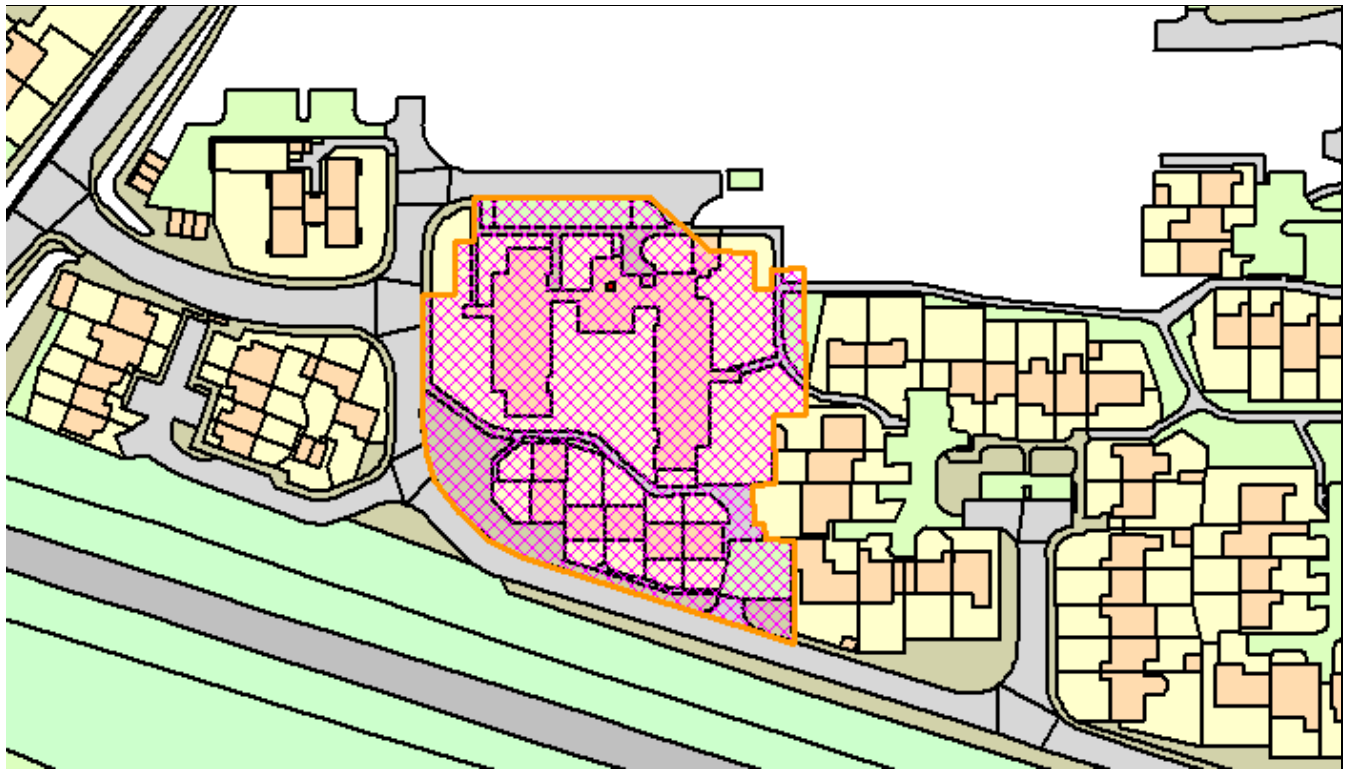


Meeting: Planning and Development Committee
Date: 23 May 2024
Author: Ailsa Davis
Lead Officer: Zayd Al-Jawad
Contact Officer: Ailsa Davis

Application No:	24/00047/FPM
Location:	Walpole Court, Blenheim Way, Stevenage
Proposal:	Demolition of existing Walpole Court sheltered living accommodation and associated bungalows and construction of 24no. dwellings with associated road and vehicle access, car parking, garden areas and ancillary works
Drawing Nos.:	23042SU1.01; 23042SU1.02; 23042.02.SU1.03; 23042WD2.01A; 23042WD2.02A; 23042WD2.03; 23042WD2.04; 23042WD2.05; 23042WD2.06; 23042WD2.102; 23042WD2.103; 23042WD2.104; 23042WD2.105; 23042WD2.106; 23042WD2.107; 23042WD2.108; 23042WD2.109; 23042WD2.110; 23042WD2.111; 23042WD2.112; 23042WD2.113; 23042WD2.114; 23042WD2.201; 23042WD2.202; 23042WD2.203; 23042WD2.204; 23042WD2.205; 23042WD2.206; 23042WD2.207; 23042WD2.208; 23042WD2.209; 23042WD2.210; 23042WD2.211; 23042WD2.212; 23042WD2.213; 11897 TCP 01;
Applicant:	Stevenage Borough Council
Date Valid:	26 January 2024
Recommendation:	GRANT PLANNING PERMISSION



The above plan is for illustrative purposes only.

1 SITE DESCRIPTION

- 1.1 The application site is located on the western end of Blenheim Way at the junction with Kenilworth Close. The site, which has an area of 0.5 hectares (ha), currently comprises Walpole Court which is a sheltered housing development. The main building itself has a horse-shoe shaped footprint and is two-storeys in height with a combination roof consisting of cat slides and gable-ends. The site also comprises six bungalows which form a staggered terrace with hipped roofs.
- 1.2 Turning to the surrounding area, to the south of the application site beyond Blenheim Way is a belt of woodland which runs parallel with the East Coast railway line. To the north of the application site lies the recently redeveloped Kenilworth Close neighbourhood centre comprising a mixed-use development with 169 no. dwellings (including independent living) and 4no. retail units.
- 1.3 To the west of the application site beyond Blenheim Way is the residential development of Cragside. This development comprises two residential terraces which front onto a centralised parking courtyard. To the north of Cragside off Blenheim Way (to the north-west of the site) lies a three-storey residential block of flats. To the east of Walpole Court is the residential development in Blenheim Way. The development generally comprises uniform, two-storey terraced properties set within regimented building lines and regular shaped plots.

2 RELEVANT PLANNING HISTORY

- 2.1 Planning application reference 2/0436/87 sought permission for the installation of two lifts and motor rooms. This application was granted permission in November 1987.
- 2.2 Planning application reference 2/0224/93 sought permission for a two-storey external lift shaft and single-storey pump room. This application was granted planning permission in September 1993.
- 2.3 Planning application reference 18/00399/FPM sought planning permission for the demolition of the existing Walpole Court sheltered scheme and associated parking and the construction of 51no. apartments and 9no. houses along Blenheim Way. This application was granted planning permission in October 2019.

3 THE CURRENT APPLICATION

- 3.1 Planning permission was granted in October 2019 for the redevelopment of the site for predominately flats in connection with the redevelopment of the Kenilworth Close neighbourhood centre to the north. The application site comprising Walpole Court sheltered living accommodation was phase 2 of the overall scheme. Phase 1, the northern part has now been built. The applicant (SBC Housing Development) undertook additional community consultation on the phase 2 proposals, whereby the local community advised they were more in favour of family housing on the Walpole Court site instead of flats.
- 3.2 The scheme was amended and the proposal for the redevelopment of Walpole Court under consideration here comprises 24no. open market houses. Six three storey town houses would face onto the existing turning head road, overlooking the phase 1 development. A new access road would serve the development from the existing road with proposed mews style 2.5 storey houses with turning head for bin lorry and emergency vehicles. The proposed houses facing onto Blenheim Way would follow the road round creating a natural screening to the site, with garden areas at the rear. As part of this development, residents from Walpole Court would be located to the independent living units within Phase 1. This is scheduled to happen within the next couple of months.

3.3 The application comes before the Planning and Development Committee because the Council is the applicant, and this is a Major application.

4 PUBLIC REPRESENTATIONS

4.1 The application was publicised by neighbour letters, two site notices and a press advert.

4.2 Two general comments were received. One from an address in Sawbridgeworth and one from the NE Herts Swift Group regarding the provision of swift bricks in each of the proposed dwellings. Full copies of all representations are available on the Council's website.

5 CONSULTATIONS

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

5.2 Thames Water

5.2.1 No objection.

5.3 SBC Arboriculture and Conservation Manager

5.3.1 No objection, subject to confirmation that replacement trees would be re-provided at a ratio of 3:1.

5.4 HCC Highway Authority

5.4.1 Notice is given under article 22 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission subject to conditions. These conditions would cover the following:

- Additional footways.
- Tactile paving crossings.
- Bus stop upgrades (Real Time Information Screens)
- Vehicle cross-overs and footways.
- Parking and turning / servicing areas.

5.4.2 The County Council, whilst acknowledging that SBC adopted CIL in 2020, is also seeking a financial contribution in accordance with HCC Developer Contribution Toolkit (2021) for Strand 2 contributions. The applicant is to provide a sustainable transport contribution of 24 x £6,862 = £164,688.00 (Index linked by SPONS) towards LCWIP Route 4. However, on balance, the Highway Authority is content with strand 1 contributions (offsite highway works to be delivered via S278) for:

- Additional footways.
- Tactile paving crossings.
- Bus stop upgrades (Real Time Information Screens).
- Vehicle cross-overs and footways.

