

Meeting: Planning and Development
Committee

Agenda Item:

Date: 29 October 2024

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Application No :	24/00058/FPM
Location :	Land at Redcar Drive, Stevenage
Proposal :	Demolition of existing property known as Cartref and erection of 38 no. dwellings with associated road, parking, green spaces and ancillary works.
Drawing Nos.:	14122_P200S, 14122_P201J, 14122_P202P, 14122_P203D, 14122_P204G, 14122_P210D, 14122_P211D, 14122_P212E, 14122_P213G, 14122_P214B;
Applicant :	Stevenage Borough Council
Date Valid:	30 January 2024
Recommendation :	GRANT PLANNING PERMISSION



1. SITE DESCRIPTION

- 1.1 The application site comprises the former Cartref property to the south-west, and a large area of public open space, including mature tree belt around the perimeter, on the corner of Redcar Drive and Clovelly Way. The site is bounded to the north by existing residential properties off Symonds Green Lane and Eastbourne Avenue. To the south-west is Meadway Playing Field, a large public open space with sport pitch provision and a play area. The site frontage onto Clovelly Way faces the roundabout junction and areas of landscaping/trees on the opposite side of the road around the subway and cycleway connections. To the south of Redcar Drive and the site is the Rutherford Close light industrial and office park complexes.
- 1.2 The area is generally characterised therefor by a mix of uses. The housing on Eastbourne Avenue and Clovelly Way is typical New Town terrace and semi-detached dwellings, with more individual and detached house types along Symonds Green Lane, with this area falling within the Symonds Green Conservation Area. Redcar Drive leads to Meadway and access under the A1(M) to the settlement of Fishers Green to the west of the national trunk road. The road is subject to extensive changes due to it being a protected corridor to the Land West of Stevenage allocated housing site, which has approval in principle for up to 1500 dwellings.

2. RELEVANT PLANNING HISTORY

- 2.1 12/00234/FP - Change of Use of land and buildings from residential to temporary site accommodation (offices and storage) together with community meeting room. Granted permission 25 July 2012.
- 2.2 23/00457/PADEMO - Prior approval for the demolition of one detached dwellinghouse. Prior approval required and refused on 11 July 2023.
- 2.3 23/00543/PADEMO - Prior approval for the demolition of a single dwelling house. Prior approval required and refused on 7 August 2023.
- 2.4 23/00612/PADEMO - Prior approval for the demolition of one single domestic dwelling. Prior approval required and given on 10 August 2023.

3. THE CURRENT APPLICATION

- 3.1 This application seeks planning permission for the demolition of the existing property known as Cartref and the erection of 38 dwellings with associated road, parking, green spaces and ancillary works.
- 3.2 The application comes before the committee as it is a major residential development, and the Council are also the applicant and landowner. Therefore, in line with the Council's constitution, this application is being referred to the committee for its decision.

4. PUBLIC REPRESENTATIONS

- 4.1 Following notification of the application via letters, the erection of site notices and the issuing of a press notice, public representations have been received from the following properties:
 - 12 Gilders, Sawbridgeworth;
 - Hillside Cottage, Patmore Heath, Albury;
 - 5 Southwold Close;

- 72 Eastbourne Avenue;
- 22 Bude Crescent;
- 2 Brixham Close;
- 34 Bude Crescent;
- 533 Scarborough Avenue;
- 559 Scarborough Avenue;
- 24 Scarborough Avenue;
- 160 Bude Crescent;
- 120 Yarmouth Road;
- 82 Eastbourne Avenue;

4.2 A summary of the comments received are set out below:

- Integrated swift bricks should be secured via condition;
- No pedestrian/cycle path from new estate heading south/south-east towards Woolenwick School and the train station;
- Access to the six houses off Symonds Green Lane is very narrow, and would surely be safer off Redcar Drive;
- The site, especially the corner near the roundabout is prone to flooding, hopefully the development has made provision for this;
- Concerns for security of No's 15-29 Eastbourne Avenue, perhaps the 50 year old fence to the front of these properties could be replaced?;
- The Meadway Playing Fields will suffer from the construction of the Land West of Stevenage access;
- Whilst Meadway Playing Fields are used as a sporting asset, those that would not use it for this purpose whilst games are taking place will suffer from a net loss of green space;
- A 'tip in favour' of housing provision should be the sole basis for loss of the open space;
- Increase in traffic numbers on Clovelly Way, especially during peak times. Suggest a mini roundabout be installed at the junction of Eastbourne Avenue and Clovelly Way;
- Construction traffic should not use Symonds Green Lane;
- The retention of as many trees as possible and the ancient hedgerow alongside the footpath from Symonds Green Lane is heartening to see;
- Loss of green space;
- Surely more appropriate brownfield sites in town that could be used;
- Access to the new housing is in the wrong place and will add to existing congestion;
- Loss of habitat within the green space;
- Increased noise and air pollution from more traffic;
- Amplification of road noise from loss of trees;
- Noise levels during construction will hinder ability to work from home;
- Development close to existing properties causing ground movement and damage;
- Existing properties directly overlooked my new housing next to/behind;
- Extension of Symonds Green Lane to access development will mean I can no longer park my car outside the front of my house;
- Increased traffic could cause damage to my front garden;
- Subsidence risk to my property because of works to trees;
- Impact on existing infrastructure, doctors, dentists, schools etc;
- Site overdeveloped and density should be reassessed;
- Cartref properties have already been demolished. Could they not have been refurbished and extended?;
- Symonds Green Land and Conservation Area were not designed for the level of cars using;

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

5. CONSULTATIONS

5.1 Affinity Water

Water Efficiency

- 5.1.1 Being within a water stressed area, we expect that the development includes water efficient fixtures and fittings. Measures such as rainwater harvesting and grey water recycling help the environment by reducing pressure for abstractions. They also minimise potable water use by reducing the amount of potable water used for washing, cleaning and watering gardens. This in turn reduces the carbon emissions associated with treating this water to a standard suitable for drinking and will help in our efforts to get emissions down in the borough. We currently offer a discount to the infrastructure charge for each new development where evidence of a water efficiency design to a standard of 110litres (or less) per person per day is expected. The discount value for the charging period 2023/24 is £258. For more information visit Water efficiency credits (affinitywater.co.uk).

Infrastructure connections and diversions

- 5.1.2 There are potentially water mains running through or near to part of proposed development site. If the development goes ahead as proposed, the applicant/developer will need to get in contact with our Developer Services Team to discuss asset protection or diversionary measures. This can be done through the My Developments Portal (<https://affinitywater.custhelp.com/>) or aw_developerservices@custhelp.com.
- 5.1.3 Due to its location, Affinity Water will supply drinking water to the development in the event that it is constructed. Should planning permission be granted, the applicant is also advised to contact Developer Services as soon as possible regarding supply matters due to the increased demand for water in the area resulting from this development.
- 5.1.4 To apply for a new or upgraded connection, please contact our Developer Services Team by going through their My Developments Portal (<https://affinitywater.custhelp.com/>) or aw_developerservices@custhelp.com. The Team also handle C3 and C4 requests to cost potential water mains diversions. If a water mains plan is required, this can also be obtained by emailing maps@affinitywater.co.uk. Please note that charges may apply.

5.2 Thames Water

- 5.2.1 Waste Comments - Thames Water would advise that with regard to FOUL WATER sewerage network infrastructure capacity, we would not have any objection to the above planning application, based on the information provided at pre development consultation (Gravity connection only to MH 4701), should this change we would see this as a material change and would want to be consulted.
- 5.2.2 There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. <https://www.thameswater.co.uk/developers/larger-scale-developments/planning-yourdevelopment/working-near-our-pipes>
- 5.2.3 We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991.
- 5.2.4 Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission: "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.

- 5.2.5 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 on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section. Thames Water would advise that with regard to SURFACE WATER network infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.
- 5.2.6 Water Comments With regard to water supply, this comes within the area covered by the Affinity Water Company.

5.3 Herts County Council as Lead Local Flood Authority (LLFA)

- 5.3.1 Objection received following initial consultation as no details on drainage and flooding had been provided. The details requested by the LLFA were provided in July 2024 but no further responses have been received at the time of drafting this report. 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 delegate powers being granted to the Assistant Director of Planning and Regulation to impose any conditions advised on any response provided after the meeting.
- 5.3.2 A decision will not be issued until outstanding issues raised by the LLFA have been resolved. 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.

5.4 Herts County Council Minerals and Waste Policy Team

- 5.4.1 I am writing in response to the above planning application insofar as it raises issues in connection with minerals and waste matters. Should the District Council be minded to permit this application, a number of detailed matters should be given careful consideration. Government policy seeks to ensure that all planning authorities take responsibility for waste management. This is reflected in the County Council's adopted waste Development Plan Documents (DPDs). In particular, these documents seek to promote the sustainable management of waste in the county and encourage Local Planning Authorities to have regard to the potential for minimising waste generated by development.
- 5.4.2 The National Planning Policy for Waste (October 2014) sets out the following: *'When determining planning applications for non-waste development, local planning authorities should, to the extent appropriate to their responsibilities, ensure that: the likely impact of proposed, non-waste related development on existing waste management facilities, and on sites and areas allocated for waste management, is acceptable and does not prejudice the implementation of the waste hierarchy and/or the efficient operation of such facilities; new, non-waste development makes sufficient provision for waste management and promotes good design to secure the integration of waste management facilities with the rest of the development and, in less developed areas, with the local landscape. This includes providing adequate storage facilities at residential premises, for example by ensuring that there is sufficient and discrete provision for bins, to facilitate a high quality, comprehensive and frequent household collection service; the handling of waste arising from the construction and operation of development maximises reuse/recovery opportunities, and minimises off-site disposal.'*

- 5.4.3 The policies in the adopted Waste Core Strategy and Development Management Policies DPD (2012) that relate to this proposal, and which must be considered by the Local Planning Authority in determining the application, include Policy 1: Strategy for the Provision for Waste Management Facilities (namely the penultimate paragraph of the policy) and Policy 12: Sustainable Design, Construction and Demolition. Many of the policy requirements can be met through the imposition of planning conditions. As a general point, built development should have regard to the overall infrastructure required to support it, including where appropriate a sufficient number of waste storage areas that should be integrated accordingly and facilitate the separate storage of recyclable wastes.
- 5.4.4 The supporting Planning Statement (January 2024) makes no reference to the adopted Hertfordshire Waste Core Strategy (November 2012). The authority acknowledges the applicant's recognition of waste management through section 14 of the environmental report, where emphasis is placed on reducing landfill reliance and acknowledging the duty of care regulations. Waste Policy 12: Sustainable Design, Construction and Demolition requires all relevant construction projects to be supported by a Site Waste Management Plan (SWMP).
- 5.4.5 The Waste Planning Authority would expect to see a SWMP prepared to support this application. The SWMP must be prepared and agreed in consultation with the Waste Planning Authority prior to commencement of the project. The SWMP must be implemented throughout the duration of the project, from initial site preparation works to final completion of the construction phase. By preparing a SWMP prior to commencement, early decisions can be made relating to the management of waste arisings and building supplies made from recycled and secondary materials can be sourced, to help alleviate the demand for primary materials such as virgin sand and gravel. Early planning for waste arisings will help to establish what types of containers/skips are required for the project and when County of opportunity segregation would be best implemented for various waste streams. It will also help in determining the costs of removing waste from the site.
- 5.4.6 As a minimum, the SWMP should include the following:

Project and People

Identification of the client

Identification of the Principal Contractor

Identification of the person who drafted the SWMP

Location of the site

An estimated cost of the project

Declaration that the client and contractor will comply with the requirements of Duty of care that materials will be handled efficiently and waste managed appropriately (Section 34 of Environmental Protection Act 1990 and Environmental Protection (Duty of Care) Regs 1991)

Estimating Waste

A description of the types of waste that are expected to arise on site (recorded through the use of 6-digit European Waste Catalogue codes) and an estimated quantity for each of the types (in tonnes)

Waste management actions for each waste type (i.e., will the waste be re-used or recycled (on-site or off-site?), recovered or disposed of)

Space for Later Recordings

Space for the recording of actual figures against the estimated figures

Space for the recording and identification of those responsible for removing the waste from site and details of the sites they will be taking it to

Space to record explanations for any deviations from what has been set out in the SWMP, including explanations for differences in actual waste arisings compared to the estimates

5.4.7 As a SWMP has not been produced at the planning application stage, the Waste Planning Authority request the following pre-commencement condition be attached to any approved planning application:

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

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

5.4.8 The District Council should also be aware of the nearby Waste Management Site - Council Depot, Cavendish Road - which is located less than 250m away from the development proposal. The Waste Management Site is safeguarded under Policy 5 of the adopted Waste Core Strategy and Development Management Policies document due to its important contribution to the strategic network of waste management provision in the county.

5.4.9 Adopted Policy 5: Safeguarding of Sites, states that the Waste Planning Authority will oppose development proposals which are likely to prevent or prejudice the use of land identified or safeguarded for waste management purposes unless alternative or enhanced provision is made for a facility dealing with the equivalent waste capacity or where it can be demonstrated that the need for those facilities can no longer be justified.

5.4.10 The 'Agent of Change' principle (NPPF, paragraph 193) is clear that planning decisions on new developments should ensure integration with existing business such that they do not have unreasonable restrictions placed upon them. After reviewing the application details, it is not considered that the proposal will prevent or prejudice the operations of the nearby waste management site and the Waste Planning Authority does not object to the proposal. However, the Borough Council should consider the amenity of future occupants and consider whether additional screening measures could be required along the western and southern parameters of the development to shield against potential noise coming from the site, or to provide visual screening should the waste management site be within view for any occupants.

5.4.11 The authority has no concerns regarding mineral safeguarding matters.

5.5 Herts Police Crime Prevention Design Service

5.5.1 Thank you for notifying me of this amendment. As I stated previously the Police fully support this applicant as it will be seeking accreditation to the Police preferred minimum security standard that is Secured by Design. I have no concerns with the amended plans.

5.6 Herts County Council as Highways Authority (HA)

21st February 2024:

5.6.1 Refusal: There is insufficient information supplied with this application to enable the Highway Authority to reach a recommendation. In the absence of the necessary information, the Highway Authority recommends refusal due to doubt over possible implications for highway safety, sustainability, and convenience. The proposed development as indicated on the Site Plan (Ref-14122-P200-J) will not be acceptable. Objection for the following reasons

5.6.2 The application has failed to demonstrate how the proposed development will comply with the policies contained in the current the Local Transport Plan (LTP4) and National Planning Policy Framework (NPPF, Dec-2023).

