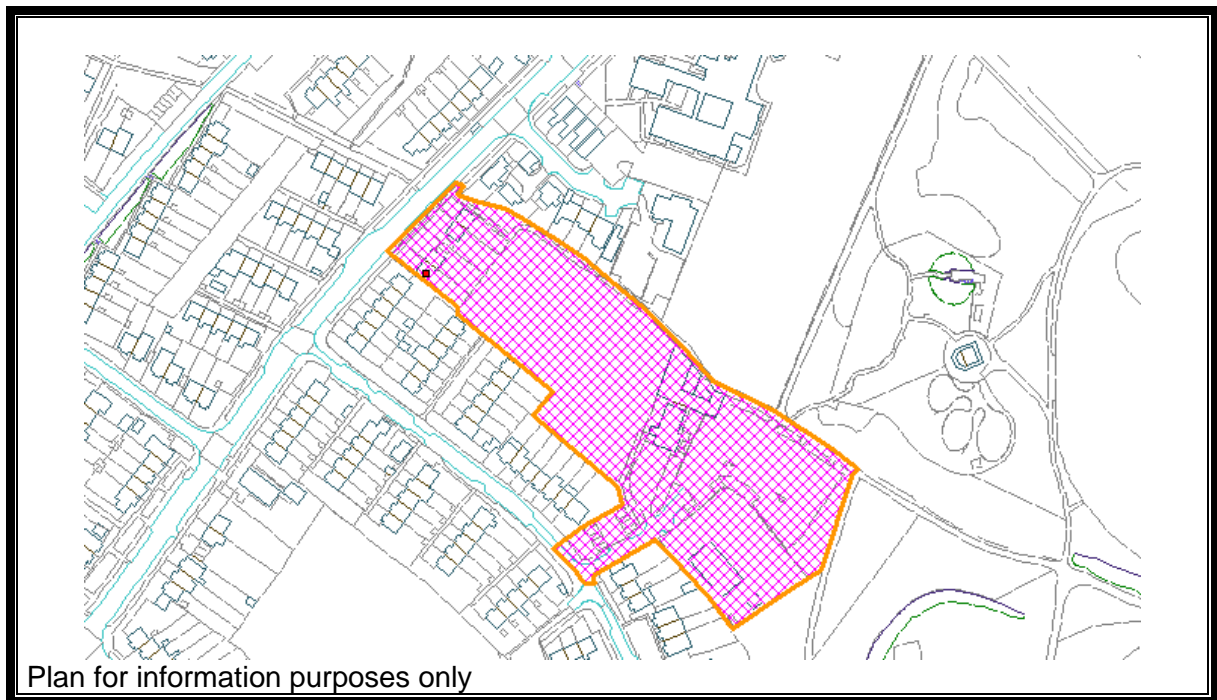


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|-------------------------|---|---------------------|
| Meeting: | Planning and Development Committee | Agenda Item: |
| Date: | 3 September 2024 | |
| Author: | Ailsa Davis | 07702 874529 |
| Lead Officer: | Zayd Al-Jawad | 01438 242257 |
| Contact Officer: | Ailsa Davis | 07702 874529 |

| | |
|-----------------|---|
| Application No: | 22/00965/FPM |
| Location: | 224-230 Bedwell Crescent, Stevenage |
| Proposal: | Demolition of existing semi-detached houses, sea cadets, nursery and scouts buildings to provide 57no new dwellings with associated parking, facilities and landscape. Reconfiguration of existing public car park. |
| Drawing Nos.: | 18068SU1.01; 18068SU1.02; 18068SU1.03; 18068SU1.04; 18068SU1.05; 18068SU1.06; 18068SU1.101; K61-BRP-00-00-DR-A-0102-P08; K61-BRP-00-00-DR-A-0107-P05; K61-BRP-00-00-DR-A-0108-P03; K61-BRP-00-00-DR-A-0210-P02; K61-BRP-00-00-DR-A-0211-P02; K61-BRP-00-00-DR-A-0212-P02; K61-BRP-00-00-DR-A-0213-P02; K61-BRP-00-00-DR-A-0214-P02; K61-BRP-00-00-DR-A-0215-P02; K61-BRP-00-00-DR-A-0216-P02; K61-BRP-00-00-DR-A-0217-P02; K61-BRP-00-00-DR-A-0300-P03; K61-BRP-00-00-DR-A-0301-P03; K61-BRP-00-00-DR-A-0302-P03; K61-BRP-00-00-DR-A-0303-P03; K61-BRP-00-00-DR-A-0304-P03; K61-BRP-00-00-DR-A-0305-P03; K61-BRP-00-00-DR-A-0306-P03; K61-BRP-00-00-DR-A-0307-P03; K61-BRP-00-00-DR-A-0308-P03; 6529.011-F; SHF.1732.005.ENZ.XX.01.DR.L.45.101-PL01; SHF.1732.005.ENZ.XX.01.DR.L.45.102-PL02; SHF.1732.005.ENZ.XX.01.DR.L.45.103-PL02; SHF.1732.005.ENZ.XX.01.L.SC.45.101-PL02. |
| Applicant: | Stevenage Borough Council |
| Date Valid: | 2 November 2022 |
| Recommendation: | GRANT PLANNING PERMISSION |



1. SITE DESCRIPTION

- 1.1 The application site measures 1.5 hectares in area and is located on the western edge of Fairlands Valley Park, to the south of Bedwell Crescent and east of Shephall View. The site comprises a mixture of uses including residential, public grassed amenity space, garage block, public car park, children's day nursery and community buildings (Sea Cadets and 5th Stevenage Air Scouts Hut) clustered to the north west boundary of Bedwell Crescent and towards the southern boundary of the site which adjoins Fairlands Valley Park. The site currently only has one single lane vehicular access from Shephall View adjacent to the garage block between Nos. 37 and 39. Pedestrian access is available from both Shephall View and Bedwell Crescent, as well as Fairlands Valley Park.
- 1.2 The site sits within an established residential area comprising predominantly two-storey terraced dwellinghouses set within regimented building lines. These properties are constructed from stock red brick with their respective dual pitched roofs finished in bold roll concrete inter-locking tiles.

2. RELEVANT PLANNING HISTORY

- 2.1 The site has been subject to pre-application discussions since 2021. Members resolved to grant planning permission subject to a s106 legal agreement to secure various planning obligations in July 2023. Planning permission was never granted due to failure to get approval for the drainage strategy or complete the s106 agreement. An amended scheme is now proposed and revised plans and updated technical documents have been submitted for consideration. A re-consultation of all previous consultees and neighbours has been carried out.
- 2.2 The site is still within the ownership of Stevenage Borough Council (the applicant); however, it is under offer from Keepmoat Homes Ltd. The amended scheme reflects how Keepmoat Homes wish to see the site developed. Subject to planning permission, the site would be sold and built out by Keepmoat Homes.

3. THE APPLICATION

- 3.1 This application seeks planning permission for the demolition of a pair of semi-detached dwellings (Nos. 224 – 230 Bedwell Crescent) to create a new two-way vehicular access from Bedwell Crescent into the site. The former sea cadets, day nursery and scouts buildings would also be demolished to provide 57no. new dwellings with associated parking, facilities and landscaping. The proposals would also include the reconfiguration and re-surfacing of the existing public car park to provide 53no. spaces.
- 3.2 The overall quantum of development remains unchanged, while the broad parameters also remain largely similar to the previous scheme considered by the planning committee ('the approved scheme'). A total of 57 no. dwellings is still proposed, together with a similar layout and mix of housing. There was previously a mix of 33 no. 2, 2.5 and 3-storey detached and semi-detached houses on plots 1-33 and 24 no. 1, 2 and 3 bedroom flats set within one large, dual fronted, four storey block. The amended scheme comprises 28 houses and 29 'Cluster Homes' comprising 29no. 2 bed 3 person dwellings, 6no. 3 bed 5 person dwellings, 22no. 4 bed 7 person dwellings.
- 3.3 The amended scheme retains dwellings in mostly the same location (shown now numbered on plots 1-20 and 50-57) that reflects the previous layout, but makes some notable changes facilitated by replacing the proposed apartment block:
- Dwellings in plots 24-25 would be removed and the land incorporated within the site.
 - The existing (5 bay) garages and vehicular access would be retained. Vehicular access to the proposed housing from Shephall View would be restricted with a pedestrian footpath only.
 - Semi-detached houses previously on plots 20-23 that overlooked the rear gardens of 25-35 Shephall View would be replaced by 'Cluster Homes' orientated side on rather than back-to-back.
 - The large apartment block would be replaced by 29 no. 2 bedroom Cluster Homes. These would be set in the same broad location, but across five modestly sized two storey blocks instead. The Cluster Homes would be served by shared surfaces and improved amenity areas.
- 3.4 The proposed housing would continue to be private open market. Previously, this planning application was considered alongside the application submitted for 10A and 10B Burwell Road (ref. 22/00437/FPM) for the demolition of existing 2no. semi-detached houses and erection of 20 no. flats, which has been granted planning permission. The two schemes were linked, as the Burwell Road application was earmarked to provide the required affordable housing quota for this site. This is no longer the case. Details on how the development's affordable housing quota would be provided are discussed later in the report. The Sea Cadets and the 5th Stevenage Scouts have been relocated to alternative premises within the town and these buildings are now vacant.
- 3.5 The majority of the site, located on the northwestern side is allocated under Local Plan Policy HO1(15) for the provision of housing and with the requirement for a satisfactory vehicular access to be provided. The policy intimates the provision of 25 houses. The existing car park for Fairlands Valley Park which is located to the southeast of the site is protected under the Principal Open Space (POS) policy NH1/1. The area of the site which currently accommodates the Scouts, Sea Cadets and Day Nursery buildings is not allocated within the Local Plan.
- 3.6 This application comes before the Council's Planning and Development Committee as the application is a Major residential development. In addition, the applicant is Stevenage Borough Council.

4. PUBLIC REPRESENTATIONS

Original consultation (2022)

4.1 Following notification of the application via letter, the erection of site notice and being publicised in the local press, 76 representations against the application have been received and one general comment relating to the provision of swift boxes. A summary of the objections received are as follows:

- Increased pressure on parking, traffic and pollution
- Loss of Sea Cadets and Scouts
- Sea Cadets and Scouts should be re-provided in shared facilities on site
- Loss of light
- Loss of Archery and Shooting Club who use Scout Hut
- Loss of green space
- Loss of trees, hedges and wildlife
- Views of Fairlands Valley Park from flats and safeguarding issues for children
- Increase in anti-social behaviour from the flats
- Not enough spaces in public car park
- Not enough car parking for each house
- Not enough infrastructure to support new housing – more pressure on schools/doctors
- Over development of the site
- Loss of garages
- Buildings should be two storeys only
- Plots 24 and 25 would be detrimental to amenity of No.37 Shephall View
- Substation should be located elsewhere away from No.37 Shephall View
- Proposed footpath adjacent to plot 25 inadequate
- Noise and disturbance from construction
- Existing parking used for school drop off and pick up
- Site has covenants on it which prevent development
- Greater commitment needed to building sustainable homes
- Proposed replacement community facilities in Pin Green too small

Re-consultation on amended layout (2024)

4.2 Following a re-consultation of adjoining neighbours and everyone who made a representation to the original scheme, the erection of a site notice and being re-publicised in the local press, 7 representations against the latest proposal have been received together with video footage of Bedwell Crescent at the point of the proposed access. A summary of the objections received are as follows:

- Increased pressure on parking (including insufficient public parking being provided as part of the reconfigure car park at Shephall View / Fairlands Valley), traffic and air pollution on Bedwell Crescent and surrounding road network
- Loss of Sea Cadets and Scouts
- Sea Cadets and Scouts should be re-provided in shared facilities on site
- Existing traffic and pedestrian footfall on Bedwell Crescent cannot support two-way bell mouth access serving 57 houses and Fairlands Valley Park
- Not enough spaces in public car park
- Issues with anti-social behaviour which will be associated with the development.
- The development would be out of character in terms of scale, height and built form.
- Replacement trees will not immediately mitigate the loss of habitat.
- The proposal will result in a loss of bat roosts at 228/230 Bedwell Crescent,
- Loss of the existing properties which provide emergency accommodation for vulnerable people in the town,

- The development will have a detrimental impact on air quality.
- There is insufficient infrastructure to support this development.
The Council should redevelop the site as a community space for the general public and local with a small shop for the lakes.

4.3 The aforementioned is not a verbatim of the objections which have been raised. Full copies of the representations received can be viewed on the Council's website.

5. CONSULTATIONS

5.1 Hertfordshire County Council as Highway Authority

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

- New access
- Reconfigured access
- Visibility splays
- Provision of parking and servicing areas
- Electric vehicle charging points
- Cycle parking
- Construction management plan

5.1.2 The County Council will also seek a financial contribution of £389,082 (HCC Toolkit - £6626 per dwelling x 57) to improve sustainable transport facilities and services for passenger transport users who are using the development.

5.1.3 Based on the submission, it is unlikely given the quantum of the development that the increase in the traffic associated with the development would lead to an adverse impact on highway safety.

5.1.4 Following a minor positional change to the setting out of plots 1 to 4, reconfiguration of allocated parking for plots 1 to 5 and reconfiguration of affected rear gardens due to clarification of the position/extent of land classed as highway at Bedwell Crescent, an amended proposed site plan was submitted. The Highway Authority was re-consulted on 13 August 2024. Any updated comments received will be reported at the committee meeting.

5.2 HCC as Lead Local Flood Authority

Comments dated 19 June 2024

5.2.1 Thank you for your re-consultation regarding the above application (received 28 May 2024) for the demolition of existing semi-detached houses, sea cadets, nursery and scouts buildings to provide 57no new dwellings with associated parking, facilities and landscape plus reconfiguration of existing public car park. We object to this planning application in the absence of an acceptable Flood Risk Assessment (FRA) and Drainage Strategy relating to:

- Further consideration of the flow path along Bedwell Crescent.
- No updated report and calculations to support the new drainage layout.

5.2.2 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.

Comments dated 31 July 2024

- 5.2.3 Thank you for your reconsultation regarding the above application (received 4 July 2024) for the demolition of existing semi-detached houses, sea cadets, nursery and scouts' buildings to provide 57no new dwellings with associated parking, facilities and landscape plus reconfiguration of existing public car park. We object to this planning application in the absence of an acceptable Flood Risk Assessment (FRA) and Drainage Strategy.
- 5.2.4 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.
- 5.2.5 We will consider reviewing this objection if the issues highlighted on the accompanying Planning Application Technical Response document are adequately addressed. The main points of this are:
- Clarification into the chosen discharge rate from the site and the ownership of the asset it is proposed to discharge to.
 - Updated drainage calculations (to incorporate urban creep, as well as a climate change allowance on the 3.33% AEP event).

Comments dated 16 August 2024

- 5.2.6 The requested drainage calculations are welcomed, but note the updates (presumably the inclusion of urban creep allowance) results in flooding out of the network during the design storm. This can be permitted if the flooding is annotated on a site plan and measures in place to stop it flowing off site uncontrolled during the design storm and prevented from affecting the proposed dwellings. This annotation has been provided and measures in place in some locations to control it (such as raised kerbs), though some areas of flooding are less clear in terms of how it would be controlled. This probably can be designed out at detailed design stage, but ideally we need assurance how these minor flooded areas would be managed on site at this stage.
- 5.2.7 Also understood the total discharge rate is 5.5l/s. This is betterment over the 1:100 year and 1:30 year runoff rates, but still more than 1:1/QBAR which the case officer referred to in their previous comments. I think this is likely okay, but will need to check as the case officer is more familiar with the site. The ownership matter seems to be resolved.
- 5.2.8 The applicant is reviewing the measures to control the identified flooding during the design storm in the relevant areas and will provide this information to the LLFA in due course. At the time of writing this report no further comments from the LLFA have been received. If comments are received prior to the meeting and/or the drainage strategy is agreed, an update will be provided. Otherwise, it is anticipated Members will agree to delegated powers being granted to the Assistant Director of Planning and Regulation to impose any conditions advised on any response provided after the committee meeting.
- 5.2.9 A decision will not be issued until the S106 Legal Agreement associated with the development has been signed, which will allow time for comments to be received. Therefore, comments will be fully considered prior to a decision being issued. However, if the LLFA continues to raise an objection to this application and their concerns cannot be overcome, then this application will be referred back to the Planning and Development Committee for its decision.