5.5 HCC Growth and Infrastructure Unit

5.5.1 No objection, subject to a Secondary Education Contribution towards new secondary education provision at the former Barnwell East site/ land at Redwing Close and/or provision serving the development (£316,193) index linked to BCIS 1Q2022).

5.6 HCC Lead Local Flood Authority

5.6.1 We object this planning application in the absence of an acceptable Flood Risk Assessment (FRA) / Drainage Strategy relating to:

- The flood risk elsewhere may be increased from the proposed drainage scheme.
- The development does not comply with NPPF 173 and Stevenage Policy FP2.

Reason

5.6.2 To prevent flooding in accordance with National Planning Policy Framework paragraphs 173, 175 and 180 by ensuring the satisfactory management of local flood risk, surface water flow paths, storage and disposal of surface water from the site in a range of rainfall events and ensuring the SuDS proposed operate as designed for the lifetime of the development.

5.6.3 We will consider reviewing this objection if the issues highlighted on the accompanying Planning Application Technical Response document are adequately addressed.

The main points of this are:

- There are soakaways proposed throughout the site but due to the density of the development, they are located across multiple private gardens - this shared maintenance is not recommended due to the significant difficulties individuals have in access.
- There is not enough justification as to why other SuDS cannot be implemented to address all four pillars of SuDS, e.g. rainwater reuse, use of tree pits, bio-retention areas or green roofs.
- Half drains times for infiltration are over 24 hours based on the current information.
- Whilst infiltration has proved viable, it is not possible to test all the site where infiltration is proposed, as the current buildings need to be demolished. During this process, if compaction of the ground or contaminated soils/land require removal of material this reduces the ability to infiltrate - there is no 'Plan B' provided in case infiltration is not viable across all of the site.
- Supporting drainage calculations for the conveyance and storage elements of the scheme have not been provided. These should be provided for both 'Plan A' and 'Plan B'.
- The latest FEH 2013 or 2022 rainfall data will need to be used.

5.6.4 Updated information was submitted to the LLFA seeking to address the above comments. A further response was received on 9 May 2024 with the following comments:

Updated Response dated 9 May 2024

5.6.5 The applicant has provided additional information (as listed in the Annex) to account for the local flood risk issues and surface water drainage at this location. Following a review of the submitted documents, we have no objection subject to conditions being attached to any consent if this application is approved.

5.7 North East Herts Swift Group

5.7.1 If Stevenage Borough Council is minded to approve permission, we recommend the inclusion of twenty-four integrated swift bricks to give a rate of one per new dwelling to be secured by condition. This would help towards delivering biodiversity net gain. Swifts are red listed birds that have declined by more than half in the last twenty years. Swift bricks are a valuable conservation tool that should be used in new housing to help reverse their decline. Swift bricks last the lifetime of the building and are inconspicuous, simple and inexpensive to install and do not require ongoing maintenance. Swifts are relatively clean birds that take their mess away from the nest and their presence is likely to go largely unnoticed by residents.

5.8 SBC Parks and Amenities

- 5.8.1 There are no concerns with regards to landscaping. It is considered the finer details of the landscaping strategy can be conditioned with maintenance and suitability in mind.

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 National Planning Policy Framework

- 6.2.1 A revised National Planning Policy Framework (NPPF) was published in December 2023. This made significant changes to the September 2023 version and revised policy with respect to the following:

- maintaining supply and delivery of housing.
- making effective use of land with the allowance of mansard roof extensions to suitable properties.
- significant uplift in the average density of residential development can be seen as being inappropriate if the built form is out of character.
- strengthening policies around achieving well-designed and beautiful places.
- requirement for councils to prepare Local Design Codes.
- no longer a requirement to review or change Green Belt boundaries when plans are being prepared or updated.
- local planning authorities should now give significant weight to the need to support energy efficiency and low carbon heating improvements to existing buildings, both domestic and non-domestic.
- change to policies on Biodiversity.

- 6.2.2 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.

- 6.2.3 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 95%, the authority should prepare an action plan to assess the causes of under delivery and identify actions to increase delivery in future years. 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 79 of the NPPF. This will be in addition to the preparation of an Action Plan. 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 under paragraph 11(d) of the NPPF. The latest HDT results published by the Department for Levelling Up, Housing and Communities (DLUHC) in December 2023 identifies that Stevenage delivered 57% of its housing requirement.

- 6.2.4 Turning to 5-year housing land supply, the Council 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 confirmed the Council at the time of the decision could demonstrate a housing supply of 6.68 years (including 20% buffer).
- 6.2.5 The Council, based on its HDT score is currently subject to the most severe penalty under paragraph 11(d) of the NPPF (2023). For reference, as this policy is now engaged, it means Local Plan policies would be classed as out-of-date. Consequently, Stevenage Borough Council must apply the presumption in favour of sustainable development in its decision making and give great weight towards the need to deliver housing. The Council must also apply a 20% buffer in its 5-year housing supply calculations and it also has to produce an Action Plan in order to boost housing delivery.
- 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. In addition, it will now prepare an updated Action Plan to assess the causes of under-delivery and identify actions to increase delivery in future years. Moreover, the Council is also preparing updated statements with respect to 5 year housing land supply given the last monitoring report was published in 2022.

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 National Design Guide

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

6.5 Stevenage Borough Local Plan

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

- Policy SP1: Presumption in favour of sustainable development;
- Policy SP2: Sustainable Development in Stevenage;
- Policy SP5: Infrastructure;
- Policy SP6: Sustainable Transport;
- Policy SP7: High quality homes;
- Policy SP8: Good Design;
- Policy SP11: Climate Change, Flooding and Pollution;
- Policy SP12: Green infrastructure and the natural environment;
- Policy IT3: Infrastructure;

Policy IT4: Transport Assessments and Travel Plans;
Policy IT5: Parking and Access;
Policy IT6: Sustainable Transport;
Policy IT7: New and improved links for pedestrians and cyclists;
Policy HO1: Housing Allocations;
Policy HO5: Windfall Sites;
Policy HO7: Affordable housing targets;
Policy HO8: Affordable housing tenure, mix and design;
Policy HO9: Housing types and sizes;
Policy HO11: Accessible and adaptable housing;
Policy GD1: High Quality Design;
Policy FP1: Climate Change;
Policy FP2: Flood Risk in Flood Zone 1;
Policy FP7: Pollution;
Policy NH5: Trees and woodland;
Policy NH6: General protection for open space;
Policy NH7: Open space standards.

6.6 Supplementary Planning Documents

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

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

6.7 Community Infrastructure Levy

6.7.1 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 at a rate of £100/m².

7 APPRAISAL

7.1.1 The main issues in the assessment of the application are as follows:

- Land Use Policy Considerations
- Standard of accommodation
- Character and appearance
- Impact on neighbouring amenities
- Parking
- Highway safety
- Ecology, arboriculture and biodiversity
- Flood risk and drainage
- Climate change and sustainability
- Developer obligations and CIL

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

7.2 Land Use Policy Considerations

7.2.1 Provision of Housing

7.2.2 The application proposes the demolition of the existing sheltered housing and the provision of 24 new dwellings. The application site is a windfall site since it is not allocated for any specific purpose in the Local Plan.

7.2.3 Policy SP7 of the Local Plan 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.

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

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

7.2.5 The proposals would see the demolition of the existing sheltered housing accommodation and therefore the application site can be considered as meeting the definition of previously developed land for the purposes of criterion (a) of HO5. The site is conveniently located to access local facilities. It is located 18m from the small neighbourhood centre/shopping parade which has been constructed at Kenilworth Close under phase 1. The site is also located approximately 986m from Shephalbury Park Primary School and 1.58km from The Barnwell School respectively. There are also bus stops on Hertford Road (SB8 bus) and Watton Road (SB8 bus) and there is a designated cycle route to the north of the application site along Hertford Road. As such, the application site is considered to have good access to local facilities and alternative forms of travel to the private car and is therefore in a highly sustainable location.

7.2.6 Criterion (c) of Policy HO5 states that there should be no detrimental effect on the environment and the surrounding or adjoining properties. This issue will be assessed in detail in the following sections considering the impact on the character and appearance of the area and the impact on neighbouring amenity. Finally, criterion (d) of Policy HO5 of the Local Plan requires proposals not to prejudice the Council's ability to deliver residential development on allocated sites. Given the development site is not located near any allocated sites as set out in the Local Plan, the proposal would also accord with criterion (d) of the aforementioned policy. The proposal 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. The development would also provide a separate financial contribution towards secondary education. In these respects, the proposal accords with criteria (a), (b), (d) and (e) of Policy HO5.

7.2.7 Policy HO9 of the Local Plan requires new residential developments to provide an appropriate range of market and affordable housing types and sizes. In doing so, regard should be had to two of the Borough's objectively assessed needs, the location and accessibility of the site, and existing imbalances in the Borough's housing stock.

