

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

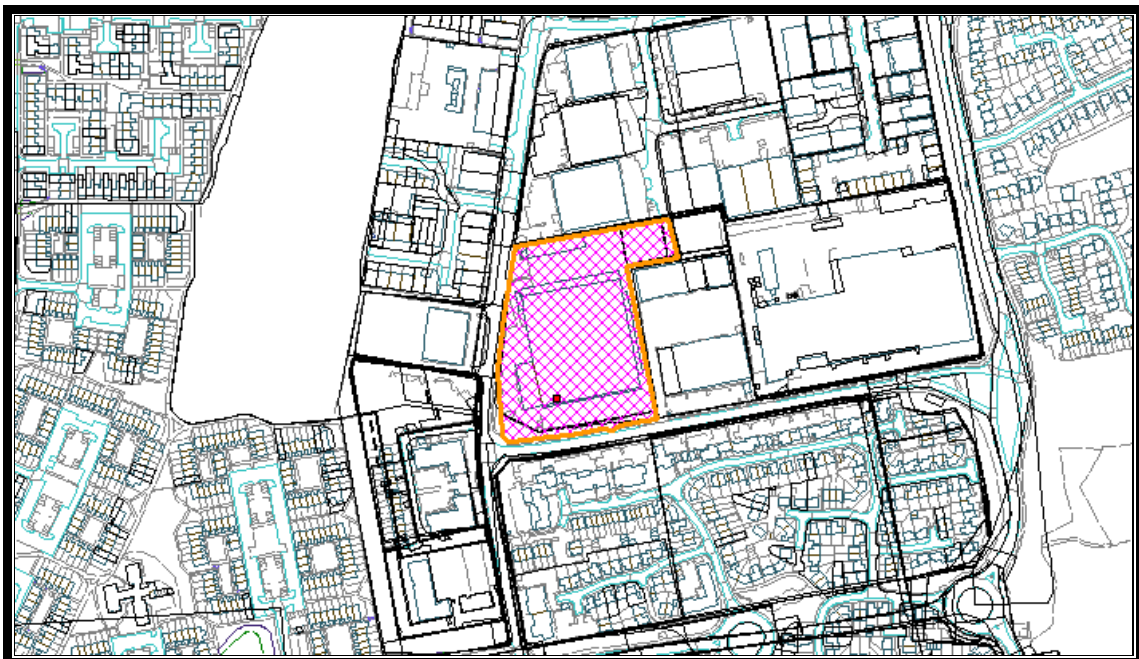
**Date:** 29 October 2024

**Author:** Ailsa Davis

**Lead Officer:** Zayd Al-Jawad

**Contact Officer:** Ailsa Davis

Application No:	24/00525/FPM
Location:	Bond International, Cartwright Road, Stevenage
Proposal:	Demolition of existing buildings and structures and construction of a new building for Use Classes E(g)(iii), B2 and B8 (flexible), including hard and soft landscaping, parking, access, servicing and associated works.
Drawing Nos.:	S090-CMP-SI-ZZ-DR-A-00001; S090-CMP-SI-ZZ-DR-A-00002 REV PL1; S090-CMP-SI-ZZ-DR-A-00030 REV PL1; S090-CMP-SI-ZZ-DR-A-00100 REV PL1; S090-CMP-SI-ZZ-DR-A-00202 REV PL1; S090-CMP-SI-ZZ-DR-A-00202 REV PL1; S090-CMP-SI-ZZ-DR-A-00255 REV PL1; S090-CMP-SI-ZZ-DR-A-00256 REV PL1; S090-CMP-SI-ZZ-DR-A-00260 REV PL1; S090-CMP-SI-ZZ-DR-A-00261 REV PL1; S090-CMP-SI-ZZ-DR-A-00800 REV PL1; S090-CMP-SI-ZZ-DR-A-00801 REV PL1; S090-CMP-SI-ZZ-DR-A-00802 REV PL1; S090-CMP-U1-00-DR-A-00100 REV PL1; S090-CMP-U1-00-DR-A-00120 REV PL1; S090-CMP-U1-01-DR-A-00101 REV PL1; S090-CMP-U1-02-DR-A-00102 REV PL1; S090-CMP-U1-02-DR-A-00122 REV PL1; S090-CMP-U1-DR-A-00121 REV PL1; S090-CMP-U1-RF-DR-A-00103 REV PL1; S090-CMP-U1-ZZ-DR-A-00200 REV PL1; S090-CMP-U1-ZZ-DR-A-00205 REV PL1; S090-CMP-U1-ZZ-DR-A-00206 REV PL1; S090-CMP-I1-ZZ-DR-A-00207 REV PL1; S090-CMP-U1-ZZ-DR-A-00250 REV PL1; S090-CMP-U1-ZZ-DR-A-00251 REV PL1; LN-LD-01;
Applicant:	Wrenbridge (FRELD Stevenage) LLP
Date Valid:	25 July 2024
Recommendation:	GRANT OPLANNING PERMISSION



The above plan is for illustrative purposes only.

# **1 SITE DESCRIPTION**

- 1.1 The application site forms part of the Pin Green Industrial Estate located in the north-east of Stevenage, which is the second largest employment area in the town. It has relatively low density comprising a mix of small/medium sized warehousing, light industrial and some offices. The majority of these uses now fall within Class E(g) of the Town and Country Planning (Use Classes) (Amendment) Regulations 2020 covering business, commercial and service uses. The site comprises a broadly square parcel of land measuring 1.9 hectares in area and is surrounded by a 'horseshoe' of industrial and commercial units to the north, west and east, and an extensive residential area to the south.
- 1.2 The topography of the site is level and is dominated by the main warehouse and annexed two-storey office building. The remainder of the site comprises a mix of hardstanding for car parking, servicing and storage. The site is designated within the Local Plan (2019) as falling within the Pin Green Employment Area, however, has no other specific allocations and/or designations. It is not located within nor adjacent to a Conservation Area, it neither contains any statutory/locally listed buildings nor are there any immediately adjacent. The Environment Agency's Flood Map indicates it falls within Flood Zone 1 (low probability of fluvial flooding).