5.3 Hertfordshire County Council Growth and Infrastructure Unit

5.3.1 No objection, subject to a Secondary Education Contribution towards new secondary education provision at the former Barnwell East site/ land at Redwing Close and/or provision serving the development (£597,292) index linked to BCIS 1Q2022).

5.4 Council's Environmental Health Section

5.4.1 If planning permission is to be granted, then it is recommended conditions are imposed covering the following:

- Contaminated Land
- Noise

5.5 Police Crime Prevention Design Advisor

5.5.1 Thank you for inviting me to comment on this proposal. I had previously commented on these plans when they were at the 'pre-app' stage. At that time, I did have several concerns, especially around the parking arrangements. I am pleased to say that these issues have been addressed in this application. I would strongly recommend that, should this project be granted planning permission it should seek to gain accreditation to the Police preferred minimum security standard that is Secured by Design.

5.6 Thames Water

5.6.1 No objection, subject to an informative relating to a groundwater risk management permit.

5.7 Affinity Water

5.7.1 No objection.

5.8 Herts and Middlesex Wildlife Trust

5.8.1 No objection, subject to conditions requiring 15 integrated swift boxes and 4 integrated bat boxes, a bat license and a biodiversity net gain management plan.

5.9 Hertfordshire Fire and Rescue (Fire Hydrants)

5.9.1 This will require a condition for the provision and installation of hydrants, at no cost to the county council, or Fire and Rescue service. This is to ensure there are adequate water supplies available for use in the event of an emergency.

5.10 Sport England

5.10.1 Sport England has no comments to make on this additional information consultation. Therefore, please refer to Sport England's previous responses for our current position on this application which for the benefit of doubt have not been superseded and remain extant.

Original Comments dated 4 November 2022

5.10.2 The proposed development does not fall within either our statutory remit (Statutory Instrument 2015/595), or non-statutory remit (National Planning Policy Guidance (PPG) Par. 003 Ref. ID: 37-003-20140306), therefore Sport England has not provided a detailed response in this case but would wish to give the following advice to aid the assessment of this application.

- 5.10.3 General guidance and advice can however be found on our website: https://www.sportengland.org/how-we-can-help/facilities-and-planning/planning-forsport#planning_applications. If the proposal involves the loss of any sports facility then full consideration should be given to whether the proposal meets Par. 99 of National Planning Policy Framework (NPPF), link below, is in accordance with local policies to protect social infrastructure and any approved Playing Pitch Strategy or Built Sports Facility Strategy that the local authority has in place.
- 5.10.4 If the proposal involves the provision of a new sports facility, then consideration should be given to the recommendations and priorities set out in any approved Playing Pitch Strategy or Built Sports Facility Strategy that the local authority may have in place. In addition, to ensure they are fit for purpose, such facilities should be designed in accordance with Sport England, or the relevant National Governing Body, design guidance notes: <http://sportengland.org/facilities-planning/tools-guidance/design-and-cost-guidance/>.
- 5.10.5 If the proposal involves the provision of additional housing (then it will generate additional demand for sport. If existing sports facilities do not have the capacity to absorb the additional demand, then new and/or improved sports facilities should be secured and delivered in accordance with any approved local policy for social infrastructure, and priorities set out in any Playing Pitch Strategy or Built Sports Facility Strategy that the local authority has in place.
- 5.10.6 In line with the Government's NPPF (including Section 8) and PPG (Health and wellbeing section), consideration should also be given to how any new development, especially for new housing, will provide opportunities for people to lead healthy lifestyles and create healthy communities. Sport England's Active Design guidance can be used to help with this when developing or assessing a proposal. Active Design provides ten principles to help ensure the design and layout of development encourages and promotes participation in sport and physical activity.

5.11 HCC Minerals and Waste Policy

- 5.11.1 No objection, subject to a condition securing a Site Waste Management Plan.

5.12 East of England Ambulance Service NHS Trust

- 5.12.1 The proposed development is likely to have an impact on Stevenage emergency ambulance stations within the vicinity of the application site. EEAST are in a unique position that intersects health, transport and community safety and does not have capacity to accommodate the additional growth resulting from the proposed development to achieve nationally set blue light response times. EEAST would therefore expect these impacts to be fully assessed and mitigated.
- 5.12.2 The development and change of use from existing semi-detached houses, sea cadets, nursery and scouts buildings and garages to housing would give rise to a need for improvements to capacity, in line with emerging Integrated Care System estates strategy which can be met by:
- Provision of additional medical equipment to manage the increased number of incidents from the growing population in order to maintain mandated ambulance response times and treatment outcomes. The range of equipment includes stretchers, carry chair, tracks, power chair, scoop, spine board, power load, wheelchair, Corpuls (patient monitoring units with integrated defibrillator/pacemaker, ECG etc).
 - Recruiting, training and providing new equipment for additional Community First Responders (CFRs) to support the proposed development and the community as a whole.

5.12.3 Table 1 shows the population likely to be generated from the proposed development. The capital required to create additional emergency ambulance services to support the population arising from the proposed development is calculated to be £16,313.

Table 1 Capital Cost calculation of additional health services arising from the development proposal

| Additional Population Growth (net gain) | ICS Activity Rate ² | Ambulance Cost ³ | Total |
|---|--------------------------------|-----------------------------|---------|
| 127 | 0.19 | £675 | £16,313 |

¹ Calculated assuming 2.4 persons for each dwelling average household for Stevenage Borough Council

² Calculated Hertfordshire and West Essex Census 2020 population (1.5m) and 2021-2 EEAST emergency activity volume (288,262)

³ EEAST ambulance infrastructure cost (2021)

5.12.4 It is unclear when the development may be delivered and if the site is listed in the Local plan and features on the housing trajectory for the local authority or indeed if permission will be granted. But should this development materialise, it will have an impact on emergency ambulance healthcare provision in the area and must be mitigated by legally securing developer's contributions and these are in addition to those submitted NHS Hertfordshire & West Essex ICB for GP, acute, community and mental health infrastructure.

5.12.5 Subject to certainty that healthcare will be the beneficiary of the aforementioned Section 106 contributions in relation to this development, EEAST does not raise an objection to the proposed development.

5.13 NHS England

5.13.1 Thank you for consulting the Hertfordshire and West Essex Integrated Care Board (HWE ICB) on the above-mentioned planning application. The HWE ICB became a statutory body on 1 July 2022 and is the health commissioner responsible for delivering joined up health and social health care to a population of c1.8m in Hertfordshire and west Essex. The HWE ICB works in partnership with health providers, local authorities, and other organisations to (i) improve the general health and wellbeing of Hertfordshire and west Essex residents and improve health care services in the area, (ii) to tackle the inequalities which affect people's physical and mental health, such as their ability to get the health services they need, and the quality of those services help tackle health and wider inequalities, (iii) to get the most out of local health and care services and make sure that they are good value for money and (iv) to help the NHS support social and economic development in Hertfordshire and west Essex.

Assessment of impact on existing Healthcare Provision

5.13.2 The HWE ICB has assessed the impact of the proposed development on existing primary health care provision in the vicinity of the development. Whilst the application states 57 dwellings, as confirmed by the local authority this proposed development would deliver 53 dwellings NET. The Developer's application dated 21 October 2022 on the planning portal indicates the breakdown of the dwelling types. In terms of the 53 dwellings NET, ICB will work on the basis of the following occupancy rates:

- 1 bed - 5 (x 2 occupants = 10)
 - bed - 19 (x 2.4 occupants = 45.6)
 - bed - 6 (x 3.5 occupants = 21)
 - 4 bed - 23 (x 4 occupants = 92)
- = 53 dwellings creating circa 168.6 new patient registrations.

5.13.3 Within the HWE ICB there are 35 Primary Care Networks (PCNs) across the 14 localities; each covering a population of between circa 27,000 and 68,000 patients. These PCNs are

expected to deliver services at scale for its registered population whilst working collaboratively with acute, community, voluntary and social care services in order to ensure an integrated approach to patient care. As such a doctors' general practitioners' surgery may include an ancillary pharmacy and ancillary facilities for treatments provided by general practitioners, nurses and other healthcare professionals. Stevenage South PCN, under which this development directly falls, has a combined patient registration list of 65,614 which is growing.

- 5.13.4 Patients are at liberty to choose which GP practice to register with providing they live within the practice boundary. However, the majority of patients choose to register with the surgery closest and/or most easily accessible to their home for the following reasons: it is the quickest journey, accessible by public transport or is in walking distance), parking provision, especially for families with young children and for older adults. Despite premises constraints GP Practices are not allowed to close their lists to new registrations without consultation with, and permission from the HWE ICB. Even when surgeries are significantly constrained the NHS will seek to avoid a situation where a patient is denied access to their nearest GP surgery, with patient lists only closed in exceptional circumstances. As a result of significant growth proposed in Local Plans, the HWE ICB expects applications to close lists to increase. It is therefore important that new developments make a financial contribution to mitigate any primary health care impacts the development will have.

Healthcare Needs Arising from the Proposed Development

- 5.13.5 This development will have an impact on primary health care provision in the Stevenage 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 Stevenage area and its vicinity, or any other development proposals in the area.

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

$168.6 / 2000 = 0.0843$ of a GP *GP based on ratio of 2,000 patients per 1 GP and 199m² as set out in the NHS England "Premises Principles of Best Practice Part 1 Procurement & Development"

$0.0843 \times 199 \text{ m}^2 = 16.7757 \text{ m}^2$ of additional space required

$16.7757 \text{ m}^2 \times \text{£}5,410^* \text{ per m}^2 = \text{£}90,756.537$ (*Build cost; includes fit out and fees)

$\text{£}90,756.537 / 53 \text{ dwellings} = \text{£}1,712.387$ per dwelling (rounded down to £1,712 per dwelling)

Total GMS monies requested: $53 \text{ dwellings} \times \text{£}1,712 = \text{£}90,736.00$

- 5.13.7 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 15th Dwelling is requested. If planning permission is granted, the HWE ICB propose to focus Section 106 monies on all or either Bedwell Medical Centre and their branch Roebuck Surgery, Shephall Way Surgery, King George Surgery and their branch Manor House Surgery by way of expansion of the capacity of the existing premises which could include bulk removal of patient notes to secure off site storage, internal reconfiguration or extension. All these options are being considered to enable increase of capacity and patient access to provide sufficient space to increase resources and clinical services and thus keep the patient lists open.

- 5.13.8 In terms of just Roebuck Surgery and Shephall Way Surgery the S106 would be used to cover:

- Roebuck Surgery - The initial/bulk uplift and transport of c 13,500 patient records to secure off site storage. The build costs of repurposing of the vacated storage space into 2 additional clinical rooms.
- Shephall Way Surgery - The initial/bulk uplift and transport of c 9,868 patient records to secure off site storage. The build costs of repurposing of the vacated storage space into 1 additional clinical room.

5.13.9 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:

53 dwellings x £201.75 = £10,692.00

Community Healthcare costs:

53 dwellings x £182.03 = £9,647.00

5.13.10 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 of which the Local Authority is aware. 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.

5.13.11 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. In terms of identifying full projects at this stage 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.

5.13.12 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. 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.

5.13.13 Subject to certainty that developer contributions are secured, as set out above, the HWE ICB does not raise an objection to the proposed development. The HWE ICB looks forward

to working with the Council to satisfactorily address the issues raised in this consultation response and would appreciate acknowledgement of receipt of this letter.

5.14 SBC Green Spaces Development Officer

- 5.14.1 We note that the proposals include some narrow/small areas of grass, which will struggle to establish and may cause maintenance issues. These areas should be omitted and hard landscaped. The gradient(s) of the proposed banks that run alongside the main entrance road shall be established. Banks should ideally be no greater than 15 degrees, as this may limit the accessibility of some maintenance machinery.
- 5.14.2 All landscaped/planted areas must be designed to be easily accessible for maintenance. We require clarity on those areas of landscaping where the maintenance is to be adopted by SDS and those which are private. Due to its proximity, it is expected that the facilities in Fairlands Valley Park will be readily utilised. The developer shall be required to provide a suitable financial contribution to be allocated towards delivering green space improvements in the park.
- 5.14.3 We note that a tracking simulation has been undertaken for refuse vehicle manoeuvrability. However, we are concerned that this may not have considered parked cars, particularly on the main access road. It is not clear what parking restrictions may be in place. Still, we need reassurance that the access will be able to provide suitable manoeuvring space for refuse collection vehicles in all possible scenarios.

Fairlands Valley Park - Car Parking Arrangements

- 5.14.4 Whilst no dwellings are proposed to be built within the principal park, there will be a slight reduction of spaces allocated for park visitors. This will be in favour of spaces designed to be assigned to the development. This car park can be bustling during periods of high demand as it provides the nearest access to the play area and aqua park. Furthermore, these proposals look to improve the accessibility of the site by car over existing arrangements via Shephall View. Therefore, parking overspill must be anticipated as this could impact the availability of other spaces or result in parking on the verges, pavements and residential streets. In turn, this could affect accessibility for fire trucks and refuse collection freighters. As far as we know, this has not been considered, and the developer must show how these potential concerns and issues are proposed to be addressed.
- 5.14.5 We welcome the addition of improving the car park, including the marking and layout. We require details on how the car park is proposed to be 'controlled'. Due to housing being closer to the car park, this should include details on the proposals for managing/controlling antisocial behaviour/activities. This could consist of speed restrictions, CCTV etc. Due to the change of entrance location, consideration must be given to protecting the car park from unauthorised encampments. The current entrance route to the car park from Shephall View already provides a level of protection due to the road's narrowness. Changing this may increase the opportunity for an encampment. As such, consideration must be given to providing necessary protection measures (such as a height restriction barrier).
- 5.14.6 Considering the point above, it is not appropriate for refuse freighters to back into the car park to turn around. We also have concerns for the safety of park visitors from turning/reversing refuse freighters. Furthermore, consideration should also be given to preventing vehicles from parking in such a manner that may obstruct access. We have concerns regarding the proposed groundcover planting strip in the centre of the car park. We anticipate that this will struggle to establish and may cause issues for future maintenance. Furthermore, it will also be likely exposed to damage from vehicle incursion and erosion from foot traffic. Except for the trees, this area should ideally be attractively hard landscaped. We also question the appropriateness of installing bird boxes in the middle of a car park.

- 5.14.7 The proposals include a significant amount of native hedge planting around the car park. From experience, planting around car parks can cause future maintenance challenges. As such, all planting around car parks must allow for door swings and vehicle overhangs. All planting must also be set back far enough not to cause future access and maintenance issues. The proposals shall also include improved boundary treatments to the car park to protect the park from unauthorised vehicle access at all times. In addition, the current tired wooden kneel rail shall be replaced with more robust galvanised metal hoops. Maintenance access via a removable bollard shall also be provided.
- 5.14.8 It is unclear how the park's parking and maintenance access arrangements will be managed during construction, and this must be clarified. In addition, we require details of how the developer proposes to maintain and minimise disruption to access for the park and car park whilst the development is being delivered. We require a new highway directional sign for the park on Bedwell Crescent. The existing sign on Shephall View shall also be removed.

