and resulting potential for harm to people.

The Chair then invited local Councillor Tom Wren to address the Committee. Cllr Wren also expressed concern regarding the impact on the environment and the loss of the 13 mature trees which demonstrated why the site was unsuitable for development and that there were many alternative sites across the Town more appropriate for this type of development. Cllr Wren referred to the Council's climate emergency pledge and that the replacement trees would be small and not able to compensate to what was being lost. Cllr Wren also expressed concern regarding the water pipe and that there was no accurate mapping of the site.

The Chair thanked both speakers for their contributions to the meeting.

The Senior Planning Officer advised that the site was considered to be a small, underused urban site and the proposed development would support the Council's aim of delivering homes. The Committee was also reminded of the presumption in favour of delivering sustainable development.

The loss of open space with the various trees had been assessed by the Council's Arboricultural and Conservation Manager who had raised no concerns or objections so long as a financial contribution was secured for the replacement of any tree lost, which was not to be replanted on the site, at a ratio of 3:1 to be planted along the verge of Six Hills Way. As such, Officers considered that the loss of the open space was justified and that the development was acceptable in principle.

In relation to the concerns regarding the siting of the water pipe, the Committee was advised that final determination of the siting of the houses would be determined under a reserved matters application in the future should outline planning permission be granted and at which point final negotiations with Affinity Water would take place.

The following comments and questions were raised by Members and responded to by officers:

- A suggestion was made that as there was still uncertainty regarding the location of the water pipe, the application should be deferred until further discussions between the Council and Affinity Water had taken place. Officers confirmed that the Council were working from plans provided by Affinity Water;
- The replacement trees would be replanted on site and 24 new trees would be planted along Six Hills Way;
- In terms of access to local facilities, officers had looked at the most used local facilities but were aware that there were alternative facilities fairly close by;
- The water pipe runs from the original Lea Valley Water Centre to the Water Tower in Pin Green. The Reserved Matters application would determine the location of the pipe;
- The trees affected were not subject to any preservation orders and could be cut down at any point.

It was **RESOLVED** that outline planning permission is **GRANTED** subject to the applicant having first entered into a s.106 Unilateral Undertaking to secure/provide financial contributions towards:-

- Funding for 24 new trees;
- Securing the provision of a 10% net gain in Biodiversity off-site within Stevenage;
- S.106 monitoring fee.
- Monitoring fee.

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 and Vice Chair of Planning Committee, to amend or add to the conditions set out below, 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:-

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:
01; 03D;
- 2 Approval of the details of the layout, scale, appearance , the means of access thereto and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority, prior to the commencement of any part of the development.
- 3 Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
- 4 The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.
- 5 Unless otherwise agreed in writing by the Local Planning Authority, no demolition or construction activities audible at the site boundary shall be carried out except between the hours of 08:00 to 18:00 Monday to Friday and 08:00 to 13:00 on Saturdays. For the avoidance of doubt, no such work shall be carried out on Sundays or Bank Holidays.
- 6 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.
- 7 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.

- 8 The development to which this permission relates shall be carried out in accordance with the mitigation measures as specified in Section 7 of "Preliminary Ecological Appraisal" authored by CSA Environmental and dated May 2023 unless otherwise agreed in writing by the Local Planning Authority.
- 9 No development shall commence (including site clearance) until a Construction Management Statement has been submitted to and approved in writing by the Local Planning Authority, including elements of the CLOCS standards as set out in the Highway Authority's Construction Management template. Thereafter the construction of the development shall only be carried out in accordance with the approved Statement. The Construction Management Statement shall include details of:
 - a) Construction vehicle types and numbers;
 - b) Access arrangements to the site;
 - c) Construction and storage compounds including areas designated for loading/unloading and turning areas;
 - d) Timing of construction activities (including delivery times and removal of waste) to avoid school pick up/drop off times;
 - e) Provision of sufficient on-site parking for contractors/operatives prior to commencement of construction activities;
- 10 Before any development commences, including any site clearance or demolition works, any trees on the site shall be protected by fencing or other means of enclosure in accordance with a detailed scheme submitted to and approved in writing by the Local Planning Authority. Such protection as may be agreed shall be inspected and approved by the Local Planning Authority prior to the commencement of the work and maintained until the conclusion of all site and building operations.
- 11 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.
- 12 No development shall commence until full details (in the form of scaled plans and/or written specifications) have been submitted to and approved in writing by the Local Planning Authority to illustrate the following:
 - a) roads, footways;
 - b) cycleways;
 - c) foul and surface water drainage;
 - d) visibility splays;
 - e) access arrangements;

