

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

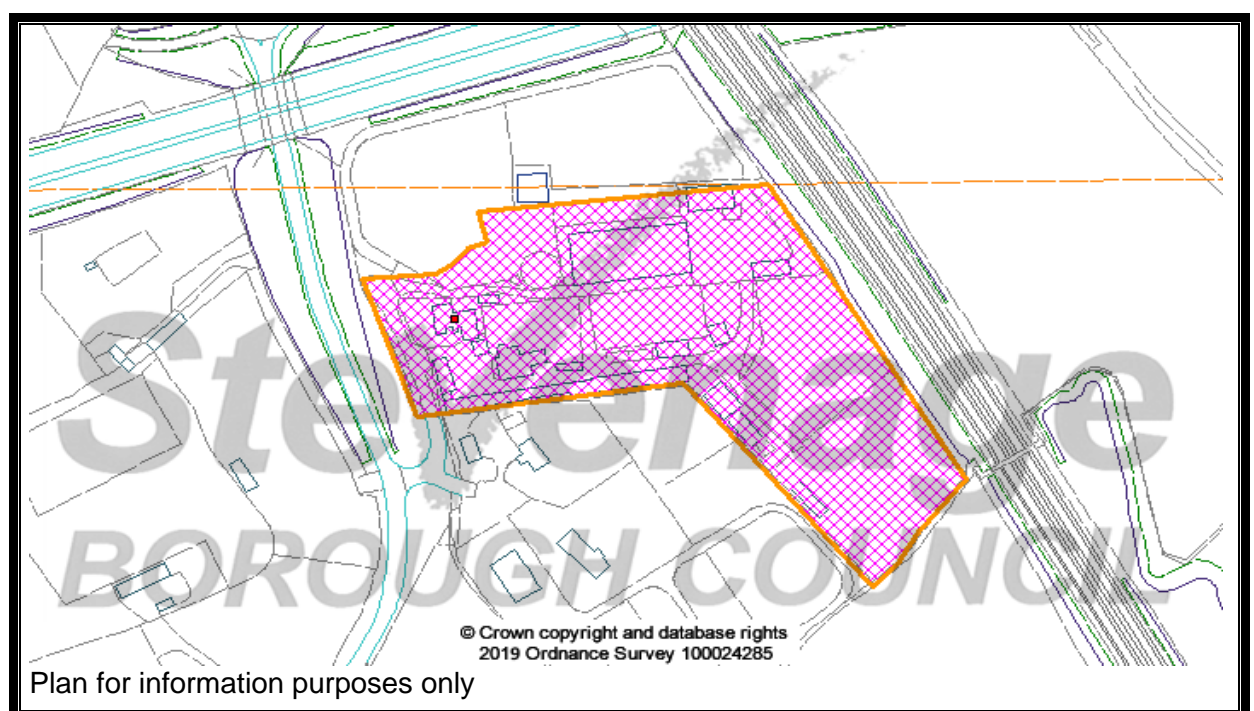
Date: 29 October 2024

Author: Linda Sparrow

Lead Officer: Zayd Al-Jawad

Contact Officer: Linda Sparrow

Application No :	23/00710/FPM
Location :	Courtlands, Todds Green, Stevenage, Herts, SG1 2JE
Proposal :	Redevelopment of existing stables to provide 17 dwellings with access road, parking, landscaping, footpath connections, infiltration basing and pump station
Drawing Nos.:	20258_P-11-001A PLOT 11; 20258_P-13-001A PLOT 13; 20258_P-00-001-A; 20258_P-00-002A SITE SECTIONS-A1; 20258_P-01-001A PLOT 1; 20258_P-02-001A PLOT 2; 20258_P-03-001A PLOT 3; 20258_P-04-001A PLOT 4; 20258_P-05-001A PLOT 5; 20258_P-06-001A PLOT 6; 20258_P-07-001A PLOT 7; 20258_P-08-001A PLOT 8; 20258_P-09-001A PLOT 9; 20258_P-10-001A PLOT 10; 20258_P-12-001A PLOT 12; 20258_P-14-001A PLOT 14; 20258_P-15-001A PLOT 15; 20258_P-16-001A; 20258_P-17-001A PLOT 17; Type 3 Pumping Station Layout; 20258-P-00-003;
Applicant :	SJM & Co Ltd
Date Valid:	25 September 2023
Recommendation :	GRANT PLANNING PERMISSION



1. SITE DESCRIPTION

- 1.1 The application site was previously in use as riding stables and a riding school and is located within the Green Belt. The site originally comprised a number of old buildings, some single storey, some two-storey, all of varying sizes, materials, colours and degree of wear and tear. There are two small dwellings within the site which have been used by the owners of the riding school. Large areas of the site were covered with hardstanding or were bare un-landscaped areas. The site is currently under development following grant of planning permission 21/00971/FPM.
- 1.2 To the north of the site is an extensive grassed paddock area with a large overhead power line, with the A602 highway beyond. There are a limited number of small trees within the site although the western site boundary with Old Chantry Lane is heavily landscaped with a dense mature tree belt and to the south of the site is the extensive area of St. Margaret's Wood. To the east of the site is the East Coast Mainline railway. To the south-west of the site is Chantry Farm which is a mixture of residential and commercial enterprises and the residential site of The Lodge. Further outside the site boundary to the south is the main hamlet of Todds Green which comprises a mixture of residential premises, along with farmsteads and stables; to the north of the A602 is the village of Little Wymondley. The remaining surrounding area is rolling agricultural fields.
- 1.3 The site is accessed from the main highway of Chantry Lane via the small access road of Old Chantry Lane which also serves The Lodge and Chantry Farm.
- 1.4 Footpath "Stevenage 085" runs east/west within the site close to the southern boundary. For reasons unclear, that footpath is presently not accessible from outside of the site. An informal footpath runs east/west beyond the south boundary which is that route presently used by those traversing the area. The proposal will reintroduce the ability to access the alignment of footpath 085 with the off-site pathway and provide links to and through the site via two new links.
- 1.5 Under planning permission reference number 21/00971/FPM, permission was granted in January 2023 for the redevelopment of the riding school to provide 17no. dwellings. This permission has been implemented and the re-development is well under way.

2. RELEVANT PLANNING HISTORY

- 2.1 08/00308/FP Demolition of 1no dwelling and erection of 1no. five bedroom and 2no. four-bedroom detached dwellings. Withdrawn 06.06.2008.
- 2.2 14/00307/CLEU Certificate of lawfulness for permanent use of land for the stationing of two residential caravans. Lawful Development Certificate Granted 11.09.2014.
- 2.3 15/00476/FP Retention of 2no. storage barns for equipment and feed. Permission granted 13.11.2015.
- 2.4 18/00072/FP Demolition of existing dwellinghouse and erection of 1 no. four bedroom detached dwellinghouse. Permission granted 11.04.2018.
- 2.5 18/00444/FP Proposed replacement of 1 no. four bedroom detached dwelling house. Permission granted 17.09.2018.
- 2.6 18/00637/COND Discharge of conditions 3 (materials); 8 (Boundary treatments); 11 (landscaping); and 13 (climate change) attached to planning permission reference number 18/00444/FP. Conditions discharged 03.12.2018.

- 2.7 18/00756/FP Variation of condition 1 (Plans) attached to planning permission reference number 18/00444/FP for the relocation and replacement with a larger mobile home. Permission granted 07.02.2019.
- 2.8 19/00698/FP Erection of 1no. 3 bedroom bungalow. Permission refused 23.01.2020. The reasons for refusal were as follows:
1. The erection of the bungalow represents inappropriate development which is harmful to the openness of the Green Belt. The applicant has failed to adequately demonstrate a case of very special circumstances to outweigh the harm caused to the Green Belt contrary to paragraphs 143, 144 and 145 of the National Planning Policy Framework (2019) and Policies GB1, GB2 and SP10 of the Stevenage Local Plan 2011-2031 (adopted 2019).
 2. The proposed development would have a harmful impact on the visual amenities of the wider rural countryside including the Green Belt. Consequently, the proposed development is contrary to Policies GB2, SP8 and GD1 of the Stevenage Borough Local Plan 2011-2031 (2019), the Council's supplementary planning document Stevenage Design Guide SPD (2009), the National Planning Policy Framework (2019) and the National Planning Practice Guidance (2014).
- 2.9 20/00142/FP Proposed detached dwelling to replace existing mobile home. Permission granted 30.04.2020.
- 2.10 20/00247/COND Discharge of condition 11 (landscaping) and 13 (climate change) attached to planning permission reference number 20/00142/FP. Conditions discharged 29.06.2020.
- 2.11 20/00307/NMA Non Material Amendment to alter window and doors including colour change of frames and external cladding attached to planning permission 20/00142/FP. Non-Material Amendment agreed 29.06.2020.
- 2.12 20/00308/NMA Non Material Amendment to change colour of external cladding and change of window and door frame colour attached to planning permission 18/00072/FP. Non-Material Amendment agreed 29.06.2020.
- 2.13 20/00581/COND Discharge of Condition 9 (flood risk assessment) and 10 (as built drainage details) attached to planning permission reference number 20/00682/FPM. Pending.
- 2.14 20/00668/COND Partial Discharge of condition 15 (Construction Plan and Method Statement) attached to planning permission reference number 19/00123/FPM 18.11.2020 Discharged.
- 2.15 21/00971/FPM Redevelopment of existing riding stables to provide 11no. three bedroom and 6no. four bedroom dwellings with associated access road, parking, landscaping, footpath connections, infiltration basin and pump station 10.01.2023 Granted.
- 2.16 22/00446/PADEMO Prior approval for the demolition of existing riding stables, paddocks and outbuildings, including foundations and ground slabs 01.06.2022 Prior Approval Not Required.
- 2.17 23/00202/COND Discharge of conditions 4 (construction management plan); 5 (site waste management plan); 6 (vehicular access); 7 (cycle and bin storage); 8 (parking spaces); 9 (EV charging points); 13 (ecological mitigation); 14 (bird & bat boxes and hedgehogs); 21 (tree protection measures); 24 (boundary treatments); 25 (contamination); 26 (contamination); 27 (contamination); 30 (acoustic fencing); 32 (water supplies & hydrants) and 33 (ground investigations & excavations) attached to planning permission reference number 21/00971/FPM Discharged.
- 2.18 23/00372/COND Discharge of conditions 24 (boundary treatments); 28 (external lighting) and 34 (construction methodology) attached to planning permission reference number 21/00971/FPM 05.04.2024 Discharged.

- 2.19 24/00040/COND Discharge of condition 12 (Climate Change) attached to planning permission reference number 21/00971/FPM. 27.02.2024 Discharged.
- 2.20 24/00178/AD Retention of 4.55m x 3m advertisement board within field boundary adjacent to J8 of the A1(M) 25.04.2024 Granted.
- 2.21 24/00279/COND Discharge of conditions 10 (drainage scheme); 11 (drainage scheme); 15 (soft and hard landscaping scheme); 20 (landscape management plan) attached to planning permission reference number 21/00971/FPM. Pending.

3. THE CURRENT APPLICATION

- 3.1. The application before the Council seeks planning permission for the erection of 11no. three bedroom and 6no. four-bedroom dwellings with associated access road, parking, landscaping, footpath connections, infiltration basin and pump station.
- 3.2. The application is a re-submission of the previously approved application under reference number 21/00971/FPM with the ground floor of each dwelling enlarged by 3m in depth. All other details remain the same as approved previously.
- 3.3. The application site is located within Green Belt and as the application is classified as a major housing scheme on a site not allocated for housing in the Local Plan, it is considered a departure from the development plan. Under planning permission 21/00971/FPM the principle of development of the site for housing in the Green Belt was agreed.
- 3.4. The application comes before the planning and development committee as it is a major residential scheme.

4. PUBLIC REPRESENTATIONS

- 4.1. The application was publicised by way of neighbour notification letters, a press notice and site notices.
- 4.2. Summaries of the comments received are outlined below:

12 Gilders, Sawbridgeworth

This development appears to be very similar to that already granted with reference 21/00971/FPM. That grant of permission included a condition for Swift and Bat boxes and Hedgehog highways. Please therefore apply a similar condition for this development.

5. CONSULTATIONS

5.1 Hertfordshire County Council Highways

- 5.1.1 Hertfordshire County Council (HCC) as Highway Authority's considers the likely increase in traffic movements at the access and junction with Chantry Lane, would not result in an unacceptable impact on highway safety, and the residual cumulative impacts on the road would not be severe. The site is within an accessible location with a range of modes available to all users. The site has been designed to encourage journeys by foot and cycle by providing a footway link to the existing footway network and beyond. Cycle provision will be provided in accordance with SBC standards. The internal layout has been designed in accordance with MfS (**Manual for Streets**) and accommodates a link to the footpath network. The scheme would have a minimal impact on the surrounding highway network generating 5-6 additional vehicles during the peak. The traffic would then dissipate further along the network.