Drainage

- 5.14.9 We require clarification on where the drainage interception will occur and the responsibility. Furthermore, we also need details about the arrangements for undertaking the 6-monthly maintenance and checking of the drainage system. SDS will not adopt the maintenance of any physical drains, pipes, channels etc, as a result of this development, as we do not have the expertise to do so. Please refer to the Council's Engineering department for comment. Whilst beyond our scope of expertise, the developer, must ensure that there is no risk of pollutants entering the lakes that could impact the fish stock, wildlife and public health. Input/advice from the Environment Agency may be required. Equally, the increased input of water into the lakes (particularly during storms) should be checked with relevant reservoir experts to ensure that the reservoir can still operate effectively and safely.

Planting

- 5.14.10 *Sambucus nigra* is unsuitable for this scheme as it will cause maintenance issues and out-compete other species. Therefore, it must be suitably substituted with an alternative. *Rhus typhina* has an invasive growing habit; therefore, it must be suitably substituted for an alternative. *Symphoricarpos spp.* is unsuitable for this scheme as it will cause maintenance challenges and must be suitably substituted with an alternative. The ornamental planting mix contains a more significant proportion of herbaceous perennials. The amount of herbaceous should be reduced in favour of shrub planting as SDS has a limited capacity to maintain herbaceous planting at this location.
- 5.14.11 An establishment defect period of 12 months minimum is required for all planting. During this period, the developer will ensure that an appropriate maintenance regime is in place to ensure the optimal planting establishment and carryout and repairs, replacements etc. Any proposed planting and grassed landscaping must also consider the location in respect of glazed windows, doors, drainage, services etc. Areas of planting must not interfere or have the potential to block windows and doors. Grassed areas shall not be near low-level glazing (due to the risk of material being thrown from machinery) and shall not abut a property (to avoid damage to guttering, wires etc).

Trees

- 5.14.12 Please refer to the Council's Arboricultural Manager for further comments and advice regarding trees. Careful consideration must be given to the placement of any tree in respect of causing cleansing or maintenance issues. We have concerns that some of the proposed trees may not be suitable for the location and should be substituted. For example, some *Quercus spp.* and *Prunus spp.* are situated close to parking and residential areas, which will cause issues at maturity. *Koelreuteria paniculata* may not be appropriate for this location as it is shallow rooting and requires a large space. This should be substituted for a suitable

alternative. Trees planted near parking spaces must be suitably guarded from vehicle strikes and be planted within a grille and ground anchored. As per above, careful consideration must be given to the species not to cause maintenance issues.

5.15 UK Power Networks

5.15.1 Please note there are LV underground cables on the site running within close proximity to the proposed development. Prior to commencement of work accurate records should be obtained from our Plan Provision Department at UK Power Networks, Fore Hamlet, Ipswich, IP3 8AA. All works should be undertaken with due regard to Health & Safety Guidance notes HS(G)47 (Avoiding Danger from Underground services). This document is available from local HSE office. Should any diversion works be necessary as a result of the development then enquiries should be made to our Customer Connections department. The address is UK Power Networks, Metropolitan House, Darkes Lane, Potters Bar, Herts, EN6 1AG. You can also find support and application forms on our website [Moving electricity supplies or equipment | UK Power Networks](#).

5.16 SBC Arboricultural and Conservation Manager

5.16.1 I have studied this application and can make the following comments:

- Group of trees G1 should be trimmed back appropriately to reduce encroachment onto the nearest proposed property. This work should be carried out before the commencement of the construction work.
- Some of the proposed tree planting is too close to the parking bays and likely to cause excessive encroachment in the near future.
- With regards the choice of tree planting near the parking bays, in my view, species like Prunus Padus, Prunus Avium and Sorbus Aucuparia should be avoided.

5.17 Planning Policy

5.17.1 No comments received.

5.18 SBC Waste Storage

5.18.1 No comments received.

5.19 SBC Highways (Engineers)

5.19.1 No comments received.

5.20 Environment Agency

5.20.1 No objection.

6. RELEVANT PLANNING POLICIES

6.1 Background to the Development Plan

6.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications be determined in accordance with the development plan unless material considerations indicate otherwise. For Stevenage, the statutory development plan comprises the following documents:

- The Stevenage Borough Council Local Plan 2011-2031 (adopted 2019)

- The Hertfordshire Waste Core Strategy & Development Management Policies Development Plan Document 2011-2026 (adopted 2012)
- The Hertfordshire Waste Site Allocations Development Plan Document 2011-2026 (adopted 2014)
- The Hertfordshire Minerals Local Plan Review 2002-2016 (adopted 2007)

6.2 National Planning Policy Framework

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

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

6.2.2 The NPPF provides that proposals which accord with an up-to-date development plan should be approved without delay (para.11) and that where a planning application conflicts with an up-to-date development plan, permission should not usually be granted (para.12). This indicates the weight which should be given to an up-to-date development plan, reflecting the requirements of section 38(6) of the 2004 Act.

6.2.3 Since November 2018, housing delivery has been measured against the Housing Delivery Test (HDT) as set out by the Government planning policy and guidance. The results of the HDT dictate whether a local planning authority should be subject to consequences to help increase their housing delivery. Where an authority's HDT score is less than 95%, the authority should prepare an action plan to assess the causes of under delivery and identify actions to increase delivery in future years. Where an authority's HDT score is less than 85% of its housing requirement, the Council must incorporate a 20% buffer into its housing supply calculations in line with paragraph 79 of the NPPF. This will be in addition to the preparation of an Action Plan. Where an authority's score is below 75%, the Council will be subject to the HDT's most severe penalty and must apply the presumption in favour of sustainable development under paragraph 11(d) of the NPPF. The latest HDT results published by the Department for Levelling Up, Housing and Communities (DLUHC) (**Now the Ministry of Housing, Communities and Local Government (MHCLG)**) in December 2023 identifies that Stevenage delivered 57% of its housing requirement.

6.2.4 The Council, based on its HDT score is currently subject to the most severe penalty under paragraph 11(d) of the NPPF (2023). For reference, as this policy is now engaged, it means Local Plan policies would be classed as out-of-date. Consequently, Stevenage Borough Council must apply the presumption in favour of sustainable development in its decision making and give great weight towards the need to deliver housing. The Council must also apply a 20% buffer in its 5-year housing supply calculations, and it also has to produce an Action Plan in order to boost housing delivery.

6.2.5 On the 21st 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.

6.2.6 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 to meet the Council's target of 7,600 new homes over the Local Plan period.

6.3 Planning Practice Guidance

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

6.4 National Design Guide

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

6.5 Stevenage Borough Local Plan

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

- Policy SP1: Presumption in favour of sustainable development
- Policy SP2: Sustainable development in Stevenage
- Policy SP5: Infrastructure
- Policy SP6: Sustainable transport
- Policy SP7: High quality homes
- Policy SP8: Good design
- Policy SP9: Healthy Communities
- Policy SP11: Climate change, flooding and pollution
- Policy SP12: Green infrastructure and the natural environment
- Policy IT4: Transport assessments and travel plans
- Policy IT5: Parking and access
- Policy IT6: Sustainable transport
- Policy IT7: New and improved links for pedestrians and cyclists
- Policy HO1/15: Housing allocations – Shephall View
- Policy HO5: Windfall sites
- Policy HO7: Affordable housing targets
- Policy HO8: Affordable housing tenure, mix and design
- Policy HO9: House types and sizes
- Policy HO11: Accessible and adaptable housing
- Policy HC4: Existing Health, social and community facilities
- 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 NH1: Principle Open Space

Policy NH5: Trees and woodland

6.6 Local Plan Partial Review (2024)

6.6.1 The council is currently carrying out a partial review and update of the local plan. On 5 July 2024, a schedule of proposed changes was published for the first stage of public consultation under regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). Paragraph 48 of the NPPF 2023 states that local planning authorities may give weight to relevant policies in emerging plans according to:

- a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

6.6.2 Where there are emerging policies which are relevant to the application, these will be highlighted in the main body of this report.

6.7 Supplementary Planning Documents

Parking Provision SPD (2020)
Stevenage Design Guide SPD (2023)
The Impact on Biodiversity SPD (2021)
Developer Contributions SPD (2021)

6.8 Community Infrastructure Levy

Stevenage Borough Council adopted a Community Infrastructure Levy Charging Schedule in 2020. This allows the Council to collect a levy to fund infrastructure projects based on the type, location and floorspace of a development. This application proposal would be CIL liable.

7. APPRAISAL

7.1.1 The main issues for consideration in the determination of this application are its acceptability in land use policy terms, affordable housing and planning obligations, design and visual impact, impact upon neighbouring amenities, impact upon future amenities of residents, parking provision, highway implications, flood risk and drainage, impact on the environment, trees and landscaping, biodiversity and ecology.

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

7.2 Land Use Policy Considerations

Compliance with the Council's Housing Policies

7.2.1 The NPPF states at paragraph 7 that the purpose of the planning system is to contribute to the achievement of sustainable development. The NPPF also stipulates that decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and

opportunities of each area. In addition, the Framework also sets out that sustainable development needs to be pursued in a positive way and at the heart of the framework is a "presumption on favour of sustainable development". Paragraph 60 of the NPPF (2023) requires that the planning system to support the Government's objective of significantly boosting the supply of homes. In addition to this, it requires the need to ensure there is a sufficient and variety of land to come forward where need to meet housing requirements of groups with specific housing requirements. Furthermore, paragraph 60 sets out that the overall aim should be to meet as much of an area's identified housing need as possible, including with an appropriate mix of housing Paragraph 70 of the Framework sets out that small and medium sites can make an important contribution to meeting housing requirements in an area, and this includes supporting the development of windfall sites.

- 7.2.2 Paragraph 123 of the NPPF stipulates that planning policies and decisions should promote the effective use of land in meeting the need for homes through the use of brownfield sites (previously developed land) and the development of underutilised land. Paragraph 124 c) of the NPPF emphasises that planning decisions should given substantial weight to the value of using suitable brownfield land within settlements for homes.
- 7.2.3 The northern half of the site is allocated in the Local Plan (2019) as a housing site under Policy HO1(15) with an indicative capacity for 25 dwellings. However, the remainder of the site falls outside of the allocation in the Local Plan and would therefore, be classed as windfall. Policy HO5 of the adopted Local Plan (2019) deals with windfall housing sites and states that permission will be granted where: the site is on previously developed land or is a small, underused urban site; there is good access to local facilities; there will be no detrimental impact on the environment and the surrounding properties; proposals will not prejudice the Council's ability to deliver residential development on allocated sites; and, the proposed development would not overburden existing infrastructure.
- 7.2.4 Taking the above issues in turn, the northern half of the development proposal which predominantly falls within the housing allocation would comprise 43 dwellings. Notwithstanding this is a higher density than that envisaged within the Local Plan, which has an indicative dwelling capacity of 25 dwellings, this would be in accordance with Policy HO1(15) in land use policy terms. Paragraph 9.5 of the Local Plan states the housing numbers in Policy HO1 are indicative. Schemes on these sites should aim to achieve the highest possible net density appropriate to the character of the area, passenger transport accessibility and other relevant plan policies. The acceptability of the proposal in relation to character of the area, accessibility and highways in terms of the proposed density are examined below. Whilst part of the allocated housing site comprises open green space, an assessment for its loss is not required under Local Plan policy as it forms part of the Local Plan designation.
- 7.2.5 Turning next to the proposed development which falls on land outside of the allocated housing site, 14 dwellings are proposed. Given this part of the site contains the existing community buildings (former scouts and sea cadets – there are no specific planning policies which protect day nurseries, as they are not classed as either an existing health, social or community facility), Local Plan Policy HC4 'Existing health, social and community facilities' is also engaged in addition to Policy HO5 'Windfall Sites'.
- 7.2.6 Dealing first with Policy HO5, the application site is identified as being predominantly previously developed land with existing buildings and area of hardstanding and thus accords with the definition of previously developed land set out in Annex 2 of the NPPF. The NPPF states that previously developed land is land which is or was occupied by a permanent structure, including the curtilage of the developed land and any associated fixed surface infrastructure. The NPPF also advises that a key objective is that local planning authorities should continue to make effective use of land by re-using land that has been previously developed. As such, the proposed development, is in accordance with adopted Local Plan (2019) Policy HO5 criterion (a).

- 7.2.7 Criterion (b) of Policy HO5 also requires that there is access to local facilities and that residential proposals include opportunities to access alternative forms of travel to private motorised transport. In terms of pedestrian access, the site would continue to be accessible from both Bedwell Crescent and Shephall View, as well as Fairlands Valley Park. The site is also well connected in terms of cycle infrastructure to local facilities and the wider network. A shared use route runs from Bedwell Crescent inside the northern boundary of the site into Fairlands Valley Park linking south to the east-west cycle way system on Six Hills Way. This route would be retained as part of the development proposal.
- 7.2.8 The closest bus stop to the site is Sinfield Close (170m), which gives access to service SB10 towards Stevenage Bus Station, via Pin Green. Colestrete bus stop, approximately 500m from the site, offers services towards Shephall, Bedwell and Stevenage town centre. The site is also 1700m from the Aldi supermarket and 1800m from Asda Superstore (approximately 20-minute walk). In addition, the site is also within 2.1km of the railway station. Consequently, the site is identified as being within a highly sustainable location.
- 7.2.9 Turning to the impact of the development on existing infrastructure, the proposal is CIL liable and therefore its impact on education and healthcare facilities would be mitigated through CIL funding. The proposed development is not therefore considered to overburden existing infrastructure in accordance with criterion (e) of Policy HO5.
- 7.2.10 In terms of criteria (c) and (d), the impact on the environment and surrounding properties will be considered later in the report. The additional 14 dwellings proposed on the unallocated part of the site would not prejudice the delivery of the 43 dwellings on the allocated part of the site for housing and therefore the proposal would comply with criterion (d). Consequently, it is considered the 10 dwellings which would form part of the windfall site would be in accordance with Policy HO5 of the Local Plan (2019).
- 7.2.11 In respect to Policy HO9 (House types and sizes) of the adopted Local Plan (2019), it identifies that there is a structural imbalance in the existing housing stock (albeit in a limited manner) whereby there is a lack of smaller properties and larger aspirational homes in the town. The Design Guide SPD (2023) outlines that housing is an area of weakness across the town. One of the main issues is the lack of an appropriate mix of housing sizes, types, and tenures with a high proportion of three-bedroom properties, and a lack of one and two bedroom properties. The lack of housing mix is exacerbated by changes in demographics leading to an increase in the number of single person households and couples needing homes. Due to growth requirements for the town, there is a need to provide a substantial number of additional homes in Stevenage. Higher density development is set out as a key requirement of National Guidance, and, where appropriate, densities will need to be raised to meet these targets for new homes.
- 7.2.12 The proposed development is seeking to deliver 14no. 2.5 storey 4 bed semi-detached houses, 8no. 3 storey 4 bed semi-detached townhouses, 6no. 2.5 storey 3 bed terraced houses and 29no. 2-storey 2 bed terraced houses. As such, it would be in accordance with this policy because it would help to deliver a large number of smaller two bed and larger four-bedroom dwellings and contribute to the delivery of a mix of housing types in the town. Furthermore, this proposal would help to support the Government's current adopted policy objective of delivering more housing in accordance with paragraph 60 of the NPPF.
- 7.2.13 In summary, due to the under-delivery of housing as identified in recent HDT scores published by DLUHC (now MHCLG) in December 2023, paragraph 11(d) of the NPPF is engaged and there is now a presumption in favour of delivering sustainable development. In addition, the Council's specific policies on housing are deemed to be out of date, so significant weight must be given to increase the delivery of new homes as required under the NPPF. Therefore, in providing 53 additional dwellings (net), the development would make a small but nonetheless positive contribution towards meeting the Borough's housing needs.