- f) parking provision in accordance with adopted standard;
 - g) loading areas;
 - h) turning areas.
- 13 Prior to beneficial occupation of the development to which this permission relates, details of cycle parking shall be submitted to and approved in writing by the local planning authority. The approved cycle parking shall be provided prior to beneficial occupation and shall thereafter be permanently kept free from obstruction and maintained for its intended purpose unless otherwise agreed in writing by the Local Planning Authority.
- 14 Prior to beneficial occupation of the development to which this permission relates, details of refuse stores, including drawings of the elevations of any enclosures and the number, type, size and siting of bins, shall be submitted to and approved in writing by the Local Planning Authority. The refuse stores shall then be provided in accordance with the approved details prior to beneficial occupation and permanently retained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.
- 15 Prior to the occupation of the development hereby permitted, each residential dwelling shall incorporate an Electric Vehicle ready domestic charging point.
- 16 No development shall take place above slab level until details (make, model, location) of integrated (installed within the brickwork) bat boxes, integrated swift boxes and hedgehog holes in boundary fencing has been submitted to and approved in writing by the Local Planning Authority. These must be fully installed in accordance with the approved details prior to occupation and retained as such thereafter.

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Form 6 (Commencement Notice) must be completed, returned and acknowledged by Stevenage Borough Council before building works start. Failure to do so will mean you risk losing the right to payment by instalments and a surcharge will be imposed. NB, please note that a Commencement Notice is not required for residential extensions if relief has been granted.

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

3 **Building Regulations**

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4 **Party Wall etc. Act 1996**

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1996, a copy of which is available online at
<https://www.gov.uk/government/publications/the-party-wall-etc-act-1996-revised-explanatory-booklet>

5 Hertfordshire County Council as Highways Authority

Parking and Storage of materials: The applicant is advised that all areas for parking, storage, and delivery of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway.

If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx> or by telephoning 0300 1234047.

6 Hertfordshire County Council as Highways Authority

Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website:

<http://www.hertfordshire.gov.uk/services/transtreets/highways/> or by telephoning 0300 1234047.

7 Hertfordshire County Council as Highways Authority

Debris and deposits on the highway: It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made up carriageway, or any or other debris on a highway to the interruption of any highway user. Section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.

5 23/00762/FP - OAK LODGE, RECTORY LANE, STEVENAGE, HERTS

The Committee considered an application for the change of use from dwellinghouse (Use Class C3) to residential institution for the care of up to 4 children (Use Class C2).

The application was before the Committee for determination as it had been called in by local ward Councillor Phil Bibby on the grounds of impact on neighbouring properties and impact on residential amenities.

The Senior Planning Officer gave an introduction to the Committee. She advised that the main issues for consideration in the assessment of the application were the acceptability in land use policy terms, impact on the character and the appearance of the St Nicholas/Rectory Lane Conservation Area, impact on residential amenity and car parking provision.

The Chair then invited Mr Singh, the applicant to address the Committee. The Committee was informed by Mr Singh that there was a huge shortage of childrens homes for those children not in the foster care system. Mr Singh outlined the regulation and management process of the proposed care home and advised that the proposed care home would be fully regulated by OFSTED and would be subject to both planned and unannounced inspections. Mr Singh advised that following a meeting held with the Police, additional measures including the office being alarmed and a new security gate would be installed as well as all fire regulations being complied with.

The Chair then invited Councillor Phil Bibby to address the meeting.

Councillor Bibby advised that although he was aware of the need for such care homes, his concerns related to:

- a previous care home in Rectory Lane that had caused significant issues before it was shut down;
- the loss of a large, aspirational, family home;
- the need to keep Rectory Lane as a leafy, aspirational road in the Town;
- the safety and security of local residents as a result of the change of use.

The Chair thanked Mr Singh and Councillor Bibby for their contributions to the meeting.

The Senior Planning Officer informed the committee that there would be no external alterations to the building and that therefore the proposed development would not impact on the level of privacy and outlook currently enjoyed by neighbouring properties.