- 5.1.2 There have been earlier applications which involve redevelopment of the stables to dwellings (21/00971/FPM - 17 dwellings and 21/02576/FP - Means of access in relation to proposed redevelopment of existing stables to provide 17 dwellings) and in both applications the HA did not wish to restrict the grant of permission subject to conditions. The HA has reviewed the revised Transport Statement and is satisfied that the approach, methodology, assessment, vehicle access layout and mitigation measures proposed, demonstrates and supports that the proposed development meets the required policy and design-led approach and consequently that the proposal is not likely to have any significant impact on parking demand, congestion or highway safety. The applicant has also stated that as part of these proposals and in order to connect the site to the existing footway network, it is proposed to provide a footway link from the site access south, to Stevenage Road. This provision will enhance pedestrian accessibility and safety of the site. This will require the applicant to enter into a section 278 agreement to address the footway provision and carriageway works joining to the adjacent local access road.
- 5.1.3 It is Hertfordshire County Councils policy to seek a planning obligation in respect of Sustainable Transport including for all developments. The revised NPPF -July 2021 (**Currently NPPF December 2023**) promotes accessibility by sustainable means including bus, cycling, and walking, and the provisions of S106 of the Town and Country Planning Act-1990 allows that planning obligations, governed by the guidance within CIL Regulations may be used to mitigate the impact of development. On 22 June 2021, HCC adopted a new toolkit to seek planning obligations towards sustainable transport. Based on the above, the county council will actively seek planning obligations which will improve sustainable transport facilities and services for passenger transport users who are using the development and generally for those users in the surrounding area. In addition to the strand 1 highway works outlined above, wider necessary / strand 2 highway measures are required. The headline figure as stated in our Toolkit is £6826 per dwelling (i.e., the average amount each new dwelling across the county needs to pay in order for the necessary new infrastructure to be delivered). Multiply this by 17 dwellings = £116,042.

5.2 Herts Fire and Rescue Service Water Officer

- 5.2.1 The application will require a condition for the provision of fire hydrants, to be provided and installed by the developer at no cost to the county or Fire and Rescue Services. This is to ensure the site has adequate supplies of water in the event of an emergency.

5.3 Sport England

- 5.3.1 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), therefore Sport England has not provided a detailed response in this case.

5.4 HCC Growth and Infrastructure Unit

- 5.4.1 18th October 2023: Based on the information to date, HCC would request financial contributions for primary education at £192,958.00 index linked, and monitoring fees for each trigger in the legal agreement at £340.00 per trigger. We will advise on Secondary Education in due course. We also reserve the right to seek CIL contributions.
- 5.4.2 20th October 2023: Upon review, Primary Education contribution request is withdrawn as was requested in error. The Secondary Education holding response remains in place and it applies to all new housing schemes in Stevenage. Since the previous planning application was approved, the funding strategy has changed and requires CC to request s106 contributions on all new applications. Discussions are ongoing between HCC and the Assistant Director of Planning and Regulation (Mr Al-Jawad) and we hope to agree the final position shortly.

5.5 Thames Water

- 5.5.1 Surface Water - 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. Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Waste Water and Sewage Treatment – we would not have any objection to the planning application based on the information provided. Water supply - this comes within the area covered by the Affinity Water Company.

5.6 The Environment Agency

- 5.6.1 No objections to the proposed development.

5.7 Natural England

- 5.7.1 No objection. Based on the plans submitted, we consider that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

5.8 SBC Environmental Health

- 5.8.1 Construction activities by their nature can be noisy and intrusive for neighbouring occupiers, particularly in terms of noise, vibration and air quality (dust). Noise and vibration can arise from piling operations, groundworks and excavation and plant and machinery and their associated activities. Early morning deliveries can also give rise to disturbance if not properly controlled and managed. Dust from site operations can also be an issue, particularly during periods of sustained dry weather. Environmental Health expects developers to control the impact from the construction phase of their development by implementing suitable mitigation measures and following best practices in accordance with BS5228:2009 Part 1 (Noise) and Part 2 (Vibration), where appropriate, Environmental Health also seeks to ensure that the environmental impacts of construction works are suitably controlled through their powers under Part III of the Environmental Protection Act 1990 (Statutory Nuisances) and Section 60 of the Control of Pollution Act 1974.
- 5.8.2 The proposed residential development will potentially be adversely affected by railway noise and road traffic noise from the A1(M) and A602. The submitted “Noise and Vibration Impact Assessment, Land at Courtlands Riding Stables”, Report reference J 04467R1 dated 7/9/2021 by Sound Planning Ltd has been reviewed. Appropriate Design Criteria have been selected for both noise and vibration and monitoring undertaken. Noise modelling has been used to determine noise levels across site. Noise mitigation measures were found to be required, specifically, enhanced glazing, mechanical ventilation and (see Appendix 9) a 2 metre high close-boarded fence, minimum mass 10 kg/sq m. Additional information has been provided via email (ref. email from Progress Planning dated 19th November 2021, application ref. 21/00971/FPM) - Drawings reference 14043-P034- D and P035-C. These emails state that triple glazed glazing will be implemented, in conjunction with openable windows; this is satisfactory in respect of proposed window design.
- 5.8.3 Conditions relating to construction hours, contamination, noise levels, window glazing, and a Construction Management Plan should be imposed.

5.9 Affinity Water

- 5.9.1 We have no comments to make regarding this application.

5.10 Network Rail

- 5.10.1 Following assessment of the details provided to support the above application, Network Rail has no objection in principle to the development, but below are some requirements which must be met, especially with the proximity of the development to high voltage overhead line equipment.
- 5.10.2 Due to the proximity of the proposed development to the operational railway boundary, it will be imperative that the developer liaise with our Asset Protection Team (contact details below) prior to any work taking place on site to ensure that the development can be undertaken safely and without impact to operational railway safety. Details to be discussed and agreed will include construction methodology, earthworks and excavations, use of crane, plant and machinery, drainage and boundary treatments. It may be necessary for the developer to enter into a Basic Asset Protection Agreement (BAPA) with Network Rail to ensure the safety of the operational railway during these works.
- 5.10.3 It is imperative that drainage associated with the site does not impact on or cause damage to adjacent railway assets. Surface water must flow away from the railway, there must be no ponding of water adjacent to the boundary and any attenuation scheme within 30m of the railway boundary must be approved by Network Rail in advance. There must be no connection to existing railway drainage assets without prior agreement with Network Rail.
- 5.10.4 Trespass onto the railway is a criminal offence. It can result in costly delays to rail traffic, damage to the railway infrastructure and in the worst instances, injury and loss of life. Due to the nature of the proposed development, we consider that there will be an increased risk of trespass onto the railway. It is imperative that planting and landscaping schemes near the railway boundary do not impact on operational railway safety. Where trees and shrubs are to be planted adjacent to boundary, they should be positioned at a minimum distance greater than their height at maturity from the boundary. Certain broad leaf deciduous species should not be planted adjacent to the railway boundary. Any hedge planted adjacent to the railway boundary fencing for screening purposes should be placed so that when fully grown it does not damage the fencing, provide a means of scaling it, or prevent Network Rail from maintaining its boundary fencing.
- 5.10.5 Where lighting is to be erected adjacent to the operational railway, the potential for train drivers to be dazzled must be eliminated. In addition, the location and colour of lights must not give rise to the potential for confusion with the signalling arrangements on the railway.
- 5.10.6 The Developer should be aware that any development for residential or noise sensitive use adjacent to an operational railway may result in neighbour issues arising. Consequently, every endeavour should be made by the developer to provide adequate soundproofing for each dwelling. Please note that in a worst-case scenario there could be trains running 24 hours a day and the soundproofing should take this into account.

5.11 Hertfordshire County Council as Lead Local Flood Authority (LLFA)

- 5.11.1 We maintain our objection to this planning application in the absence of an acceptable Drainage Strategy. In summary our main issues are no written evidence from Anglian Water to discharge to their combined sewer; parameters used in MicroDrainage Calculation Modelling; and SuDS management and treatment.
- 5.11.2 Officer Note: Updated drainage strategies have been forwarded to the LLFA, 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.

5.11.3 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.

5.12 Anglian Water

5.12.1 Our records show that there are no assets owned by Anglian Water or those subject to an adoption agreement within the development site boundary. The foul drainage from this development is in the catchment of Ashbrook Water Recycling Centre that will have available capacity for these flows. If the developer wishes to connect to our sewerage network, they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection. If the developer wishes Anglian Water to be the adopting body, the proposed pumping station will need to be designed in accordance with the Design and Construction Guidance.

5.12.2 The surface water strategy submitted with the planning application relevant to Anglian Water, outlined in submitted document SUSTAINABLE DRAINAGE STRATEGY ADDENDUM NO.1 21100- FCE-XX-XX-RP-D-0002, is unacceptable as the LLFA have not confirmed that a strategy involving discharge of surface water to a designated foul sewer is acceptable. Anglian Water are therefore unable to assess this drainage proposal at this stage. We would therefore recommend that the applicant consults with Anglian Water. Further assessment is required to establish whether network reinforcement is required, please note that this assessment and any necessary reinforcement work will be at the developer's cost.

5.13 Herts County Council Waste and Minerals

5.13.1 In relation to minerals, the site is not located within the 'Sand and Gravel Belt' as identified in Hertfordshire County Council's adopted Minerals Local Plan 2002 – 2016. Whilst the development does not fall within the Sand and Gravel Belt, British Geological Survey Data does identify that there could potentially be some sand and gravel deposits beneath the proposed development site. A development of this nature would require consideration of the need to minimise wastes generated during demolition, construction and subsequent operational phase of the proposed development, encouraging the re-use of unavoidable waste where possible and the use of recycled materials where appropriate. The County Council, as Waste Planning Authority would expect to see a SWMP prepared to support this project. The SWMP must be prepared and agreed in consultation with the Waste Planning Authority prior to commencement of the development. The SWMP must be implemented throughout the duration of the development, from initial site preparation works, through final completion of the construction phase, and during the operational phase of the proposed development.

5.14 Wymondley Parish Council

5.14.1 No comments received.

5.15 SBC Arboricultural and Conservation Manager

5.15.1 No comments Received. However, details of the landscaping strategy have been agreed by the Arboricultural Manager under separate applications for discharge of conditions attached to the 2021 planning permission.

5.16 North Hertfordshire District Council

5.16.1 No comments received.

5.17 UK Power Networks

5.17.1 No comments received.

5.18 National Grid

5.18.1 No comments received.

5.19 Herts Police Crime Prevention Design Advisor

5.19.1 No comments received.

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 Central Government Advice

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-to-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 Stevenage Borough Local Plan 2011-2031 (Adopted 2019)

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

Policy SP1: Presumption in Favour of Sustainable Development
Policy SP2: Sustainable Development in Stevenage
Policy SP5: Infrastructure
Policy SP6: Sustainable Transport
Policy SP7: High Quality Homes
Policy SP8: Good Design
Policy SP10: Green Belt
Policy SP11: Climate Change, Flooding and Pollution
Policy SP12: Green Infrastructure and natural environment
Policy IT4: Transport Assessments and Travel Plans
Policy IT5: Parking and Access
Policy HO1: Housing Allocations
Policy HO5: Windfall Sites
Policy HO6: Redevelopment of Existing Homes
Policy HO7: Affordable Housing Targets
Policy HO8: Affordable Housing Tenure, Mix and Density
Policy HO9: House Types and Sizes
Policy HO11: Accessible and Adaptable Housing
Policy GD1: High Quality Design
Policy GB1: Green Belt
Policy GB2: Green Belt Settlements
Policy FP1: Climate Change
Policy FP2: Flood Risk in Flood Zone 1
Policy FP5: Contaminated Land
Policy FP7: Pollution
Policy FP8: Pollution Sensitive Uses
Policy NH2: Wildlife sites
Policy NH5: Trees and Woodland
Policy NH7: Open Space Standards

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 Charging Schedule

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 including the principle of development in the Green Belt, Impact on visual amenity of the Green Belt, Impact on amenities, parking provision, means of access and highway safety, trees and landscaping, impact on the environment, development and flood risk and ecology 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 Land Use Policy Considerations

7.2.1 The NPPF (2023) states at paragraph 7 that the purpose of the planning system is to contribute to the achievement of sustainable development. The NPPF also stipulates that decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area. In addition, the Framework also sets out that sustainable development needs to be pursued in a positive way and at the heart of the framework is a "presumption in favour of sustainable development".

7.2.2 Paragraph 63 of the NPPF requires that the planning system should deliver, inter alia, a mix of housing particularly in terms of tenure and price to support a wide variety of households in all areas. Paragraph 70 of the NPPF sets out that small and medium sites can make an important contribution to meeting housing requirements in an area, and this includes supporting the development of windfall sites.