No additional benefits would result from the size or tenure of the dwellings, but this is a neutral matter. The construction activity would provide a very small boost to the local economy.

- 7.2.14 There would be some economic benefit during the construction phase, and future occupiers would be likely to contribute to local services and facilities. Given the quantum of development, it is considered that these benefits would be substantial and therefore attract significant weight in favour of the proposal. Having regard to all the policy considerations laid out above, the proposed development is considered to be acceptable in principle given the benefits of providing additional dwellings due to paragraph 11(d) of the NPPF being engaged. It follows that the development is acceptable in principle.

Loss of Community Facilities

- 7.2.15 The application proposal involves the redevelopment of two community buildings for housing, namely the 5th Stevenage Scouts Group and Stevenage Sea Cadets Corps buildings. A third building used as a private Day Nursery would also be demolished, however, this use is not classed as a 'community use' and falls within Planning Use Class E relating to 'business, service and commercial' uses. The loss of the former scouts and sea cadets buildings needs to be assessed under Local Plan policy HC4 'existing health, social and community uses'. Policy HC4 states planning permission that results in the loss or reduction of any existing health, social or community facility will be granted where:
- a) The existing facility can be satisfactorily relocated within the development proposal, or replaced in an appropriate alternative location;
 - b) It can be demonstrated that there is no longer a need for the particular facility; or
 - c) The facility, or any reasonable replacement, is not, and will not, be viable on that site.
- 7.2.16 Paragraph 11.24 of the Local Plan states the above policy refers to health, social and community facilities falling within Use Classes C2 'residential institutions', D1 'non-residential institutions' and D2 'Assembly and Leisure'. With respect to the question on the Use Class for the Scout and Sea Cadet buildings, these generally would have fallen under Use Class D2 'Assembly and Leisure' under the previous planning use class legislation. However, the Use Class Order was amended in 2020 (The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020). Consequently, under the amended use class order, the Scout and Sea Cadets buildings would now fall under Use Class F.2 'Local Community'.
- 7.2.17 Both the 5th Scout Group and the Stevenage Sea Cadets have relocated to alternative premises at the Pin Green Youth Centre in Hampson Park and the existing buildings on site are now vacant. Alongside this, work has been carried out to enhance the access that the Sea Cadets enjoy to Fairlands Valley Lake to improve the provision of one its core activities. On this basis, the relocation has satisfied criterion (a) of Local Plan policy HC4.
- 7.2.18 With regards to the former use of the Scout Hut by an archery and shooting club, Sport England has been consulted and advised the proposed development does not fall within either their statutory remit (Statutory Instrument 2015/595), or non-statutory remit (National Planning Policy Guidance (PPG) Par. 003 Ref. ID: 37-003-20140306), therefore they did not wish to provide a detailed response. The Scout Hut itself which the clubs used to use prior to relocation was not a sports facility and therefore the requirements of paragraph 103 of the NPPF in terms of dealing with the loss of existing sports and recreational buildings is not engaged.
- 7.2.19 Notwithstanding this, it is understood the shooting and archery club activities were laid on by the scouts and are available to the wider scout network. The applicant has advised the scouts have relocated these activities to alternative premises within the town.

Existing public car park and areas of open green space

- 7.2.20 The existing car park for Fairlands Valley Park which is located to the south east of the site is protected under the Principal Open Space (POS) policy NH1/1. This policy restricts any development that would see the loss of any part of the POS and proposals should not have an adverse impact upon any POS within, or adjacent to, the application site. The proposal to replace the existing car park with a new, improved car park in terms of layout and provision is acceptable and would accord with the provisions of the policy.
- 7.2.21 In assessing the loss of open green space which forms part of the application site around the buildings to be demolished, Policy NH6 stipulates that for development of any existing, unallocated open spaces, development would be permitted where:
- A) the loss of the open space is justified having regard to:
 - i) the quality and accessibility of the open space;
 - ii) the existence, or otherwise, or any interventions to improve the quality or access;
 - iii) whether the open space is serving its function and purpose; and
 - iv) whether alternative space(s) remain available for community use, and
 - B) Reasonable compensatory provision is made.
- 7.2.22 The areas covered by this policy are small in size and are all contained within the site and largely screened by existing buildings. The loss would not harm the character and appearance of the area, nor would it detrimentally affect useable open space given the proximity of Fairlands Valley Park. Furthermore, the provision of good quality housing on the site outweighs the loss of these small areas of non-allocated open space.
- 7.2.23 Consideration of the effects of the development on the character of the area and neighbouring amenities, and the ability of the site to provide good living conditions for future residents as well as impact on the environment, biodiversity and infrastructure will be considered in the following sections of this report.

7.3 Affordable housing and planning obligations

- 7.3.1 Policy HO7 of the adopted Local Plan (2019) stipulates that planning permission would be granted for residential development which would maximise affordable housing provision. Taking this into consideration, there is a requirement to provide 25% of new homes to be affordable on previously developed sites. In this regard, there would be a requirement to provide 14 affordable units.
- 7.3.2 Turning to affordable housing tenure, mix and design, Policy HO7 states that planning permission will be granted where those dwellings:
- a. Are provided by the developer on site with at least 70% of the units being for rent and the remainder consisting of other tenures which is to be agreed with the Council's Housing team;
 - b. Meets the requirements of Policy HO9 (House types and sizes);
 - c. Are physically indistinguishable from other types of homes and are distributed across the site to avoid over-concentration in particular; and
 - d. Will remain at an affordable price for future eligible households.
- 7.3.3 In addition to the above, paragraph 66 of the NPPF (2023) stipulates that for major developments involving the provision for housing, planning decisions should expect at least 10% of the total number of homes to be made available for affordable home ownership (this

includes affordable housing for rent, starter homes, discounted market sales housing and other routes including shared ownership, equity loans and other low cost homes (at a cost to at least 20% below market value). However, the 10% requirement is part of the overall affordable housing contribution for the site.

- 7.3.4 On the 24 May 2021, the Government announced its First Home policy through a Written Ministerial Statement (WMS) and accompanying changes to the Planning Practice Guidance (PPG). As a result, these changes came into effect on the 28 June 2021. First Homes are designed to support local first-time buyers onto the property ladder, by offering homes at a discount to the market price. The discount will apply to the homes in perpetuity, meaning that generations of new buyers and the local community would continue to benefit every time the property is sold.
- 7.3.5 First Homes are a specific kind of discounted market sale units which:
- a) must be discounted by a minimum of 30% against the market value
 - b) are sold to a person or persons meeting the First Homes eligibility criteria (see below);
 - c) on their first sale, will have a restriction registered on the title at HM Land Registry to ensure this discount (as a percentage of current market value) and certain other restrictions are passed on at each subsequent title transfer; and,
 - d) after the discount has been applied, the first sale must be at a price no higher than £250,000.
- 7.3.6 First Homes are the government's preferred discounted market tenure and should account for at least 25% of all affordable housing units delivered by developers through planning obligations.
- 7.3.7 With regards to affordable housing delivery, the Council's evidence base has demonstrated that since the start of the Local Plan period, delivery of affordable housing has been limited to 449 units, an average of 35 units per annum. Consequently, this evidence demonstrates that there has been a significant under provision of affordable housing delivery within the Borough, especially as the Council has a target of 2,280 affordable homes over the Local Plan Period. This is also reflected in the appeal decision letter for Land West of Lytton Way appeal (Appeal Reference: APP/K1935/W/20/3255692) whereby the inspector states (para. 87) and quote:
- 7.3.8 *"I have been referred to other schemes which have been granted planning permission or it has been resolved that planning permission should be granted. In these schemes, for one reason or another, affordable housing provision has been lower than the expected policy figure of 20%. Indeed 52 homes would equate to over 17% of the affordable housing that has been delivered thus far in the Local Plan period. In these circumstances of poor delivery of affordable homes and with sizeable unmet need for such housing, I give the provision of affordable housing significant weight"*.
- 7.3.9 Previously, the applicant was seeking to deliver its affordable housing contribution for the site through the delivery of the scheme at 10A and 10B Burwell Road, Stevenage (ref. 22/00437/FPM) as an entirely affordable scheme. This scheme has been granted planning permission for 20 affordable flats, 14 of which would have provided the quota for this application. Planning committee previously considered offsetting the affordable housing requirement to the site at Burwell Road as acceptable.
- 7.3.10 The issue raised by Keepmoat Homes Ltd as the prospective purchaser of this site, is that the Burwell Road site is a Council owned site and project. Therefore, they have no overall control in terms of its delivery. Consequently, Keepmoat have requested that they do not want to be restricted in being able to sell houses on the Bedwell Crescent site if the Council fails to deliver the Burwell Road scheme. As such, they have formally requested for the two

sites to be de-linked. However, this creates an issue with respect to ensuring the delivery of affordable housing as a policy requirement for the Bedwell Crescent scheme.

- 7.3.11 Taking the above into consideration, and, following discussions with the Assistant Director of Planning and Regulation, it has been agreed with SBC Housing Development (the applicant) that to deliver this development, the applicant is to pay into a Bond a sum of £1,898,523.90 (which equates to 14 homes – the affordable housing policy requirement for this application). This money would be held until the development at Burwell Road has been delivered, after which the money would be released back to the applicant. However, should the Council fail to deliver the affordable flats at Burwell Road, the money held in the Bond would go towards another affordable housing project in the town. It is officers understanding that the sale of this site with planning permission in terms of its capital receipt would fund the delivery of the housing at Burwell Road.
- 7.3.12 Turning to the adopted Developer Contributions SPD (2021), this SPD introduces a new requirement that developers of major development when signing an agreement with the Council, will need to:
- Attempt to fill 5% to 10% of construction jobs on-site associated with the development with Stevenage Residents;
 - Attempt to fill 1 apprenticeship position per 10 construction jobs on-site with a Stevenage Resident or Student (cap requirement of 10 apprenticeships);
 - Report whether or not these requirements are met; and
 - Provide a financial contribution in lieu of not achieving either or both targets.
- 7.3.13 In terms of monitoring, the Council Developer Contributions SPD set out that the Council will seek a monitoring fee of 2.5% of the value of the contributions being monitored. The fee would be capped at £25,000.00. The monitoring fee itself would be secured as part of any S106 legal agreement.
- 7.3.14 Turning to the areas of open space on the site, including areas of highway which are not to be formally adopted by the Council or Hertfordshire County Council, it is recommended that the Legal Agreement secures the provision of a Management Company. This is to ensure that the areas of un-adopted open space and highways which form part of the development are properly managed and maintained during the lifetime of the development.
- 7.3.15 A separate s278 Agreement (covering the junction alterations and public realm works on highway verge land to be adopted by HCC Highway Authority) would also be required and would need to be referenced and secured within the S106 agreement.
- 7.3.16 Finally, due to its proximity, it is expected that the facilities in Fairlands Valley Park would be readily utilised. It is recommended by the Council's Green Spaces Development officer that the Legal Agreement secures a financial contribution of £15,000 to be allocated towards delivering green space improvements in the park.
- 7.3.17 The Hertfordshire and West Essex Integrated Care Board and East of England Ambulance Service NHS Trust are seeking contributions to mitigate the impact of this development on local primary, mental and community healthcare and Stevenage emergency ambulance stations. Sections 5.12 and 5.13 above outline their requirements and justification. A total of £90,736 is sought for primary healthcare services, £10,692 towards mental health costs and £9,647 towards community healthcare costs. A total of £16,313 is sought towards the ambulance service. It is considered these requests do 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.

- 7.3.18 Recent caselaw, namely the Judgement of *R.(oao University Hospitals of Leicester NHS Trust) v Harborough District Council [2023] EWHC 263 (Admin)* as well as *Worcestershire Acute Hospitals NHS Trust, R (On the application of) v Malvern Hills District Councils & Ors [2023] EWHC 1995 (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.
- 7.3.19 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).
- 7.3.20 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. Both Court decisions 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.
- 7.3.21 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.
- 7.3.22 The NHS in its consultation responses 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.
- 7.3.23 It is important to note the Hertfordshire and West Essex Integrated Care Board and the East of England Ambulance Service 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.
- 7.3.24 Hertfordshire County Council Growth and Infrastructure Unit are seeking a secondary education contribution towards new secondary education provision at the former Barnwell East site/ land at Redwing Close and/or provision serving the development (£597,292) index linked to BCIS 1Q2022). This was not sought under the previous consultation for the original layout as the date the application was submitted pre-dated 31 December 2023. The Council

has a memorandum of understanding with HCC over not seeking contributions for secondary school places prior to this date. As this application was submitted before 31 December 2023 and is going back to committee for consideration of a new layout only, it is not considered this request is valid.

- 7.3.25 HCC Highway Authority operate two levels of S106 agreements, with items directly mitigating the impact of a development agreed through Strand 1 S106 agreement and those items mitigating the wider cumulative impact of development addressed in a Strand 2 S106 agreement. It is the Highway Authority's policy to seek a planning obligation in respect of Sustainable Transport under Strand 2. The NPPF promotes accessibility by sustainable means including bus, cycling, and walking, and the provisions of S106 of the Town and Country Planning Act (1990) allows that planning obligations, governed by the guidance within CIL Regulations may be used to mitigate the impact of development. On 22 June 2021, HCC adopted a new toolkit to seek planning obligations towards sustainable transport. Based on the above, the Highway Authority are seeking £6826 per dwelling, totalling £389,082 towards sustainable transport facilities and services for passenger transport users who would use the development.
- 7.3.26 The Council is a CIL Authority and has been since April 2020. As such, and according to HCC's developer Obligations Toolkit, contributions that HCC would normally have sought through Strand 2 will come under the approved CIL charging schedule. Paragraph 1.6 of the HCC Guide to Developer Infrastructure Contributions (2021) states the second strand contribution generally does not apply in Dacorum, Hertsmere, Stevenage, Three Rivers and Watford as they have fully adopted CIL regimes in place. As such, HCC Highway Authority was requested to withdraw the request for a Strand 2 contribution on this development as contributions can be requested through CIL, for which this development is liable and it could not be justified under the relevant tests set out in paragraph 57 of the NPPF.

7.4 Character and Appearance

National Planning Policy Framework and Planning Practice Guidance

- 7.4.1 Chapter 12. Achieving well-designed and beautiful places of the NPPF (2023) 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.
- 7.4.2 The National Design Guide 2019, which was published by the Government, is a material consideration in the determination of planning applications. It states that buildings are an important component of places and proposals for built development are a focus of the development management system. However, good design involves careful attention to other important components of places. These include:
- the context for places and buildings;
 - hard and soft landscape;
 - technical infrastructure – transport, utilities, services such as drainage; and
 - social infrastructure – social, commercial, leisure uses and activities.
- 7.4.3 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.

Development Plan

- 7.4.4 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.
- 7.4.5 In the emerging local plan partial review and update, criterion (e) of Policy GD1 is updated to refer to “unacceptable” adverse impacts. The intention behind the change is to make clear that in some circumstances, an adverse impact might still fall within acceptable bounds and that this is a matter of judgement for the decision maker. Policy GD2 is a new policy emerging from the local plan partial review and update. It states that proposals which demonstrate they have been designed to achieve a rating of excellent or higher against a relevant BREEAM standard and/or to achieve the BRE Home Quality Mark will be strongly supported. Having regard to paragraph 48 of the NPPF, this emerging version of the policy is afforded limited weight in the assessment of the application.