In terms of noise and disturbance, the Council's Environmental Health Officer had raised no concerns in this regard. Further, 4 children under the age of 18 living in the property would be in line with that expected of a 4 bedroom family dwelling. The previous care home referred to had not been registered with OFSTED and there were no mechanisms in place to provide enforcement to regulate or manage this previous facility.

The Committee noted that the applicant would work with Herts police to ensure the property was satisfactorily designed and secured to Police standards.

Members agreed that there was a need for care homes such as this. In response to a question the applicant confirmed that the age range of the children was between 8 and 18. It was not guaranteed that the children would be from Stevenage but it was very likely they would be from the local area.

It was **RESOLVED:**

That planning permission be granted subject to the following conditions:

1. The development hereby permitted shall be carried out in accordance with the following approved plans:
23067-001; 23067-SK1; 23067-010-A;
2. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
3. Prior to the first occupation of the development hereby permitted, the security gate as shown on drawing number 23067-SK1 shall be installed in the location as shown on drawing number 23067-010-A and shall be permanently retained in that form thereafter for the lifetime of the development.
4. The area of hardstand to the front of the property as shown on drawing number 23067-010-A shall not be obstructed at any time and shall be used only for the parking of vehicles for the lifetime of the development.
5. The premises shall be used for a residential child care home and for no other purpose, including any other purpose in Use Class C2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) or in any provision equivalent to that Class in any statutory instrument revoking or re-enacting that order with or without modification. The number of children cared for and resident on the premises shall not exceed four at any one time.

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 at the pre-application stage and 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 Public Information on Planning Applications

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

2 Community Infrastructure Levy

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

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

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

3 **Building Regulations**

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5 **Herts Police Crime Prevention Design Advisor**

Prior to first occupation of the premises, the applicant will contact the Hertfordshire Constabulary Crime Prevention Design Service with a view to seeking to achieve accreditation to the Police preferred minimum security standard that is Secured by Design.

6 **23/00900/FP - 2 - 24 BUCKTHORNE AVENUE AND 26 - 48 BUCKTHORNE AVENUE, STEVENAGE, HERTS**

The Committee considered an application for the installation of external wall insulation and associated external finish, installation of solar PV array system; replacement roof tiles; replacement of external windows and doors, alteration to external ventilation.

The application was before the Committee for determination as the applicant and was Stevenage Borough Council.

The Senior Planning Officer gave an introduction to the Committee. She advised that the only issue in the assessment of the application was the impact of the character and appearance of the area. There were no changes to the number of units within the building and no enlargements of the buildings or number and locations of fenestrations, no change to the parking provision nor any changes to existing impacts on neighbouring properties.

In response to a question, Officers advised that the residents of the properties would benefit from the installation of the solar panels through reduced utility bills. The Assistant Director Planning and Regulation advised that he would make enquiries as to the financial impact the works would have on any leaseholders in the properties and inform Members accordingly.

It was **RESOLVED:**

That planning permission be granted subject to the following conditions:

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

7059-CTS-00-000-L-A-4103; 7059-CTS-00-000-L-A-4104; 7059-CTS-00-000-L-A-4101; 7059-CTS-00-000-L-A-4102; 7059-CTS-00-000-L-A-4503; 7059-CTS-00-000-L-A-4504; 7059-CTS-00-000-L-A-4505; 7059-CTS-00-000-L-A-4506; 7059-CTS-00-000-L-A-4507; 7059-CTS-00-000-L-A-4403; 7059-CTS-00-000-L-A-4404; 7059-CTS-00-000-L-A-4405;

- 2 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 3 The external materials used in the development to which this permission relates shall be those detailed on the approved plans and in the accompanying planning submission documents unless otherwise agreed in writing by the local planning authority.

INFORMATIVE

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7 INFORMATION REPORT - DELEGATED DECISIONS

It was **RESOLVED** that the report be noted.

8 INFORMATION REPORT - APPEALS/CALLED IN APPLICATIONS

It was **RESOLVED** that the report be noted.

9 URGENT PART I BUSINESS

None.

10 **EXCLUSION OF THE PRESS AND PUBLIC**

Not required.

11 **URGENT PART II BUSINESS**

None.

CHAIR