7.2.3 Paragraph 69 of the NPPF states that planning policies should identify a supply of specific deliverable sites for years one to five of the plan periods, and specific deliverable sites or broad locations for growth, for years 6 to 10 and where possible, for years 11 to 15. Paragraph 77 of the same document states that "Local Planning Authorities should identify and update annually

a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies", where, under paragraph 76 the Local Planning Authority's adopted plan is more than five years old.

7.2.4 Paragraph 123 of the NPPF stipulates that planning policies and decisions should promote the effective use of land in meeting the need for homes such as through the use of brownfield sites (previously developed land) and the development of underutilised land.

7.2.5 Paragraphs 75 and 78 of the NPPF stipulates policies should include a trajectory illustrating the expected rate of housing delivery over the plan period, and all plans should consider whether it is appropriate to set out the anticipated rate of development for specific sites. Local Planning Authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their local housing need where the strategic policies are more than five years old. The supply of specific deliverable sites should, in addition, include a buffer (moved forward from later in the plan period) of:

- a) 5% to ensure choice and competition in the market for land; or
- b) 10% where the Local Planning Authority wishes to demonstrate a five year supply of deliverable sites through an annual position statement or recently adopted plan, to account for any fluctuations in the market during that year; or
- c) 20% where there has been significant under delivery of housing over the previous three years, to improve the prospect of achieving the planned supply.

7.2.6 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.

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

7.2.8 Accordingly, as the Council has failed to meet its HDT, this application for new housing will assist the Council in meeting its housing delivery targets, and in meeting its affordable housing delivery targets. The following sections of this report will balance this presumption in favour of sustainable developments against the impacts of development.

Principal of Development in the Green Belt

7.2.9 National policy relating to Green Belt land is set out at chapter 13 of the NPPF. In summary, there is a presumption against the construction of new buildings within the Green Belt, which is to be considered as inappropriate development unless expressly exempted by paragraph 154. Inappropriate development should not be approved unless very special circumstances exist such that the harms arising from the proposal are clearly outweighed by other considerations. Local Plan policies SP10 and GB1 define the spatial extent of the Green Belt within the Borough and state the Council's intention to determine relevant applications in accordance with national policy. Policy GB2 sets out specific criteria for residential development in and around Todd's Green. Paragraph 154 of the NPPF sets out the exceptions to inappropriate development in the Green Belt; the most pertinent of these in relation to the proposal is subsection (g):

- g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:

- not have a greater impact on the openness of the Green Belt than the existing development; or
- not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

7.2.10 The second element of 154(g) therefore applies; the development would re-use previously developed land and, as secured under the previous 2021 application, deliver 6no. affordable housing units (35% of total units) off-site at Dunn Close (Planning permission 21/00944/FPM) which is nearing completion. The assessment therefore turns to whether or not the development would cause substantial harm to the openness of the Green Belt, noting that a lower level of harm would be deemed acceptable per the limitations of paragraph 154(g). This assessment can be made on both a spatial and visual basis, taking account of the quantifiable development as well as its visual impact on Green Belt openness.

7.2.11 Whilst there is a presumption in favour of sustainable development, this is balanced against the consideration of the proposal being inappropriate development in the Green Belt and whether it would comply with any of the defined exceptions to inappropriate development within the NPPF. Under planning permission 21/00971/FPM, it was assessed that the re-development of the site was compliant with paragraph 154(g) and there was no requirement to demonstrate very special circumstances. As this application is a re-submission of that application, with only the addition of 3m deep single storey extensions to the rear of each dwelling, there is no change to the previous conclusion.

7.2.12 The application site is located within the Metropolitan Green Belt with no statutory designations for landscape character or quality covering the site. Proposals within the Green Belt are assessed against the guidance set out in Section 13 of the NPPF in addition to the Council's own Green Belt policies. Policy GB1 of the Local Plan (2019) sets out the areas of designated Green Belt on the proposals map which the application site forms part of. Policy GB2 of the same document stipulates that planning permission for small scale infillings, conversions within or adjacent to areas such as Norton Green and Todd's Green, will be permitted subject to the following criteria:-

- a) The development is previously developed land or it does not create more than 5 additional dwellings;
- b) The development will be sympathetic to its surrounding environment (including the adjacent countryside) and will not negatively impact upon the character and appearance of the area;
- c) The development reflects surrounding properties in terms of size, scale and design; and
- d) No features essential to the character of the area will be adversely affected.

7.2.13 Further to the above, Policy GB2 goes on to state that the partial or complete redevelopment of previously developed land, even if it goes beyond the strict definition of infilling, will also be permitted in Norton Green and Todds Green subject to conditions b) to d) being met. The development is classified as major development within the Green Belt; therefore regard must be had to points b) and d). The proposal seeks to deliver 17 dwellings which exceeds the 5 dwellings stated in a), but it is previously developed land as also required by criterion a) of Policy GB2.

7.2.14 The surrounding character of Todds Green is an area heavily defined by large, detached aspirational dwellings and it is considered that the proposed development of 17 detached aspirational dwellings is in keeping with, and sympathetic to, the surrounding character.

7.2.15 For the purpose of clarity, the definition of previously-developed land, as stated within the 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".

7.2.16 As identified under Policy GB2 (Green Belt Settlements) it can be argued that the site falls within the "defined village of Todds Green" which is washed over by Green Belt. The supporting text to this policy states that there are exceptions to building in the Green Belt, which includes limited infilling in villages and the partial or complete redevelopment of brownfield sites. Furthermore, this supporting text identifies Todds Green as one of the broad locations where aspirational homes would be appropriate. Policy HO9 of the Local Plan (2019) states that aspirational houses are low density detached dwellings with four bedrooms and two bathrooms, sited on larger plots with a built footprint in excess of 100sqm and has a rear garden area of at least 200sqm. Whilst 11 of the dwellings only contain 3 bedrooms, they meet the remaining requirements of size and garden size to be considered larger than standard housing and therefore would be more aspirational.

Amount

7.2.17 In terms of the quantifiable amount of development proposed, the previous use of the site as riding stables occupied approximately 2,543sqm of built footprint. Under the previously approved application, the proposed built footprint was approximately 1,400sqm. This current application seeks to enlarge the footprint of the dwellings such that the proposed footprint would be approximately 1,745sqm.

7.2.18 Under the previously approved application, the built footprint of the proposal was 45% lower than the original riding school. Under the current proposal, the built footprint, whilst a 25% increase on the previously approved scheme, would still remain approximately 30% lower than the original riding school use. The siting, number, and height of the proposed dwellings remains the same as previously approved.

7.2.19 Whilst the scheme would see an increase in built footprint from that which was previously approved, the site layout, number, and height of the proposed dwellings remains the same as previously approved. The layout is designed to minimise the sprawl of development and therefore minimise the impact on Green Belt openness. The increase in built form over that which was previously approved is not significant and from a purely quantitative prospect, could not be considered to result in substantial harm.

7.2.20 The previously approved scheme, and the current proposal, both see a significant reduction in the volume of hardstanding that previously existed on the site when it operated as a riding school. Some of this hard standing would be given over to residential gardens, and a large wildflower meadow would be created at the northern end of the site. This overall reduction is considered to be a significant positive intervention that would not therefore result in substantial harm.

Intensification of Use

7.2.21 In terms of intensification of use, the previous use as a commercial equestrian stables would have amounted to a moderate amount of movements to and from the site with limited intensity of activities.

7.2.22 Under the previously approved planning application, the redevelopment of the site to 17 dwellings would see an intensification of use, with 17 dwellings resulting in an estimated 83 two-way movements per day as stated in the submitted Transport Statement. The Transport Assessment calculated that the previous use generated 51 two-way movements per day. The proposal is therefore likely to result in a daily increase of 32 two-way vehicle trips with a perceived intensity of use as a result. This was concluded to result in a moderate amount of harm to the Green Belt. The current proposal does not alter the number of dwellings, or vehicle movements, from that which was previously approved and therefore the current proposal is not considered to conclude differently to that which has previously been found to be acceptable.

Visual Impact on the Green Belt

- 7.2.23 The assessment now turns to the visual impact on Green Belt openness, with particular regard to the increased volume and impact on views through the site. Assessments of impact on Green Belt openness are a matter of planning judgement.
- 7.2.24 As previously noted, there would be an increase in built form above ground level. The proposed dwellings are arranged around the new residential road. This new road curves through the site roughly north of the siting of the majority of the previous buildings, whilst 10 of the proposed dwellings would occupy the site of the majority of the previous buildings. The largest building at the north of the site would be replaced with an extensive open area of wildflower meadow.
- 7.2.25 Plots 1-10 are sited where the previous volume of built form was sited, though it is acknowledged that the smaller outbuildings were of single storey height and the replacement 2.5 storey dwellings are taller. It is also noted that plots 11-17 are sited on areas where there was no existing volume of built form.
- 7.2.26 In terms of impact on views, views through the site from Chantry Lane are very limited due to the dense tree belt that runs along the road to the west of the site and that the site is located behind the dwelling known as The Lodge and the mixed use residential and commercial site of Chantry Farm. This tree belt falls outside of the red line plan so is not within the ownership of the applicant and would not therefore be removed as part of the development. Views of the dwellings would likely be possible from The Lodge and Chantry Farm although their boundaries appear to be bounded with dense, tall hedging.
- 7.2.27 The site would also be visible from the public right of way to the south of the site, leading to Halfpenny Bridge over the mainline railway which runs along the eastern boundary of the site. In this regard, the layout of the site has been designed to allow views through the site towards the wild meadow at the north of the site along the new road. The dwellings have been placed either side of the road so that views from this public vantage point are mostly unobstructed.
- 7.2.28 As previously noted, the site layout goes some way in arranging the built form around the previous buildings, and dwellings would largely be sited on the previous footprint of hard standing. There would be some sprawl of built form on the eastern side of the site due to the siting of plots 11-17, where there were no previous structures. The dwellings obstruct some views looking north from the public footpath and results in moderate harm to Green Belt openness on part of the site.
- 7.2.29 Having duly considered the quantum of development, intensification of use and visual impact on openness, the previously planning application identified moderate harm. The increase in volume was considered to be minor, and there has been a considerable reduction in hard standing and footprint across the site with a substantial amount of landscaping proposed, including the re-landscaping of a large area to the north with a wildflower meadow. The visual impact on Green Belt openness from the public footpath was the main point of concern.
- 7.2.30 As required by Paragraph 154(g) and Policy GB2 of the Local Plan, development would not be inappropriate in the Green Belt when it would not cause substantial harm to the openness of the Green Belt, where development would re-use previously developed land and contribute to meeting an identified affordable housing need. A lower level of harm is therefore acceptable.
- 7.2.31 Taking all the aforementioned into account, it is not considered that the proposed Increase in built form from that which was previously approved would warrant a different conclusion to that which was reached under the previous application. Having regard for the aforementioned assessment of the proposal, the creation of 17 dwellings, which whilst exceeding the 5 dwelling quota under Policy GB2(a), it would accord with that policy in that the development would be on previously developed land. In addition, it has been found to be an acceptable level of infill

development which will have a less than substantial impact on the Green Belt. Further it would assist the Council in meeting its HDT and affordable housing targets. Therefore, the development is considered to comply with exception 154(g) and Policy GB2 of the Local Plan and would be acceptable development within the Green Belt.

Assessment in accordance with the Council's Housing Policies

- 7.2.32 Turning to the adopted Local Plan (2019), the site is unallocated and is therefore, regarded as a 'windfall site'. Policy HO5 (windfall sites) stipulates that proposals should not prejudice the Council's ability to deliver residential development on allocated sites, do not overburden existing infrastructure and are on previously developed land or small underused urban sites.
- 7.2.33 As previously stated above, the siting of the dwellings is on the footprints of the previous buildings and consequently it is considered that the development constitutes development of previously developed, brownfield land. It is important to note that the Council is unable to meet its Housing Delivery Test requirement under the NPPF as set out above and as such there is a presumption in favour of sustainable development towards the requirement to deliver additional housing where great weight must be given.
- 7.2.34 Residential developments on windfall sites must have a good level of access to local facilities. The site is approximately 1.5km to the Sainsbury's supermarket on Hitchin Road. Three secondary schools and two primary schools are within 2km of the site. The historic Old Town is within a 10 minute vehicle journey/30 minute walk and provides a host of facilities for future residents. At present there are no bus routes linking the village of Todds Green with Stevenage town centre, and the closest bus stop is over 1km away at the Lister Hospital. As such, the application site is considered to have a poor level of access to alternative forms of transport to the motor car and only a reasonable level of access to local facilities and education sites. Therefore, the site is not considered to be in a highly sustainable location.
- 7.2.35 Criterion (c) of Policy HO5 states that there should be no detrimental effect on the environment and the surrounding or adjoining properties. This issue will be assessed in detail in the following sections considering the impact on the character and appearance of the Green Belt and wider area and the impact on neighbouring amenity.
- 7.2.36 Finally, criterion (d) of Policy HO5 of the Local Plan requires proposals not to prejudice the Council's ability to deliver residential development on allocated sites. The site is not located near any allocated housing sites. In this regard, the development is not considered to be contrary to the aforementioned policy.
- 7.2.37 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:
- Deliver homes or jobs that make a positive contribution towards the targets in the Local Plan;
 - Make good use of land and maximise opportunities for brownfield redevelopment within the town;
 - Regenerate areas of the town that are under performing;
 - Provide a mix of homes for all sectors of the community;
 - Improve quality of life and make sure that residents share in the benefits of regeneration;
 - Promote journeys by bus, train, bike and foot and reduce the need to travel;
 - Make high quality buildings and spaces that respect and improve their surroundings;
 - Produce places and spaces that enable people to live a healthy lifestyle; and
 - Protect and improve important open spaces, wildlife sites and habitats.
- 7.2.38 Looking at the site itself in terms of its allocation in the Local Plan, it is a brownfield site within the Green Belt currently under construction for 17 dwellings. The proposed development is seeking to erect 11no. three bedroom and 6no. four-bedroom detached dwellings with

associated access road, car parking, landscaping, footpath connections, infiltration basin and pump station.