Supplementary Planning Document

- 7.4.6 Appendix C of the Stevenage Design Guide SPD 2023 provides guidance on extensions and alterations to dwellings. The Council will consider the impact upon the appearance of the existing property as well as the character and appearance of the area. In addition, the guide sets out that the extension should appear subservient to the original house; smaller in width, height and depth than the existing property, but still using the same scale and proportions.
- 7.4.7 Appendix C of the Design Guide SPD also stipulates that building features such as windows, roof pitches, overhangs, gables, chimneys should all be consistent with those of the existing property. If the roof of the main building is pitched, for example, then the extension should have a pitched roof, at the same angle. However, this does not mean that contemporary design will not be acceptable, providing it respects local character and does not detract from the original building.
- 7.4.8 This part of the application has been assessed against the key policy criteria on good design, as well as how the scheme meets the four key objectives in the National Design Guide on what is considered as a well-designed place. The proposed development would comprise the construction of 57no. new dwellings with associated parking, facilities and landscape, together with the reconfiguration of the existing public car park.

Layout

- 7.4.9 The site would be developed in a north-south direction between an existing grid of 2-storey houses for the top and middle section and would then open up slightly towards Fairlands Valley Park to the south and adjoining car park. To improve access to the existing car park and provide a safe and suitable access to the new dwellings, a new vehicular access is proposed. The access to the site would be from Bedwell Crescent, through a 5.5m wide road that would provide access to both local roads and the existing car park at the end.

- 7.4.10 The new access road would also act as a buffer between the new development and the rear of the neighbouring properties on Sinfield Close to the north of the site. The Bedwell Crescent frontage would then be completed with the addition of 4 semi-detached 2.5-storey houses (comprising accommodation in the roof) to continue the existing line of houses on this road. The proposed dwellings would be set back from the existing building line to reduce their impact on the neighbouring properties and to also respect the Adopted Highway Land to the front of the site (no parking or dwellings are proposed on this land).
- 7.4.11 The main access road would continue along the northern edge of the site, providing access to the first secondary road serving a group of semi-detached houses. These would be positioned to continue the existing row of houses on the Shephall View terrace, allowing the new development to link with the existing and creating a visual and pedestrian connection. Further down, the site would continue with a series of 2.5-storey terraced (comprising accommodation in the roof) and semi-detached dwellings which would face the access road, set back from the pavement with parking spaces at the front.
- 7.4.12 A second secondary road would serve the Cluster Homes in blocks A and C with parking at the front. The access road would maintain the pedestrian access to the neighbouring houses existing rear garden gates. The flank elevation of the Cluster Homes in blocks A and C would face the rear of nos.25 – 37 Shephall View, rather than back-to-back under the previous layout. A shared landscaped area would be introduced for plots 21 to 38 which would be overlooked by the plots on the northern side of Block A. Cluster Block C, on the opposite side of the access road, would be arranged to front both access roads and the newly formed central open space area between Blocks B and C.
- 7.4.13 A third secondary road would serve Cluster Homes blocks B and D with designated parking and a refuse and cycle store. This central area of the site is where the largest changes are proposed from the previously approved scheme, following the removal of the large apartment block which occupied the central portion of the site. The revised layout is however based on the same principles, with the Cluster Homes occupying a central position within the site and arranged around the two secondary access roads to ensure active frontages, open spaces and natural surveillance within the Cluster House designs. At the south-eastern end of the application site is a row of 8 no. semi-detached three-storey town houses. The proposed houses have all been designed to comply with the minimum overlooking distance for both relationships with new and existing dwellings. The rear gardens would also comply with the Design Guide (2023) in terms of minimum area and minimum length.
- 7.4.14 The existing vehicular access from Shephall View would not be retained as a link to the public car park but converted to a pedestrian footpath that would maintain the pedestrian and visual link to the public car park through the development. Vehicle access to the garage block would be retained. The southern area of the site, facing the park and between the existing terraces to the west and the car park to the east would accommodate a row of three storey semi-detached townhouses. These would be accessed by a dead-end secondary road and provided with parking spaces in front. Additional visitor parking provision would be made at the end of the access drive. The townhouses would be oriented to follow the same building line as the neighbouring properties, which would allow them to achieve the required 35m back-to-back minimum distance. They would also be staggered from each other, with vegetation to the front to create a more dynamic street scene.
- 7.4.15 The townhouses area would be separated from the public car park by dense new vegetation which would provide privacy and screening. The southern edge next to the park would retain part of the existing vegetation to act as boundary screening. The vegetation boundary would be interrupted by a proposed turning head overextending into the existing car park to allow larger vehicles to turn and leave in forward gear. The public car park would be retained and reconfigured, as it is currently in a poor state with no markings to define the number of bays. The car park would be resurfaced, and parking bays formally marked out to serve Fairlands Valley Park and nearby Aquapark. A total of 53 spaces are proposed.

Density

- 7.4.16 The northern half of the development proposal which falls within the housing allocation would comprise 43 dwellings. This is a higher density than that envisaged within the Local Plan, which has an indicative dwelling capacity of 25 dwellings for this allocated housing site. However, paragraph 9.5 of the Local Plan states the housing numbers in Policy HO1 are indicative. Taking into account the assessment of the proposed layout above, which has been well considered and provides satisfactory access and separation between new and existing dwellings, the conclusion in paragraphs 7.2.6 and 7.2.7 above identifying the site as being within a highly sustainable location and the assessment in section 7.8 below confirming the associated increase in the traffic would not lead to an adverse impact on highway safety, it is concluded the proposed density would not lead to material harm to the amenity of neighbouring dwellings, the highway network or the character and appearance of the wider area. As such, it is concluded the higher density as proposed is acceptable.

Scale and Massing

- 7.4.17 The overall scale and massing of the development has been designed to transition between the different areas of the site and respond to the surrounding existing properties. Most dwellings would be two storeys in height, albeit with accommodation in the roof in most of the properties, to match the surrounding residential area. This is especially important in the part of the site facing Bedwell Crescent and next to the existing terraces on Shephall View. Due to the low-pitched roof of the existing terraced and semi-detached houses and different ground levels, the proposed two storey dwellings would appear higher as they are designed with a 40° pitched roof to achieve better overall proportions in relation to their footprint.
- 7.4.18 Where possible, the proposed houses have been designed to create a smooth transition between the existing low-pitched roofs and the new dwellings. This would be achieved by having different planes and articulation within the houses. All proposed dwellings facing onto the existing roads (Shephall View and Bedwell Crescent) would be two storeys high and set back from the existing dwellings' front building line to minimise their impact on the street scene. As the development would continue south and away from the existing streetscape, the overall massing and height of the buildings would increase.
- 7.4.19 Finally, the site would be bookended by the three storey townhouses, which would help to create a more domestic scale towards the southern site boundary. These would be buffered from the car park and park by dense vegetation to minimise their impact on views from the park.

Design and Appearance

- 7.4.20 The design of the proposed dwellings would employ a variety of materials which both characterise each type and represent elements of the common palettes across the development. The brickwork to be used across the site would be a light buff brick, to maintain a link with most of the surrounding buildings. This would vary as a buff/cream colour and buff/brown. Windows are proposed to be in a dark grey finish with feature bay windows to be formed with PPC aluminium panels in a dark grey finish to match the window and door frame colours. All front doors and secondary doors would be composite with a dark grey finish. Interlocking slate roof tiles would be used to compliment the material palette.
- 7.4.21 Policy GD2 is a new policy emerging from the local plan partial review and update. It states that proposals which demonstrate they have been designed to achieve a rating of excellent or higher against a relevant BREEAM standard and/or to achieve the BRE Home Quality Mark will be strongly supported. Having regard to paragraph 48 of the NPPF, this emerging version of the policy is afforded limited weight in the assessment of the application, and, as it was not in place at the time of submission of the application, it would not be appropriate to seek the re-design of the development to achieve these standards.

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

7.5 Impact upon Neighbouring Amenity

National Planning Policy Framework and Planning Practice Guidance

7.5.1 Paragraph 135 of the NPPF (2023) sets out that planning decision should ensure create places with a high standard of amenity for existing and future residents. Paragraph 124 of the National Design Guide states that “*Good design promotes quality of life for the occupants and users of buildings. This includes function – buildings should be easy to use. It also includes comfort, safety, security, amenity, privacy, accessibility and adaptability*”. Paragraph 126 of the National Design Guide also emphasises that “*well-designed homes and communal areas within buildings provide a good standard and quality of internal space. This includes room sizes, floor-to-ceiling heights, internal and external storage, sunlight, daylight and ventilation. The quality of internal space needs careful consideration in higher density developments, particularly for family accommodation, where access, privacy, daylight and external amenity space are also important*”.

Development Plan

7.5.2 Whilst the policies contained in the local plan have limited weight, Policies SP8 and GD1 of the Local Plan 2019 which generally reflect the good design principles outlined in the NPPF and National Design Guide, require that development does not adversely impact the amenities of neighbouring occupiers. In the emerging local plan partial review and update, criterion (e) of policy GD1 is updated to refer to “unacceptable” adverse impacts. The intention behind the change is to make clear that in some circumstances, an adverse impact might still fall within acceptable bounds and that this is a matter of judgement for the decision maker.

Supplementary Planning Document

7.5.3 Appendix C of the Design Guide SPD states that the Council will assess proposals for residential extension in terms of their impacts on privacy, outlook, and natural light.

7.5.4 In assessing the impact on neighbouring amenity, the Council’s Design Guide (2023) sets out standards which should be met to safeguard the privacy and outlook of adjoining properties from new development. The recommended separation distances are as follows:

| No of Storeys | Type of Separation | Min. distance (metres) |
|---|------------------------------|------------------------|
| Between existing and new 2 storey or a mix of 1 and 2 storey dwellings. | Back to Back Back to Side | 25m 15m |
| Between new 2 storeys or a mix of 1 and 2 storey | Back to Back Back to side | 20m 12m |
| Over 2 storeys between existing and new dwellings | Back to Back Back to Side | 35m 25m |
| Between new dwellings over 2 storeys in height. | Back to Back Back to Side | 30m 20m |

- 7.5.5 Following an assessment of the proposed development, it would accord with the separation distance standards which are set out in the Council's Design Guide SPD. In terms of the side to back distance between plot 4 and Nos. 4 and 6 Sinfield Close, this meets the required 15m distance. The proposed access road and retained boundary vegetation would also act as a buffer between the rear of the dwellings on Sinfield Close and the proposed two storey houses running down the centre of the site. In terms of the relationship to the southern boundary terraces, namely Nos. 222, 11 and 13 Shephall View the proposed houses in plots 1, 9 and 10 would all have an acceptable side to side relationship raising no amenity issues for the occupiers.
- 7.5.6 In terms of the relationship of the proposed three storey townhouses with Nos. 39 – 49 Shephall View in the southern part of the site, the required minimum 35m separation distance has been achieved. As such, there would be no loss of amenity to the occupiers of these dwellings. The side to back distance between the cluster houses in plots 24 and 25 and 41 and 42 with nos. 27, 29, 31 and 37 Shephall View would exceed the required 15m separation. Likewise, it is not expected the proposed development would result in any amenity concerns for the occupiers of these dwellings.
- 7.5.7 Given the above assessment, it is considered the proposal would not have a detrimental impact on the amenities of existing neighbouring residential properties. As such, the proposal would accord with the policies in the adopted Local Plan (2019), the Council's Design Guide SPD (2023), the NPPF (2023) and PPG. With regards to the impact of noise and light pollution on the amenities of neighbouring residents, these aspects have been considered in detail in section 7.10 of this report.

7.6 Impact upon future amenities of residents

- 7.6.1 In considering a residential scheme of this nature it is also important to ensure that living conditions for any future occupiers are appropriate. With regards to private amenity space for the proposed dwellings, the Design Guide SPD (2023) states that for new houses the minimum standard garden space for terraced and semi-detached houses should normally be 50m². Each dwelling should normally have a minimum rear garden depth of 10m and the shape and slope of the garden should ensure that it is useable. The proposed dwellings except the cluster homes would meet the minimum requirement for garden size and would have usable private amenity space. The cluster homes would have shared landscaped areas, capable of being used as communal amenity space adjacent to the dwellings and also Fairlands Valley Park which adjoins the site to the east and south east.
- 7.6.2 With regard to the requirements for new residential properties to meet Nationally Described Space Standards (NDSS) as defined by Policy GD1 of the Local Plan (2019), for two storey 2 bed 3 person houses there is a requirement to provide 70m² of floorspace. For two storey 4 bed 7 person houses there is a requirement to provide 115m² of floorspace. For 4 bed 7 person three storey townhouses there is a requirement to provide 121m² of floorspace. For two storey 3 bed 5 person houses there is a requirement to provide 93m² of floorspace. Following a review of the plans, all the dwellings including the bedrooms would comply with the NDSS for their respective sizes.
- 7.6.3 From a review of the plans, the proposals also comply with the back to back and back to side separation distances for new dwellings as set out within the Council's Design Guide (2023). On this basis, it is considered the proposed development would provide an acceptable living standard for future residents.

7.7 Parking Provision

National Planning Policy Framework and Planning Practice Guidance

- 7.7.1 Chapter 9. Promoting Sustainable Transport of the NPPF (2023) sets out a requirement to consider transport issues, which includes parking, at the earliest stages of a development proposal. Paragraph 115 of the NPPF (2023) 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.*”. Taking this into consideration, paragraph 116 of the NPPF (2023) stipulates that applications for development should:
- a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;
 - b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;
 - c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;
 - d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and
 - e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

Development Plan

- 7.7.2 Whilst the policies in the Local Plan have limited weight, Policy IT5 of the Local Plan requires development proposals to comply with the parking standards set out in the Stevenage Borough Council Parking Provision and Sustainable Transport SPD 2020.
- 7.7.3 The parking strategy has been designed to comply with the Parking Provision SPD (2020). The application site falls within residential accessibility zone 3, where the Council would seek between 75% to 100% of the maximum number of car parking spaces to serve the development. The maximum parking requirement for the site not taking into account any reduction for accessibility would be 111 spaces. A 75% reduction reduces this to 83 spaces.
- 7.7.4 The proposed parking arrangements have allowed for 1 space per 2 bed cluster house, 2 spaces per 3/4 bed house (plot 11 is an anomaly with 3 spaces) and 11 visitor spaces giving a total of 86 allocated resident spaces and 11 visitor spaces. This means the proposed parking provision for the site is in accordance with the suggested range. There is no policy requirement to provide disabled parking on this site, although the disabled bay opposite the proposed site entrance on Bedwell Crescent would be relocated 15m north.
- 7.7.5 With regards to cycle parking, long and short-term cycle parking would be provided throughout the site in line with the Council’s Parking Provision SPD. The guidance requires:
- 1 long-term space per 1 bed
 - 2 long-term spaces per 2 bed
 - 3 long-term spaces per 3 and 4 beds
 - 1 short-term space per 40 units
- 7.7.6 Every house with a private garden would be provided with a garden shed to provide secure cycle storage. For Cluster Blocks A to D, each block would be provided with a separate and dedicated cycle storage building, providing 2 long-term spaces per Cluster dwelling. The cycle storage blocks are proposed as brick-built buildings to match the design principles of the main dwellings. It is considered the proposed cycle provision is acceptable.

