

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

**Date:** 17 July 2024

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**Lead Officer:** Zayd Al-Jawad

**Contact Officer:** Ailsa Davis

Application No :	23/00954/FPM
Location :	The Oval, Stevenage, SG1 5LW
Proposal :	Hybrid application for the comprehensive redevelopment of land at The Oval comprising: an Outline Application for a mixed use development on parcels A,B and D to include 250 dwellings, 1200sqm of mixed commercial (Class E), Parking and public realm improvements including a New Market Square, up to 2650sqm of retail (Class E) and 220sqm mixed use (Class E and Sui Generis) and parking on Parcel C, and a Full Application for the Construction of 91 dwellings and shared communal facilities for Independent Living (Parcel E), community building including place of worship and public realm (Parcel F)
Drawing Nos:	<p>Detailed Phase:</p> <p>OVL-RTA-ZZ-ZZ-DR-A-0001 PL03; OVL-RTA-ZZ-ZZ-DR-A-0003;  OVL-RTA-ZZ-ZZ-DR-A-0004 PL01; OVL-RTA-ZZ-ZZ-DR-A-0005 PL01;  OVL-RTA-ZZ-ZZ-DR-A-0010 PL04; OVL-RTA-ZZ-ZZ-DR-A-0016 PL03;  OVL-RTA-ZZ-ZZ-DR-A-0017 PL03; OVL-RTA-ZZ-ZZ-DR-A-0019 PL02;  OVL-RTA-E-00-DR-A-0240 PL03; OVL-RTA-E-01-DR-A-0241 PL03;  OVL-RTA-E-02-DR-A-0242 PL03; OVL-RTA-E-03-DR-A-0243 PL03;  OVL-RTA-E-04-DR-A-0244 PL03; OVL-RTA-E-RF-DR-A-0245 PL03;  OVL-RTA-E-ZZ-DR-A-0340 PL03; OVL-RTA-E-ZZ-DR-A-0341 PL03;  OVL-RTA-E-ZZ-DR-A-0440 PL03; OVL-RTA-E-ZZ-DR-A-0441 PL03;  OVL-RTA-E-ZZ-DR-A-0442 PL03; OVL-RTA-E-ZZ-DR-A-0443 PL03;  OVL-RTA-E-ZZ-DR-A-0444 PL03; OVL-RTA-E-ZZ-DR-A-0445 PL03;  OVL-RTA-E-ZZ-DR-A-0540 PL03; OVL-RTA-F-00-DR-A-0250 PL03;  OVL-RTA-F-ZZ-DR-A-0251 PL03; OVL-RTA-F-ZZ-DR-A-0350 PL03;  OVL-RTA-F-ZZ-DR-A-0351 PL03; OVL-RTA-F-ZZ-DR-A-0450 PL03;  OVL-RTA-F-ZZ-DR-A-0451 PL03; OVL-RTA-F-ZZ-DR-A-0550 PL03;  OVL-RTA-ZZ-ZZ-DR-A-0155 PL02; OVL-RTA-ZZ-ZZ-DR-A-0156 PL02;  D3246-FAB-ZZ-XX-DR-L-1002 P01; D3246-FAB-ZZ-XX-DR-L-1003 P02;  ST3202-702-D; ST-3202-300-C; L002</p>

Outline Phase:

D3246-FAB-ZZ-00-DR-L-1102 P03; D3246-FAB-ZZ-00-DR-L-1103 P03;  
D3246-FAB-ZZ-00-DR-L-8000; D3246-FAB-ZZ-00-DR-L-8001;  
D3246-FAB-ZZ-00-DR-L-8002; D3246-FAB-ZZ-00-DR-L-8003;  
D3246-FAB-ZZ-00-DR-L-8004; D3246-FAB-ZZ-XX-DR-L-1000 P05;  
D3246-FAB-ZZ-XX-DR-L-1001; OVL-RTA-ZZ-ZZ-DR-A-0110 PL03;  
OVL-RTA-ZZ-ZZ-DR-A-0115 PL03; OVL-RTA-ZZ-ZZ-DR-A-0116 PL03;  
OVL-RTA-ZZ-ZZ-DR-A-0150 PL04; OVL-RTA-ZZ-ZZ-DR-A-0157 PL02;  
OVL-RTA-ZZ-ZZ-DR-A-0158 PL01; ST-3202-301; ST-3202-302; ST-3202-303;  
ST3202-719-A; ST3202-713-F; ST3202-720-B; ST3202-718-B;  
ST3202-703-F; ST3202-704-F; ST3202-705-G; ST3202-706-C; ST3202-700-D; ST3202-806-D; ST3202-707

Applicant :

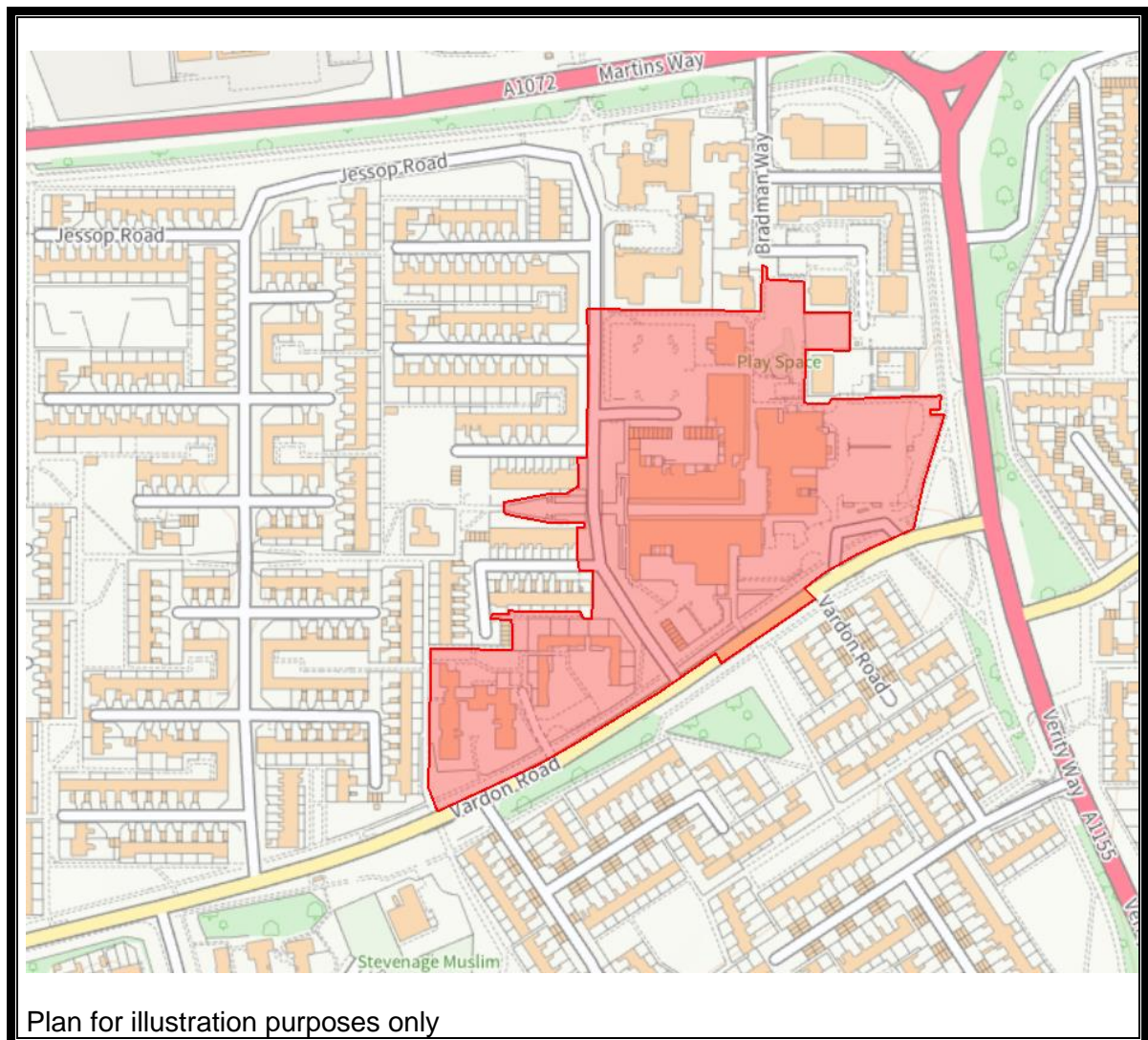
Stevenage Borough Council

Date Valid:

22 December 2023

Recommendation :

GRANT PLANNING PERMISSION



## **1. SITE DESCRIPTION**

- 1.1 The application site extends to 3.97ha and comprises the whole of The Oval Centre. It is broadly bounded by Verity Way (the A1155), Vardon Road, Jessop Road and the open spaces between the Centre and Martin's House and Bradman way to the north. The application site is formed of two distinct land parcels: Hobbs Court to the west of Jessop Road (Parcel E) and The Oval Neighbourhood Centre to the east (Parcels A-D and F). Hobbs Court (Parcel E) was built in 1966 and comprised 40 retirement properties and communal facilities. The properties were vacated over the course of late 2022 and early 2023. It has now been partially demolished.
- 1.2 The Oval Neighbourhood Centre is formed of a L-Shaped shopping parade running east-west and dates from the early 1960s. It is a pedestrianised street with a range of units on the ground floor and residential properties accessed via gated steps and decks above. The buildings range from 1 to 3 storeys. The main shopping area has a range of independent retailers and service providers in the units including the laundrette, a pharmacy, independent hardware store, a local supermarket (The Co-operative), general store/postal services (Morrisons Daily), an independent café and a range of hot food takeaways.
- 1.3 The residential properties comprise 22 two-storey, 3-bedroom maisonettes. The properties are accessed via gated 'decks'. Due to The Oval being at a lower level from Jessop Road, the residential uses give the illusion of being at street height. These properties do not benefit from private amenity space. There is some limited carparking and bin storage located to the rear. The Oval Centre (including the residential element) is served by two carparks. The main car park is accessed from Vardon Road and provides easy pedestrian access into the main shopping street. A second car park accessed via Jessop Road is located to the north. This car park is less heavily utilised and has more limited connectivity with the main shopping area.
- 1.4 A large community centre is located to the east of the site. The building is constructed across several levels and houses the main community hall together with All Saints Church and the St Nicolas and St Martins family centre on the northern side. The main offices for the family centre are accommodated in an extension to the building. The Times Club (including the Hilites Bar) is located on the southern part of the site. To the north of the community building is an equipped area of play, a rectangular area of amenity green space, which is used informally for ball games and children's play. An enclosed community garden is located to the east which is bound by hedgerows and trees and the Jehovah's Witness Hall (not within the application site) to the south.
- 1.5 The site is not located within a Conservation Area and there are no listed buildings or heritage assets associated with the site. The site is located within Flood Zone 1 and therefore has a low risk of fluvial flooding.

## **2. RELEVANT PLANNING HISORY**

- 2.1 There is limited relevant planning history for the site. Most applications relate to shop front alterations and signage. In 2000 an application was made to extend the community centre to provide an office (00/00368/FP) which is now used by the Family Centre.

## **3. THE CURRENT APPLICATION**

- 3.1 The planning application is submitted in 'hybrid' form and seeks detailed planning permission for the initial (Phase 1) suite of works and outline planning permission (with all matters reserved, namely appearance, access, landscaping, layout and scale) for the remainder of

the Masterplan. The extent of the detailed and outline application areas is shown on the Parameter Plan ref: OVL-RTA-ZZ-ZZ-DR-A-0157 PL02 (See Figure 1) below:

3.2 The composition of the application and proposed development is as follows:

*Application for Detailed Planning Permission*

- Parcel E (Hobbs Court) is being re-developed to provide 91 independent living apartments (use class C3), a communal lounge, courtyard garden and parking within a building ranging between one and five storeys in height. Parcel E sits outside of the main Oval Neighbourhood Centre and can be redeveloped independently of the rest of the site utilising the existing access.
- Parcel F (to the north) comprises the main community building incorporating a place of worship and surrounding amenity green space including an extended ‘community’ garden. The building extends to 1,641m<sup>2</sup> across 3 floors (use class F1) up to 13.5m in height.
- Approval is also being sought for the Design Code which would apply to future phases and access (‘New Street’ and ‘Market Square’).



Figure 1 Parameter Plan

*Application for Outline Permission*

3.3 Parcels A, B, D and C are currently applied for in outline, with access, appearance, landscaping, layout and scale reserved for future consideration. Planning permission is sought for:

- Parcel C: up to 2,870m<sup>2</sup> of retail which includes a supermarket (2,650m<sup>2</sup>) to include storage areas and 220m<sup>2</sup> of commercial (use class E, F2 and *sui generis*) within a building up to 12m in height.
- Parcels B and D up to 250 flats (1 and 2 bed), 1,200m<sup>2</sup> mixed use commercial (use class E(a), E(b) and E(ci-iii), F2 and *sui generis*), landscaping including the play street and parking within buildings up to 22.6m in height; and
- Parcel A up to 8 x 4 bed family homes together with parking and landscaping up to 11m in height.

3.4 The redevelopment of The Oval neighbourhood centre would take place over several years with the final project currently anticipated at being completed in late 2030. To ensure that existing residents and businesses can continue to operate, a detailed phasing strategy has been developed. The phasing strategy is reflected in the development description and timing for the submission of 'full' applications. A full phasing plan is set out within the Masterplan Design and Access Statement at section 1.5 and can be seen in Figure 2 below:

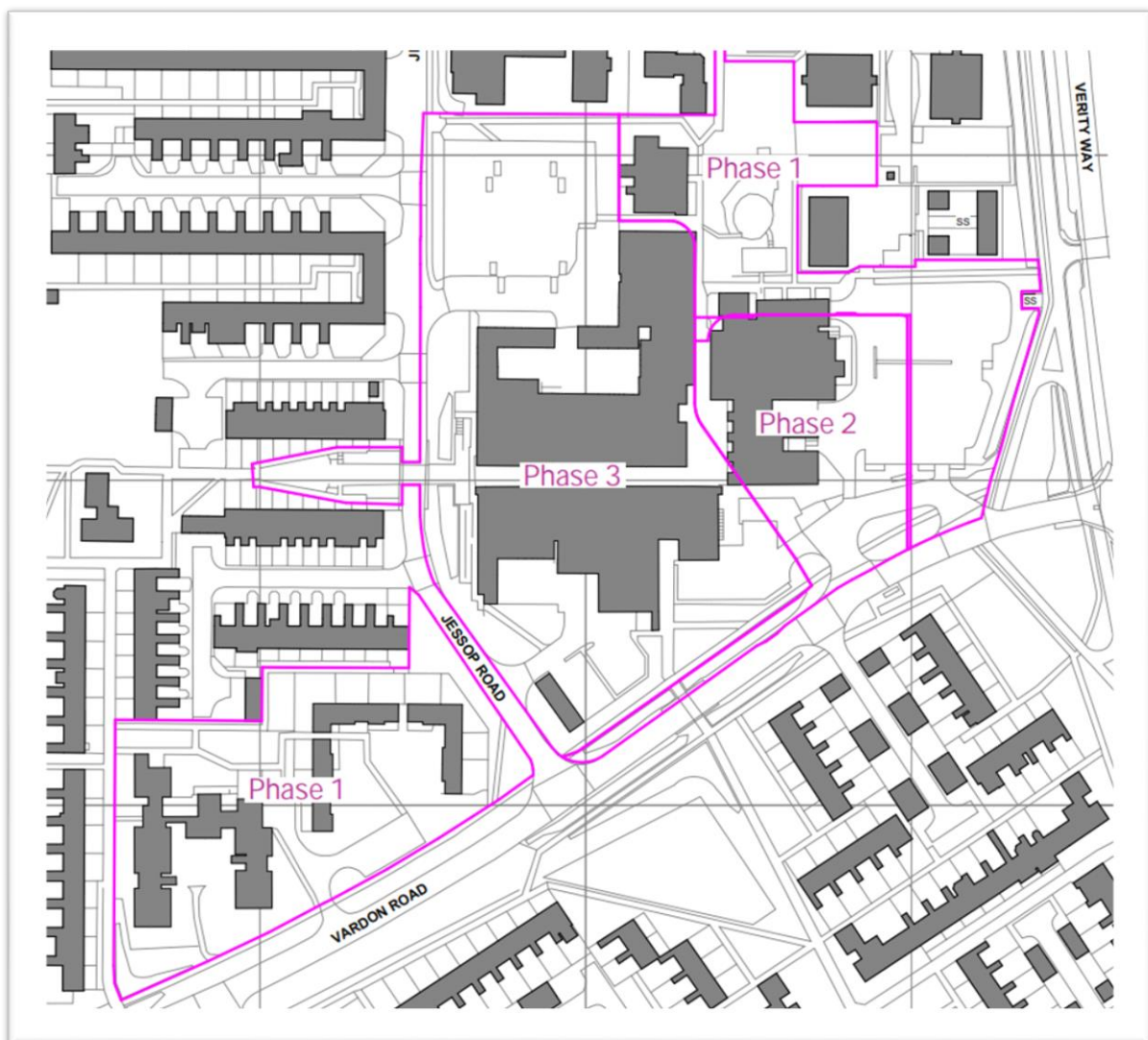


Figure 2 Phasing Plan

3.5 Phase 1 comprises the redevelopment of Hobbs Court (parcel E) and the construction of the new community centre (parcel F).

- 3.6 Phase 2 involves the development of Parcel C, which is occupied by the current community centre building (together with Times Club and Family Centre). These would be redeveloped as an anchor store for occupation by a potential discount retailer, together with some smaller units that would enable decant from the existing Neighbourhood Centre ahead of demolition. Whilst the final design is a reserved matter and would be dependent on the final occupier, it is estimated that the store would comprise up to 2,650m<sup>2</sup> of floorspace (including storage and ancillary uses). A Retail Impact Assessment has been prepared by Alder King to support the outline application and to provide assurance of the impact of this use.
- 3.7 Finally, Phase 3 comprising Parcels A, B and D which include most of the residential use on the site, together with some smaller commercial units on the ground floor to provide an active frontage to the Market Square would come forward. Demolition of the existing centre would take place to enable this phase. Whilst scale and appearance are reserved matters, a site wide Design Code has been prepared to set the parameters and ensure that the redevelopment forms part of a cohesive project. The Design Code is subject to detailed approval.
- 3.8 The application proposal has gone through a pre-application process with the Local Planning Authority, which has resulted in improvements to the scheme. Pre-application discussions have also been held with Hertfordshire County Council (HCC) as Highway Authority.
- 3.9 This application comes before the Planning and Development Committee for its decision as Stevenage Borough Council is the applicant and it is a Major application.

## **4. BACKGROUND TO PROPOSAL**

- 4.1 The Oval Neighbourhood Centre is located to the northeast of Stevenage and forms one of the six original neighbourhoods envisaged in the Master Plan and overseen by the Development Corporation following the town's designation as the first 'New Town' in 1946.
- 4.2 The centre, which was opened in 1961, embodies many of the bold and experimental design principles characteristic of town planning in the 1950s, 60s and 70s including segregated traffic and pedestrian movements using underpasses and changing land uses, dedicated cycle ways, pedestrianised shopping precincts and deck-access housing. In general, the residential areas surrounding The Oval are of a 'Radburn' layout with homes facing onto informal amenity spaces, an unclear street hierarchy and relatively low densities.
- 4.3 Whilst The Oval was built to a bold design it has aged poorly and has a negative perception amongst residents, with a reputation for anti-social behaviour. A comprehensive regeneration programme has been part of the Council's agenda for over a decade. In November 2008, Stevenage Borough Council Executive sought to prioritise the regeneration of the town's centres through a major investment strategy. This strategy sought the complete redevelopment of The Oval noting that,
- "[...] whilst it has excellent accessibility by all modes of transport it performs poorly on a number of fronts particularly the high levels of crime and general feeling of being an unsafe environment, the condition of the buildings is poor as is the quality of the public realm".*
- 4.4 Many of the buildings are now reaching the end of their life with refurbishment costs to bring them up to modern standards of energy efficiency unobtainable or unlikely to represent 'value for money' in the longer term. Furthermore, refurbishment would not address matters such as

the public realm identified by the Executive. On this basis, planning permission is being sought for the complete redevelopment and regeneration of this Local Centre.

## **5. PUBLIC REPRESENTATIONS**

- 5.1 As a major planning application, the proposal has been publicised by way of two site notices and a press notice. In addition, neighbouring properties have been consulted by way of letter. At the time of drafting this report, two general comments have been received making comments around securing integrated swift bricks. Two objections have been received from residents in Jessop Road raising concerns about the housing in parcel E blocking views and light from their dwellings at the front. Concerns have also been raised regarding the proposed balconies of parcel E overlooking their front rooms. Comments have also been made about replacement hedgerows/trees and tree protection. One support comment has been received in favour of the principle of the regeneration of this Neighbourhood Centre.
- 5.2 Please note that a verbatim copy of all comments and representations received are available to view on the Council's website.

## **6. CONSULTATIONS**

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

### **6.2 HCC Highway Authority**

- 6.2.1 Hertfordshire County Council as Local Highway Authority does not wish to object to planning permission being granted (see section 8.5 of this report which considers highway implications of this development) but raise several planning conditions and obligations (see section 10 of this report for conditions and obligations).

### **6.3 HCC Growth and Infrastructure Unit**

- 6.3.1 Hertfordshire County Council's Growth and Infrastructure Unit do not have any comments to make in relation to financial contributions required by the Hertfordshire County Council's Guide to Developer Infrastructure Contributions 2021. Notwithstanding this, we reserve the right to seek Community Infrastructure Levy contributions towards the provision of infrastructure through the appropriate channels.

### **6.4 Affinity Water**

- 6.4.1 No objection.

### **6.5 Thames Water**

- 6.5.1 Thames Water would advise that with regards to SURFACE WATER network infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.
- 6.5.2 Thames Water would advise that with regards to FOUL WATER sewerage network infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.

## **6.6 SBC Parks and Amenities**

- 6.6.1 The Landscape Design and Access Statement 'Aims to enhance biodiversity' – However, this has not been evidenced with the information submitted. An ecology report has been undertaken but shows only the potential impact and some required mitigation measures. Under the SPD, the developer must appoint an ecologist to undertake a biodiversity net gain assessment using the latest Defra metric. This will show whether there has been a shortfall or potential uplift in biodiversity for the site post-completion. A minimum 10% gain must be achieved.
- 6.6.2 Should a shortfall be identified, the developer will either seek to alter the scheme to encompass the delivery of the net gain on-site, or, where this is proven not viable, a contribution shall be provided to the Council to deliver the uplift offsite but within Stevenage. Both scenarios require a commitment and plan to ensure that the biodiversity net gain is/will be achieved, monitored, and maintained for at least 30 years.
- 6.6.3 The current proposals show extensive planting and landscaping, which will require a maintenance regime above and beyond SDS's current operational capability and capacity. Currently, the site will only receive minimal maintenance visits (approx. 8-10 grass cuts and one pruning visit per year).
- 6.6.4 Therefore, we have considerable concerns about maintaining the site according to the expectations shown and indicated.
- 6.6.5 Therefore, an agreement on the service level with SDS on the maintenance of this proposed new development must be reached before approval of any planting and landscaping. Furthermore, the developer must consider the current difficulties and be prepared to amend and change the landscaping plans and planting to accommodate the agreed maintenance regime. All discussions and negotiations concerning the agreed service level, resourcing and funding shall be made to Stevenage Direct Service's Operational Team.
- 6.6.6 As mentioned in the DAS, the proposals indicate a significant rise in planting by 5337 square metres and a substantial decrease in grass by 8082 square metres. This has further strengthened our apprehensions about the maintenance and upkeep challenge, as it contradicts the present approach of decreasing the number of planted areas in the town being converted to grass.
- 6.6.7 We have concerns about the viability of the proposed large planting pots at the entrance gateway and market square and the raised metal planters. Any raised planters or potted plants will likely dry out and need regular watering or irrigation. Also, Stevenage is in a water-stressed area, so the developer should consider this and ensure that the proposed planting and landscaping schemes do not put unnecessary pressure on water resources. This will help with climate change adaptability and reduce the costs and resources required to maintain the landscape.
- 6.6.8 The proposals suggest placing several benches beneath the trees. While we appreciate the need for shaded seating options, we want to emphasise the importance of thoughtful consideration to avoid placing an excessive maintenance burden. It's essential to account for the possibility of benches requiring regular cleaning due to factors such as bird droppings, fruit, sap, and other environmental factors.
- 6.6.9 The proposed playable water feature raises significant concerns about potential ongoing maintenance and upkeep. While, in principle, it is a lovely idea and an attractive, playable feature, there are many considerations to bear in mind. Running costs, inspections, water sanitation and treatment, pump maintenance and replacements, and surface and filtration cleaning need to be considered, all of which can be costly and time-consuming.
- 6.6.10 SDS will not maintain this feature. Advice should be sought from the Engineers.



- 6.6.11 All grassed areas shall be designed for access by mechanical grass-cut machinery. As such, any gradients must be 15 degrees or less to enable mechanical machinery to be used safely.
- 6.6.12 All landscaped areas must be easily accessible for maintenance.
- 6.6.13 A large quantity of timber is being proposed throughout the site, raising significant concerns about maintenance, durability, and upkeep. The amount of timber must be reduced and substituted with durable alternatives such as attractive metal or composite materials. All furniture and surfaces must be easily maintained and cleaned (e.g., pressure washing). Timber decking is also being proposed in several locations throughout, and non-slip composite options should be used instead.
- 6.6.14 We require details of the proposed standardised benches. Furthermore, the bins should match with the existing ones throughout the town. Details can be provided upon request.
- 6.6.15 All furniture must be easy to maintain and clean (pressure wash and gum removal, etc.), graffiti-resistant, and, where necessary, include skate/grind stops.
- 6.6.16 We have concerns regarding the proposed seating pebbles and cubes, as they will make it challenging to clean the hard surfaces on which they are located. Dust, dirt, litter, etc., will gather under the overhang, making it difficult to clear/clean under them. As such, the seating cubes and pebbles must be flush to the ground. All areas must be designed to be easily maintained. Additionally, the design should consider access by mechanical sweepers.
- 6.6.17 All hard surfaces must be suitable for mechanical sweeping.
- 6.6.18 The provisions within the Community Garden may need further consideration. These could include a secure tool store area, a composting area (rodent-free), and irrigation and rainwater harvesting opportunities. Furthermore, the surrounding trees and vegetation should be considered so that they do not overshadow the raised beds.
- 6.6.19 Loose hard aggregate (e.g., pea shingle, gravel, etc) as a finishing surface will not be acceptable. These areas must be hard landscaped.
- 6.6.20 We have concerns regarding how close some trees appear to be planted next to buildings (particularly as shown in the communal courtyard of the retirement living area). This shall be clarified and, if necessary, moved to prevent interference issues.
- 6.6.21 The large ornamental buffer planted area surrounding the retirement living area shall be reduced in size to lessen the maintenance burden.
- 6.6.22 From experience, planting next to parking bays causes maintenance challenges and must be limited as much as possible. Any planting next to parking areas must be designed to allow for door-swing offsetting, desire lines (to prevent trampling), protection from damage, low level (to reduce visibility) and low maintenance.
- 6.6.23 What appears to be some small areas of planting (e.g., around the crossing points in the new commercial street) may struggle to establish and should be omitted from the design and hard landscaped.
- 6.6.24 The proposed species-rich grass area may not be suitable for this location. We require more details on the proposal for maintaining this area, which should be changed to amenity grass if it cannot be suitably maintained or accessed.
- 6.6.25 All planted areas must be designed to prevent wash-off onto surrounding surfaces. This could include upstand edging or ensuring the finishing level is below the surrounding surface. This must be carefully considered around banks or gradients and in high-footfall areas.

- 6.6.26 We need more information about maintaining the bio-retention planters and the required frequency.
- 6.6.27 Whilst the SDS Operations Team may be able to carry out basic maintenance to the planting within the proposed SuDs, we do not have the expertise and capacity to maintain the infrastructure (such as repairs, removing debris build-up, etc). Advice should be sought from the Engineers on this matter. As shown in the drawings, we would also like to know where the proposed basin will be located.
- 6.6.28 While we support incorporating green/blue roofs, we require clarification on who will maintain these, as SDS does not have the expertise or resources to do so.

*Play*

- 6.6.29 All play equipment must be installed to BS EN1176 & BS EN 1177 standards.
- 6.6.30 An independent RPII inspector must conduct a post-installation inspection of all play areas and equipment to ensure they meet the approved standards and are safe for use. If any issues or concerns are found during the inspection, they must be resolved before the play area or features can be opened for public use.
- 6.6.31 All play equipment must be robust, durable, and highly resistant to vandalism. In most instances, our preference is for metal. Timber may only be considered if it is FSC-certified hardwood Robinia timber, with all fixtures made of stainless steel. The timber used must be durable, have a pleasant texture, and be appropriate for the location where it will be used.
- 6.6.32 We have some concerns about the suitability of the public hammock at this location.
- 6.6.33 Generally, any fixed-play item with a potential fall height of 600mm or greater shall require impact absorbent surfacing to be installed.
- 6.6.34 Some photos depict tunnels as play features; however, from experience, these cause many issues and must not be installed anywhere.
- 6.6.35 We require full specifications and manufacturer details of the play items following installation. This enables the sourcing of replacement parts and carrying out repairs, etc.
- 6.6.36 Retaining boulders must be secured fully to prevent traps, movement, etc.
- 6.6.37 Bark mulch and sand are not acceptable safety surfaces for play areas. Wet-pour rubber must be used, and it must be one colour only.
- 6.6.38 All play areas must be designed to be inclusive and accessible. Concerns have been raised regarding the inclusivity of the current proposals, and we request that further improvements be made to address this issue.
- 6.6.39 We have concerns that the proposed bespoke fencing on the perimeter of the play space does not comply with BS EN1176, and there could be a potential for head/finger entrapment. We recommend seeking expert advice on this matter.
- 6.6.40 There are concerns about the amount and density of planting surrounding the play area. Over time, this could make the area feel enclosed and unsafe. To encourage a safer feeling, we recommend keeping the area more open.
- 6.6.41 The design must also consider desire lines that could damage areas of planting/landscaping. These lines must be anticipated as much as possible, and the landscaping adjusted to suit.

6.6.42 We require information on protecting the play area (particularly for toddlers) from dog access.

#### *Plants*

6.6.43 To reduce the maintenance burden, the planting mix must be changed to comprise more low-maintenance shrubs for less herbaceous across the whole scheme.

6.6.44 When selecting plants for a location, it is important to consider their suitability. This means ensuring that fruiting species are kept away from hard surfaces and that the plants around play areas are safe. It is also important to choose plants that do not present a fire hazard or are too close to buildings, do not obstruct windows, vents, or exits, and do not provide opportunities for rodents or anti-social behaviour.

6.6.45 Blueberry is a particularly tender plant requiring special care and will not be suitable for this location. It shall be substituted for a suitable low-maintenance alternative.

6.6.46 Grape vines are also susceptible to damage and require special care and shall be substituted for an alternative.

6.6.47 Roses require specific care and maintenance and should be substituted for an alternative.

6.6.48 Mahonia and Rose are unsuitable for the play area due to their spikey nature. They must be substituted with suitable alternatives.

6.6.49 Sensory planting aims to stimulate all the senses, including touch, smell, sound, and sight. By including more varieties of plants that appeal to all these senses, the sensory experience could be enhanced. Examples of plants that could be incorporated are lamb's ear, rosemary, lavender, and grasses.

6.6.50 Verbascum is heavily seeding and can cause maintenance issues by popping up everywhere. Therefore, it should be suitably substituted with an alternative.