# **2 RELEVANT PLANNING HISTORY**

- 2.1 22/00245/FPM - Demolition of the existing building and construction of a new food store, petrol filling station, commercial unit, together with associated car parking, servicing and landscaping. Members resolved to grant planning permission on the 25 May 2023, however the application was never proceeded with for commercial reasons and was withdrawn on 17 April 2024.

# **3 THE CURRENT APPLICATION**

- 3.1 The application seeks planning permission for the demolition of existing buildings and structures and construction of a new building for Use Classes E(g)(iii), B2 and B8 (flexible), including hard and soft landscaping, parking, access, servicing and associated works. The unit is being built speculatively with flexible use classes necessary to attract a range of occupiers. The proposal seeks permission for E(g)(iii) Light Industrial, B2 Manufacturing and B8 Storage and Distribution uses with unrestricted 24/7 hours of operation for the unit.
- 3.2 The proposal for a single building of 10,824m<sup>2</sup> GIA includes ancillary office space of 1,061m<sup>2</sup>. The ancillary office space allows for a broader range of jobs including management operations and administrative roles. The proposed layout of the site has been informed by the existing site layout with the proposed building size presenting a small uplift in floorspace from the existing built form on of approximately 9,965m<sup>2</sup>. The unit would have a proposed maximum height of approximately 15.5m with 12.5m to underside of haunch.
- 3.3 108 car parking spaces, eight motorcycle spaces, 18 HGV spaces and 26 cycle spaces within green roofed shelters are also proposed. Car parking would be provided to the south of the site with additional parking in the northeastern corner. HGV servicing and parking would be located to the north of the proposed building. The existing access to the south of the site would be retained and utilised for access to car parking, whilst the existing access on the western boundary is proposed to be closed and moved further north to take HGV movements further away from neighbouring residential uses located to the south and west of the site.
- 3.4 The existing trees located around the periphery of the site, predominately along the southern boundary are to be retained, where possible, with additional landscaping and SUDs to be introduced. The landscaping plans and Biodiversity Net Gain (BNG) report outlines how Biodiversity Net Gain would be achieved. The development also targets BREEAM Excellent and an EPC rating of A.

3.5 The application comes before the Planning and Development Committee because the application is major development.

## **4 PUBLIC REPRESENTATIONS**

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

4.2 Twenty seven letters of objection were received. The material issues raised are summarised as follows:

- Increase in noise and air pollution
- Pedestrian safety concerns
- Some parking should be made available for residents of Giles Crescent
- Too close to residential areas
- Concern over 24/7 operation and HGV movements
- Better links with existing local cycle network should be provided
- Cycle parking should comply with SPD guidance
- Building scale, massing and siting
- Impact on amenity of units in Pin Green Industrial Estate adjoining the site to the east
- Floor area exceeds that allowed under Policy EC6 for Pin Green Employment Area
- High intensity B class employment use unsuitable for Pin Green Employment Area, contrary to Policy SP3.

4.3 Full copies of all representations are available on the Council's website.

## **5 CONSULTATIONS**

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

### **Thames Water**

5.2.1 Following initial investigations, Thames Water has identified an inability of the existing SURFACE WATER network infrastructure to accommodate the needs of this development proposal. Thames Water has contacted the developer to agree a position for foul water networks but has been unable to do so in the time available and as such Thames Water request that the following condition be added to any planning permission. "The development shall not be occupied until confirmation has been provided that either:- 1. All surface water network upgrades required to accommodate the additional flows from the development have been completed; or- 2. A development and infrastructure phasing plan has been agreed with the Local Authority in consultation with Thames Water to allow development to be occupied. Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan." Reason - Network reinforcement works are likely to be required to accommodate the proposed development. Any reinforcement works identified will be necessary to avoid sewage flooding and/or potential pollution incidents.

### **HCC Highway Authority**

5.3.1 No objection, subject to conditions relating to access, parking and construction management plan.

### **SBC Arboriculture and Conservation Manager**

5.4.1 No objection.

## 5.5 Crime Prevention Design Service

5.5.1 The Police are not looking to object to this development but would like to see an informative attached to any grant of planning permission to get the developers to engage with the Police and seek to achieve SBD certification. This could read something like "Prior to construction the applicant will contact the Hertfordshire Constabulary CPDS with a view to seeking to achieve accreditation to the Police preferred minimum security standard that is Secured by Design. Reason: To ensure that the development is compliant with both National and Local Planning Policies, in addition, this will also demonstrate the discharge of obligations under Approved Document Q Security of Building Regulations.

## 5.6 North Hertfordshire District Council

5.6.1 No objection.

## 5.7 HCC Minerals and Waste

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

## 5.8 HCC Lead Local Flood Authority

5.8.1 The LLFA require the applicant to submit information regarding the sufficient room with regard to the overground SuDS, appropriate flood resistance and resilience measures including the minimum requirement for freeboard, BRE365 infiltration testing to evidence the proposed surface water drainage strategy, re submit all calculations including the greenfield run off volumes, include the existing drainage network and outfall/s, address concerns from Thames Water, appropriate water quality assessment, to provide information on the provision of long term storage and finalised drawings which include cross sections and long sections of all of the SuDS structures.

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

- We advise that the LPA may wish to consider if a sequential test is necessary to support this application.
- Re-submit all calculations including greenfield volumes and rates.
- Due to these points the development does not comply with NPPF, PPG or local policies.