- 7.7.7 Turning to electric vehicle parking, the Parking Provision SPD (2020) introduces a minimum requirement for electric vehicle parking. The requirements for new developments would need to abide by the following:-
- All new car parking should be designed to fulfil a Passive Electrical Vehicle Charging Point standard (providing the necessary underlying infrastructure);
 - The blend of access to charging points provided within new developments;
 - A minimum of 20% of new parking on a site to have access to an active EV charging point;
 - A flexible approach to the requirement of charging facilities as technology changes.
- 7.7.8 To comply with the EV requirements, each plot would be provided with one active EV point. Of the 11 visitor spaces, 2 spaces would be provided with active EV points with the remaining spaces provided with passive EV points. The provision of EV charging as outlined would therefore achieve the 20% requirement across the site.
- 7.7.9 The revised layout retains the provision for the existing car park serving the Fairlands Valley car park and Aquapark. The car park layout as proposed would provide a total of 53 marked spaces, including two disabled/accessible parking bays. The car park would be surfaced with tarmac to the Highway Authority Standards. Vehicle tracking has been undertaken for the proposed layout and is included in the updated Transport Statement. Turning provision has been made for refuse trucks at the turning head within the car park to ensure service vehicles can enter the site safely.
- 7.7.10 The provision of marked bays including disabled bays would improve the car park's usability and the safety for members of the public. There are no minimum parking standards associated with the public car park and therefore the quantum of parking provided is restricted by area and layout of the marked bays only. Given the proposed improvements to the car park surface, the benefits of providing marked bays and the accessibility of the site by walking, cycling and bus it is considered 53no. spaces would be sufficient to serve Fairlands Valley Park. There would be no restrictions on the continuing informal use of the car park for school pick up and drop off for Bedwell primary school and St Vincent De Paul Catholic primary school sited within walking distance to the north.
- 7.7.11 Given the above assessment, it is considered there would be sufficient parking (including cycle parking, disabled parking and EV parking) in accordance with the Council's adopted Parking Standards. Therefore, the proposal would be in accordance with policies set out in the adopted Local Plan (2019), the Council's Parking Standards SPD (2020), the NPPF (2023) and PPG.

7.8 Highway implications

- 7.8.1 The application is accompanied by a Transport Statement, a Construction Method Statement and a Travel Plan. The development is flanked by residential dwellings to the north, south and east, the Bedwell Primary School and Bedwell Medical Centre to the northeast and Fairlands Valley Park to the east and southeast. Bedwell Crescent joins the A1155 to the north and south, is subject to a 30mph speed limit and is served by 4 bus routes operated by Arriva Bus.
- 7.8.2 The existing 4 residential dwellings currently benefit from a dropped access off Bedwell Crescent whilst Fairlands Valley Park and Car Park are served by a vehicular access off Shephall View. Shephall View operates as a one-way system between The Hawthorns in the south and Bedwell Crescent to the north. Section 3.0 of the Transport Statement reviews the accessibility of the development to several key local facilities, amenities, and public transport. Whilst the applicant acknowledges several facilities are beyond the preferred walking distances identified within Manual for Streets, the Highway Authority are satisfied that the development is reasonably accessible having regard to the general distance to retail, other commercial units and bus services.

- 7.8.3 Section 3.34 to 3.44 of the Transport Statement investigates the Personal Injury Accident Data between January 2016 and December 2020, supplied by Hertfordshire County Council. A further analysis was obtained from Crashmap.co.uk for 2021. The Transport Statement reports during the five-year period, there were no fatalities, 1 serious accident and 6 slight in severity. From the recorded data, it is noted that the accidents were attributed to a range of factors such as poor judgement and driver/rider errors. The Highway Authority is satisfied there are no inherent highway defects on the network, which would be exacerbated if the local planning authority was minded to approve the application.
- 7.8.4 Apart from plots 1 to 4, the development would be served by a vehicular access that would form a bell mouth junction with Bedwell Crescent. The main access would be 5.5m wide and bounded on both sides by a 2m footway. There would be two minor accesses that would connect to the main access to form a raised junction. Plots 1 to 4 would be provided with individual domestic dropped kerbs off Bedwell Crescent. Vehicular access to the site from Shephall View would be no longer available, however access would be retained to the garage block. All traffic would access the site, including the Fairlands Valley Park car park from Bedwell Crescent which would reduce the amount of traffic using Shephall View.
- 7.8.5 The position of the main access off Bedwell Crescent requires relocating an existing disabled parking space approximately 15m north. Drawing 6529.011F shows the access achieving visibility splays of 2.4 x 43m in both directions, commensurate with the speed limit on Bedwell Crescent. The submission is also accompanied by several drawings showing the swept path analysis of the Borough's standard refuse vehicle (Drawing 6529.013F), a typical family car and fire tender (Drawing 6529.14F). Both drawings indicate that no issues have been found with the proposed layout, as all vehicles modelled are able to enter and exit the site safely in a forward gear. Having examined the plans, the Highway Authority is satisfied the internal road network could accommodate the manoeuvres of a range of vehicles.
- 7.8.6 The introduction of the new access onto Bedwell Crescent plus the reconfiguration of the existing access off Shephall View would need to be secured by an appropriate highway licence. The pedestrian permeability across the site is considered acceptable by the Highway Authority and responds positively to Hertfordshire County Council's policy requirement as set out in LTP4 and paragraph 116 of the NPPF.
- 7.8.7 Neighbour representations have expressed concern about the introduction of a new two-way vehicle access on Bedwell Crescent, considering how busy the road is with both vehicles and pedestrians being in close proximity to two primary schools and a health centre. The Highway Authority have reviewed the submitted Transport Statement and Personal Injury Accident (PIA) Data, which reports during the five-year period there were no fatalities, 1 serious accident and 6 slight in severity. From the recorded data, it is noted that the accidents were attributed to a range of factors such as poor judgement and driver/rider errors. The Highway Authority are satisfied there are no inherent highway defects on the network which would be exacerbated if the Local Planning Authority is minded to approve the application. The access has been designed to Highway Authority requirements in terms of visibility splays and therefore, it is considered there is no highway safety reason to refuse the arrangements as proposed.
- 7.8.8 Section 5 of the Transport Assessment (Trip Generation, Distribution, Assignment and Assessment) predicts the trip rates associated with the development and this is informed by a review of the Trip Rate Information Computer System (TRICS) database. The Transport Assessment concludes that the proposal has the potential to generate 27 and 28 additional vehicle trips during the AM and PM peaks, respectively. Whilst it is agreed by the Highway Authority the quantum of development is unlikely to result in conditions prejudicial to highway safety, the predicted trip rates appear quite low.
- 7.8.9 It is understood that the scope of the Manual Classified Counts was agreed with Hertfordshire

Highways Department. The 2021 traffic flows have been increased to a 2022 base year scenario using the Temprow growth rates which were then increased to the 2027 Future Year rates. The results conclude in percentage terms, the development would not cause an increase in traffic of more than 4% at the nearby junctions. Based on these results, the applicant has not undertaken further capacity assessments or proposed mitigation, which is considered acceptable.

- 7.8.10 The Construction Method Statement (CMS) identifies several key elements expected in the document. The accompanying drawing titled Construction Access Routes (6529.010) identifies the main transport routes construction vehicles would travel during various phases. The plan also includes the tracking of a 12.2m rigid truck. However, absent from the CMS is a prediction of the traffic volumes associated with the build. It is recommended this is provided in an updated CMS, which can be secured via planning condition.
- 7.8.11 Based on the submission, the Highway Authority has concluded it is unlikely given the quantum of the development that the associated increase in the traffic would lead to an adverse impact on highway safety. For this reason, the Highway Authority offers no objection subject to the inclusion of planning conditions set out in Section 9 below.

7.9 Development and Flood Risk

- 7.9.1 A Flood Risk Assessment and Drainage Strategy prepared by Marks Heeley Ltd dated September 2022 accompanies the application. These have been updated by a Drainage Statement by Stomor Ltd dated June 2024 and new Drainage Strategy ref. ST-3525-500B. The reports review the drainage and flood risk issues associated with the proposed development and set out how surface water run off would be accommodated. The report states that the application site is located within Flood Zone 1 and that flood risk from fluvial and groundwater flooding is low. The development of the site for housing is therefore appropriate as set out by the 'flood risk vulnerability classification' contained within the Planning Practice Guidance. The Drainage Strategy sets out details in respect of surface water and foul water drainage.
- 7.9.2 Drainage strategies should adhere to the Sustainable Drainage Strategy (SuDS) hierarchy provided in the Local Flood Risk Management Strategy 2 (2019). The hierarchy identifies that living roofs and walls are the most-sustainable SuDS features, followed by ponds and basins, infiltration devices and permeable surfaces. Tanked and piped systems are identified as the least sustainable, providing no pollution reduction nor biodiversity benefit.
- 7.9.3 In the emerging local plan partial review and update, flood risk and drainage policies are significantly revised. The existing policy FP1 is replaced by a new sustainable drainage policy, which places an emphasis on the use of the most sustainable SuDS features and methods of surface water discharge. Meanwhile, existing policies FP2 and FP3 are combined into a new, more comprehensive flood risk policy, which largely reflects national flood risk policies but also seeks to protect watercourses and flood defences. Having regard to paragraph 48 of the NPPF, this emerging version of the policy is afforded limited weight in the assessment of the application.
- 7.9.4 Based upon mapping and on-site borehole testing, the site's geology consists of gravely clay over chalk. This geology suggests that infiltration is appropriate for the site. However, due to a poor infiltration rate during testing and the 10m requirement for distance from dwellings, this was not considered possible. The surrounding area is currently served by several public surface water sewers. Following the SuDS hierarchy, the most suitable method of providing surface water drainage to the site has been determined:

| SUDS HIERACHY (ordered most preferable to least) | |
|--|--|
| METHOD | COMMENTS |
| Discharge into ground | Not Feasible in north of site. Not possible in almost all locations of site, due to requirement to located infiltration devices 10m from buildings. |
| Discharge into a surface water body | Proposed – Via existing connection to Millenium Lake |
| Discharge into a surface water sewer | Proposed |
| Discharge into a combined sewer | Not required. |

- 7.9.5 A revised drainage strategy has been drawn up to suit the amended site layout and to improve the drainage capacity and buildability of the previous drainage scheme. Surface water would now discharge to the existing site outfalls in two locations, with attenuation areas on-site to restrict the outfall flow to reasonable limits, including capacity for storm and climate change events. In summary, the new strategy would split the site in two – north and south, with partial discharge to the existing drainage network in Bedwell Crescent to the north and partial discharge to Millennium Lake to the south (via on-site attenuation).
- 7.9.6 The proposed surface water drainage scheme has been designed to accommodate all storm event up to and including the 1in100year event plus an allowance of 40% for climate change. Overland flow routes have been shown on the drainage strategy through the development, to identify proposed flow paths for surface runoff during extreme storm events. The site is not within an area identified as being located above an aquifer. This site is not located within an area designated by the Environment Agency as a Ground Water Source Protection Zone. The Environment Agency has been consulted and has raised no objections to the drainage strategy.
- 7.9.7 The development would include permeable paving and a filter drain as SuDS features as part of the surface water drainage proposals. Storm water from areas of hard standing to the shared access road would drain towards gullies, pass through a Naylor Smart Chamber and onto an appropriately sized attenuation tank before being discharged to the existing surface water sewer at a reduced rate. Storm water from parking bays would be allowed to percolate to ground via permeable paving and mimic natural ground infiltration, as if it were soft landscaped. In accordance with CIRIA SuDS Manual C753, an appropriate level of treatment for the surface water runoff to the attenuation tanks from the proposed contributing areas has been achieved. The report advises the proposal would not increase the risk of flooding elsewhere.
- 7.9.8 At the request of HCC as Lead Local Flood Authority, additional information has been submitted to address their concerns and updated comments are awaited. At the time of writing this report no comments have been received. If comments are received prior to the meeting and/or the drainage strategy is agreed an update will be provided, otherwise it is anticipated Members will agree to delegated powers being granted to the Assistant Director of Planning and Regulation to impose any conditions advised on any response provided after the committee meeting.
- 7.9.9 A decision will not be issued until the S106 Legal Agreement associated with the development has been signed, which will allow time for comments to be received. Therefore, comments will be fully considered prior to a decision being issued. However, if the Lead Local Flood Authority continues to raise an objection to this application and their concerns cannot be overcome, then this application will be referred back to the Planning and Development Committee for its decision.

7.10 Impact on the environment

- 7.10.1 Historic OS Maps indicate that prior to the site being developed out in the 1960s, the site was part of open fields. The site comprises housing, areas of hardstanding, garages and community buildings along with grassed amenity space and has not been used for any other purposes. A Phase 1 and Phase 2 geo-environmental assessment has been carried out covering the whole site. Extensive geo-environmental and geo-technical sampling and testing have been carried out to identify any potential risks related to pollution and the nature of the ground for future construction. Infiltration testing has also been carried out. A small pollution risk has been identified within an area behind the existing garage block. This area would require remedial works which could be identified with a Remedial Strategy.
- 7.10.2 Following consultation with the Council's Environmental Health department, they do not raise any concerns from a land contamination perspective subject to the imposition of conditions. The conditions imposed would require a remediation strategy is submitted for approval in the event contaminants are identified during the demolition and construction phase of development. In terms of the potential presence of asbestos, the applicant would require a licenced contractor to be appointed to carefully remove the asbestos and for it to be disposed of at a licenced site. The requirements for handling asbestos is controlled by the Health and Safety Executive (HSE).

Groundwater

- 7.10.3 The application site is not located within a Source Protection Zone for potable water. Therefore, no concerns have been raised from Affinity Water or Thames Water in this instance. In addition, the Environment Agency has raised no objections.

Air Quality

- 7.10.4 Policy FP7 of the adopted Local Plan (2019) states that all development proposals should minimise, and where possible, reduce air, water, light and noise pollution. Looking at air quality and air pollution specifically, the Air Quality Annual Status Report (ASR) 2019 by Stevenage Borough Council identifies that the development site is not located within or in close proximity to an Air Quality Management Area (AQMA). This generally indicates that the air quality in the area is within national guidelines.
- 7.10.5 In order to mitigate the impact of the construction phase on air quality, it is recommended a condition is imposed to any permission issued. This condition would require the applicant to submit a Construction Management Plan to detail measures on how to control levels of dust and air pollutions which are generated during the demolition and construction phases of development.
- 7.10.6 With regards to the operational aspect of the development, due to its limited scale, the proposed development would give rise to a very small rise in NO₂ emissions which in accordance with IAQM/EPUK guidance is identified as having a negligible impact at all receptors in the area. As such, the need for additional mitigation has not been identified as being required. As such, the Council's Environmental Health department has not raised any concerns with respect to the operational impact the development would have on air quality.

Noise Pollution

- 7.10.7 With respect to noise, Policy FP8: Pollution Sensitive Uses stipulates that planning permission for pollution sensitive uses will be granted where they will not be subjected to unacceptably high levels of pollution exposure from either existing, or proposed pollution generating uses.
- 7.10.8 Dealing firstly with the impact of noise from the construction phase of the development, it is recommended a condition is imposed on any permission issued requiring the submission of a

Construction Management Plan (CMP). Through the CMP, the hours in which noisy activities can take place would be controlled and relevant mitigation measures put in place to minimise the impact of noise from construction activities. Moreover, once a CMP has been agreed by the Council, if a breach were to take place, the Planning Authority can enforce the condition accordingly.

- 7.10.9 With regards to noise which could arise during the operational phase of development, the houses would be in private ownership. As such, if any complaints arose regarding antisocial behaviour or noise, these could be dealt with by the Council's Environmental Health department or the Police.