6.6.51 Ivy and periwinkle (buffer mix) grow quickly and can cause maintenance challenges. These should be suitably substituted with alternatives.

6.6.52 Euphorbia is not appropriate in this location as it can be irritant/toxic. This must be substituted for a suitable alternative.

6.6.53 Pampas grass is unsuitable as it grows large, has sharp leaves, and represents a potential fire hazard. As such, it shall be suitably substituted.

6.6.54 The planting schedule states that all planting is to be protected from mammal and human damage by stock-proof fencing. We request further details on this and how it is proposed to be managed and maintained.

6.6.55 It will not be possible for SDS to fork over planted areas regularly, as stated in the planting schedule following the handover.

6.6.56 A minimum 12-month defect liability period is required for all planting. Any failed, diseased or dying plants must be replaced during the defect period or in the next planting season.

#### *Trees*

6.6.57 Tilia cordata Rancho attracts aphids, which can cause cleansing issues around hard surfaces and street furniture. It should be replaced with a non-aphid alternative.

6.6.58 Malus Donald Wyman is proposed in the play area. Due to maintenance issues, no fruiting trees/shrubs are to be located in the play area.

- 6.6.59 We require clarification if *Prunus cerasifera Nigra* is spiky or fruiting. If so, it will not be suitable for the play area.
- 6.6.60 Placement of *Acacia dealbata* requires careful consideration due to its vigorous growth and potential issues.
- 6.6.61 Fruiting trees or shrubs should not be planted near hard surfaces that may cause cleaning and maintenance issues. Additionally, growing fruits such as apples or pears on this site may not be appropriate, as they can create problems.
- 6.6.62 For further comment and feedback regarding trees, please refer to the Arboriculture and Conservation Manager.
- 6.6.63 Following receipt of the above comments, a meeting was held with the Council's Green Spaces Development officer where further information was provided, including a Management Plan setting out who would be responsible for maintenance of each part of the site. Updated comments were received which advise many of the issues have been addressed, those still outstanding can be dealt with by planning condition. A full verbatim of the updated comments are available to view on the Council's website.

## **6.7 Lead Local Flood Authority**

- 6.7.1 We object to this planning application in the absence of an acceptable Drainage Strategy relating to:
- The current drainage strategy may increase flood risk elsewhere.
  - The development not complying with NPPF and PPG.
- 6.7.2 Reason: 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 operates as designed for the lifetime of the development.
- 6.7.3 We are pleased to see a wide range of SuDS measures incorporated across the site, following an assessment of the opportunities for their use in each Parcel provided in Appendix H of the Flood Risk Assessment. We will consider reviewing this objection if the following issues are adequately addressed:
- An assessment to show that the proposed drainage network will not intercept the overland flow path going through the site. If it is anticipated that it will enter the drainage scheme, it should be upgraded to accommodate the additional flows from the wider catchment.
  - The drainage calculations provided use FSR rainfall parameters. These should be updated using FEH13 or 22. In addition, we note that we expect to see the following scenarios modelled:
    - 50% AEP rainfall event – this should not surcharge in the drainage network if it is to be adopted by a responsible authority.
    - 3.33% AEP rainfall event plus climate change – should not flood outside the drainage network which is designed to hold water (see the website - Climate change allowances for peak rainfall in England (data.gov.uk) for the appropriate allowance).
    - 1% AEP rainfall event plus 40% climate change - does not leave the application boundary or flood any part of a building, utility plant susceptible to water (e.g., pumping station or substation) within the development boundary.
  - Finished floor levels should be a minimum of 150mm above external ground levels or 300mm above flood levels (whatever one is more precautionary) and show that they are sloping away from vulnerable areas such as doorways. We note there is a flow path in the north east corner

of the site and so it is likely floor levels should be 300mm above the expected water depth in those areas.

- A high-level assessment of how water quantity and water quality will be managed during the construction phase is required, identifying high level assumptions such as need to discharge to a sewer or watercourse with appropriate pollution measures. In addition, a high level phasing plan should be provided to demonstrate how the drainage system across the site will be implemented and protected during the works. These details could be secured by condition.

6.7.4 The applicant has provided updated information to address the above points and the LLFA provided updated comments raising no objection, subject to conditions:

*Comments dated 3 June 2024*

6.7.5 Since our previous response, the applicant has provided an updated set of documents to address our concerns. Following a review of the newly submitted information, we are satisfied our concerns have been actioned and so have no objection to this application. We would recommend the following conditions if you are minded to approve this application.

6.7.6 We understand that in the north of the site, the surface water flow path is designed to be directed through a swale and an open area, before exiting the site as per its current route. Although this is acceptable, we do note that from looking at the Environment Agency surface water flooding maps, it appears some of the flow path from the north is also present further west of the proposed swale, meaning there may be flows which enter parcels B, C and D.

6.7.7 The applicant has suggested that they do not need to consider the flow path as it is not fully formed at the 1% AEP rainfall event. The LLFA highlight that climate change must be included in this assessment, hence without any other further information available, this can be represented by the 0.1% AEP rainfall event as shown on the surface water flood risk maps. The alteration of the arrangement of the buildings may increase the flood risk within the development boundary. As a result, we have suggested this is considered within one of the below conditions (Condition 2).

6.7.8 Please note that we have assumed the title on the tables in section 12.4.2 of the Drainage Strategy (Appendix H of the FRA) are a typo - they read as the 1 in 100 year plus 40% climate change discharge rate but the calculations provided do not include climate change and are the same values.

## **6.8 HCC Minerals and Waste**

6.8.1 No objection, subject to a condition requiring the submission of a site waste management plan.

## **6.9 SBC Environmental Health**

6.9.1 No objection, subject to conditions relating to noise, contamination and hours of construction.

## **6.10 SBC CCTV Department**

6.10.1 I have reviewed the plans and wish to comment that the CCTV locations will need to be amended. The attached Mapping shows the existing locations, blue dots, and the new locations, red dots.

## **6.11 SBC Highways (Engineers)**

6.11.1 No comments received.

## 6.12 Crime Prevention

6.12.1 Thank you for inviting me to comment on the regeneration of the Oval. I have been working closely with the project team as noted in the attached Design and Access Statement. My only recommendation is that, due to the issues that have dogged this location, I would strongly recommend that all the developments are built and achieve full accreditation to the Police preferred minimum security standard that is Secured by Design. The Police fully support this application.

## 6.13 SBC Arboriculture and Conservation Manager

6.13.1 Comments as per SBC Parks and Amenities response.

## 6.14 Hertfordshire Fire and Rescue (Fire Hydrants)

6.14.1 Request a condition for the provision and installation of fire hydrants, at no cost to the County Council or Fire and Rescue Service. This is to ensure there are adequate water supplies available at all times for use in the event of an emergency.

## 6.15 Active Travel England

6.15.1 Following a high-level review of the above planning consultation, Active Travel England has determined that standing advice should be issued and would encourage the local planning authority to consider this as part of its assessment of the application. Our standing advice can be found here: <https://www.gov.uk/government/publications/active-travel-englandsustainable-development-advice-notes>.

## 6.16 Hertfordshire and West Essex Integrates Care Board

6.16.1 This development will have an impact on primary health care provision in the area, and its implications, if unmitigated, would be unsustainable for the NHS. The financial contribution for health infrastructure that the HWE ICB is seeking, to mitigate the primary health care impacts from this development, has been calculated using a formula based on the number of units proposed and does not take into account any existing deficiencies or shortfalls in The Oval area of Stevenage and its vicinity, or any other development proposals in the area.

6.16.2 Cost calculation of additional primary healthcare services arising from the development proposal:

818.4 new patient registrations/2000 = 0.4092 of a GP \*GP based on ratio of 2,000 patients per 1 GP and 199m<sup>2</sup> as set out in the NHS England "Premises Principles of Best Practice Part 1 Procurement & Development"

0.4092 x 199 m<sup>2</sup> = 81.3408 m<sup>2</sup> of additional space required

81.3408 m<sup>2</sup> x £5,410\* per m<sup>2</sup> = £440,540.628 (\*Build cost; includes fit out and fees)

£440,540.628 / 341 dwellings = £1,291.908 per dwelling (rounded up to £1,292 per dwelling)

**Total GMS monies requested: 341 dwellings x £1,292.00 = £440,572.00**

6.16.3 The HWE ICB therefore requests that this sum is secured through a planning obligation attached to any grant of planning permission, in the form of a Section 106 planning obligation. A trigger point of payment on occupancy of the 50th Dwelling is requested. Please note, the developer contribution figures referred to in this response is a calculation only and that the final payment will be based on the actual dwelling unit mix and the inclusion of indexation.

6.16.4 If planning permission is granted, the HWE ICB propose to focus Section 106 monies on all or a combination of the following GP practices:

- Chells Surgery – c 0.4 miles from the development
- Canterbury Way Surgery and St Nicholas Health Centre – both are c 0.5 miles from the development

- Bedwell Medical Centre and Manor House Surgery – both are c 0.9 miles from the development
- Stanmore Road Medical Centre - c1 mile from the development
- King George Surgery - c1.3 miles from the development
- Symonds Green Health Centre and The Poplars Surgery – both are c 1.8 miles from the development
- Shephall Health Centre – c 1.9 miles from the development

6.16.5 The ICB are already in discussion with the practices and are exploring increases in capacity by way of lifting the patients records to offsite storage, re-configuring, repurposing and refurbishing the space vacated, re-configuring, repurposing and refurbishing in general, extending or relocating the GP premises to provide sufficient space to increase resources and clinical services and thus keep the patient lists open.

6.16.6 As well as the importance of a S.106 contribution for GMS, it is also vital to consider the impact of developments and additional residents on community and mental healthcare as occupiers of the development will access a variety of healthcare. Based on recent cost impact forecasting calculations, the potential cost impact of these developments going ahead on community and mental healthcare would be as follows:

Mental Health costs:

341 dwellings x £201.75 = £68,796.75

Community Healthcare costs:

341 dwellings x £182.03 = £62,072.00

6.16.7 It is planned that the Community Services (Hertfordshire Community Trust - HCT) and the Mental Health Services (Hertfordshire Partnership Foundation Trust – HPFT) for the Stevenage area will be re located and centralised in the new Stevenage Town Centre hub project. That is where the focus of the S106 would be for both services and both organisations rely on S106 funding being made available for this project.

6.16.8 In terms of identifying a project in full at this stage for Chells Surgery, Canterbury Way Surgery, St Nicholas Health Centre, Bedwell Medical Centre, Manor House Surgery, Stanmore Road Medical Centre, King George Surgery, Symonds Green Health Centre, The Poplars Surgery and Shephall Health Centre please note:

- All projects are subject to Full Business Case approval by the HWE ICB and NHS England.
- Any commercial arrangement has to be agreed between the landowner, developer and end user based on a compliant design specification, and which demonstrates value for money.
- All planning applications and responses are in the public domain; identifying a project before any design work starts, and funding is discussed, agreed and secured may raise public expectation and indicate a promise of improvements and increased capacity, which are subject to both the above points. Securing developers contributions to all aspects of healthcare is therefore vital.
- A project identified and costed in response to the planning application may not meet the objectives of current strategies or could have significantly increased in cost, especially if there has been any significant time lapse from the date of the response to the date of implementation of the planning consent.

6.16.9 In conclusion, in its capacity as the primary healthcare commissioner with full delegation from NHS England, the HWE ICB has identified a need for additional primary healthcare provision to mitigate the impacts arising from the proposed development. The cost calculation, set out

above are those that the HWE ICB and NHS England deem appropriate having regard to the formulated needs arising from the development.

6.16.10 The HWE ICB is satisfied that the basis and value of the developer contribution sought is consistent with the policy and tests for imposing planning obligations, as set out in the NPPF. Further, NHS England and the HWE ICB reserve the right to apply for S106 money retrospectively and the right to amend and request that this be reflected in any S106 agreement. Subject to certainty that developer contributions are secured, as set out above, the HWE ICB does not raise an objection to the proposed development.

### **6.17 SBC Waste Storage**

6.17.1 No comments received.

### **6.18 East Of England Ambulance Service NHS Trust**

6.18.1 No comments received.

### **6.19 Sport England**

6.19.1 At the time of drafting the report, comments have not been received. However, any comments including any request for financial contributions towards indoor and outdoor sports will be reported to the committee.

## **7. RELEVANT PLANNING POLICIES**

### **7.1 Background to the Development Plan**

7.1.1 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)

### **7.2 National Planning Policy Framework**

7.2.1 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.

- 7.2.2 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.
- 7.2.3 In order for a Local Plan to be effective, they need to be kept up-up-date. The NPPF states policies in local plans should be reviewed to assess whether they need updating at least once every 5 years. This is reflected under Regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) which sets out local planning authorities must review local plans every 5 years from their adoption to ensure that policies remain relevant and effectively address the needs of the local community.
- 7.2.4 The Stevenage Borough Local Plan (2011 – 2031) was formally adopted by the Council on the 22 May 2019. As of the 22 May 2024, the adopted Local Plan is 5 years old and as such, is deemed to be out-of-date. This means that the policies contained in the local plan are deemed to have limited weight with greater weight applied to the framework of policies in the NPPF.
- 7.2.5 The Council is undertaking a review of the Local Plan and intends to undertake a Regulation 18 consultation in the Summer 2024. Following this consultation period, the Council will seek to amend the Local Plan and then undertake a Regulation 19 consultation in the Winter of 2024. This will be where a further opportunity for representations can be made on the amendments to the Local Plan before it is submitted for examination to a planning inspector. The Council intends to submit the Local Plan for Examination in Public (EIP) in early 2025 with the aim to adopt an updated Local Plan by June 2025. As the updated Local Plan progresses through the relevant stages outlined above, more weight can be applied to the respective policies until its formal adoption by the Council.
- 7.2.6 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 11d) 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.
- 7.2.7 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.

7.2.8 On the 21<sup>st</sup> May 2024, the Council published its 5 Year Land Supply Update May 2024. This identifies that the Council can demonstrate a Housing Supply of **5.59 years** for the period 01 April 2024 to 31 March 2029, using the *Liverpool* methodology (spreads the delivery of historic undersupply of housing equally across the remainder of the Local Plan period) and guidance from the NPPF and Planning Practice Guidance. The 5 year land supply includes a 20% buffer.

7.2.9 The Council has also issued a Housing Delivery Action Plan May 2024. This provides an overview of housing delivery, analysis of barriers to delivery and actions necessary to increase the delivery of housing in the future. The action points specified in the Plan will be monitored on an annual basis to ensure delivery can be increased in order to meet the Council's target of 7,600 new homes over the Local Plan period.

### **7.3 Planning Practice Guidance**

7.3.1 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.

### **7.4 National Design Guide**

7.4.1 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.

### **7.5 Stevenage Borough Local Plan**

7.5.1 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 SP3: A strong, competitive economy;
- Policy SP4: A Vital Town Centre;
- Policy SP5: Infrastructure;
- Policy SP6: Sustainable Transport;
- Policy SP7: High quality homes;
- Policy SP8: Good Design;
- Policy SP9: Healthy Communities;
- 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 IT8: Public parking provision;
- Policy HO1/18: Housing Allocations -The Oval Neighbourhood Centre;
- Policy HO5: Windfall Sites;
- Policy HO6: Redevelopment of existing homes;
- Policy HO7: Affordable housing targets;
- Policy HO8: Affordable housing tenure, mix and design;
- Policy HO9: Housing types and sizes;
- Policy HO10: Sheltered and Supported Housing
- Policy HO11: Accessible and adaptable housing;
- Policy HC1/7: District, Local and Neighbourhood Centres;
- Policy HC4: Existing health, social and community facilities;

Policy HC5: New health, social and community facilities;  
Policy HC8: Sports facilities in new development;  
Policy GD1: High Quality Design;  
Policy FP1: Climate Change;  
Policy FP2: Flood Risk in Flood Zone 1;  
Policy FP5: Contaminated Land;  
Policy FP7: Pollution;  
Policy FP8: Pollution sensitive uses;  
Policy NH5: Trees and woodland;  
Policy NH6: General protection for open space;  
Policy NH7: Open space standards;  
Policy TC11: New Convenience Retail Provision;  
Policy TC13: Retail Impact Assessments

## **7.6 Supplementary Planning Documents**

7.6.1 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

## **7.7 Community Infrastructure Levy**

7.7.1 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/m<sup>2</sup> for sheltered and market housing and £60/m<sup>2</sup> for retail.

# **8. APPRAISAL**

8.1.1 The main issues for consideration in the determination of this application are its acceptability in land use and policy terms, design and layout, public realm and landscaping, highway impact, access and parking, flood risk and drainage, trees, ecology and biodiversity, climate change mitigation, air quality, noise, ground conditions, standard of accommodation, neighbouring amenity and planning obligations to mitigate the impact of the development.

8.1.2 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.

## **8.2 Land Use Policy Considerations**

### *Provision of Housing*

8.2.1 The principle of housing-led redevelopment of The Oval and intensification of the residential uses at the site is supported by Local Plan policy HO1/18 which identifies The Oval Neighbourhood Centre as an allocation for around 275 new homes (net). The Oval is one of several allocations required to meet the overall housing requirement of 7,600 new homes over the plan period. Importantly, The Oval represents a significant opportunity to help deliver the Local Plan vision to improve the substantial improvements to the image of the town and the quality of the built fabric and public realm. Accordingly, these improvements in turn would enable the delivery of new homes on previously developed land.

- 8.2.2 Policy HO1/18 goes on to provide clarification and guidance on the capacity and the treatment of the 275 figure. It states that sites should be developed at a capacity which generally accords with the dwelling figure for that site and that planning permission on these sites will be granted where the proposed development satisfactorily demonstrates how site-specific considerations have been properly addressed or incorporated into the proposal.
- 8.2.3 The outline element of the proposal seeks planning permission for up to 250 dwellings on parcels A,B and D. Whilst the policy figure of 275 dwellings was subject to sensitivity testing, the site specific design work and constraints (which included easements for utilities and root protection areas) demonstrate it is unlikely that this figure could be achieved without significant compromises to the design strategy including additional height, which would be out of keeping with the surrounding areas, an increase in impermeable areas, or significant compromises in relation to the provision of parking.
- 8.2.4 Paragraph 9.5 of the supporting policy text confirms that the 275 figure is indicative and that schemes should aim to achieve the highest possible net density having regard to the character of the area, passenger transport accessibility and other relevant plan policies. It is therefore considered that the residential proposals (outline) are consistent with the policy intent and there is no conflict.
- 8.2.5 Policy HO1 is further supplemented by a table which sets out site specific criteria and considerations. For The Oval, the considerations include:
- i) Archaeological and transport assessments
  - ii) Flood risk assessment
  - iii) Investigation of contamination
  - iv) Community facilities to be retained or provided (or their loss justified)
  - iv) Open space including the children's playground to be retained or re-provided and;
  - v) No loss in overall levels of parking provision unless it can be demonstrated that it will still meet the needs of the centre.
- 8.2.6 Taking each in turn:
- 8.2.7 A full Transport Assessment accompanies this application. Through pre-application discussions, it was confirmed that no archaeological assessment would be required as the likelihood of remains is limited and there were no obvious reasons why this was required based on re-examination of the Local Plan Evidence. A Flood Risk and Drainage assessment accompanies this application. A Ground Investigation has been carried out. Parcel F (Full application) makes provision for a new community building and place of worship to the north of the site. The children's playground and the Community Garden are re-provided to the north of the site adjacent to the community building (within Parcel F). A full parking survey has been undertaken and is provided with this application. It is considered therefore sufficient information has been provided to comply with the requirement of Policy HO1/18.

*Parcel E*

- 8.2.8 Parcel E (Hobbs Court) falls outside of the Local Plan housing allocation. It therefore does not benefit from the 'in principle support' afforded to the wider Oval Centre as a specific allocation through the Local Plan. Policy HO1 also includes a 200-dwelling per year 'windfall' allowance which has been built into the identified allocation. As set out in paragraph 9.9 of the Local Plan it is the intention that the identified sites will be supplemented by windfalls and that such sites will benefit from support in principle where they help to maintain a supply of deliverable sites and will not have an adverse impact. These windfall schemes are assessed against policy HO5.
- 8.2.9 Policy HO5 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. Policy HO5 is formed of five criteria a-e. Parcel E extends to 0.77 ha and currently accommodates 40 dwellings for supported living.

8.2.10 The dwellings on Hobbs Court have recently been demolished and therefore the site can be considered as meeting the definition of 'previously developed land' as set out in Annex 2 of the NPPF for the purposes of criterion (a) of HO5. Hobbs Court is conveniently located to access local facilities adjoining the existing and future Oval neighbourhood centre and associated bus stops/cycle routes. As such, the site is considered to have good access to local facilities and alternative forms of travel to the private car and is therefore in a sustainable location.

8.2.11 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 Hobbs Court sits alongside housing allocation HO1/18 and its redevelopment can take place independently of the rest of The Oval, it does not prejudice the regeneration of this neighbourhood centre and therefore accords with criterion (d) of the aforementioned policy.

8.2.12 It is proposed that the dwellings would be sold on a restricted occupancy basis to limit them to residents who require supported independent living. The applicant has identified that the need for these units is likely to come from existing residents of Stevenage. The proposal would not overburden existing infrastructure, given that it would be CIL liable and the purpose of the CIL payment is to mitigate infrastructure impacts. In addition to CIL, the development would also provide a separate financial contribution towards local healthcare provision to the NHS and due to the restricted occupancy of the housing, no school places would be required. In these respects, the redevelopment of Hobbs Court (parcel E) accords with criteria (a), (b), (d) and (e) of Policy HO5 and can be considered acceptable in principle.

8.2.13 Policy HO10 applies to sheltered and supported housing schemes. In addition to the criteria of HO5 (windfall), Policy HO10 requires that proposals provide appropriate levels of amenity space and car parking for residents, visitors, and staff, and that the proposal is appropriate to its locality. In terms of locality, the proposals at Parcel E seek to redevelop and replace the previous supported living scheme. It can therefore be concluded that in broad terms the proposal is appropriate to its locality as there would be no material change. In terms of amenity space, the proposals seek to incorporate two areas: a small courtyard in building E2 and a larger communal space adjacent to the lounge and shared facilities in building E1 (see Figure 3 below). This space has been designed to meet the specific requirements of the applicant having regard to resident needs. Residents would also benefit from the Community Garden (Parcel F) which is being brought forward as part of the first phase.

8.2.14 The 91 units would be supported by 38 unallocated car parking spaces, 20 secure cover cycle space (0.11 per dwelling), 6 visitor cycle spaces and 25 mobility scooter spaces (0.27 per dwelling). All parking spaces would be active Electric Vehicle Charging Points (EVCP, subject to Building Regulations Part S), 1 would be an allocated Car Club EVC. This level of parking provision is anticipated to satisfy the requirement for residents, visitors and staff. On this basis, it is considered the proposed supported independent living accommodation within parcel E would satisfy the policy requirements of HO10 and is acceptable in this regard.

- 8.2.15 The loss of the existing residential dwellings within the site also needs to be considered from a land use policy perspective in relation to Local Plan policy HO6 'redevelopment of existing homes'. The redevelopment of the site would involve the loss of 63 residential units for some non-residential uses i.e. community and retail. However, a total of 327 residential units are proposed across the development site as a whole, giving a net increase of 264 dwellings across the site. Given there would be a net increase in dwellings which would contribute towards the Borough's supply of housing, it is considered the loss of 63 existing units is acceptable.
- 8.2.16 Subject to other policies and material considerations, it can be concluded that the proposal benefits from 'in principle' support from policy HO1/18 for a housing-led redevelopment of The Oval neighbourhood centre and policy HO5 in respect of the redevelopment of Hobbs Court (parcel E) for supported independent living accommodation. The proposals would make a contribution in helping to meet the housing requirement of 7,600 homes as set out within the Local Plan. In light of the presumption at paragraph 11 of the NPPF, which applies due to the under-delivery of homes in Stevenage, these factors should be afforded significant weight in the planning balance.



Figure 3 Parcel E Retirement Living Flats

8.2.17 *Housing Mix, Type and Tenure*

- 8.2.18 Local Plan policy HO7 sets the affordable housing targets for schemes of 10 or more dwellings. This policy requires that 25% of new homes on previously developed sites will be required to maximise affordable housing; the figure is expressed as a 'minimum'. As part of a phased development, the 25% target for affordable homes must be met across the whole of the site e.g. parcels E, B, D and A as a whole.
- 8.2.19 At the time the application was submitted, the applicant advised the site cannot deliver affordable housing. As part of the remit to ensure affordable homes are delivered across Stevenage, the Housing Delivery Team (applicant) is committed to ensuring that the Local Plan threshold is met or exceeded across the redevelopment of The Oval over the course of the project. Many of the identified benefits of the redevelopment are linked to the vision for the delivery of a mix of affordable housing to create a vibrant community. To help deliver the

vision, the applicant is in discussion with Homes England who have several programmes available to assist including the 2021-2026 Affordable Homes Programme for projects that can result in near-term delivery of additional affordable housing supply as well as Capital Funding that can 'unlock' sites.

- 8.2.20 The delivery of affordable housing including 100% on Parcel E (which would in turn equate to over 25% across the site as a whole) and, following reserved matters approval, 100% of parcel A and a proportion of parcels B and D remain the aspiration. The Homes England schemes are only available to boost affordable housing beyond levels deemed acceptable in any planning decision. To maximise affordable housing on future phases, the applicant has requested that any grant solely for affordable housing is 'netted' off from future viability assessments that would support reserved matters applications for parcels A, B and D increasing the total levels of affordable housing overall. Each parcel would be assessed excluding previous affordable housing delivery secured via grant funding.
- 8.2.21 However, whilst the applicant has advised they are committed to affordable housing delivery, grant funding cannot be drawn down until there is an implementable planning permission in place. As such, the determination of the application would need to be made in accordance with the Local Plan and other material considerations based on the information available at the time of determination.
- 8.2.22 Policy HO7 sets out two circumstances where planning permission can be granted where the target for affordable housing is not met:
- i) Developers robustly demonstrate that the target cannot be achieved due to site-specific constraints which result in higher-than-normal costs, which affect its viability; or
  - ii) Meeting the requirements would demonstrably and significantly compromise other policy objectives.

#### *Site specific constraints*

- 8.2.23 The application is accompanied by a Financial Viability Assessment carried out by Beacon Partnerships dated December 2023. Section 6 of the report sets out the residual land values for both a scheme delivering 25% affordable housing and a 100% private sale scheme. This shows that the scheme has a residual land value of -£41.5m with 25% affordable housing and a -£36.6m value on a 100% market. As stated in paragraph 8.3 of that report, one of the significant elements driving the viability position is the provision of the new church and community facilities. This adds a cost to the scheme of circa £9.5m whilst not bringing any immediate capital to the scheme.
- 8.2.24 The policy requirement is the retention or reprovision of the community facilities or their loss justified (policy HO1/iv). The applicant has stated the retention of these buildings 'in situ' has significant consequences for the overall design and the ability to design a coherent scheme for the wider regeneration. Moreover, whilst the community centre is a valued asset, the current centre has reduced functionality with residents and other users indicating there were limited smaller spaces for informal meetings, the main hall was often 'cold' and that the building was 'dated'.
- 8.2.25 The phasing plan for the wider programme has been designed to ensure as many of the businesses and facilities can remain operational throughout. The re-location of the building to the north onto the current amenity space unlocks the current space which is suitable for the supermarket (parcel C). This would bring about funding and a capital receipt to the Council to progress with phases A, B and D. As such, the applicant advises retention in the current location was not favoured when compared to the benefits the redevelopment and reprovision could bring about.

- 8.2.26 Whilst a case for the loss of the facilities would have been an option under the policy, this was discounted. Not re-providing the building would not make the scheme viable. Secondly, the loss of the community centre would likely meet significant opposition and the community engagement clearly indicated that the meeting space is a vital part of The Oval community more generally. It would also conflict with the NPPF paragraph 97 which requires a positive approach to planning of shared spaces and local services to enhance the sustainability of communities and residential environments and ensuring that established facilities and services are able to develop and are retained for the benefit of the community.
- 8.2.27 Notwithstanding the cost of providing the community centre and place of worship, the applicant has advised the scheme has further abnormal costs relating to significant changes in ground levels and the accommodation of undercroft parking to achieve significant housing numbers.
- 8.2.28 At this stage, the applicant's position is that meeting the affordable housing requirements (where other sources of grant funding are being proactively pursued) at the expense of other policy requirements could jeopardise the delivery of the scheme overall and the quality required to bring about improvements in the local area. This in turn could have consequences for the Council's investment and returns from the commercial lettings.
- 8.2.29 The Local Planning Authority commissioned an independent specialist to review the applicant's Viability Assessment. In summary, they challenged several aspects of the assessment including build costs, professional fees, timing and whether profit should be included. Following this, the applicant's financial consultant prepared an addendum to address the points raised. On further review of the addendum, the LPA's advisor agreed that the development as proposed would result in a financial deficit and there is no scope to provide affordable housing on site without external grant funding.
- 8.2.30 On this basis, officers agree the proposal is not currently viable and the application should be assessed as it currently stands. However, officers would seek to ensure a viability review mechanism is included within the Section 106 legal agreement to allow for the actual build costs to be used and certified by a Quantitative Surveyor to enable the LPA to clawback any uplift in value. This can include the provision of on-site affordable housing or a cash contribution in-lieu.
- 8.2.31 As a publicly funded scheme on council-owned land, the contribution to wider policy objectives including health and well-being through the improvement to the housing stock including exemplar environmental standards and provision of new community facilities, re-providing amenity space, delivering an anchor supermarket to increase the options for fresh food and addressing the negative perceptions and fear of crime must also be weighed into the planning balance.

#### *Mix and Tenure*

- 8.2.32 As the proposals do not currently involve the provision of affordable housing or are in outline, the final housing tenure and mix would be subject to a future reserved matters application. In respect of parcel E, these properties are solely for independent living as part of a specialist housing scheme. These are currently intended for 100% market sale subject to the caveats set out above in relation to grant funding. In the case this funding is secured, the final mix would need to be agreed. The applicant has stated a preference would be for this to be via a planning condition to reflect the levels of funding received. This is considered acceptable. Any agreed mix would be secured in line with the requirements of Policy HO9 'Housing Types and Sizes', which seeks to provide an appropriate range of market and affordable housing types and sizes having regard 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.



8.2.33 Notwithstanding the above, the application proposes the following mix for parcel E:

<b>Parcel E: Housing Mix</b>				
	<b>Block E1</b>	<b>Block E2</b>	<b>Total</b>	
One-Bed Flat	38	22	60	66%
Two-bed Flat	15	16	31	31%

8.2.34 Whilst the remainder of the scheme is in outline, the designs have been progressed to demonstrate how the land could be used effectively and also to inform drainage and other technical assessments. The proposed scheme has a gross density of approximately 83 dwellings per hectare, significantly higher than the current use reflecting the accessibility of The Oval and the future services and facilities which would be on offer. Parcel A would provide up to 8 4-bed family homes. These are currently envisaged to be up to 4-bed homes to help meet a locally identified housing need for larger properties in this area. Each home would be supported by private amenity space and dedicated parking.

8.2.35 Parcels B and D are currently expected to provide for approximately 228 flats and maisonettes. Development on Parcels B and D would comprise 1 and 2 bed homes with a small number of 3 bed homes to offer a good mix of dwelling sizes. These would be offered for rent (potentially a build to rent scheme) and sale. The final details of tenure and mix are reserved for future consideration. The current indicative mix is as follows:

<b>Parcel B and D- Indicative mix</b>		
	<b>Number</b>	<b>Percentage</b>
One-Bed	86	38%
Two-bed	131	57%
Three-bed	11	5%
<b>Total</b>	<b>228</b>	<b>100%</b>

*Housing mix, type and tenure conclusion*

8.2.36 A viability assessment has been prepared to support the application, which has been independently verified. This report, which follows agreed methodology for assessing schemes using benchmark land values shows that the scheme is unviable. As the land is owned by Stevenage Borough Council this assessment has not factored in 'profit' which would usually rest around 20% on a market led scheme. Having regard to policy HO7, the evidence justifies the granting of permission having regard to both criteria, subject to a viability review mechanism being included within the legal agreement.