7.2.8 The Borough's existing stock is weighted heavily towards dwellings with three bedrooms and therefore, the greatest need is for dwellings with fewer bedrooms or larger "aspirational" homes. The development would address this imbalance in part since it would provide 10 x 4 bedroom and 14 x 3 bedroom dwellings. However, despite the imbalance, there also remains a need for further three-bedroom properties in the Borough. The development would help to meet this need. The 10 x 4 bedroom dwellings would assist in meeting the need for larger properties. For these reasons, the proposal is considered to accord with Policy HO9.

- 7.2.9 Due to the under-delivery of housing as identified in recent HDT scores published by DLUHC in December 2023, paragraph 11(d) of the NPPF is engaged and there is now a presumption in favour of delivering sustainable development. In addition, the Council's specific policies on housing are deemed to be out of date, so significant weight must be given to increase the delivery of new homes as required under the NPPF. Therefore, in providing 24 additional dwellings, the development would make a very small but nonetheless positive contribution towards meeting the Borough's housing needs. No additional benefits would result from the size or tenure of the dwellings, but this is a neutral matter. The construction activity would provide a very small boost to the local economy.
- 7.2.10 As part of this development, residents from Walpole Court would be located to the independent living units within Phase 1. Therefore, the existing sheltered living accommodation has been re-provided on the adjacent site. The proposal is therefore considered acceptable in terms of the loss and re-provision of this specialist accommodation.
- 7.2.11 Having regard to all the policy considerations laid out above, the proposed development is considered to be acceptable in principle given the benefits of providing additional dwellings due to paragraph 11(d) of the NPPF being engaged. It follows that the development is acceptable in principle.

7.3 Affordable housing and planning obligations

- 7.3.1 Policy HO7 of the adopted Local Plan (2019) stipulates that planning permission will be granted for residential development which would maximise affordable housing provision. Taking this into consideration, there is a requirement to provide 25% of new homes to be affordable on previously developed sites. In this regard, there would be a requirement to provide 6 affordable units.
- 7.3.2 Turning to affordable housing tenure, mix and design, Policy HO7 states that planning permission will be granted where those dwellings:
- a. Are provided by the developer on site with at least 70% of the units being for rent and the remainder consisting of other tenures which is to be agreed with the Council's Housing team;
 - b. Meets the requirements of Policy HO9 (House types and sizes);
 - c. Are physically indistinguishable from other types of homes and are distributed across the site to avoid over-concentration in particular; and
 - d. Will remain at an affordable price for future eligible households.
- 7.3.3 On the 24 May 2021, the Government announced its First Home policy through a Written Ministerial Statement (WMS) and accompanying changes to the Planning Practice Guidance (PPG). As a result, these changes came into effect on the 28 June 2021. First Homes are designed to support local first-time buyers onto the property ladder, by offering homes at a discount to the market price. The discount will apply to the homes in perpetuity, meaning that generations of new buyers and the local community would continue to benefit every time the property is sold.
- 7.3.4 First Homes are a specific kind of discounted market sale units which:
- a) must be discounted by a minimum of 30% against the market value
 - b) are sold to a person or persons meeting the First Homes eligibility criteria (see below);
 - c) on their first sale, will have a restriction registered on the title at HM Land Registry to ensure this discount (as a percentage of current market value) and certain other restrictions are passed on at each subsequent title transfer; and,
 - d) after the discount has been applied, the first sale must be at a price no higher than £250,000.

- 7.3.5 First Homes are the government's preferred discounted market tenure and should account for at least 25% of all affordable housing units delivered by developers through planning obligations.
- 7.3.6 With regards to affordable housing delivery, the Council's evidence base has demonstrated that since the start of the Local Plan period, delivery of affordable housing has been limited to 295 units, an average of 31 units per annum. Consequently, this evidence demonstrates that there has been a significant under provision of affordable housing delivery within the Borough. This is also reflected in the appeal decision letter for Land West of Lytton Way appeal whereby the inspector states (para. 87) and quote:
- 7.3.7 *"I have been referred to other schemes which have been granted planning permission or it has been resolved that planning permission should be granted. In these schemes, for one reason or another, affordable housing provision has been lower than the expected policy figure of 20%. Indeed 52 homes would equate to over 17% of the affordable housing that has been delivered thus far in the Local Plan period. In these circumstances of poor delivery of affordable homes and with sizeable unmet need for such housing, I give the provision of affordable housing significant weight".*
- 7.3.8 The proposed development would not consist of or include the provision of any affordable housing. However, it is important to note that the planning permission for the adjoining site at Kenilworth Close phase 1 for 169 dwellings (including 88 independent living units) (planning reference: - 18/00398/FPM) delivered the affordable housing requirement for the Walpole Court development (6 units). Kenilworth Close phase 1 development comprises 70% affordable units (118 units). It has always been the Council's intention that this site would fund the affordable housing units delivered under phase 1. Therefore, the financial capital generated for this development would cover the costs of building out the affordable housing units under phase 1. It is considered that the affordable housing provision for this application has therefore already been provided on the adjacent site and the scheme is considered acceptable as a 100% open market development.
- 7.3.9 Turning to the adopted Developer Contributions SPD (2021), this SPD includes a requirement that developers of major development when signing an agreement with the Council, will need to:
- Attempt to fill 5% to 10% of construction jobs on-site associated with the development with Stevenage Residents;
 - Attempt to fill 1 apprenticeship position per 10 construction jobs on-site with a Stevenage Resident or Student (cap requirement of 10 apprenticeships);
 - Report whether or not these requirements are met; and
 - Provide a financial contribution in lieu of not achieving either or both targets.
- 7.3.10 In terms of monitoring, the Council Developer Contributions SPD set out that the Council will seek a monitoring fee of 2.5% of the value of the contributions being monitored. The fee would be capped at £25,000.00. The monitoring fee itself would be secured as part of any S106 legal agreement.
- 7.3.11 Turning to the areas of open space on the site, including areas of highway which are not to be formally adopted by the Council or Hertfordshire County Council, it is recommended that the Legal Agreement secures the provision of a Management Company. This is to ensure that the areas of un-adopted open space and highways which form part of the development are properly managed and maintained during the lifetime of the development.
- 7.3.12 A separate s278 Agreement (covering the junction alterations and any off site improvements) would also be required and would need to be referenced and secured within the S106 agreement.

- 7.3.13 Hertfordshire County Council Growth and Infrastructure unit advise the proposed development would have an impact on secondary school places within the town and have requested a financial contribution towards new secondary education provision at the former Barnwell East site/ land at Redwing Close and/or provision serving the development of £316,193 index linked to BCIS 1Q2022. HCC will also seek a monitoring fee to cover this.
- 7.3.14 The applicant has also agreed to pay a Biodiversity Financial Contribution of £23,486 to ensure the development would deliver a 10% biodiversity net gain.
- 7.3.15 The applicant has agreed to pay the aforementioned financial contributions and obligations which would be secured by a S106 Agreement. In this regard, the proposed development would accord with the NPPF and the Council's adopted policies in relation to affordable housing and financial contributions.

7.4 Standard of Accommodation

- 7.4.1 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 The Design and Access Statement advises all houses are designed to fully comply with the Nationally Described Space Standards. The submitted floor plans show the four-bedroom 6-person dwellings would have a gross internal area ("GIA") of approximately 127m². The NDSS give a minimum total floor area requirement of 112m², therefore the total GIA would exceed the standards. The submitted floor plans show the four-bedroom 7-person dwellings would have a gross internal area ("GIA") of approximately 130m². The NDSS give a minimum total floor area requirement of 121m², therefore the total GIA would exceed the standards. The submitted floor plans show the three-bedroom 5-person dwellings would have a gross internal area ("GIA") of approximately 110m² and 112m² depending on house type. The NDSS give a minimum total floor area requirement of 99m², therefore the total GIA would exceed the standards.
- 7.4.3 All double bedrooms should be over 11.5m² in area and single bedrooms over 7.5m². The floorplans show the bedrooms as meeting or exceeding these requirements. Given both the GIA and bedrooms exceed the size requirements, it is considered the dwellings would meet the NDSS and provide an acceptable living environment for future occupiers.
- 7.4.4 In terms of natural light, outlook and ventilation, the dwellings would be dual aspect and therefore benefit from ample daylight and sunlight and opportunities for passive ventilation. This would make a positive contribution to future occupants' quality of life.
- 7.4.5 As for privacy, future occupants would be able to look out over the rear gardens of the adjoining proposed dwellings. However, it is not unusual for neighbours to have a degree of aspect over one another in a medium density residential setting where houses are arranged side-by-side. The separation distances between the proposed dwellings, in particular where there is a back-to-back or back to side relationship falls short compared to that recommended by the Local Plan. However, the design of the dwellings and the disposition of windows would mitigate against any overlooking in this development.
- 7.4.6 With regards to gardens, according to the proposed site plan ref 23042wd2.02A, whilst some of the gardens would be less than 10m in length all the gardens would meet or exceed the 50m² area as recommended by the Design Guide SPD. It is considered the proposed gardens would provide quality private amenity space for the future occupiers and are acceptable.
- 7.4.8 With regards to noise, the application is supported by a noise and vibration assessment which assesses the current sources of background noise and whether the site is suitable for residential

development. It advises noise levels at the site are dictated by road traffic noise emissions from Watton Road and Hertford Road, and railway noise from the Hertford Loop Line. A 3D noise model was used to calculate road traffic noise levels at all facades of the development. The report concludes the design of the development is acceptable, subject to the adoption of acoustically upgraded glazing, ventilation and acoustic screening around gardens. This can be secured via planning conditions. Ground-borne vibration levels at the site have been measured and are considered to be acceptable. The report advises the site is suitable for residential development in terms of noise and vibration levels.