Light Pollution

- 7.10.10 In terms of light pollution, Policy FP7: Pollution of the adopted Local Plan (2019) requires all development proposals should minimise, where possible, light pollution. Applications for development where pollution is suspected must contain sufficient information for the application to make a full assessment on impacts. Planning permission will be granted where it can be demonstrated that the development will not have unacceptable impacts on:

- a. the natural environment, general amenity and the tranquillity of the wider area which includes light pollution;
- b. health and safety of the public; and
- c. The compliance with statutory environmental quality standards.

- 7.10.11 Turning to the operational side of the development, the applicant has not submitted a detailed lighting strategy. However, to ensure that any external lighting does not prejudice highway safety or cause a substantive nuisance to neighbouring residential properties, a condition should be imposed to any permission issued. Details which would need to be provided as part of an overall lighting strategy should include:-

- Description of the proposed hours of operation, light spillage and column heights;
- A layout plan of the proposed site showing beam orientation;
- Details of the proposed equipment design;
- Details of the expected impact on neighbouring properties and roads;
- A statement of any proposed measures to mitigate for the possible impact of the development (i.e. planting of trees, hedges and shrubs).

- 7.10.12 In terms of lighting associated with the construction aspect of the proposed development, this can be dealt with as part of a Construction Management Plan. This can be secured by way of condition should planning permission be granted.

7.11 Trees and landscaping

- 7.11.1 Policy NH5 of the adopted Local Plan (2019) states that development proposals will be expected to protect and retain individual trees within the development site and should include new planting where appropriate. In the emerging local plan partial review and update, policy NH5 is replaced by two new policies: Policy NH5a, which relates to trees and woodland; and Policy NH5b, which relates to tree-lined streets. Policy NH5a continues to provide a general presumption against the loss of healthy trees, but also introduces a new tree replacement standard and offsetting mechanism where replacement planting cannot be provided on site. Policy NH5b requires new streets to be tree-lined, mirroring paragraph 136 and footnote 53 of the NPPF. Having regard to paragraph 48 of the NPPF, this emerging version of the policy is afforded limited weight in the assessment of the application.

- 7.11.2 All trees and hedges present on site have been surveyed and documented in a Tree Schedule (carried out in September 2019 and updated in September 2021). No trees on site have a TPO and the site is not within a Conservation Area. Most trees are Category C, with

a few Category B trees. All information on the existing trees within and outside the application boundary are included in the updated Arboricultural Impact Assessment dated April 2024.

7.11.3 It is necessary for some trees and hedgerow to be removed for the development to take place. No veteran or high quality trees would be removed, with most trees identified for removal being Category C and 3no. Category B. Mitigation and replacement planting would be provided throughout the development. The table below shows the proposed tree removal:

| Category B | Category C |
|-----------------|--------------------------|
| T1 False Acacia | T3 Sycamore |
| T18 Scots Pine | T7 & T30 Ash |
| T22 Hornbeam | T8 Rowan |
| | T12 Beech |
| | T21 & T24 Field Maple |
| | T23 Hornbeam |
| | T31 Leyland Cypress |
| | T32 & T33 Lawson Cypress |
| | G1+Δ |
| | G5 Damson & Plum |
| | G6+ |
| | G7+Δ |
| | H1+Δ |
| | H2+Δ |
| | H3+ |
| | H5+Δ |

+ Denotes mixed species assemblage of three or more species – refer to Appendix B
 Δ Denotes partial clearance of tree group or hedge

7.11.4 The comments of the Council’s Arboriculture and Conservation Manager are noted, namely:

- Group of trees G1 should be trimmed back appropriately to reduce encroachment onto the nearest proposed property. This work should be carried out before the commencement of the construction work.
- Some of the proposed tree planting is too close to the parking bays and likely to cause excessive encroachment in the near future.
- With regards the choice of tree planting near the parking bays, in my view, species like Prunus Padus, Prunus Avium and Sorbus Aucuparia should be avoided.

7.11.5 It is considered these can be dealt with by appropriately worded planning conditions, seeking pruning prior to commencement and the submission of a final planting schedule. A full and updated landscape design, planting schedules and a management and maintenance plan are provided for the revised proposals and included in the updated submission. The design retains the same principle as the approved design, including 79 replacement urban trees, and 12 further trees incorporated within hedgerows to create a ‘high’ distinctiveness hedgerow habitat. The landscaping plans also depict the creation of tree lined streets as part of the overall landscaping strategy in accordance with national policy.

7.11.6 Given the comments received from the Council’s Green Spaces Development officer and Arboriculture and Conservation Manager around the proposed planting schedule and landscaping strategy, it is recommended that a condition be imposed requiring final details of a hard and soft landscaping scheme be submitted. This is to ensure that suitable tree and shrub planting are provided to not only compensate for the trees removed, but to also enhance the site’s overall biodiversity and the development’s visual appearance in context with the street scene. It is also recommended a condition is imposed requiring details of a landscaping management plan be submitted. This would ensure that the landscaping strategy is maintained during the lifetime of development.

7.12 Biodiversity, Ecology and Protected species

- 7.12.1 The Environment Act received royal assent in 2021. Within the legislation is the requirement for proposals to bring about a positive net gain in biodiversity. The regulations which make a 10% net gain a statutory requirement (with a standard condition) had not come into effect at the time the application was submitted. 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.
- 7.12.2 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.
- 7.12.3 The application site is identified as previously developed land and currently comprises amenity grassland, trees, areas of hardstanding and buildings. Notwithstanding Fairlands Valley Park, the wider environment is generally urban in nature. The amended application is accompanied by a Preliminary Ecological Appraisal dated May 2024, a Biodiversity Net Gain Assessment dated June 2024 and a Bat Survey to assess the potential for the site and adjoining habitats to have species that receive legal protection at either UK and/or European level. The survey comprised a desk top study from Hertfordshire Biological Records Centre and from the multi-agency Geographical Information for the Countryside (MAGIC). A field survey was also undertaken.
- 7.12.4 The Preliminary Ecological Appraisal identified that the development would have no adverse impact on habitats of principal importance, however, the report makes a series of recommendations as to how the impact on existing habitats and species should be mitigated. In terms of species, the surveys identified that protected and priority species present or potentially present include opportunities for foraging and commuting bats within the site. A bat roost was identified within the eaves of No.228-230 Bedwell Crescent, however all buildings were identified to have low or negligible potential to support roosting bats overall. A bat survey was recommended for the scout building and concrete shed. Opportunities were identified for nesting birds within the hedges and trees and suitable foraging and resting habitat for hedgehogs and common toad.
- 7.12.5 The bat survey of the scout building and concrete shed was undertaken on 5 June 2023, where no bat roosts were identified. Three common species of bat were recorded actively foraging and commuting in and around the site. The report recommends a sensitive lighting scheme should be implemented to avoid disturbance of foraging and commuting bats, together with the installation of two bat boxes within the site both of which would be secured by planning condition should planning permission be granted. A condition would also be imposed at the recommendation of Herts and Middlesex Wildlife Trust requiring a bat licence issued by Natural England pursuant to Regulation 53 of The Conservation of Habitats and Species Regulations 2017 (as amended) be submitted to the Planning Authority prior to demolition of No.228-230 Bedwell Crescent authorising the specified activity/development.
- 7.12.6 The latest ecological appraisal (May 2024) recommends an updated Preliminary Roost Assessment of buildings on site is carried out, along with any subsequent nocturnal surveys or licensing work as necessary based on findings. It is understood these surveys are being done now. The report also recommends a pre-commencement badger survey is carried out to be completed prior to the commencement of any works (including vegetation clearance) to confirm badgers remain absent from the site. It is recommended that this is completed no longer than three months prior to commencement.

- 7.12.7 With regards to biodiversity net gain, the proposal would result in the loss of habitats which are relatively common and widespread but have an intrinsic value to wildlife and biodiversity along with the loss of priority habitat in the form of hedgerow. The landscaping for the site would include significant tree planting comprising 79 individual urban trees, and 12 further trees incorporated within hedgerows to create a 'high' distinctiveness hedgerow habitat, in medium condition. Small areas of species rich native hedgerow and less diverse native hedgerow would also be created throughout the site and would contribute to the gain in hedgerow habitats. Other neutral grassland areas would be incorporated throughout the soft landscaping. This would result in a net gain of 14.84% habitat units and 10.79% hedgerow units. It is considered that the proposed landscaping in combination with proposed non-metric enhancements would result in an overall gain in biodiversity of benefit to local wildlife.
- 7.12.8 Following consultation with Herts and Middlesex Wildlife Trust, they advise that the details and recommendations set out in the Preliminary Ecological Appraisal, Biodiversity Net Gain Assessment and Bat Survey are acceptable. The biodiversity net gain assessment shows that the current post development layout would achieve a net gain in habitats, hedgerow and trading rules are met. It is considered that this meets the current NPPF policy relating to biodiversity net gain and is acceptable. To ensure the ecological enhancements / mitigation is delivered as specified in the accompanying reports, it is recommended that appropriately worded conditions are imposed to any permission issued. This would ensure the development delivers the identified net gain in biodiversity.

7.13 Other Matters

Sustainable construction and climate change

- 7.13.1 Policy FP1 of the adopted Local Plan (2019) stipulates that planning permission will be granted for development that can incorporate measures to address adaptation to climate change. New developments will be encouraged to include measures such as:
- Ways to ensure development is resilient to likely variations in temperature
 - Reducing water consumption to no more than 110 litres per person per day, including external water use
 - Improving energy performance of buildings
 - Reducing energy consumption through efficiency measures
 - Using or producing renewable or low carbon energy from a local source; and
 - Contributing towards reducing flood risk through the use of SuDS or other appropriate measures.
- 7.13.2 The emerging local plan partial review and update contains a suite of new climate change policies (CC1 to CC8). These policies cover a much broader range of topics which are relevant to climate change and also make mandatory some of the measures that are currently only encouraged. Given that the emerging local plan is in the earliest stages of preparation, the extent of objections to the policies is as yet unclear, and their degree of consistency with the NPPF is likewise yet to be tested, emerging Policies CC1 to CC8 should only be afforded limited weight in the assessment of this application.
- 7.13.3 The Council's Design Guide SPD (2023) sets out additional requirements with respect to climate change. The guide states that all developments are required to make efforts to minimise energy usage and to incorporate methods of using renewable energy, including:-
- reducing energy demand;
 - using passive environmental systems, e.g. natural ventilation;
 - daylighting and passive solar gains;
 - using high levels of insulation and air tightness in the fabric of the building;
 - specifying energy efficient services, controls and appliances;
 - implementing water recycling and the provision of water butts;
 - using renewable energy;

- using low/zero carbon technologies to provide as much of the energy load as is technically and economically feasible, minimising use of fossil fuels; and
- using efficient fossil fuel technologies, such as Combined Heat and Power and condensing boilers.

7.13.4 The amended development proposal promotes efficient use of previously developed land, creating an economically and environmentally sustainable community. The supporting Design and Access Statement advises the overall development intends to create a place that meets the needs of the people, is visually attractive, improves the character and quality of the area, and is safe. This is unchanged within the revised scheme. Water-saving measures such as flow restrictors, aerated taps and dual flush toilets would be incorporated into the design. The relatively simple plans of the dwellings would benefit from modern methods of construction or timber frame and this would be considered as part of the design development process.

7.13.5 Where possible, materials would be from environmentally sustainable sources. All materials would be reusable or recyclable where possible to address the whole life cycle of the building. The development would use high levels of thermal insulation to reduce energy requirements, and heating appliances would be selected to have low emission levels by the requirements of Part L of the Building Regulations. Further sustainability measures are introduced throughout the scheme. These include:

- Identified location for the possible future installation of PV panels on the houses.
- Active electric charging points above the minimum required 20%,
- Houses and flats designed to be compatible with Air Source Heat Pumps in the future, should this be the preferred option for heating.
- Encouragement of sustainable travel such as walking and cycling, supported by pedestrian links across the site and abundant cycle storage.

7.13.6 Turning to sustainable construction, Hertfordshire County Council as Minerals and Waste Authority recommended the applicant submit a SWMP (Site Waste Management Plan). This is to ensure that materials used in construction are properly recycled where possible. It is recommended that if planning permission were to be granted, a condition could be imposed requiring the applicant to submit a SWMP prior to the commencement of development.

7.13.7 Given the above, and subject to conditions securing the measures identified to address adaptation to climate change, the development would be in accordance with Local Plan Policy FP1 as well as ensuring a suitable site waste management plan would be provided.

Waste and Recycling

7.13.8 Refuse collection points would be allocated throughout the site providing central spaces for the waste collection. They have been placed to allow easy access for both the residents as well as refuse vehicles. The spaces have been designed following discussions with the Waste department at the Council, based on the requirements from the Design Guide SPD (2023). Each dwelling with a private garden would store bins within their gardens and bins would be collected from the front of the house for most dwellings. For plots 8 to 11, a small collection area would be provided on the access road to enable collection within the required distance from the turning head.

7.13.9 Waste collection for Plots 50 to 57 at the south of the site would be undertaken from the front of each property, as the access road has been designed to accommodate a refuse vehicle with a turning provision via the turning head at the public car park. The vehicle would therefore be able to turn and leave in a forward gear in front of plots 50 to 57. Each Cluster Block would be provided with a separate bin store / collection area. Cluster Block B, as the largest block, would have a combined refuse and cycle storage building, located with easy access for day to day use and collection.

Crime Prevention/anti-social behaviour/security

7.13.10 The Police Crime Prevention Design Advisor considers the development would be acceptable subject to the implementation of Secure by Design measures. The applicant has sought to engage with the Crime Prevention Design Advisor during the course of the application and improvements have been made to enable them to support the scheme. Such matters would also form part of any future Building Regulations approval under Part Q. Notwithstanding this, an informative can be imposed to any decision issued to require the applicant to continue to engage with the Police Crime Prevention Advisor in regard to Designing out Crime.

Community Infrastructure Levy

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

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

7.13.12 CIL is a non-negotiable charge. The exact charge will be determined by the Council's CIL officer after an application has been granted in accordance with the CIL Charging Schedule and the Community Infrastructure Levy Regulations 2010 (as amended). Opportunities for relief or exemption from the CIL charge exist and will be taken into account in the calculation of the final CIL charge.

7.13.13 CIL replaces the need for S106 agreements to specify financial and/or land contributions for non-site-specific infrastructure projects. This allows infrastructure to be planned on a borough-wide scale rather than on a site-by-site basis as mitigation against the impacts of individual proposals. A CIL Form 1: Additional Information has been submitted along with the application. The development would be CIL liable at £100/m².

Covenants

7.13.14 A third party representation raised the issue about covenants preventing the development of the site. Restrictive covenants are not a material planning consideration and would not preclude planning permission from being granted. They would be a matter for the applicant to deal with outside of the planning application process.

Fire Safety

7.13.15 Hertfordshire Fire and Rescue have been consulted and are seeking the provision of fire hydrants to serve the development. The provision and installation of these will be secured via a planning condition should planning permission be granted.

Equality, Diversity and Human Rights

- 7.13.16 Consideration has been given to Articles 1 and 8 of the First Protocol of the European Convention on Human Rights. It is not considered that the decision would result in a violation of any person's rights under the Convention.
- 7.13.17 When considering proposals placed before Members it is important that they are fully aware of and have themselves rigorously considered the equalities implications of the decision that they are taking.
- 7.13.18 Rigorous consideration will ensure that proper appreciation of any potential impact of that decision on the Council's obligations under the Public Sector Equalities Duty. As a minimum this requires decision makers to read and carefully consider the content of any Equalities Impact Assessment (EqIA) produced by officers.
- 7.13.19 The Equalities Act 2010 requires the Council when exercising its functions to have due regard to the need to (a) eliminate discrimination, harassment, victimisation and other conduct prohibited under the Act; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and (c) foster good relations between persons who share protected characteristics under the Equality Act and persons who do not share it. The protected characteristics under the Equality Act are: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion and belief; sex and sexual orientation.
- 7.13.20 In terms of inclusive access, the scheme has been designed to be DDA (Disability Discrimination Act) compliant. The applicant has provided details to demonstrate that all the units would meet Accessible and Adaptable Housing Standards. The scheme also seeks to deliver the necessary disabled parking provision in accordance with the Council's adopted Parking Standards SPD (2020). The bays would meet the relevant size standards and would be located in an appropriate location in close to the entrance of the apartment building.