- 7.2.39 The proposal fails to meet some of these aforementioned criterion of Policies HO5 and SP2 as the site is not located near to a bus route or the Stevenage train station; the main facilities and services of Stevenage are some distance away; and there are no primary facilities within the village of Todds Green so that future occupiers would likely travel into Stevenage via car.
- 7.2.40 However, under planning permission reference number 19/00123/FPM (Land West of the A1(M) at Todds Green) which was approved in September 2020, the developer of that site agreed to a financial contribution in their legal agreement to provide a new bus stop at their development which would allow Arriva services 8 and 9 to extend into the outer Todds Green area. Whilst the exact location of the new bus stop is not presently known, it will be approximately 600m-800m from the application site which is considerably closer than the present closest stop at around 1km.
- 7.2.41 There are two public Rights of Way close to the site – “Stevenage 086” connects Old Chantry Lane to the footpath on the northern side of Stevenage Road and also connects to “Stevenage 085” which borders the site to the south and connects to the large roundabout at Corey’s Mill/Junction 8 of the A1(M). The applicant has included a new footpath link within the site which will connect to these Rights of Way and thus improve cycle and pedestrian access to the site to encourage a modal shift away from the motor vehicle. Each dwelling will have cycle storage facilities in the garages.
- 7.2.42 Accordingly, whilst the site could not generally be categorised as being in a sustainable location for non-car modes of transport at present, the improvements to be made together with the new bus stop to be provided by another nearby development, it is considered, on balance, that the site will become more sustainable after completion than previously and would therefore be acceptable in this regard.
- 7.2.43 Policy SP7 identifies that there is a need to provide 7,600 new homes within Stevenage and this policy allocates 1,950 new homes to be provided elsewhere in the Borough. Taking this into consideration, the proposed development would support the Council’s ambition in delivering a number of homes which fall outside the designated sites. Setting aside the impact upon the character an appearance of the area and the amenities of the adjoining properties, which are considered elsewhere in this report, the application is considered to be acceptable in land use policy terms.
- 7.2.44 In respect to Policy HO9 (House types and sizes) of the adopted Local Plan (2019), this seeks to provide a more even mix of housing supply with both smaller dwellings and larger aspirational dwellings. As the proposed development seeks to deliver larger aspirational 3 bed and 4 bed detached dwellings it would accord with this policy.

7.3 Affordable Housing Provision and S106 Contributions

- 7.3.1 Chapter 5 of the NPPF outlines the need for affordable housing (AH) and paragraph 65 suggests a minimum of 10% AH on any major development site. Policy HO7 of the Local Plan stipulates a target level of 25% on previously developed sites. Based on 17 dwellings at this site, this would equate to 4.25 units, rounded up to 5. However, the applicant is providing a 35% provision of 6 units.
- 7.3.2 Policy HO8 of the Local Plan stipulates that of the 25% AH provision, at least 70% should be for rent and the remaining a tenure agreed with the Council’s Housing team. The application informs that no Affordable Housing is proposed on site.
- 7.3.3 As the site is located within the Green Belt, in order to meet the requirements of Policy GB2, it has been necessary to design the site with fewer but larger aspirational dwellings to reflect the

character of Todds Green village. To this end, it would not be appropriate to include smaller affordable housing units. This is considered an acceptable argument and the provision of 6 units exceeds the full 25% AH housing requirement off-site.

- 7.3.4 The affordable housing provision of 6 units was secured through a Section 106 Legal Agreement attached to the previously approved application (21/00971/FPM) and has already been delivered at Dunn Close (21/00944/FPM). In this regard, the Council is satisfied that the proposal is acceptable in this regard.
- 7.3.5 Financial contributions were 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 was required. This was secured via the Section 106 Legal Agreement attached to 21/00971/FPM and is not required to be secured a second time.
- 7.3.6 Hertfordshire County Council as Highways Authority have advised that it is their policy, since 22 June 2021, to seek financial contributions under Strand 2 of their Developer Toolkit for sustainable transport for all new developments. In this instance they are requesting a contribution of £116,042.00.
- 7.3.7 It should be noted that this application is a direct re-submission of 21/00971/FPM (received in September 2021 and granted permission in January 2023) with only the footprints of each building increasing slightly. HCC Highways did not request this financial contribution under the previous scheme, which has already been implemented. Given the extensive highways improvements works already agreed under the previous application for new footpaths linking the site to Stevenage Road, the Council will not be seeking this contribution as they do not meet the three tests set out under Reg122 of the CIL Regulations.

7.4 Design, Layout and Impact on Visual Amenity

National Planning Policy Framework and Planning Practice Guidance

- 7.4.1 Chapter 12. Achieving well-designed and beautiful places of the NPPF (2023) stipulates that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process. Where development is not well designed, permission should be refused.
- 7.4.2 The National Design Guide 2019, which was published by the Government, is a material consideration in the determination of planning applications. It states that buildings are an important component of places and proposals for built development are a focus of the development management system. However, good design involves careful attention to other important components of places. These include:
- the context for places and buildings;
 - hard and soft landscape;
 - technical infrastructure – transport, utilities, services such as drainage; and
 - social infrastructure – social, commercial, leisure uses and activities.
- 7.4.3 A well-designed place is unlikely to be achieved by focusing only on the appearance, materials and detailing of buildings. It comes about through making the right choices at all levels, including:
- the layout;
 - the form and scale of buildings;

- their appearance;
- landscape;
- materials; and
- their detailing.

Development Plan

- 7.4.4 Whilst the policies contained in the local plan have limited weight, Policy SP8 generally reflects the requirements of the NPPF in that it requires new development to achieve the highest standards of design and sustainability. In addition, Policy GD1 generally requires all forms of development to meet a high standard of design which includes form of built development, elevational treatment and materials along with how the development would integrate with the urban fabric, its relationship between buildings, landscape design and relevant aspects of sustainable design.
- 7.4.5 The site is currently under construction for 17no. dwellings as approved under planning permission 21/00971/FPM. Prior to this, it was in use as horse riding school. Prior to re-development of the site, large areas of the site were covered with hardstanding or were bare un-landscaped areas. To the north of the site is an extensive grassed paddock area with a large overhead power pylon with the A602 highway beyond. There were a limited number of small trees within the site although the western site boundary with Old Chantry Lane is heavily landscaped with a dense mature tree belt and to the south of the site is the extensive area of St. Margaret's Wood. To the east of the site is the East Coast Mainline railway. To the south-west of the site is Chantry Farm which is a mixture of residential and commercial enterprises and the residential site of The Lodge. Further outside the site boundary to the south is the main hamlet of Todds Green which comprises a mixture of residential premises, along with farmsteads and stables; to the north of the A602 is the village of Little Wymondley. The remaining surrounding area is rolling agricultural fields.
- 7.4.6 The current application is a direct re-submission of the previous application and proposes 11no. three bedroom and 6no. four bedroom detached aspirational dwellings with an extensive area of wildflower meadow to the north of the site. The submitted site layout plan indicates a good level of trees and soft landscaping to be retained around the site, and a pump station at the south of the site to be enclosed with fencing.
- 7.4.7 The site comprises a central road through the centre of site from west to east and then north to south with the dwellings arranged along this road on the southern and eastern side.
- 7.4.8 There are four different housing types with the proposed houses varying between 13sqm and 21sqm larger in footprint than previously approved. The dwellings are all 2.5 storey in height which is considered an acceptable height in relation to the surrounding areas. It should be noted here that the proposed dwellings only differ from the previously approved dwellings by way of a large footprint which has enabled a separate utility room, with external door, to be included and a larger family room/kitchen at the rear. All other aspects of the previously approved dwellings remain unchanged and for purposes of continuity, the following paragraphs on design and appearance are a direct copy of the previous report.
- 7.4.9 In terms of materials, the following table sets out the details as submitted. The dwellings are being constructed with either Multi-Red facing brick or Multi-Brown facing brick with a combination of clay terracotta roof tiles to the main dwelling and Natural Blue Slate to other roof areas.

	House Types 1a and 1c	House Type 1b	House Type 2a	House Type 2b
Main Roof	Clay terracotta tiles	Blue slate	Clay terracotta tiles	Blue slate
Additional Roofs	Blue slate	Render to dormers	Blue slate	Render to dormers
Walls	Multi-brown facing brick with black horizontal cladding with areas of painted render	Multi-red facing brick with Oyster White horizontal cladding	Multi-brown facing brick with black horizontal cladding	Multi-red facing brick with Oyster White horizontal cladding and areas of white painted render
Windows	White uPVC	White uPVC	White uPVC	White uPVC
Doors	Light wood	Black	Light wood	Black
Rainwater Goods	Black	Black	Black	Black

- 7.4.10 House types 1a, 1b and 1c are the three bedroom units and all have similar internal layouts with a large separate living room at the front of the property and a family room/kitchen at the rear with patio doors into the garden. All have an attached single garage with an office space over which is accessed from the first floor of the house. At first floor there are two double bedrooms each with en-suites and a small landing area to access the main master bedroom on the second floor which also has its own en-suite.
- 7.4.11 House types 2a and 2b are the four bedroom units and have the same internal layout of a large living room at the front of the property with a staggered open plan kitchen and family room at the rear with patio doors opening to the rear garden. All have an attached single garage with an office space over which is accessed from the first floor of the house. At first floor there are two double bedrooms, and a single bedroom with an en-suite bathroom. There is also a separate bathroom and a small landing area to the second floor which contains the master bedroom with en-suite bathroom.
- 7.4.12 All house types have the same ridge height of 9m and both house types 2a and 2b have the same ridge height of 8.2m high on the two storey side element. House types 1a, 1b, 1c and 2b all have a dual pitched roof with a gable fronted element to the rear elevation whilst house type 2a has a cross-gable roof design to the main element and dual pitched roof to the two storey side element. All garage roofs are 6.9m high to the ridge with a dual pitched roof and contain one dormer to each of the front and rear elevations.
- 7.4.13 House type 1a has two flat roof dormers to the front roof slope and one flat roof dormer to the front and rear of the garage; house type 1b has two dual pitched dormers to the front elevation and one each to the front and rear of the garage; house types 1c and 2b have one central dual pitched dormer to the front roof slope and one each to the front and rear of the garage and house type 2a only has dual pitched dormers to the garage. Whilst some of the dormer windows are not set down from the main ridge, they have been kept relatively small and, where there are two, they have been vertically aligned with the fenestrations and where there is only one, this has been centrally positioned in the roof slope. Consequently, these windows have been designed to appear proportionate in scale and form within the roof slope and as such, not appear overly dominant in the street scene. At the rear, a single centrally positioned window at second floor would serve either the bathrooms or bedroom depending on internal layout between plots.
- 7.4.14 It is noted that there is diversity in the style and architectural form of the dwellings in the vicinity of the proposal site within Todds Green. The proposed dwellings would be of dark and light facing brick, terracotta clay and blue slate roof tiles and horizontal cladding with rendered elements, incorporating materials that are sympathetic to the history of the site as an agricultural/equestrian usage. Furthermore, the area retains no uniform character in terms of

design or materiality and therefore the design of the proposed dwellings would respond well to the rural and agrarian character of the site. Therefore, it is considered that the proposed materiality and design of the dwellings would not appear out of keeping with the immediate surroundings.