7.4.9 Overall, it is considered that the proposed development would be capable of providing a very good standard of accommodation for future occupants. In this respect, the proposal accords with Policy GD1. Since there are no significant sources of pollution nearby, the proposal also accords with Policy FP8.

7.5 Character and Appearance

7.5.1 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 surrounding urban fabric, its relationship between buildings, landscape design and relevant aspects of sustainable design.

7.5.2 The National Design Guide 2019, which was published by the Government, is a material consideration in the determination of planning applications. It states 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.

7.5.3 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.

7.5.4 The Guide goes on to state 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.

7.5.5 The Council's Design Guide SPD (2023) sets out that a high-quality environment is essential for providing a good quality of life. A well-designed and managed space not only provides a visually attractive environment but can also help to ensure that a place is easy to move around and within, is safe and secure, and is useful for all members of the community.

7.5.6 This part of the application has been assessed against the key policy criteria on good design, as well as how the scheme meets the four key objectives in the National Design Guide on what is considered as a well-designed place. The proposed development would comprise the demolition of existing Walpole Court sheltered living accommodation and associated bungalows and the construction of 24no. dwellings with associated road and vehicle access, car parking, garden areas and ancillary works.

Layout

7.5.7 The proposed layout has been designed around the curve of Blenheim Way reflecting this corner location and the proposed new access road serving the site off Kenilworth Close. There would be 6 no. three storey town houses facing onto the existing turning head road, overlooking the phase 1 development to the north. The new access road taken from Kenilworth Close would accommodate 7 no. mews style 2.5 storey houses fronting onto it with a turning head for bin lorry and emergency vehicles.

7.5.8 The proposed dwellings facing onto Blenheim Way would follow the road round, creating a natural screening to the site with garden areas at the back of the houses. All houses would be provided with car parking spaces with Electric Vehicle charging points. Five visitor car parking spaces would be situated around the site, three of which would be located off Blenheim Way. Refuse and cycle storage would be provided within the rear gardens, with bikes stored in lockable sheds. A new pedestrian rear access would be provided to the existing houses on Blenheim Way to the east at the rear of plots 10 and 11.

Scale and Massing

7.5.9 The proposed 6 no. town houses facing onto the existing turning head road, overlooking the phase 1 development to the north would be 3 storeys in height. This would relate well to the building height changes from the adjoining phase 1 development which comprises 5, 4 and 3 storey buildings with the proposed town houses at 3 storeys and then the development moves down to 2.5 storey in height with the proposed mews dwellings. It is considered this scale and massing arrangement, with the building heights lower on the Walpole Court site and gradually increasing in height as you move towards the phase 1 development, would have a positive visual impact on the surrounding townscape and is an effective solution to the transition between the higher density, mainly flatted development to the north and the family housing proposed on this site.

Design and Appearance

7.5.10 The proposed dwellings would comprise a limited palette of low maintenance materials throughout the site to ensure the development has a cohesive appearance and is suitable for the area. The materials used would be predominantly buff and red colour bricks, black coloured cladding panels, railings and frames in grey colour with dark grey tiles for the pitched roofs. Feature bay windows are also proposed in grey colour cladding to match the windows and roof colour.

7.5.11 Some of the boundary walls would be buff or red colour brick to match the proposed houses. The houses would employ a variety of materials which both characterise each type and represent elements of the common palettes across the development. The townhouses would

include a different palette range without omitting the common material across the site. They would also adopt different proportions in their articulation and openings as they would be sited closer to the Phase 1 development. Further variations would exist to distinguish the houses situated in specific spots on the development (e.g. corner locations).

- 7.5.12 Overall, it is considered the proposed development would have a high-quality finish and has been designed to assimilate itself with the wider area with the careful use of materials and finishes to give the buildings architectural interest. The scale of the proposed dwellings would appear in keeping with the surrounding established residential area. The layout of the proposed development has been well considered and takes into account the need for satisfactory access and separation with existing dwellings. The proposed development is therefore, considered acceptable in accordance with the policies on design in the adopted Local Plan (2019), the Design Guide SPD (2023), the NPPF (2023) and PPG.

7.6 Impact on the Environment and Neighbouring Occupiers

- 7.6.1 Policy FP5 of the Local Plan requires development proposals to consider contamination and 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.
- 7.6.2 Policy FP7 requires all development proposals to minimise, and where possible, reduce air, water, light, and noise pollution. Planning permission will be granted when it can be demonstrated that the development will not have unacceptable impacts on general amenity and the tranquillity of the wider area.
- 7.6.3 Policy GD1 also requires that developments do not have an adverse impact on neighbouring uses or the surrounding area.

Contamination

- 7.6.4 The site is not known to be or suspected to be contaminated, nor is its historic use one which is likely to have caused contamination. Notwithstanding this, a preliminary risk assessment has been submitted with the application. The presence of Made Ground relating to historic construction activities has been identified as a potential onsite hazard. The railway line to the south of the site has been identified as an offsite source of potential contamination. A Moderate-Low Risk rating has been applied for both sources. An offsite electrical substation has also been identified as a Low-Risk source of potential contamination. The report recommends that a preliminary intrusive ground investigation is undertaken to determine the extent of any potential contamination within the soil strata. A condition is recommended to secure this and to ensure that any unexpected contamination is dealt with properly if discovered during the construction phase.

Noise Pollution

- 7.6.5 The introduction of additional residents to the road would undoubtedly lead to some increase in noise. However, there is nothing to suggest that the character or intensity of noise would amount to anything over and above what would ordinarily be expected from single family dwellinghouses. Within an area predominantly made up of single family dwellings and flatted accommodation, this is considered to be appropriate.

Light Pollution

- 7.6.6 No external lighting is proposed over and above street lighting and any spillage from internal lighting would be within the bounds of what would ordinarily be expected from a single family dwelling. This is considered to be acceptable. A condition is recommended to control any external lighting which might be installed at the site in future.

Privacy

- 7.6.7 The proposed dwellings would occupy a previously developed site predominately bounded by Blenheim Way and Kenilworth Close. Therefore, the layout of the proposed dwellings has been designed to minimise impact on existing adjoining dwellings. For the most part, the development would be separated from adjoining dwellings to the west and north by the highway of Blenheim Way and Kenilworth Close and would not therefore have an impact on the amenity of these dwellings. Nos. 124 to 132 Blenheim Way to the east would directly back onto or be side onto plots 7 – 10 and 11, 14 and 15 of the application site. In this instance, all relevant minimum back-to-back and back to side separation distances as recommended by the Local Plan have been complied with. Consequently, it is considered that the overlooking would not in any way result in intolerable living conditions for neighbouring occupiers.

Natural Light

- 7.6.8 As shown on the submitted plans, the development would comfortably pass the 45 degree test in respect of the nearest habitable room windows at each neighbouring property and is considered to be acceptable in this regard.

Overbearing Appearance

- 7.6.9 As with privacy, all relevant minimum back-to-back and back to side separation distances as recommended by the Local Plan have been complied with in relation to the existing dwellings on Blenheim Way which directly adjoin the site to the east. Given this, the development would be highly unlikely to appear overbearing when viewed from these neighbouring properties. The existing dwellings on Cragside and Blenheim Way to the west, along with the new flatted development on phase 1 to the north are all separated from the application site by a highway and therefore there would be no overbearing impact to these dwellings.

Demolition and Construction Impacts

- 7.6.10 The disruptive effect of demolition and construction work is a material consideration. Some disruption is inevitable, insofar as vehicle movements and noisy work will be necessary to complete the development. However, the impacts can be mitigated, for example by employing dust suppression techniques, limiting the hours when deliveries can be made, and limiting the hours when work can be carried out.
- 7.6.11 To this end, it is recommended that a construction management plan be secured by condition. Subject to this condition, it is considered that the impacts of demolition and construction could be mitigated to an acceptable degree.

Conclusions on Environment and Neighbouring Occupiers

- 7.6.12 Having regard to the above, it is concluded that the proposed development would not result in any fundamentally unacceptable impacts on the environment and could be designed in such a way as to ensure acceptable living conditions for neighbouring occupiers. In these respects, the proposal is considered to accord with Policies HO5, FP5, FP7 and GD1 of the Local Plan.