8.2.37 However, it is noted the applicant is in discussions with Homes England to unlock grant funding which could provide up to 100% of the homes on parcel E as affordable (91 units). Applying the policy, should this be secured, this would result in the whole scheme achieving just over 25% (net) based on the current assumptions for the numbers on parcels A, B and D (246). In respect of mix, Parcel E responds to a specific requirement for homes to meet independent supported living in accordance with the Council's housing strategy and would

be subject to a planning condition. The tenure and mix requirement for Parcels A, B and D is reserved for future consideration.

- 8.2.38 Due to market uncertainty and changes in borrowing and build costs over the lifetime of the project, the applicant has expressed their willingness to enter into an agreement to undertake phase specific viability appraisals for the remainder of the scheme to 'claw back' any additional affordable housing as the scheme progresses. This would be based on a 'net' figure for the whole of the site e.g. to ensure that the maximum grant can be sought. Future viability assessments would also consider any 'credit' for the purposes of the Community Infrastructure Levy and the impact that this has on the overall viability at the time of making the reserved matters applications for parcels A, B, D and C (as CIL is payable on retail).
- 8.2.39 The proposals ensure that future housing is designed as 'tenure blind' and it would be indistinguishable from that offered for open market sale. The provision of a range of sizes of dwellings should attract significant weight.

#### *Provision of Retail*

- 8.2.40 The Oval is defined as a 'Local Centre' as defined in Policy HC1 of the Local Plan (2019). The retail hierarchy is set out in Policy SP4 of the Local Plan and comprises:
- i. Stevenage Town Centre;
  - ii. High Street, Major Centre;
  - iii. Poplars, District Centre;
  - iv. Seven Local Centres; and
  - v. Seven Neighbourhood Centres.
- 8.2.41 The boundary of The Oval Local Centre is defined on the Local Plan Proposals Map under Policy HC1/7 and is bounded by Jessop Road to the west and the A1155 to the east. The planning application is supported by a Retail Planning Statement (RPS) prepared by Alder King dated December 2023, which advises that the Oval Local Centre currently comprises a shopping parade of 24no. units of varying sizes with 22 residential flats above, a multi-denominational church and community centre, garages and associated outbuildings. The Local Centre currently contains 3,788m<sup>2</sup> of Class E/town centre use floorspace.
- 8.2.42 In respect to town centre uses the planning application seeks permission for:
- Outline permission for up 1,200m<sup>2</sup> of mixed use commercial floorspace on Parcels B and D to the east of Jessop Road in the broad location of the existing shopping parade.
  - Outline permission for retail development (Class E) comprising small retail units, a discount food store and associated car parking on Parcel C. The proposal is for up to 225m<sup>2</sup> of small retail units (between 2 and 5 retail spaces/units) and up to 2,650m<sup>2</sup> for a discount food retailer. The RPS advises that the proposed discount food store would have a maximum gross internal area of 2,483m<sup>2</sup> and net sales area of 1,372m<sup>2</sup>. The proposed discount food store and retail units would be located within the existing defined boundary of the Oval Centre in an area which primarily comprises existing car parking.
- 8.2.43 All of the proposed town centre use (as defined by the NPPF) floorspace is therefore proposed to be located within the existing defined centre boundary of The Oval, and the application would result in a minor reduction of floorspace from 3,788m<sup>2</sup> to 3,643m<sup>2</sup>. However, it is the case that, by virtue of the introduction of a discount food store, the nature and format of retail provision at The Oval would be altered. As such, a Retail Impact Assessment of the new discount food store element of the proposal is required. The reasons for this are that:

- Policy TC11 of the Local Plan identifies that new convenience retail provision will be expected to follow the sequential test and the Borough's retail hierarchy; and
- Policy TC13 of the Local Plan sets out that an impact assessment is required for any main town centre use proposals exceeding 300m<sup>2</sup> outside of the defined Town Centre.

8.2.44 However, this impact assessment should be considered in the context that the application proposes an overall reduction in the quantum of town centre use floorspace at The Oval and that the proposal is located within a defined Local Centre boundary. Accordingly, the applicant has submitted the Retail Planning Statement in support of the application which assesses the proposal against the impact assessment and sequential test requirements of the NPPF and development plan policy and considers the impact of the proposal on the Borough's retail hierarchy.

8.2.45 The application site is located in a defined centre location within the Local Centre Boundary of The Oval. The NPPF states that for applications for town centre uses located outside of town centres, at paragraphs 94 and 95 that when assessing applications for retail and leisure development outside town centres, which are not in accordance with an up-to-date plan, local planning authorities should require an impact assessment if the development is over a proportionate, locally set floorspace threshold. This should include assessment of (a) the impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal; and (b) the impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and the wider retail catchment (as applicable to the scale and nature of the scheme). Where an application is likely to have a significant adverse impact on one or more of these considerations it should be refused.

8.2.46 Policy HC1 of the Local Plan provides development plan policy on district, local and neighbourhood centres. Policy HC1 sets out that planning permission for development proposals in these centres will be granted permission where:

- The proposal is in keeping with the size and role of the centre
- Local centres will continue to provide a range of uses retail, light industrial, health, social, community, leisure and cultural and/or leisure uses and at least 50% of ground floors units and floorspace in the main retail area is retained as shops.
- An impact assessment has been provided, where required by Policy TC13, and it has been demonstrated that there will be no significant adverse impact.

8.2.47 Policy HC1, therefore reaffirms the requirements for an impact assessment in the circumstances of this current application. Notably, paragraph 11.10 of the Local Plan also states that in determining planning applications within Local Centres, including at The Oval, it is expected that Local Centres will operate within the following broad parameters:

- Between 500m<sup>2</sup> and 4,000m<sup>2</sup> of Class A1-led floorspace (now Class E) in a parade or centre containing at least 6no. units;
- Unit sizes of between 50 and 1,250m<sup>2</sup>;
- Residential accommodation in flats above shops and/or in additional free-standing residential blocks; and
- Contain two or more of the following (place of worship, small employment workshops, pub, community centre).

8.2.48 Finally, Policy SP9 (Healthy Communities) of the Local Plan states that applications will be permitted in identified centres where they support its role and function, deliver the proposed distribution of retail floorspace and preserve the vitality and viability of the hierarchy as a whole. Development plan policy and the supporting reasoned justifications are therefore clear that alongside a consideration of retail impact, it is a requirement of policy to consider whether

the vitality and viability of the retail hierarchy as a whole is maintained and whether proposals are in keeping with the size and role of the centre.

- 8.2.49 In this instance, whilst the planning application proposes less than 4,000m<sup>2</sup> of 'A1-led floorspace' (now Class E) as required by criterion 1 of paragraph 11.10, the proposal includes a single unit of up to 2,650m<sup>2</sup> which would accommodate a discount food store. This unit is over double the size of the 'broad parameters' for unit sizes in Local Centres identified in paragraph 11.10 of the Local Plan. It is therefore the discount food store that gives rise to some disparity with development plan policy and therefore, the retail impact should focus on this element of the proposal and any impact that the discount food store would have on preserving the retail hierarchy.

#### *Review of Applicant's Retail Impact Assessment*

- 8.2.50 The Retail Planning Statement (RPS) identifies that the Primary Catchment Area of the proposed discount food store would extend to a five-minute drive-time. It is agreed that this is an appropriate catchment area for a discount food store in an urban area and provides an appropriate baseline for undertaking an impact assessment. The RPS identifies that the following defined centres are located with the Primary Catchment Area of the proposal:

- The Glebe Local Centre (HC1/3);
- Bedwell Crescent Local Centre (HC1/2);
- Canterbury Way Neighbourhood Centre (HC1/9);
- Chells Manor Neighbourhood Centre (HC1/10);
- Mobbsbury Way Neighbourhood Centre (HC1/13); and
- Popple Way Neighbourhood Centre (HC1/14).

- 8.2.51 The RPS also identifies that Stevenage Town Centre and Old Town High Street are located on the edge of the Primary Catchment Area. The RPS has provided proportionate health checks of these centres, and the state of existing centres.

- 8.2.52 The RPS advises that the application seeks planning permission for 'up to 2,650m<sup>2</sup> (gross) discount food operator'. At paragraph 2.14, the RPS advises that the discount food store would have a maximum gross internal area of 2,483m<sup>2</sup> and a net sales area of 1,372m<sup>2</sup>. This represents a circa 55% gross to net ratio, which is relatively low for a store of this format. If the new net retail floorspace is higher than 1,372m<sup>2</sup>, then this would affect the trading characteristics of the store. Therefore, to ensure that the application submission and submitted retail impact is robust, and accurately assesses the potential impact on defined centres, it is recommended that should permission be granted, a planning condition is imposed on the proposed discount food operator restricting the total net floorspace to 1,372m<sup>2</sup> net (of which 1,098m<sup>2</sup> is convenience goods floorspace and 274m<sup>2</sup> is comparison goods floorspace).

- 8.2.53 Table 1 of the RPS identifies that based on 1,098m<sup>2</sup> of convenience goods floorspace and 274m<sup>2</sup> of comparison goods floorspace, the turnover of the discount food store would be £10.5m for convenience goods and £1.9m for comparison goods per year. It is considered that these benchmark turnovers are a robust basis on which to undertake the impact assessment. The report then goes on to assess the likely turnover of the defined centres identified above. It is a matter of planning judgement how the proposed store would divert trade from competing retailers. Officers and an independent retail planning consultant have carefully reviewed the estimated convenience trade diversion arising from the proposal taking account of the distance of competing retailers from the application site, the nature and format of competing facilities, and the general assumption that 'like competes with like'. Figure 4 below shows the assumed convenience goods trade diversions.

- 8.2.54 The Oval Local Centre currently contains both a Co-op and a Morrisons Daily, both of which would not continue to operate following the redevelopment of the centre. The PRS only

accounts for the loss of The Co-op and therefore generally over-estimates retail impact. The PRS assumes that no trade would be diverted from Morrisons, Canterbury Way. Officers and the independent retail planning consultant consider that this is unrealistic given that this store is only located 600 metres from the application site. To sensitivity test retail impact, it is considered reasonable to assume that up to 5% of the proposed convenience turnover of the discount food store could be diverted from the existing Morrisons at Canterbury Way, which would equate to circa £0.5m trade diversion.

8.2.55 The PRS assumes that 1% of trade would be diverted from Tesco at The Glebe. Given that this store is located circa 1km from the application site, this trade diversion is considered an under-estimation. To provide sensitivity testing of retail impact, officers and the independent retail planning consultant consider it is a reasonable assumption that up to 3% of proposed convenience goods turnover of the proposed discount food store could be diverted from Tesco at The Glebe, which would amount to circa £0.3m trade diversion store.

Store	Distance from application site	Turnover 2030 (£m)	% of trade diverted by proposed store	Trade Diversion (£m)	% Impact 2030
<b>In-Centre Stores</b>					
Tesco Extra, Stevenage Town Centre	2.2km south west	39.3	10	1.1	2.7
Other stores, Stevenage Town Centre	2.2km south west	5.8	1	0.1	1.8
Co-op, The Oval	Part of application site	3.7	35	3.7	100
Tesco Express, The Glebe	1.2km south east	5.7	1	0.1	1.8
Morrisons, Canterbury Way	600 metres north	0.4/2.9	0	0.0	
Sainsbury's, Poplars District Centre	2.8 km south east	28.0	2	0.2	0.8
Co-op, The Hyde Local Centre	3 km south east	0.6	0	0.0	0.0
Budgens, Great Ashby Local Centre	1.3km north east	0.9	0	0.0	0.0
<b>Edge of Centre/Out of Centre Stores</b>					
Aldi, Fairlands Way	2.1km south west	13.0	25	2.6	20.2
Asda, Monkswood Way	2.8 km south west	31.2	10	1.1	3.4
Sainsbury's, Coreys Mill	2.7 km west	19.4	10	1.1	5.4
Tesco, Broadwater Retail Park	4km south west	50.5	3	0.3	0.6
Other stores			3	0.3	
<b>TOTAL</b>			<b>100</b>	<b>10.5</b>	

Figure 4 Assumed convenience goods trade diversions from RPS

8.2.56 The PRS assumes that no trade would be diverted from Budgens at Great Ashby Local Centre. This store is located on the periphery of the 5 minute drive time catchment area, and principally serves the northern part of the wider built up area. However, officers and the independent retail planning consultant consider that there would be some retail impact from this store, given its distance from the application site, and consider it a reasonable assumption that up to 1% of proposed convenience goods turnover of the proposed discount food store could be diverted from The Budgens at Great Ashby Local Centre equating to circa £0.1m trade diversion.

8.2.57 The PRS assumes 2% of trade would be diverted from Sainsbury's at The Poplars. Taking account of the distance of the store from the application site, this is also considered an under-estimation of retail impact and officers and the independent retail planning consultant consider up to 7% of turnover could be diverted from this store which equates to circa £0.7m. Setting aside the above matters, the remaining retail impact analysis is considered to be realistic, and it is accepted that the retail impact would primarily be upon other discount retailers and large format convenience stores.

8.2.58 With regards to cumulative convenience impact assessment, paragraph 018 of the Town Centre and Retail Section of the PPG confirms that when an impact assessment is undertaken a number of steps should be followed. This includes that a range of plausible

scenarios should be considered in assessing the impact of a proposal on existing centres and facilities. In accordance with Guidance, the RPS has undertaken a cumulative impact assessment taking into account the proposed superstore at Albany House, Cartwright Road (Morrisons) pursuant to planning application ref: 22/00245/FPM. This application has now been withdrawn and the proposal is no longer going ahead therefore a cumulative impact assessment taking into account this store is no longer necessary.

- 8.2.59 The independent retail planning consultant noted that the RPS has not considered Policy TC11 of the Local Plan, in the cumulative impact assessment which allocates a site at Graveley Road for a major new foodstore of up to 4,600m<sup>2</sup> net convenience goods floorspace and 920m<sup>2</sup> net comparison goods floorspace. Whilst paragraph 7.70 of the Local Plan acknowledges that the allocation would be well located in respect to the proposed new neighbourhood to the north of Stevenage (Policy HO3), the allocation was included in the Local Plan to meet an identified Borough wide needs post 2023. Given the primacy of the development plan and that the plan period runs until 2031, the retail planning consultant considered it a plausible scenario that a future planning application for a foodstore may come forward on allocation TC11 and therefore this proposal should include a cumulative convenience impact assessment of this scenario.
- 8.2.60 In response, the applicant's retail consultant noted that the Morrisons application considered the cumulative impact of allocation TC11, however argued that the Morrisons application was significantly different to the current scheme at The Oval in retail planning policy terms. The Morrisons scheme is in an out-of-centre location, whereas the current redevelopment scheme at The Oval is within a designated Local Centre as defined in the Local Plan where town centre uses, including discount food stores, are encouraged/accepted (particularly when a proposal involves the regeneration of a centre which would significantly enhance centre vitality and viability).
- 8.2.61 Similarly, they argue allocation TC11 is in an out-of-centre location. Indeed, Policy TC11 recognises that a retail impact assessment will be required for a planning application involving retail development on the site at Graveley Road, "with a focus on the impact on Local Centres and Neighbourhood Centres". In terms of assessing cumulative impact, the RPS has assessed the cumulative impact of the Morrisons scheme as a 'convenience goods commitment/planning permission'. The RPS did not include allocation TC11 as part of the cumulative impact assessment given it is, at this stage, purely an allocation in the Local Plan and is not, in respect of retail impact assessment, considered either a commitment or a planning permission.
- 8.2.62 Therefore, and in accordance with the NPPF, it is considered that there is no reasonable planning reason to include allocation TC11 as part of the cumulative retail impact assessment. In any case, if/when allocation TC11 comes forward, as set out in Policy TC11, given its out-of-centre location, a planning application on that site is required to provide a retail impact assessment to assess its impact on nearby centres, and in particular on Local Centres and Neighbourhood Centres. Thereby, it is likely that it will need to assess its impact on The Oval Local Centre itself.
- 8.2.63 In terms of a comparison goods impact assessment, the discount food store proposes 234m<sup>2</sup> of comparison goods floorspace, which based on company averages would have a turnover of £1.9m in the 2030 test year. It is the case that larger format food stores principally compete against each other for 'incidental comparison goods sales', and it is noted that the surrounding Local and Neighbourhood Centres provide a limited comparison goods offer which would compete with the proposed discount food store. It is therefore considered that the comparison goods impact arising from this proposal would primarily fall upon competing larger format stores, existing retail parks such as Roaring Meg, and to some extent Stevenage Town Centre.

- 8.2.64 Even in the unrealistic scenario that all £1.9m of comparison goods turnover was diverted from Stevenage Town Centre (taking account of cumulative impacts), this would not give rise to a significant adverse impact on the Town Centre. Therefore, setting aside the fact that the proposed discount food store is located in a defined centre, it is not considered that the proposed discount food store (or indeed the wider regeneration proposals which provide replacement retail floorspace), would have a significant and adverse impact on defined centres in terms of comparison goods impact.
- 8.2.65 Taking account of the health of centres and the trading position of nearby stores and centres (following sensitivity testing), it is not considered that the impacts identified would give rise to a significant adverse impact on the vitality and viability of the individual stores or in turn, the wider defined centres. As such, it is also considered that the vitality and viability of the retail hierarchy as a whole would be maintained and that the redevelopment proposals at The Oval are appropriate to the size and role of the centre in the retail hierarchy. Overall, it is concluded that the proposal is acceptable in regard to the NPPF paragraph 94b impact test.

*Review of Impact Assessment on Committed and Planned Investment*

- 8.2.66 Paragraph 94a of the NPPF states that an impact assessment should include an assessment of the impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal. As food store Local Plan allocation TC11 is not located within a centre or centre in the catchment area of the proposal, an assessment on the impact of the proposal on allocation TC11 is not a requirement of the impact test.
- 8.2.67 Within the Town Centre, there are a number of existing, committed and planned public and private investment projects which benefit from development plan allocations and/or have obtained planning permission. Based on the established retail planning principle that 'like-competes-with-like' and that the allocations/investment proposals are primarily residential schemes with retail and leisure uses at lower floors, it is considered that the only allocation which requires consideration within the paragraph 94a impact test is Policy TC6 – Northgate Opportunity Area. This allocation includes the existing Tesco Extra and at criterion (d) the policy states that the replacement of the food store will be supported. Paragraph 7.53 of the Local Plan confirms that 'in principle' discussions have taken place with Tesco and that the site is unlikely to come forward until the end of the plan-period transitioning into the post-2031 period.
- 8.2.68 Paragraph 015 of the Ensuring the Vitality and of Town Centres Section of PPG (Reference ID: 2b-015-20190722) states that:

Where wider town centre developments or investments are in progress, it will also be appropriate to assess the impact of relevant applications on that investment. Key considerations will include:

- the policy status of the investment (i.e. whether it is outlined in the Development Plan)
- the progress made towards securing the investment (for example if contracts are established)
- the extent to which an application is likely to undermine planned developments or investments based on the effects on current/forecast turnovers, operator demand and investor confidence

- 8.2.69 In this instance, the replacement of the Tesco Extra store is identified as an 'opportunity' within Policy TC6 of the Local Plan. However, the supporting text provides several important clarifications and notably paragraph 7.51 states that 'the redevelopment, perhaps towards the end of the plan period, into a smaller store with other uses above is a possibility'. Therefore, the adopted development plan is seeking a smaller store on the site which would have a lower benchmark turnover and it is not the adopted development plan policy to provide a food store of the same size at the Northgate Quarter Opportunity Area. As such, based on

the information available, the estimated retail impacts would not have a significant adverse impact on the aspirations of Policy TC6 to provide a replacement and smaller food store in this part of the Town Centre.

- 8.2.70 Furthermore, this redevelopment is expected to occur towards the end of the plan-period and there has been no progress towards securing the investment and no redevelopment proposals have been put forward to the Council to date. Therefore, whilst the opportunity is identified in the adopted development plan, there is no planning application, and there does not appear to be a prospect of a planning application in the short term, and based on the information available, the proposal is not tangibly impacting on committed and planned public or private investment. For these reasons, based on the information available, it is considered that the proposed development would not give rise to a significant adverse impact on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal.

#### *Sequential Test*

- 8.2.71 The application site is located within The Oval defined centre as defined in the Local Plan Proposals Map. Paragraph 91 of the NPPF states that local planning authorities should apply a sequential test for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date development plan. In this instance, there is an apparent conflict with the development plan as whilst the application site is located within a defined centre, Policy TC13 of the Stevenage Local Plan makes no reference to District, Neighbourhood and Local Centres, and states that main town centre uses should be located in Town Centre, then in edge of centre locations and only if suitable sites are not available should out-of-centre sites be considered.
- 8.2.72 However, Policy TC13 does need to be read alongside Policy HC1 of the Local Plan which states that planning permission will be granted for development proposals within lower order centres providing, *inter alia*, the proposal is in keeping with the size and role of the centre and the proposal has demonstrated that there will be no significant adverse impact. As set out previously, in terms of town centre uses policy, it is considered that the proposals will not have a significant adverse impact on defined centres, and that the development proposals are in keeping with the size and function of The Oval Centre and its role and function in the retail hierarchy.
- 8.2.73 It is necessary to read the development plan as a whole, and on the basis that the application proposal complies with Policy HC1 (in terms of retail planning policy), and therefore accords with the development plan, and allowing for the fact that the application site is located in a defined centre, it is not considered a requirement to provide a sequential test in support of this application. Notwithstanding this, the applicant undertook a sequential test as part of the RPS.
- 8.2.74 National planning policy requires that applicants should demonstrate flexibility on issues such as format and scale when undertaking a sequential test. The Supreme Court in *Tesco Stores v Dundee City Council* confirmed that provided the applicant has demonstrated flexibility with regard to format and scale, the question is whether the alternative site is suitable for the proposed development, not whether the proposed development could be altered or reduced so that it can be made to fit the alternative site.
- 8.2.75 The High Court Judgement (*Threadneedle Property Investments and Simons Developments Ltd v North Lincolnshire Council* [CO/4764/2012]) further considered the Supreme Court interpretation and confirmed the need to take account of the operator's commercial requirements, and the need to work in the real world. In the case considered by the High Court, the Court came to the view that 'operator specifics' were indeed relevant in the application of the sequential test. It looked at the specifics of the proposals and the retailer's commercial needs. These rulings are clear that there must be realism applied to the



sequential test, having regard to the business model of the applicant, commercial realities and business decisions. Whilst retailers are expected to demonstrate reasonable flexibility, these appeal decisions underline the need for decisions to be based in the real world.

8.2.76 The 'Mansfield Judgment' (Aldergate v Mansfield District Council & Anor [2016]) has further clarified that the sequential test should be considered on the basis of the broad type and format of the proposed land use, allowing for appropriate flexibility in respect of format and scale. At paragraph 35 of the Judgement states:

*'In my judgment, "suitable" and "available" generally mean "suitable" and "available" for the broad type of development which is proposed in the application by approximate size, type, and range of goods. This incorporates the requirement for flexibility in [24] NPPF, and excludes, generally, the identity and personal or corporate attitudes of an individual retailer. The area and sites covered by the sequential test search should not vary from applicant to applicant according to their identity, but from application to application based on their content. Nothing in Tesco v Dundee City Council, properly understood, holds that the application of the sequential test depends on the individual corporate personality of the applicant or intended operator.'*

8.2.77 The Mansfield Judgment affirms that, in applying the sequential test, the decision maker will generally be required to consider the type and format of the proposed development, rather than the requirements of any specific named operator. It identifies that the area and sites covered by the sequential test search should not vary from applicant to applicant according to their identity, but from application to application based on their content. Against this background, the parameters of the sequential test should be established having regard to the broad type and format of the proposed land use, allowing for appropriate flexibility in respect of format and scale and taking into account the commercial realities of the business model.

8.2.78 Against this legislative and policy background, the applicant has identified the following parameters for the proposed discount foodstore:

- a regular shaped unit of approximately 2,483sqm gross / 1,372sqm net;
- sales area on one level and unobscured aisles;
- adjacent under croft or surface level car parking to enable customers with trolleys to easily and safely transfer bulky shopping from the store to their vehicle (approximately 108 parking spaces);
- adjacent servicing arrangements; and
- a prominent/visible roadside location.
- site capable of accommodating parking spaces for between 90 and 100 cars

8.2.79 The RPS also provides some flexibility, as required by both the NPPF and NPPG, and has widened the potential unit size requirements to be between 2,235m<sup>2</sup> and 2,731m<sup>2</sup>, which represents approximately a 10% reduction/increase on the proposal to establish whether other site opportunities are available and suitable to support the applicant's development. It is considered that these site search parameters represent appropriate parameters for the application of the sequential test, allowing for the commercial realities of the business model, but providing appropriate flexibility in format and scale. Although the RPS does not identify site sizes, it is considered appropriate to consider sites in excess of 0.65ha as a minimum site search criterion.

8.2.80 The sequential test reviews seven 'opportunity sites' within the Town Centre, two vacant units within the Town Centre and the former Waitrose Store in the Old Town:

Site 1 - Stevenage Town Centre Regeneration Development  
Site 2 – Park Place, Stevenage Town Centre  
Site 3 – 85-103 Queensway, Stevenage Town Centre  
Site 4 – Matalan, Danestrete

Site 5 – Plots A and K, Town Centre Regeneration Scheme (SG1)  
Site 6 – Other Major Opportunity Areas (Policy TC6)  
Site 7 – The Forum Redevelopment  
Site 8 – Former BHS Store, 7 The Forum  
Site 9 – Former Office Outlet, Unit 11, Fairlands Way  
Site 10 – Former Waitrose, Stevenage Old Town

8.2.81 Officers consider that this is a comprehensive review of sites within, and adjacent to, the catchment area of the Primary Catchment Area of the proposed food store. It is also noted that there are no potential sequentially preferable sites located within or adjacent to existing Local and Neighbourhood Centres, located within the Primary Catchment Area of the proposed development, which should be considered in the sequential test as potentially being able to accommodate all, or part of, this proposed development. On review of the sequential test, it is agreed that there are no site/units which are available and suitable for the proposed discount food store and therefore the proposal complies with the sequential test.

*Conclusion on Provision of Retail*

8.2.82 The application is accompanied by a Retail Planning Statement. Officers and an independent retail planning consultant have reviewed this and conclude there would be no significant adverse impact on the vitality and viability of the individual stores or in turn the wider defined centres within the Primary Catchment Area of the proposed discount food store. As such, it is also considered that the vitality and viability of the retail hierarchy as a whole would be maintained and that the redevelopment proposals at The Oval are appropriate to the size and role of the centre in the retail hierarchy. In addition, it has been demonstrated that the proposed discount food store would not give rise to a significant adverse impact on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal.

8.2.83 It can be concluded the proposal is acceptable in terms of paragraph 94a and b of the NPPF (2023) regarding retail impact and Local Plan retail policies TC11, TC13 and HC1.

*Existing and Replacement Community Facilities*

8.2.84 In terms of existing community facilities, the application site comprises a large community centre located to the east of the site. The building is constructed across several levels and houses the main community hall together with All Saints Church and the St Nicolas and St Martins family centre on the northern side. The main offices for the family centre are accommodated in an extension to the building. The Times Club (including the Hilites Bar) is located on the southern part of the site. RCCG Rabboni Parish Church occupy the premises at No.37 The Oval. To the north of the community building is an equipped area of play, a rectangular area of amenity green space, which is used informally for ball games and children's play. An enclosed community garden is located to the east which is bound by hedgerows and trees and the Jehovah's Witness Hall (not within the site area) to the south.

8.2.85 Local Plan policy HO1/18 which covers the allocation of The Oval centre for residential led redevelopment requires existing community facilities to be retained or re-provided, or their loss justified. Full planning permission is being sought for Parcel F (to the north of the site), which comprises the main replacement community building incorporating a place of worship and surrounding amenity green space including an extended 'community' garden. The proposed building would extend to 1,641m<sup>2</sup> across 3 floors (class F1). The proposals for Parcel F can be seen in Figure 5 below.

8.2.86 The proposed community building would provide the focal point for the regeneration of The Oval Neighbourhood Centre. The layout has been developed to provide a strong anchor and focus from the Market Square and the new road which would run to the south of the building. The building has been designed following extensive public and stakeholder consultation and

would be arranged over three floors and is stepped down to provide a roof terrace. The building would also provide a replacement Place of Worship and Family Centre.

- 8.2.87 The design of the building has been informed by community and stakeholder engagement to ensure that it meets the needs of current and future users. The ground floor would be a predominantly multi-faith space. One of the key requests for this space was the retention of the organ from the current church. This has been incorporated into the new space for worship. Also on the ground floor is a social area. This area would be suitable for serving refreshments following services or meeting, or for private hire to support community events. The upper floors comprise a series of multi-functional rooms and spaces. This includes a large hall together with smaller meeting rooms and areas that could be used as clinics if required. They would be accessible via lift which has been designed to accommodate multiple wheelchair users or a double pram.



Figure 5 Parcel F Community Building and Amenity Space

- 8.3.88 Together with the new community building, Parcel F also includes three areas of open space. These incorporate the extended community garden which would be accessed via the Community Building to help improve safety and the security of the area. A sunken area with additional planting would be included in the design to assist with surface water management. To the north and west would be two equipped play areas which would extend to 1,228m<sup>2</sup> in area.
- 8.2.89 Local Plan Policy HC4 covering existing health, social and community facilities. This includes community centres and places of worship. It states planning permission that would result in the loss or reduction of any health, social or community facility will be granted where (a) the existing facility can be satisfactorily relocated within the development proposal, (b) can be demonstrated that there is no longer a need for the facility or (c) the facility is not viable on that site. It is considered the application proposal fulfils the requirements of Policy HC4 by

re-providing the existing community facilities within the development proposal and therefore the proposal can be considered acceptable in this regard.

#### *Existing and Replacement Open Space*

- 8.2.90 The Local Plan resists the loss of open space through Local Plan policy NH6 'General Protection for Open Space'. This policy is in accordance with Paragraph 103 of the NPPF which states that existing open space, sport and recreational buildings and land should not be built on unless it meets one of the exemptions listed in criteria a-c.
- 8.2.91 Across the site there is a total current provision of 11,768m<sup>2</sup> of Open Space. This figure includes verges and other incidental spaces which are not counted in the Council's assessment of Green Space, namely Open Space Strategy 'Review of the 2006 Open Space, Recreation and Sports Strategy' (January 2015). The Council's assessment excludes spaces under 0.05ha and those which are not practical for informal recreation of any kind e.g. roundabouts, road verges and banking. The total green space which would meet the study definition would be 2,300m<sup>2</sup>.
- 8.2.92 The proposed development would provide 11,550m<sup>2</sup> of open space; this is a decrease of 218m<sup>2</sup> overall. Most of the loss is accounted for by verges/grass planting (which accounts of -8,082m<sup>2</sup>). This loss would be offset by an increase in useable green space including two proposed podium gardens on blocks B and D, the play street which would run between these blocks, and additional communal amenity space. Taken together, there would be an increase of 2,460m<sup>2</sup> of 'amenity' green space.
- 8.2.93 However, the first phase (Parcels E and F) would result in the loss of the current amenity space to the north, which includes the equipped play area. To demonstrate how this phase complies with the policy, an assessment of the existing and proposed spaces subject to full permission is set out below. This demonstrates that even with a small net loss, the first phase (e.g. areas subject to Full Planning Permission) are in themselves 'compliant' with policy.