- 7.4.15 Given the aforementioned, the overall building heights and variation of architectural detailing on the residential properties combined with the pepper potting of the various properties across the development site would help to add variety and interest in the street scene. In terms of site layout, the residential properties are set out in a linear form following the internal access road with a front-to-front orientation, thereby keeping all rear gardens relatively secluded and private. The properties are well-spaced in large plots as required to be classified as aspirational housing. The property frontages are relatively small, to maximise the rear garden size within in plot. The frontages are shown to be a combination of hardstanding for car parking and soft landscaping which is an acceptable residential public realm.
- 7.4.16 The development has been designed with a clear and legible street network which is highly permeable for pedestrians and cyclists. As the dwellings have their primary frontages orientated towards the road, this helps to clearly define the main streetscape of the development. The buildings have also been orientated to have active frontages and no dead spaces, in order to create a safe pedestrian scaled environment. The public spaces would also be overlooked by residential properties in order to increase natural surveillance.
- 7.4.17 The submitted site layout plan indicates that the existing vegetation on the site will be retained, whilst the main hedgerow landscaping to the front of the site is outside of the applicant's ownership so will not be altered, maintaining the screening of the site from Old Chantry Lane. The retained landscaping would be maintained as part of the development in order to enhance its overall structure. This is crucial in order to minimise the impact of the development on the Green Belt. A detailed landscaping strategy has been submitted as part of a condition discharge application attached to the 2021 planning permission. The Council's Arboricultural Manager and Network Rail have both advised in writing that the details are acceptable.
- 7.4.18 In terms of the impact on the longer views from Todds Green, the site is well screened by surrounding landscaping and being set back behind Chantry Farm. It is fully appreciated that the development would urbanise an area of established equestrian usage. The extensive wildflower meadow at the north of the site will help off-set the urbanisation and as discussed previously, the built footprint is lower than as existing.
- 7.4.19 Turning to the proposed bin stores, garages, and pump station, these structures are of a limited size and scale against the backdrop of the built form of the development. In addition, these parts of the development have been designed to reflect the overall visual appearance of the dwellings so as to not appear out of character. As such, these elements would have an acceptable appearance as viewed from the public realm.
- 7.4.20 Given the aforementioned assessment, it is considered that the proposed development, combined with its overall benefits, would not substantially harm the longer views from Todds Green or the Green Belt. The development has been designed to a high standard, a clearly defined street layout and high quality areas of green infrastructure. The dwellings themselves, due to the variation of architectural design and being pepper potted across the development with varying widths, helps to add variety and interest into the architectural form.

7.5 Impact on Amenities of Neighbouring Properties

- 7.5.1 In regards to the impact of the proposed development on the nearest residential properties within Todds Green, the nearest properties to the development site are the newly constructed Todds Manor and The Little Burrow which are sited off the main access road of Old Chantry Lane and are opposite plot 1. They have a front-to-front orientation and Todds Manor, the closest of the two, is approximately 22m from the dwelling in Plot 1. The Little Burrow is

positioned further back and is approximately 37m away with the same front to front separation distance. The adopted Design Guide (2023) does not have a minimum separation distance for front-to-front orientations, however, 22m and 37m are considered an acceptable distance such that it is unlikely there would be an adverse impact from overlooking.

- 7.5.2 The only other two residential dwellings in the vicinity are The Lodge and Chantry Farm, which again are sited off the same access road of Old Chantry Lane. The Lodge is sited to the south of plots 1-4 and these plots have their rear elevation facing the side of The Lodge and its rear garden. The separation distances range from 30m with Plot 1 to 40m with Plot 4. Further, plots 5-8 face over the rear garden of this neighbouring property, although their views would be over the extended curtilage of Chantry Farm which wraps around the rear of The Lodge. Plots 5-8 range between 53m and 78m from the property. The Design Guide (2023) requires a minimum back to side separation distance of 15m and a minimum back-to-back separation distance of 25m. In this regard, it is considered that the proposed dwellings are sited a sufficient distance from this property such that there would be no loss of privacy or detriment incurred from overlooking.
- 7.5.3 Chantry Farm is sited to the rear of plots 8-10 and has a back-to-back orientation. These plots range from 81m to 85m from the rear of the property which again is considered a suitable distance such that no detrimental impact would occur to privacy or from overlooking.
- 7.5.4 With regards to impacts from construction noise, vibration and air quality, in order to reduce the level of impact on the amenities of the nearest residential properties, a condition was imposed on the previously approved permission to restrict the hours of construction on-site. In addition, a condition was imposed requiring the applicant to provide a detailed Construction Management Plan. These conditions will be re-imposed on this application if permission is granted. Therefore, with this condition in place, the Council's Environmental Health Section does not raise any concerns with the proposed development in terms of impact on existing residents.

7.6 Impact upon the future amenity of residents

Private Amenity Spaces

- 7.6.1 In considering a residential scheme of this nature it is also important to ensure that living conditions for any future occupiers are appropriate. Looking at private amenity space, there is a requirement to provide a private garden area of a minimum of 50sqm with a minimum depth of 10m. Under Policy HO9, to qualify as aspirational, the private amenity spaces should be at least 200sq.m.
- 7.6.2 Following an assessment of the proposed development, all of the dwellinghouses across the site would have sufficient private garden areas in accordance with the Council's Guidance as all plots exceed the Council's requirements in terms of both area. The depths range between 8.5m and 23m and the overall sizes range between 240sqm and 330sqm. Whilst the proposed increase in footprint has reduced the depth of some gardens to below the minimum standard of 10m, all rear gardens are over 200sqm and therefore are considered acceptable overall.

Privacy and Outlook

- 7.6.3 Looking at privacy and outlook, Chapter 5 of the Council's Design Guide SPD (2009) sets out that privacy and outlook are important aspects of residential environments. Therefore, the position of dwellings, and the arrangement of rooms and windows, should not create significant overlooking of other dwellings windows or private garden areas, nor should they lead to any overbearing impacts. In this regard, all dwellings have been orientated to face the new road and there would only be angled overlooking between properties which are side by side and no direct overlooking of private amenity spaces.

7.6.4 Plots 7-17 would front each other either side of the new road, between 15m and 25m apart. There is no minimum front to front separation distance in the Design Guide. The first and second floors have a mixture of bedrooms and bathrooms at the front of each dwelling whilst the ground floors are living rooms. Whilst the bathrooms would have obscure glazing for privacy, the bedrooms and living rooms would not. However, given the separation distances, it is not considered that there would be a degree of overlooking between properties to such a level that would result in unacceptable harm to privacy.

7.6.5 In relation to the provision of public open space, it is noted that the development would provide an extensive wildflower meadow at the north of the site and there would be general open space at the south of the site where the new footpath links are to be created. The Planning statement submitted with the application advises that the meadow will be accessible to the public / residents but is fenced off with only a maintenance access and pedestrian gate provided. This enhancement will assist integrate the proposal into its locale and act as a natural buffer between the dwellings and the paddocks/fields to the north of the site. Smaller communal areas are provided towards the southern end of the site.

Living Standards

7.6.6 With regard to the requirements for new residential properties to meet Nationally Described Space Standards as defined by Policy GD1 of the adopted Local Plan (2019), all of the proposed dwellings meet the overall gross internal floor area for three and four bedroom dwellings. The floor area of the four bedroom dwellings has been amended under this proposal to increase the size of the fourth bedroom on the first floor such that whereas previously it failed to meet the minimum size of a single bedroom, it now exceeds the size of a double bedroom. All bedrooms are therefore now considered acceptable. . The internal floorspace measurements are as follows:

	Bedrooms	Persons	Minimum Floorspace Required	Proposed Floorspace
House Types 1a, 1b and 1c	3	6	108sqm	195sqm
House Types 2a and 2b	4	8	130sqm	210sqm

Noise Impacts

7.6.7 With respect to noise, Policy FP8: Pollution Sensitive Uses stipulates that planning permission for pollution sensitive uses will be granted where they will not be subjected to unacceptably high levels of pollution exposure from either existing, or proposed pollution generating uses. Taking this policy into consideration, it is appreciated the application site does lie in close proximity to existing commercial and industrial premises which currently operate in the immediate area, including Chantry Farm, Shangri-La Farm, The Dog Pack Day Camp and Poly Textiles Ltd. In addition, the site is also bordered by the East Coast Mainline railway to the east of the site. As such, the noise generated from these noise emitting sources could have a detrimental impact on the amenities of future occupiers of the development.

7.6.8 The submitted Noise and Vibration Impact Assessment confirms there are 186 train movements between 07:00 and 23:00 and 44 train movements between 23:00 and 07:00. The existing noise climate within the proposed amenity areas for plots 11-17 is 63 dB LAeq; this exceeds the upper guideline value by 8 dB LAeq. The erection of a 2m high acoustic fence along the rear boundaries of plots 11-17 would have a noise reduction of 10dB and will equate to a garden noise level of 53dB which is within the acceptable parameters. The report also makes recommendations for appropriate glazing and ventilation in order to create an appropriate level of protection to future noise sensitive receptors.

- 7.6.9 The report concluded that the calculated levels of vibration are below the acceptable range allowances and therefore no mitigation measures are required in this regard.
- 7.6.10 Given the aforementioned, and following consultation with the Council's Environmental Health Section and Noise Consultant, they have advised that the Noise and Vibration Impact Assessment which has been submitted is considered to be acceptable. They have recommended a number of conditions be imposed on any grant of permission. This is to ensure that the amenities of future residents are protected from nearby noise sources.

7.7 Parking Provision

7.7.1 Policy IT5 of the adopted Local Plan (2019) states that planning permission will be granted where proposals comply with the parking standards set out in the plan. The Council's Car Parking Standards SPD (2021) sets out the maximum amount of off-street parking for residential development based on the number of bedrooms. The proposed development would comprise the following accommodation schedule:

- 11no. three bedroom dwellings (2 parking spaces) (11 x 2 = 22);
- 7no. four bedroom dwellings (2.5 parking spaces) (7x 2.5 =17.5)

This gives a total requirement for 39.5 spaces, rounded up to 40.

- 7.7.2 Taking into consideration of the above, there would be a requirement to provide 40 off-street parking spaces. Given the application site is not located within a residential accessibility zone the Council would seek the maximum number of car parking spaces to serve the development in this instance. In terms of parking provision specifically, in order to count as a parking space, they would need to measure 2.4m by 4.8m. In relation to garages, these would need to measure internally 3m by 6m in order to be counted as a parking space.
- 7.7.3 Following an assessment of the proposed development, all dwellings have a single garage and 2 marked spaces, so 3 spaces in total which gives a total provision of 51 spaces. Whilst this is technically an over-provision across the site as a whole, each individual house complies with the standards as a standalone assessment. In this regard, the proposed development broadly aligns with the requirements of the SPD and Policy IT5 of the Local Plan.
- 7.7.4 In regards to the parking bays and garages themselves, these would all comply with the standards set out in the Council's adopted Parking Standards SPD (2021) as set out in paragraph 7.7.2. As such, all of the designated parking bays for the residential properties would be of a sufficient size to park a motor-vehicle in this instance.
- 7.7.5 The Parking Standards SPD (2021) states that all new car parking should be designed to fulfil a Passive Electrical Vehicle Charging Point 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 plans do not provide details of this requirement so it is considered acceptable to impose a condition requiring this standard to be met. Further, this SPD requires that at least 20% of all spaces are fitted with an active charging point at point of completion of the development. As no details have been provided at this stage, a condition would be imposed on any decision issued to ensure this is implemented.
- 7.7.6 Turning to visitor parking provision, the Council's Parking Standards SPD (2021) sets out that there is a requirement to provide 0.25 parking spaces per dwelling. This would equate to a requirement of 4 (rounded down from 4.25) parking spaces. The proposed development is seeking to provide visitor parking spaces in two bays on the northern side of the new road, adjacent to the wildflower meadow. Having measured these bays on the submitted site plan, it is our calculation that they can accommodate 3 spaces in one and 4 spaces in the other, so

a total of 7 spaces. Whilst this is an over provision, given the edge of town location of the site, this is considered acceptable in this instance.

7.7.7 In regards to cycle parking, the Council's Parking Standards SPD stipulates that 3 long-term cycle parking spaces should be provided per three or four bed unit. Given the garage sizes and the plot sizes, it is considered that there is an acceptable level of space at each dwelling to provide secure, lockable cycle storage.

7.7.8 Given the aforementioned assessment, there would be sufficient off-street parking to serve the development. In addition, there would be sufficient secure cycle parking provision across the development site in accordance with the Council's Standards.

7.8 Highway Safety

7.8.1 The site is accessed from a single entrance point on the western side of the site from Chantry Lane which is designated as a local access road with a 30mph speed limit. The access is a simple priority junction approximately 5m wide with 8m kerb radius which supports two-way traffic and allows for the passing of waste collection vehicles.

7.8.2 Hertfordshire County Council (HCC) as Highways Authority have confirmed that the existing vehicle visibility of the junction, at 2.4m by 43m, is acceptable and conforms with the stopping sight distance criteria in Manual for Streets (MfS) and no alterations or planning conditions are necessary in this regard.

7.8.3 The applicant has confirmed that the new road within the site would not be adopted by HCC Highways and would be under private management. Stevenage Borough Council (SBC) Highways Engineers confirmed under the previous application that this is acceptable and raised no objections. They advise that as the road would remain private there would be no requirements to 'police' this road in terms of highway or parking infringements post completion.