7.7 Parking Provision

- 7.7.1 Policy IT5 of the adopted Local Plan (2019) states that planning permission will be granted where proposals comply with the parking standards set out in the plan. The parking strategy has been designed to comply with the Parking Provision SPD (2020). The application site does not fall within a residential accessibility zone, so the Planning Authority would seek the maximum number of car parking spaces to serve the development. The table below is taken from the Transport Assessment that has been submitted in support of the application and shows the total parking requirements for the site:

Bedrooms	Car Parking Requirement	Proposed	Required
1 Bedroom	1 space per house	0	0
2 Bedrooms	1.5 spaces per house	0	0
3 Bedrooms	2 spaces per house	14	28
4+ Bedrooms	2.5 spaces per house	10	25
Total		10	53

7.7.2 The proposed parking arrangements have allowed for 2 spaces per 3-bedroom and 4-bedroom 7 person dwellings, 3 spaces per 4-bedroom 6 person townhouses and 5 visitor spaces dispersed around the site. This would equate to 54 spaces to serve the dwellings, plus 5 visitor spaces giving a total site provision of 59 spaces. Whilst the scheme is policy compliant in terms of total number of spaces, the 4-bedroom 7 person dwellings should be served by 3 spaces each to comply with the Parking Provision SPD (2020). However, overall, it is considered the development is served by a policy compliant level of parking plus visitor spaces and on this basis, it is considered the proposed parking arrangements would be sufficient. The visitor spaces would be unallocated and available for use as and when required by residents and / or their visitors.

7.7.3 Turning to disabled parking, as the parking would not be communal there is no policy requirement to provide disabled spaces. With regards to cycle parking, every dwelling would be provided with a garden shed to act as secure cycle storage capable of accommodating the required number of bikes per dwelling in accordance with the Parking Provision SPD (2020) standards. This would ensure that there is sufficient cycle parking to serve the development.

7.7.4 Turning to electric vehicle parking, the Parking Provision SPD (2020) introduces a minimum requirement for electric vehicle parking. The requirements for new developments would need to abide by the following:-

- All new car parking should be designed to fulfil a Passive Electrical Vehicle Charging Point standard (providing the necessary underlying infrastructure);
- The blend of access to charging points provided within new developments;
- A minimum of 20% of new parking on a site to have access to an active EV charging point;
- A flexible approach to the requirement of charging facilities as technology changes.

7.7.5 At least one space per house would be provided with an active EV point. All remaining spaces would be passive EV points ready for future installation. This provision fully complies with the Parking Provision SPD (2020) requirement of 20% of the spaces to be active EV points and 80% passive. EV charging points would also be sought under the Building Regulations.

7.7.6 Given the above assessment, it is considered there would be sufficient parking (including cycle parking and EV parking) in accordance with the Council's adopted Parking Standards. Therefore, the proposal would be in accordance with policies set out in the adopted Local Plan (2019), the Council's Parking Standards SPD (2020), the NPPF (2023) and PPG.

7.8 Access and Highway Safety

7.8.1 Policy IT4 of the Local Plan 2019 states that planning permission will be granted where development will not have an adverse impact on highway safety. The application is supported by a Transport Statement. Vehicle access would be provided from Kenilworth Close with a new turning head for bin lorry and emergency vehicles. Swept path analysis has been carried out to demonstrate that the proposed access road meets the national requirements. The mews

houses would have a 6500mm wide shared surface. As well as forming a new vehicular entrance from Kenilworth Close, most of the houses would be accessed from Kenilworth Close and Blenheim Way, maintaining a pedestrian link.

- 7.8.2 In order to help integrate the site with existing residential areas and services/facilities within the surrounding area, existing pedestrian footways would be retained. The internal site layout would ensure permeable links to the surrounding network are provided. The site would provide links to the existing cycle and pedestrian networks. Access for non-motorised users (NMU) can be obtained via a footpath which runs north to south from Hertford Road to Kenilworth Close and the existing footway running alongside Blenheim Way. Existing bus stops and nearby facilities are located within acceptable walking and cycling distance of the site.
- 7.8.3 In order to assess the impact of the development proposals on the local highway network, analysis of the potential traffic generation has been undertaken within the Transport Assessment. For this purpose, the selected peak periods of assessment are the typical commuter peak periods of 08:00-09:00 and 17:00-18:00. Analysis suggests the development could generate 14 two-way movements in the AM peak period and 12 in the PM peak period. It should be noted that the development would replace the existing dwellings on the site and as such, the Transport Statement considers the development generated impact would be minimal. Based upon the various points of access to each of the sites and the likely distribution and assignment across the surrounding road network, the Transport Statement considers that the traffic impact of the development would be dispersed throughout various junctions.
- 7.8.4 Paragraph 32 of the NPPF states development proposals should only be refused where the cumulative residual impacts of the proposals are deemed to be severe. Based upon the proposed trip generation and subsequent traffic impact assessments undertaken, the traffic impact of the proposals cannot be classed as severe. On this basis, it is therefore considered that there are no transport or highway reasons why this development proposal should be refused.
- 7.8.5 HCC as Highway Authority have raised no objection to the development subject to various conditions. Three of these conditions relate to requirements to upgrade existing highway infrastructure outside of the application site boundary, namely additional footways, tactile paving crossings and bus stop upgrades (Real Time Information Screens). Paragraph 56 of the NPPF (2023) states planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects.
- 7.8.6 It is not considered conditioning these requests as part of any planning permission to undertake upgrade works to existing highway infrastructure outside of the application site boundary would meet these tests, given the Transport Statement has demonstrated the proposed development would not have a severe impact on the local highway network.
- 7.8.7 Should the Highway Authority wish to secure the off-site highway works; this could be negotiated with the applicant through the agreement under Section 278 of the Highways Act 1980 outside of the planning application process. The remaining conditions relating to securing the proposed vehicle crossovers, parking and turning areas on site and the submission of a construction traffic management plan are considered appropriate to condition as part of this application and would meet the relevant tests of paragraph 56 of the NPPF.
- 7.8.8 Subject to the above conditions, it is considered that the proposed development would not have any unacceptable impacts on highway safety or any severe residual cumulative impacts on the highway network and can be considered acceptable in this regard.

7.9 Ecology, Trees and Biodiversity

- 7.9.1 Policy SP12 of the Local Plan requires the protection of assets of ecological and biodiversity value. Policy NH5 states that development proposals will be expected to protect and retain individual trees within development sites and should include new planting where appropriate.
- 7.9.2 The NPPF and accompanying PPG require 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 adopted Biodiversity SPD (2021) requires all major and minor applications other than some exemptions to demonstrate a net gain in biodiversity. This application was made valid before new Biodiversity Net Gain regulations came into force on 12 Feb 2024. The transition arrangement is not required to consider the regulations, but consideration should be given to the Council's adopted Biodiversity SPD (2021).
- 7.9.3 The application is supported by a Preliminary Ecological Appraisal, which assesses the site as comprising modified grassland, introduced shrub, other developed land, buildings, and non-native and ornamental hedgerow. The findings of the survey confirm that the habitats onsite have the potential to support roosting bats, nesting birds and hedgehogs. The report advises the constraints to development would be the removal of habitats considered suitable for protected species, including buildings suitable for roosting bats and nesting birds and recommends a detailed preliminary bat roost assessment and bat roost emergence survey on building 2 are undertaken.
- 7.9.4 A typical range of precautionary measures are recommended, for example carrying out site clearance outside of the bird nesting season, along with enhancements such as the provision of bat and bird boxes and hedgehog friendly fencing. Subject to these recommendations being implemented, it is considered that the development would have an acceptable impact on ecology.
- 7.9.5 With regards to trees, an Arboricultural Impact Assessment has been submitted to support the application. The site contains a typical mixture of ornamental species; the dominant trees comprising Silver Birch, Swedish Whitebeam, Corsican Pine and Cherry. The majority of the site's trees represent semi to early mature examples of their species, where value is largely acknowledged by virtue of their collective presence and contribution towards the site's amenity, of these, only three Silver Birch (T22, T29 and T32) warrant Category B within BS5837 guidance.
- 7.9.6 The most significant tree cover within influence of the site relates to a linear collection of early mature Norway Maple and Lime (G2) set within soft landscaping to the south of Blenheim Way. Forming a dense screen to the adjacent railway line, the collection provides a significant contribution to the amenity and backdrop to the site. Although the components therein are not particularly noteworthy, the report advises the collection holistically warrants category B on this basis.
- 7.9.7 In terms of removals, trees are recommended for removal where: a) it is necessary and unavoidable to site development features within proximity to existing trees, such that they cannot be confidently retained in the long-term as living features, and/or b), where the amenity value of the tree would be significantly reduced as a result of the proposals, particularly if already of a low retention priority. The scheme has been designed with the benefit of arboricultural information from the earliest stage of layout design and has remained cognisant of the permitted removals detailed within the site's previous planning permission (ref: 18/00398/FPM).
- 7.9.8 The tree and hedge removal required to redevelop the site is detailed within the table below. To confirm, no veteran, or high-quality trees are proposed to be removed.