8. CONCLUSIONS

- 8.1 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.
- 8.2 The proposed development would constitute development on previously development land and would provide a net increase of 53 dwellings on the site, which would make a positive contribution towards meeting the Council's housing targets. The provision of good quality housing on previously developed land carries significant weight in favour of the proposal. Whilst the proposal is contrary to the Government's policy on First Homes, which requires that 25% of affordable housing be provided as First Homes, affordable housing for the proposed scheme (14 units) would be provided as a payment in lieu.
- 8.3 Further, the principle of residential development of the northern half of the site has been established through the Local Plan allocation HO1(15) and the development of the remainder

of the site for windfall housing complies with the requirements of Local Plan policy HO5. The area of Principle Open Space comprising the public car park would remain undeveloped. The scouts and sea cadets would therefore be relocated to an appropriate alternative location as allowed under criterion (a) of Local Plan Policy HC4, which seeks to protect existing community uses. It is concluded the aims of this policy have been met to enable the site to be redeveloped as proposed.

- 8.4 The proposal would also confer the typical array of benefits associated with development in terms of employment and other economic activity. Given the scale of the development, these benefits are also attributed moderate weight.
- 8.5 The scheme would, subject to conditions, not have a detrimental impact on the character and appearance of the area and it would not harm the amenities of neighbouring residential properties. Furthermore, the scheme would have acceptable living standards, would have sufficient off-street parking and would not prejudice highway safety. In terms of drainage, it is considered that appropriately worded conditions can be imposed to ensure an acceptable drainage strategy can be delivered on-site once the drainage strategy has been agreed. The development would not have a detrimental impact on the environment and a suitable landscaping strategy can be delivered to compensate for the loss of the existing trees and hedgerow. In addition, the scheme would deliver biodiversity net gain and would be adaptable to climate change. The scheme would also comprise sufficient general waste and recycle storage.
- 8.6 When considered in their entirety, the benefits of the proposal would clearly outweigh the limited adverse impacts relating to the policy conflicts identified. Accordingly, the proposal is considered to accord with the development plan when read as a whole.
- 8.7 The NPPF is a material consideration, especially in light of the application of the tilted balance. However, the adverse impacts of granting permission would not significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF as a whole. To the contrary, the adverse impacts would be clearly outweighed by the benefits, as set out above. In the absence of any other material considerations which indicate that permission should be refused, it is recommended that planning permission be granted.

9. RECOMMENDATIONS

- 9.1 That planning permission be GRANTED subject to the applicant having first entered into a S106 legal agreement to secure/provide contributions towards:-
- S278 Agreement (covering the junction alterations and public realm works on highway verge land adopted by HCC Highway Authority)
 - £1,898,523.90 towards off site affordable housing (14 units)
 - Local apprenticeships and construction jobs
 - Management Company to manage areas of unadopted open space, highways and SuDS
 - £15,000 towards delivering green space improvements in Fairlands Valley Park
 - S106 monitoring fee
- 9.2 The detail of which would be delegated to the Assistant Director of Planning and Regulation in liaison with the Council's appointed solicitor, as well as the imposition of suitable safeguarding conditions.

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

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

18068SU1.01; 18068SU1.02; 18068SU1.03; 18068SU1.04; 18068SU1.05; 18068SU1.06; 18068SU1.101; K61-BRP-00-00-DR-A-0102-P08; K61-BRP-00-00-DR-A-0107-P05; K61-BRP-00-00-DR-A-0108-P03; K61-BRP-00-00-DR-A-0210-P02; K61-BRP-00-00-DR-A-0211-P02; K61-BRP-00-00-DR-A-0212-P02; K61-BRP-00-00-DR-A-0213-P02; K61-BRP-00-00-DR-A-0214-P02; K61-BRP-00-00-DR-A-0215-P02; K61-BRP-00-00-DR-A-0216-P02; K61-BRP-00-00-DR-A-0217-P02; K61-BRP-00-00-DR-A-0300-P03; K61-BRP-00-00-DR-A-0301-P03; K61-BRP-00-00-DR-A-0302-P03; K61-BRP-00-00-DR-A-0303-P03; K61-BRP-00-00-DR-A-0304-P03; K61-BRP-00-00-DR-A-0305-P03; K61-BRP-00-00-DR-A-0306-P03; K61-BRP-00-00-DR-A-0307-P03; K61-BRP-00-00-DR-A-0308-P03; 6529.011-F; SHF.1732.005.ENZ.XX.01.DR.L.45.101-PL01; SHF.1732.005.ENZ.XX.01.DR.L.45.102-PL02; SHF.1732.005.ENZ.XX.01.DR.L.45.103-PL02; SHF.1732.005.ENZ.XX.01.L.SC.45.101-PL02.

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

2 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON:- To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

3 No site clearance or construction work relating to this permission shall be carried out except between the hours of 0730 and 1800 on Mondays to Fridays and between the hours of 0800 and 1300 on Saturdays, unless otherwise agreed in writing by the Local Planning Authority. These times apply to work which is audible at the site boundary.

REASON:- To safeguard the amenities of the occupiers of neighbouring properties.

4 Notwithstanding the details set out in the application submission, no development shall take place above slab level until details of a hard and soft landscaping strategy and boundary treatment shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the following:

1. Details of all new planting to take place including species, size, quantity, location and method of planting;
2. Details of all boundary treatments including type, size, positions, heights and materials;
3. Details of any street furniture;
4. Details of tree pit designs and root protection measures (if required);
5. Details of all hardsurfacing areas to include type, size and materials.
6. A programme of implementation of hard and soft landscaping

Thereafter, all hard surfacing and all planting, seeding and turfing comprised in the approved details shall be carried out in accordance with the agreed programme.

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

5 Any trees or plants comprised within the approved plans or subsequently approved landscaping scheme, 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.

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

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

7 Prior to development above slab level of Plot 57, the group of trees labelled G1 in the Tree Protection Plan ref. 12106 TPP 01 within the Arboricultural Impact Assessment by Aspect Arboriculture dated April 2024 shall be trimmed back appropriately to reduce encroachment onto Plot 57.

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

8 Development shall not commence until a biodiversity net gain management plan (BNGMP) has been submitted to, and approved in writing by, the local planning authority. The content of the BNGMP shall ensure the delivery of the agreed number of habitat units as a minimum to achieve a net gain in biodiversity and include the following.

- a) Description and evaluation of habitat parcels to be managed, cross referenced to individual lines in the metric.
- b) Maps of all habitat parcels, cross referenced to corresponding lines in the metric.
- c) Appropriate management options for achieving target condition for habitats as described in the approved metric.
- d) Preparation of an annual work schedule for each habitat parcel (to be applied as a 30-year work plan capable of being rolled forward in perpetuity).
- e) Details of the body or organisation responsible for implementation of the plan.
- f) Details of species selected to achieve target habitat conditions as identified in approved metric, definitively stated and marked on plans.
- g) Ongoing monitoring plan and remedial measures to ensure habitat condition targets are met.
- h) Reporting plan and schedule for informing LPA of condition of habitat parcels for 30 years.

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

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

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

REASON:- To ensure measurable biodiversity net gain in accordance with the Council's Biodiversity SPD and NPPF.

- 9 No development above slab level shall be carried out until details of 15 integrated swift boxes and 4 integrated bat boxes have been submitted and approved by the LPA. These devices shall be fully installed prior to occupation and retained as such thereafter.
REASON:- To conserve and enhance biodiversity.
- 10 No demolition of the site of the bat roost identified in the approved survey shall commence unless the local planning authority has been provided with a copy of the licence issued by Natural England pursuant to Regulation 53 of The Conservation of Habitats and Species Regulations 2017 (as amended) authorising the specified activity/development to go ahead. Development shall then proceed in accordance with that licence and in accordance with the approved ecological report. All mitigation and compensation measures shall be fully installed before occupation and retained as such thereafter.
REASON:- To ensure compliance with the Conservation of Habitats and Species Regulations 2017 (as amended) and to ensure biodiversity is conserved and enhanced in accordance with NPPF.
- 11 The recommended ecological and nature conservation enhancements set out within the Preliminary Ecological Appraisal by Tetra Tech Limited ref. 784-B066592 shall be implemented and permanently maintained in accordance with the approved details.
REASON:- To conserve and enhance biodiversity.
- 12 Prior to the first occupation of any dwellings hereby permitted (except on plots 1-3) the vehicular access shall be completed and thereafter retained as shown on drawing number K61-BRP-00-00-DR-A-0102-P08 in accordance with details/specifications to be submitted to and approved in writing by the Local Planning Authority in consultation with the highway authority. Prior to use appropriate arrangements shall be made for surface water 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 (adopted 2018).
- 13 Visibility splays measuring 2.4 x 43m metres shall be provided to each side of the access where it meets the highway and kept free at all times from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway.
REASON:- To ensure that the level of visibility for pedestrians, cyclists and vehicles is satisfactory in the interests of highway safety in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).
- 14 Prior to the first occupation of the development hereby permitted the proposed access arrangements/and an on-site car turning area shall be implemented in accordance with the approved drawing number K61-BRP-00-00-DR-A-0102-P08 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 (adopted 2018).
- 15 Prior to the first occupation of each dwelling, an active (ready to use) EV charging point shall be provided which shall thereafter be permanently retained.
REASON:- To ensure construction of a satisfactory development and to promote sustainable development in accordance with Policies 5, 19 and 20 of Hertfordshire's Local Transport Plan (adopted 2018).
- 16 Prior to development above slab level, a scheme for (short and long stay) the parking of cycles including details of the design, level and siting 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 and thereafter retained for this purpose.

REASON:- To ensure the provision of 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 (adopted 2018).

- 17 No development shall commence, excluding demolition within the site, until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the construction of the development shall only be carried out in accordance with the approved Plan: The Construction Management Plan / Statement shall include details of:
- a. Construction vehicle numbers, type, routing
 - b. Access arrangements to the site;
 - c. Traffic management requirements
 - d. Construction and storage compounds (including areas designated for car parking, loading /unloading and turning areas);
 - e. Siting and details of wheel washing facilities;
 - f. Cleaning of site entrances, site tracks and the adjacent public highway;
 - g. Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times;
 - h. Provision of sufficient on-site parking prior to commencement of construction activities;
 - i. Post construction restoration/reinstatement of the working areas and temporary access to the public highway;
 - j. where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements
 - k. Phasing Plan.

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 (adopted 2018).

- 18 Following the removal of all subbase from the existing pavement construction and completion of site preparation works and prior to the commencement of construction works testing of Boreholes WS101 and WS105, referenced in the Geo-Environmental Report ref. CRM.757.001.GE.R.001.A, shall be carried out to confirm that soil concentrations of lead and Polycyclic Aromatic Hydrocarbons at these locations do not exceed the General Acceptance Criteria values referenced in the said report, and the results from the analysis of the soil samples shall be provided to the local planning authority.

If, following the further testing of boreholes or during the course of development any unforeseen contamination is found or suspected, works shall cease and the local planning authority shall be informed immediately. The local planning authority may request the nature and extent of any contamination to be investigated in order that a suitable remediation strategy can be proposed. The development shall not continue until any required remediation as agreed in writing by the local planning authority has been undertaken, and the local planning authority has confirmed it has been undertaken to its satisfaction.

REASON:- To prevent harm to human health and pollution of the water environment in accordance with Government policy set out in the National Planning Policy Framework.

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

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

- 20 The measures to address adaptation to climate change as set out within the Design and Access Statement by BRP Architects dated May 2024 shall be implemented and permanently maintained in accordance with the approved details.

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

- 21 Prior to the commencement of the development hereby permitted, a detailed Site Waste Management Plan (SWMP) shall be submitted to and approved in writing by the Local Planning Authority. The SWMP shall detail how waste materials generated as a result of the proposed demolition and/or construction works will be disposed of, and the level and type of soil to be imported to the site as part of the development.

REASON:- In order to reduce the level of waste generated during the demolition and construction phases of development and to recycle all waste materials where possible.

- 22 Upon completion of the drainage works for the site and in accordance with the timing/phasing arrangement, a management and maintenance plan for the SuDS features and drainage network must be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

1. Provision of a complete set of as built drawings for site drainage.
2. Maintenance and operational activities.
3. Arrangements for future management, including adoption by the Highways Authority or any alternative other measures to secure the long term operation and management of the drainage scheme throughout its lifetime.

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

- 23 All areas of hedges, scrub or similar vegetation where birds may nest which are to be removed as part of the development, are to be cleared outside the bird-nesting season (March – August inclusive) or if clearance during the bird nesting season cannot be reasonably be avoided, a suitably qualified ecologist will check the areas to be removed immediately prior to clearance and advise whether nesting birds are present. If active nests are recorded, no vegetation clearance or other works that may disturb active nests shall proceed until all young have fledged the nest.

REASON:- Nesting birds are protected from disturbance under the Wildlife & Countryside Act 1981 (as amended).

- 24 A new highway directional sign for Fairlands Valley Park shall be erected adjacent to the approved vehicular access on Bedwell Crescent and the existing sign on Shephall View removed.

REASON:- To ensure all vehicular traffic is directed to the correct access.

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

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

- 26 The car parking spaces shown on drawing number K61-BRP-00-00-DR-A-0108-P03 shall be provided, marked out and hard surfaced for each dwelling ready for use prior to their occupation and shall thereafter be retained in that form and kept available for those purposes thereafter.

REASON:- To ensure that adequate parking is available within the site and to serve each dwelling upon occupation, so that there is no detriment to the safety of adjoining highways.

- 27 The communal refuse and recycling stores as shown on drawing number K61-BRP-00-00-DR-A-0102-P08 shall be provided and made ready for use for each block of Cluster Homes (plots 29 to 49) prior to occupation of any dwelling in the corresponding block and shall thereafter be retained in that form and kept available for those purposes thereafter.

REASON:- To ensure that adequate refuse and recycling facilities are available to serve the dwellings upon occupation.

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

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

Pro-active Statement

Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant at the pre-application stage and during the determination process which lead to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the National Planning Policy Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

INFORMATIVES

1 Thames Water

A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk. Application forms should be completed online via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.

2 Community Infrastructure Levy

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

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

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

3 **Building Regulations**

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

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

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

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

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

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

4 **Police Crime Prevention Design Service**

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

5 **HCC Highway Works s.278**

The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/businessanddeveloper-information/development-management/highways-developmentmanagement.aspx> or by telephoning 0300 1234047.

6 **Storage of Construction Materials**

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.

7 **HCC Construction Management Plan**

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>

11 **Biodiversity Net Gain**

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.

Based on the information available, this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply.

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 (Phase Plans).

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>

10. 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 – Parking Provision adopted October 2020, Stevenage Design Guide adopted January 2023, The Impact of Development on Biodiversity adopted March 2021, Stevenage Borough Council Developer Contributions adopted March 2021.
3. Stevenage Borough Local Plan 2011-2031 adopted 2019.
4. Hertfordshire County Council's Local Transport Plan 4 adopted May 2018.
5. Responses to consultations with statutory undertakers and other interested parties referred to in this report.
6. Central Government advice contained in the National Planning Policy Framework 2023 and Planning Policy Guidance March.