- 5.6.3 The development does not offer appropriate provisions for pedestrians and cyclists to travel conveniently and safely between the site and key facilities and amenities (closest bus Stops, Primary School, Local Shops (Co-op), GPs, Community Centre, High Street Shops. In particular, vulnerable users, such as those in wheelchairs, those with disabilities, children, etc, will have to navigate roads with no safe and secure crossing onto Clovelly Way to the local shops. Also, there are no exiting footways or cycleways to west of the site towards existing bus stops onto Clovelly Way. As such the proposal overall does not comply with HCC's Local Transport Plan 4 policies 1 and 5, and the NPPF paragraphs 114-116
- 5.6.4 It fails to provide stage1 RSA for the proposed access points.
- 5.6.5 Inadequate information in the submitted Travel Plan (TP)
- 5.6.6 No Swept Path Analysis is provided for suitable size of Refuse vehicles.
- 5.6.7 No Transport Statement (TS) is submitted to demonstrate the issues relating to the site of the proposed development, covering both existing conditions and details of the proposed development.
- 5.6.8 Overall, no measures are proposed to improve the above, and the application is therefore contrary to - Paragraph 114 of the NPPF which states that a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location, b) safe and suitable access to the site can be achieved for all users.
- 5.6.9 Paragraph 116 of NPPF which states that " 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;
- 5.6.10 The LTP4 Policy 1 which states that: the county council will in the design of any scheme and development of any transport strategy consider in the following order: opportunities to reduce travel demand and the need to travel, vulnerable road user needs (such as pedestrians and cyclists), passenger transport user needs, powered two-wheeler (mopeds and motorbikes) user needs and other motor vehicle user needs,
- 5.6.11 Policy 5 which states: The county council will to work with development promoters and the district and borough councils to: a) Ensure the location and design of proposals reflect the LTP4 Transport User Hierarchy and encourage movement by sustainable transport modes and reduced travel demand. b) Ensure access arrangements are safe, suitable for all people, built to an adequate standard and adhere to the county council's Highway Design Standards,
- 5.6.12 Policy 7 which states that: The county council will seek to encourage and promote walking by:
a) Implementing measures to increase the priority of pedestrians relative to motor vehicles and
- Policy 8 which states: The county council aims to deliver a step change in cycling, through: b) Implementing measures to increase the priority of cyclists relative to motor vehicles. e) Facilitating provision of secure cycle parking.

12th September 2024:

- 5.6.13 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

relating to detailed technical plans for new footways and tactile crossings, vehicular access arrangements, visibility splays, construction traffic management plan, and, parking and service area. We also request s.106 contributions in line with our June 2021 toolkit for Travel Plan monitoring fee of £6,000 and sustainable transport contribution of 75 non-car trips x £2,133 resulting in a contribution of £159,975.00 which would go towards the “Stevenage North-South bus Corridor Package 1”.

5.7 SBC Green Spaces Officer and Arboricultural Manager

- 5.7.1 We require clarity on the proposed maintenance and management strategy for the landscaped areas, particularly any areas Stevenage Direct Services (SDS) will be responsible for maintaining.
- 5.7.2 At this stage, there is little detail regarding proposed planting and landscaping. As such, we are only able to provide generic comments. To comment fully on the landscaping proposals, the developer must submit detailed landscaping plans, drawings, planting schedules, management plans, etc. Should planning permission be granted, we request that the landscaping details be conditioned, as all landscaping must be approved by SDS and, where necessary, rectified.
- 5.7.3 All landscaped/planted areas must be designed to be easily accessible for maintenance. Attention is drawn to the ancient hedgerow on Symonds Green Lane running at the southeast boundary of the site. This feature shall be protected in full, and, where necessary, any proposed enhancements must be approved in advance by SDS and the Herts Middlesex Wildlife Trust.
- 5.7.4 The site is fairly overshadowed by trees, and we are concerned that this may result in future complaints regarding interference, leaf drop, etc, and increased requests for tree maintenance. Therefore, we request how the developer proposes to mitigate these concerns.
- 5.7.5 We need to know who will be responsible for maintaining and taking care of the proposed balancing ponds since SDS does not have the expertise and capability to do so. If permanent open water is a possibility, water safety measures such as the installation of fencing and rescue equipment will need to be considered.
- 5.7.6 BNG Requirements – The biodiversity metric calculation and report indicate a loss of habitat units due to the development proposals. Ideally, the gain should be delivered on-site, but where this is not viable, we are open to discussing possible opportunities to deliver the 10% net gain within Stevenage. However, there is an indication of a loss of high distinctiveness habitat. Further advice and support are required to understand how it might be possible to deliver the net gain in Stevenage to mitigate this loss.
- 5.7.7 We are pleased to see enhancements and access improvements are being considered to the play area in Meadway, which will benefit both the development and the surrounding community. However, the developer must discuss and agree on further details with SDS. We must ensure that the play area meets the needs of the local children. This play area is located within a principal park; significant improvements may be required to cater to age ranges from toddlers to teenagers. We must also ensure that any improvements align with the future development plans and road realignment for the West of Stevenage.
- 5.7.8 It's important to consider how pedestrians and cyclists will access and leave the development to and from Redcar Drive. We expect that residents will want to use the new cycle path to get to town/ other local services. Therefore, it's crucial to anticipate their needs and provide proper consideration for surfacing desired routes.
- 5.7.9 We require details on who will be responsible for the upkeep and maintenance of the proposed green roofs. SDS does not have the expertise or capacity to maintain this element.

- 5.7.10 Proposed community garden—We require further clarification on how this area will be accessed and whether there is currently a community interest and desire to manage and maintain this facility for the longer term. Furthermore, the nearby trees could partly overshadow the area, and it is unclear how suitable this area will be for developing a community garden.
- 5.7.11 We also have some concerns regarding the amount of planting around parking bays. Consideration must be given to door swing offsets, visibility, planting protection from vehicle damage, desire lines, and access to maintenance when spaces are occupied. Ideally, planting around parking spaces will be reduced in favour of hard landscaping.
- 5.7.12 Any small or narrow areas of planting will likely struggle to establish. These areas shall be removed from the design and hard landscaped.
- 5.7.13 A minimum establishment defect period of 12 months is required for all planting. During this period, the developer will ensure an appropriate maintenance regime is in place to ensure the optimal planting establishment and carry out any repairs, replacements, etc..
- 5.7.14 The current size of hedgerow G3 is likely to be causing a great amount of inconvenience to properties 5 and 6 but also 9-18. In an attempt to mitigate this, the developer should be looking at, not just lifting the crowns to 4 metres, as suggested but also a substantial 50% reduction or more, of the hedgerow.
- 5.7.15 My other concern is how will the 3X the amount of trees proposed to be removed, be planted and where.

5.8 UK Power Networks

- 5.8.1 Please note there are 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.

5.9 SBC Environmental Health

5.9.1 Dwellings subject to traffic and other noise:

Considering the amended Noise Impact Assessment, the council accepts the report and has no objection to the application in this respect. However, we note the contents of paragraph 6.7 of the report and would expect a further amended submission for consideration if the design or dimensions of elements subsequently change before/during construction or if errors of scaling are discovered.

5.9.2 Contaminated Land:

If during the course of development or change of use any contamination is found or suspected, or if asbestos is discovered in the existing garage roofing materials, 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.

5.9.3 Disposal of Waste from the works:

If any building or alteration works are carried out, no waste materials generated as a result of the proposed demolition and/or construction operations shall be burned on site. All such refuse shall be disposed of by alternative methods.

5.9.4 Dust Emissions:

If any building or alteration works are carried out, any dust emissions shall be controlled so as to prevent nuisance to the occupiers of neighbouring premises.

5.9.5 Construction Noise:

No demolition alteration or construction works relating to this permission shall be carried out on any Sunday or Bank Holiday, nor before 07.30 hours or after 18.00 hours on any weekdays, nor on any Saturday before 08.00 hours or after 13.00 hours. These times apply to work which is audible at the site boundary. These restrictions also apply to deliveries arriving at and leaving the site.

Any installation of air-conditioning units, new extract units of the like shall be subject to an appropriate noise assessment to protect the amenity of neighbours.

5.9.6 Lighting:

No external lighting shall be installed on site unless details of such lighting, including the intensity of illumination and predicted light contours, have first been submitted to, and approved in writing the Local Planning Authority prior to occupation. Any external lighting shall accord with the details so approved.

5.9.7 In respect of noise and nuisance it is recommended the following conditions are attached if the Council is minded to grant planning permission. To mitigate the impact of environmental noise including from road/rail traffic on the development, the development design shall comply with:

1. The design of windows and ventilators to each dwelling shall achieve an acoustic performance which shall ensure that, when windows are closed and ventilators are open, noise levels do not exceed:
 - i. 35 decibels (dB) (*LAeq*,16h) during the daytime (07:00 – 23:00) within bedrooms and living rooms.
 - ii. 30 dB (*LAeq*, 8h) during the night (23:00 – 07:00) within bedrooms
 - iii. 40 dB (*LAeq*,16h) during the daytime (07:00 – 23:00) within dining rooms
 - iv. 45 dB (*LAFmax*) on more than ten occasions during any typical night (23:00 – 07:00) within bedrooms
2. The ventilation system for each dwelling shall incorporate continuous mechanical supply and extract with heat recovery conforming to the current edition of Approved Document F to the Building Regulations and designed so as to ensure that the ventilation system itself does not produce unacceptable levels of noise within each dwelling.

5.9.8 Alternative proposals for achieving compliance with the indoor noise limits set out above at paragraph 1 may be accepted by the Local Authority where it can be demonstrated to the satisfaction of the Local Authority that these limits will not be exceeded and that the proposed ventilation system for each dwelling will be satisfactory.

5.10 NHS Hertfordshire and West Essex

5.10.1 The HWE ICB has assessed the impact of the proposed development on existing primary health care provision in the vicinity of the development. This proposed development would deliver 38 dwellings, which based on an average occupancy of 2.4 occupants per dwelling will create circa 91.2 new patient registrations.

- 5.10.2 Within the HWE ICB there are 34 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 North PCN, under which this development directly falls, has a combined patient registration list of 56,525 which is growing.
- 5.10.3 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.
- 5.10.4 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.
- 5.10.5 **Healthcare Needs Arising from the Proposed Development** - This development will have an impact on primary health care provision in the area, and its implications, if unmitigated, would be unsustainable for the NHS. The financial contribution for health infrastructure that the HWE ICB is seeking, to mitigate the primary health care impacts from this development, has been calculated using a formula based on the number of units proposed and does not take into account any existing deficiencies or shortfalls in Stevenage and its vicinity, or any other development proposals in the area.
- 5.10.6 **Cost calculation of additional primary healthcare services arising from the development proposal** $91.2 \text{ new patient registrations}/2000 = 0.0456$ 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"
- $0.0456 \times 199 \text{ m}^2 = 9.0744 \text{ m}^2$ of additional space required
- $9.0744 \text{ m}^2 \times \text{£}5,410^* \text{ per m}^2 = \text{£}49,092.504$ (*Build cost; includes fit out and fees)
- $\text{£}49,092.504 / 38 \text{ dwellings} = \text{£}1,291.908$ per dwelling (rounded up to £1,292 per dwelling)
- Total GMS monies requested: 38 dwellings x £1,292.00 = £49,096.00**
- 5.10.7 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 10th Dwelling is requested. Please note, the developer contribution figures referred to in this response is a calculation only and that the final payment will be based on the actual dwelling unit mix and the inclusion of indexation.
- 5.10.8 If planning permission is granted, the HWE ICB propose to focus Section 106 monies on the Symonds Green Health Centre and/or the Stanmore Group of GP practices and/or King George Surgery. The ICB are already in discussion with the practices and are exploring an increase in capacity by way of re-configuring, extending or relocating the GP premises to provide sufficient space to increase resources and clinical services and thus keep the patient lists open.

5.10.9 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:

38 dwellings x £201.75 = £7,667.00

Community Healthcare costs:

38 dwellings x £182.03 = £6,917.00.

5.10.10 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. 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.

5.10.11 In terms of identifying a project in full at this stage for the Symonds Green Health Centre and/or the Stanmore Group of GP practices and/or King George Surgery, 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.

5.10.12 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.

5.10.13 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.

5.11 Herts Fire and Rescue

5.11.1 We'd like to request a condition for the provision and installation of fire hydrants, at no cost to the county council, or Fire and Rescue service. This is to ensure there are adequate water supplies available for use in the event of an emergency.

5.12 HCC Growth and Infrastructure Unit

5.12.1 I am writing in respect of planning obligations sought towards non-transport services to minimise the impact of development on Hertfordshire County Council Services for the local community. Based on the information to date for the development of 38 dwellings we would seek financial contributions towards the following projects:

HOUSES			FLATS		
Number of Bedrooms	A) Open Market & Shared Ownership	B) Affordable Rent	Number of Bedrooms	A) Open Market & Shared Ownership	B) Affordable Rent
1			1		6
2			2		6
3	15		3		
4+	11		4+		
Total	26		Total		12

Trajectory						
Year	2024	2025	2026	2027	2028	2029
Units	0	12	12	14		

PLEASE NOTE; If the tenure or mix of dwellings changes, please notify us immediately as this may alter the contributions sought

5.12.2 **Secondary Education Contribution** towards new secondary education provision at the former Barnwell East site/ land at Redwing Close and/or provision serving the development £359,662 index linked to BCIS 1Q2022)

5.12.3 **Monitoring Fees** – HCC will charge monitoring fees. These will be based on the number of triggers within each legal agreement with each distinct trigger point attracting a charge of £340 (adjusted for inflation against RPI July 2021). For further information on monitoring fees please see section 5.5 of the Guide to Developer Infrastructure Contributions.

5.12.4 HCC reserve the right to seek Community Infrastructure Levy contributions towards the provision of infrastructure through the appropriate channels. The CIL Regulations discourage the use of formulae to calculate contributions however, the County Council is not able to adopt a CIL charge itself. Accordingly, in areas where a CIL charge has not been introduced to date, planning obligations in their restricted form are the only route to address the impact of a development. In instances where a development is not large enough to require on site provision but is large enough to generate an impact on a particular service, an evidenced mechanism is needed to form the basis of any planning obligation sought. HCC views the calculations and figures set out within the Guide to Developer Infrastructure Contributions as an appropriate methodology for the obligations sought in this instance.