Category B	Category C
T22, T29 & T32 Silver Birch	T23 & T24 Yew
	T25 Rowan
	T26-T28 Corsican Pine
	T30, T39 Cherry
	T33 Winter Cherry
	T34-T38 Swedish Whitebeam
	T102 Holly
	H2+
	H3+
	H7 Berbaris

- 7.9.9 The Council's Arboriculture and Conservation Manager has confirmed that the felling is acceptable subject to replacement planting on a three-for-one basis, which would be secured when final landscaping details are submitted for consideration as part of a planning condition.
- 7.9.10 A biodiversity net gain assessment and metric have also been submitted alongside the application, which shows that the development would not achieve biodiversity net gain. The onsite total net unit change would be -1.67 area habitat units (-79.20% change) and -0.13 hedgerow habitat units (-100.00% change). Trading rule issues include a deficit in medium distinctiveness urban trees.
- 7.9.11 The report recommends that to achieve the targeted 10% biodiversity net gain, an additional 0.60 biodiversity units attributable to individual trees (or any other habitat of high or very high distinctiveness) and an additional 1.28 biodiversity units attributable to any habitat of low or higher distinctiveness, is required for area habitats (1.88 biodiversity units in total). For the linear habitats, to achieve a biodiversity net gain, an additional 0.15 biodiversity units attributable to any hedgerow habitat of low or higher distinctiveness is required.
- 7.9.12 Options are provided within the biodiversity net gain assessment that would achieve the targeted biodiversity for the proposed development. It is recommended that a Landscape and Ecological Management Plan (LEMP) is produced to ensure the habitats onsite are created and managed to the appropriate condition specified within the BNG assessment, to achieve the condition assumed. It is recommended that the BNG calculations are updated at the same time as the LEMP. This can be secured by way of a planning condition.
- 7.9.13 It is understood that the applicant is committed to achieving the targeted biodiversity net gain for this site. They have advised the preferred method to address the deficit would be through a financial payment option known as a Biodiversity Financial Contribution. This is where developers pay a contribution, under full cost recovery, for the ecological advisors of the LPA to organise the required biodiversity accounting schemes, monitor their progress towards meeting the required units of biodiversity gain, act where necessary to ensure the gains are achieved, and to formally report on their progress. The required financial contribution towards achieving 10% net gain would be £23,486 and this would be secured via the s106 legal agreement.
- 7.9.14 Having regard to the above, it is considered that the proposed development would have an acceptable impact on ecology, biodiversity, and trees subject to compliance with relevant tree protection, landscaping and biodiversity net gain planning conditions and the relevant Biodiversity Financial Contribution. In this respect, the proposal accords with Policies SP12 and NH5 of the Local Plan.

7.10 Flood Risk and Drainage

- 7.10.1 A Drainage and SuDS Strategy rev 4 prepared by Structa dated 19 March 2024 accompanies the application. The report reviews the drainage and flood risk issues associated with the proposed development and sets out how surface water run off would be accommodated. The report states that the application site is located within Flood Zone 1 and that flood risk from fluvial and groundwater flooding is low. The development of the site for housing is therefore appropriate as set out by the 'flood risk vulnerability classification' contained within the Planning Practice Guidance. The Drainage Strategy sets out details in respect of surface water and foul water drainage.
- 7.10.2 Drainage strategies should adhere to the Sustainable Drainage Strategy (SuDS) hierarchy provided in the Local Flood Risk Management Strategy 2 (2019). The hierarchy identifies that living roofs and walls are the most-sustainable SuDS features, followed by ponds and basins, infiltration devices and permeable surfaces. Tanked and piped systems are identified as the least sustainable, providing no pollution reduction nor biodiversity benefit.
- 7.10.3 The following general principles have been applied to the drainage design for the proposed development: (i) the run-off generated by the proposed development should be minimised by the use of Sustainable Drainage Systems (SuDS) techniques, (ii) the surface water drainage system should be designed to convey the design storm event of a 1 in 100 year storm plus 40% climate change allowance and (iii) discharge rates will be limited to the pre-development brownfield run-off rates for the site and as close to the equivalent greenfield run-off rates for the site as reasonably practical.
- 7.10.4 The surface water drainage strategy for the proposed development would ensure that the surface water drainage network would be sufficiently robust to withstand the impacts of climate change over the lifetime of the development, the risk of flooding to surrounding areas would not be increased as a result of the development and surface water run-off would be controlled on-site, and the development would not increase flood risk.
- 7.10.5 In accordance with the surface water disposal hierarchy, discharging via infiltration would be the first preference. The infiltration rates measured support this. The development would utilise a combination of cellular soakaways and permeable paving to provide the necessary infiltration to accommodate the design 1 in 100 year + 40% climate change storm events without flooding of the site. The proposed surface water drainage strategy would utilise 5No. cellular soakaways with permeable paving used for parking bays and driveways as well as an under-drained swale to intercept run-off from the adjacent road. To meet the four pillars of SuDS, the use of green roofs, water butts, and under-drained swales have been selected. These would provide the necessary amenity and biodiversity benefits as well as treating the surface water run-off.
- 7.10.6 If following demolition of the site measured infiltration rates, at the location of the soakaways, are not viable, then a suitable alternative strategy has been considered. Due to the lack of a suitable watercourse, the next best option would be to discharge to a surface water sewer. The existing site is connected to the Thames Water surface water sewer that runs through Blenheim Way. Due to the existing buildings being demolished, the report anticipates that these pipes would have sufficient capacity for the proposed 24 dwellings. Therefore, a new connection is proposed into the existing sewer should infiltration not be suitable. The development would utilise a combination of 1no. cellular storage, permeable paving, 2no. underdrained swales, and piped network to accommodate the design 1 in 100 year + 40% climate change storm events without flooding of the site.
- 7.10.7 Hertfordshire County Council as Lead Local Flood Authority (LLFA) have been consulted and initially objected to the drainage strategy (see section 5.6 above). Additional information has been provided and updated comments have confirmed the applicant has provided sufficient information to account for the local flood risk issues and surface water drainage at this location.

Following a review of the submitted documents, the LLFA have no objection subject to conditions being attached to any consent if this application is approved.

7.11 Climate Change and Sustainability

7.11.1 Policy FP1 of the adopted Local Plan (2019) stipulates that planning permission will be granted for development that can incorporate measures to address adaptation to climate change. New developments will be encouraged to include measures such as:

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

7.11.2 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.

7.11.3 The Design and Access Statement accompanying the application advises all the dwellings would allow for thick external walls to ensure there is space to follow a 'fabric first' approach allowing for high levels of insulation. The dwellings would be designed with flexibility for adaptation, based on M4(1) Building Regulation standards. Indicative solar photovoltaic panels would be incorporated on the roofs and installed if required to meet Building Regulations. If required, Air Source Heat Pumps would be installed for heating and hot water.

7.11.4 In terms of energy efficiency, a Fabric First approach would be taken to achieve Building Regulations as a minimum. The development would use high levels of thermal insulation to reduce energy requirements, and heating appliances would be selected to have low emission levels in accordance with the requirements of Part L of the Building Regulations and for the dwelling SAP calculations. Water saving measures such as flow restrictors, aerated taps and dual flush toilets would be incorporated into the design to ensure that the development achieves a water efficiency standard of no greater than 110 litres per person per day.

7.11.5 The impact of the changing climate and the greater risk of overheating in buildings is addressed within the design through ensuring that openings within south-facing elevations are not expansive, thus mitigating unwanted solar gain within summer months whilst still allowing living areas within the dwellings to be bright. Further analysis of thermal comfort through the undertaking of the CIBSE TM52 overheating assessment is proposed to be addressed during the detailed design stage of the project.

- 7.11.6 Turning to sustainable construction, it is recommended the applicant submit a SWMP (Site Waste Management Plan). This is to ensure that materials used in construction are properly recycled where possible. It is recommended that if planning permission were to be granted, a condition would be imposed requiring the applicant to submit a SWMP prior to the commencement of development.
- 7.11.7 Given the above, and subject to conditions securing the measures identified to address adaptation to climate change, the development would be in accordance with Local Plan Policy FP1 as well as ensuring a suitable site waste management plan would be provided.

7.12 Community Infrastructure Levy

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

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

- 7.12.2 CIL is a non-negotiable charge. The exact charge will be determined by the Council's CIL officer after an application has been granted in accordance with the CIL Charging Schedule and the Community Infrastructure Levy Regulations 2010 (as amended). Opportunities for relief or exemption from the CIL charge exist and will be taken into account in the calculation of the final CIL charge.
- 7.12.3 CIL replaces the need for S106 agreements to specify financial and/or land contributions for non-site-specific infrastructure projects. This allows infrastructure to be planned on a borough-wide scale rather than on a site-by-site basis as mitigation against the impacts of individual proposals. A CIL Form 1: Additional Information has been submitted along with the application. The development would be CIL liable at £100/m².