#### *Parcel F*

- 8.2.94 The construction of the new community centre to the north of the site would result in the loss of the existing amenity space and equipped play. This space extends to 2,300m<sup>2</sup> and includes the Community Garden (490m<sup>2</sup>). This area was not surveyed as part of the 2015 Local Space Review and so there is no quality or access score provided to act as a baseline. Based on public engagement, the consultant team and the applicant understand that this land is important to local people and is well used during the day by families attending groups at the Community Centre or visiting the shops. However, other comments suggest that in the evenings the space attracts anti-social behaviour and groups of young people congregate on and around the play equipment. Drug paraphernalia has also been found in the community garden which has led to a decline in the number of people willing to tend to or use this space.
- 8.2.95 Given the importance of the space, Parcel F includes the proposed amenity, play and social spaces within the detailed application to provide reassurance that the existing amenity space which would be redeveloped for the building would be re-provided early in the phasing plan allowing space for children's play and social interaction during the wider regeneration. The proposals for parcel F would lead to a decrease of 476m<sup>2</sup> amenity space. The proposals include:
- i) An increase to the community garden by 106m<sup>2</sup> (to measure 596m<sup>2</sup>)
  - ii) A decrease to the areas of equipped play to the north (amenity space) measuring 1,228m<sup>2</sup> (-582m<sup>2</sup>). The 582m<sup>2</sup> would be met at the Play Street and other spaces currently proposed in outline.

8.2.96 As there would be a net loss to the amenity space in the first phase (resulting from the construction of parcel F), Policy NH6 sets several criteria against which the loss of space should be assessed. The following table details the policy requirements and the provision being made to demonstrate that the loss is justified for parcel F and that reasonable compensatory provision is being made in the form of quality and quantity:

Policy Criteria (NH6)	Existing	Proposal
<b>Quality and accessibility</b>	<p>The space is located immediately to the north. It is accessible for residents and users of The Oval.</p> <p>The space is largely laid to grass with some play equipment for younger children in a fenced area.</p>	<p>The proposed provision is located around the new community building.</p> <p>Equipped areas of play to the west and the north have been designed to offer a range of imaginative play opportunities for children (5-11) and young people (12-17) respectively. The northern space has had regard to good practice from organisations including 'Make Space for Girls' to ensure it is inclusive.</p>
<b>Existence of interventions to improve access and quality</b>	<p>Interventions have been made to improve the current equipment. However, the space is isolated and there are limited further improvements that can be made.</p>	<p>The proposals are related closely to the Community Centre to provide a strong focus. The spaces will be visible from the market street.</p>
<b>Whether the open space is serving its function or purpose</b>	<p>The space meets a current need for a LEAP.</p>	<p>N/A</p>
<b>Whether alternate space(s) would remain available for community use</b>	<p>N/A</p>	<p>The proposed spaces would be publicly available.</p> <p>Access to the community garden has been limited to help the management of this area and reduce reported antisocial behaviour. However, provision is made for out-of-hours access.</p>
<b>Replacement of a similar type, size and quality</b>		<p>The proposals replace the LEAP with a variety of play equipment. The total space available is decreased by 582sq.m in the first phase (Parcel F).</p>
<b>The updated of other existing open space</b>		<p>The proposals will upgrade the community garden and increase the space available by 106sq.m</p>

8.2.97 The above table demonstrates that the proposals comply with policy NH6 and paragraph 103 of the NPPF that the loss is justified as better provision would be made on Parcel F. In particular, the Community Garden would be expanded to provide for raised beds for opportunities to grow food. In terms of the play equipment, this offers a variety of different experiences for children of different ages including opportunities for free and creative play. This approach to play integrates with the environment and wider public realm strategy. Moreover, whilst there would be a loss in terms of play provision on parcel F, the 'play street' which would be located between parcels B and D, and the incidental area to the

south of parcel C would ensure that the scheme re-provides and exceeds the current provision.

#### *Parcel E*

8.2.98 On parcel E the existing private gardens would be replaced through a communal garden to the rear of the eastern block. Additional planting areas would be set back from the grass verges which would be retained along Vardon Road. There is no policy conflict for Parcel E in relation to Open Space.

#### *Conclusion on Open Space Provision*

8.2.99 Across the site there would be a small loss in open space arising from the loss of verge/buffer grass. Whilst this typology is characteristic of the New Town as a whole, these spaces have become neglected and do not foster a sense of ownership. These would be replaced by 'equivalent or better' provision across The Oval.

8.2.100 The amenity space to the north and the community garden are acknowledged to be important to the community. These areas are included within the full application (parcel F) to ensure they are provided early in the programme providing children, families and the wider community with spaces that they can visit and use supporting healthy lifestyles. The Landscape Design and Access Statement details the overarching masterplan for landscaping and public realm demonstrating betterment in terms of species rich planting.

8.2.101 It is concluded the provision of replacement open space as proposed would comply with Local Plan policy NH6 and paragraph 103 of the NPPF and that the loss is justified as better provision would be made on Parcel F.

#### *Conclusion on Land Use Policy Considerations*

8.2.102 It is considered the principle of a residential led redevelopment of The Oval neighbourhood centre with replacement community facilities, open space and new discount food store in the manner proposed on the site is acceptable in land use and retail policy terms, subject to satisfying design, transport and environmental policies.

### **8.3 Design, Layout and Visual Impact**

8.3.1 Chapter 12 of the NPPF (2023) 'Achieving well-designed and beautiful places' stipulates that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process. Where development is not well designed, permission should be refused.

8.3.2 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.

- 8.3.3 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.
- 8.3.4 Whilst the policies contained in the Local Plan have limited weight, Policy SP8 generally reflects the requirements of the NPPF in that it requires new development to achieve the highest standards of design and sustainability. In addition, Policy GD1 generally requires all forms of development to meet a high standard of design which includes form of built development, elevational treatment and materials along with how the development would integrate with the urban fabric, its relationship between buildings, landscape design and relevant aspects of sustainable design.
- 8.3.5 The Council's Design Guide SPD (2023) generally reflects the above policies requiring development to respect surrounding buildings in terms of scale, massing, height and design. As such, it encourages good design as it can enhance the appearance of places.
- 8.3.6 The proposal has gone through a pre-application process with both the Local Planning Authority and HCC as Highway Authority, which has resulted in improvements to the scheme. The scheme 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 to be a well-designed place.
- 8.3.7 Given the hybrid nature of the application, it includes detailed design of Parcels E and F and then provides parameters and design intent for the outline elements. A Design Code has been prepared to set the parameters and ensure that the redevelopment forms part of a cohesive project. The Design Code is subject to detailed approval. Included within the application is an Illustrative Landscape Masterplan ref. D3246-FAB-ZZ-XX-DR-L-1001 which shows how the entire scheme could be developed. The Masterplan would be in accordance with the submitted Parameter Plan and the Design Code for both buildings and landscape, which set the framework for the new neighbourhood centre. The illustrative masterplan can be seen in Figure 6 below.

*Parcel E – Retirement Living Accommodation*

- 8.3.8 The proposals for Parcel E have been submitted in detail and involve residential development of 91 one and two bedroom flats (use-class C3), designated for Retirement Living with communal facilities, staff welfare facilities and associated parking and landscaping. Arranged across two buildings and ranging in height from one to five storeys around a secure courtyard the proposal comprises:
- 60 one-bedroom flats (66%);
  - 31 two-bedroom flats (34%);
  - Entrance foyer, office, staff facilities and storage;
  - Flexible lounge, dining and kitchenette;
  - Hairdressing salon;
  - Treatment, therapy and hobby rooms; and
  - Cycle and mobility scooter store

- 8.3.9 The design incorporates 38 car parking spaces, including 3 accessible parking spaces and 1 car club space, 20 secure covered cycle spaces, and 20-25 mobility scooter spaces (depending on size). All parking spaces would be active Electric Vehicle Charging Points (EVCP) in line with Building Regulations Part S, subject to detailed design. With the existing 40 homes being demolished, this proposal is seeking to deliver 2.3:1 dwelling replacement at a density of 119 dwellings per hectare to reflect specific local need.



Figure 6 Illustrative Masterplan

*Layout*

- 8.3.10 The proposal comprises two buildings, E1 and E2 which together would form a perimeter block around the site that faces outwards addressing the streets with animated and active frontages. Within the perimeter blocks to the rear would be a secure landscaped space to serve the residents and car parking. By introducing this hierarchy of public and private realm, it reduces uncontrolled permeability and focusses the public activities within the street whilst forming secure manageable spaces for residents.
- 8.3.11 Each building would have its own entrance, as well as secondary routes from the carpark through the gardens and via the western footpath. The design prioritises pedestrian routes to encourage residents to walk to The Oval. Most of the refuse and scooter storage would be located around the vehicular access route. A pergola would provide shelter to residents, as well as screening the car park from the communal garden and lounge. The main entrance would be located to the north of building E1, located close to The Oval. This would face a public footpath within a small pocket park.



8.3.12 The main communal spaces would be focussed around the main entrance, overlooking the communal garden creating a focus of activity and interaction between residents. This would also create a wider spectrum of independence between the two buildings. For residents living in building E2, support would be available but would be less obvious with a small lounge at ground floor overlooking a private courtyard garden.

#### *Scale*

8.3.13 The buildings have been designed to respect the adjoining properties to the west and north, to ensure overshadowing or overlooking are avoided or mitigated. On the western boundary, the site is lower than the neighbouring properties so the building would be three storeys with a flat roof to reduce the overall height. This would increase to 4 and 5 storeys at the junction of Vardon and Jessop Roads, before stepping back down to 1 storey to the north to minimise the impact on neighbours and create an attractive shared frontage. Variation of the roof line and creation of steps within the building line would assist in articulating the built form and mass.

#### *Appearance*

8.3.14 The composition of the form and massing is such that the proposal would appear as a series of buildings. The articulation of the elevations, changes in materiality and roof lines would ensure the scale and mass would not appear over-bearing and more in keeping with a traditional street elevation. It is important that the building elements read as individual parts so as to bring a scale and intimacy to the building. Simple brickwork detailing would add interest to the facade, help residents identify their homes, and break up the regularity of the form.

8.3.15 The single storey lounge, in a lighter, buff brickwork would also form and denote the main entrance to the building. The same brick colour would be used at the secondary entrances to E2 establishing a common language between both entrances. This lighter brick colour would wrap parts of the building forming a 'plinth' like detail helping to further articulate and breakdown the overall form and mass. The main body of the residential buildings presents to the street in two shades of red brick, a lighter and darker red multi. The importance here is for the building to read as elements, referencing back to Stevenage Old Town, and a rhythm of buildings or terraces possibly built at different times. To reinforce the 'terrace', the facade would be further articulated with recessed, vertical brick relief or shadow gaps to emphasise each vertical building element. Within the courtyard this theme would continue, however with it predominantly being north facing, a lighter, white/grey brick has been introduced to articulate the circulation cores.

8.3.16 Parapets would be articulated to reference adjacent geometries and help shape the building line. Predominantly level and horizontal to the single storey lounge and building E1, within building E2, a gentle angle to the parapet would be introduced echoing the roof pitches of adjacent terraced houses and bringing interest to the elevation. At roof level where the parapets are horizontal, this would provide the opportunity to set the top floor back, create roof terraces and further add interest and depth to the building's composition.

#### *Parcel F – Replacement Community Facilities*

8.3.17 The proposal for parcel F is for a community centre and church, including ancillary support facilities such as kitchens, toilets and staff facilities within a purpose-built building measuring 1614m<sup>2</sup>. All Saints Church, located at ground floor, would measure 258m<sup>2</sup> and comprise a place of worship, office, small kitchen and storage areas with capacity for 200 people. The community centre, which would share the main entrance with the church, would measure 1351m<sup>2</sup> and would be arranged over three floors.

8.3.18 The ground floor would comprise reception, office, kitchen, meeting room, ancillary storage and toilets. The first floor would comprise meeting rooms, kitchen, office space including

Family Centre and other ancillary space; and the second floor would comprise larger meeting halls, kitchens, storage and toilets. There would be a secure community garden accessed via the shared entrance foyer measuring 595m<sup>2</sup>. Servicing and parking would also be provided with a dedicated layby for deliveries and servicing located directly outside the building.

- 8.3.19 There would be 53 car parking spaces located on the approach road with an additional 49 parking spaces within the undercroft of Parcel C for use by the community centre and church, but, would also be shared with the wider neighbourhood centre to avoid over-provision. Ten cycle spaces would be provided immediately outside the entrance and a further 14 covered cycle parking spaces adjacent to the play area. Additional cycle parking would be available throughout Market Square.

#### *Layout*

- 8.3.20 The layout has been developed to consider the approach from the Market Square to the south, 'New Street' from the west and east, and Bradman Way to the north. As well as the need to present a strong frontage to the Market Square, the shared entrance and access through to the community garden has had a significant bearing on layout. Located on the west elevation, between the church and the community centre, the main entrance and foyer would serve both spaces without compromising each other.
- 8.3.21 The church would be located to the north and has a central aisle, seating both sides and the altar located centrally to the north elevation. A kitchenette, office, and ancillary storage would be located immediately to the left and right on entering the church and the church organ located on the right-hand side. Either side of the altar and incorporating further storage, there would be two doors that lead out, on the right, to the community garden, on the left, to the local park and public realm.
- 8.3.22 The community centre is located to the south and would be arranged over three floors. At ground floor a reception desk would serve the entrance and foyer with a direct route through to the centre's office and a kitchen. A large flexible lounge would be located overlooking the Market Square that can be accessed directly through the community centre or be opened to the Market Square if desired. The ground floor kitchen would serve the community centre staff but could also solely serve the lounge as a rentable venue. This would allow the potential to create a community cafe in future, serving hot drinks and further encouraging engagement with the wider community.
- 8.3.23 At first floor the circulation, toilets, storage and plant rooms would stack vertically above those on the ground floor. Meeting rooms would vary in size to seat 12-20 people around a meeting table. They would have access to a shared kitchen and break out space overlooking the community garden with easy access to toilet facilities and storage. Overlooking the Market Square, the Family Centre would comprise a reception, offices, consultation rooms, kitchen and toilet as per their existing accommodation. The design of this space is such that should the service change, the spaces within could be altered and changed accordingly.
- 8.3.24 At second floor, there would be two hire spaces - one larger and one smaller, hosting a maximum of 150 and 60 people respectively. These spaces could host conference events; however, the expectation is that these would be particularly popular for youth clubs or similar groups, indoor sports activities and private events and activities. Each hall would have a large storage provision and should encourage regular hire by different groups. To add to the appeal of both halls, each has a secure roof terrace that enables activities to spill outside, when appropriate.

### *Scale*

- 8.3.25 It is key to the overall success of the masterplan that the community building has a strong presence on the Market Square. As such, the accommodation would be spread over 3 storeys and the main roof terrace framed to provide shading and cover, but also visual mass at the head of the square. The building would drop in height towards the existing residential properties to the north to optimise daylighting and reduce visual impact. The building would step down from south to north considering the adjacencies of neighbouring flats to the north-east and north-west and to minimise the shadows cast over the social space directly to the north of the Church. The building would step down from around 13.5m in height, which would be the big hall on the top floor at the south to 12.6m where the secondary hall and circulation space would be and lastly to the Church at around 9.3m highest and 5.6m at the north of the building. This would accommodate the local context and create a hierarchy between the new and existing.

### *Appearance*

- 8.3.26 The initial concept for the community centre was to consider it as a series of identifiable volumes - Church, Community Centre and Service Core - connected by a glazed link. The volumes are expected to be unified by their materiality, but the design approach also intends to explore their uniqueness. The new Community Centre needs to read as being an integral part of the new masterplan and the new architectural language being developed, while also clearly identifying its civic function. Its location at the end of the Market Square and 'New Street' make it an immediate focal point in the locality, while articulation of the form and mass has been considered to maximise the sense of height and create a unique identity within the new streetscape.
- 8.3.27 It is proposed to utilise brick to tie into the new architectural vernacular and provide robustness/longevity, but to also explore brick detailing, colours and the introduction of complimentary materials to create the necessary contrast with the surrounding buildings. Careful use of contrasting material could include reconstituted stone panels, glazed brickwork, tiling and metal panels.

### *North Elevation*

- 8.3.28 The main design strategy focused on the building's civic status, achieved by the materiality, the form of massing and signage. The design of the main entrance has been well considered to create a focal point from the 'New Street' from the west. The recessed entrance would incorporate a canopy which acts as an extension to the colonnade wrapping around the building. Glazed bricks or tiles on the ground floor facade is designated to be different from the floor above. Window frames are proposed in a slim profile in dark grey to compliment the brickwork. Recessed panels are introduced to create a vertical framing feature within the facade.
- 8.3.29 The choice of materials can highly affect the civic status of the building. Durable and visually appealing materials can create a sense of permanence and importance. Two different colours of bricks are chosen to distinguish the Church and the Community Centre. This would provide a uniform identity for the whole building and a sense of independent identity as well. Metal panels and glazing would be used to connect the two main parts together in the middle with a subtle sense and would soften the facade through the change of material.

### *South Elevation*

- 8.3.30 The composition of the form and massing is such that the southern elevation would appear as two main parts, the Church and the Community Centre. The Church has more enclosed spaces and articulation which focuses on the massing, whereas the Community Centre is more regular with well-proportioned windows and strong framing. The layout highly

influenced the external expression. Tall windows are introduced to build unique appearance, but individual uses are still to be recognisable. The colonnade on the ground floor and the brick framing on the terrace would help to frame the building form facing the Market Square.

- 8.3.31 Effective signage would be essential for communicating a building's status, enhance the overall aesthetics, and help visitors to easily identify the building's purpose. The big cut out letter signage on top of the building would attract people the most from far away. It is facing the Market Square and therefore would act as signage for the whole neighbourhood centre. The two signage panels attached on the facade would be integrated into part of the building to direct people from other directions. The All Saints Church signage would also give the Church their own identity despite a shared entrance.

#### *Conclusion on Parcels E and F*

- 8.3.32 It is considered that architecturally, the design, scale and layout of the buildings in parcels E and F is of high quality and well justified. The buildings would respond successfully to their context and the character of the wider area. The overall design approach detailed above is supported and it is considered the proposal would be in accordance with the paragraphs within chapter 12 of the NPPF in respect of design, Policies SP8 and GD1 – High Quality Design of the Local Plan (2019) and Stevenage Design Guide (2023).

#### *Wider Masterplan – Parcels A, B, C and D*

- 8.3.33 The outline design strategy for the rest of the site intends to re-imagine The Oval as a series of more traditional streets and public spaces that would be framed by new buildings, addressing and activating the public realm. The masterplan has been structured into a series of character areas to help shape and inform the streets, spaces and buildings to ensure a cohesive and legible development that has variety and interest throughout. The proposal would form perimeter blocks that look outwards, addressing the streets with animated and active frontages, whilst within the perimeter blocks a secure landscaped space or spaces to serve the residents. By introducing this hierarchy of public and private realm it would reduce uncontrolled permeability and focus the public activities within the street whilst forming secure manageable spaces for residents.
- 8.3.34 A series of perimeter blocks, terraces and buildings would frame the public routes through the site that follow the existing desire lines that connect through to the surrounding residential neighbourhood. The new routes would bring together footpaths, cycleways and carriageways to reflect a more traditional urban street scene. Front gardens form the 'defensible space' with the pavements whilst contributing to the wider planting strategy of street trees, hedges, flowers that help ensure a biodiverse development. The proposed character areas are described below.
- 8.3.35 Vardon Road character area. Tree-lined and with wide grass verges, Vardon Road has the potential for being not just a through-road but a road that is activated by buildings that frame the street. This in turn helps to create a sense of place and orientation within the town and signpost The Oval. New trees are proposed to reinforce the existing character and frame views through to the new homes, spaces and neighbourhood as a whole.
- 8.3.36 The 'living street' character area. Jessop Road is currently a vehicular route between Vardon Road and Martins Way serving the parking courts of the residential neighbourhood to the west. It is stark, with few pavements and lacks cohesion. The proposed masterplan seeks to activate the road with pavements to both sides, formalised parking spaces, tree planting and with buildings that address and are accessed from the street. The masterplan also looks to elevate the current pedestrian underpass to cross Jessop Road at grade.
- 8.3.37 The 'walk' character area would comprise a new 'at grade' pedestrian route between the existing neighbourhood to the west and the new neighbourhood centre. With existing and

new homes addressing 'the walk' it would be a well surveyed public space integrated with the new pavements of Jessop Road and beyond. At the eastern end of 'the walk' steps would descend to the Market Square creating an opportunity for the steps to become a public space in their own right capable of being steps, seats or an auditorium to an event within the square.

- 8.3.38 The 'market square' character area. Open at the southern end, the square is framed by the commercial and residential buildings to the east and west, with a new community building commanding the northern elevation. The approaching roads would be designed to allow the square to be pedestrian only or open to vehicular traffic. The aim would be to ensure that the neighbourhood centre remains active throughout the day and into the evening.
- 8.3.39 The 'street' character area. To north of the site, 'the street' would serve a terrace of town houses, the community building and would connect round to provide access to the supermarket and building C. The 'courtyard' character areas. These spaces would be designed to be relaxing private spaces for residents, away from the more active streets. These spaces would be developed further so that different spaces could serve different groups of people at the same time.
- 8.3.40 Through the process of public consultation, stakeholder engagement and the receipt of survey information, the concept design has been tested, reviewed and amended to arrive at the proposed masterplan and design code for parcels A, B, C and D which have been submitted in outline with all matters reserved for future consideration. The masterplan aims to define the character of each street it incorporates, new or existing. Through an understanding of place, the buildings would be sensitively scaled to frame, but would not overbear the streets and neighbouring properties. Furthermore, the design looks to establish clear street patterns and hierarchies on both horizontal and vertical planes – that is, defining ratios of mass vs void, solid vs glazing, public vs private, pavement vs planting while integrating into and improving the surrounding circulation and transport networks.

#### *Vardon Road*

- 8.3.41 Vardon Road is the main approach route for the neighbourhood centre, so strong vehicle, pedestrian and cycleways would be maintained, including a relocated bus stop. However, the design would create a separation from such traffic to bring a calm and social feeling to each building and in particular the entrance of the Market Square. Wide, planted strips would divide the car from the pedestrian and cycleways, and again to the building elevations. The defensible space at the interface of the buildings are the critical thresholds of the landscape design which would help define the character of the street-scene, as well as provide a necessary buffer from the public realm where needed. The communal gardens or courtyards would be internalised as result of the perimeter block designs.
- 8.3.42 Vardon Road and the green space on either side is an expanse of over 30m that allows for a taller scale of buildings to line the street. Parcels C, E and D vary between 2 and 6 storeys. Parcel D design would have taller, strong corners that address Vardon Road, competing with the commercial presence of Parcel C at the Market Square Gateway, and the housing development of Parcel E (part of the detailed application). Responding to the residential context to the west in particular, the building heights also consider the space between and behind each building as Vardon Road forms the southern boundary of the perimeter blocks, having the greatest impact on sunlight.
- 8.3.43 These undulating heights and forms would provide added architectural character and interest to the street-scene, which currently lacks due to the existing built forms distanced from the streets and car parks being the most immediate views north of Vardon Road. Softening the heights of the proposed buildings are the tall existing trees, as well as the proposed trees that would look to extend the colonnade that exists along Parcel E southern boundary.

### *Jessop Road / 'Green Street'*

- 8.3.44 Jessop Road runs north-south, forming the western boundary of parcels A, B and D, as well as intersecting the southern part of the masterplan site to form the eastern boundary of Parcel E. The street is framed by 2 and 3 storey residential buildings to the west, and has a varying relationship to structures, green space and car parks to the east, which forms the existing Oval neighbourhood centre. The road primarily functions as a ring road for cars as it loops around the eastern estates of housing back to Vardon Road and has no real associated pedestrian footpaths or cycleways, as these are a separate network.
- 8.3.45 The masterplan proposes to join these networks together as they reach the new neighbourhood centre, as each parcel addresses the street and perimeter circulation routes are created. The street itself would see technical improvements as it is narrowed to slow down vehicular movement, provided with pedestrian walkways on either side, and the intersecting underpass replaced with an overground circulation link that would include green space – identified as the 'Play Street'.
- 8.3.46 The length of the street and proposed building line provides the opportunity to increase the quality of soft landscaping and quantity of trees, softening the impact of the built forms and improving the street-scene and biodiversity value. While the heights of Parcels B, D and E would reach 4 storeys along Jessop Road, the character of this street would remain as residential as possible, with the scale lowered in response to the 2 and 3 storey houses opposite.

### *The Market Square*

- 8.3.47 This would be a mixed use, flexible, pedestrianised space with strong massing dominated by retail at lower levels, inviting public interaction and anchoring themselves at the heart of a new neighbourhood centre. This space forms a critical part of the public realm design and would play a significant role in the success of the scheme. A common approach to materials and details would see a coherent architectural language for the retail and community uses that surround and frame the square. This is juxtaposed with shifts in form (such as rooflines used to make legible urban forms) with a subtle variation in articulation providing greater expression for the residential elevations. This is designed to express both a unity across buildings and subtly different identities down the street.
- 8.3.48 Whilst this public space would be prioritised for pedestrians, careful consideration has been given to the times of use for vehicles and unrestricted use for emergency vehicles. The delineation of streets is important, but maintaining pedestrian surfaces throughout this area would make the square appear and feel much larger. The landscape strategy considers paving, planting, furniture and lighting as part of a coherent design that enhances the square, including the colonnade of trees and spill-out areas for informal seating that would add to the framing of the space and how it is used. The Design Code sets a framework for the architectural appearance and detailing for the commercial and residential parts that must adhere to design principles to ensure the intended character of the square is realised beyond the landscape and Parcel F designs.

### *'New Street' - East and West*

- 8.3.49 The new, yet to be named, street would take different forms as it winds through the site. From Vardon Road, it would pass through the car park in Parcel C, before passing the Community Centre in Parcel F where it would become subservient to the built forms and pedestrian paving, and then past the new park and between Parcels A and B, ultimately becoming a residential street and connecting with Jessop Road. The public realm design aims to integrate parking and activate the changing nature and character of the street; however, the building designs and detailing must also enhance the welcoming character and consider interfaces with the public realm, particularly at points of access.

- 8.3.50 Pedestrian and vehicle access would cross paths throughout the entirety of the street and therefore safety is at the forefront of design solutions for landscaping and buildings. Whilst the public realm design captures the hard surface layout and materiality, signage and wayfinding are also critical to the safe and ease of use of the spaces. The design of Parcels A, B and D, as well as the commercial block of Parcel C, must use entrances as strong visual markers or devices to break up the building elevation/facade and aid this.
- 8.3.51 It must be noted that passing the back of house of Parcel C and the side elevation of Parcel A would require these elevations to be articulated and respond to the surroundings, such as the new park and Parcel F. The residential buildings would provide natural surveillance over the park, which would feature a children's playground and cycle storage. Whilst the buildings would be scaled and separated to improve privacy and outlook, overlooking onto the public spaces plays an important role in the safety of the New Street. Although parking would dominate the eastern side of the street, it is envisaged that effective landscaping to the front of the parcel A would reduce any such dominance of the street-scape.

#### *Play Street*

- 8.3.52 The play street is integral to the overall masterplan, forming part of its circulation strategy that prioritises pedestrians, replaces the existing Jessop Road underpass, and provides a new route to the proposed Market Square. To the west of Jessop Road, levels would be raised with soft landscaping and new trees added to rejuvenate the public walkway and add amenity. Although considered part of the public realm design, it would (in part) fall within Parcels B and D as it stretches over the undercroft parking and accommodates the change in level with an elaborate landscaped stair and ramp design. Its inclusion into the land parcel designs is critical to ensure the realisation of the daylighting strategy for the concept design.
- 8.3.53 Fundamental to the perimeter block design principles of the two parcels is the separation between them and the mass of the buildings to the south side of each. These principles would ensure the courtyards are provided with adequate sunlight and improved outlook and privacy for the housing, as well as ensuring the circulation link is not domineered by blocks of flats. Maisonette-type dwellings would front the Play Street, bringing the scale down to a human level with front doors and gardens activating the street and providing natural surveillance. Play street would be heavily planted, playful and full of opportunities to socialize, complemented by architecture and furniture that would enrich the experience of moving in and out of the neighbourhood centre for retail and community use.

#### *Land Parcels A, B and D – Residential and Retail*

- 8.3.54 This central location and largest assembly of land is identified for most of the proposed residential dwellings and small retail units. The proposal for land parcel A is for residential dwellings with associated amenity and parking. For land parcels B and D, the proposal is for a mixed-use development with residential dwellings at upper levels and retail space (use class E(a)) at ground floor. The planning application seeks outline permission for an upper limit of accommodation (250 residential units, 1200m<sup>2</sup> commercial units). Indicative proposals are shown based on 236 residential units (approx. 23,000m<sup>2</sup>), which comprises the following:
- Parcel A: 8no 4-bedroom townhouses with integral garages
  - Parcel B: 45no 1-bedroom, 69no 2-bedroom, 8no 3-bedroom flats and maisonettes total 122no dwellings
  - Parcel D: 41no 1-bedroom, 62no 2-bedroom, 3no 3-bedroom flats and maisonettes total 102no dwellings
- 8.3.55 In addition to the residential dwellings, there is an indicative 1052m<sup>2</sup> commercial space and 263 car parking spaces (approx. 6,770m<sup>2</sup>), as well as ancillary space including plant rooms, residential entrances, refuse and cycle storage. The proposed accesses for land parcels A, B and D have been designed with the public realm and landscape design to ensure a

coordinated design solution. The accesses for parcel A, B and D have been tested through numerous iterations to ensure the public realm would serve the site and that the future buildings address the new roads, pavements and public spaces.

- 8.3.56 New pavements would bind parcel A\*, B and D with the Market Square and Gateway located to the east and south of parcel B and D respectively (\*except where private gardens would incorporate the northern boundary). The new pavements would connect in with the established pedestrian routes, however where pavements have not existed along Jessop Road the masterplan and public realm would introduce them. The concept design of parcel A would be for up to 8 townhouses each with front garden and access direct from the pavement. Similarly, the concept design of buildings B and D has private defensible space to the perimeter of all residential parts and direct access to the pavement. The retail space at lower ground floor would be directly accessed from the Market Square and approach road.

#### *Layout*

- 8.3.57 The concept layout for A, B and D is for the proposed building(s) to negotiate the level change between the upper ground level of Jessop Road to the west and the lower ground level of the Market Square to the east. To the north and adjacent to Martins House, Parcel A, a terrace of up to 8 no. three storey, four-bedroom townhouses are proposed within a traditional street scene complete with front and rear gardens, integral garages and off-street parking. South of 'New Street', Parcels B and D would form two perimeter blocks joined together by a single lower ground floor car park. Using the change in level from west to east, a lower ground floor would be cut into the ground accommodating car parking beneath a podium courtyard whilst retail spaces would face east onto the proposed Market Square.
- 8.3.58 At upper ground level the residential buildings would be arranged around two podium courtyard gardens forming two perimeter blocks. Comprising five buildings each, the two perimeter blocks would be separated by the publicly accessible 'Play Street'.