5.12.5 The county council methodology provides the certainty of identified contribution figures based on either a known or estimated dwelling mix, the latter of which might be agreed with the local planning authority based on expected types and tenures set out as part of the local plan evidence base. This ensures the contributions are appropriate to the development and thereby meet the third test of Regulation 122 of the Community Infrastructure Levy Regulations 2010 (amended 2019): “fairly and reasonably relates in scale and kind to the development”.

5.12.6 Please note that current service information for the local area may change over time and projects to improve capacity may evolve. This may potentially mean a contribution towards other services could be required at the time any application is received in respect of this site.

5.12.7 Justification - The above figures have been calculated using the amounts and approach set out within the Guide to Developer Infrastructure Contributions Hertfordshire County Council's requirements) document, which was approved by Hertfordshire County Council's Cabinet 12 July 2021. In respect of Regulation 122 of the CIL Regulations 2010 (amended 2019), the planning obligations sought from this proposal are:

(i) Necessary to make the development acceptable in planning terms. Recognition that contributions should be made to mitigate the impact of development are set out in planning related policy documents. The NPPF states "Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations." Conditions cannot be used cover the payment of financial contributions to mitigate the impact of a development The NPPG states "No payment of money or other consideration can be positively required when granting planning permission." The development plan background supports the provision of planning contributions. The provision of community facilities is a matter that is relevant to planning. The contributions sought will ensure that additional needs brought on by the development are met.

(ii) Directly related to the development. The occupiers of new residential developments will have an additional impact upon local services. The financial contributions sought towards the above services are based on the size, type and tenure of the individual dwellings comprising this development following consultation with the Service providers and will only be used towards services and facilities serving the locality of the proposed development and therefore, for the benefit of the development's occupants.

(iii) Fairly and reasonably related in scale and kind to the development. The above financial contributions have been calculated according to the size, type and tenure of each individual dwelling comprising the proposed development (based on the person yield).

5.13 Planning Policy

5.13.1 No comments received.

5.14 BEAMS

5.14.1 These comments relate to any potential impact upon the setting of the Symonds Green Conservation Area (a designated heritage asset) which lies to the north of the site. No listed buildings locally will be adversely impacted under the proposals.

5.14.2 The Symonds Green Conservation Area was designated in 1977 and Symonds Green was, prior to the construction of Stevenage New Town, a small hamlet dating to the circa 11th century. A road from Old Stevenage to Titmore Green is shown on historic maps running through Symonds Green; this road is now Symonds Green Lane which runs through the Conservation Area and which continues as a tree-lined footpath at the south end of the Conservation Area running south towards Meadway.

5.14.3 The southern boundary of the Conservation Area follows the line of a short, unmade access track leading east from Symonds Green Lane, there are trees / shrubs to the boundary, and it forms a good natural boundary to the Conservation Area.

5.14.4 The application proposes the redevelopment of a plot including the property 'Cartref' and an area of open space to the north of Redcar Drive and west of Clovelly Way. Part of the application site, comprising six 2-storey dwellings of traditional design, will be accessed from Symonds Green Lane and the lane itself that continues as a footpath to the south towards Meadway will remain as existing - this is welcomed.

5.14.5 The tree line which provides a natural boundary to the south end of the Conservation Area will be largely retained. The western part of the development will be perceived from the

Conservation Area, in views down the new access road being created from Symonds Green Lane, this will have a slightly more suburban character but will not be unduly harmful to the setting of the Conservation Area and its significance will be preserved. No objection.

5.15 SBC Waste Storage

5.15.1 No comments received.

5.16 East of England Ambulance

5.16.1 No comments received.

5.17 Herts and Middlesex Wildlife Trust and BATS

5.17.1 No comments received.

5.18 Sport England

5.18.1 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) and, 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.

5.18.2 General guidance and advice can however be found on our website: https://www.sportengland.org/how-we-can-help/facilities-and-planning/planning-for-sport#planning_applications.

5.18.3 If the proposal involves the **loss of any sports facility**, then full consideration should be given to whether the proposal meets Par. 103 of National Planning Policy Framework (NPPF) is in accordance with local policies to protect social infrastructure and meets any approved Playing Pitch Strategy or Built Sports Facility Strategy that the local authority has in place.

5.18.4 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/>.

5.18.5 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.

5.18.6 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.

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 In order for a Local Plan to be effective, they need to be kept up-up-date. The NPPF states policies in local plans should be reviewed to assess whether they need updating at least once every 5 years. This is reflected under Regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) which sets out local planning authorities must review local plans every 5 years from their adoption to ensure that policies remain relevant and effectively address the needs of the local community.

6.2.4 The Stevenage Borough Local Plan (2011 – 2031) was formally adopted by the Council on the 22nd May 2019. As of the 22nd 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.

- 6.2.5 The Council is undertaking a review of the Local Plan and is undertaking a Regulation 18 consultation. Following this consultation period, the Council will seek to amend the Local Plan and then undertake a Regulation 19 consultation in the Winter of 2024. This will be where a further opportunity for representations can be made on the amendments to the Local Plan before it is submitted for examination to a planning inspector. The Council intends to submit the Local Plan for Examination in Public (EiP) in early 2025 with the aim to adopt an updated Local Plan by June 2025. As the updated Local Plan progresses through the relevant stages outlined above, more weight can be applied to the respective policies until its formal adoption by the Council.
- 6.2.6 Since November 2018, housing delivery has been measured against the Housing Delivery Test (HDT) as set out by the Government planning policy and guidance. The results of the HDT dictate whether a local planning authority should be subject to consequences to help increase their housing delivery. Where an authority's HDT score is less than 95%, the authority should prepare an action plan to assess the causes of under delivery and identify actions to increase delivery in future years. Where an authority's HDT score is less than 85% of its housing requirement, the Council must incorporate a 20% buffer into its housing supply calculations in line with paragraph 79 of the NPPF. This will be in addition to the preparation of an Action Plan. Where an authority's score is below 75%, the Council will be subject to the HDT's most severe penalty and must apply the presumption in favour of sustainable development under paragraph 11d) of the NPPF. The latest HDT results published by the Department for Levelling Up, Housing and Communities (DLUHC) in December 2023 identifies that Stevenage delivered 57% of its housing requirement.
- 6.2.7 The Council, based on its HDT score is currently subject to the most severe penalty under paragraph 11(d) of the NPPF (2023). For reference, as this policy is now engaged, it means Local Plan policies would be classed as out-of-date. Consequently, Stevenage Borough Council must apply the presumption in favour of sustainable development in its decision making and give great weight towards the need to deliver housing. The Council must also apply a 20% buffer in its 5-year housing supply calculations, and it also has to produce an Action Plan in order to boost housing delivery.
- 6.2.8 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.
- 6.2.9 The Council has also issued a Housing Delivery Action Plan May 2024. This provides an overview of housing delivery, analysis of barriers to delivery and actions necessary to increase the delivery of housing in the future. The action points specified in the Plan will be monitored on an annual basis to ensure delivery can be increased in order to meet the Council's target of 7,600 new homes over the Local Plan period.

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 Adopted Local Plan (2019)

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

Policy SP1: Climate Change
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 SP13: The historic environment:
Policy IT2: West of Stevenage safeguarded corridors:
Policy IT4: Transport assessments and travel plans:
Policy IT5: Parking and access:
Policy IT7: New and improved links for pedestrians and cyclists:
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 HC8: Sports facilities in new developments:
Policy GD1: High quality design:
Policy FP1: Climate change:
Policy FP2: Flood risk in Flood Zone 1:
Policy FP7: Pollution:
Policy FP8: Pollution sensitive uses:
Policy NH5: Trees and woodland:
Policy NH6: General protection for open space:
Policy NH7: Open space standards:
Policy NH10: Conservation areas:

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).

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

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

Parking Provision Supplementary Planning Document October 2020
Stevenage Design Guide Supplementary Planning Document January 2023.
Developer Contributions Supplementary Planning Document (March 2021)
Impact of Biodiversity on Developments Supplementary Planning Document (March 2021)

6.8 Community Infrastructure Levy

- 6.8.1 Stevenage Borough Council adopted a Community Infrastructure Levy (“CIL”) Charging Schedule in 2020. This allows the Council to collect a levy to fund infrastructure projects based on the type, location, and floor space of a development.

7 APPRAISAL

- 7.1.1 The main issues for consideration in the determination of the application are its acceptability in land use policy terms, impact on visual amenity and the character/setting of the Conservation Area, impact on residential amenities, amenities of future occupiers, parking provision, means of access and highway safety, impact on the environment, development and flood risk, and ecology, biodiversity, and protected species.
- 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 Principle of Development

Provision of Housing

- 7.2.1 The National Planning Policy Framework (NPPF, 2023) states that significant weight should be placed on both the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.
- 7.2.2 The proposed site is undesignated in the adopted Stevenage Borough Local Plan 2011-2031 (2019) and is not allocated for residential development within the Local Plan. As such, the site is therefore regarded as a ‘windfall site’.
- 7.2.3 Policy SP7 identifies that there is a need to provide 7,600 new homes within Stevenage and allocates 1,950 new homes to be provided on windfall sites. Taking this into consideration, the proposed development would support the Council’s aim of delivering a number of homes which fall outside the designated sites.
- 7.2.4 Policy HO5 of the Local Plan (2019) (windfall sites) stipulates that proposals should not prejudice the Council’s ability to deliver residential development on allocated sites, and it does not overburden existing infrastructure. For the purpose of clarity, the definition of previously developed land, as stated within the National Planning Policy Framework (NPPF) (2023) 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 definition of previously developed land excludes private residential gardens and public open space. Policy HO5 is being reviewed as part of the Local Plan review that is currently out to public consultation. However, the existing policy as set out in the adopted Local Plan (2019) carries greater weight at this time, and as such the application will be assessed against the existing Policy HO5 rather than the emerging Policy HO5.
- 7.2.5 The application site currently comprises an area of green public open space, laid to grass with an established tree belt around the edges, and a previously developed area of land to the west of the site, formerly known as Cartref. The buildings that stood on this site have been demolished under planning application reference 23/00612/PADEMO. For the majority, the

site is not previously developed and thus is in conflict with Policy HO5, therefore a planning balance must be determined as to whether public benefits outweigh the policy conflict.

- 7.2.6 In accordance with Policy HO5, residential developments on windfall sites must have a good level of access to local facilities. The site is located close to an established bus route, with a bus stop on Clovelly Way. Woolenwick Primary School is in close proximity to the south-east and off Gunnels Wood Road. The nearest secondary school would be located in the Old Town approximately a 15–20-minute walk from the site. The site abuts a large principal open space, Meadway Playing Fields, which has sport pitch provision and a play area. To the north-east of the site Scarborough Avenue leads to a small neighbourhood centre with parade of shops/amenities, approximately a 10-minute walk away. As such, the application site is considered to have an excellent level of access to local facilities and alternative forms of travel to the private car and therefore deemed to be within a very sustainable location.
- 7.2.7 The site is located within the West of Stevenage safeguarded corridor as defined by Policy IT2 of the Local Plan, which runs along this stretch of Redcar Drive and Meadway. Both roads will be subject to extensive works as part of the Land West of Stevenage planning application (Planning reference: 21/00356/FPM), which is approved in principle but awaiting completion of the S.106 agreement. Once completed, planning permission would be issued for this development. Notwithstanding this, the redevelopment of this site would not prejudice the delivery of the neighbouring allocated site. The works to Redcar Drive shown are in accordance with the plans proposed for Land West of Stevenage and would connect with proposed pedestrian and cycle links that will form part of the large, allocated housing permission. It would also not overburden existing infrastructure, given that it would be CIL liable, and the purpose of the CIL payment is to mitigate infrastructure impacts. In these respects, the proposal accords with criteria (b), (d) and (e) of Policy HO5. The development would also be subject to s.106 financial obligations in order to mitigate the developments impact on infrastructure as well.
- 7.2.8 It is possible that the development could have a detrimental impact on neighbouring properties but if this were the case, these impacts would arise from the detailed design of the development rather than being an inevitable consequence of the use of the land for residential purposes. Surrounding land is in residential and office/commercial use and the proposed development would be consistent with this. Therefore, strictly from a land use perspective, it is considered that developing the site for housing would not have a detrimental impact on the environment or surrounding properties. The potential impacts arising from the detailed design of the development are considered later in this report.
- 7.2.9 Paragraph 60 of the NPPF (2023) states that to support the Governments objective of significantly boosting housing supply, it is important that a sufficient amount, and variety, of land comes forward where it is needed, that the needs of groups with specific housing requirements are met, and that land with permission is developed without unnecessary delay. In addition, para 60. of the NPPF states 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 types for the local community. As such, the proposed development would contribute to the aim of boosting housing supply without compromising the delivery of housing on allocated sites or placing an undue burden on local infrastructure. Further, the proposal would provide 38 dwellings, of which 12 (the flatted development) would be affordable housing, and there would be some economic benefit during the construction phase, and future occupiers would contribute to local services and facilities. Given the quantum of development, and the provision of affordable housing, it is considered that these benefits would be fairly reasonable and therefore attracts great weight in favour of the proposal.
- 7.2.10 Policy HO9 (House types and sizes) of the Local Plan (2019) states 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 Borough. 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 terraced properties, and a lack of one- and two-bedroom properties.

- 7.2.11 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 in order to meet these targets for new homes.
- 7.2.12 The provision of 11no. four bedroom dwellings, 15no. three bedroom dwellings, 6no. two bedroom flats and 6no. one bedroom flats is therefore considered to accord with Policy HO9.
- 7.2.13 Policy SP2 (Sustainable Developments) states permission will only be granted where proposals can meet a number of criteria. Included in these criteria are the following:
- (g) promote journeys by bus, train, bike and foot and reduce the need to travel;
 - (j) Support facilities and services that encourage people to live, work and spend leisure time in Stevenage;
 - (k) Produce places and spaces that enable people to live a healthy lifestyle;
- The proposal meets these criteria as mentioned previously in this response.

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 30% of new homes to be affordable on sites that are not considered previously developed. A reduced provision of 25% is acceptable in policy on previously developed sites. Given the majority of the site is green space, the higher percentage affordable housing is required. In this regard, there would be a requirement to provide 11.4 affordable units, rounded up to 12. The 12 flatted units proposed on site have been designated affordable housing.
- 7.3.2 Turning to affordable housing tenure, mix and design, Policy HO8 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 65 of the NPPF 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 will 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. The eligibility criteria for a First Home in Stevenage (in accordance with Schedule 6ZA of the Finance Act 2003) as set out in the Council’s First Homes Policy Position Statement May 2024 is as follows:

- (a) be a first time buyer;
- (b) have a combined income not exceeding £80,000 in the tax year immediately preceding the year of purchase;
- (c) have a mortgage or home purchase plan to fund a minimum of 50% of the discounted purchase price.