7.13 Human Rights and Equalities

- 7.13.1 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.
- 7.13.2 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.

- 7.13.3 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.
- 7.13.4 In terms of inclusive access, the scheme has been designed to be DDA (Disability Discrimination Act) compliant. The dwellings would have level access for pushchair and wheelchair users in order to meet EQIA. The residents living in the existing Walpole Court Sheltered Living accommodation are due to be relocated to the independent living units at phase 1 in the next couple of months, prior to demolition. The proposed development would not have any material impact on persons with any of the protected characteristics listed under the Equalities Act. The dwellings would be designed with flexibility for adaptation, based on M4(1) Building Regulation standards.

8 CONCLUSIONS

- 8.1 The application proposes the provision of housing and the Council's housing delivery is at 57% of identified need according to the latest HDT results. Accordingly, the "tilted balance" as set out at paragraph 11(d) of the NPPF is engaged, which means that the Local Plan policies most relevant in determining the application are to be treated as out of date and planning permission should be granted unless:
- i. the application of policies in the NPPF which protect areas or assets of particular importance provide a clear reason for refusing the development; or
 - ii. the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF as a whole.
- 8.2 The proposed development would constitute development on previously development land and would provide a net increase of 24 dwellings on the site, which would make a positive contribution towards meeting the Council's housing targets. Whilst the proposal is contrary to the Government's policy on First Homes, which requires that 25% of affordable housing be provided as First Homes, affordable housing for the proposed scheme (6 units) has been provided as part of the Kenilworth Close phase 1 development on the adjacent site to the north. In addition, replacement independent living accommodation has also been provided at the Kenilworth Close phase 1 development. The proposal is therefore considered acceptable in terms of the loss and reprovision of this specialist accommodation.
- 8.3 The proposal would also confer the typical array of benefits associated with development in terms of employment and other economic activity. Given the scale of the development, these benefits are also attributed moderate weight.
- 8.4 The application has demonstrated that the development would be capable of providing a good standard of accommodation with regards to overall size, floor-to-ceiling heights and adaptability to occupants with reduced mobility. The provision of good quality housing carries significant weight in favour of the proposal. Matters of access, appearance, landscaping, layout and scale as well as impact on infrastructure have been assessed and found to be acceptable. These are neutral matters.

- 8.5 When considered in their entirety, the benefits of the proposal would clearly outweigh the limited adverse impacts relating to the policy conflicts identified. Accordingly, the proposal is considered to accord with the development plan when read as a whole.
- 8.6 The NPPF is a material consideration, especially so in light of the application of the tilted balance. However, the adverse impacts of granting permission would not significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF as a whole. To the contrary, the adverse impacts would be clearly outweighed by the benefits, as set out above. 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 applicant having first entered into a S106 legal agreement to secure/provide contributions towards:-

- S278 Agreement (covering the junction alterations and public realm works on highway land to be adopted by HCC Highway Authority)
- Local apprenticeships and construction jobs
- Management Company to manage areas of unadopted open space, highways and SuDS.
- £23,486 Biodiversity Financial Contribution towards delivery of 10% biodiversity net gain
- £316,193 Secondary Education Contribution to Hertfordshire County Council
- S106 monitoring fee

- 9.2 The detail of which would be delegated to the Assistant Director of Planning and Regulation in liaison with the Council's appointed solicitor, as well as the imposition of suitable safeguarding conditions.

- 9.3 Authority would be given to the Assistant Director of Planning and Regulation in consultation with the Chair of Planning Committee, to amend or add to the suggested draft conditions set out in this report, prior to the decision notice being issued, where such amendments or additions would be legally sound and most effectively deliver the development that the Planning Committee has resolved to approve. These suggested conditions are as follows:

1. The development to which this permission relates shall be carried out in accordance with the following approved plans unless otherwise agreed in writing by the local planning authority:

23042SU1.01; 23042SU1.02; 23042.02.SU1.03; 23042WD2.01A; 23042WD2.02A;
 23042WD2.03; 23042WD2.04; 23042WD2.05; 23042WD2.06; 23042WD2.102;
 23042WD2.103; 23042WD2.104; 23042WD2.105; 23042WD2.106; 23042WD2.107;
 23042WD2.108; 23042WD2.109; 23042WD2.110; 23042WD2.111; 23042WD2.112;
 23042WD2.113; 23042WD2.114; 23042WD2.201; 23042WD2.202; 23042WD2.203;
 23042WD2.204; 23042WD2.205; 23042WD2.206; 23042WD2.207; 23042WD2.208;
 23042WD2.209; 23042WD2.210; 23042WD2.211; 23042WD2.212; 23042WD2.213; 11897
 TCP 01;

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 or construction work relating to this permission shall be carried out on any Sunday, Public or Bank Holiday nor at any other time, except between the hours of 08.00; and 18.00; on Mondays to Fridays and between the hours of 08.00; and 13.00; on Saturdays.
REASON:- To safeguard the amenities of the occupiers of neighbouring properties.
4. No development shall take place (including site clearance or demolition) until a construction management plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved construction management plan. The construction management plan shall include details of the following:
- a) Construction vehicle numbers, type, routing;
 - b) Access arrangements to site;
 - c) Traffic and pedestrian management requirements;
 - d) Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas);
 - e) Siting and details of wheel washing facilities;
 - f) Cleaning of site entrances, site tracks and the adjacent public highway;
 - g) Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times;
 - h) Provision of sufficient on-site parking prior to commencement of construction activities;
 - i) Post construction restoration/reinstatement of the working areas and temporary access to the public highway;
 - j) Where works cannot be contained wholly within the site, a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements;
 - k) Measures to deal with environmental impacts such as vehicle emissions, dust, noise, vibration, light, and odour.
- REASON:** In the interests of the living conditions of neighbouring occupiers and highway Safety.
5. Prior to the commencement of the development hereby permitted, a detailed Site Waste Management Plan (SWMP) shall be submitted to and approved in writing by the Local Planning Authority. The SWMP shall detail how waste materials generated as a result of the proposed demolition and/or construction works will be disposed of, and the level and type of soil to be imported to the site as part of the development.
REASON: In order to reduce the level of waste generated during the demolition and construction phases of development and to recycle all waste materials where possible.
6. Prior to the commencement of the development hereby permitted, a preliminary intrusive ground investigation shall be carried out to establish if the site is contaminated, to assess the degree and nature of the contamination present, and to determine its potential for harm to human health and pollution of the water environment. The method and extent of this investigation shall be agreed in writing by Local Planning Authority before the development commences. The development shall then proceed in strict accordance with the measures approved.
REASON: To prevent harm to human health and pollution of the water environment.
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.
REASON: To prevent unacceptable risks to human health as a result of contamination.

8. The development to which this permission relates shall be carried out in accordance with the external materials specified on drawings 23042WD2.201, 23042WD2.202, 23042WD2.203, 23042WD2.204, 23042WD2.205, 23042WD2.206, 23042WD2.207, 23042WD2.208, 23042WD2.209, 23042WD2.210, 23042WD2.211, 23042WD2.212 and 23042WD2.213 unless otherwise agreed and approved in writing by the Local Planning Authority.
REASON:- To ensure a satisfactory appearance for the development.
9. The proposed car parking spaces, cycle parking storage sheds and turning areas as shown on the proposed detailed site plan (Ref- 23042wd2.02A) shall be laid out, demarcated, levelled, surfaced, and drained in accordance with the approved plan and retained thereafter available for that specific use prior to the occupation of the dwellings that they will serve.
REASON: To ensure construction of a satisfactory development and in the interests of highway safety in accordance with Policy 5 of Hertfordshire's Local Transport Plan (2018).
10. The proposed footways and Vehicle Cross Overs (VXOs) as indicated on the detailed site plan (Ref-23042wd2.02A) along Blenheim Way (frontage of proposed plots 24 to 14 and side frontage of plot 1) shall be constructed to the specification of the Highway Authority and Local Planning Authority's satisfaction prior to the occupation of the dwellings that they will serve.
REASON: To ensure residents and visitors of the development have the realistic option of travelling by local bus routes, and not a reliance on the private motorcar, in accordance with paragraphs 114 – 116 of the NPPF (2023).
11. Notwithstanding the details shown in this application, the treatment of all boundaries including any walls, fences, gates or other means of enclosure and details of acoustic screening around gardens as recommended by the Noise and Vibration report by Cass Allen ref. RP01-23592-R0 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 and permanently maintained as such before the dwellings are occupied.
REASON: To ensure a satisfactory standard of development in the interests of amenity and that it has an acceptable appearance.
12. The development to which this permission relates shall be carried out in accordance with the recommendations within the Noise and Vibration report by Cass Allen ref. RP01-23592-R0 or any alternative to be submitted to and approved by the Local Planning Authority.
REASON: To ensure a satisfactory standard of development in the interests of amenity.
13. The development to which this permission relates shall be carried out in accordance with the mitigation measures, including a preliminary bat roost assessment and bat roost emergence survey on building 2 as specified in the Preliminary Ecological Appraisal authored by Geosphere Environmental reference 7993,EC,PEA,AG,SJ,KL,24-01-24,V2 unless otherwise agreed in writing by the Local Planning Authority.
REASON: To prevent unacceptable harm to habitats and species.
14. All areas of hedges, scrub or similar vegetation where birds may nest which are to be removed as part of the development, are to be cleared outside the bird-nesting season (March - August inclusive) or if clearance during the bird nesting season cannot be reasonably be avoided, a suitably qualified ecologist will check the areas to be removed immediately prior to clearance and advise whether nesting birds are present. If active nests are recorded, no vegetation clearance or other works that may disturb active nests shall proceed until all young have fledged the nest.
REASON: Nesting birds are protected from disturbance under the Wildlife & Countryside Act 1981 (as amended).
15. No dwelling shall be occupied until details of the siting of 24 integrated swift bricks (one per dwelling) have been submitted to and approved by the Local Planning Authority. These bricks shall be fully installed prior to occupation and retained as such thereafter.