#### *Scale*

- 8.3.59 The concept design acknowledges the proximity and relationships with adjacent properties and the need to respect overlooking distance and avoid overshadowing. Parcel A, south of Martins House, would be limited to three storeys with buildings set away from the northern boundary. Rear gardens would form a privacy zone with the adjacent property to ensure a good distance is maintained between buildings and the grounds and rear gardens are sufficiently private.
- 8.3.60 Parcel B and D would range in height from 2 to 5 storeys above lower ground level. Buildings facing onto Jessop Road would be 4 storeys in height, whilst buildings to the Market Square would be a storey taller above lower ground level with retail within the lower ground floor. All building elements would be designed to be less than 18m as set out within the new Building Regulation for 'High Risk Buildings'.
- 8.3.61 The concept design has sought to minimise the height of building elements on the southern flank of each perimeter block to maximise the sunlight into the courtyard and minimise the overshadowing of the courtyard amenity spaces. Similarly, the northern flank of the buildings has been kept low so as to ensure the "Play Street" is framed appropriately to maximise sunlight and minimise overshadowing. Shadow analysis of the concept design has been conducted to test the form and massing at various times of the day and throughout the year. This process has also informed the layout of the perimeter blocks and the distance between the buildings to ensure natural daylighting is optimised throughout the new development.



### *Land Parcel C – Supermarket*

8.3.62 The proposal for land Parcel C is for a retail development, use class E(a) comprising small retail units, a supermarket, an undercroft (lower ground floor) car park, loading bay, ancillary staff facilities and plant rooms. The proposal would be for up to 225m<sup>2</sup> of small retail units (between 2 and 5 retail spaces/units) and up to 2,650m<sup>2</sup> of supermarket (including all back of house facilities). With land Parcel C navigating a significant level change, it has been assumed that the majority of the lower ground floor would provide car parking for up to 49 car parking spaces (including 3 wheelchair and 3 family spaces) as well as 10 cycle spaces and 5 motorbike parking spaces. The provision of this retail space and associated vehicle and cycle parking would be in addition to the retail proposed within land parcels B and D and the parking provision (55 spaces) within the public realm and landscape design.

#### *Layout and Scale*

8.3.63 The concept layout and scale is arranged over three storeys. The arrangement of the building would utilise the slope of the site to provide ground level access to all retail units at upper ground floor level from the Market Square (west) and access to the lower ground floor car park, loading bay and lower ground supermarket entrance from the eastern access road. The smaller retail units would be located on the western elevation to address the new Market Square. In the north-west corner, retail unit 1 would address both the Market Square and 'New Street' to the north. The remaining retail units would be located level with the market square and would be capable of being subdivided according to the retailer's required size.

8.3.64 Working with one of the main supermarkets, the supermarket design has been developed to follow, where possible, the retailer's standard 'Metropolitan' layouts. The 'Metropolitan' design includes a lower ground floor car park with the main entrance and vertical circulation to the upper ground floor retail space forming the main shop frontage. Working with this model the supermarket element has been incorporated within the building with the main façade addressing Vardon Road and the corner with Verity Way. Lift, stair and travelators would serve the upper ground floor sales area with large, glazed shopfront wrapping around the south elevation. The upper ground floor retail space would cantilever over the ground floor providing a covered walkway adjacent to the surface level parking. To the rear of the supermarket would be an enclosed and secure loading bay where goods would be delivered to the lower level and conveyed via lifts to the upper ground floor warehouse and sales area.

8.3.65 It is hoped to use the eastern flank of the building for a new public art installation that continues Stevenage's long-established town wide public art strategy and animates an important street elevation.

#### *Masterplan Design Code*

8.3.66 The application is supported by a Design Code, which has been submitted for detailed approval. This design code has been prepared to establish the architectural framework for the development of land parcels A, B, D and C which are subject to outline planning permission with all matters reserved, including appearance. The design code sets out the vision and aims for this regeneration proposal, what high quality design is and what it can achieve for residents, the community and the town. The Design Code sets out what it is the applicant expects in order to deliver the masterplan and vision – building design, placemaking and community.

8.3.67 The outline design for parcels A, B, D and C has considered the layout, scale, and appearance in the context of the adjacent neighbouring streets and buildings as well as the proposed buildings and spaces captured within the Detailed applications for the public realm and land parcels E and F. It is expected any Reserved Matters application to consider the different conditions of the site and employ a range of appropriate building forms and massing to respond to the geometry of the site. The Design Code advises building corners must be strong, simple in form to define the perimeter blocks and to articulate the street scene. The

proposed buildings of land parcel E and F have established a new architectural language for the area and in doing so established a character to which the design of parcels A, B, D and C should align to.

8.3.68 The Design Code lists the following design principles:

- Framing streets and public realm
- Responding to character areas and street types
- Perimeter block principles
- Elevational composition – apartment buildings
- Elevational composition – town houses and maisonettes
- Elevational composition – retail and supermarket
- Landscape

8.3.69 The design principles set out within the Design Code are supported and it is considered the Design Code would ensure development coming forward within parcels A, B, C and D would be of high quality and complement the buildings within parcels E and F in accordance with the paragraphs within Chapter 12 of the NPPF in respect of design, Local Plan policies SP8 and GD1 – High Quality Design of the Local Plan (2019) and Stevenage Design Guide (2023). Compliance with the Design Code would be subject to planning condition should planning permission be granted.

#### *Townscape and Visual Impact Assessment*

8.3.70 The application is also supported by a Townscape and Visual Impact Assessment, which considers the potential effect arising from the proposed redevelopment of the Oval neighbourhood centre. The assessment identifies the various townscape and visual receptors including townscape character areas and viewpoints and describes their value to understand the potential effects on the development. The report concludes that the proposed development would be in accordance with the various chapters of the NPPF which cover townscape and visual considerations for an application proposal.

#### *Conclusion on Design, Layout and Visual Impact*

8.3.71 The proposed development would achieve a well-designed place by delivering a proposal which would improve the overall quality of the area, be visually attractive and sympathetic to local character and history including the surrounding built environment and landscape setting. The proposed development would make a positive contribution to local character and distinctiveness. The proposals would comply with the paragraphs within Chapter 12 of the NPPF in respect of design, Local Plan policies SP8 and GD1 – High Quality Design of the Local Plan (2019) and Stevenage Design Guide (2023).

## **8.4 Landscaping and Amenity Space**

8.4.1 The landscape approach for the site divides it into different character zones to incorporate a variety of landscape typologies. Vardon Road would be re-worked to create a green street with a new residential street providing access from Vardon Road to the new community centre and the new supermarket to the east of the Market Square. The Play Street would connect across Vardon Road, providing a traffic free route to the Market Square from the west. The siting of the community centre has enabled the creation of new play areas and a re-planned communal courtyard garden providing outdoor space. The frontage to Vardon Road would be 'greened up' with new tree and shrub planting.

8.4.2 The proposed development would include the following separate and defined Character Areas:

- Green Street

- Play Street
- Entrance Gateway
- Market Square
- New Street
- Communal Courtyard
- Pocket Garden and Play Area
- Community Garden
- Green verge to Vardon Road

8.4.3 Each Character Area would perform a specific function and would comprise hard landscaping, planting and associated facilities relevant to its intended use. The Landscape Design and Access Statement sets out the Character and Use for each area. In summary:

Character Area	Character	Use and Function
Entrance Gateway	<ul style="list-style-type: none"> <li>&gt; Tree lined pedestrian route</li> <li>&gt; Public amenity lawn</li> <li>&gt; Cycle parking</li> <li>&gt; One way for vehicular access only</li> <li>&gt; Large planters with seating</li> </ul>	Main arrival place for pedestrians coming from the south. Creates a green frontage to the Market Square and offers public amenity space for gathering and relaxing.
Market Square	<ul style="list-style-type: none"> <li>&gt; Pedestrian priority street</li> <li>&gt; Tree-lined street with abundant planting and extensive seating areas</li> <li>&gt; Playable water feature</li> <li>&gt; Active retail frontage</li> <li>&gt; Playable and interactive public art</li> <li>&gt; Unique paving palette</li> </ul>	Pedestrian friendly retail square located in the heart of the site, serving as the main destination of the development.
Play Street	<ul style="list-style-type: none"> <li>&gt; Part 1: Steps and ramps access with ornamental planting and feature trees</li> <li>&gt; Part 2: The primary play area features a safety surface, ornamental planting and mounded lawn areas</li> <li>&gt; Part 3: Centralised footpath flanked by planting, shrubs along building frontage, incidental play elements and seating space</li> <li>&gt; Part 4: Existing underpass filled in with proposed lawn area framed by ornamental planting and trees to each side.</li> </ul>	Tree lined, soft landscape focused vehicle free connection designed to offer a variety of play areas for young children and provide public amenity space for the community and visitors of all ages.
Parcel F – amenity, play and social space	<ul style="list-style-type: none"> <li>&gt; Play area to the west of the building designed for younger children (ages 5-11) with adventure play features. The design</li> </ul>	Two play areas with social space to the north and west of the Community Centre and a community garden to the east of the building.

	<p>ensures a safe play environment for children, with various play equipment enclosed by feature railings and gates.</p> <p>&gt; play area to the north of the building designed for older children (ages 12-17) as well as providing social space for the Community Centre and the public. Design offers flexible play elements and a variety of social and hangout space. A 3.5-5m wide swale creates a boundary to the path, directs overland water flow and provides a source of incidental play.</p>	
Parcel F: Community Garden	<p>&gt; Slightly sunken central amenity lawn area offering outdoor community space while also serving as part of the surface water flow routes in extreme weather events.</p> <p>&gt; Design includes raised planting beds that could be gardened by the community. A double row of fruit trees line a path that leads to a feature tree with bench underneath.</p>	Redesigned community garden will remain in current location. New community garden will be run by the community centre and enclosed with fencing.
Parcel E: Communal Courtyards	<p>&gt; Access for residents only</p> <p>&gt; Active space, ideal for leisure and socialising</p> <p>&gt; Ornamental planting</p> <p>&gt; Linear rain garden</p> <p>&gt; Shaded garden</p> <p>&gt; Communal footpath</p>	Community courtyard space with a patio area outside focussing on creating a vibrant and inclusive environment that encourages social engagement and supports the well-being of the elderly residents
Green Street	<p>&gt; Swales on both sides of road</p> <p>&gt; 3m wide shared pedestrian and cycle path</p> <p>&gt; Rain gardens</p>	Jessop Road is re-imagined as a tree lined green street with swales and planting supports vehicle, cycle and pedestrian movements, connecting the site through north-south.
New Street – Residential	<p>&gt; Provides access to undercroft parking, community centre and supermarket from Jessop Road</p> <p>&gt; Shared surface with block paving</p>	Plays an important role in providing parking spaces, neighbourhood access and connections.

	> Swales and rain gardens with street trees	
New Street – Commercial	> Outdoor neighbourhood recycling centre > Existing footpath that connects to Verity Way Underpass retained > Swales > Existing verge and trees on the embankment retained and enhanced with species rich grass.	Road to north and east of Parcel C offers public parking spaces and the main approach to the undercroft parking for the proposed supermarket.

- 8.4.4 The landscape proposals have been developed holistically as part of the wider masterplan, including the Market Square, the community garden and amenity spaces around the Community Centre and Church. By locating the amenity space around the community building, the applicant is hoping that they can support and enhance one another and increase their reach into the wider community, becoming the heart of the new development. Greater usage and oversight should reduce the incidence of anti-social behaviour, while balancing the need to provide space for young people to socialise.
- 8.4.5 The intention would be to create a range of different types of spaces, to serve a wide range of different user groups - play for young children, social space for young people and an attractive community garden. Due to the concerns of the Community Association regarding safety of the existing space (particularly alcohol/drug paraphernalia), the community garden would be created as a courtyard garden that could be secured when there is no oversight at night to ensure it could be safely managed. This enclosure, while seemingly imposing restrictions on usage, is intended to give the community greater confidence in its safety, overcoming existing issues, and allow it to better serve the wider community. The ambition is that once enhanced, formalised, and secured at night, it could be opened by the community centre during the day, accessible from the community centre and church, and closed by their caretaker in the evening, allowing it to be used by the wider public.
- 8.4.6 It is considered the proposed green space would significantly enhance the quality of the existing green areas on the site, bringing high value in terms of biodiversity, aesthetic, recreation and amenity. Even though the total proposed green space would be reduced by 218m<sup>2</sup> compared to the existing, it is considered the overall value and quality of the green areas would undergo a considerable improvement. The low value buffer grass would be reduced by 8082m<sup>2</sup> and replaced with high quality ornamental and biodiverse planting areas and amenity spaces.
- 8.4.7 The green verge areas along Vardon Road would be retained and enhanced with additional species rich grassland. The proposed scheme would provide 1990m<sup>2</sup> of public amenity green space, representing an increase of 180m<sup>2</sup> from the existing. It would offer a variety of formal and informal recreation spaces and green spaces, including the two main play areas to the north and west of Parcel F, main play area and amenity lawn space with planting to Play Street and central amenity lawn with ornamental planting to the entrance gateway. The proposed scheme would also provide approximate 2950m<sup>2</sup> communal amenity green space on ground floor to Parcel E (596m<sup>2</sup>), the community garden to Parcel F (337m<sup>2</sup>) and on Parcel B and D podium gardens (2017m<sup>2</sup>). Parcel B and D form part of the outline planning application. Therefore, the amenity figure is an assumption.
- 8.4.8 With regards to the comments on the landscaping scheme from the Council's Green Spaces Development officer, a meeting was held where further information was provided, including a Management Plan setting out who would be responsible for maintenance of each part of the site. Updated comments were received which advise many of the issues have been addressed, those still outstanding can be dealt with by planning condition.

8.4.9 The proposed amenity space and landscaping accords with paragraph 135 of the NPPF which seeks to ensure that developments are visually attractive and include appropriate and effective landscaping. The proposed development also accords with the guidance relating to 'Public Spaces' and 'Nature' Sections of the Design Guide SPD (2023) and Policies GD1 and SP12 of the Local Plan. It is considered the overall approach and principles that have led to the development of the proposed landscape strategy are fully justified and supported. The high-quality landscape strategy would significantly enhance the user experience of the neighbourhood centre and make it a place people would want to spend time in, whether to live, work or shop.

## 8.5 Trees, Ecology and Biodiversity

8.5.1 The Environment Act received royal ascent in 2021 within the legislation is the requirement for proposals to bring about a positive net gain on biodiversity. The regulations which make a 10% net gain a statutory requirement (with a standard condition) had not come into effect at the time of submission. The requirement and the ways in which this gain is measured apply to planning applications for major development submitted after the regulations came into force on 12 February 2024. For major applications submitted before this date, the Regulations comprised transitional arrangements whereby local policy will remain the starting point for determination, together with other material considerations.

8.5.2 National and local policy still require the scheme to demonstrate an overall gain. Policy SP12 requires new development to 'mitigate or, as a last resort, compensate for the loss of green infrastructure or assets of biodiversity importance' and 'only grant permission if an adequate assessment of priority habitats and species has been undertaken'. The implementation of this policy is supported by the "Impact on Biodiversity SPD" adopted in 2021.

8.5.3 A Preliminary Ecological Appraisal (PEA) has been undertaken for the whole site. This meets the requirement of Policy SP12(e). Section 4 of the SPD "assessing impacts - biodiversity accounting" explains that the relative weight given to biodiversity factors will depend on the particular circumstances of the site and proposal, but these can be more easily assessed if impacts to biodiversity along with any gains are quantified using the DEFRA biodiversity metric. However, the SPD lists an exemption to this requirement for some Brownfield Sites, stating:

*"Some brownfield sites with marginal viability and substantial constraints. It is expected that full details to be set out in secondary legislation, but considerations are likely to include where sites contain a high proportion of derelict land and buildings and only a small percentage of the site is undeveloped, land values are significantly lower than average, and the site does not contain any protected habitats;"*

8.5.4 The Oval neighbourhood centre is largely a developed site with only a small percentage undeveloped. The PEA confirms there are no protected habitats. As discussed in paragraphs 8.2.21 to 8.2.35 of this report, the redevelopment of The Oval is not viable. This is due to the significant costs associated with the demolition of the existing Centre, the changes in land levels as well as the up-front costs associated with providing the community centre and place of worship as a first phase. This viability assessment also shows that land values are significantly lower than average.

8.5.5 It was agreed with the applicant during the pre-application process that a metric would not be required to support the scheme provided it was possible to demonstrate a gain and improvement in accordance with the mitigation hierarchy. The main ecological benefits derived from the scheme are closely related to the landscaping proposals.

8.5.6 The Preliminary Ecological Appraisal (PEA) contains a plan showing the main habitats (Appendix 2). The principal land uses (with the exception of buildings and hardstanding) are

modified grasslands to the north, scattered trees within the carparks and some hedgerows to the northernmost site boundary. Parcel E contains some introduced shrubs and vegetated gardens. This habitat plan has been prepared to assess the baseline position.

- 8.5.7 As demonstrated in the PEA, the site has limited ecological value. However, bats have been identified as roosting in Parcel E (and potentially in Parcel F). As parcel E is being submitted in 'full' an additional detailed survey has been undertaken which identifies a maternity roost of Pipistrelle bats. The report also details the mitigation measures necessary during the redevelopment. In relation to Parcel F, due to the presence of bats a single emergence survey is recommended on the single storey building. These will be undertaken during the optimal period and submitted in the spring to ensure that the most up-to-date information is available ahead of demolition.
- 8.5.8 Given their age and maturity, many of the trees currently bounding the site would be retained and protected. However, to facilitate the development on Parcel E and F, and then in later phases where site levels are being altered there would be the loss of around 42 trees. The landscaping proposals indicate that over 258 trees are proposed across the site to help mitigate and offset the loss; a replacement ratio of over 1:6 and in excess of the 1:3 required. In addition, the modified grassland which comprises most of the verges and green space would be diversified to include sensitive areas of various shrubbery planting including edible mixes, rain gardens, species rich grassland, lawn area and green roofs. Tree protection measures to protect retained trees during construction would be secured by planning condition.
- 8.5.9 The potential impacts of the scheme and recommendations to manage and mitigate the impacts on biodiversity are set out in section 5.2 of the PEA. This concludes that the combination of proposed planting which includes various species, new scattered trees, lines of trees and green roofs would 'significantly enhance' the green areas across the site. Other species-specific measures include the inclusion of bat boxes in southerly or westerly aspects, nest boxes and brown roof areas for nesting birds (tall buildings), the inclusion of "hedgehog highways" and gravel boards to improve connectivity between foraging habitats and insect hotels and butterfly friendly planting are also incorporated in outline (or full) as part of the proposals. The provision of swift bricks on buildings would be secured by planning condition.
- 8.5.10 Overall, whilst a metric has not been submitted as part of the application the site is exempted under the current SPD which applies to applications submitted prior to the enactment of the regulations on 12 February 2024. However, the proposals would introduce a greater range of habitats to increase biodiversity across the site, particularly in respect of planting and landscaping and where trees are lost, these would be replaced at a ratio of 6:1 which exceed the council's corporate objective of 3:1.
- 8.5.11 With the implementation of appropriate ecological mitigation, compensation and the proposed biodiversity enhancement into the development design and landscaping, it is considered that the development proposals would result in an overall enhancement to the biodiversity and ecological value of the application site, improve access to nature and ensure compliance with Section 15 of the NPPF and policies SP12 and NH5 of the Local Plan (2019).

## **8.6 Highway Impact, Access and Parking**

- 8.6.1 The development proposal has been through a pre-application process with Hertfordshire County Council (HCC) as Highway Authority, which has resulted in improvements to the scheme. Two post-submission meetings were also held with the Highway Authority to clarify phasing requirements and improve cycle connections along Jessop Road. The parking and access arrangements as proposed are a result of discussions between HCC as Highway Authority, the Council and the applicant and reflect what has been agreed. The application is supported by a Transport Assessment, Transport Assessment Addendum and a Travel Plan.

### *Vehicle Access*

8.6.2 The application seeks to provide the full details of access for Parcels E and F. Detailed access related issues for the remaining parcels would be agreed at Reserved Matters stage should the development be granted planning permission. The Transport Assessment advises direct access to the proposed development for vehicles would be taken via the following locations:

- Via the existing priority junction with Vardon Road to the west (currently serving Hobbs Court) which will, serve the Independent Living development at Parcel E;
- Via the existing priority junction with Jessop Road (which currently accesses the northern Oval car park) located to the north-west of the site. This access will serve Parcels A, B and D which are residential-led development with some commercial/retail space;
- Via a new One-Way (Access Only) junction in a central location to serve the Market Street which will be a semi-pedestrianised street; and
- A reconfigured priority junction at the location of the existing bus loop arrangement with Vardon Road to the east. This access will serve Parcel C (supermarket and small retail units) and the community development at Parcel F. This access will also provide access to the existing Kingdom Hall of Jehovah's Witnesses and a substation.

8.6.3 The site layout and means of access have been designed to comply with current design standards, have been subjected to a Stage 1 Road Safety Audit (RSA) and accord with the advice received from HCC at pre-application stage.

#### *Vardon Road West Access – Parcel E*

8.6.4 Access to the Independent Living Scheme at Parcel E would be taken from the improved priority junction with Vardon Road. The access would be upgraded to incorporate a 5.0m wide access road and provision of a surface crossing.

#### *Jessop Road/Vardon Road*

8.6.5 The existing Jessop Road/Vardon Road priority junction would be upgraded to provide a 5.5m wide access road and provision of a surface crossing. A new 3m foot/cycleway would be provided along the eastern side of Jessop Road, extending from Vardon Road to the south, to the Jessop Road/New Street access. Post submission, the Highway Authority has engaged in discussion with the applicant and their transport consultant on improving cycle links/active travel to/from the site. To this end, an improved connection to Martins Way was identified which ties into the existing high quality off-road footway/cycleway which connects all the original Stevenage suburbs with the New/Old town centres. A 'Cycle Priority Street' is now proposed with a surface crossing on New Street junction with Jessop Road. Some traffic calming measures are also proposed. These additional improvements would tie into the proposed cycle facilities south of the New Street junction which would connect Jessop Road to Vardon Road.

#### *Jessop Road/New Street Access*

8.6.6 Access into the site directly to Parcels A, B and D would be taken from the existing priority junction (currently serving the northern Oval car park) to the north of Jessop Road. The access would be upgraded to incorporate a 5.5m wide access road and surface crossing. To the north of the site, the New Street would serve the terrace of town houses (Parcel A), Parcel B and D and the community development drop off bay (Parcel F). It would extend around to the supermarket and retail development at Parcel C, but would only be accessible from Vardon Road due to a short one-way section between. Access through to the Market Square would not be permitted from the New Street.



- 8.6.7 Extending approximately 115m west of Jessop Road, the New Street would be a two-way road enabling traffic flow in both directions between Parcels A, B and D. This stretch of the New Street would also enable service vehicles to exit the site along Jessop Road from the Market Square, which would be one-way (access only) from Vardon Road. Traffic movements along the New Street towards the supermarket east of the Market Square would be prohibited. The New Street has been designed in accordance with a 20mph speed limit.

*Vardon Road/Market Square Access*

- 8.6.8 A new One-Way (Access Only) junction would be provided from Vardon Road, which would be located in a central location between Parcel C and D. This access would be a pedestrian zone, accessible for service vehicles only. This access would be restricted through the use of rising boards or gates to prevent unauthorised vehicles from accessing this route. The Vardon Road/Market Square Access would be a shared surface designed to prioritise pedestrian movements over vehicles and would incorporate a 4.0m wide access road (suitable for one-way streets) and provision of a surface crossing.
- 8.6.9 The Market Square has been designed to ensure that the neighbourhood centre would remain active throughout the day and into the evening. Vehicular access could be limited during the busiest times of the day, but open to vehicular access when pedestrian footfall reduces, and a night-time economy begins. This flexibility would also allow the square to host markets, community and cultural events that promote the neighbourhood and encourage community activity and cohesion. The Market Square would also be subject to a 20mph speed limit.

*Vardon Road/New Street Road Site Access*

- 8.6.10 The existing bus gate/loop arrangement with Vardon Road to the east would be reconfigured to provide a priority junction with Vardon Road. This access would serve Parcel C (supermarket and small retail units) and the community building at Parcel F. It would incorporate a 6.0m wide access and provision of a surface crossing. New Street would be a two-way street which runs on a north-south access from Vardon Road serving Parcel C and Parcel F, connecting with the New Street at the northern end. The extent of New Street west of the access with Parcel F would be one-way only, reducing to a 4.0m wide carriageway. 2.0m footways would extend along both sides to serve Parcels C and F. New Street has been designed in accordance with a 15mph speed limit.

*Cycle and Pedestrian Access*

- 8.6.11 A comprehensive network of routes for pedestrians and cyclists would be provided to facilitate the ease of movement by walking and cycling throughout the proposed development. Streets within the development would have footways and carriageways with sufficient width to accommodate vehicles and cycles. The site is located adjacent to the wider Stevenage cycleway system, which extends along the A1072 Martins Way to the north of the site, and the A1155 Verity Road to the east of the site.
- 8.6.12 The pedestrian and cycle strategy associated with the proposed development has been designed to connect to the wider Stevenage cycleway system along key desire lines. This would ensure the proposed development would deliver an integrated foot/cycleway system with the wider infrastructure available within Stevenage. Pedestrian and cycle access would be provided alongside each of all the vehicular access points described above, with pedestrian connections to the wider Stevenage cycle system available from Bradman Way to the north, and the A1155 Verity Way to the east.
- 8.6.13 Pedestrian access from the Stevenage cycleway system north of the site would be provided from Jessop Road and Bradman Road. A new 3m foot/cycleway would be provided along

the eastern side of Jessop Road, extending from Vardon Road in the site to the Jessop Road/New Street junction to the north. Access for cyclists north of the Jessop Road/New Street access would be provided via a Cycle Priority Street within the carriageway along Jessop Road (see paragraph 8.5.5 above). A second pedestrian access from the north would be provided along Bradman Way via the existing footways provided along the western side of Bradman Way, which would connect to the existing shared foot/cycleway along the A1072 Martins Way.

- 8.6.14 Pedestrian access to the east would be provided via the existing footway which runs along the frontage of Parcel F. This footway would be upgraded to 2.0m and connect to the foot/cycleway which extends along the western side of the A1155 Verity Road. As part of the off-site highway improvements proposed as part of the development, a section of the existing footway along the northern side of Vardon Road along the site frontage would be upgraded to a 3.0m shared foot/cycleway. The proposed shared foot/cycleway would extend along the site frontage from the Vardon Road/Jessop Road junction to the Vardon Road/New Street Site Access, at which point the new foot/cycleway would tie in with the existing wider Stevenage cycleway system along the A1155 Verity Road.
- 8.6.15 Direct pedestrian/cycle access into the site from this new shared foot/cycleway would be provided from the Market Square and via Jessop Road. Cycle access at each of these points will be provided on-road. A new zebra crossing would be provided along Vardon Road in between the Market Square and the Vardon Road/Jessop Road priority junction. This new crossing facility would facilitate pedestrian movements from the residential area to the south of the site. The applicant has advised the removal of the existing underpass has been incorporated following feedback from residents. The new zebra crossing would also incorporate a build-out feature to enhance pedestrian visibility and act as a traffic calming feature.
- 8.6.16 Pedestrian access to the residential area to the west would be upgraded by delivering a new road level crossing to replace the existing underpass beneath Jessop Road. This would make routes to the residential areas to the west more attractive and help to promote walking to/from the development. This has also been incorporated following feedback from local residents according to the applicant. A new 3m foot/cycleway would be provided along the eastern side of Jessop Road, which would extend from the Vardon Road/Jessop Road junction to the south, to the Jessop Road/New Street access to the north.

#### *Pedestrian and Cycle Access Summary*

- 8.6.17 Several different facilities would be incorporated within the design of the site to accommodate and encourage active travel for all occupants/users of the proposed development. These active travel facilities within the site would include:
- 2.0m footways alongside highways within the site
  - Copenhagen crossing facilities at junctions
  - A new 3.0m footway/cycle link along Vardon Road along the site frontage extending from the Vardon Road/Jessop Road junction to the Vardon Road/New Street site access
  - A new 3m foot/cycleway along the eastern side of Jessop Road, extending from the Jessop Road/Vardon Road junction to the south, to the Jessop Road/New Street junction to the north
  - Semi-pedestrianised market square located within the development
  - Traffic calming measures to reduce vehicle speeds
  - A new raised table crossing facility along Jessop Road; and
  - Installation of a new zebra crossing on Vardon Road to encourage safe pedestrian access.

## *Bus Access*

8.6.18 The nearest bus stops located to the site are located along Vardon Road, and are served by the Routes SB2, SB3, and SB7. These routes all provide a regular Stevenage circular service, incorporating the Stevenage bus interchange between the train station and town centre, along with a number of other local residential stops. As part of the development proposals, the existing eastbound bus stop would need to be relocated due to the removal of the existing bus gate associated with the Vardon Road/New Street Site Access. The Transport Assessment advises a discussion was held with HCC Highway Authority to derive a suitable bus strategy to serve the proposed development and enhance access to bus services/infrastructure for existing bus users. It was agreed with HCC that the following bus strategy would be delivered along Vardon Road:

- Existing westbound bus stop retained in its current location, and upgraded to provide Real Time information (RTI);
- Eastbound bus stop relocated 90m west of its current location. The relocated bus stop would be supported by a physical build-out to enhance pedestrian visibility and provide traffic calming feature along Vardon Road. A bus shelter, seating and RTI information would also be provided as part of the relocated bus stop;
- The new bus stop on Vardon Road would be designed to incorporate a 'green roof'. The existing bus stop would also be reviewed for potential replacement. Green roofs are vegetated roof systems that provide a wide range of benefits, including reducing energy consumption, improving air quality, absorbing rainwater; reducing noise pollution, and supporting pollinating insects; and
- Both bus stops along Vardon Road would be designed to incorporate 'green roofs'.
- Provision of a new zebra crossing along Vardon Road between both sets of bus stops in line with best practice guidance. Positioning the new zebra crossing at this location would also accommodate pedestrian movements to/from the new Market Street which is a key desire line.

8.6.19 Detailed discussions have taken place with the Highway Authority about phasing and ensuring continuity of bus service provision during construction. The Highway Authority note that a scheme should be submitted which shows the temporary bus stop proposals in detail, including the need to use additional highway land to facilitate the bus lay-by, shelter and retain a suitable footway width. Such a scheme is likely to be in place for some time, so the need for a high quality arrangement that continues to facilitate safe and sustainable access to the bus is of key importance. Hertfordshire County Council's Passenger Transport Unit is content in principle with the change, although further consultation and agreement should be sought at an appropriate point prior to commencement of development on phase 2B. Additional information has been provided to satisfy the Highway Authority that the temporary bus stop arrangements would work in principle.

## *Sustainable Travel*

8.6.20 The application is also supported by a Framework Travel Plan (FTP), which would ensure residents, visitors, and staff at the development would have access to information on how to travel to and from the site via sustainable transport modes (i.e. routes and journey times to key destinations). The FTP outlines the overall objectives, targets and indicators for the entire site and would be administered centrally. In addition, information would be provided on journey planning by various modes of travel as well as information on car sharing. The overall objective would be to promote a culture of sustainable travel from the outset as there are a range of services and facilities that can be accessed by sustainable modes of travel. The FTP sets out a range of 'soft' measures and initiatives to promote and encourage the use of sustainable travel.

8.6.21 The FTP would be flexible enough to adapt and change as the requirements of the site may change. Thorough and regular monitoring would identify targets and assess to what extent

they are being reached over the life of the scheme. The reporting of progress would be carried out in consultation with the Local Planning Authority. It is the aim of the scheme to reduce vehicle-based trips to and from the site. In addition, all opportunities would be taken to encourage residents and visitors to make more sustainable trips to and from the site. The Travel Plan would be implemented on the occasion of the detailed phase of the development being brought into use and would be subject to a planning condition should planning permission be granted.

- 8.6.22 On this basis, it is concluded the proposal would comply with Local Plan Policy IT5 'Parking and Access' in that it would (i) provide safe, direct and convenient routes within the development, (ii) link to existing cycleway and pedestrian networks and (iii) contribute towards improving cycleways and pedestrian routes serving the development site and Policies SP5 and SP6 in terms of the provision of new infrastructure and sustainable transport within the town.