7.8.4 In relation to vehicle manoeuvrability, the applicant has provided a swept path analysis as part of their Transport Assessment. The plans depicting the swept path analysis display that tracking is accommodated within the site for refuse vehicles, emergency vehicles (ambulance and fire tender) and the average motor car. In terms of accessibility for emergency vehicles, the proposal is within the statutory building regulation distance of 45 metres to all parts of the building from the new road. HCC Highways have studied this swept path analysis and have raised no concerns.

7.8.5 With respect to Public Rights of Way (PROW), there are a number of footpath routes within the vicinity of the site; "Stevenage 086" connects Old Chantry Lane to the footpath on the northern side of Stevenage Road and also connects to "Stevenage 085" which borders the site to the south and itself connects to the Corey's Mill interchange at Junction 8 of the A1(M).

7.8.6 The proposed development does not seek to alter or impede these existing PROW but does make provision for a new connection at the south of the site to improve pedestrian and cycle access to the site. As such, HCC Highways has recommended an informative be attached if permission were to be granted. This informative will require the applicant to liaise with the County Council's Rights of Way Section to ensure that the routes remain unobstructed, are safe to use (including during the construction phase) and are not deteriorated as a result of development. Any adverse effects to the routes will need to be made good by the applicant and agreed by the County Council.

7.8.7 Looking at traffic generation, the applicant's transport consultant has produced a transport assessment which monitored existing site traffic generation using the TRICS (Trip Rate Information Computer System) (7.7.4) database. The site has been classified within TRICS

as “07-Leisure-J-Equestrian Centres” within edge of town and freestanding locations in terms of residential development. The outcome of the modelling through TRICS is as follows:

	Existing Two-way trips	Proposed two-way trips	Net Traffic Gain
Morning Peak 0800 – 0900	3	8	5
Evening Peak 1700 – 1800	3	9	6
Daily Total	51	83	32

7.8.8 HCC Highways have assessed this data and advise that this increase in trip generation would not have an unreasonable impact on the safety and operation of the adjoining highways and therefore raise no concerns or objections in this regard.

7.8.9 At present it is acknowledged that the site is not considered to be in a highly sustainable location. However, the new footpath link will improve pedestrian and cycle routes and under planning permission reference number 19/00123/FPM that developer entered into a section 106 legal agreement to provide a new bus stop outside their site which is approximately 800m from the site under consideration. Additionally the developer of this nearby site has also agreed to enter a section 278 agreement of the Highways Act 1980 to provide a toucan crossing and footpath widening across the bridge in Fishers Green. These improvements will encourage a modal shift away from the private motor vehicle and increase the sustainability of the development.

7.8.10 It is noted that Herts Highways are now seeking a financial contribution of £116,042.00 to improve sustainable transport facilities and serves for passenger transport users who are using the development under their June 2021 toolkit for planning obligations. This contribution was not sought under the previous application which was submitted after this toolkit was adopted. Given the aforementioned sustainable transport improvements in 7.8.9 above, the Council will not be seeking this financial contribution.

7.8.11 Turning to construction traffic and associated activities, to ensure these do not prejudice the safety and operation of the highway network, conditions would be imposed if permission were to be granted. These conditions would require the applicant to provide a suitable access road for construction traffic as well as submit a Construction Management Plan.

7.8.12 In summary, subject to the imposition of conditions, the proposed development as advised by Hertfordshire County Council would not have a detrimental impact on the safety and operation of the highway network.

7.9 Trees and Landscaping

7.9.1 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.

7.9.2 The site previously contained 26 small to medium individual and groups of trees and some perimeter hedging. The Arboricultural Impact Assessment (AIA) submitted under the previous

application advised that the overall quality of the trees on site was modest and most were self-seeded or had a poor overall form. Many of the trees were also in close proximity to buildings (that have since been demolished) and had therefore failed to thrive. Using the industry standard BS 5837:2012, ("Trees in Relation to Design, Demolition and Construction – Recommendations" which details the steps that should be taken to ensure that trees are appropriately and successfully retained when development takes place) three trees were classified Category B and the remaining trees were Category C.

- Category B – trees of moderate quality with an estimated remaining life expectancy of at least 20 years.
- Category C – trees of low quality with an estimated remaining life expectancy of at least 10 to 20 years, or young trees with a stem diameter below 150mm

7.9.3 Under the previous application, 21 trees were to be removed, all of which were Category C trees. These trees were all located within the built footprint of the development or located within close proximity to the proposed development such that their long-term survival would not have been sustainable. Following consultation with the Council's Arboricultural Manager, he did not raise any concerns at the time.

7.9.4 As the site is adjacent to the East Coast Mainline railway, Network Rail were consulted and advised that it is imperative that planting and landscaping schemes near the railway boundary do not impact on operational railway safety. Certain broad leaf deciduous species should not be planted adjacent to the railway boundary. Any hedge planted adjacent to the railway boundary fencing for screening purposes should be placed so that when fully grown it does not damage the fencing, provide a means of scaling it, or prevent Network Rail from maintaining its boundary fencing. The list of species that are acceptable and unacceptable for planting in proximity to the railway boundary as directed by Network Rail will be added as an informative if planning permission is granted.

7.9.5 To the north of the site, and in order to compensate for the trees to be removed, it is proposed to plant an extensive wildflower meadow as shown on the submitted site layout plan, which will greatly enhance the visual amenities of the site and the Green Belt and will act as buffer between the site and the retained paddock area and A602 beyond.

7.9.6 Whilst the application has not been accompanied by a detailed landscaping strategy, this was dealt with as part of a discharge of condition attached to the previous application and as such, a condition can be imposed on this application to continue to comply with the details already approved.

7.10 Ecology, Biodiversity and Protected Species

Ecology

7.10.1 The application site is identified as brownfield land and is currently under construction of 17 dwellings. Under the previous planning application, the applicant undertook a Preliminary Ecological Study to assess the habitats present within the site and to assess the potential for the site to support protected and notable species.

7.10.2 The survey comprised a desk top study from Hertfordshire Biological Records Centre and from the multi-agency Geographical Information for the Countryside (MAGIC) along with Ordnance Survey and Aerial imagery. A field survey was also undertaken along with a Bat Survey and Great Crested Newt Survey.

7.10.3 The survey concluded that all areas identified were of low ecological value and the buildings provide unsuitable roosting places for bats. No rare or uncommon wild plant species were identified; the grazed grassland habitats support only common and widespread ruderal species that are typical of disturbed, bare ground. Overall, the site is considered to be poor for invertebrates, as due to the dominance of buildings, hard-standing and disturbed bare ground

habitats. There are no specific habitat features, such as wetland, woodland or dead wood, that could offer habitats to invertebrates. There are no ponds or standing waterbodies within the site or close to the site boundaries to provide habitats for amphibians. The site is not considered to offer suitable habitat to reptiles. Swallows and house sparrows are present and are nesting within the site. Active swallow nests were noted within the stables and house sparrows are suspected to have nested within Building 10 and/or Building 12. A family of young house sparrows were seen on and around these buildings. The grassland habitats are unsuitable for ground-nesting species such as the skylark. No bats or evidence of bats were found during the survey. All of the buildings have been assessed as having negligible bat roost potential as the majority of the buildings have no loft space, and are of simple construction, with no obvious features that bats may use for shelter. No evidence of badgers was noted during the survey. The site is considered to offer poor habitat to hedgehogs, although the garden, hedgerow and areas of scrub may offer some shelter to this species.

7.10.4 The proposed development will not result in any impacts on habitats of 'principal importance' and the majority of the habitats (buildings, hard-standing, bare ground and improved grassland) are considered to be of negligible or low ecological value. Loss of the existing garden, some semi-mature trees and scrub is unlikely to result in any ecological impacts beyond the site level.

7.10.5 Under the previous application, which is now under construction, Herts and Middlesex Wildlife Trust assessed the application and the submitted ecological report and raised no concerns. They requested that, in accordance with the recommendations in the ecological report and to secure an enhancement to biodiversity in accordance with NPPF (2023), integrated bat and bird boxes and hedgehog highways should be conditioned as part of the decision. It should be noted that an application to discharge this condition was received and approved and the current application will be conditioned to comply with the previously approved details.

Biodiversity Net Gain

7.10.6 The Environment Act received royal assent 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.

7.10.7 A Biodiversity Impact Assessment was conducted, using the Biodiversity Metric 3.0. The Biodiversity Metric 3.0 updates and replaces the beta Biodiversity Metric 2.0 (JP029) published in 2019. Biodiversity Metric 3.0 is a biodiversity accounting tool that can be used for the purposes of calculating biodiversity net gain. The calculation ascertains whether the proposals achieve a net gain in biodiversity, calculated as biodiversity units and percentage biodiversity units.

7.10.8 The result of the calculation is a net gain in biodiversity, both for habitats and hedgerows. The total net unit change in habitats is +2.13 habitat units and +0.51 hedgerow units whilst the total net % change is +97.61% habitat units and +233.83% hedgerow units. Given these figures, the proposals deliver significant biodiversity net gain and are therefore acceptable in this regard.

7.11 Impact on the Environment

Contaminated Land

7.11.1 The application site previously comprised an equestrian centre with stables, storage units, menagerie and other associated buildings although it currently comprises a building site for

the previously approved planning application. Therefore, the potential risk for contaminants being identified on the site was very low. However, there is always the potential that contaminants could have found a pathway into the application site.

7.11.2 Under the previous application, conditions were imposed relating to contamination and these have been successfully discharged. The current application, if approved, will have conditions imposed to comply with the previously approved details.

Groundwater

7.11.3 The site is an area of groundwater sensitivity, being partly within Source Protection Zone 2 (SPZ 2). Therefore, it is recommended that the requirements of the NPPF and Planning Practice Guidance are followed. This means that all risks to ground water and surface waters from contamination need to be identified so that appropriate remedial action can be taken. Therefore, the applicant would be expected to prepare reports and risk assessments in line with the Environment Agency Guidance. In addition, as advised by the Environment Agency, in order to protect groundwater quality from further deterioration:

- No infiltration-based sustainable drainage systems should be constructed on land affected by contamination, as contaminants can remobilise and cause ground pollution;
- Piling, or any other foundation designs using penetrative methods, should not cause preferential pathways for contaminants to migrate to groundwater and cause pollution;
- Decommission of investigative boreholes to ensure that redundant boreholes are safe and secure, and do not cause groundwater pollution or loss of water supplies, in line with paragraph 170 of the National Planning Policy Framework.

7.11.4 With regards to drainage, the applicant has confirmed in their Flood Risk and Drainage Assessments that the proposed development will seek to infiltrate surface water run-off to the chalk bedrock and a new infiltration basin at the southern end of the site. The base of this infiltration basin will be a minimum of 1m above existing groundwater levels. However, in order to protect ground water from any future infiltration drainage systems, a condition would be imposed to any permission issued.

7.11.5 In the event that infiltration is unfeasible, the alternative drainage strategy is to discharge to the Anglian Water sewer on Chantry Lane. This would involve attenuating surface water into the infiltration basin prior to pumping to the existing outfall. Anglian Water were consulted and required additional information on the proposed downstream defender and to request a condition be imposed to seek an intrusive ground investigation. The applicants subsequently provided the downstream defender information and Phase I and Phase II Environmental Reports. Anglian Water assessed this information and confirmed they were satisfied with the reports and raised no concerns.

Air Quality and Pollution

7.11.6 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. Policy FP8 of the same document 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.

7.11.7 Looking at air quality and air pollution specifically, the development is not located within, or in close proximity to, an Air Quality Management Area (AQMA) with the nearest AQMA being located in the district of North Hertfordshire. However, this AQMA is over 3.5km from the application site. In terms of the impact of the development on air quality, dealing firstly with the construction phase of development, it is noted there would be a number of activities which will

affect local air quality. These include dust emissions and exhaust emissions from plant, machinery and construction traffic.

7.11.8 In order to mitigate the construction phase, under the previously approved application, which is currently under construction, the applicant was required to provide a construction management plan which was to include dust management. These details were submitted and approved and suitable conditions requiring the applicant to comply with the previously approved details can be imposed on this application.

7.11.9 In terms of air pollution, an air quality assessment has not been carried out, however the site is rural in nature with no extensive commercial activities in close proximity. Whilst the site borders the railway line and the A602 highway runs to the north of the site, the proposed landscaping measures are considered acceptable to prevent harm to future occupiers by way of air pollution levels. The Council's Environment Health Officers have assessed the application and have not raised any concerns or requested any additional information/reports to be commissioned.

Sustainable Construction and Climate Change

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

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

7.11.11 Details were provided under a discharge of conditions application attached to the previously approved application and a suitable condition can be imposed on this application to comply with the previously approved details.

7.12 Flood Risk and Drainage Strategy

7.12.1 The application site is located within Flood Zone 1 within the Environment Agency's flood risk map. Flood Zone 1 is defined as land having less than a 1 in 100 annual probability of flooding; therefore, all developments are generally directed to Flood Zone 1. 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.