- REASON:** To increase the ecological and biodiversity value of the site and for the wider benefits to wildlife.
16. Before any development commences, including any site clearance or demolition works, any trees on the site to be retained shall be protected by fencing or other means of enclosure in accordance with BS5837:2012 and the approved Tree Protection Plan ref. 11897 TPP 01.
REASON: To ensure that the retained tree(s) are not damaged or otherwise adversely affected during site operations.
17. No tree shown retained on the approved plans, or subsequently approved landscaping scheme, shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped within five years of the completion of development without the written approval of the Local Planning Authority.
REASON: To ensure the protection of those trees which should be retained in the interests of visual amenity.
18. If any retained tree referred to in condition 17; is removed, uprooted or destroyed or dies within 5 years of the completion of development, a replacement tree should be planted in the same place and that tree shall be of such a size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.
REASON: To ensure the replacement of those trees which should be retained in the interests of visual amenity.
19. No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of soft and hard landscaping and details of the treatment of all hard surfaces. The scheme shall include details of all existing trees and hedgerows on the land and details showing all trees to be removed, or retained, together with details of all new planting to take place including species, size and method of planting.
REASON: To ensure a satisfactory appearance for the development.
20. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the first occupation of the building(s) or the completion of the development whichever is the sooner.
REASON:- To ensure a satisfactory appearance for the development.
21. All hard surfacing comprised in the approved details of landscaping shall be carried out within 3 months of the first occupation of the building(s) or the completion of the development, whichever is the sooner.
REASON:- To ensure a satisfactory appearance for the development.
22. Development shall not commence until a Landscape and Ecological Management Plan (LEMP) has been submitted to, and approved in writing by, the local planning authority. The content of the LEMP shall ensure the delivery of the agreed number of habitat units as a minimum (1.88 habitat units, 0.15 hedgerow units) to achieve a net gain in biodiversity and include the following.
- a) Description and evaluation of habitat parcels to be managed, cross referenced to individual lines in the metric.
 - b) Maps of all habitat parcels, cross referenced to corresponding lines in the metric.
 - c) Appropriate management options for achieving target condition for habitats as described in the approved metric.
 - d) Preparation of an annual work schedule for each habitat parcel (to be applied as a 30-year work plan capable of being rolled forward in perpetuity).
 - e) Details of the body or organisation responsible for implementation of the plan.
 - f) Details of species selected to achieve target habitat conditions as identified in approved metric, definitively stated and marked on plans.
 - g) Ongoing monitoring plan and remedial measures to ensure habitat condition targets are met.

- h) Reporting plan and schedule for informing LPA of condition of habitat parcels for 30 years.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery.

The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

The approved plan will be implemented in accordance with the approved details.

REASON: To ensure measurable biodiversity net gain in accordance with Stevenage Impact of Development on Biodiversity SPD (2021) and NPPF.

23. The measures to address adaptation to climate change as set out within the Design and Access Statement by Kyle Smart Associates dated January 2024 shall be implemented and permanently maintained in accordance with the approved details.

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

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

REASON: To minimise pollution of the environment and to protect foraging and commuting bats.

25. The refuse and recycling stores for each dwelling as shown on drawing number 23042WD2.02A shall be provided and made ready for use prior to first occupation of the dwellings they will serve and shall be retained in that form and kept available for those purposes thereafter.

REASON: To ensure that adequate refuse and recycling facilities are available to serve the development.

26. Notwithstanding the provisions of Classes A, B and C of Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revising, revoking or re-enactive that Order with or without modification), no internal or external alterations shall take place to any garage, which would preclude its use for housing motor vehicles and/or bicycles, no loft conversions including dormer windows / roof extensions, or roof lights and openings shall be constructed on the dwellinghouse(s) hereby permitted unless permission is granted on an application made to the Local Planning Authority.

REASON:- To enable the Local Planning Authority to fully consider the effects of development normally permitted by that Order to safeguard the amenities of the neighbouring properties from overlooking / loss of privacy and to ensure sufficient parking is available.

27. Following demolition, and prior to the commencement of construction of the proposed development, BRE 365 infiltration testing shall be provided at the depth and location of the proposed soakaways to demonstrate and confirm the detailed design of the drainage strategy (based on FRA & Drainage Strategy (6682-DR001 Revision 4, March 2024) and Drawings (6682-1910 Revision P3, March 2024))., If these results show that infiltration is not a viable option, the scheme shall follow 'Plan B' as set out in the FRA and Drainage Strategy, A set of construction drawings of the final surface water drainage network, associated sustainable drainage components, flow control mechanisms and a construction method statement shall be submitted and agreed in writing by the local planning authority. The approved scheme shall then be constructed as per the agreed drawings, method statement, and remaining in perpetuity for the lifetime of the development unless agreed in writing by the Local Planning Authority. No

alteration to the agreed drainage scheme shall occur without prior written approval from the Local Planning Authority.

REASON:- To ensure that the development achieves a high standard of sustainability and to comply with NPPF Policies of Stevenage Borough Council.

28. The development hereby approved shall not be occupied until details of the maintenance and management of the sustainable drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall be implemented prior to the first occupation of the development hereby approved and thereafter managed and maintained in accordance with the approved details in perpetuity. The Local Planning Authority shall be granted access to inspect the sustainable drainage scheme for the lifetime of the development. The details of the scheme to be submitted for approval shall include:

1. A timetable for its implementation.

2. Details of SuDS feature and connecting drainage structures and maintenance requirement for each aspect including a drawing showing where they are located.

3. A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime. This will include the name and contact details of any appointed management company.

4. Information on how each individual property owner will manage the shared responsibility of soakaways crossing multiple property boundaries.

REASON:- To ensure that the development achieves a high standard of sustainability and ensure the flood risk is adequately addressed for each new dwelling and not increased in accordance with NPPF and Policies of Stevenage Borough Council

29. Upon completion of the surface water drainage system, including any SuDS features, and prior to the first use of the development; a survey and verification report from an independent surveyor shall be submitted to and approved in writing by the Local Planning Authority. The survey and report shall demonstrate that the surface water drainage system has been constructed in accordance with the details approved pursuant to condition 1. Where necessary, details of corrective works to be carried out along with a timetable for their completion, shall be included for approval in writing by the Local Planning Authority. Any corrective works required shall be carried out in accordance with the approved timetable and subsequently re-surveyed with the findings submitted to and approved in writing by the Local Planning Authority.

REASON:- To ensure the flood risk is adequately addressed, not increased and users remain safe for the lifetime of the development in accordance with NPPF and Policies of Stevenage Borough Council.

30. Development shall not commence until details and a method statement for interim and temporary drainage measures during the demolition and construction phases have been submitted to and approved in writing by the Local Planning Authority. This information shall provide full details of who will be responsible for maintaining such temporary systems and demonstrate how the site will be drained to ensure there is no increase in the off-site flows, nor any pollution, debris and sediment to any receiving watercourse or sewer system. The site works and construction phase shall thereafter be carried out in accordance with approved method statement, unless alternative measures have been subsequently approved by the Planning Authority

REASON:- To prevent flooding and pollution offsite in accordance with the NPPF.

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

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

INFORMATIVES

1. A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk. Application forms should be completed online via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.
2. 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.
3. 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.
4. 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. The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/businessanddeveloper-information/development-management/highways-developmentmanagement.aspx> or by telephoning 0300 1234047.
6. 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.

7. 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, Campus East, Welwyn Garden City, Hertfordshire, AL8 6AE.

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).

8. 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".
9. 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>

Pro-active Statement

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 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

1. The application file, forms, plans and supporting documents having the reference number relating to this item.
2. The Stevenage Local Plan 2011-2031.
4. 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); Design Guide SPD (2023).
5. Hertfordshire County Council Local Transport Plan LTP4 2018-2031
6. Central Government advice contained in the National Planning Policy Framework 2023 and the National Planning Practice Guidance.
7. Responses to consultations with statutory undertakers and other interested parties referred to in this report.