5.8.3 Reason: To prevent flooding in accordance with National Planning Policy Framework paragraphs 173, 175 and 180 by ensuring the satisfactory management of local flood risk, surface water flow paths, storage, and disposal of surface water from the site in a range of rainfall events and ensuring the SuDS proposed operates as designed for the lifetime of the development. We will consider reviewing this objection if the issues highlighted on the accompanying Planning Application Technical Response document are adequately addressed.

5.8.4 The applicant has provided additional information to address the above points and the LLFA have been reconsulted. At the time of writing this report no further comments from the LLFA have been received. If comments are received prior to the meeting and/or the drainage strategy is agreed, an update will be provided. Otherwise, it is anticipated Members will agree to delegate powers being granted to the Assistant Director of Planning and Regulation to impose any conditions advised on any response provided after the committee meeting.

5.8.5 A decision will not be issued until the Legal Agreement associated with the development has been signed, which will allow time for comments to be received. Therefore, comments will be fully considered prior to a decision being issued. However, if the LLFA continues to raise

an objection to this application and their concerns cannot be overcome, then this application will be referred back to the Planning and Development Committee for its decision.

#### 5.9 SBC Environmental Health

5.9.1 I have had regard to the acoustics report and note the mixed commercial / residential setting. I understand that operations could be restarted on the site without requiring planning permission, as the site is merely vacant / mothballed at the present time. The layout of the proposed development positions the vehicle traffic to the rear of the site, shielded by the warehouse, in contrast to the existing, where the loading bays are adjacent to Cartwright Road. I have no objections to the proposed development.

#### 5.10 Herts and Middlesex Wildlife Trust

5.10.1 No comments received.

#### 5.11 Affinity Water

5.11.1 No comments received.

#### 5.12 SBC Waste Storage

5.12.1 No comments received.

#### 5.13 Stevenage Works

5.13.1 No comments received.

## **6 RELEVANT PLANNING POLICIES**

### **6.1 National Planning Policy Framework**

6.1.1 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.

6.1.2 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 **Planning Practice Guidance**

6.2.1 The Planning Practice Guidance (“PPG”) 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.

## 6.3 **National Design Guide**

6.3.1 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.

## 6.4 **The Development Plan**

6.4.1 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)

6.4.2 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.

6.4.3 The Stevenage Borough Local Plan (2011 – 2031) was formally adopted by the Council on the 22 May 2019. As of the 22 May 2024, the adopted Local Plan is 5 years old and as such, is deemed to be out-of-date. This means that the policies contained in the local plan are deemed to have limited weight with greater weight applied to the framework of policies in the NPPF and associated PPG.

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

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

6.4.5 Where there are emerging policies which are relevant to the application, these will be highlighted in the main body of this report. The policies set out below are most relevant in the determination of this application:

Policy SP1: Presumption in favour of sustainable development  
Policy SP2: Sustainable development in Stevenage  
Policy SP3: A strong, competitive economy  
Policy SP5: Infrastructure  
Policy SP6: Sustainable transport  
Policy SP8: Good design  
Policy SP11: Climate change, flooding and pollution  
Policy EC6: Pin Green Employment Area  
Policy IT4: Transport Assessment and Travel Plans  
Policy IT5: Parking and access  
Policy IT6: Sustainable Transport  
Policy IT7: New and Improved Links for Pedestrians and Cyclists  
Policy GD1: High quality design  
Policy FP1: Climate change  
Policy FP2: Flood risk in Flood Zone 1  
Policy FP5: Contaminated land  
Policy FP7: Pollution  
Policy NH5: Trees and Woodland

## 6.5 **Supplementary Planning Documents**

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

Parking Provision and Sustainable Transport SPD (2020)  
Stevenage Design Guide SPD (2023)  
Developer Contributions SPD (2021)

## 6.6 **Community Infrastructure Levy Charging Schedule**

6.6.1 Stevenage Borough Council adopted a Community Infrastructure Levy Charging Schedule in 2020. This allows the Council to collect a levy to fund infrastructure projects based on the type, location and floorspace of a development. This proposal would be CIL liable at £0/m<sup>2</sup>.

# 7 **APPRAISAL**

7.1.1 The main issues for consideration in the determination of this application are its acceptability in land use policy terms, design and appearance, flood risk and drainage, climate change mitigation, amenity, noise, highway impact, access and parking, trees, biodiversity and landscaping and planning obligations to mitigate the impact of the development.

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 Considerations

7.2.1 The site is currently an established employment site located within the wider Pin Green Employment Area designation in the Local Plan under Policy EC6. The proposal seeks to retain the current employment use and is therefore consistent with Policy EC6 which identifies uses B1(b) (now E(g)(ii)) – research and development, B1(c) (now E(g)(iii)) – industrial processes, B2 – general industrial and B8 – storage or distribution as being appropriate. The proposed flexible use for E(g)(iii), B2 and B8 is therefore considered to be acceptable in this regard.

- 7.2.2 Policy EC6 at point (b) specifies that any new units must not exceed 3,000sqm in size. Paragraph 6.29 of the Local Plan advises that this restriction is driven by Pin Green generally being home to small and medium sized enterprises, however it is also recognised that there are some larger units located along Wedgwood Way and Cartwright Road, including the existing building on the application site at 9,965m<sup>2</sup>. Whilst the proposed floorspace for the new unit of 10,824m<sup>2</sup> (an increase of 859m<sup>2</sup> over the existing building) would exceed the maximum floorspace identified, as the existing building is already significantly larger than 3,000m<sup>2</sup> and the redevelopment would not result in the loss of any small and medium sized units, and the proposal only being a limited increase in terms of footprint over the existing building, it is considered that the proposed size is acceptable. This is because the floor area of the existing building is a material consideration which allows an exception to policy.
- 7.2.3 Further, the post-amble in Policy SP3 recognises that the Local Plan currently has a shortfall of employment land to address the identified need. The opportunity to redevelop sites such as this for greater floorspace, would help address this shortfall to some extent, whilst also delivering high-quality and modern stock which is more attractive to high-value businesses. As the site currently sits vacant, the application submission advises the proposal is likely to generate between 159 – 300 new jobs based on Government employment density guidance for B8 / B2 uses. This represents a significant economic benefit.
- 7.2.4 The proposed uses and extent of floorspace are therefore considered to be consistent with the Development Plan and existing material considerations. The proposal is therefore considered to be acceptable in principle, subject to satisfying other material planning considerations.