7.3.7 Further to the above, in recognition of the unique nature of their circumstances, members of the Armed forces, the divorced or separate spouse or civil partner of a member of the Armed Forces, the spouse of civil partner of a deceased member of the Armed Forces (if their death was caused wholly or partly by their service) or veterans within five years of leaving the armed forces would be exempt from any local connection testing restrictions.

7.3.8 In regard to affordable housing delivery, the Council’s five-year land supply includes the provision of a number of affordable housing units. Table 1 below illustrates the forecast for affordable housing delivery 2011-2031. At present, the Council can demonstrate a delivery of 1,205 affordable units between 2011 and March 2031:

Deliverable Housing	No. of Homes	Comments
Total Number of Affordable Units Dwellings for Sites with Detailed Planning Permission	659	NPPF Part A
Total Number of Dwellings for Sites with Outline Permission	546	NPPF Part B
Total Identified Supply 2011- 2031	1,205	
Total Delivered 2011 – April 2024	449	Smartherts
Total Required 2011 – 2031 based on (SP7) 30% new homes elsewhere	2,280	(114 Annual Requirement x 20yr Plan Period)
Total Shortfall	626	

7.3.9 This means we will need to provide 626 units over the remaining plan period to meet local need. However, in May 2022 the HDT Action Plan showed a shortfall requirement of 900 units. The most recent data demonstrate a reduction in this shortfall between May 2022 to May 2024 of 274 affordable housing units. This is partly due to the delivery of 154 units between the same period and an additional 120 units secured by way of new planning applications which meet the NPPF definition of affordable units. The Council is confident that new schemes coming forward over the remaining plan period (2024 – 2031) will continue to support a delivery

target of 2,280 required during the 2011 – 2031 period based on a higher policy requirement of 30%. The above figures are based on a policy requirement of 30% of new homes elsewhere. Should new schemes provide affordable units on previously developed sites the total requirement of 2,280 would be reduced to 25% as appropriate.

7.3.10 This is also reflected in the appeal decision letter for Land West of Lytton Way appeal with respect to the under delivery of affordable homes whereby the inspector states (para. 87) and quote

“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”.

7.3.11 The proposed development is seeking to deliver 38no. dwellings. Accordingly, the overall provision of affordable housing is 11.4 units. The applicant is proposing 12 units. These would all be affordable rent. The provision of all the designated affordable units for this scheme being affordable rent and not 25% first homes as required by the NPPF is in conflict with national policy. The Council’s housing team are the applicants in this case and thus the provision of a fully affordable rent provision for affordable housing has been deemed most appropriate by them, given the shortfall of affordable housing in Stevenage. On balance the benefits of providing twelve affordable rented units given the shortfall generally, outweighs this conflict to some degree.

7.3.12 The affordable housing provision will be secured via a Section 106 agreement. The triggers with how the affordable housing would be delivered would also be dealt with as part of the Section 106 agreement as well. As a consequence, if planning permission were to be granted for this development, the level of affordable housing the development would provide is deemed to be a significant benefit. Moreover, there is currently an identified shortfall of 626 affordable homes (providing the sites with permission come forward for delivery) which still have to be delivered up to end of the Local Plan period.

7.3.13 Financial contributions are also required in line with the Developer Contributions Supplementary Planning Documents (2021). In this regard, only a contribution to be made towards the Local Training Fund if target employment of Stevenage residents is not met as follows:

- £4,000 per number of targeted jobs not filled by Stevenage residents;
- £2,000 per number of targeted apprenticeships not filled by Stevenage residents or students; and
- £250 per apprenticeship position as an administrative fee towards the brokerage system to fill apprenticeship positions;
- If a major development could not provide suitable apprenticeship opportunities due to the quick construction of the development project, and the resultant lack of suitable opportunity to provide apprenticeships, they should pay a lesser fee of £1,000 per number of targeted apprenticeships not created rather than the £2,000 fee.

7.3.14 These targets do not add a requirement for additional jobs that would add a financial burden to the developer or contractor. The targets merely add a requirement that a portion of the jobs will be targeted to local residents. The in-lieu payments do not add a significant financial burden to the developer or contractor and will only be required if the developer or contractor does not meet the employment targets.

- 7.3.15 The Developer Contributions SPD (2021) also has a requirement for fees to be paid to cover the monitoring of legal agreements. This cover requesting payments, ensuring transfer and/or expenditure of money and keeping/publishing records of contributions in line with regulations. The Council will seek 2.5% of the value of contributions being monitored with a minimum fee of £750.00 and a cap of £25,000.00. This is considered a fair cost that will reflect the value of the legal agreement and will not affect the viability of a scheme being delivered.
- 7.3.16 In terms of Biodiversity Net Gain, national legislation adopted in April 2024 sets out the relevant provision hierarchy starting with onsite, then off-site and finally a financial contribution. However, this application was submitted prior to this legislation and thus can still be assessed in line with the BNG requirements at the time of submission. This would require the development to follow the Council's adopted BNG supplementary planning document. where a development cannot provide a 10% net gain on site, a financial contribution would be required. This is discussed in more detail later in this report.
- 7.3.17 Herts County Council (HCC) as highways authority have requested strand 2 contributions of £159,975.00 (75 x £2,133). The applicant is expected to contribute the Sustainable Transport Contribution of 38x£6862= **£260,756.00** index linked by SPONS to January 2019, to be pooled towards scheme number SM5 Stevenage North-South Bus Corridor Package 1. However, as scheme SM5 is still in early development stage and the applicant is already providing some offsite highway works via a S278 agreement, on balance approach, the Highway Authority have applied an alternative calculation approach rather than the county-wide £6826 per dwelling figure.
- 7.3.18 HCC's Toolkit provides an alternative cost figure per non-car driver residential trip which is £2,133 per non-car trip. The Highway Authority considers that it will be more reasonable to use this approach for calculating the sustainable transport contributions. The TRICS report contained in the submitted Transport Statement shows that the proposed development will generate a total of 75 sustainable travel (non-car) trips per day (34 pedestrians, 8 cyclists, 8 bus and 25 train users) to the site.
- 7.3.19 So, in this regard, the final contribution (£2133 multiply this by the non-car 75 trips, 75x£2,133= £159,975.00) being requested by HCC Highways is **£159,975.00**.
- 7.3.20 The applicant does not agree to the financial contribution sought by HCC for the strand 2 contributions. Strand 2 relates to mitigation works that address the wider cumulative impact of developments for which the development itself is not solely responsible for but does derive a benefit from. Whilst the applicant does not dispute there is a need to support and finance highway improvements, the financial contribution which has been sought does not accord with Regulation 122 of the Community Infrastructure Levy (CIL) 2010 (as amended). For reference, Regulation 122 states:-
- A planning obligation may only constitute a reason for granting planning permission for the development if the obligation is –*
- (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.
- 7.3.21 The financial contribution needs to be necessary such as funding a key piece of infrastructure or developing services to support the development. HCC's request states the contribution will be pooled towards scheme number SM5 "Stevenage North-South Bus Corridor Package 1 of Hertfordshire County Council's North-Central Growth and Transport Plan" to include but not limited to examining feasibility of Stevenage North-South high-quality bus routes linking new development to the north and south of Stevenage to Lister Hospital and the Old Town, new bus and rail interchange, Gunnels Wood Road employment area and the GSK campus. As such, they have failed to provide evidence of how the contribution is necessary to making the development acceptable.

- 7.3.22 At this stage SM5 is only at feasibility study phase. Officer's question what would happen if the project does not come forward for delivery and the monies have not therefore secured infrastructure works to help mitigate the schemes impact. Furthermore, the requested Strand 2 contributions do not, in officer's opinion, meet the tests of Reg 122 of the CIL Regulations.
- 7.3.23 The Council continues to support the aspirations of the greater bus route provision throughout the town, however, the contribution sought is considered unjustifiable and not commensurate with this type of development, and therefore, it is not considered that the financial contribution sought by HCC as Highways Authority meets the requirements of the CIL Regulations (Reg 122), and so we do not currently support HCC's request. However, should negotiations be on-going, it is recommended that delegated powers be given to the Assistant Director of Planning and Regulation in consultation with the Chair and Vice Chair to secure any financial obligations (providing they meet Reg 122 of CIL and the NPPF) which may be required in this regard, which would form part of a S106 Legal Agreement.
- 7.3.24 Hertfordshire and West Essex NHS have made comment on the application and note the development would create circa 91.2 new patient registrations. The contribution for health infrastructure, to allow expansion of an existing practice to ensure it does not have to close its books to new patients is £49,096.00 (£1,292.00 per dwelling). Monies towards mental health and community healthcare costs have also been sought at £7,667.00 and £6,917.00 respectively. It is noteworthy that a recent appeal decision, Richborough Estates vs Buckingham Council – North Area (Aylesbury), found that the S106 NHS contribution which was for a defined, identified infrastructure project for primary health care, and whose amount was calculated on a methodology that considered the number of homes for which planning permission was sought, was lawful under CIL regulations. The bulk of the monies requested by the NHS will therefore be required as it is considered lawful.
- 7.3.25 Hertfordshire County Council Growth and Infrastructure Team have assessed the proposal and based on the provision of 38 dwellings is requesting a total of £359,662 towards new secondary education provision at the former Barnwell East site/land at Redwing Close and/or provision serving the development (index linked to BCIS 1Q2022). Furthermore, monitoring fees for each trigger within the legal agreement will attract a charge of £340 (adjusted for inflation against RPI July 2021) per trigger point.
- 7.3.26 In regards on-site sports provision, which is a requirement of the Local Plan, this site is not of a sufficient size to accommodate such facilities. Furthermore, due to the scale of the scheme proposed, it does not generate a sufficient demand to be able to justify on-site provision in accordance with Sport England calculations. Therefore, Sport England has not sought any financial obligations or a requirement to provide on-site sport provision in this instance. Furthermore, the CIL receipt from this development could be utilised to mitigate the developments impact on indoor and outdoor sporting facilities in this instance. With respect to open space, the site is not of a sufficient size to accommodate open space to serve this development. However, it needs to be flagged that the site lies in close proximity to Meadway Playing Fields, so there is access to sports pitches as well as open space for future occupiers of the development.
- 7.3.27 Looking at the overall management and maintenance of the development, the legal agreement will look secure the provision of a Management Company. This is to ensure areas such as the drainage system, landscaping, highways (including lighting) are appropriately maintained and that the development remains to be of a high standard.
- 7.3.28 The applicant has confirmed agreement to secure the relevant financial obligations via s.106 in order to mitigate the development impact on relevant infrastructure.

7.4 Loss of Public Open Space

National Planning Policy Framework and Planning Practice Guidance

- 7.4.1 Chapter 11. Making effective use of land of the NPPF (2023) sets out that meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions stems from promoting effective use of land. Planning should encourage multiple benefits from both urban and rural land, including through mixed-use schemes and taking opportunities to achieve net environmental gains, recognising that undeveloped land can perform many functions, and giving substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs.

Development Plan

- 7.4.2 Policy NH6: General protection for open space of the Local Plan (2019) states that planning permission for development of any existing, unallocated open space (or part of any space) will 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, of any interventions to improve quality or access;
 - iii. Whether the open space is serving its function or purpose; and
 - iv. Whether alternate space(s) would remain available for community use; and
 - b) Reasonable compensatory provision is made in the form of:
 - i. Replacement provision of a similar type, size and quality;
 - ii. The upgrade of other, existing space; or
 - iii. Exceptionally, a commuted sum to secure open space provision elsewhere.

Appraisal

- 7.4.3 The eastern half of the site is currently an unallocated area of public open space. Laid to grass the circular shaped area surrounded by trees is used by dog walkers, and most likely occasions of non-structured play. It is of importance to note the proximity of Meadway Planning Fields immediately to the west of the site and the area of land the subject of this application. Meadway Playing Fields provides sports pitches as well as space to walk dogs, and also comprises a children's play area. The space is much better managed for recreation and useability than the open space within the red line. In respect of the Council's Local Plan policies, it is noted that it will be inevitable that some open spaces will come under pressure from development proposals over the lifetime of this plan. Paragraph 14.35 makes clear that the most valuable of open spaces be protected and open spaces only succumb to development where a positive outcome can be demonstrated.
- 7.4.4 Whilst the open space does provide an area for locals to use, it does largely serve as a green space on this corner between the industrial and office uses to the south and residential development to the north. The tree lined area provides a good green break between the built form. The application before the Council does not seek to replace this open space nor pay a contribution towards open space provision elsewhere. However, the proposed plans do show upgrading of a simple area of grass between Eastbourne Avenue and Symonds Green Lane properties to a community garden. Whilst details of what this area will look like, or how it will be managed, have not been provided, further details can be secured by condition to ensure the space meets needs and provides an upgraded space for local residents.
- 7.4.5 Furthermore, the proposed site plan states that the play area within Meadway Playing Fields is to be enhanced as part of the proposed development. Whilst outside of the red line, as SBC are the owners of the site and the neighbouring play area, this provision can be secured through the S106 agreement, to ensure the enhancements come forward and to agree what those enhancements will be. The upgrade/enhancement of these two areas, along with the proximity

of Meadway playing Field as an alternative open space is considered sufficient to justify the loss of the open space. Additionally, on balance, the provision of much needed housing, including affordable housing in this area and the redevelopment of an existing redundant site is considered to hold significant weight as a public benefit.

7.5 Visual Impact of the Development

National Planning Policy Framework and Planning Practice Guidance

7.5.1 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.

7.5.2 The National Design Guide 2019, which was published by the Government, is a material consideration in the determination of planning applications. It states that buildings are an important component of places and proposals for built development are a focus of the development management system. However, good design involves careful attention to other important components of places. These include:

- the context for places and buildings;
- hard and soft landscape;
- technical infrastructure – transport, utilities, services such as drainage; and
- social infrastructure – social, commercial, leisure uses and activities.

7.5.3 A well-designed place is unlikely to be achieved by focusing only on the appearance, materials and detailing of buildings. It comes about through making the right choices at all levels, including:

- the layout;
- the form and scale of buildings;
- their appearance;
- landscape;
- materials; and
- their detailing.

Development Plan

7.5.4 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.

Supplementary Planning Document

7.5.5 The Stevenage Design Guide provides additional guidance on many aspects relating to development, including design, layout and character to name a few. When looking at built development such as residential dwellings it states that buildings should:

- adopt typical building forms of the neighbourhood in which they are situated – developers should refer to Appendix A – Urban Character Assessments for more detail;
- draw upon the architectural precedents that are prevalent in the local area;
- use local building, landscape and topographical features, materials and plant types;
- introduce built form and appearance that adds new character and difference to places; and
- create a positive and coherent identity that local communities and residents alike can identify with.