*Highway Impact*

- 8.6.23 The submitted Transport Assessment assesses the expected future trip rates by vehicles and the capacity of identified junctions to accommodate the increase in traffic. Paragraph 111 of the NPPF states "development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe". The Transport Assessment has been carried out in accordance with HCC guidance using approved methodologies including a sensitivity test for 275 dwellings as set out in policy.

- 8.6.24 The trip generation exercise within the Transport Assessment presents a forecast of trip generation across the various Parcels on The Oval site, including Parcels E and F which are submitted for detailed planning. The Highway Authority notes that there are a number of existing uses on The Oval site which the applicant's transport consultant has captured via surveys, as per the figures contained within the table below:

Peak Period	Observed Oval Vehicular Trip generation		
	Inbound Trips	Outbound Trips	Two-way Trips
AM Peak (0800 to 0900)	87	68	154
PM Peak (1700 to 1800)	143	160	303

- 8.6.25 The Highway Authority is content to accept the trip generation exercise as presented within the Transport Assessment as summarised below:

Peak Period	Total Proposed Development Vehicular Trip generation		
	Inbound Trips	Outbound Trips	Two-way Trips
AM Peak (0800 to 0900)	168	169	337
PM Peak (1700 to 1800)	228	214	443

- 8.6.26 Further to an adjustment made to allow for pass by/diverted trips, the following figures have been derived by the applicant:
- 306 two-way trips in the AM peak; and  
347 two-way trips in the PM peak.
- 8.6.27 The Highway Authority notes that there would be a net increase in vehicular trips. However, through the measures within the Travel Plan and the improvement to on-site and off-site infrastructure, the Highway Authority would seek that vehicular trip rates are reduced by way of transfer to sustainable modes of travel.
- 8.6.28 The Transport Assessment also carried out an assessment of capacity of junctions in close proximity to the application site under a 'with' and 'without' development scenario. It is generally considered that development impacts that result in an increase in traffic of 5% or greater may require junctions to be analysed in more detail to determine whether they would operate acceptably 'With Development'. The assessment identifies the following Junctions would experience an increase of more than 5% in the network peak periods:
- Junction 1 – Jessop Road/Vardon Road priority junction  
Junction 2 – Vardon Road/A1155 Verity Way mini-roundabout  
Junction 4 – Grace Way/A1072 Martins Way/Canterbury Way roundabout; and  
Junction 5 – Vardon Road/Grace Way priority junction
- 8.6.29 Modelling software was used to identify whether the junctions within the study area would operate acceptably or whether a 'severe' (NB as referred to in the NPPF) traffic impact is likely from the development. The Transport Assessment concludes that all the surveyed junctions would either continue to operate within capacity or marginally over capacity, but not significantly as to constitute a 'severe' impact on the local highway network. On this basis, the Highway Authority is satisfied the predicted increased traffic would be acceptable and the planned improvements to on-site and off-site pedestrian, bus and cycle links would reduce total vehicular trips to and from the neighbourhood centre.
- 8.6.30 The Highway Authority is content to recommend approval subject to planning conditions. Agreements would need to be reached with respect to the adoption of new public highway and entering into a Section 278 agreement (Agreement to allow execution of works on the public highway) for the highways works. A Section 38 agreement (adoptions agreement) would be required for the areas to be adopted as public highway. The Highway Authority is content with the overall approach for the development in terms of providing a mixed-use residential development in a sustainable location. Given the scale of the development and anticipated impact, with reference to paragraph 111 of the NPPF, the likely residual cumulative impact of the development, taking into account the potential reduction in trips associated with the travel demand management measures, is not considered to be 'severe'.

#### *Parking*

- 8.6.31 With regards to parking provision, the Parking Provision and Sustainable Transport SDP (2020) sets out the requirements for car parking, accessible parking, EV charging parking, motorcycle and cycle parking. The SPD proposes a system whereby vehicle parking is provided on the basis of 5 accessibility zones, with lower levels of provision permitted in the most accessible locations and higher levels of provision in less accessible zones. For residential development, the main determinant of accessibility is the proximity to shops, jobs and services and a wide range of public transport services. The site is located within Zone 3, which states that 75-100% of car parking provision is recommended for residential, and 50-75% for non-residential development of the published standards.
- 8.6.32 The submission is a hybrid application with detailed permission being sought for Parcels E and F, and outline permission for Parcels A, B, C and D. The subsequent parking figures

used for these outline parcels are based on the indicative proposals shown in the relevant planning drawings.

### *Vehicle and Cycle Parking*

8.6.33 It was agreed with the applicant during the pre-application scoping exercise, that a 25% reduction of vehicle parking inclusive of visitor parking could be adopted for the residential development allocated parking and 50% provision for the commercial development in accordance with the allowance afforded for development located in accessibility zone 3. Based on the Parking Provision SPD, the proposed residential development for Parcel E and indicative residential development (for Parcels A, B and D) would require the following car and cycle parking provision (with 75% of car parking provision for Accessibility Zone 3 applied):

Parcel/Schedule	No. Dwellings	No. Vehicle Spaces Required by SBC Guidance	No. Cycle Spaces Required by SBC Guidance
Parcel A – 8 x 4 bed houses	8	20*	24
Parcel B & D – 86 x 1 bed flats, 131 x 2 bed flats, and 11 x 3 bed flats	228	267*	381 + 6 visitor
Parcel E – 91 dwellings for Independent Living (i.e.. supported housing)	91	35 (assuming 0.5 space per dwelling) but 38 will be provided	1 space (there will be no permanent staff on-site but 1 x site warden)

8.6.34 A total of 365 car parking spaces and 405 cycle parking spaces (excluding Parcel E) would need to be provided to meet the Council’s parking requirements. With regards to non-residential parking provision and applying the 50% reduction for Accessibility Zone 3, the non-residential development (Parcels B, D, C and F) would need to provide the following car parking provision:

Parcel	GFA (m2)	No. Vehicle Spaces Required by SBC Guidance (applying 50% reduction for Zone 3)	No. Cycle Spaces Required by SBC Guidance
Parcel B&D	1160m <sup>2</sup>	19	7 Long Term spaces and 8 Short Term spaces
Parcel C	2650m <sup>2</sup>	95	18 Long Term spaces and 15 Short Term spaces
Parcel F	1356m <sup>2</sup> Community, 258m <sup>2</sup> Place of Worship	90	16 Short Term spaces

8.6.35 With regard to mixed-use sites, the Council’s Parking Provision SPD (2020) states the following:

*‘Exact parking standards are not provided for mixed-use sites. Parking provision for such developments should be calculated on a site by site basis and assessed via the TA process.*

*However, this is merely a starting point as mixed-use sites offer great potential for different land-uses to share parking provision. This means that overall parking could be reduced significantly below the accumulated demand of each individual land use onsite.'*

8.6.36 Parcels E and F are seeking detailed planning permission and as such parking numbers are based on actual proposals. Parcels A, B, C and D are subject to outline permission only, seeking permission for an upper limit of dwellings. The numbers provided below are based on indicative proposals to demonstrate proposed parking ratio. Any subsequent Reserved Matters application would confirm parking provision for these outline parcels. Given the flexible approach afforded to mixed-use developments, and the zonal reductions agreed with the applicant as part of the pre-application process, the following parking provision is proposed:

Parcel/Schedule	No. Dwellings/GFA	No. Vehicle Spaces	No. Cycle Spaces
Parcel A – 8 x 4 bed houses	8	16 * <sup>1</sup>	8 garages * <sup>1</sup>
Parcel C – Commercial	2650m <sup>2</sup> Commercial	103 * <sup>2</sup> (54 on-street, 49 undercroft)	48 (including 15 covered spaces at Community Centre)
Parcel F – Community	1356m <sup>2</sup> Community, 258m <sup>2</sup> Place of Worship		
Parcel B & D – Commercial	1052m <sup>2</sup>		
Parcel B & D* <sup>3</sup> – 86 x 1 bed flats, 131 x 2 bed flats, and 11 x 3 bed flats	228	263	387 (1 per bedroom + 1 per 40 units)
Parcel E – 91 Independent Living Accommodation	91	38 (including one allocated Car Club space)	6 visitor cycle spaces, 20 resident cycle spaces (and additional parking for 22-25 mobility scooters)
Drop Off Bays (E)	-	3 standard	-
Drop Off Bay (F)		1 enlarged	
On-Street Parking (Jessop Road & New Street)	-	11	14 covered and 10 uncovered next to F entrance, 20 in market square, 4 by southern entrance to Parcel C, plus 10 to undercroft of Parcel C Total = 58
On-Street Parking – service/delivery vehicles (Market Square)		3	

8.6.37 A Car Parking Management Plan (CPMP) has also been prepared to support the Transport Assessment. The CPMP outlines a package of measures to control and regulate on-site car parking, in order to ensure the provision included as part of the new development on site is suitable and to avoid on-street parking within the development and along surrounding streets. The measures within the CPMP would be subject to a planning condition should planning permission be granted. Key measures include:

- Demarcation of parking spaces;
- Action and enforcement of parking spaces;
- Parcel specific parking measures and restrictions;
- Surveillance camera system (Parcel C); and
- Appointment of an on-site management company.

8.6.38 The existing surface car park which currently provides 160 vehicle and 20 cycle spaces for shoppers and visitors to the Local Centre would be redeveloped as part of the scheme. Policy IT8 'Public Parking Provision' of the Local Plan (2019) states that planning permission resulting in the loss of existing public car or cycle parking provision will be granted where:

- Existing spaces are replaced within or adjacent to the new development
- Replacement car and cycle-parking provision are made within 200 and 80 metres walk respectively of the key attractors currently served; or
- It can be robustly evidenced that the parking is no longer required.

8.6.39 The loss of the surface car parking would be supported by Local Plan policy IT8 if one of the three criteria set out within the policy are met. Should this be the case, a justification for its loss would not be required in policy terms. In this case, replacement parking is proposed which would exceed that being lost by 260 spaces (vehicle) and 524 spaces (bikes). On this basis, there would be no loss of parking provision and the proposal would comply with criterion (i) of Policy IT8. The principle of the loss of the existing surface carpark is therefore considered acceptable.

8.6.40 It is considered the quantum of vehicle parking provision proposed is in line with the Council's adopted standards and would be acceptable. It is anticipated further reductions in the demand for vehicle parking could be achieved with the implementation of the on-site and off-site sustainable travel improvements to bus, cycle and pedestrian links serving the site combined with the 'soft' measures contained within the Framework Travel Plan. The Highway Authority, whilst not the Parking Authority, are supportive of this approach.

8.6.41 In terms of cycle parking, the quantum proposed is also in line with the Council's adopted standards and would be acceptable. The range of cycle parking types would allow cyclists of all abilities to access cycle parking. All long stay cycle parking provision would be covered, secure and conveniently located for access to the buildings served. A basic cycle repair kit and a bike pump would be available from behind the reception/secure areas within the community building at Parcel F.

8.6.42 Short term cycle parking would be provided by means of Sheffield stands at 1.0m spacing, with spaces on the ends of runs providing additional space for accessible / non-standard cycles and cargo bikes. All cycle parking stand types would provide 3 locking points (front wheel, frame and rear wheel) to satisfy BREEAM requirements. The outline phase of the development proposal would meet and aim to exceed the Council's minimum cycle parking standards. The proposal is therefore in compliance with Local Plan policy IT5 'parking and access' as well as the Council's Parking Provision SPD (2020).

#### *Electric Vehicle Parking*

8.6.43 It is proposed that the criteria set out within the Government's 'Infrastructure for charging electric vehicles: Approved Document S' is adopted as part of the proposed development as the most up to date requirement, rather than the standards set out in the Council's Parking provision SPD which have been superseded by the Building Regulations. For residential development, Document S outlines that all newly built homes must have EV charging facilities for each associated parking space equal to the total number of dwellings. However, if there is more parking provision than dwellings, cable routes can be installed, but this is not required unless there are more than 10 dwellings.



8.6.44 With regards to non-residential development, Document S states the following: 'Where a new building which is not a residential building or a mixed-use building has more than 10 parking spaces (a) one of those parking spaces must have access to one electric vehicle charge point; and (b) cable routes for electric vehicle charge points must be installed in a minimum of one fifth of the total number of remaining parking spaces.' Document S prohibits the provision of EV charging at under croft parking facilities due to fire safety regulations. Therefore, the under croft parking associated with Parcels B, D and C would not deliver any EV parking facilities.

8.6.45 This approach has been agreed with the applicant. The proposed EV parking provision as set out in table 5.6 of the Transport Assessment complies with the latest requirements under Document S and is considered acceptable.

#### *Mobility Scooter and Powered Two-Wheeler Parking*

8.6.46 In accordance with the Council's requirements for around 5% of the total stock of publicly accessible vehicle parking spaces to be for motorcycle use, parking for 5 powered two-wheeled vehicles would be provided within the under-croft parking associated with parcel C. In addition, the retirement flats in parcel E would be provided with 25 mobility scooter spaces.

#### *Disabled Parking*

8.6.47 There is a policy requirement to provide disabled parking in the following circumstances relevant to this proposal:

- Where communal residential parking is proposed, a minimum of 5% of the total number of spaces should be designated for use by disabled people and
- 6% of total parking capacity for shopping, recreation, leisure and religious premises should be disabled spaces.

8.6.48 The number of disabled parking bays to be provided should be included in the total parking provision required, rather than in addition to it. However, it should always be provided at the full standard and should not be reduced according to Accessibility Zones. For the detailed parcels where full planning permission is sought, 3 disabled parking spaces are shown in Parcel E to serve the retirement flats. This equates to 8% of total provision, so in excess of the requirement for this parcel.

8.6.49 The community centre (parcel F) would share parking with the wider neighbourhood centre as is currently the case. As part of this proposal, there would be a total of 103 car parking spaces with 53 located along the New Street connecting to Vardon Road and 49 spaces within the under croft of Parcel C (retail and supermarket). This includes two spaces adjacent to the community centre which are designated as disabled parking spaces. The Parking Provision SPD (2020) does not specify disabled parking requirements for community uses, however requires 6% for religious premises. Given the floorspace of the church within Parcel F would be 258m<sup>2</sup>, it would have a parking requirement of 26 spaces of which 6% would be 1.5 spaces (rounded up to 2). Therefore, the provision of two disabled spaces to serve the community centre and church is considered acceptable particularly as additional disabled spaces would be provided within Parcel C.

8.6.50 With regards to parcel C, it is expected details of disabled parking to serve the supermarket would be submitted with any future reserved matters application. Disabled parking would not be required for the townhouses in parcel A as this would be allocated residential parking. Should the flats in parcels B and D have allocated parking, there would be no policy requirement to provide disabled parking. If unallocated, 5% disabled parking would be required. It is expected relevant details would be provided with any future reserved matters application.

## *Servicing, Refuse and Emergency Vehicle Arrangements*

8.6.51 The site has been designed to accommodate visits by waste, emergency and commercial delivery/servicing vehicles. These are likely to be the largest vehicles accessing the site, albeit infrequently by waste and emergency vehicles. The Transport Assessment advises swept path analysis of the following vehicles has been undertaken as part of this assessment:

- A refuse vehicle 12.2m in length
- An articulated vehicle providing supermarket deliveries 16.5m in length

8.6.52 Swept path analysis of the vehicles described above has been undertaken for the primary vehicular site access roads which demonstrates vehicles of this size can access and service the site. The development proposal would also produce waste during construction works and the Council will require the preparation of a Site Waste Management Plan (SWMP) to be secured via planning condition should planning permission be granted. It is considered the above refuse and servicing arrangements are acceptable.

## **8.7 Flood Risk and Drainage**

8.7.1 A Flood Risk Assessment and SuDS Maintenance Plan have been submitted with the application. The NPPF requires new development to be planned for in ways that avoid increased vulnerability to the range of impacts arising from climate change. This includes vulnerability arising from intense rainfall events which have the potential to overwhelm drainage systems. Local Plan Policy SP2(m) requires proposals to demonstrate how they will avoid or prevent harm from flood risk (contamination and pollution), whilst Local Plan policy SP11 requires new development to minimise and mitigate its impact on the environment including flood risk.

8.7.2 Due to the site's topography and distance from main water courses, the site is at very low risk of flooding from rivers (fluvial). The main source of flooding is considered to come from surface water. The Environment Agency flood map shows that most of the site is at 'very low risk' but that there are small, isolated areas at low, medium and high risk at the limits of the application site particularly along the northern boundary. Figure 7 below taken from the Flood Risk Assessment shows the flow paths in further detail. These flow paths would pass through Parcel F (and the associated amenity space) and south along the edge of Parcel A.

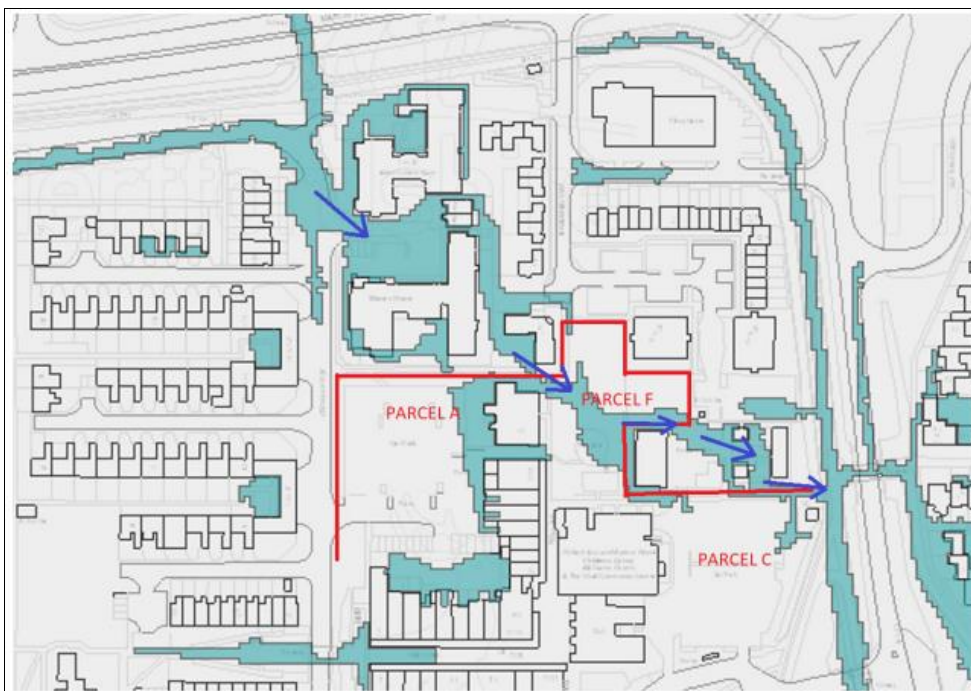


Figure 7 Surface water flow paths

- 8.7.3 Paragraph 175 of the NPPF requires major development to incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. Systems are required to take account of advice from the Lead Local Flood Authority (LLFA), have appropriate proposed minimum operational standards, have maintenance arrangement in place and, where possible provide multifunctional benefits.
- 8.7.4 Hertfordshire County Council is the LLFA. Summary guidance for developers was issued in August 2021 and has not been updated since. It is intended to be read alongside the Local Flood Risk Management Strategy 2 2019-2029 (LFRMS2). In accordance with national policy (NPPG) priority is given to infiltration over discharge to surface water sewers. The guidance details several considerations:
- Runoff rates: peak discharge rates should no increase because of the proposed development up to a 1:100 change allowance for climate change. There is an expectation that that brownfield sites should aim to provide greenfield run-off rates to improve the impact of development.
  - Storage volumes: required for a 1:100 year including climate change ill be provided on site utilising above ground storage where practicable. The guidance specifies that the site will either not flood OR that surface water flooding will be safely contained on site.
  - Sustainable Drainage Techniques: the expectation is that techniques such as green roofs, attenuation basins, ponds, swales and permeable pavements will be used. These should follow the SuDS hierarchy with methods at the top preferred because they are beneficial in terms of sustainability, water quality and biodiversity with any obstacles to the use of SuDS clearly justified. The guidance states that where 'lack of space' or 'cost' is given as a reason for not implementing SuDS justification will need to be provided to the LPA. The guidance references the CIRIA design manual for examples of design.
- 8.7.5 The guidance also details technical considerations including residual risk, climate change allowances and infiltration rates. The run off rates are set out within the Flood Risk Assessment. These show that greenfield run-off rates can be achieved, despite the site being previously developed. The indicative drainage strategy and SuDS strategy is set out at appendix H to the main FRA. The site incorporates a variety of measures including:
- Porus surfaces
  - Green roofs
  - Landscaping design, including the location of the amenity space associated with Parcel F
  - Rain gardens
- 8.7.6 Due to land levels and constraints across the site, not all techniques would be suitable on all parcels. The SuDS management plan sets out the specific techniques applicable to each parcel. Taken together, these assessments reflect how the proposed drainage techniques have been designed to account for the different constraints which include the steep drop west-east (impacting on the conveyance routes) as well as features that relate to the surrounding cycle network i.e. the steep bank down to Verity Way.
- 8.7.7 The SuDS strategy has been carefully designed into the wider landscaping of the scheme. In particular, the landscaping designs for Parcel F and the surrounding amenity space, have been designed to provide a degree of attenuation. Proposals to manage the surface water flow include swales and filter drains with low lying levels to maintain the flow route around the north side of Parcel F. This would convey the runoff to the garden to the west of the building, where levels would be designed to hold runoff before allowing it to overflow to the lower lying substation as per the existing situation. Holding back the water would help to

reduce the rate of flow to the lower areas, potentially reducing the volume of flood water in the underpass.

- 8.7.8 The SuDS features are also shown in section 6.10 of the Landscape Design and Access Statement. The water flows and above ground storage (including permeable paving) form part of the detailed landscaping, rather than the additional features which are still being explored on parcels B and D such as if and how the play-street could incorporate additional rain-gardens. Despite the inclusion of a range of measures starting at the top of the SuDS hierarchy, it was not practicable to incorporate above ground storage for all surface water.
- 8.7.9 The LLFA were consulted on the proposed surface water drainage strategy and initially raised an objection (see section 6.7 above). Following the submission of additional information to address the queries / concerns raised, the LLFA confirmed by a further response dated 3 June 2024 that they have no objection to the proposed development subject to planning conditions which are listed in section 10 below.

## **8.8 Climate Change Mitigation**

- 8.8.1 Policy FP1 of the Local Plan (2019) states 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 future variations in temperature
  - Reducing water consumption to no more than 110 litres per person per day, including external water use
  - Improving energy performance of buildings
  - Reducing energy consumption through efficiency measures
  - Using or producing renewable or low carbon energy from a local source and
  - Contributing towards reducing flood risk using SuDS or other appropriate measures.
- 8.8.2 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.
- 8.8.3 In 2019 the Council declared a climate emergency signing up to a package of measures designed to cut carbon and greenhouse gas emissions. As such regeneration of The Oval neighbourhood centre would comprise a gas free development with the objective of meeting Future Homes Standard for all residential dwellings and BREEAM Excellent for all commercial and community uses.

### *Parcel E*

- 8.8.4 Following the energy hierarchy Be Lean – Be Clean – Be Green, the proposed residential retirement flats on Parcel E have been assessed against Building Regulations Part L 2021

and Part O and would exceed the minimum requirement for carbon reduction by 61%, as well as complying with overheating requirements. This aims to achieve the anticipated Future Homes Standard in advance of its expected implementation.

- 8.8.5 To achieve this, the buildings would follow a fabric first approach, reducing demand for heating through high levels of insulation, good airtightness and reduced thermal bridging. Having reduced demand, the building would use communal Air Source Heat Pumps (ASHP) for heating and hot water, using underfloor heating for maximal efficiency, and allowing the scheme to benefit from the ongoing decarbonisation of the National Grid. Mechanical Ventilation with Heat Recovery (MVHR) ensures the building would remain warm and comfortable with fresh air, without wasting heat. Low energy light bulbs and water saving measures to ensure water usage is below 110l per person, per day would further reduce energy usage. This combination of features would ensure the flats are warm, comfortable and affordable to heat, with significant benefits to the health and wellbeing of residents. The provision of a green roof would also contribute towards biodiversity, as well as sustainable drainage.

#### *Parcel F*

- 8.8.6 The new community centre and church would be designed to be energy efficient to meet new Building Regulations Part L 2021 and reduce running costs for the community. The scheme is targeting BREEAM rating of 'Excellent' and a Pre-Assessment has been completed. Following the energy hierarchy Be Lean – Be Clean – Be Green, the proposed building on Parcel F has been assessed against Building Regulations Part L 2021. The building follows a fabric first approach, reducing demand for heating through good insulation, improved airtightness and reduced thermal bridging. Having reduced demand, the building would use Air Source Heat Pumps (ASHP), with underfloor heating for maximum efficiency, and allowing the scheme to benefit from the ongoing decarbonisation of the National Grid.
- 8.8.7 Mechanical Ventilation with Heat Recovery (MVHR) would ensure the building remains comfortable, with pre-warmed, fresh air, without wasting heat. It would also ensure the events spaces could be used in the evenings without disrupting local residents, as it provides ventilation without opening windows. An instant hot water system was deemed most efficient to avoid heat loss via long pipe runs and low energy lightbulbs would further reduce energy usage, together with water saving measures. The elevation drawings indicate potential to accommodate photovoltaics to the roof of the main hall, which could be explored at detail design stage as part of BREEAM. The provision of a green roof would also contribute towards biodiversity, as well as sustainable drainage.

#### *Outline Parcels A, B, C and D*

- 8.8.8 As development for parcels A, B, C and D has been submitted in outline with all matters reserved for future consideration, the specific climate change mitigation measures for each building within these parcels would be provided as part of any future reserved matters application. However, it would be expected that development would achieve the Future Homes Standard for all residential dwellings and BREEAM Excellent for all commercial and community uses as stated within the Design Code, subject to planning condition.
- 8.8.9 Should the above measures be adopted; it is considered the proposed development would be exemplary in terms of its sustainability and promotion of health and wellbeing. Further information relating to sustainability and energy is provided within the Design and Access Statement, Sustainability Strategy and Energy Statement(s) accompanying the application. The measures and recommendations set out within these documents to mitigate the impact of climate change would be subject to a planning condition should planning permission be granted. It is considered the information provided within the application demonstrates that the proposed development would accord with the requirements of policies SP2 and FP1 of

the Local Plan (2019) in relation to sustainable construction and climate change mitigation and is acceptable.

## **8.9 Air Quality**

- 8.9.1 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. Policy FP7 states that all development proposals should minimise, and where possible, reduce air, water, light and noise pollution.
- 8.9.2 An Air Quality Assessment prepared by Stroma has been submitted with the application. The report provides an assessment based on the potential impacts of existing and future traffic levels on the proposed residential units, commercial space and car parking. The pollutants modelled as part of this assessment are nitrogen oxides and particulate matter. In terms of introducing new exposure, it is predicted nitrogen oxides and particulate matter concentrations across the proposed development would be below the relevant air quality objectives. It can therefore be concluded that the proposed development is not considered to conflict with national and local air quality planning policy (Local Plan policies FP7 and FP8). The site can be considered suitable for residential development in terms of air quality and would not result in significant impacts on air quality.
- 8.9.3 With regards to the operational part of the development in relation to emissions from plant and equipment associated with the commercial uses, such as the retail units which would likely include extraction vents and ducting, this can be dealt with via a planning condition prior to first occupation seeking approval for the installation of equipment to control the emission of fumes and smell from the premises including any air conditioning equipment. The fact the development would be gas free and the provision of EV parking would further help improve air quality.
- 8.9.4 With regards to the construction phase in terms of controlling dust emissions and exhaust emissions from plant, machinery and construction vehicles, a planning condition would be added requiring the submission of a construction management plan. This would incorporate dust suppression measures, set out how dusty materials would be managed, as well as screening and require vehicles to have engines switched off when stationary.

## **8.10 Noise Impact**

- 8.10.1 The planning application is accompanied by a Noise Report, which has been undertaken in respect of the proposed development.
- 8.10.2 A 24-hour baseline survey was conducted on-site in three positions, supported by attended short-term measurements to assist with the assessment. Generally, the report has found the site is dominated by traffic around the perimeter, in particular from Verity Way and Vardon Road, but with a far lesser contribution from Jessop Road and Martins Way to the north. Within the site there was noise from pedestrians using shopping centre, and from school children walking through as well as other general activity associated with residential and retail areas. Aircraft were frequent throughout the day and the night, assumed to be servicing Luton Airport. The noise from aircraft were audible but tended not to be the dominant noise source.
- 8.10.3 The residential buildings within the site are to be mechanically ventilated. LAeq and LMax noise levels have been analysed, and it has been calculated that the residential dwellings would comply with the building envelope sound insulation limits set out in BS 8233 with standard double glazing and typical external wall construction.
- 8.10.4 The entire site complies with the Acoustics Ventilation and Overheating Guide limits and according to that guidance, windows may be open for overheating control. Regarding the

more onerous overheating assessment for Building Regulations Part O, most of the site complies with open windows. However, the noise levels at the façades of the buildings within parcel E close to Vardon Road are too high, with openable windows to be a cooling method in bedrooms at night only. The report advises a more detailed assessment would be needed, and typically, thermal dynamic modelling could be carried out to determine overheating control requirements for those bedrooms close to Vardon Road.

- 8.10.5 Retail units are proposed to be included on the lower ground floor of parcels B, C, and D, forming a market square to be operable during the day. Predictions have been made for residential units on the upper ground floor from the market square location with elevated pedestrian source noise levels. Calculations suggest building envelope sound insulation limits set out in BS 8233 would be met.
- 8.10.6 A shared carpark in an undercroft of parcels B and D is proposed, which would be used by residents only. Sufficient sound insulation from the carpark and retail units on the lower ground level to the residential units on the upper ground level must comply with Building Regulations Part E. Furthermore, the report advises there should be an increased level of protection regarding sound insulation between these two levels.
- 8.10.7 The background sound level, LA90, has been derived from the baseline noise survey. Plant noise emission limits have been set at sensitive receptors. These limits are proposed, in line with low impact from BS4142:2104. For much of the site, the report advises the noise rating level of any new plant must not exceed parity with the background sound level, in line with BS 4142 guidance. The Community Centre parcel F must not exceed 5dB below the background noise level, in line with BREEAM NC 2018. The noise emissions from the community centre would be determined based on the proposed hours of operation and considering the baseline noise levels and potential fixed noise limits. These would be developed with the acoustic design of the community centre.
- 8.10.8 The Council's Environmental Health officer has reviewed the Noise Report and recommended a series of planning conditions to ensure the recommended noise mitigation measures are incorporated into the development and restricting the operating hours of the community centre. Construction hours would also be restricted by planning condition to safeguard the residential amenity of neighbouring dwellings. Subject to these, it is considered the site is suitable for residential development and the proposed non-residential aspects of the proposal i.e. retail / community uses would not have an unacceptable impact on the general amenity of the wider area in terms of noise pollution. It is considered the proposed development would therefore be in accordance with Local Plan Policy FP8 'Pollution sensitive uses' in relation to noise and subject to mitigation, would not result in unacceptable levels of noise pollution.