### 7.3 **Character and Appearance**

#### National Planning Policy Framework and Planning Practice Guidance

- 7.3.1 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.
- 7.3.2 The National Design Guide 2019, which was published by the Government, is a material consideration in the determination of planning applications. It states that buildings are an important component of places and proposals for built development are a focus of the development management system. However, good design involves careful attention to other important components of places. These include:
- the context for places and buildings;
  - hard and soft landscape;
  - technical infrastructure – transport, utilities, services such as drainage; and
  - social infrastructure – social, commercial, leisure uses and activities.
- 7.3.3 A well-designed place is unlikely to be achieved by focusing only on the appearance, materials and detailing of buildings. It comes about through making the right choices at all levels, including:
- the layout;
  - the form and scale of buildings;
  - their appearance;
  - landscape;



- materials; and
- their detailing.

### Development Plan

- 7.3.4 Whilst the policies contained in the local plan have limited weight, Policy SP8 generally reflects the requirements of the NPPF in that it requires new development to achieve the highest standards of design and sustainability. In addition, Policy GD1 generally requires all forms of development to meet a high standard of design which includes form of built development, elevational treatment and materials along with how the development would integrate with the urban fabric, its relationship between buildings, landscape design and relevant aspects of sustainable design.
- 7.3.5 In the emerging local plan partial review and update, criterion (e) of Policy GD1 is updated to refer to “unacceptable” adverse impacts. The intention behind the change is to make clear that in some circumstances, an adverse impact might still fall within acceptable bounds and that this is a matter of judgement for the decision maker. Policy GD2 is a new policy emerging from the local plan partial review and update. It states that proposals which demonstrate they have been designed to achieve a rating of excellent or higher against a relevant BREEAM standard and/or to achieve the BRE Home Quality Mark will be strongly supported. Having regard to paragraph 48 of the NPPF, this emerging version of the policy is afforded limited weight in the assessment of the application.

### Supplementary Planning Document

- 7.3.6 Appendix C of the Stevenage Design Guide SPD 2023 provides guidance on extensions and alterations to dwellings. The Council will consider the impact upon the appearance of the existing property as well as the character and appearance of the area. In addition, the guide sets out that the extension should appear subservient to the original house; smaller in width, height and depth than the existing property, but still using the same scale and proportions.
- 7.3.7 Appendix C of the Design Guide SPD also stipulates that building features such as windows, roof pitches, overhangs, gables, chimneys should all be consistent with those of the existing property. If the roof of the main building is pitched, for example, then the extension should have a pitched roof, at the same angle. However, this does not mean that contemporary design will not be acceptable, providing it respects local character and does not detract from the original building.
- 7.3.8 This part of the application has been assessed against the key policy criteria on good design, as well as how the scheme meets the four key objectives in the National Design Guide on what is considered as a well-designed place.

### Layout

- 7.3.9 The Design and Access Statement advises the building layout has been designed to maximise site efficiency, help screen service yards and add a positive frontage to Wedgwood Way and Cartwright Road. The proposed layout would deliver 10,824m<sup>2</sup> (GIA) of accommodation. This is an uplift of 859m<sup>2</sup> (GIA) against the existing 9965m<sup>2</sup> (GIA) building. The unit would be located within the southern part of the site, with staff parking around the southern and western perimeter. The existing site entrance off Cartwright Road would be retained and improved to provide access to the proposed car parking directly adjacent to the office element of the design. The existing access off Wedgwood Way would be relocated slightly north to provide more efficient HGV access to the service yard and access to additional car parking spaces. The service yard would be located to the north of the building, away from the residential properties to the west and south. Space would be left around the boundaries for landscape planting, sustainable urban drainage features and tree retention.

### Scale, Massing and Form

- 7.3.10 The design of the building follows a typology typical of other industrial buildings within the local context. Generally, these buildings are designed as open warehouse type space with ancillary operational offices and mezzanines at first floor level. The form and size of the unit has been informed by the functional parameters expected by the target small and medium sized local business market within the light industrial, manufacturing storage and distribution sectors. As such will be robustly constructed to institutional investment standards. The building is specifically designed to meet institutional height requirements appropriate to the size and use in this location. This is set from a clear internal haunch level of 12.5m. The 6-degree roof pitch and structural span will mean the building will have a maximum height of c.16.00m from ground floor level.
- 7.3.11 The step-in scale and the breaking down of the office element in this location, would provide a focal point 'gateway building' into the estate from the south. The layout and elevation facade treatment would be used to further break down the appearance of scale, massing and form with the application of textures, tones, material finishes and detailing. The proposed curtain walling system, profiled metal cladding, flat metal cladding along with the projecting aluminium frame would together add articulation and further reduce the perceived massing of the built form. An increase in scale from the existing building is considered to be appropriate within the Pin Green Industrial Area. The office element would project beyond the main warehouse footprint which sits relative to the immediate surrounding heights of Moxham House (Giles Crescent) and Papillion Court (Admiral Drive). The taller element of the proposed unit (warehouse) steps up in scale, however, sits relative to the adjacent Shapiro House (Giles Crescent) and is considered to sit comfortably within the immediate setting. The combination of existing and proposed trees along Cartwright Road would soften the visual impact.