7.5.6 It continues more specifically when referring to character, that where the scale or density of new development is very different to the existing place, it may be more appropriate to create a new identity rather than scale up the character of an existing place in its context.

Appraisal

7.5.7 The application site is located within a mixed-use area, although it is predominantly residential given the extent of the Symonds Green and Scarborough Avenue estates to the north. Residential properties are located to the north of the site, off Eastbourne Avenue and Symonds Green Lane. However, to the south is industrial units and offices, along with principal open space to the south-west. The residential properties are a mixture of pre-new town, new town and modern day, with the more traditional properties located along Symonds Green Lane which is also a designated Conservation Area. Therefore, architectural styles in the area vary greatly.

7.5.8 The site is largely separated into two areas, the three pairs of semi-detached properties on the previously developed Cartref site to the west, and the larger development proposed on the open space to the east. This area is then characterised by three storey dwellings and a block of apartments at the eastern corner closest to the roundabout junction with Redcar Drive, Clovelly Way and Rutherford Close. The design and character of both areas is purposefully different to make a distinction between more traditional dwellings at the end of Symonds Green Lane and adjacent the Conservation Area, and the cul-de-sac of 32 properties off Eastbourne Avenue.

7.5.9 Looking firstly at the six dwellings located off Symonds Green Lane, these properties have undergone minor amendments but for the most part present high quality and traditionally designed, three pairs of semi-detached dwellings. The materials are a mixture of red brick and render, with traditional red or grey roof tiles and detailing such as brick courses, arched brick window headers and simple pitched roof porch canopies. The dwellings are all gable-ended, with the two end dwellings being side facing and the four middle semi's being front facing. The properties have a slight stagger in their front building line to take account of the proposed road layout to ensure suitable off-street parking, turning for larger vehicles and to retain the hedgerow across the western elevation of the site.

7.5.10 The three storey dwellings on the eastern parcel are more modern in their appearance. The gable fronted dwellings would be constructed of buff/light coloured brick with contrasting detailing on the front elevation, including two storey square bay projections. The roof would be completed in grey tiles with some flat roof dormer windows proposed on side elevations for living accommodation in the roof. It is noted that the existing residential properties off Eastbourne Avenue and Clovelly Way are all two storey, and whilst flatted development is visible in the area this is also only two storey. Notwithstanding this, given the separation of the proposed dwellings by existing tree screening, the taller buildings is not unacceptable in this location. Taller industrial and office buildings are visible off Rutherford Close to the south and thus the proposal creates a suitable transition in building heights between the two areas of mixed uses.

7.5.11 The proposed block of flats has undergone significant negotiation to ensure a high quality of design and to seek a coherent and legible design across this part of the site. The amended plans include a three-storey cube structure with brick pillar detailing and contrasting brick

detailing, along with balcony areas. The design has been taken from examples across new estates in Cambridge and is considered to work well with the proposed dwelling design. The site being relatively enclosed has greater potential to introduce a new character and design style, especially given the existing mixed architectural styles in this area.

- 7.5.12 The layout of the site includes an existing mature band of trees running north to south, splitting the Cartref area from the open space as existing. This will remain and provide green screening between both areas of dwellings. The existing trees fronting Redcar Drive, which are sparser in their coverage are proposed to be removed. This would be required as part of the works for West of Stevenage, and the proposed site plan shows the area required for future road development. The loss has therefore already been agreed in principle. The loss of trees whilst unfortunate will allow for a new cycle path and drainage swale to be created. The plans do readily show replacement planting, and a request for further details by imposition of a condition will ensure that these are suitable species. Furthermore, confirmation that replacement planting to meet the Council's 3 to 1 ratio has been sought and will be bound through the S106 agreement if necessary.
- 7.5.13 The loss of these trees will have a detrimental visual impact on the area, as will the loss of the green open space. However, the proposed layout and design of the development is considered well thought-out and would provide high quality housing which is a significant public benefit and holds great weight in favour of the application. The proposal also sees an existing underused site come forward for development, rather than remaining unkept and empty, which is an added benefit.
- 7.5.14 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. It is noted however, that the development has been designed to and meets the 'Secure by Design' standards, which has been confirmed by the Police Crime Prevention Officer.
- 7.5.15 Overall, the proposed development would be acceptable in design, scale and massing and with the use of high-quality materials, it would have an acceptable appearance in the street scene and therefore not unduly harm the visual amenities of the area such that a refusal would be warranted.

7.6 Impact on Heritage Assets

National Planning Policy Framework and Planning Practice Guidance

- 7.6.1 The *Planning (Listed Buildings and Conservation Areas) Act 1990* imposes several 'statutory duties' for decision-makers, all of which are applicable to the proposed development:
- "Section 16(2): In considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses".
 - "Section 66(1): In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses".
 - "Section 72: In the exercise, with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area".

- 7.6.2 Case law (South Lakeland, 1992) has determined that 'preserve' means 'to do no harm'. However, if harm is identified, the NPPF provides a means of weighing either 'substantial harm' or 'less than substantial harm' to the significance of a designated heritage asset against the public benefits of the proposal. In doing so, case law has emphasised the need to give "considerable importance and weight" to preserving listed buildings or the character and appearance of conservation areas (Barnwell Manor, Case No: C1/2013/0843). However, the presumption 'to preserve' is not irrebuttable and "can be outweighed by material considerations powerful enough to do so" (Forge Field (Case Nos: CO/735/2013; CO/16932/2013) and a decision maker that has followed the process set out in the NPPF, in respect to weighing harm and benefits, can reasonably be expected to have complied with the 'statutory duties' of the 1990 Act (Mordue, Case No. C1/2015/1067).
- 7.6.3 Paragraph 203 of the NPPF (2021) states that 'in determining applications, local planning authorities should take account of:
- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
 - c) the desirability of new development making a positive contribution to local character and distinctiveness.'
- 7.6.4 Furthermore, paragraphs 205 to 208 of the NPPF (2021) have to be considered in the determination of this planning application. As established through case law, if there is *any* harm to designated heritage assets, great weight must be given to it. Dealing with Paragraph 199, it stipulates that when considering the impact of a proposed development on the significance of a designated heritage asset, such as the St Nicholas and Rectory Lane Conservation Area, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss, or less than substantial harm to its significance. Paragraph 200 sets out that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.
- 7.6.5 Paragraph 207 sets out that where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss.
- 7.6.6 Paragraph 208 sets out that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. In undertaking this balance, considerable importance and weight must be attached to the less than substantial harm.
- 7.6.7 In considering public benefits, the Planning Practice Guidance (PPG) (2019) (Reference ID: 18a-020-20190723) sets out that the National Planning Policy Framework requires any harm to designated heritage assets to be weighed against the public benefits of the proposal. Public benefits may follow from many developments and could be anything that delivers economic, social or environmental objectives as described in paragraph 8 of the NPPF. For reference, paragraph 8 of the NPPF states that "Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

c) an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy”

7.6.8 The planning practice guidance goes onto state that public benefits should flow from the development. They should be of a nature or scale to be of benefit to the public at large and not just private benefit. However, benefits do not always have to be accessible to the public in order to be genuine public benefits, for example, works to a listed building which secure its future as a designated heritage asset could be a public benefit. Consequently, while a range of benefits that help deliver sustainable communities could be relevant, the PPG provides examples of heritage based public benefits, as follows:

- Sustaining or enhancing the significance of a heritage asset and the contribution of its setting;
- Reducing or removing risks to a heritage asset;
- Securing the optimum viable use of a heritage asset in support of its long term conservation.

Development Plan

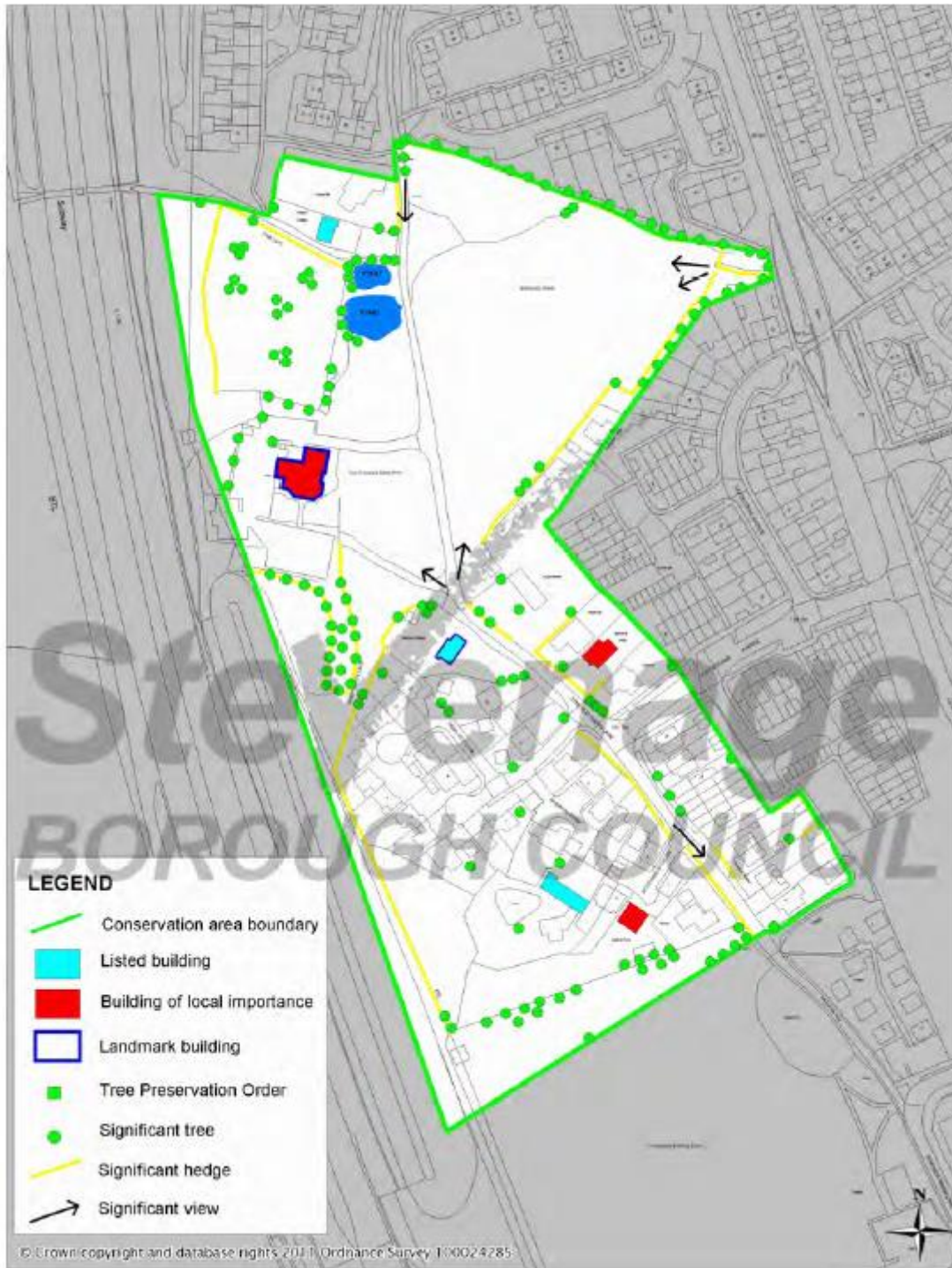
7.6.9 Turning to the adopted Local Plan, Policy SP13 relates to the historic environment. This states that the council will preserve and enhance the most important area and characteristics of Stevenage. The policy goes on to state that the Council will:-

- a. Have carried out Heritage Impact Assessments for development sites within, or adjacent to, conservation areas. Site specific mitigation measures have been incorporated to minimise the impacts of development.
- b. Will use national guidance and legislation to review, designate and determine planning applications affecting heritage assets.
- c. Will protect areas of archaeological importance and other relevant heritage assets by applying the detailed policies set in this plan.

7.6.10 Finally, Policy NH10 of the Local plan relating to Conservation Areas states that development proposals within, or affecting a conservation area should have regard to the guidance provided by the relevant Conservation Area Management Plan Supplementary Planning Document

Symonds Green Conservation Area Management Plan

7.6.11 The Symonds Green Conservation Area was designated in 1977. The below map is taken from the Symonds Green Conservation Area Management Plan (CAMP) (2012) and shows the extent of the Conservation Area as well as listed buildings and any non-designated heritage assets.



Appraisal

7.6.12 Based on the above map, the proposed application site is located adjacent the south-eastern corner of the conservation area, with the former Cartref site visible showing the former ten buildings sited. The map demonstrates that the development does not fall within the Conservation Area and the impact being assessed is on its setting only. The proposals will not directly change the Conservation Area in visual terms. There are two fairly close buildings of note, a building of local importance and the grade II listed Fairview Farm/Barn (known later as Oakfield Farm/Barn), with the barn being the oldest structure in the conservation area.

7.6.13 It is of note that the CAMP discusses the need to preserve the small settlement feel and character of Symonds Green, protecting the listed buildings and buildings of local importance

from loss of historic features, especially where repairs and maintenance are required. Much modern development has taken place around the nearest listed building Fairview Barn and as such the proposed new housing, located beyond modern development and largely screened by trees and hedging would not have a significant impact on the historical and architectural character/importance of the listed building. The harm would be less than substantial, at the lower end of the scale.

7.6.14 Similarly, whilst the site is not in the Conservation Area, the impact on its setting is important. However, given the level of development that has taken place around the Conservation Area, and within it, the provision of the 38 dwellings proposed, along with the ancillary development would not in officers' professional opinion cause undue harm to the setting of the Conservation Area and its character. The open spaces to the north of the Conservation Area are not compromised and these are the main focus of the Conservation Areas character and layout. Any harm to the setting is less than substantial at the lower end of the scale.

7.6.15 These conclusions have also been reached by the Council's historic advisors who have raised no objections to the proposals. Taking account then, the guidance contained within the NPPF, when harm is less than substantial which in this instance is at the lower end of the scale, said harm must be weighed against the public benefits of the proposal. Considerable importance and weight have been attached to the less than substantial harm, however, the balance here is the provision of market and affordable homes given the Council's shortfall, as well as the provision of employment during construction, and highway benefits attributed to the S278 works secured. It is officer's opinion that these benefits do outweigh the less than substantial harm.