## **8.11 Ground Conditions**

- 8.11.1 The application includes a Phase I and II Site Investigation and Risk Assessment which provides an assessment of the status of the site and the potential risk of contamination. The site was a field until it was developed in the mid-1970s for shops and homes. Intrusive investigation was carried out comprising 8 samples. These identified the top layer of the site comprises Made Ground where instances of polycyclic aromatic hydrocarbons (PAHs), lead and asbestos were recorded. The report advises remediation would be required for areas of soft landscaping as a minimum. Given that no groundwater was found within a 25m depth, the risk to aquifers is considered very low.
- 8.11.2 Policy FP5 of the Local Plan relates to contaminated land and states that planning permission will be granted on brownfield sites if an appropriate assessment is submitted which demonstrates that any necessary remediation and subsequent development poses no risk to the population, environment and groundwater bodies. Whilst the initial site samples identified some contaminants within Made Ground that would require remediation for soft landscaping,

overall the report concludes that the site is not subject to widespread contamination however quantifies this by advising further investigation, post-demolition, will be required. As such, it is recommended the Planning Authority's standard set of contamination conditions are imposed to cover further investigation, unexpected contamination during construction and remediation should planning permission be granted.

## **8.12 External Lighting**

- 8.12.1 The Lighting Strategy is outlined within the Landscape Design and Access Statement. The strategy would create a welcoming and secure environment for residents and visitors. Existing street lighting along Vardon Road and Jessop Road would be retained where possible. Proposed street lighting along these roads would match the existing fixtures. Strip lighting underneath benches and steps, feature column lighting, LED tube lighting and catenary lighting have been specified for the Market Square to highlight the area as a key destination and focal point for the development. Tree uplighting would be integrated under a number of key feature trees. Bollard lighting would mainly be used in the Parcel E courtyard, Play Street and the play/social space to the north and west of Parcel F. Additional lamp post would be used in the Parcel E courtyard to ensure that the car park and adjacent areas are well-lit.
- 8.12.2 The lighting strategy is indicative and detailed proposals based on the above approach would be developed in later design stages. A planning condition can be added should planning permission be granted to ensure all external lighting meets the objectives of the Lighting Strategy. In relation to foraging bats, measures to minimise the impact of lighting on this protected species are set out within the Ecological Assessments which are also subject to planning conditions.

## **8.13 Standard of Residential Accommodation**

- 8.13.1 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. Whilst the townhouses and flats in parcels A, B and D have been submitted in outline only, the Masterplan Design and Access Statement confirms they would all exceed the Nationally Described Space Standards satisfying M4(2) Accessible and Adaptable Dwellings and accommodate the additional space needed for heating and hot water plant associated with new Building Regulations. North facing single aspect flats would be minimised whilst two and three bedroom flats would all face east, south or west and where possible would be dual aspect.
- 8.13.2 In terms of usable amenity space, the townhouses in parcel A would have front and rear gardens. Residential blocks within parcels B and D would be arranged around two podium courtyard gardens at upper ground level. Whilst full details are subject to future consideration, it is considered the dwellings submitted in outline would be capable of having access to sufficient private and communal amenity space to meet the requirements of the Design Guide (2023).
- 8.13.3 With regards to the independent retirement flats within parcel E submitted for detailed approval, these have also been designed to exceed the Nationally Described Space Standards satisfying M4(2) Accessible and Adaptable Dwellings and would also have direct access to a communal courtyard garden, external terraces and balconies capable of providing a small area of outdoor space serving each flat.
- 8.13.4 In terms of natural light, outlook and ventilation, the two-bedroom flats would be dual aspect and therefore would benefit from ample daylight and sunlight and opportunities for passive ventilation. The one-bedroom flats would have sufficient fenestration to also ensure an acceptable internal living space in terms of natural light, outlook and ventilation. This would make a positive contribution to future occupant's quality of life. 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 Local Plan policy GD1.

#### **8.14 Impact on Residential Amenity**

- 8.14.1 The detailed consideration of the buildings proposed in parcel E (retirement living flats) involves assessing the impact blocks E1 and E2 would have on the existing dwellings to the north and west on Jessop Road. Third party neighbour representations from residents living on Jessop Road facing the site have been received raising concerns about loss of light and privacy from the proposed flats. The Design and Access Statement for parcel E advises the proposal recognises the need to respect the adjoining properties to the west and north, to ensure overshadowing and overlooking are avoided or mitigated.
- 8.14.2 On the west, the site is lower than the neighbouring properties so the proposal is for a 3 storey building with a flat roof to reduce the overall height. This would increase to 4 and 5 storeys at the junction of Vardon and Jessop Road, before stepping back down to 1 storey to the north to minimise the impact on neighbours and create an attractive shared frontage. Variation of the roof line and creation of steps within the building line both assist in articulating the built form and mass.
- 8.14.3 There is no minimum separation distance required by the Local Plan for front-to-front residential building relationships, which would be the case for the western elevation of building E2 and the existing dwellings on Jessop Road facing onto the site. The separation distance as measured from the proposed plans would be 15.6m. Building E2 would be set back from the road frontage by a footpath and grassed verge with intermittent tree planting. It is considered this relationship of mutual overlooking would not be unusual for a built-up residential area such as this and would not lead to unacceptable levels of overlooking or loss of light as to justify a refusal of planning permission.
- 8.14.4 The communal lounge area within the northern area of parcel E would only be 1 storey in height and would be separated from the dwellings to the north by 13.5m. It is considered this relationship would not give rise to any amenity concerns in terms of loss of light or privacy to these properties and is also considered acceptable.
- 8.14.5 With regards to the new community and church building in parcel F, also submitted for detailed approval this building would be sited a sufficient distance from the flats in Bradman Way which adjoin the site to the north for the relationship to be considered acceptable in terms of impact on amenity by reason of light, outlook and privacy. However, potential noise pollution from the use of the community building would need to be managed by limiting the operating hours to avoid late night disturbance for existing and future residents (see section 8.10 above). It is considered with planning conditions controlling operating hours and plant noise, the relationship would be acceptable.
- 8.14.6 The impact on amenity of parcels A, B, C and D would be subject to future consideration at reserved matters stage, however it is considered the illustrative layout and supporting technical information relating to noise and sunlight/daylight impact as well as outlook in terms of separation distances, demonstrates that the site could be developed as suggested up to the proposed building parameters in terms of dwelling number, commercial floorspace and building height without demonstrable harm to amenity of existing neighbouring residents or the amenity of future occupiers. It is considered the outline masterplan is therefore acceptable in this regard.

#### **8.15 Planning Obligations**

- 8.15.1 The following planning obligations would be attached to any planning permission:

- Section 278 Agreement of the Highways Act 1980 (covering access works to Parcels E and F and future phases, bus stop works, reconfiguration of bus pick up/set-down area, remedial works to infill subway/facilitate at grade walkways, pedestrian and cyclist links into the site from adjoining local highway network and all other public realm works on highway land adopted by HCC as Highway Authority)
- Section 38 Agreement of the Highways Act 1980 for new roads and areas to be adopted as public highway
- Street Development Agreement for internal roads/public realm not to be adopted including financial contribution towards Traffic Regulation Orders if required
- £6000 Travel Plan evaluation and support fee
- £150,000 towards the enhancement of existing bus routes serving The Oval Centre (Hertfordshire County Council)
- £25,000 towards the provision of Real Time Information at The Oval Centre bus stops (Hertfordshire County Council)
- £67,250 towards Bus Vouchers (Hertfordshire County Council)
- £TBC towards Indoor and Outdoor Sport (subject to confirmation from Sport England)
- Management Company to manage areas of un-adopted public realm
- Management and maintenance of publicly accessible and private open space
- Clawback mechanism / overage clause in relation to provision of onsite affordable housing
- Local Employment and Apprenticeships
- Section 106 Agreement monitoring fee

8.15.2 The above obligations have been agreed with the applicant and would be secured via a S106 Legal Agreement, subject to planning permission. The County Council as Highway Authority, whilst acknowledging that SBC adopted CIL in 2020, also refers to a financial contribution in accordance with HCC Developer Contribution Toolkit (2021) for Strand 2. The applicant is to provide a sustainable transport contribution of  $341 \times £6,826 = £2,327,666$  (Index linked by SPONS) towards measures to improve pedestrian cycling infrastructure and the Stevenage Local Cycling and Walking Infrastructure Plan Route 2. However, on balance, the Highway Authority has advised strand 1 contributions (offsite highway works to be delivered via S278) and financial contributions towards buses would be sufficient and will not be seeking Strand 2 in respect of this scheme.

8.15.3 The Hertfordshire and West Essex Integrated Care Board is seeking contributions to mitigate the impact of this development on local primary, mental and community healthcare. Section 6.16 above outlines their requirements and justification. A total of £440,572 is sought for primary healthcare services, £68,796.75 towards mental health costs and £62,072 towards community healthcare costs. It is considered this request does not meet the relevant tests in paragraph 57 of the NPPF and Regulation 122(2) of the Community Infrastructure Levy Regulations 2010 in terms of being:

- a) necessary to make the development acceptable in planning terms;
- b) directly related to the development; and
- c) fairly and reasonably related in scale and kind to the development.

8.15.4 Recent caselaw, namely the Judgement of *R.(Oao University Hospitals of Leicester NHS Trust) v Harborough District Council [2023] EWHC 263 (Admin)* advises that the starting point is for the NHS to provide medical provision for new residents, and this is a statutory duty that the NHS has. The justification for NHS contributions needs to be considered in the context of the statutory framework for the provision of secondary health care services. The contribution would relate to people who are new to the area, but those people are entitled to such services wherever they may live in the country. The obligation to provide, and also be financially responsible for, in terms of relevant services lies with the NHS.

- 8.15.5 In order to obtain a S106 contribution, there must be a localised harm directly related to the development. As such, what if there was a first-year funding gap? In the Leicester NHS case referred to above, the court noted that even if it could be shown in a particular area that there is a funding gap to deal with “new” residents, the Council could raise the possibility that this is a systemic problem in the way national funding is distributed, as opposed to being directly related to the development (or alternative, fair and reasonably related in scale and kind to the development).
- 8.15.6 Further, if there is a lack of funding for an NHS Trust to be able to cope with the impact of a substantial new development, this is likely to be dependent on wider issues raised by population projections used as one of the inputs to determine its funding. The Court decision highlighted that new residents may be entitled to social welfare benefits, which, like the need for secondary healthcare, arises irrespective of where that person lives, noting that no one would suggest that the development should make a contribution to funding those benefits.
- 8.15.7 In both cases, it was found by the courts that the councils were entitled to consider whether there was a funding gap for the NHS Trusts in relation to costs. In addition, they were also entitled to ask the NHS to provide information to see whether it was satisfied about the existence of such a gap and, if so, its size. In the relevant cases, the NHS failed to provide sufficient evidence to show that there was a funding gap. Accordingly, in both court cases, it was found that due to insufficient information, neither council made an error.
- 8.15.8 The NHS in its consultation response would have to demonstrate a funding gap linked to the proposed development, which it does not and on this basis the obligation would not pass the statutory tests. Notwithstanding this, even if a funding gap could be demonstrated, it would be arguable that such a gap arose from a failure of the national mechanism of NHS funding as opposed to a localised impact directly related to the development. This would mean any obligation to secure NHS funding would still fail the statutory tests.
- 8.15.9 It is important to note the Hertfordshire and West Essex Integrated Care Board would be able to bid for funding through the Council’s Community Infrastructure Levy scheme and this is specifically provided for within the Infrastructure Delivery Plan (2022). The Infrastructure Delivery Plan (IDP) aims to identify the infrastructure required to support future levels of growth across Stevenage. It covers the period from 2011 - 2031, in line with the adopted Local Plan (2019). The IDP covers a wide range of physical and social infrastructure including transport, utilities, education, health, community facilities, emergency services and green and blue infrastructure requirements.

## 8.16 Other Matters

### Community Infrastructure Levy

- 8.16.1 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 <sup>2</sup>	£100/m <sup>2</sup>
Sheltered housing	£100/m <sup>2</sup>	
Extra care housing	£40/m <sup>2</sup>	
Retail development	£60/m <sup>2</sup>	

All other development	£0/m <sup>2</sup>
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8.16.2 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.

8.16.3 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 liable for CIL at £100/m<sup>2</sup> as 'market housing' and £60/m<sup>2</sup> for retail (use class E(a)) under the CIL charging schedule.

#### Community Consultation

8.16.4 The applicant has submitted a Statement of Community Involvement in support of the application which advises the approach to community consultation has been one of collaboration and the willingness to evolve the design principles to reflect feedback following good practice in respect of the timescales (the engagement has taken place over a 12-18 month period), a variety of methods and demonstrating where and how feedback has influenced the designs.

8.16.5 The methods selected included online campaigns to draw in feedback and ideas from the wider community (and those unable to attend in person). However, recognising that not all residents have internet access or feel confident in providing feedback in this way, the online surveys were complemented by a series of 'in person' meetings and exhibitions tailored to the audience. At each 'in person' event, members from the applicant team (Stevenage Borough Council Housing Development) and the design team were available to answer questions and engage in more in-depth conversations around the issues that are driving the need to re-develop The Oval as well as the proposed responses.

#### Public Art

8.16.6 There is a legacy of the integration of high-quality artwork throughout Stevenage. This varies from murals that are integrated into building fabric to sculptures at various locations. To continue this tradition, it is proposed that artwork is incorporated into the scheme in a prominent location on the elevation of the food store building in parcel C facing onto the A1155. The new artwork would be a key element in the scheme in the promotion of public art as part of the town's heritage, community involvement and site identity.

#### Crime Prevention

8.16.7 The applicant has been working with Hertfordshire Constabulary CPDS with a view to seeking to achieve accreditation to the Police preferred minimum security standard that is Secured by Design. In addition, this would also demonstrate the discharge of obligations under Approved Document 'Q' – Security of Building Regulations. Hertfordshire Constabulary CPDS have been consulted and fully support this application. An informative would be added to any planning permission advising the applicant to achieve Secured by Design accreditation.

#### Equality, Diversity and Human Rights

8.16.8 Consideration has been given to Articles 1 and 8 of the First Protocol of the European Convention on Human Rights. It is not considered that the decision would result in a violation of any person's rights under the Convention.

8.16.9 When considering proposals placed before the Council as Local Planning Authority, it is important that it is fully aware of and has themselves rigorously considered the equalities implications of the decision that they are taking. Therefore, rigorous consideration has been

undertaken by the Council as the Local Planning Authority to ensure that proper appreciation of any potential impact of the proposed development on the Council's obligations under the Public Sector Equalities Duty.

- 8.16.10 The Equalities Act 2010 requires the Council when exercising its functions to have due regard to the need to (a) eliminate discrimination, harassment, victimisation and other conduct prohibited under the Act; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and (c) foster good relations between persons who share protected characteristics under the Equality Act and persons who do not share it. The protected characteristics under the Equality Act are: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion and belief; sex and sexual orientation.
- 8.16.11 In terms of inclusive access, the proposed buildings have been designed to be fully accessible and inclusive. All spaces in the new buildings would be accessible; the floors and thresholds would be level and lifts would serve all floors. The routes into the building would be clear and signed and demarcated appropriately using landscape treatments. There would be no abrupt changes in levels on the approach to the proposed buildings. Disabled parking spaces would be provided in accordance with Council standards. The design proposals have been developed with reference to Approved Document Part M (AD-M) and BS8300:2018 'Design of an Accessible and Inclusive Built Environment.'
- 8.16.12 Level access would be provided to the development at all pedestrian access points. Dropped kerbs and tactile paving would be provided at junctions / crossings in the area. The design of the scheme provides a safe, secure and attractive environment. The immediate connectivity of a development site includes factors that relate to pedestrian and cycle access as well as access by wheelchair users as well as those who push a pram. In terms of pedestrian facilities in the area, footways are generally of a high standard, are level / trip free and well lit.
- 8.16.13 Religion is also a protected characteristic under the Equalities legislation. All Saints Church and the RCCG Rabboni Parish Church at No.37 The Oval would be demolished. However, a new church would be constructed and made available for worshippers from All Saints Church before the old church is demolished and worshippers from RCCG Rabboni Parish Church are being supported in finding alternative premises within the town. The proposal would not impact on the Jehovah's Witnesses building as it falls outside of the application site and the scheme is designed to ensure continued access to this building.
- 8.16.14 In addition, the users of the family centre which may have protected characteristics would be able to use the new centre within the community building in parcel F. Likewise, the residents within Hobbs Court (now demolished) have been rehoused and the sheltered living accommodation at Hobbs Court would be re-provided within the new retirement flats in parcel E. Finally, the children's equipped play area would be re-provided under new areas of equipped play within parcel F ensuring there would be no detriment to children as a protected characteristic under this legislation.
- 8.16.15 It is considered that the decision has had regard to this duty. The development would not conflict with either Stevenage Borough Council's Equality Policy or the commitments set out in our Equality Objectives and would support the Council in meeting its statutory equality responsibilities.

## **9. CONCLUSIONS**

- 9.1 The Stevenage Borough Local Plan (2011 – 2031) was formally adopted by the Council on the 22 May 2019. As of the 22 May 2024, the adopted Local Plan is 5 years old and as such, is deemed to be out-of-date. This means that the policies contained in the Local Plan are deemed to have limited weight with greater weight applied to the framework of policies in the NPPF. In addition, the Council, based on its HDT score is currently subject to the most severe

penalty under paragraph 11(d) of the NPPF (2023). As this policy is now engaged, it means Local Plan housing policies would also be classed as out-of-date for this reason. 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.

- 9.2 This hybrid application seeks planning permission for the comprehensive redevelopment of land at The Oval comprising: an Outline Application for a mixed use development on parcels A, B and D to include 250 dwellings, 1200m<sup>2</sup> of mixed commercial (Class E), parking and public realm improvements including a New Market Square, up to 2650m<sup>2</sup> of retail (Class E) and 220m<sup>2</sup> mixed use (Class E and Sui Generis) and parking on parcel C, and a Full Application for the construction of 91 dwellings and shared communal facilities for Independent Living (parcel E), community building including place of worship and public realm (parcel F) with all matters reserved for future submission and assessment. A Design Code has been submitted for detailed approval.
- 9.3 The proposed development accords with the allocation of the site for residential led redevelopment in the Local Plan. Local Plan policy HO1/18 allocates the site for around 275 new homes (net). The Oval is one of several allocations required to meet the overall housing requirement of 7,600 new homes over the plan period. Importantly, The Oval represents a significant opportunity to help deliver the Local Plan vision to improve the substantial improvements to the image of the town and the quality of the built fabric and public realm. Accordingly, these improvements in turn would enable the delivery of new homes on previously developed land.
- 9.4 The documentation and evidence submitted as part of this application demonstrates that the proposed quantum of development can be accommodated within the site when having regard to all relevant considerations (such as transportation and highways, townscape, flooding and ecology).
- 9.5 The proposed development accords with the strategic framework for development as established by the Local Plan. It also accords with the detailed design policies within the Local Plan and the associated guidance contained within the various Supplementary Planning Documents.
- 9.6 Due to historic challenges with housing delivery, the application of the Housing Delivery Test indicates that the presumption in favour of sustainable development applies. The NPPF is a material consideration, especially so considering the application of the tilted balance. There are no such policies within the NPPF which would 'restrict' development at The Oval, nor are there any material considerations that would significantly and demonstrably outweigh the significant benefits that could be realised through a comprehensive redevelopment of The Oval in the manner proposed which include:
- Up to 275 new energy efficient homes including 91 for Independent Living
  - The provision of a new community facility and place of worship
  - New retail units providing an opportunity for new and existing businesses to continue to serve the local community
  - Enhanced quality of open spaces including tree lined streets and diverse planting
  - An upgraded public realm to foster the sense of community.
- 9.7 Given the above, the proposed development accords with the Local Plan (2019), the Council's Supplementary Planning Documents, the NPPF (2023) and PPG. As the proposed development accords with the development plan, planning permission should be granted in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004.

## 10. RECOMMENDATIONS

10.1 That planning permission be GRANTED subject to the applicant having first entered into a S106 Legal Agreement to secure/provide contributions towards:

- Section 278 Agreement of the Highways Act 1980 (covering access works to Parcels E and F and future phases, bus stop works, reconfiguration of bus pick up/set-down area, remedial works to infill subway/facilitate at grade walkways, pedestrian and cyclist links into the site from adjoining local highway network and all other public realm works on highway land adopted by HCC as Highway Authority)
- Section 38 Agreement of the Highways Act 1980 for new roads and areas to be adopted as public highway
- Street Development Agreement for internal roads/public realm not to be adopted including financial contribution towards Traffic Regulation Orders if required
- £6000 Travel Plan evaluation and support fee
- £150,000 towards the enhancement of existing bus routes serving The Oval Centre (Hertfordshire County Council)
- £25,000 towards the provision of Real Time Information at The Oval Centre bus stops (Hertfordshire County Council)
- £67,250 towards Bus Vouchers (Hertfordshire County Council)
- £TBC towards Indoor and Outdoor Sport (subject to confirmation from Sport England)
- Management Company to manage areas of un-adopted public realm
- Management and maintenance of publicly accessible and private open space
- Clawback mechanism / overage clause in relation to provision of onsite affordable housing
- Local Employment and Apprenticeships
- Section 106 Agreement monitoring fee

10.2 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.

10.3 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 **Approved Parameter Plan**

The submission of reserved matters within any development phase shall be in accordance with the following approved parameter plan unless otherwise agreed in writing by the Local Planning Authority:

OVL-RTA-ZZ-ZZ-DR-A-0157 PL02

**REASON:-** For the avoidance of doubt and in the interests of proper planning.

Any request for an amendment to the approved parameter plan shall be accompanied by a report confirming that there are no new or different significant environmental impacts to those already assessed or by an appropriate report (or reports) which assesses any new or different significant environmental impacts.

## 2 **Approved Plans for Parcels E and F**

The development hereby permitted for parcels E and F shall be carried out in accordance with the following unless otherwise agreed in writing by the Local Planning Authority:

OVL-RTA-ZZ-ZZ-DR-A-0001 PL03; OVL-RTA-ZZ-ZZ-DR-A-0003; OVL-RTA-ZZ-ZZ-DR-A-0004 PL01; OVL-RTA-ZZ-ZZ-DR-A-0005 PL01; OVL-RTA-ZZ-ZZ-DR-A-0010 PL04; OVL-RTA-ZZ-ZZ-DR-A-0016 PL03; OVL-RTA-ZZ-ZZ-DR-A-0017 PL03; OVL-RTA-ZZ-ZZ-DR-A-0019 PL02; OVL-RTA-E-00-DR-A-0240 PL03; OVL-RTA-E-01-DR-A-0241 PL03; OVL-RTA-E-02-DR-A-0242 PL03; OVL-RTA-E-03-DR-A-0243 PL03; OVL-RTA-E-04-DR-A-0244 PL03; OVL-RTA-E-RF-DR-A-0245 PL03; OVL-RTA-E-ZZ-DR-A-0340 PL03; OVL-RTA-E-ZZ-DR-A-0341 PL03; OVL-RTA-E-ZZ-DR-A-0440 PL03; OVL-RTA-E-ZZ-DR-A-0441 PL03; OVL-RTA-E-ZZ-DR-A-0442 PL03; OVL-RTA-E-ZZ-DR-A-0443 PL03; OVL-RTA-E-ZZ-DR-A-0444 PL03; OVL-RTA-E-ZZ-DR-A-0445 PL03; OVL-RTA-E-ZZ-DR-A-0540 PL03; OVL-RTA-F-00-DR-A-0250 PL03; OVL-RTA-F-ZZ-DR-A-0251 PL03; OVL-RTA-F-ZZ-DR-A-0350 PL03; OVL-RTA-F-ZZ-DR-A-0351 PL03; OVL-RTA-F-ZZ-DR-A-0450 PL03; OVL-RTA-F-ZZ-DR-A-0451 PL03; OVL-RTA-F-ZZ-DR-A-0550 PL03; OVL-RTA-ZZ-ZZ-DR-A-0155 PL02; OVL-RTA-ZZ-ZZ-DR-A-0156 PL02; D3246-FAB-ZZ-XX-DR-L-1002 P01; D3246-FAB-ZZ-XX-DR-L-1003 P02; ST3202-702-D; ST-3202-300-C; L002

Any request for an amendment to an approved plan(s) shall be accompanied by a report confirming that there are no new or different significant environmental impacts to those already assessed or by an appropriate report (or reports) which assesses any new or different significant environmental impacts.

**REASON:-** For the avoidance of doubt and in the interests of proper planning.

## 3 **Three Year Time Limit**

The parts of the development for which full planning permission has been granted (as per approved detailed site layout plans ref. OVL-RTP-ZZ-ZZ-DR-A-0155 PL02 and OVL-RTA-ZZ-ZZ-DR-A-0156 PL02 and the landscaping parameters in D3246-FAB-ZZ-XX-DR-L-1002 P01 and D3246-FAB-ZZ-XX-DR-L-1003 P02 shall be begun within a period of three years of the date of this planning permission.

**REASON:-** To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.

### **Phasing Plan**

4 Accompanying the submission of reserved matters pursuant to this permission, the applicant shall submit a Plan showing the extent of the development phase to which that reserved matter submission relates, within the Outline Area shown on approved parameter plan ref. OVL-RTA-ZZ-ZZ-DR-A-0157 PL02 to the Local Planning Authority.

**REASON:-** For the avoidance of doubt and in the interests of proper planning.



## 5 **Details of Reserved Matters - Outline**

For the individual development phases for which outline permission is granted as agreed pursuant to Condition 4 of this permission, no development on each development phase (excluding site clearance, demolition, enabling works, earthworks, investigations for assessing ground conditions, remedial works in respect of any contamination or other adverse ground conditions, diversion and laying of services within the boundary of the relevant phase and which are not connected to the wider services network, erection of any temporary means of enclosure and the temporary display of site notices or advertisements) shall commence until detailed plans for the relevant phase have been submitted to and approved in writing by the Local Planning Authority. These plans shall, as applicable, show the layout (including car parking provision, access and servicing arrangements, and waste management), scale (including existing and proposed levels), design, layout and external appearance of the buildings to be constructed and the landscaping to be implemented (hereinafter referred to as "the Reserved Matters") on that phase. The development of the relevant development phase shall only be carried out as approved.

**REASON:-** To comply with the requirements of section 92(4) of the Town and Country Planning Act 1990 and the provisions of the Town and Country Planning (Development Management Procedure) Order 2015 and to ensure that high standards of urban design and a comprehensively planned development are achieved. To ensure construction of a satisfactory development and in the interests of highway safety.

## 6 **Time Limit for Reserved Matters - Outline**

All applications for the approval of the Reserved Matters for a development phase agreed pursuant to Condition 4 of this permission shall be made to the Local Planning Authority not later than seven years from the date of this outline permission. The commencement of a development phase shall be begun not later than the expiration of three years from the date of the last reserved matter of that phase to be approved.

**REASON:-** To comply with the requirements of section 92(4) of the Town and Country Planning Act 1990.

### **Construction hours of working**

7 No demolition, construction or maintenance activities audible at the boundary of the relevant phase and no deliveries of construction and demolition materials shall be undertaken outside the hours 07:30 hours to 18:00 hours Mondays to Fridays, 08:30 hours to 13:00 hours on Saturdays and not on a Sunday or Bank Holiday, unless otherwise agreed in writing with the Local Planning Authority.

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

### **Construction Traffic Management Plan**

8 Prior to the commencement of the development for which full planning permission is granted (Parcels E and F) a Construction Traffic Management Plan shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan.

Prior to the commencement of any development phase agreed pursuant to Condition 4 of this permission, a Construction Traffic Management Plan (CTMP) for that phase shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the construction of any development phase shall only be carried out in accordance with the approved CTMP for that phase unless otherwise agreed in writing by the Local Planning Authority.

The Construction Traffic Management Plan shall include details of:

- a) Phasing of the development of the site, including all highway works;
- b) Construction vehicle numbers, type, routing;
- c) Fencing, hoarding and scaffolding provision;
- d) Traffic and pedestrian management requirements;
- e) Construction storage compounds (including areas designated for car parking);
- f) On site welfare facilities;
- g) Siting and details of wheel washing facilities;
- h) Cleaning of site entrances, site tracks and the adjacent public highway;
- i) Timing of construction activities to avoid school pick up/drop off times; and
- j) Provision of sufficient on-site parking prior to commencement of construction activities.

**REASON:-** In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan (2018).

#### **Site Waste Management Plan – Parcels E and F**

- 9 No development shall commence on Parcels E and F until a Site Waste Management Plan (SWMP) has been submitted to the Local Planning Authority and approved in consultation with the Waste Planning Authority. The SWMP should aim to reduce the amount of waste produced on site and should contain information including estimated types and quantities of waste to arise from construction and waste management actions for each waste type. The development shall be carried out in accordance with the approved SWMP.

**REASON:-** To promote the sustainable management of waste arisings and contribution towards resource efficiency, in accordance with Policy 12 of the Hertfordshire Waste Core Strategy and Development Management Policies Development Plan Document (2012).

#### **Site Waste Management Plan – Outline**

- 10 No development shall commence on any individual development phase as agreed pursuant to Condition 4 of this permission until a Site Waste Management Plan (SWMP) has been submitted to the Local Planning Authority and approved in consultation with the Waste Planning Authority. The SWMP should aim to reduce the amount of waste produced on site and should contain information including estimated types and quantities of waste to arise from construction and waste management actions for each waste type. The development shall be carried out in accordance with the approved SWMP.

**REASON:-** To promote the sustainable management of waste arisings and contribution towards resource efficiency, in accordance with Policy 12 of the Hertfordshire Waste Core Strategy and Development Management Policies Development Plan Document (2012).

#### **New Access – Parcel E**

- 11 Prior to the first occupation of the development hereby permitted, the vehicular access shall be provided and thereafter retained at the position shown on the approved plan, drawing number ST3202-702-D Vardon Rd - Independent Living Access. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

**REASON:-** To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway in accordance with Policy 5 of Hertfordshire's Local Transport Plan (2018).

#### **New Access – Parcel F (Interim Arrangement)**

- 12 Prior to the first use of the development hereby permitted, the vehicular access(es) shall be provided and thereafter retained at the position(s) shown on the approved plan(s) drawing

number ST-3202-300-C Indicative Phasing Plan – Access, Phase 1. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

**REASON:-** To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway in accordance with Policy 5 of Hertfordshire's Local Transport Plan (2018).

### **Visibility Splays**

- 13 Prior to the first occupation or use of the development (for each attendant phase) hereby permitted, a visibility splay measuring 2.4 x 43 metres shall be provided to each side of the access(es) where it meets the highway (on Jessop Road and Vardon Road), and such splays shall thereafter be maintained at all times free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway.

**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).

### **Provision of Parking and Servicing Areas**

- 14 Prior to the first occupation or use of the development hereby permitted, the proposed access, onsite car and cycle parking, servicing / loading, unloading / turning / waiting area(s) shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan(s) drawing number OVL-RTA-ZZ-ZZ-DR-A-0155 Rev PL02 Proposed Site Plan (Parcel E) and OVL-RTA-ZZ-ZZ-DR-A-0156 Rev PL02 Proposed Site Plan (Parcel F) and retained thereafter available for that specific use.

**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).

### **Travel Plan(s)**

- 15 In conjunction with the Framework Travel Plan, draft or Full Travel Plans for each development phase (to include the residential, retirement living and commercial elements) shall be submitted to the Local Planning Authority. The plans shall make provision for relevant surveys, review and monitoring mechanisms, targets, further mitigation, timescales, phasing programme and on-site management responsibilities. It shall be implemented and subject to regular review in accordance with the above approved details. (The agreed travel plans are to be appended to the S106 agreement). Prior to first occupation/use, an updated site wide Framework Travel Plan (upon completion of the full Masterplan) and Travel Plans for each use (by Parcel) shall be submitted to and agreed in writing by the Local Planning Authority, in consultation with the Highway Authority.

**REASON:-** To ensure that the development traffic is within the predicted levels in TA, to promote sustainable transport measures and maintain the free and safe flow of traffic, in accordance with Policies 3, 5, 7, 8, 9 and 10 of Hertfordshire's Local Transport Plan (2018).