### Appearance and Materiality

- 7.3.12 The material palette is designed to deliver a high quality, contemporary finish appropriate to the context, building typology and the expectations of market requirements. The large-scale curtain-wall element would be incorporated into the office entrance as well as full height windows to the first-floor offices. The large amounts of glazing to the elevations would maximise daylight and outlook within the internal spaces, as well as activating the frontages. The remainder of the entrance corner would be clad in flat metal panels, which would be laid vertically and staggered in arrangement to create visual interest. Slot windows are positioned within the cladding system and allow selective views out from the internal spaces.
- 7.3.13 Moving round to the office element of the elevation, the louvre panels would sit above the double height glazing which would not only break up the visual appearance, but also allow any ducting to be concealed behind the system. This would create a clean finish to the elevation, undisrupted of services coming through the facade. The office element of the proposal would be framed by external feature frames and clad in-between with a profiled sinusoidal ((of a wave) having a regular smooth repeating pattern) panel to create not only a higher quality finish to the office areas but to distinguish it from the warehouse elements and to act as a focal point to the 'active' parts. A combination of profiled metal cladding would be arranged to deliver a durable but clean / modern base to the closed parts of the warehouse.
- 7.3.14 The mixture of profiled and flat metal panels would predominantly be a monochromatic finish, offering a clean, high-tech appearance for a timeless quality. Accent colours would be laid vertically on the corner of the building and designed to fade away to further break down the perception of massing as well as adding visual interest to the returns. A combination of tones, textures and detailing would be used across the building to create visual interest to the façade whilst reflecting the functional organisation of the building.
- 7.3.15 The strategy for the boundaries to the site are consistent and clear. A 2.4 metre high weld mesh fence, powder coated green would wrap around the unit to provide the level of security

required by the occupier. This would tie into the existing retained fence around the site periphery.

### Conclusion

- 7.3.16 Overall, it is considered the proposed development would have a high-quality finish and has been designed to assimilate itself with the wider area with the careful use of materials and finishes to give the building architectural interest and to reduce the perception of bulk. The scale of the building, whilst higher than the existing building, is considered acceptable for this employment area. The layout of the proposed development has been well considered and considers the need for satisfactory access and separation with nearby residential areas. The proposed development is therefore, considered acceptable in accordance with the policies on design in the adopted Local Plan (2019), the Design Guide SPD (2023), the NPPF (2023) and PPG.

## 7.4 **Impact on the Environment and Neighbouring Occupiers**

### National Planning Policy Framework and Planning Practice Guidance

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

### Development Plan

- 7.4.2 Whilst the policies contained in the local plan have limited weight, Policies SP8 and GD1 of the Local Plan 2019 which generally reflect the good design principles outlined in the NPPF and National Design Guide, require that development does not adversely impact the amenities of neighbouring occupiers. In the emerging local plan partial review and update, criterion (e) of policy GD1 is updated to refer to “unacceptable” adverse impacts. The intention behind the change is to make clear that in some circumstances, an adverse impact might still fall within acceptable bounds and that this is a matter of judgement for the decision maker.
- 7.4.3 Policy FP5 of the Local Plan requires development proposals to consider contamination and be supported by an appropriate preliminary risk assessment (PRA), demonstrating that any necessary remediation and subsequent development poses no risk to the population, environment or groundwater bodies.
- 7.4.4 Policy FP7 requires all development proposals to minimise, and where possible, reduce air, water, light, and noise pollution. Planning permission will be granted when it can be demonstrated that the development will not have unacceptable impacts on general amenity and the tranquillity of the wider area.
- 7.4.5 Contamination
- 7.4.6 The Geo-environmental and Geotechnical Site Assessment submitted with the application advises the generic risk assessments undertaken indicate remediation is not considered necessary. The report advises once future development details are finalised post-planning, additional ground investigation is recommended to include window sample and trial pit

locations within the footprint of the existing building post-demolition to characterise properties such as the thickness of Made Ground and ground aggressive to buried concrete within the footprint of the proposed structures where shallow foundations are recommended. Notwithstanding this, a condition is recommended to ensure that any unexpected contamination is dealt with properly if discovered during the construction phase.

#### 7.4.7 Noise Pollution

7.4.7.1 The application is accompanied by a Noise Impact Assessment by Sharps Acoustics Ltd. Observations during the attended aspects of the survey confirm that the character of noise emanating from the premises would be similar to the existing noise climate of the industrial estate. Furthermore, noise levels emanating from the proposed development would be below the typical background sound levels during the daytime and night-time. The report notes the proposed development has been designed with an acoustically optimised site layout with all servicing bays on the north façade of the premises facing away from all noise-sensitive premises. On this basis, all servicing activities would be screened by the intervening industrial building to reduce noise. In addition, the report notes the closest noise-sensitive receptors at Shapiro House are understood to benefit from an alternative means of ventilation which does not rely on open windows which would further attenuate noise levels from the proposed development.

7.4.7.2 The assessment has shown that when accounting for context, noise emanating from the proposed premises would have a low impact when assessed in accordance with BS4142:2014+A1:2019 (Method for rating and assessing industrial and commercial sound). The assessment has also shown that the change in noise level due to the increase in traffic on the local road network from the development would be 'None/ Not Significant' effect. Furthermore, mechanical plant noise limits have been set in line with BS4142:2014. The report concludes there would be no adverse effects from noise from the proposed development. The Council's Environmental Health department have reviewed the assessment and have raised no objection.

7.4.7.3 It is important to note that the existing building could be brought back into use by an industrial operator with associated HGV traffic without requiring planning permission. This would also have an impact on the surrounding area in terms of noise. The layout of the proposed development has been designed to mitigate noise impact and therefore the fallback position is a material planning consideration in terms of noise and residential amenity. On this basis, it is considered the proposal would accord with Local Plan Policy FP7 in terms of noise.