7.12.2 Under the previously approved 2021 planning permission, a detailed drainage strategy was not achieved at the time of approval, however, conditions were imposed requiring a final design to be submitted and approved. The applicant currently has an outstanding discharge of condition application (24/00279/COND) whereby they are working with the LLFA to obtain approval of the final design.

7.12.3 The LLFA have advised that Drainage Strategy Addendum 2, submitted on 7 August 2024, is not sufficient to discharge conditions 10 and 11 attached to 21/00971/FPM. Drainage Strategy Addendum 3 was submitted to the LLFA on 8 October 2024 and is awaiting a response.

7.12.4 For the purposes of clarity, the LLFA have rejected the drainage strategy on the basis that they require additional information relating to borehole testing as the proposed depth of the

soakaway (10m) will not reach chalk levels. They also require sight of an additional drawing that was previously provided to the Environment Agency but not to them. Lastly, they await further information relating to MicroDrainage calculations.

7.12.5 As members are aware, the LLFA are currently under extreme pressures and response times are currently delayed. At the time of drafting this report, the LLFA were re-consulted on the amended drainage strategy and Flood Risk Assessment which sought to address all of the concerns raised. To date, no further comments have been provided by the LLFA. Therefore, if the Council is minded to grant planning permission, combined with the fact that the Council has to determine applications within a reasonable timeframe as detailed in the NPPF and accompanying Planning Practice Guidance, it is recommended appropriately worded conditions are to be imposed to ensure an acceptable drainage strategy can be delivered as part of this development

7.12.6 In addition to the above, it is also recommended that delegated powers are given to the Assistant Director of Planning and Regulatory in conjunction with the Chairman of the Planning Committee that in the event the LLFA do provide comments on the revised strategy with a suggested list of conditions, then these conditions would be imposed accordingly before any planning permission is issued by the Council. However, if the LLFA raise a substantive objection to the amended drainage strategy which has been submitted and this cannot be resolved, then it is recommended that this application is referred back to the Planning and Development Committee for its decision.

Waste Disposal

7.12.7 Thames Water were consulted and raised no concerns. They requested an informative be added to any decision issued to advise the applicant of the need for a permit from Thames Water to discharge into a Thames Water owned sewer.

Surface and Foul Water

7.12.8 If the developer follows the sequential approach to the disposal of surface water then Thames Water have no objections and for foul water, they have no objections to the submitted information.

7.13 CIL

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

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

- 7.13.2 CIL is a non-negotiable charge. The exact charge will be determined by the Council's CIL officer after an application has been granted in accordance with the CIL Charging Schedule and the Community Infrastructure Levy Regulations 2010 (as amended). Opportunities for relief or exemption from the CIL charge exist and will be taken into account in the calculation of the final CIL charge.
- 7.13.3 CIL replaces the need for S106 agreements to specify financial and/or land contributions for non-site-specific infrastructure projects. This allows infrastructure to be planned on a borough-wide scale rather than on a site-by-site basis as mitigation against the impacts of individual proposals. A CIL Form 1: Additional Information has been submitted along with the application.
- 7.13.4 With regards to how the CIL monies are spent, the ultimate decision lies with Stevenage Borough Council and the allocation of funding amount of £75,000 or over will rest with the Planning and Development Committee. Service providers who would not receive contributions through the Section 106 agreement for this development, including but not limited to those at Hertfordshire County Council and Stevenage Borough Council, will be able to bid for funding in due course.

7.14 Equalities Impact Statement

- 7.14.1 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.
- 7.14.2 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.
- 7.14.3 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.
- 7.14.4 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.
- 7.14.5 It is not considered that the loss of the riding stables and riding school would have an adverse impact on any of the aforementioned protected characteristics or persons as there are other equestrian services available in the area to meet their needs.
- 7.14.6 In terms of inclusive access, in accordance with Policy HO11 (Accessible and Adaptable Housing) of the 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. A condition will be imposed on any decision granting planning permission to ensure this is delivered.

7.15 Other Matters

Crime Prevention

- 7.15.1 The Herts Police Crime Prevention Design Advisor (PCPDA) has not provided any comments on this current application. However, under the previously approved 2021 application, they

raised concerns over the development being car reliant and therefore not promoting a healthy and safe community. As has been discussed previously in this report, it is the Council's belief that the applicant has made efforts to address the sustainability of the site by way of improving access to the public rights of way. Further, the new bus route and bus stop being provided by another developer in the vicinity will improve the sustainability. Additionally, HCC Highways raised no substantive concerns about the pedestrian and bicycle access at the site.

7.15.2 The PCPDA also previously raised concerns about the bicycle storage being within the garage and not a freestanding secure unit within the garden. The Council maintains its stance that cycle storage within garages is acceptable as it is secure and easily accessible to the occupiers. New garages are required to be 6m in length as per the Parking SPD (2020) and Manual for Streets in order to provide car parking space and storage space. They also raised concerns about the lack of detail for waste and recycling storage. Under discharge of condition application 23/00202/COND, details were provided of the waste and recycling storage units within timber storage areas within the rear gardens, adjacent to the garages and accessed via a gate. These details are considered acceptable, and a condition will be imposed to require the development is carried out in accordance with the approved details.

Waste and Recycling

7.15.3 The Design Guide (2023) states, provision should be made within new development for the storage and collection of waste from a site. The current requirements for waste and recycling per household are as follows:-

- Residual Waste - 240 litres;
- Cans and Plastics - 55 litres;
- Paper and cardboard - 55 litres;
- Glass - 20 litres.

The submitted plans show that there is sufficient space adjacent to or behind the garage of each plot to store the required number of receptacles. As such, the development is considered acceptable in this regard.

8. CONCLUSIONS

8.1 In summary, the principle of development has been established by planning permission 21/00971/FPM and therefore, the proposed residential development as set out in this application is considered to be acceptable as it would help the Council to meet its housing requirement over the local plan period. It is not considered that the proposed intensification of use and impact on visual openness would result in substantial harm when weighed against the benefits of reduced hard standing, reduced footprint and the positive landscaping interventions proposed. Having regard for the aforementioned assessment of the proposal, the creation of 17 dwellings, which whilst exceeding the 5-dwelling quota under Policy GB2(a), it would accord with that policy in that the development would be on previously developed land. In addition, it has been found to be an acceptable level of infill development which will have a less than substantial impact on the Green Belt. Further it would assist the Council in meeting its HDT and affordable housing targets. Therefore, the development is considered to comply with exception 154(g) and Policy GB2 of the Local Plan and would be acceptable development within the Green Belt.

8.2 In addition to the aforementioned, the failure of the Council to meet its HDT and the subsequent presumption in favour of sustainable development is a key material consideration in the assessment of this application. This policy position tilts the planning balance in favour of the application. The provision of 17 aspirational dwellings would have a great economic benefit during the construction phase, and future occupiers would be likely to contribute to local services and facilities, which, as the scheme is for 17 dwellings, and provision of 6 affordable housing units off-site, these benefits would be fairly reasonable and further weigh in favour of

the development. Finally, the benefits of the development from a reduction in the amount of hardstanding and footprint across the site together with the substantial amount of landscaping proposed, including an extensive wild flower meadow result in a conclusion that the proposed development is acceptable in land use policy terms and would have a less than substantial impact on the Green Belt.

- 8.3 With regards to sustainability, whilst the existing site could not generally be categorised as being in a sustainable location for non-car modes of transport at present, the improvements to be made together with the new bus stop to be provided by another nearby development, it is considered, on balance, that the site will become more sustainable after completion than at present and would therefore be acceptable in this regard. Further, the owner of the riding stables has confirmed that they will soon cease trading. In this regard, the site is considered a brownfield site and previously developed land, which, through the redevelopment under consideration would regenerate an underperforming area and make good use of, and maximise the use of, a brownfield site as encouraged under the NPPF.
- 8.4 In terms of design, the overall building heights, and variation of architectural detailing on the residential properties combined with the pepper potting of the various properties across the development site would help to add variety and interest in the street scene. It is considered that the proposed development, combined with its overall benefits, would not substantially harm the longer views from Todds Green or the Green Belt. The development has been designed to a high standard, a clearly defined street layout and high-quality areas of green infrastructure. The dwellings themselves, due to the variation of architectural design and being pepper potted across the development with varying widths, helps to add variety and interest into the architectural form.
- 8.5 With regards to impact on residential amenity, due to levels of separation between the application and the residential properties in Todds Green, it is not considered the proposal residential development would harm the amenities of residents in the hamlet of Todds Green. In relation to the amenities of future residents, all of the residential properties across the development would have acceptable living standards in terms of outlook, privacy, sunlight and daylight, private amenity space, internal floorspace standards and impact from noise. Moreover, whilst the development would result in the loss of the riding school and equestrian usage, it is not deemed to land which is of high quality and it is considered that the overall benefits of the development outweigh this loss.
- 8.6 Looking at the impact on the highway network, the development would not prejudice the safety and operation of the highway network and in relation to parking, the level of parking provided is broadly in accordance with the Council's Standards. Finally, issues relating to contamination, impact on the environment, trees, wildlife, surface water drainage, affordable housing, and development contributions can be satisfactorily addressed through conditions or a S106 legal agreement. Accordingly, it is recommended that planning permission be granted.

9. RECOMMENDATIONS

- 9.1 That planning permission be GRANTED.
- 9.2 That the proposal be subject to the following conditions:-
- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:

20258_P-11-001A PLOT 11; 20258_P-13-001A PLOT 13; 20258_P-00-001-A; 20258_P-00-002A SITE SECTIONS-A1; 20258_P-01-001A PLOT 1; 20258_P-02-001A PLOT 2; 20258_P-03-001A PLOT 3; 20258_P-04-001A PLOT 4; 20258_P-05-001A PLOT 5; 20258_P-06-001A PLOT 6; 20258_P-07-001A PLOT 7; 20258_P-08-001A PLOT 8; 20258_P-09-001A PLOT 9; 20258_P-10-001A PLOT 10; 20258_P-12-001A PLOT 12; 20258_P-14-001A PLOT 14; 20258_P-15-001A PLOT 15; 20258_P-16-001A; 20258_P-17-001A PLOT 17; Type 3 Pumping Station Layout; 20258-P-00-003;

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 The materials to be used in the construction of the external surfaces of the dwellings hereby permitted shall be as per the approved plans and documents to the satisfaction of the Local Planning Authority unless otherwise agreed in writing by the Local Planning Authority.

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

- 4 The development shall be carried out in accordance with the Construction Management Plan agreed under application 23/00202/COND, which includes the following additional matters:

1. Construction vehicle numbers, type, routing;
2. Access arrangements to the site;
3. Traffic management requirements;
4. Construction and storage compounds (including areas designated for car parking, loading/unloading and turning areas);
5. Siting and details of wheel washing facilities;
6. Cleaning of site entrances, site tracks and the adjacent public highway;
7. Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times;
8. Provision of sufficient on-site parking prior to commencement of construction activities;
9. Post construction restoration/reinstatement of the working areas and temporary access to the public highway;
10. 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.
11. Demolition and construction works between the hours of 0730 and 1800 on Mondays to Fridays and between the hours of 0800 and 1300 on Saturdays only (These times relate to works which are audible at the boundary)
12. hours of construction operations including times of deliveries and removal of waste;

REASON:- In order to protect highway safety and the amenity of other users of the public highway and rights of way.

- 5 The development shall be carried out in accordance with the Site Waste Management Plan (SWMP) agreed under application 23/00202/COND. The SWMP shall detail how waste materials generated as a result of the proposed demolition and/or construction works will be disposed of, and the level and type of soil to be imported to the site as part of the development.

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

- 6 Prior to the first occupation of the development hereby permitted the vehicular access shall be provided 5.0 m wide complete with a minimum 8.0 m radius kerb to the southern side of the carriageway and thereafter retained at the position shown on the approved drawing number 14043-P030-R and include a pedestrian link from the development to the existing footway network as shown on drawing 5565 / 002 revision A to the current specification of Hertfordshire County Council and to the local Planning Authority's satisfaction. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.
REASON:- To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway in accordance with Policy 5 of Hertfordshire's Local Transport Plan.
- 7 Prior to the first occupation of the development hereby permitted, the cycle parking provision and bin storage shall be implemented in accordance with the approved details under application 23/00202/COND.
REASON:- To ensure there is sufficient secure cycle parking provision in order to encourage a mode shift from the private car.
- 8 Prior to the first occupation of the development hereby permitted the car parking spaces as detailed on Drawing number 14043-P030-R shall be surfaced and marked out or completed as applicable, in accordance with the approved plan and thereafter retained for the sole use of parking for the development hereby permitted.
REASON:- To ensure adequate off-street parking provision is available at all times so that the development does not prejudice the free flow of traffic or the conditions of general safety.
- 9 Electric Vehicle Charging Points (EVCPs), the energy sources and the strategy/management plan for supply and maintenance of the EVCPs shall be as per the approved details under application 23/00202/COND. All EVCPs shall be installed in accordance with the approved details prior to occupation of each of the units and permanently maintained, and retained, unless otherwise agreed in writing by the Local Planning Authority.
REASON:- In order to provide facilities to charge electric vehicles and to help reduce the impact of vehicle emissions on the local environment.
- 10 Prior to the first occupation of the first dwelling hereby approved, a final design of the drainage scheme for the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall adhere with the Drainage Strategy Addendum No. 2 (Ref: 21100-FCE-XX-XX-RP-D-0003-P01, October 2022). The scheme shall subsequently be implemented in accordance with the approved details before the development is occupied. The scheme shall include the following:
- Infiltration testing in accordance with BRE Digest 365 which should be carried out at the location and depth of any proposed infiltration measure, supported by evidence of the test, methodology and calculations.
 - detailed engineering layouts and cross section drawings of the proposed SuDS features (including deep borehole soakaways), including their, size, volume, depth and any inlet and outlet features including any connecting pipe runs;
 - updated surface water drainage calculations and modelling for all rainfall events up to and including the 1 in 100 year + 40% climate change event;
 - Confirmation that suitable treatment of surface water would be delivered by the proposed SuDS management train before discharge to the ground via deep borehole soakaway(s).
 - Demonstration that the scheme satisfies all of the criteria within Environment Agency Groundwater Protection Position Statement G9, as requested by the Environment Agency.
 - Evidence of the Environment Agency's response to the deep borehole soakaway proposals and adherence to any guidance contained in their response.