7.7 Impact on Neighbouring Residential Amenity

National Planning Policy Framework and Planning Practice Guidance

7.7.1 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

7.7.2 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, requires that development does not adversely impact the amenities of neighbouring occupiers.

Supplementary Planning Document

7.7.3 Appendix C of the Design Guide SPD states that the Council will assess proposals for residential extensions in terms of their impacts on privacy, outlook, and natural light. These principles can be easily applied to new dwellings also to ensure they protect existing properties which neighbour development sites.

Outlook and Amenity

- 7.7.4 In relation to the impact of the proposed development on existing residential amenity, the most affected properties would be 29 Eastbourne Avenue and 5 Nursery Cottage, Symonds Green Lane. Both properties about the northern boundaries of the site.
- 7.7.5 In assessing the impact on neighbouring amenity, the Council's Design Guide SPD (2023) sets out standards which should be met to safeguard the privacy and outlook of adjoining properties from new development. In this regard, when assessing developments, 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	25m
	Back to Side	15m
Between new 2 storeys or a mix of 1 and 2 storey	Back to Back	20m
	Back to side	12m
Over 2 storeys between existing and new dwellings	Back to Back	35m
	Back to Side	25m
Between new dwellings over 2 storeys in height	Back to Back	30m
	Back to Side	20m

- 7.7.6 Looking firstly at the relationship between 29 Eastbourne Avenue and the proposed development, plot 7 is the nearest property and is set at a diagonal to No.29. As such it partially has a back to side relationship but this is slightly tenuous. The distance from the rear elevation of plot 7 to the shared boundary with No.29 is between 10m and 15m given the diagonal setting. The angle at which the two properties sit is such that plot 7 does not look onto a main elevation with habitable room windows. Furthermore, at a minimum of 10m in length the garden meets the Council's requirements to ensure privacy in gardens. Therefore, given the orientation of the properties, the back to side relationship isn't exact and the separation distance for this type of relationship is difficult to justify. Given the above, it is considered No.29 would retain an acceptable level of outlook and privacy.
- 7.7.7 To the north-west of the site where the red line extends south from the proposed community garden, 5 Nursery Cottages sits due north of this section of the site, separated by an existing access track and grass verge. Plot 1 is the nearest proposed dwelling and this property would sit parallel to No.5, albeit staggered further back to take account of the proposed access. Additional tree planting is proposed along the grass verge between plot 1 and the access track. As such, the proposed dwelling would not have a detrimental impact on the outlook and privacy of No.5 by virtue of the proposed separation between both properties.

Daylight and Sunlight

- 7.7.8 Both plots 1 and 7 are both sited of sufficient distance off the boundaries with No.5 Nursery Cottages and No.29 Eastbourne Avenue respectively that given the orientations of the proposed dwellings with the existing properties, neither new plot would detrimentally affect daylight/sunlight enjoyed by these properties and their gardens.

7.8 Impact Upon Amenities of Future Residents

Private Amenity Space

- 7.8.1 In respect to private amenity space, section H (Homes and Buildings) of the Design Guide SPD (2023) requires that all dwellings, including flatted developments, should have private amenity space with an exception granted to flats in central locations where public open space is easily accessible and, in some cases, where reasonable, outside balcony spaces or similar

are proposed. There is a requirement to provide at least 50sqm of private garden space per dwelling and for flatted developments 50sqm for the first 5 units and an additional 10sqm for every additional unit. Garage courts, parking areas and bin storage areas are not considered as part of the useable garden amenity requirements. Accordingly, in terms of the flats this development is required to provide 120sqm of private amenity space.

- 7.8.2 With the exception of two dwellings (plots 23 and 26) each dwelling proposed would have an external garden space greater than 50sqm, in some cases over 100 sqm in area. In respect of plots 23 and 26, the deficit is not great with each garden measuring approximately 47sqm and 46sqm respectively. The flatted development would provide an external amenity space to the north of the building approximately 125sqm in area, along with external balconies for each flat.
- 7.8.3 Given the above, the development is considered to be acceptable and would on balance, accord with the Council's standards. The minor deficit for plots 23 and 26 is not considered to be sufficient to refuse permission. Also, in terms of the outside space for the flats, the positioning due north is not ideal, but does allow for additional planting to the south and south-east of the building to recreate the tree belt being removed and this is preferable. It is of note that Meadway Playing Field is located less than 200m from the flats and provides a good green space for future occupiers in addition to the external spaces proposed. The proposals would therefore provide adequate external private amenity space.

Living Space Standards

- 7.8.4 Policies GD1 and SP8 of the Local Plan (2019) relate to High Quality and Good Design. These policies state that planning permission will be granted where the proposed scheme, under criterion j. meets, and where possible, exceeds the nationally described space standards (NDSS). Appendix C of the Local Plan (2019) sets out the minimum gross internal floor space standards for dwellings which is in line with the Government's nationally described space standards.
- 7.8.5 The submitted plans show that all units meet the overall floor space standards, and all bedrooms meet the minimum floor space requirements for single or double rooms respectively.
- 7.8.6 The proposed development is therefore in accordance with Policies GD1 and SP8 of the Local Plan (2019), the Council's Design Guide SPD (2023), the NPPF (2023) and planning practice guidance, offering acceptable living standards and amenity levels for future occupiers.

7.9 Car Parking, Cycle Provision, and highway implications

National Planning Policy Framework and Planning Practice Guidance

- 7.9.1 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

7.9.2 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.

Car Parking

7.9.3 The Council’s Parking Provision and Sustainable Transport SPD (2020) requires the following for residential properties.

Description	Car parking requirement	
<p>a) General needs</p> <ul style="list-style-type: none"> i) 1 bedroom ii) 2 bedrooms iii) 3 bedrooms iv) 4+ bedrooms 	<p>1 space per house</p> <p>1.5 spaces per house</p> <p>2 spaces per house</p> <p>2.5 spaces per house</p>	<p>1 space per flat</p> <p>1.5 spaces per flat</p> <p>1.5 spaces per flat</p> <p>2 spaces per flat</p>
<p>b) Houses in multiple occupation (i.e. Separate households sharing facilities)⁽¹⁾</p>	<p>0.5 spaces per tenancy unit</p>	
<p>c) Sheltered housing for the elderly - warden control</p>	<p>0.5 to 1 spaces per unit</p>	

7.9.4 In addition to this, visitor parking spaces must also be provided at a standard of 0.25 spaces per dwelling. Based on the above, the development would need to provide a total of 82 car parking spaces. The SPD also makes allowances for reduced parking in accessible areas by way of residential parking zones. These are categorised based on location to services and the town centre. The area of open space, the subject of this application, is located in residential accessibility zone 3, with Cartref sitting just outside it. Zone 3 will allow up to a 25% reduction in spaces, stating a 75-100% provision requirement.

7.9.5 The submitted site plan proposes a total of 78 car parking spaces, including a provision of disabled spaces to meet the 5% SPD requirement. 17 parking spaces are located on the Cartref site, and this level of provision is in accordance with this area requiring a maximum 100% provision. The remaining 61 spaces are proposed on the eastern parcel and take advantage of the accessibility zone, being 4 spaces short of the 100% provision requirement. This equates to a total provision of 95%. This is considered acceptable, with an appropriate split across the two areas of development.

Disabled Spaces

7.9.6 Turning to disabled parking, in line with the Council’s adopted Standards, 5% of the total number of spaces should be designated for disabled persons and should be incorporated

within the provision and not necessarily in addition to it. There is a requirement for 2 spaces and the submitted plans show 8 spaces which is acceptable at a rate of 21% provision.

EV Charging

- 7.9.7 The Parking Provision SPD (2020) requires all new parking spaces for new dwellings to be designed to fulfil a Passive Electrical Vehicle Charging Point (EVCP) standard. This will mean that the underlying infrastructure is provided for connection to the electricity network, but it will need to be activated through the installation of a charge point to be used in the future as technologies evolve and uptake increases. The submitted site plan shows a total of 32 spaces as having EVCP points, which is significantly over the 20% provision requirement. Details of the type of EVCP are confirmed on planning drawing 14122-P214-B.

Cycle Storage

- 7.9.8 Policy IT5 of the Local Plan (2019) also requires developments to provide secure cycle parking provision in line with the Parking Provision SPD (2020). The recently adopted SPD requires one cycle parking space per bedroom. The submitted plans show that there is a cycle storage area within the site which is acceptable.
- 7.9.9 Drawing number 14122-P214-B shows details of enclosures including freestanding cycle storage for in gardens, as well as a cycle store area for the flatted development. These details would provide for acceptable secure and covered cycle parking for the development.

Highway Safety

- 7.9.10 The application was accompanied by a Transport Statement (TS) and Travel Plan (TP). Paragraph 4.5.3 of the TS discusses the proposed main site access being of Clovelly Way, with provision of a 2m wide footway into the site and a second access off the southern end of Symonds Green Lane. HCC Highways have confirmed that the access arrangements as shown on amended plan ref- 24102-MX-XX-DR-C-0130 P04 is satisfactory and will be acceptable in highway terms.
- 7.9.11 A Stage 1 Road Safety Audit also formed part of the highways supporting information. Several issues were identified in the audit and recommendations made in the audit have been accepted by the applicant and have been agreed to be resolved during implementation through S278 works, as identified in condition 1 recommended by the local highway authority. This a 3m wide footway along Clovelly Way to connect to Eastbourne Avenue and Bude Crescent; two surface level pedestrian/cycle crossings with provision of tactile paving onto Eastbourne Avenue and Clovelly Way; and pedestrian/cycle link to existing footway on Redcar Drive.
- 7.9.12 In regard to trip generation, the TRICS (Trip Rate Information Computer System) calculation in the TS shows that anticipated trip by all modes associated with the development will include 140 car trips (10 AM peak and 12 PM peak) and 75 non-car trips per day to site (43 walking trips, 8 trips by cycling, 8 trips by bus and 25 trips by train). The local highway authority has confirmed that the anticipated total trips generated would not have significant impacts on the existing highway network.
- 7.9.13 The provision of works under S278 will enhance existing pedestrian and cycle links in this area which is supported. Notwithstanding this, Stevenage has an excellent pedestrian and cycling network across the town and the proposed development will be well served by this and the proposed improvements.
- 7.9.14 The Highways Authority have requested a financial contribution of £159,975.00 (£2133 per non-car anticipated trip (75)) under Strand 2 to improve sustainable transport options. They have advised these monies would be pooled for scheme SM5 which relates to a feasibility study for further bus connections north-south in Stevenage. Whilst the Council (SBC) supports

the improvements of bus services and routes in the borough, the Council does not consider the requested financial contribution to meet the requirements of Reg 122 of the CIL Regulations. However, should negotiations be on-going, it is recommended that delegated powers be given to the Assistant Director of Planning and Regulation in consultation with the Chairman to secure any financial obligations (providing they meet Reg 122 of CIL and the NPPF) which may be required in this regard, which would form part of a S106 Legal Agreement.

- 7.9.15 The highways authority has assessed the application and raised no concerns regarding highway safety or impacts on the local highway network. They have requested conditions regarding visibility splays for the access, parking and access to be complete prior to occupation and further detailed plans of the S278 works identified and shown to be submitted and approved and this is agreed. They have also requested that a condition is imposed should permission be granted that requires the submission of a Construction Management Plan (CMP) prior to commencement of development. The CMP would require full details of the construction vehicle numbers, parking arrangements, traffic management and storage compounds amongst other things, to be submitted and approved by HCC Highways before the development can commence. In this regard, suitable mitigations can be put in place to minimise impacts on local residents. Failure to comply with the requirements of the CMP can be dealt with through the Council's enforcement powers where necessary.
- 7.9.16 Several comments have been made as part of the publication of the application regarding construction vehicles accessing the Cartref site from Symonds Green Lane. These concerns relate to the width of the road and its current condition and likely damage from large vehicles. The road is narrow and is a no through road at this southern end. There is no dedicated footpath beyond No.57 and thus use of this road by construction vehicles would cause conflict with pedestrians and cyclists especially given the existing footpath to the west of the site leading to the playing fields and Redcar Drive/Meadway. As such it is considered reasonable to seek that the CMP ensures construction traffic do not use Symonds Green Lane as access to the site, unless absolutely necessary and this should be agreed in writing with the LPA.
- 7.9.17 Given the aforementioned assessment, and through the use of appropriately worded conditions, the development would be in accordance with the policies set out in the adopted Local Plan (2019), the Council's Parking Standards SPD (2020), the NPPF (2023) and PPG.

7.10 Impact on the Environment

- 7.10.1 The application site was previously residential development, site compound for Mulalley's and currently green open space. Therefore, there would be very low risk of contamination. Following consultation with the Council's Environmental Health section, they have raised no concerns from a land contamination perspective.

Groundwater

- 7.10.2 The application site is not located within a Source Protection Zone. However, Thames Water have advised that the developer will be expected to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. A suggested informative has been provided and it is deemed reasonable to include this on any grant of permission. They have confirmed that in respect of foul water sewerage and surface water, there is sufficient capacity within the network to accommodate the proposed development.

Air Quality

- 7.10.3 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 near, an Air

Quality Management Area (AQMA). The Council's Environmental Health Section has not raised any concerns with respect to the operational impact the development would have on air quality

7.10.4 In order to mitigate the construction phase, it is recommended a condition is imposed on any permission issued seeking details of measures for controlling levels of dust and air pollutions which are generated during the construction phase of development.

Noise Pollution

7.10.5 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.

7.10.6 Dealing firstly with the impact of noise from the construction phase of the development, detailed measures will be required in the CMP. Through the CMP the hours in which noisy activities take place are to be controlled along with the imposition of relevant mitigation measures being put in place to minimise the impact of noise from construction activities. Moreover, if a breach were to take place, the Council can enforce the condition accordingly. Consequently, the imposition of such a condition is supported by the Council's Environmental Health Section.

7.10.7 Looking then at possible noise sources in the area and for future occupiers the Environmental Health Officer has noted that to mitigate the impact of environmental noise including from road/rail traffic on the development, two conditions should be imposed to ensure the development design has sufficient fenestration in place such that noise levels do not exceed specific markers depending on times of the day/night. This can typically be dealt with by installing high efficiency double or triple glazing which in turn has other benefiting factors. This is considered acceptable.

Light Pollution

7.10.8 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.

7.10.9 Turning to the operational side of the development, the dwellings would all be set back from the main highways and therefore any external lighting is not considered to prejudice highway safety or cause a substantive nuisance to neighbouring residential properties.

7.10.10 In terms of lighting associated with the construction aspect of the proposed development, this is dealt with as part of a Construction Management Plan.