#### 7.4.8 Light Pollution

7.4.8.1 The application is supported by an External Lighting Assessment Report. The report details the lighting scheme, which covers all areas surrounding the building including external areas to the access roads, walkways, car parking and service yards. The scheme is based on the use of LED luminaires fixed to the building façade and on lighting columns as detailed on the accompanying drawing 24081-MBA-EX-SP-DR-E-0001 Revision PL2. The lighting solution has been prepared in accordance with the current Design Standard for Exterior Lighting and care has been taken when selecting the luminaires to ensure the products would reduce spill light and glare to and around site boundaries and prevent sky glow.

7.4.8.2 With the proposed luminaires being strategically placed and having zero or minimal upward light ratio, the proposed design solution meets the criteria of environmental zone E3, Lighting Environment classification of High District Brightness and Maximum Upward Light Ratio of Luminaires. All external lighting would be controlled by automatic timeclock to assist in the control of the lighting during required hours. The total lighting solution has been carefully generated to ensure the immediate environment has been protected, including the properties adjacent to the site. The illumination that would normally be free flowing from site boundaries has been restricted and has been further designed to mitigate any potential impact to adjacent

properties. Careful consideration has also been taken to ensure no loss of amenity due to glare through shielding of the lamps, choice of luminaires and efficient mounting heights. On this basis, it is considered the proposal would accord with Local Plan Policy FP7 in terms of external light.

#### Air Quality

- 7.4.8.3 Looking at air quality and air pollution specifically, the Air Quality Annual Status Report (ASR) 2019 by Stevenage Borough Council identifies that the development site is not located within or in close proximity to an Air Quality Management Area (AQMA). This generally indicates that the air quality in the area is within national guidelines.
- 7.4.8.4 In order to mitigate the impact of the construction phase on air quality, it is recommended a condition is imposed to any permission issued. This condition would require the applicant to submit a Construction Management Plan to detail measures on how to control levels of dust and air pollutions which are generated during the demolition and construction phases of development.
- 7.4.8.5 With regards to the operational aspect of the development, due to its limited scale, the proposed development would give rise to a very small increase in NO<sub>2</sub> emissions which in accordance with IAQM/EPUK guidance is identified as having a negligible impact at all receptors in the area. As such, the need for additional mitigation has not been identified as being required. Consequently, the Council's Environmental Health department has not raised any concerns with respect to the operational impact the development would have on air quality.

#### 7.4.9 Privacy, Overbearing Impact and Daylight

- 7.4.9.1 The site is separated from the residential properties to the west and south by Wedgwood Way and Cartwright Road, which provide approximately 40m separation between the proposed development and nearby residential sites mitigating concerns of overlooking, loss of light and overbearing impact. Where there is doubt that adequate sunlight and daylight will be achieved, the Council's Design Guide (2023) advises indicators can be used to assess the amount of light reaching a new or existing window. The Building Research Establishment (BRE) guidelines "Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice", third edition, is recommended. It provides guidance on acceptable levels of daylight and sunlight within existing and proposed developments. This can be established by undertaking a 45-degree test or a 25-degree test using the BRE guidelines.
- 7.4.9.2 The Design and Access Statement accompanying the application undertakes the 25-degree test using the Wedgwood Way site section for Moxham House and the proposed building, as well as the Cartwright Road section for Papillion Court, Admiral Drive. The proposed building sits 40m away from the nearest point of the residential blocks and does not break the 25-degree BRE rule to views out. It can be concluded therefore, that the proposal would not result in a loss of light to these properties or appear overbearing. The combination of existing and proposed trees along Cartwright Road would also soften the visual impact and screen much of the new development.
- 7.4.9.3 With regards to the representation received from the owners of the Pin Green Industrial Estate adjoining the site to the east, there is no protection offered to the amenity of occupiers of commercial premises under planning legislation. Whilst the building would be taller than those in the adjoining Industrial Estate, it is not considered the scale would be harmful (see paragraphs 7.3.10 and 7.3.11) or overbearing compared to the adjoining commercial buildings. The applicant has carried out a shadow analysis within section 6.11 of the Design and Access Statement, which notes the building form and orientation has been designed to minimise shadow impact on the surrounding buildings/ context throughout the day.

7.4.9.4 In terms of overshadowing of Pin Green Industrial Estate to the east, the shadow cast throughout the year at 15:00 shows there would be some shadowing of the adjacent site in March and September with limited shadowing in June. The shadow is casting across the access road into Pin Green Industrial Estate and against the building which has no west facing fenestration to the elevation. The plans in the analysis demonstrate the shadowing would not cast over the roof lights, therefore mitigating concerns over daylighting into the internal spaces. It is not considered therefore that the impact on the commercial units within the Pin Green Industrial Estate abutting the boundary with the application site in terms of over shadowing would be unacceptable.

7.4.9.5 Turning to privacy and overlooking of the residential properties to the west and south, it is considered the separation distances in excess of 40m of the proposed building to these dwellings, together with the retention of existing boundary trees would mitigate any direct overlooking. As such, it is considered the relationship would not raise amenity concerns with regards to privacy and the proposal can be considered acceptable in this regard.

#### 7.4.10 Demolition and Construction Impacts

7.4.10.1 The disruptive effect of demolition and construction work is a material consideration. Some disruption is inevitable, insofar as vehicle movements and noisy work would be necessary to complete the development. However, the impacts can be mitigated, for example by employing dust suppression techniques, limiting the hours when deliveries can be made, and limiting the hours when work can be carried out.

7.4.10.2 To this end, it is recommended that a construction management plan be secured by condition. Subject to this condition, it is considered that the impacts of demolition and construction could be mitigated to an acceptable degree.