### **Cycle Parking**

- 16 Prior to the first occupation and/or use of the development hereby permitted (and for each subsequent development phase), a scheme for the parking of cycles including details of the design, level and siting of the proposed parking shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented before the development is first occupied or brought into use and thereafter retained for this purpose.

**REASON:-** To ensure the provision of adequate cycle parking that meets the needs of occupiers of the proposed development and in the interests of encouraging the use of sustainable modes of transport in accordance with Policies 1, 5 and 8 of Hertfordshire's Local Transport Plan (2018).

### **Phase 2a – Parcel F Access – Outline**

- 17 Prior to the first use of the development hereby permitted, the vehicular access(es) shall be provided and thereafter retained at the position(s) shown on the approved plan(s) drawing number ST3202-705-G Vardon Road - New Street Access and drawing number ST-3202-301 Indicative Phasing Plan – Access, Phase 2a. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

**REASON:-** To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway in accordance with Policy 5 of Hertfordshire’s Local Transport Plan (2018).

### **Phase 2b – Access – Outline**

- 18 Prior to the first use of Phase 2b of the development hereby permitted, the vehicular access(es) and internal circulation routes shall be provided and thereafter retained at the position(s) shown on the approved plan(s) drawing number ST-3202-302 Indicative Phasing Plan – Access Phase 2b. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

**REASON:-** To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway in accordance with Policy 5 of Hertfordshire’s Local Transport Plan (2018).

### **Phase 3 – Outline**

- 19 No more than 122 residential units shall be occupied within parcels A and B until the vehicular access(es) are provided and thereafter retained at the position(s) shown on the approved plan(s) drawing numbers ST-3202-303 Indicative Phasing Plan - Access and Bus Stops, Phase 3 and ST3202-703-F Jessop Rd/New Street Access. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

**REASON:-** To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway in accordance with Policy 5 of Hertfordshire’s Local Transport Plan (2018).

### **Bus Stops – Outline**

- 20 Prior to commencement of Phase 2a, a scheme for the relocation of the bus stop pair named “The Oval Centre” shall be submitted to and approved in writing by the Local Planning Authority. The bus stops shall thereafter be moved in accordance with the approved plan and attendant supporting infrastructure prior to commencement of any construction activity on Phase 2a.

**REASON:-** In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policies 5, 12, 17 and 22 of Hertfordshire’s Local Transport Plan (2018).

### **Car Parking Management Plan (Phases 2a/b and 3) – Outline**

- 21 Prior to first occupation/use of the development, the Car Parking Management Plan relating to public car parking shall be updated and submitted to and approved in writing by the Local Planning Authority. It shall include the following:
- i. Details of car parking allocation and distribution (according to phase of development);
  - ii. Operational details, and integration with other Stevenage Borough Council managed car parks within the town centre area;
  - iii. Scheme for signing car park and any real time capacity information system;
  - iv. A scheme for the provision and parking of cycles;

- v. Provision for Electric Vehicle charging points (which will serve as dual charging points with the capacity);
- vi. Details of the infrastructure that will be provided as part of the development and subsequently, both within the site and off site as necessary, to enable the capacity of vehicle charging provision to be increased to an agreed figure in the future, and;
- vii. Monitoring required of the Car Park Management Plan to be submitted to and approved in writing in accordance with a time frame to be agreed by the Local Planning Authority.

Pursuant to the above, prior to the commencement of any development phase, the Car Parking Management Plan shall be fully implemented before the development is first occupied or brought into use (and updated at stages to be agreed through the Masterplan build out), in accordance with a timeframe agreed by the Local Planning Authority, and thereafter retained for this purpose.

**REASON:-** In the interests of highway safety and to ensure sufficient available on-site car parking and the provision of adequate cycle parking that meets the needs of occupiers of the proposed development and in the interests of encouraging the use of sustainable modes of transport.

### **Existing Access – Closure (Phase 3) - Outline**

- 22 No more than 122 residential units shall be occupied within parcels A and B until the vehicular and pedestrian (and cyclist) access to and egress from the adjoining highway is limited to the access(es) shown on drawing number OVL-RTA-ZZ-ZZ-DR-A-0150 PL04 only. Any other access(es) or egresses shall be permanently closed, and the footway and highway verge shall be reinstated in accordance with a detailed scheme to be agreed with the Local Planning Authority, concurrently with the bringing into use of the new access.

**REASON:-** To ensure construction of a satisfactory development and in the interests of highway safety and amenity in accordance with Policies 5 and 7 of Hertfordshire's Local Transport Plan (2018).

### **Public Highway - Outline**

- 23 The proposed new highway boundary(ies) or areas of public highway/realm under control of Stevenage Borough Council as illustrated on drawing number ST3202-720-B Proposed Highway Adoption Strategy (which are proposed for adoption), shall be marked out on site prior to commencement of construction of any part of the development fronting the highway.

**REASON:-** To prevent unauthorised structures being erected within the highway boundary.

### **Stopping Up (Removal) of Highway Rights – Outline**

- 24 No development shall commence on phase 3 until such time as Stopping Up Order(s) to remove all highway rights over the land as illustrated on drawing number ST3202-720-B are successfully obtained.

**REASON:-** To ensure construction of a satisfactory development and in accordance with Policy 12 of Hertfordshire's Local Transport Plan (2018).

### **Highway Improvements (Phase 3) – Offsite (Design Approval) – Outline**

- 25 Prior to commencement of Phase 3 of the development, no on-site works above slab level shall commence until a detailed scheme for the offsite highway improvement works as indicated on drawing numbers ST3202-713-F Site Access Strategy, ST3202-719-A Off-Site Highway Improvements Plan and ST3202-806-D Cycle Strategy have been submitted to and approved in writing by the Local Planning Authority.

**REASON:-** To ensure construction of a satisfactory development and that the highway improvement works are designed to an appropriate standard in the interest of highway

safety and amenity and in accordance with Policy 5, 13 and 21 of Hertfordshire's Local Transport Plan (2018).

### **Highway Improvements (Phase 3) – Offsite (Implementation / Construction) – Outline**

- 26 Prior to the first use of the development hereby permitted the offsite highway improvement works referred to in condition 25 shall be completed in accordance with the approved details.
- REASON:-** To ensure construction of a satisfactory development and that the highway improvement works are designed to an appropriate standard in the interest of highway safety and amenity and in accordance with Policy 5, 13 and 21 of Hertfordshire's Local Transport Plan (2018).

### **Highways Structures – Outline**

- 27 No development shall commence until the developer shall have complied fully with the requirements of the current version of National Highways DMRB Standard CG 300: Technical Approval for Highway Structures. The Approval in Principle and Design and Check Certification, accompanied by full structural details, shall be submitted and approved in writing by the Local Planning Authority. All works shall proceed in accordance with the details submitted and Construction Compliance certification and documentation submitted to the Local Planning Authority.
- 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).

### **Detailed Highways Plans – Outline**

- 28 Prior to the commencement of development within any development phase as agreed pursuant to Condition 4 of this permission, full details in relation to the design of estate roads (in the form of scaled plans and / or written specifications) for each phase shall be submitted to and approved in writing by the Local Planning Authority to detail the following:
- a) Roads;
  - b) Footways
  - c) Cycleways;
  - d) External public lighting;
  - e) Minor artefacts, structures and functional services;
  - f) Foul and surface water drainage;
  - g) Visibility splays;
  - h) Access arrangements including temporary construction access
  - i) Hard surfacing materials;
  - j) Parking areas for vehicles and cycles;
  - k) Loading areas; and
  - l) Turning and circulation areas.
- The development shall be implemented in accordance with those approved plans.
- 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).

### **Maintenance of Streets – Outline**

- 29 Prior to the occupation of the dwellings within any development phase as agreed pursuant to Condition 4 of this permission, full details shall be submitted to and approved in writing by the Local Planning Authority in relation to the proposed arrangements for future management and maintenance of the proposed streets within that phase. Following the provision of such streets, the streets shall thereafter be maintained in accordance with the

approved management and maintenance details until such time as an agreement is entered into under Section 38 of the Highways Act 1980 or a Private Management and Maintenance Company has been established in accordance with the approved details.

**REASON:-** To ensure satisfactory development and to ensure estate roads are managed and maintained thereafter to a suitable and safe standard in accordance with Policies 5 and 22 of Hertfordshire's Local Transport Plan (2018).

### **Off-Site Walking and Cycling Routes – Phase 3 – Outline**

- 30 Prior to the commencement of development within phase 3 and pursuant to Condition 4 of this permission, a scheme of off-site pedestrian and cycle improvements, as shown on approved in principle drawing numbers ST3202-707 (Jessop Road North Cycle Strategy) and ST3202-719-A (Off-Site Highway Improvements Plan) shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.

**REASON:-** To ensure construction of a satisfactory development and in the interests of highway safety in accordance with Policies 5 and 7 of Hertfordshire's Local Transport Plan (2018).

### **External materials – Parcels E and F**

- 31 The development to which this permission relates shall be carried out in accordance with the external materials specified within drawings OVL-RTA-E-ZZ-DR-A-0440 PL03; OVL-RTA-E-ZZ-DR-A-0441 PL03; OVL-RTA-E-ZZ-DR-A-0442 PL03; OVL-RTA-E-ZZ-DR-A-0443 PL03; OVL-RTA-E-ZZ-DR-A-0444 PL03; OVL-RTA-E-ZZ-DR-A-0445 PL03; OVL-RTA-E-ZZ-DR-A-0540; OVL-RTA-F-ZZ-DR-A-0450 PL03; OVL-RTA-F-ZZ-DR-A-0451 PL03; OVL-RTA-F-ZZ-DR-A-0550 PL03 as approved or any alternatives to be submitted to and approved by the Local Planning Authority.

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

### **Masterplan Design Code**

- 32 For each development phase for which outline permission is granted as agreed pursuant to Condition 4 of this permission, the submission of reserved matters relating to the design and external appearance of the building(s) shall be in accordance with the approved Masterplan Design Code dated November 2023 or an alternative Design Code submitted to and approved by the Local Planning Authority.

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

### **Landscape Design Code**

- 33 For each individual development phase for which outline permission is granted as agreed pursuant to Condition 4 of this permission, the submission of reserved matters in relation to the landscaping strategy shall be in accordance with the approved Landscape Design and Access Statement D3246-FAB-XX-XX-RP-L-9000 Revision P03 and Planting Schedule D3246-FAB-XX-XX-RP-L-0300 Revision P01 or an alternative submitted to and approved by the Local Planning Authority.

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

### **Tree Strategy**

- 34 For each individual development phase for which outline permission is granted as agreed pursuant to Condition 4 of this permission, the submission of reserved matters in relation to tree planting shall be in accordance with the approved Tree Strategy within the Landscape Design and Access Statement revision P03 by Fabrik and Tree Protection Plan ref. L002 or an alternative Strategy submitted to and approved by the Local Planning Authority.

**REASON:-** To ensure the protection of those trees which should be retained in the interests of visual amenity and a satisfactory appearance for the development.

## **Landscaping – Parcels E and F**

- 35 All hard and soft landscaping shall be carried out in accordance with the approved details as set out in detailed landscape general arrangement plans ref: D3246-FAB-ZZ-XX-DR-L-1002 P01 and D3246-FAB-ZZ-XX-DR-L-1003 P02 to a reasonable standard in accordance with the relevant British Standards or other recognised Codes of Good Practice.  
**REASON:-** To ensure a satisfactory appearance for the development.

## **Local Equipped Areas of Play – Parcel F**

- 36 Before any works commence on the Local Equipped Areas of Play within Parcel F, details of the Local Equipped Areas of Play shall be submitted to and approved by the Local Planning Authority. The approved landscaping and play equipment shall be fully installed prior to first use and retained thereafter.  
**REASON:-** To ensure the Local Equipped Areas of Play are maintainable by the Council.
- 37 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 completion of Parcels E and F.  
**REASON:-** To ensure a satisfactory appearance for the development.
- 38 All hard surfacing comprised in the approved details of landscaping shall be carried out within 6 months of the completion of Parcels E and F, or, prior to first occupation of in relation to each building(s) within Parcels E and F hereby permitted, whichever is the earliest.  
**REASON:-** To ensure a satisfactory appearance for the development.
- 39 Any trees or plants comprised within the scheme of landscaping, which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless otherwise agreed in writing by the Local Planning Authority.  
**REASON:-** To ensure a satisfactory appearance for the development.
- 40 No tree shown on the 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.
- 41 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. Such protection shall be maintained until the conclusion of all site and building operations.  
**REASON:-** To ensure that the retained tree(s) are not damaged or otherwise adversely affected during site operations.
- 42 Within the areas to be fenced off in accordance with condition 40; there shall be no alteration to the ground level and they shall be kept clear of vehicles, materials, surplus soil, temporary buildings, plant and machinery.  
**REASON:-** To ensure that the retained tree(s) is not damaged or otherwise adversely affected during site operations.



### **Hedge/shrub clearance outside bird nesting period**

- 43 All areas of hedges, scrub or similar vegetation where birds may nest which are to be removed as part of the development of a phase, are to be cleared outside the bird-nesting season (March - August inclusive) or if clearance during the bird-nesting season cannot reasonably be avoided, a suitably qualified ecologist will check the areas to be removed within the relevant phase immediately prior to clearance and advise whether nesting birds are present. If active nests are recorded within the relevant phase, no vegetation clearance or other works that may disturb active nests shall proceed within that phase until all young have fledged the nest.  
**REASON:-** Nesting birds are protected from disturbance under the Wildlife and Countryside Act 1981 (As amended).

### **Swift Bricks – Parcels E and F**

- 44 No development shall take place in respect of Parcels E and F until written details are submitted to and approved by the Local Planning Authority of the model and location of 20 integrated Swift bricks, to be fully installed prior to occupation and retained thereafter.  
**REASON:-** To contribute to biodiversity net gain.

### **Swift Bricks - Outline**

- 45 No development shall take place within any development phase as approved pursuant to condition 4 of this permission, until written details are submitted to and approved by the Local Planning Authority of the model and location of 60 integrated Swift bricks, to be fully installed prior to occupation and retained thereafter.  
**REASON:-** To contribute to biodiversity net gain.

### **Supermarket (Parcel C)**

- 46 The total net floorspace of the supermarket within parcel C shall be restricted to a maximum of 1,372m<sup>2</sup> (of which 1,098m<sup>2</sup> is convenience goods floorspace and 274m<sup>2</sup> is comparison goods floorspace).  
**REASON:-** To ensure that the retail impact of the supermarket on defined centres is acceptable.

### **Contamination**

- 47 If during a particular phase of development contamination that has not been previously identified is found, 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 safeguard human health and ground water.

### **Climate Change Mitigation – Parcels E and F**

- 48 The measures to address adaptation to climate change as set out within the Sustainability Statement and BREEAM Pre-assessment for Parcel F ref. 11931-WCL-ZZ-ZZ-RP-Y-0-002, Energy Strategy for Parcel F ref. 11931-WCL-FZ-ZZ-RP-Y-0001, Sustainability Statement for Parcel E ref. 11931-WCL-ZZ-ZZ-RP-Y-1-002 and Energy Strategy for Parcel E ref. 11931-WCL-EZ-ZZ-RP-Y-0001 shall achieve minimum BREEAM Excellent (Parcel F only) and be implemented in relation to building(s) within Parcels E and F and permanently maintained in accordance with the approved details.  
**REASON:-** To ensure the development is adaptable to climate change.

## **Climate Change Mitigation - Outline**

- 49 Each application for the Reserved Matters submitted pursuant to condition 5 of this permission shall include an Energy and Sustainability Statement detailing requirements of how the building(s) in each development phase are adaptable to climate change (detailing renewable energy technologies as well detailing measures to control overheating and cooling demand in the building(s)). The details shall also include a management plan and maintenance strategy/schedule for the operation of the technologies, a servicing plan (if applicable) and a noise assessment (if applicable). The measures for adaptation to climate change as well as managing overheating and cooling shall be implemented in accordance with the details approved pursuant to condition 5 of this permission.  
**REASON:-** To ensure the development is adaptable to climate change.

### **Noise – Parcel E**

- 50 Prior to occupation of the retirement living accommodation, an updated report shall be submitted to and approved in writing by the Local Planning Authority based on “Noise Report for Planning, The Oval, Stevenage” Report Reference A2015 R01C dated 31 October 2023 by Ion Acoustics, which details the measures to be implemented to address the noise issues relating to Ventilation and Overheating. Following approval, the measures shall be implemented and maintained thereafter.  
**REASON:-** To minimise adverse noise impact on future residents in accordance with Policy FP7.

### **Noise – Parcel F**

- 51 Prior to first use of the community centre and church building, the noise mitigation measures in respect of plant noise (attenuators and a sound barrier) shall be implemented in accordance with the details specified in Section 10.1 of “The Oval Community Centre, Stevenage, Acoustic Design Report, Report Reference A2015 R03, dated 20 December 2023 by Ion Acoustics Ltd.  
**REASON:-** To minimise adverse impact on existing and future residents in accordance with Policy FP7.

### **Community Building Operating Hours – Parcel F**

- 52 Unless otherwise agreed in writing by the Local Planning Authority, the use of the community centre and church building in parcel F for the purposes hereby permitted shall operate only between the hours of 09.00 and 21.00 seven days a week and until midnight 24 times a year.  
**REASON:-** To protect the amenity of the occupiers of adjoining properties.

### **Hours of operation for non-residential uses – Outline**

- 53 Each application for the Reserved Matters submitted pursuant to condition 5 of this permission shall include details of the hours of operation for the non-residential uses, to be agreed by the Local Planning Authority prior to first use.  
**REASON:-** To protect the amenity of the occupiers of adjoining properties.

### **Ecology**

- 54 The recommendations and mitigation measures set out within the Preliminary Ecological Appraisal by Ecology By Design dated November 2023 in respect of Parcels E and F and each development phase as agreed pursuant to condition 4 shall be implemented and permanently maintained in accordance with the approved details.  
**REASON:-** To provide a net gain in biodiversity.

## **Ecology – Bats**

- 55 The recommendations and mitigation measures set out within the Ecological Impact Assessment (non-EIA) Hobbs Court and Hobbs Court Bungalows by Ecology By Design dated November 2023 in respect of bats shall be implemented and permanently maintained in accordance with the approved details.

**REASON:-** To avoid the killing, injury or disturbance of individual bats and the destruction of bat roosts.

## **External Lighting**

- 56 The development to which this permission relates in respect of Parcels E and F and each development phase as agreed pursuant to condition 4, shall be carried out in accordance with the Lighting Strategy within the Landscape Design and Access Statement revision P03 by Fabrik as approved or any alternatives to be submitted to and approved by the Local Planning Authority.

**REASON:-** To safeguard wildlife and the amenity of the surrounding area.

## **Fire Hydrants**

- 57 No buildings within Parcels E and F, and each respective development phase as agreed pursuant to condition 4, shall be occupied until a scheme for the provision of adequate water supplies and fire hydrants, necessary for firefighting purposes within each area, has been submitted to and approved in writing by the Local Planning Authority. The buildings within Parcels E and F / development phases shall not be occupied until the scheme has been implemented in accordance with the approved details for each.

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

## **Surface Water Drainage – Parcels E and F**

- 58 Prior to the commencement of development (for Parcels E and F), construction drawings of the surface water drainage network, associated sustainable drainage components and flow control mechanisms and a construction method statement shall be submitted and agreed in writing by the local planning authority. The scheme shall then be constructed as per the agreed drawings, method statement, Indicative Drainage Strategy (ST-3202-500-B, March 2024), Flood Risk Assessment (ST3202/FRA-2312-Rev1, December 2023) and LLFA Response (ST3202/240315, March 2024), 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 Authority.

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

## **Surface Water Drainage – Outline**

- 59 Prior to or in conjunction with the submission of each reserved matters application (parcels A, B, C and D), in accordance with the Indicative Drainage Strategy (ST-3202-500-B, March 2024), Flood Risk Assessment (ST3202/FRA-2312-Rev1, December 2023) and LLFA Response (ST3202/240315, March 2024), detailed designs of a surface water drainage scheme incorporating the following measures shall be submitted to and agreed with the Local Planning Authority. The approved scheme will be implemented prior to the first occupation of the development. The scheme shall address the following matters:

1. Surface water runoff rates will be attenuated to the proposed runoff rates as stated in section 12.4.2 of the Drainage strategy (within Appendix H of Flood Risk Assessment (ST3202/FRA-2312-Rev1, December 2023)). These proposed runoff rates must not include climate change.

2. Provision of surface water attenuation storage, sized and designed to accommodate the volume of water generated in all rainfall events up to and including the critical storm duration for the 3.33% AEP (1 in 30 year) plus climate change and 1% AEP (1 in 100) rainfall events plus climate change.

3. Detailed designs, modelling calculations and plans of the of the drainage conveyance network in the:

- 3.33% AEP (1 in 30 year) critical rainfall event plus climate change to show no flooding outside the drainage features on any part of the site.

- 1% AEP (1 in 100 year) critical rainfall plus climate change event to show, if any, the depth, volume and storage location of any flooding outside the drainage features, ensuring that flooding does not occur in any part of a building or any utility plant susceptible to water (e.g. pumping station or electricity substation) within the development. It will also show that no runoff during this event will leave the site uncontrolled.

4. Consideration and investigation into the impact of the existing flow path from the north to the proposed buildings. Flood resistant and flood resilience measures should be provided, including raising finished floor levels. Finished ground floor levels of properties are a minimum of 300mm above expected flood levels of all sources of flooding (including the surface water flow path, SuDS features and within any proposed drainage scheme) or 150mm above ground level, whichever is the more precautionary.

5. Details of how all surface water management features to be designed in accordance with The SuDS Manual (CIRIA C753, 2015), including appropriate treatment stages for water quality prior to discharge.

6. A maintenance and management plan detailing the activities required and details of who will adopt and maintain the all the surface water drainage features for the lifetime of the development.

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

### **SuDS Survey and Verification Report**

60 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 or 2. 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.

### **SuDS Maintenance and Management**

61 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.

**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.

### **Temporary drainage measures**

- 62 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 Local Planning Authority

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

### **CCTV**

- 63 No buildings within Parcels E and F, and each respective development phase as agreed pursuant to condition 4, shall be occupied until details of the proposed CCTV arrangements have been submitted to and approved by the Local Planning Authority. The CCTV arrangements shall be implemented in accordance with the approved details prior to first occupation of each building or development phase:

**REASON:-** To ensure adequate security measures are in place to serve the development and surrounding public realm.

### **Mix and Tenure – Retirement Living Accommodation**

- 64 Prior to first occupation of the retirement flats in Parcel E, details of the final mix and tenure of the accommodation shall be submitted to and approved by the Local Planning Authority.

**REASON:-** In the case that grant funding is secured and affordable housing can be provided as part of Parcel E.

### **Ventilation Equipment / Plant**

- 65 Prior to the first occupation of the non-residential units to be used within use class E hereby permitted for each phase, a scheme for the installation of equipment to control the emission of fumes and smell from the premises including any air conditioning equipment, for that relevant phase shall be submitted to and approved in writing by the Local Planning Authority and the approved scheme shall be implemented prior to the first occupation of these units. All equipment installed as part of the scheme shall thereafter be operated and maintained in accordance with the manufacturer's instructions.

**REASON:-** To protect the amenities of the occupiers of adjoining properties.

### **Public Art**

- 66 Prior to first occupation of the supermarket within Parcel C, details of the public art to be displayed on the building in accordance with the Council's Cultural Strategy shall be

submitted to and approved in writing by the Local Planning Authority. The public art shall be implemented in accordance with the approved details and permanently maintained thereafter.

**REASON:-** To ensure the delivery of high quality public art within the public realm.

### **Commercial to Residential Permitted Development**

- 67 Notwithstanding the provisions of Class MA, Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revising, revoking or re-enacting that Order with or without modification), no development consisting of a change of use of a building and any land within its curtilage from a use falling within Class E (commercial, business and service) of Schedule 2 to the Use Classes Order to a use falling within Class C3 (dwellinghouses) of Schedule 1 to that Order shall take place 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.

### **Maximum number of residential units**

- 68 The maximum number of residential units on the site shall be restricted to 327 units, unless otherwise agreed in writing by the Local Planning Authority. Any request under this condition shall be accompanied by a report confirming that there are no new or different significant environmental impacts to those already assessed or by an appropriate report (or report(s)) which assess any new or different significant environmental impacts.

**REASON:-** For the avoidance of doubt and because the highway and other impacts have been assessed on the basis of the above quantum of development.

### **Limits on retail/leisure/community floorspace**

- 69 For the non-residential elements of the development (excluding the Supermarket – Parcel C) hereby permitted under this permission no more than 3885m<sup>2</sup> of gross internal area (GIA) of floorspace shall be provided unless otherwise agreed in writing with the Local Planning Authority. Any request under this condition shall be accompanied by a report confirming that there are no new or different significant environmental impacts to those already assessed or by an appropriate report (or report(s)) which assesses any new or different significant environmental impacts.

**REASON:-** For the avoidance of doubt and because the highway and other impacts have been assessed on the basis of the above quantum of development.

### **Refuse and Recycling – Parcels E and F**

- 70 Prior to the first occupation of Parcels E and F, the general waste and recycling facilities for the relevant parcel shall be implemented in accordance with the details specific in the application submission.

**REASON:-** To ensure there is sufficient general waste and recycling provision to serve the future occupiers of the development.

### **INFORMATIVES**

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

This application may be liable for CIL payments and you are advised to contact the CIL Team for clarification with regard to this. If your development is CIL liable, even if you are granted an exemption from the levy, please be advised that it is a requirement under Regulation 67 of The Community Infrastructure Levy Regulations 2010 (as amended) that CIL Form 6

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

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

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

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

or by telephoning 0300 1234047.

- 2 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 Avoidance of surface water discharge onto the highway: The applicant is advised that the Highway Authority has powers under section 163 of the Highways Act 1980, to take appropriate steps where deemed necessary (serving notice to the occupier of premises adjoining a highway) to prevent water from the roof or other part of the premises falling upon persons using the highway, or to prevent so far as is reasonably practicable, surface water from the premises flowing on to, or over the footway of the highway.
- 6 Construction standards for works within the highway: 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 Sections 38 and 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/business-and-developer-information/development-management/highways-development-management.aspx>

7 Construction Management Plan (CMP): The purpose of the CMP is to help developers minimise construction impacts and relates to all construction activity both on and off site that impacts on the wider environment. It is intended to be a live document whereby different stages will be completed and submitted for application as the development progresses. A completed and signed CMP must address the way in which any impacts associated with the proposed works, and any cumulative impacts of other nearby construction sites will be mitigated and managed. The level of detail required in a CMP will depend on the scale and nature of development. The CMP would need to include elements of the Construction Logistics and Community Safety (CLOCS) standards as set out in our Construction Management template, a copy of which is available on the County Council's website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>

8 An application for a "stopping up" order to extinguish highway rights over the land will need to be made. In this respect, this initially needs to be made to Hertfordshire County Council: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/apply-for-a-stopping-up-order-on-a-highway.aspx>  
If this proposal is acceptable to the highway authority, then you would need to either make an application to the County Council, as highway authority, for a highway "stopping up" order under Section 116 of the Highways Act 1980 for the area of land in question. Any such application together with a plan showing the area concerned should be sent to Legal Services, Hertfordshire County Council, County Hall, Pegs Lane, Hertford, SG13 8DE. The costs of making such an order would be in the region of £3000 - £4000 which includes the formal consultation and application to the Magistrates Court.

ii) Alternatively, if any such request is in conjunction with the redevelopment of the property, then you may wish to apply for a "stopping up" Order pursuant to Section 247 of the Town and Country Planning Act 1990. All such applications would need to be made to the Secretary of State's National Transport Casework Team ([nationalcasework@dft.gsi.gov.uk](mailto:nationalcasework@dft.gsi.gov.uk), see also the DfT website); and

iii) In the meantime, I would point out that when an area of highway is "stopped up" then the surface of the land reverts back to the original owner of the subsoil of the land. This may or not be the applicant.

Details of the ownership of land may be available at the Land Registry, Leicester Office, Westbridge Place, Leicester, LE3 5DR. Their telephone number is 0300 006 0411. Land Registry can also be contacted by e-mail on [customersupport@landregistry.gov.uk](mailto:customersupport@landregistry.gov.uk).

9 The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to contact the Hertfordshire County Council Bridge Asset Manager in connection with the requirements of Department for Transport Standard CG 300: Technical Approval of Highway Structures. Further details can be obtained from the Highway Authority by telephoning 0300 1234047 or by email: [highway.structures@hertfordshire.gov.uk](mailto:highway.structures@hertfordshire.gov.uk)

10 Travel Plan (TP): A TP, in accordance with the provisions as laid out in Hertfordshire County Council's Travel Plan Guidance, would be required to be in place from the first occupation/use until 5 years post occupation/use. A £1,200 per annum (overall sum of £6000



and index-linked RPI March 2014) Evaluation and Support Fee would need to be secured via a Section 106 agreement towards supporting the implementation, processing and monitoring of the full travel plan including any engagement that may be needed. Further information is available via 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> OR by emailing [travelplans@hertfordshire.gov.uk](mailto:travelplans@hertfordshire.gov.uk).

- 11 During the demolition and construction phase of the development, the guidance in BS5228-1:2009 (Code of Practice for Noise Control on Construction and Open Sites) should be adhered to.
- 12 The applicant 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 to ensure that the development is compliant with both National and Local Planning Policies. In addition, this will also demonstrate the discharge of obligations under Approved Document 'Q' – Security of Building Regulations.
- 13 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](mailto:trade.effluent@thameswater.co.uk). Application forms should be completed online via [www.thameswater.co.uk](http://www.thameswater.co.uk). Please refer to the Wholesale; Business customers; Groundwater discharges section.
- 14 Applications where Biodiversity Net Gain is not required as application is a major application submitted prior to 12 February 2024.

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition ("the biodiversity gain condition") that development may not begin unless:

- a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be Stevenage Borough Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not apply.

Based on the information available, this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because the following statutory exemption or transitional arrangement is considered to apply.

1. Development which is 'major development' (within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015) where:
  - a) the application for planning permission was made before 12 February 2024;

Where the local planning authority considers that the permission falls within paragraph 19 of Schedule 7A to the Town and Country Planning Act 1990, the permission which has been

granted has the effect of requiring or permitting the development to proceed in phases. The modifications in respect of the biodiversity gain condition which are set out in Part 2 of the Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024 apply.

Biodiversity gain plans are required to be submitted to, and approved by, the planning authority before development may be begun, and, if subject to phased development, before each phase of development may be begun.

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans. The Biodiversity Gain Plan must include, in addition to information about steps taken or to be taken to minimise any adverse effect of the development on the habitat, information on arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat. The planning authority can only approve a Biodiversity Gain Plan if satisfied that the adverse effect of the development on the biodiversity of the irreplaceable habitat is minimised and appropriate arrangements have been made for the purpose of compensating for any impact which do not include the use of biodiversity credits.

More information can be found in the Planning Practice Guidance online at <https://www.gov.uk/guidance/biodiversity-net-gain>

#### **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 led to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the National Planning Policy Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

## **11. BACKGROUND DOCUMENTS**

1. The application file, forms, plans and supporting documents having the reference number relating to this item.
2. Stevenage Borough Council Supplementary Planning Documents – Developer Contributions SPD 2021; Parking Provision and Sustainable Transport SPD 2020; The impact of Development on Biodiversity SPD 2020; Design Guide SPD 2023.
3. Stevenage Borough Local Plan 2011 – 2031 adopted 2019.
4. Hertfordshire County Council’s Local Transport Plan 4 adopted May 2019.
5. Responses to consultations with statutory undertakers and other interested parties referred to in this report.
6. Central Government advice contained in the National Planning Policy Framework 2023 and Planning Policy Guidance.