7.11 Development and Flood Risk

7.11.1 The application site is not located within a Flood Zone or a Source Protection Zone. Notwithstanding this, the application which has been submitted to the Council is classified as a Major, therefore, in line with the Town and Country Planning (General Development Procedure) (England) Order 2015, the applicant has provided a Sustainable Urban Drainage Strategy (SuDS).

- 7.11.2 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.
- 7.11.3 The Sustainable Drainage (SuDS) Hierarchy has been considered to establish the most practicable and sustainable methods of drainage for the site. Several SuDS Attenuation Features are proposed to be utilised on site in order to meet the 4 Pillars of SuDS, as follows –
- Water Quantity – Raingardens, geo-cellular storage tanks, and rainwater butts;
 - Water Quality – Raingardens, permeable paving, and swale;
 - Biodiversity – Raingardens, and swale;
 - Amenity – Raingardens, and swale.
- 7.11.4 For the management of surface water runoff, permeable paving, geo-cellular storage tanks and a swale shall provide the required storage volumes for storms up to and including the 1 in 100 year + 40% Climate Change Event. The Drainage report states that flows will be restricted to a maximum of 3.9 l/s via a series of orifice plates throughout the system, with flows directed to the Thames Water public surface water sewer network, which Thames Water has confirmed is acceptable.
- 7.11.5 Permeable paving is proposed for the access roads and pathways, managing flows from themselves, as well as run-off from the roofs of the buildings proposed (+10% urban creep for all non-flats dwellings) and adjacent private driveways. Each section has different properties to manage surface water, with outfalls to other SuDS features on site, but all are proposed with 30% void ratio (the space in the paving that can hold water).
- 7.11.6 The permeable paving has been split into three areas across the site. Area one (PP1) would be located in the western section of the site and receives flows from itself and plots 1-6 (dwellings and driveways). PP1 will release surface water flows at a restricted rate to the swale along the site's southern boundary. Area two (PP2) is the largest section of permeable paving and would be located in the central area of the site as the main access from Clovelly Way, managing surface water flows from itself and plots 7-18 and 25-26. Run-off would be released from this area to one of the two underground geo-cellular storage tanks. The last area (PP3) would be located to the east of the site and manages surface water run-off plots 19-24, the block of flats and the associated driveways/hardstandings. It would release flows to the second underground geo-cellular storage tank.
- 7.11.7 The two geo-cellular storage tanks (ST1 and ST2) would provide adequate attenuation and storage of surface water flows from PP2 and PP3 before outfall to the swale along the site's southern boundary. Both storage tanks are proposed to have a 95% void ratio.
- 7.11.8 Herts County Council as the Lead Local Flood Authority (LLFA) have been consulted on the application. Following initial comments that insufficient information had been submitted, further information was provided to them over the summer. At this time officers are still awaiting a response to the additional information and consultation. Should any further concerns be raised these will be addressed with the applicant and a positive response from the LLFA received before the issuing of a decision notice. If it is proposed by the LLFA that conditions should be imposed, it is recommended that these be delegated to the Assistant Director of Planning and

Regulation with agreement of the Planning and Development Committee Chair for inclusion on any approval issued. However, should they maintain an objection which cannot be overcome, then this application will be referred back to the Committee for its decision.

7.11.9 Emerging Policy CC6 will require developments to incorporate green roofs and green walls unless there are clear and convincing reasons for not doing so. Biosolar roofs will also be strongly supported. As this Policy is being introduced through the Local Plan review, it currently carries little weight and it would not be appropriate to seek a re-design of the development, including the SuDS to now include green roofs.

7.12 Trees and Landscaping

7.12.1 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.

7.12.2 The site is currently bounded on almost every side by a belt of trees, with a historic hedge running the length of the western boundary along the footpath to Symonds Green Lane. A further area of trees separates the Cartref part of the site from the eastern parcel of open space. The proposals would see the loss of trees fronting Redcar Drive and Clovelly Way. It is of note that the trees fronting Redcar Drive would be impacted by the highway improvement works required by the Land West of Stevenage development, as they are located in the safeguarding route.

7.12.3 The Arboricultural Survey submitted in support of the application has undertaken a survey of the trees using a cascade chart for tree quality assessment in accordance with British Standard BS5837:2012 Trees in relation to design, demolition and construction. The categories, A, B, C and U are based on the condition of the tree, its quality and remaining life expectancy. Category A trees are of high quality with a life expectancy of at least 40 years. Category B trees are of moderate quality with a life expectancy of at least 20 years, and category C, low quality trees with at least 10 years, or young trees with a stem diameter below 150mm. The last category, U, is for trees unsuitable for retention, those in such a condition that they cannot realistically be retained as living trees in the context of the current land use for longer than 10 years.

7.12.4 The survey identifies four B category and nine C category trees to be removed (individual) and two groups of category B trees to be removed. However, the exact number of trees in these groups is not identified in the survey. The relevant table in the survey states the species of trees along with other factors, but a total number is not provided.

7.12.5 The Council's Arboricultural Manager has raised no initial objections to these works but has questioned how and where the required 3 to 1 replanting schedule can take place. The proposals do include significant replanting along the southern and eastern boundaries, and further details of all landscaping are to be secured by condition should planning permission be granted. Given the exact number of trees being removed is not known and thus a total replacement number based on the 3 to 1 replanting ratio cannot be calculated, it is considered reasonable in this case to secure further details of total numbers (trees removed and

replacement trees required) by condition and the S106 agreement. Standard conditions relating to nesting birds and planting seasons would also be imposed, along with tree protection measures for those being retained.

7.12.6 The Arboricultural Report submitted in support of the application specifies a quantum of maintenance works to be undertaken to the central north/south belt of trees. The Council's Arboricultural Officer has suggested that further works could be undertaken here to manage the trees and given their proximity to proposed rear gardens within the development.

7.12.7 The submitted site layout plan also indicates areas of landscaping will be provided throughout the site, although at this stage no detailed landscaping plans have been provided. The Council's Green Spaces Officer has raised some concerns over small landscaping pockets between parking areas, where it can be difficult to manage or for the landscaping to flourish. Full landscaping details, including hard landscaping in these areas can be secured via a suitably worded condition.

7.13 Biodiversity, Ecology and Protected Species

7.13.1 The Environment Act received royal ascent in 2021 within the legislation is the requirement for proposals to bring about a positive net gain on biodiversity. The regulations which make a 10% net gain a statutory requirement (with a standard condition) had not come into effect at the time of submission. The requirement and the ways in which this gain is measured apply to planning applications for major development submitted after the regulations came into force on 12 February 2024. For major applications submitted before this date, the Regulations comprised transitional arrangements whereby local policy will remain the starting point for determination, together with other material considerations. This application was submitted in January 2024 and therefore in line with the current regulations it will be assessed and determined on the regulations and policies at the time of submission, i.e. the Council's adopted BNG SPD.

7.13.2 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.

7.13.3 The site is located in a semi-urban setting, located close to principal open spaces and the smaller rural looking settlement of Symonds Green which is also a designated Conservation Area. The site is bordered by residential properties to the north and vehicular highways to the south and east. The wider environment is generally urban in nature comprising a mixture of commercial/light industrial and residential buildings along with hardstanding, hedgerows, individual trees and amenity grassland. The application is accompanied by a Biodiversity Net Gain Assessment and Preliminary Ecological Appraisal and Roost 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.

7.13.4 The survey comprised a desk top study, field survey to record baseline information on the site and surrounding habitat (including protected species and roosting bats), invasive plant and animal species detection, potential impacts on features of value, recommendations for further surveys and mitigation, and opportunities for enhancement. The desk study included a review of the magic.gov.uk database for statutory designated sites within a 2km radius of the site. An extended habitat survey followed the methodology set out in the UK Habitat Classification Habitat Definitions Version 2.0.

- 7.13.5 The Ecological Appraisal identifies that no impacts on any designated sites are expected as a result of construction or use of the development. No direct impacts on Great Crested Newts and common amphibians are anticipated, although the study does identify that clearance could impact on possible reptiles on site. A further reptile study has been recommended. The possibility of roosting bats has been concluded as low and the study advises that the implementation of a precautionary working method would be sufficient to mitigate here.
- 7.13.6 The level of trees on site have potential for nesting birds and any works will undertaken outside the normal nesting season. Where this is not possible due to urgent works being needed a suitably qualified ecologist/ornithologist should undertake a close inspection of the trees in question and if active nests are found these should be retained until the young have fledged. Bird Nesting opportunities will be incorporated into the site with the use of integrated swift boxes which can be secured by condition.
- 7.13.7 The majority of trees on site have negligible value for roosting bats, however it is proposed to install four bat boxes on site to replace the tree loss. These can be secured via a condition.
- 7.13.8 With regards to biodiversity net gain, the application was submitted in January and based on up-to-date policy can be determined under the former regulations for BNG gain. As such, the Council's Biodiversity SPD should be fully considered. The application has been supported by a BNG matrix and baselines which conclude that the development proposals will result in a -0.97% net loss in habitat units and a 17.4% net gain in hedgerow units. Therefore, whilst the development surpasses the 10% net gain for hedgerows, it does not surpass the minimum 10% net gain for habitat units.
- 7.13.9 Given a 10% net gain of habitat units cannot be provided on site, the SPD advises that the units should be provided off site, and that a financial contribution can be made in-lieu of on-site provision. The Council's Parks and Amenities/Green Spaces Officers worked extensively to select SBC owned land that could take on BNG units and allow for the required 30-year maintenance and management. It is proposed that an appropriate site be investigated and a financial contribution secured through the S106 Agreement be used to provide the BNG units on land as close to the site as possible.

7.14 Other Matters

Sustainable construction and climate change

- 7.14.1 Existing 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.
- 7.14.2 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.

7.14.3 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.

7.14.4 It is the intention for the development to be entirely gas free, with air source heat pumps stated for the flatted accommodation, as well as the provision of mechanical ventilation with heat recovery, grey water heat recovery and the provision of solar panels where suitable as a matter of course on SBC developments. Furthermore, the flatted development proposed includes a green roof, as well as the required provision of electric vehicle charging points.

7.14.5 Emerging policy CC6 requires the use of green and blue roofs, however, this policy carries little weight at present and was not proposed at the time this development was designed. Notwithstanding the use of a green roof on the flatted accommodation is welcomed.

7.14.6 It is considered appropriate to secure the final, specific details of the intended renewable and sustainable mitigation measures via condition to ensure full compliance.

Waste and Recycling

7.14.6 The Design Guide (2023) states, provision should be made within new development for the storage and collection of waste from a site. The proposed site layout plan shows the waste and recycling bins for the flatted development to be contained in a roof free enclosure to the north-west of the flats, for easy kerbside collection. Furthermore, each dwelling has bin storage proposed in an acceptable location so as to ensure maximum drag distances are not exceeded.

7.14.7 Given the aforementioned, with an appropriate condition in place, suitable refuse and recycle storage facilities can be delivered to meet the criterion set out in the Council’s Design Guide SPD (2023).

Community Infrastructure Levy

7.14.8 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

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	

7.14.9 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.

7.14.10 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.

7.15 Equality, Diversity and Human Rights

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

7.15.2 When considering proposals placed before Members it is important that they are fully aware of and have themselves rigorously considered the equalities implications of the decision that they are taking.

7.15.3 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.

7.15.4 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.

7.15.5 In terms of inclusive access, the scheme has been designed to be DDA (Disability Discrimination Act) compliant. In addition, in accordance with Policy HO11: Accessible and Adaptable Housing of the adopted Local Plan (2019), as this is a major scheme at least 50% of all new dwellings will need to be category 2: accessible and adaptable dwellings. The development also comprises of ramped, level access to the parking spaces, as well as raised tables within the access road, and level access to premises for wheelchairs/pushchairs, etc.

7.15.6 The scheme also seeks to deliver the necessary disabled parking provision in accordance with the Council's adopted Parking Standards SPD (2020). The bays will meet the relevant size standards and have been systematically located across the development.

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 for the determination of this application 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 development would provide 38 dwellings, making a strong contribution to the aim of boosting housing supply, which in this instance, would be through the partial redevelopment of a sustainable brownfield site to deliver the much-needed type of residential dwellings proposed. Further, the proposal would deliver 12 affordable units which is in line with the requirements of Policy HO8 and attracts significant weight in favour of the development. This is due to the under-delivery of affordable housing to date over the Local Plan period. 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 great and therefore attracts significant weight in favour of the proposal.
- 8.3 The proposed development would have an acceptable impact on the amenities of neighbouring occupiers and the collection of waste and recycling is acceptable. In relation to the amenities of future residents, the development would have acceptable living standards in terms of outlook, privacy, sunlight and daylight, internal floorspace standards and impact from noise.; these are neutral matters.
- 8.4 The development has been assessed to be acceptable in appearance and would not harm the visual amenities of the area. The impact on the setting of nearby Heritage Assets has been assessed against public benefit vs the less than substantial harm considered to derive from the proposals, in line with the NPPF. The disabled parking and cycle parking are considered acceptable. This carries moderate weight in favour of the proposal.
- 8.5 The car parking provision has been identified as meeting the required standards in the Parking Provision SPD taking account of the eastern parcel falling within residential parking zone 3 allowing for a 75-100% provision. The site has also been determined to be in a sustainable location with good access to public transport and other non-car modes of transport with a good level of public services within easy reach.
- 8.6 The development has been assessed to be in accordance with policy in terms of private amenity space save for two plots 23 ad 26. However, the shortfall is considered negligible and given the level of principal open space nearby and the weight attributed to the provision of market and affordable home, on balance, the public benefits arising from the delivery of the development are considered to outweigh the harm from this minor policy contravention.
- 8.7 With regards to the environmental impact of the development in terms of ecology, biodiversity and landscaping, it has been established that these are all considered acceptable, subject to suitably worded conditions.

- 8.8 The provision of affordable housing and other developer contributions can be satisfactorily addressed through the use of a S106 Legal Agreement.
- 8.9 In conclusion, the proposal has been assessed to comply with the relevant policies of the Local Plan (2019) with on balance justifications for the loss of the open space and provision of market and affordable housing in this case. It is considered that through the imposition of conditions and financial contributions secured through a Section 106 Legal Agreement that the development can be suitably mitigated against in line with policies. The public benefits identified through the delivery of this housing, outweigh the harms previously identified. Therefore, the application is recommend for approval.