#### 7.4.11 Conclusions on Environment and Neighbouring Occupiers

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

### 7.5 **Parking**

#### National Planning Policy Framework and Planning Practice Guidance

7.5.1 Chapter 9. Promoting Sustainable Transport of the NPPF (2023) sets out a requirement to consider transport issues, which includes parking, at the earliest stages of a development proposal. Paragraph 115 of the NPPF (2023) states “*Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.*”. Taking this into consideration, paragraph 116 of the NPPF (2023) stipulates that applications for development should:

- a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;
- b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;
- c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;
- d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and

e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

### Development Plan

7.5.2 Whilst the policies in the Local Plan have limited weight, Policy IT5 of the Local Plan requires development proposals to comply with the parking standards set out in the Stevenage Borough Council Parking Provision and Sustainable Transport SPD 2020. The table below is taken from the Transport Assessment which shows the Council's parking requirements for each potential type of occupier for the building:

Use Class	Car Parking	Lorry Parking	Disabled Parking (Employee/Visitor)
E(g)(iii) INDUSTRIAL PROCESS	1 space per 40m <sup>2</sup>	1 space per 200m <sup>2</sup>	One space per disabled employee + 5% of total capacity for visitor disabled motorists + 5% for future provision of total capacity based on enlarged car parking spaces
B2 GENERAL INDUSTRY	1 space per 50m <sup>2</sup>	1 space per 200m <sup>2</sup> up to 1,000m <sup>2</sup> GFA	
B8 STORAGE AND DISTRIBUTION	1 space per 75 m <sup>2</sup>	1 lorry space per 200m <sup>2</sup> gross floor area (minimum 1 space) to 1 lorry space minimum plus 1 lorry space per 500m <sup>2</sup> gross floor area.	

7.5.3 The following table is also taken from the Transport Assessment and shows the maximum permitted and proposed parking provision for the site for each use:

Size (m <sup>2</sup> ) GIA	Proposed	E(g)(iii)	B2	B8
10,824m <sup>2</sup>	108	271	216	144

7.5.4 The proposals include 108 car parking spaces (including six accessible spaces), eight motorcycle spaces, 18 lorry spaces (including loading bays) and 26 cycle spaces with green roofs. The proposed level of parking equates to 40% of the maximum permitted for E(g)(iii), 50% of the maximum permitted for B2 and 75% of the maximum permitted for B8 Use Class when relating to Council parking standards. The standards allow for reduced parking standards in more sustainable locations and while the site falls outside of one of the zones, Martins Way forms the boundary. For Zone 3 areas, standards can be reduced to 75% of the maxima, which would equate to 203 spaces for E(g)(iii), 162 spaces for B2 and 108 spaces for B8, which brings the proposed provision in line with the B8 standards. Due to the size of the site, the applicant advises it is more likely to attract B8 occupiers. As such, the proposed level of parking being provided from the outset is considered appropriate for the development.

7.5.5 However, the Transport Statement also highlights how different uses have different servicing requirements, and that the service yard could be used to flex up and down the parking to meet the demands of each user. The Transport Statement shows alternative parking layouts for an E(g)(iii) and B2 operator. Alternative provision to reflect the end user can be secured by way of a planning condition to ensure the appropriate amount of parking is provided depending on whether the end user is a B8, B2 or E(g)(iii) use in accordance with the parking layouts shown in the Transport Statement.

7.5.6 There are also bus stops adjacent to the site and additional stops a short walk to the south providing access to bus services that serve a large area of Stevenage, which also connect with the bus station and train station. Furthermore, the existing pedestrian and cycle connections to surrounding residential areas means that a high number of potential employees at the site could live within an accessible walking or cycling distance with facilities provided to promote

and encourage travel by these modes. The implementation of the Travel Plan for the site would also encourage non-car travel meaning that parking demand could be lower than the standards permit.

- 7.5.7 Council cycle standards require 22 long term and 11 short term spaces. The proposals include 24 cycle spaces incorporating 22 long term and 2 short term spaces. This is because the nature of the businesses likely to occupy the development are unlikely to attract visitors by bike. All cycle parking would be within secured shelters with green roofs and changing and shower facilities would also be provided to help create behavioural change amongst staff living within Stevenage and encourage travel by bike as opposed to driving. Cycle parking usage would be monitored through the Travel Plan, and should additional parking be required then additional spaces would be provided.
- 7.5.8 In terms of EV parking, a minimum of 20% of parking spaces would have access to an active EV charging point. It is envisaged that throughout the development there would be 20 active EV charging points, with the remaining 88 spaces having passive infrastructure in place. This would mean that the underlying infrastructure is provided for connection to the electricity network, but would need to be activated through the installation of a charge point to be used in the future as technologies evolve and uptake increases.
- 7.5.9 In terms of accessible spaces, it is proposed to provide 6 disabled parking bays in accordance with the Council's parking standards close to the building entrance. Enlarged spaces for future provision have not been included on the basis that the disabled spaces can be shared between staff and visitors and should additional spaces be required in future then existing standard bays can be reconfigured to accommodate this.
- 7.5.10 Having regard to the above, the proposed parking arrangements are considered to be acceptable. In this respect, the proposal accords with Policy IT5 of the Local Plan.

## **7.6 Highway Safety**

- 7.6.1 Policy IT4 of the Local Plan 2019 states that planning permission will be granted where development will not have an adverse impact on highway safety. The application is accompanied by a Transport Statement and a Travel Plan.

### Access

- 7.6.2 It is proposed to retain the existing site access to the southeast of the site on Cartwright Road in its current form to provide access to a parking area to the south of the site. The existing access on Wedgwood Way would be closed and reinstated as footway, with a new access being provided to the northwest of the site; this would provide access to the service yard and additional parking. Pedestrian and cycle access points would be provided at the junction of Wedgwood Way and Cartwright Road and one slightly further north on Wedgwood Way. These access points would provide easy access to the entrance to the building as well as the cycle parking area located just to the north of the northern pedestrian and cycle access. This would mean that pedestrians and cyclists would not need to interact with vehicles within the site. The Highway Authority has confirmed the proposed arrangements are acceptable.