REASON:- To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site; to ensure that sufficient treatment of surface water is provided before disposal, to prevent pollutants entering groundwater and to determine that the receiving drainage network is fit for purpose and of sufficient capacity condition in order to be able to receive discharge from the site drainage system.

11 Prior to the first occupation of the first dwelling hereby approved, a management and maintenance plan for the approved SuDS features and drainage network must be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- Provision of a complete set of as built drawings, including the final drainage layout for the site drainage network;
- details of the maintenance and operational activities for all parts of the final drainage strategy the lifetime of the development;
- arrangements for adoption; and,
- any other measures necessary to secure the operation of the scheme throughout its lifetime.

The approved plan shall be fully implemented from the date of approval and thereafter for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.

REASON:- To maximise the use of SuDS in the interests of mitigating the risk of flooding to the site itself and downstream; to prevent pollutants entering downstream watercourses; and to maximise the sustainability of the development throughout its lifetime.

12 The development hereby approved shall be carried out in accordance with the 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 which were approved under application 24/00040/COND. These measures shall be implemented and permanently maintained in accordance with the approved details.

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

13 The development hereby permitted shall be carried out in accordance with the ecological mitigation and enhancement measures as detailed in the 'Preliminary Ecological Appraisal August 2021' and as agreed under application 23/00202/COND. This document shall be adhered to at all times during construction, including site clearance works, and during occupation of the development.

REASON:- To ensure protection of the natural environment.

14 The 9 integrated swift boxes, 8 integrated bat boxes and hedgehog highways as shown on approved plan 14043-W-002-A under application 23/00202/COND must be installed and located in the most appropriate locations to ensure occupation. They shall be fully installed prior to occupation and retained as such thereafter.

REASON:-To conserve and enhance biodiversity in accordance with NPPF.

15 Prior to the first occupation of the first dwelling hereby approved, a scheme of soft and hard landscaping and details of the treatment of all hard surfaces and boundaries shall be submitted to and approved by the Local Planning Authority. The scheme shall include details of the following:

1. All existing trees and hedgerows on the land and details showing all trees to be removed, or retained;
2. Details of all new planting to take place including species, size, quantity, location and method of planting;
3. Details of all boundary treatments including type, size, positions, heights and materials;
4. Details of any street furniture
5. Details of tree pit designs and root protection measures;
6. Details of all hardsurfacing areas to include type, size and materials;

7. Details of the wild flower meadow

Soft landscaping details will need to take into consideration Network Rail's acceptable and unacceptable planting (see Informative No.9).

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

- 16 All planting, seeding and turfing comprised in the approved landscaping details as specified in condition 16 of this approval 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.
- 17 All hard surfacing and boundary treatments comprised in the approved landscaping details as specified in condition 15 of this approval shall be carried out prior to 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.
- 18 Any trees or plants comprised within the approved plans or subsequently approved landscaping scheme, which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless otherwise agreed in writing by the Local Planning Authority.
REASON:- To ensure a satisfactory appearance for the development.
- 19 No tree shown retained on the approved plans, or subsequently approved landscaping scheme, shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped within five years of the completion of development without the written approval of the Local Planning Authority.
REASON:- To ensure the protection of those trees which should be retained in the interests of visual amenity.
- 20 Prior to the first occupation of the first dwelling hereby approved, 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.
- 21 No development, including site clearance, shall commence until the trees shown to be retained on the site, as identified on the approved plans, or subsequently approved landscaping scheme, have been protected by fencing or other means of enclosure in accordance with BS:5837:2012. Such protection shall be maintained until the conclusion of all site and building operations.
REASON:- To ensure that the retained trees are not damaged or otherwise adversely affected during site operations.
- 22 Within the areas to be fenced off in accordance with condition 21, there shall be no stockpiling of any materials or soil, no machinery or other equipment parked or operated, no traffic over the root system, no changes to the soil level, no excavation of trenches, no site huts, no fires lit and no dumping of toxic chemicals will be permitted and no retained trees shall be used for winching purposes.
REASON:- To ensure that the retained trees are not damaged or otherwise adversely affected during site operations.

- 23 All areas of hedges, scrub or similar vegetation where birds may nest which are to be removed as part of the development, are to be cleared outside the bird-nesting season (March - August inclusive) or if clearance during the bird nesting season cannot be reasonably be avoided, a suitably qualified ecologist will check the areas to be removed immediately prior to clearance and advise whether nesting birds are present. If active nests are recorded, no vegetation clearance or other works that may disturb active nests shall proceed until all young have fledged the nest.
REASON:- Nesting birds are protected from disturbance under the Wildlife and Countryside Act 1981 (As amended).
- 24 The development hereby approved shall be carried out in accordance with the approved details of the treatment of all boundaries including walls, fences, gates or other means of enclosure as approved under application 23/00372/COND. The approved boundary treatments shall be completed before the dwellings are occupied.
REASON:- To ensure a satisfactory standard of development in the interests of amenity and that it has an acceptable appearance.
- 25 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 26 which is subject to the approval of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 27.
REASON:- To ensure that the site does not pose any risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is completed.
- 26 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.
- 27 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 25, 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.

28 External lighting on the development hereby approved shall be as per the plans and details approved under application 23/00372/COND. There shall be no other sources of external illumination.

REASON:- To minimise pollution of the environment and to safeguard the safety of the adjacent Network Rail mainline railway.

29 On completion, the dwellings shall meet the following criteria, either:

i. with windows open for ventilation or

ii. with windows closed and with mechanical purge and background ventilation, sufficient to comply with the current Building Regulations.

Noise Level (dB)

Daytime Noise

(07:00 - 23:00) Inside living areas < 35 LAeq, (16 hours)

Night-time Noise

(23:00 - 07:00) Inside bedrooms < 30 LAeq,(8 hours) < 45 L_{Amax},Fast

Where mechanical purge ventilation is required to achieve the above standards with windows closed, this shall be designed so as to ensure that 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.

30 Prior to the first use of the development hereby approved, the acoustic fencing, including the sound insulation values, shall be as per the approved details under application 23/00202/COND and in accordance with the "Noise and Vibration Impact Assessment, Land at Courtlands Riding Stables", Report reference J04467R1, dated 7th September 2021 by Sound Planning Ltd. The development shall thereafter be implemented in accordance with the approved details, and shown to be effective, and shall be retained in accordance with those details thereafter.

REASON:- To safeguard the amenities of nearby noise sensitive properties.

31 All windows within the dwellings hereby approved shall be glazed with triple glazing as shown on drawings 14043-P034-D and 14043-P035-C and shall be retained in that form thereafter.

REASON:- To safeguard the amenities of the occupiers of the approved dwellings.

32 The water supplies and fire hydrants, necessary for firefighting purposes at the site, shall be installed as per the approved details under application 23/00202/COND. 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.

33 The development hereby approved shall be carried out in accordance with the Intrusive Ground Investigation, Risk Assessments and Method Statements as approved under application 23/00202/COND in conjunction with Affinity Water to prevent and/or minimise any potential migration of pollutants to public water supply. Any excavations must be undertaken in accordance with the terms of the approved method statement.

REASON:- To avoid displacing any shallow contamination to a greater depth and to prevent and/or minimise any potential migration of pollutants to a public water supply abstraction which can cause critical abstractions to switch off resulting in the immediate need for water to be sourced from another location, which incurs significant costs and risks of loss of supply during periods of high demand.

- 34 The development hereby approved shall be carried out in accordance with the construction methodology approved under application 23/00372/COND in consultation with the Asset Protection Project Manager at Network Rail. The development shall thereafter be carried out in accordance with the approved construction methodology unless otherwise agreed in writing by the Local Planning Authority.
REASON:- To safeguard the safety of the adjacent Network Rail mainline railway.
- 35 The dwellings hereby permitted shall not be occupied until the proposed accesses for vehicles, pedestrians and cyclists have been constructed as detailed on the approved drawings, the existing footway/verge has been reinstated and the new footway link from the site access south, to Stevenage Road has been completed to the current specification of Hertfordshire County Council and to the Local Planning Authority's satisfaction.
REASON:- In order to protect highway safety and the amenity of other users of the public highway.
- 36 At least 50% of the residential units are 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).

The Council has acted Pro-Actively for the following reason:-

- 1 Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. 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 **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.

5 **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.

6 **Hertfordshire County Council as Highways Authority**

Debris and deposits on the highway: It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made up carriageway, or any or other debris on a highway to the interruption of any highway user.

Section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.

7 Hertfordshire County Council as Highways Authority

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

8 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 on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.

9 Network Rail

It is imperative that planting and landscaping schemes near the railway boundary do not impact on operational railway safety. Where trees and shrubs are to be planted adjacent to boundary, they should be positioned at a minimum distance greater than their height at maturity from the boundary. Certain broad leaf deciduous species should not be planted adjacent to the railway boundary. Any hedge planted adjacent to the railway boundary fencing for screening purposes should be placed so that when fully grown it does not damage the fencing, provide a means of scaling it, or prevent Network Rail from maintaining its boundary fencing. Below is a list of species that are acceptable and unacceptable for planting in proximity to the railway boundary;

Acceptable:

Birch (*Betula*), Crab Apple (*Malus Sylvestris*), Field Maple (*Acer Campestre*), Bird Cherry (*Prunus Padus*), Wild Pear (*Pyrus Communis*), Fir Trees - Pines (*Pinus*), Hawthorn (*Crataegus*), Mountain Ash -Whitebeams (*Sorbus*), False Acacia (*Robinia*), Willow Shrubs (Shrubby *Salix*), Thuja Plicatata "Zebrina".

Not Acceptable:

Acer (*Acer pseudoplatanus*), Aspen - Poplar (*Populus*), Small-leaved Lime (*Tilia Cordata*), Sycamore -Norway Maple (*Acer*), Horse Chestnut (*Aesculus Hippocastanum*), Sweet Chestnut (*Castanea Sativa*), Ash (*Fraxinus excelsior*), Black poplar (*Populus nigra* var, *betulifolia*), Lombardy Poplar (*Populus nigra* var, *italica*), Large-leaved lime (*Tilia platyphyllos*), Common lime (*Tilia x europea*).

10 **Herts Police Crime Prevention Design Advisor**

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

11 **Biodiversity Net Gain**

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

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

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

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

Where the local planning authority considers that the permission falls within paragraph 19 of Schedule 7A to the Town and Country Planning Act 1990, the permission which has been granted has the effect of requiring or permitting the development to proceed in phases. The modifications in respect of the biodiversity gain condition which are set out in Part 2 of the Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024 apply.

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

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans. The Biodiversity Gain Plan must include, in addition to information about steps taken or to be taken to minimise any adverse effect of the development on the habitat, information on arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat.

The planning authority can only approve a Biodiversity Gain Plan if satisfied that the adverse effect of the development on the biodiversity of the irreplaceable habitat is minimised and appropriate arrangements have been made for the purpose of compensating for any impact which do not include the use of biodiversity credits.

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

10. BACKGROUND DOCUMENTS

1. The application file, forms, plans and supporting documents having the reference number relating to this item.
2. The application file, forms, plans and supporting documents relating to the following applications which are associated with the application site:
 - 21/00971/FPM
 - 23/00202/COND
 - 23/00372/COND
 - 24/00040/COND
 - 24/00279/COND
3. Stevenage Borough Council Supplementary Planning Documents – Parking Provision adopted January 2020, Stevenage Design Guide adopted January 2023, Developer Contributions adopted March 2021, The Impact of Development on Biodiversity adopted 2021.
4. Stevenage Borough Local Plan 2011 – 2031 adopted 2019.
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.