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:-
- Securing the provision of affordable housing;
 - Section 278 Highway Improvement works;
 - Secure the provision of a Management Company;
 - Apprenticeships and construction jobs;
 - Monitoring of Travel Plans;
 - Biodiversity Net Gain provision or financial contribution;
 - Secondary education financial contribution;
 - NHS financial contribution;
 - Securing the enhancement of play equipment at Meadway Playing Fields;
 - Securing replacement trees at a 3 to 1 ratio;
 - SBC Section 106 monitoring fee – 2.5% of total financial obligations (capped at £25,000); and
 - HCC Monitoring Fee of £340 per trigger relating to HCC obligations.
- 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, along with delegated powers to the Assistant Director in liaison with the Council's appointed solicitor to enforce the obligations set out in the S106 Legal Agreement on behalf of Stevenage Borough Council and / or appoint another Planning Authority to enforce planning obligations on behalf of Stevenage Borough Council as and where legally required to do so. In addition, the imposition of suitable safeguarding conditions, with authority given to the Assistant Director of Planning and Regulation in consultation with the Chair 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:-

General

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:
14122_P200S, 14122_P201J, 14122_P202P, 14122_P203D, 14122_P204G, 14122_P210D, 14122_P211D, 14122_P212E, 14122_P213G, 14122_P214B;
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 Unless otherwise agreed in writing by the Local Planning Authority, no demolition or construction activities audible at the site boundary shall be carried out except between the hours of 07:30 to 18:00 Monday to Friday and 08:00 to 13:00 on Saturdays. For the avoidance of doubt, no such work shall be carried out on Sundays or Bank Holidays.

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

- 4 Any external lighting installed at the site shall be angled so as to avoid any spillage beyond the site boundaries unless otherwise agreed in writing by the Local Planning Authority.

REASON:- In the interests of the living conditions of neighbouring occupiers and highway safety.

- 5 The development to which this permission relates shall be carried out in accordance with the mitigation measures as specified in the Preliminary Ecological Appraisal and Preliminary Roost Assessment by Arbtech dated 31 January 2024 unless otherwise agreed in writing by the Local Planning Authority.

REASON:- To prevent unacceptable harm to habitats and species.

- 6 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 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).

- 7 All planting, seeding and turfing shall be carried out in the first planting and seeding seasons following the first use of the site or the completion of the development whichever is the sooner.

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

- 8 Any trees or plants comprised within the approved plans which within a period of five years from the completion of the development, die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless otherwise agreed in writing by the Local Planning Authority.

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

- 9 On completion, the design of windows and ventilators to each dwelling shall achieve an acoustic performance which shall ensure that, when windows are closed and ventilators are open, noise levels do not exceed:

- 35 decibels (dB) (LAeq,16h) during the daytime (07:00 – 23:00) within bedrooms and living rooms;
- 30dB (LAeq,16h) during the night (23:00 – 07:00) within bedrooms;
- 45 dB (LAFmax) on more than ten occasions during any typical night (23:00 – 07:00) within bedrooms

The ventilation system for each dwelling shall incorporate continuous mechanical supply and extract with heat recovery shall be designed so as to ensure the ventilation system itself does not produce unacceptable levels of noise within each dwelling. All schemes for ventilation shall comply with the current edition of Approved Document F to the Building Regulations.

REASON:- To protect the amenity of future occupiers of the development

- 10 At least 50% of the residential units shall be Category 2: Accessible and Adaptable dwellings.

REASON:- To ensure the development will meet the increase in demand for accessible and adaptable units for elderly and disabled residents in accordance with Policy HO11 of the Stevenage Borough Local Plan 2011 – 2031 (adopted 2019).

- 11 The trees works to Group 3 as identified in the Arboricultural Method Statement by Arbtch dated 29 January 2024 shall include a 50% overall reduction in accordance with the Council's Arboricultural Manager's consultation response. The works shall be carried out in accordance with the principles stated in the Method Statement.

REASON:- To ensure the group of trees is adequately maintained to prevent nuisance to future occupiers of adjacent properties, and in the interests of the trees health and longevity.

Pre-commencement

- 12 No development shall take place (including demolition and site clearance) until additional plans have been submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority, which show the detailed engineering designs and construction of the following offsite highway works as indicated on the outline site plan (Ref-14122-P202-P):
- a) New 3m wide footways along Clovelly Way to connect the existing footways on Eastbourne Ave, and Bude Crescent
 - b) Tractile Paving Crossing points onto Eastbourne Avenue and Clovelly Way and
 - c) New footway/cycleway connection to exiting ped/cycle link on the Symonds Green Lane and to the existing footway on Redcar Drive

These works shall be constructed (via s278) to the specification of the Highway Authority and Local Planning Authority's satisfaction and completed before first occupation.

REASON:- To ensure residents and visitors of the development have the realistic option of travelling by local bus routes, shops, and not a reliance on the private motorcar, in accordance with paragraphs 114 – 116 of the NPPF (December 2023).

- 13 No development shall take place (including demolition and site clearance) until a Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The Construction Traffic Management Plan shall include details of:

- a) Construction vehicle numbers, type, routing.
- b) Access arrangements to the site.
- c) Measure to minimise dust, noise machinery and traffic noise impacts during construction.
- d) Screening and hoarding details to protect neighbouring residents.
- e) Traffic management requirements, including the location of routes and from the site, details of their signing monitoring and enforcement measures.
- f) Construction and storage compounds (including areas designated for car parking, loading /unloading and turning areas);
- g) Siting and details of wheel washing facilities.
- h) Cleaning of site entrances, site tracks and the adjacent public highway including end of day tidying procedures to ensure protection of the site out the hours of construction. The construction activities shall be designed and undertake in accordance with the code of best practice set out in BS 5228 1997 and the agreed details unless otherwise agreed in writing by the LPA and Highways.
- i) Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times.
- j) Provision of sufficient on-site parking prior to commencement of construction activities.
- k) Post construction restoration/reinstatement of the working areas and temporary access to the public highway.
- l) 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.

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

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

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

- 15 No development shall take place (including demolition and site clearance) until the tree protection measures identified in the Arboricultural Method Statement by Arbtech and dated 29 January 2024 have been implemented. These measures shall remain in place for the duration of the development as necessary, unless otherwise agreed in writing by the Local Planning Authority.

REASON:- To ensure all existing trees being retained are appropriately protected from the approved development.

- 16 No development shall take place (including demolition and site clearance) until an updated Arboricultural Survey has been carried out and submitted to the Local Planning Authority, identifying the exact number of trees to be removed further to the Summary of Tree Works (Table 8) contained in the Arboricultural Method Statement by Arbtech dated 29 January 2024.

REASON:- To enable the LPA to have an exact number of trees to be removed to enable policy complaint replacement planting.

Pre-Slab Level

- 17 No development shall take place above slab level (excluding demolition, site levelling and remediation works) until a schedule and samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON:- To ensure the development has an acceptable appearance.

- 18 No development shall take place above slab level (excluding demolition, site levelling and remediation works) until there has been submitted to and approved by the Local Planning Authority a scheme of soft and hard landscaping and details of the treatment of all hard surfaces. The scheme shall include details of all existing trees and hedgerows on the land and details showing all trees to be removed, or retained, together with details of all new planting to take place including species, size and method of planting. The approved landscaping scheme shall be completed in accordance with the approved details prior to first occupation of any of the units within the development.

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

- 19 No development shall take place above slab level (excluding demolition, site levelling and remediation works) until details of measures to address adaptation to climate change and energy efficiency in line with Policy FP1 of the Stevenage Local Plan (2019) and which should exceed the relevant Building Control Regulations have been submitted to and approved in writing by the Local Planning Authority. These measures shall then be implemented and permanently maintained in accordance with the approved details prior to first occupation of any of the units within the development.

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

- 20 No development shall take place above slab level (excluding demolition, site levelling and remediation works) until details of the location of the integrated swift boxes and bat boxes have been submitted to and approved in writing by the Local Planning Authority. Prior to the first occupation of the first unit hereby permitted, the bird boxes and bat bricks or boxes as specified in the Ecology Report by Turnstone Ecology Ltd dated 31 January 2024 and their location as approved in writing shall be erected accordingly and thereafter permanently retained and maintained.
REASON:- To provide suitable roosting and nesting opportunities for bats and birds as an ecological enhancement of the site.
- 21 No development shall take place above slab level (excluding demolition, site levelling and remediation works) until a scheme for the provision of adequate water supplies and fire hydrants, necessary for firefighting purposes at the site, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the scheme has been implemented in accordance with the approved details.
REASON:- To ensure adequate water infrastructure provision is made on site for the local fire service to discharge its statutory firefighting duties
- 22 Notwithstanding any details shown in this application the treatment of all boundaries including details of any walls, fences, gates or other means of enclosure shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development above slab level (excluding demolition, site levelling and remediation works). The approved boundary treatments shall be completed before the use hereby permitted is commenced or before any building is occupied.
REASON:- To ensure a satisfactory standard of development in the interests of amenity and that it has an acceptable appearance.

Prior to Occupation

- 23 Prior to the first occupation of the development hereby permitted, all vehicular access points shall be provided and thereafter retained at the position shown on the approved plan drawing number (Ref-24102-MX-XX-DR-C-0130 -P04) via S278 agreement with the highway. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.
REASON:- To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway.
- 24 Prior to the first occupation of the development hereby permitted, a visibility splay measuring 2.4m x 43m shall be provided to each side of the new access off Clovelly Way where it meets the highway, and such splays shall always thereafter be maintained free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway.
REASON:- To ensure construction of a satisfactory development and in the interests of highway safety.
- 25 Prior to the first occupation of the first unit hereby permitted, all proposed onsite car & cycle parking, and turning area as shown on the outline site plan (Ref-14122-P202-P) shall be laid out, demarcated, levelled, surfaced, and drained in accordance with the approved plan and retained thereafter available for that specific use.
REASON:- To ensure construction of a satisfactory development and in the interests of highway safety.
- 26 Prior to the first occupation of the first unit hereby permitted, the general waste and recycling stores and plant areas associated with the development shall be implemented in accordance with the details shown on approved plan 2023/P0221-001-G and retained and maintained accordingly for the lifetime of the development.

REASON:- To ensure the storage areas are acceptable and are of sufficient size to accommodate the number of bins which are required for this development.

- 27 Prior to the first occupation of the first unit hereby approved, the Electric Vehicle Charging Points (EVCP) associated with the development shall be installed and readily available in accordance with the details and siting shown on approved plans 14122-P214B and 14122-P240G respectively. They shall be retained and maintained accordingly for the lifetime of the development.

REASON:- To ensure the development complies with the requirement for EVCP.

- 28 Prior to the first occupation of the first unit hereby permitted, full details of the proposed Community Garden shall be submitted to and approved in writing by the Local Planning Authority. The details shall include how the community garden will be managed and maintained. The works shall thereafter be implemented in accordance with the approved details.

REASON:- To ensure this community asset comes forward and measures put in place for its maintenance and management.

- 29 Prior to the first occupation of the first dwelling hereby permitted, a landscape management plan, including long term objective goals, management responsibilities (other than private domestic gardens and/or amenity areas) shall be submitted to and approved in writing by the Local Planning Authority. The landscape management and maintenance plan should be fully coordinated with the ecological management requirements and should include clearly defined details for monitoring of all landscape areas by suitably trained and qualified personnel. The development shall thereafter be carried out in accordance with the approved management plan.

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

- 30 In the event that contamination is found at any time when carrying out the approved development that was not previously identified, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historic environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

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.

- 31 In the event that contamination is found at any time when carrying out the approved development that was not previously identified, as required under condition 28, the approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval in writing of the Local Planning Authority.

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.

For the Following Reason:

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

INFORMATIVE

1 **Public Information on Planning Applications**

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

2 **Community Infrastructure Levy**

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

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

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

3 **Building Regulations**

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

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

Hertfordshire Building Control can also be contacted by post at Hertfordshire Building Control Ltd, Campus East, Welwyn Garden City, Hertfordshire, AL8 6AE.

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

- Excavation for foundations;
- Damp proof course;
- Concrete oversite;
- Insulation;
- Drains (when laid or tested);

Floor and Roof construction
Work relating to fire safety;
Work affecting access and facilities for disabled people;
Completion.

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

4 Party Wall etc. Act 1996

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

5 Hertfordshire County Council as Highways Authority

Parking and Storage of materials: The applicant is advised that all areas for parking, storage, and delivery of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx> or by telephoning 0300 1234047.

6 Hertfordshire County Council as Highways Authority

Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website: <http://www.hertfordshire.gov.uk/services/transtreets/highways/> or by telephoning 0300 1234047.

7 Hertfordshire County Council as Highways Authority

New or amended vehicle crossover access (section 184): Where works are required within the public highway to facilitate a new or amended vehicular access, the Highway Authority require the construction of such works to be undertaken to their satisfaction and specification, and by a contractor who is authorised to work in the public highway. If any of the works associated with the construction of the access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) the applicant will be required to bear the cost of such removal or alteration. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission, requirements and for the work to be carried out on the applicant's behalf. Further information is available via the County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/dropped-kerbs/dropped-kerbs.aspx> or by telephoning 0300 1234047.

8 Hertfordshire County Council as Highways Authority

Works within the highway (section 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 County Council website at: <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.

9 **Hertfordshire County Council as Highways Authority**

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

10 **Hertfordshire County Council as Highways Authority**

Travel Plan (TP): A TP, in accordance with the provisions as laid out in Hertfordshire County Council's Travel Plan Guidance, would be required to be in place from the first occupation/use until 5 years post occupation/use. A £1,200 per annum (overall sum of £6000 and index-linked RPI March 2014) Evaluation and Support Fee would need to be secured via a Section 106 agreement towards supporting the implementation, processing and monitoring of the full travel plan including any engagement that may be needed. Further information is available via the County Council's website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx> OR by emailing travelplans@hertfordshire.gov.uk

11 **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.

12 **Affinity Water**

The construction works and operation of the proposed development should be done in accordance with the relevant British Standards and Best management Practices, thereby significantly reducing the groundwater pollution risk. The construction works may exacerbate any existing pollution. If any pollution is found at the site, then the appropriate monitoring and remediation methods will need to be undertaken.

For any works involving excavations below the chalk groundwater table (for example, piling or the implementation of a geothermal open/closed loop system), a ground investigation should first be carried out to identify appropriate techniques and to avoid displacing any shallow contamination to a greater depth, which could impact the chalk aquifer.

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. Stevenage Borough Local Plan Partial Review (2024).
5. Hertfordshire County Council's Local Transport Plan 4 adopted May 2019.
6. Responses to consultations with statutory undertakers and other interested parties referred to in this report.
7. Central Government advice contained in the National Planning Policy Framework December 2023 and Planning Practice Guidance.