### Refuse and Servicing

- 7.6.3 Refuse and service vehicles would enter and exit the site via Wedgwood Way, with refuse being stored adjacent to the access providing easy access for collection purposes. A swept path analysis has been undertaken to demonstrate that the site can accommodate large articulated lorries. A 16.5m articulated lorry can enter and exit the site in forward gear as well as accessing the service doors. Given that a 16.5m articulated lorry can access the unit, the proposed layout conforms to the design guidance set out in Manual for Streets (MfS) detailing



that fire tenders and refuse vehicles can serve the site. The Highway Authority has confirmed the proposed arrangements are acceptable.

### Trip Generation

- 7.6.4 The Transport Statement undertakes an exercise which presents forecasts for the trip generation of the existing and proposed development and the attendant net effect. The trip generation exercise has used the Industrial Unit category from the TRICS (Trip Rate Information Computer System) database to forecast both existing and proposed trips. The Highway Authority is content that the selection of the Industrial Unit category offers sufficient flexibility to account for the existing and proposed employment uses on site. The proposed development would generate in the region of 41 two-way trips in the AM peak and 27 in the PM peak; an increase of 4 and 3 trips respectively compared to the existing development. Given that there is only a relatively small change in the overall floorspace, the net increase in trips as detailed above is considered negligible.
- 7.6.5 The Highway Authority is content to accept that the proposed development would not precipitate a material impact on the adjoining local highway network. The same principle applies to the multi-modal trip generation exercise as presented within Table 5.3 of the Transport Statement. This notwithstanding, the Highway Authority notes that all developments should seek to promote travel by sustainable modes. Given the site's location with good access to neighbourhood areas, a high-quality walking and cycling network within Stevenage and bus routes, there exists an opportunity to promote trips by sustainable modes.
- 7.6.6 Based on the submission, the Highway Authority has concluded it is unlikely given the quantum of the development that the modest increase in traffic would lead to any unacceptable impacts on highway safety or any severe residual cumulative impacts on the highway network. For this reason, the Highway Authority offers no objection subject to the inclusion of planning conditions set out in Section 9 below.

## **7.7 Biodiversity and Ecology**

- 7.7.1 The Environment Act received royal ascent in 2021. Within the legislation is the requirement for proposals to bring about a positive net gain in biodiversity. The regulations make a 10% net gain a statutory requirement (with a standard condition). 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. The NPPF and accompanying PPG require the Council to achieve measurable net gains in biodiversity at development sites across the Borough. Policy SP12 of the Local Plan requires the protection of assets of ecological and biodiversity value.
- 7.7.2 The application is supported by a preliminary ecological appraisal, which assesses the site as having limited habitats and low suitability for notable species. No statutory or non-statutory nature conservation designations are present, all designations in the wider area are physically separated from the site, and therefore are unlikely to be adversely affected by the proposals. The Phase 1 habitat survey has established that the site is dominated by habitats not assessed to be of ecological importance, whilst the proposals seek to retain those features identified to be of value. The existing habitats have extremely limited potential to support protected species and it is concluded that they are likely absent, aside from nesting birds. Mitigation proposals are proposed to address this. As such, the proposals are unlikely to result in significant harm to existing wildlife.
- 7.7.3 A biodiversity net gain assessment has also been submitted alongside the application, using the latest statutory metric. The considerations and proposals set out in the Statutory Metric calculator indicates a net habitat biodiversity unit change for the proposals within the site boundary of +0.46 Habitat Units (representing a calculated gain of 19.94%) and +0.67

Hedgerow Units (representing a calculated gain of 99.88%) within the site boundary. These scores both exceed the statutory requirements, and weigh in favour of the application.

7.7.4 Having regard to the above, it is considered that the proposed development would have an acceptable impact on ecology and biodiversity. In this respect, the proposal accords with Policy SP12 of the Local Plan.

## **7.8 Trees and Landscaping**

7.8.1 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.

7.8.2 The landscape strategy presents a great opportunity to create a strong green Infrastructure within the proposed built development. In response to surrounding green infrastructure, the site has proposed a series of green spaces on the western edge of the site, aiming to provide rich and diverse green infrastructure with multiple ecology benefits at the heart of the landscape proposal. Amenity planting and SUDS features form an integral strategy to enhance the biodiversity net gain, as well as to make positive impact on employees' wellbeing. The key principles of the landscape strategy are as follows:

- The landscape proposals have been developed in line with the vehicular / pedestrian routes to provide clear, attractive and legible access to the proposed building from Wedgwood Way and Cartwright Road.
- Proposed trees have been selected for their wildlife benefits as well as air quality improving features along the boundaries and edges of the site to foster existing trees and vegetation.
- A combination of native hedgerows, native shrub mix, groups of trees, ornamental planting and meadow mixes create an attractive, layered landscape providing a variety of habitats for wildlife.
- A series of communal gardens along the western edge of the site and the building with proposed seating elements provide a network of green spaces for employees and site users.
- Proposed tree planting along the vehicular access would create a visual buffer and amenity value.
- A 2.4 metre high weld mesh fence would wrap around the building to provide security. This would tie into the existing retained fence around the site periphery.

7.8.3 In total, 37 new trees are proposed throughout the site primarily around the perimeter. These would offset the loss of 5 trees (three category B and two category C) on the southern boundary that would be removed to achieve a neutral cut and fill strategy across the site. The category A English Oak would be retained as part of the proposals, and construction works would include careful mitigation.

7.8.4 The replacement tree palette has been carefully selected to provide seasonal interest, wildlife value, climate resilience and incorporate features that improve air quality. Along the edge of the site, a native mix of *Sorbus Sucuparia*, *Prunus Avium*, *Betula pendula* and *Acer camestres* have been proposed. Within the network of green space, trees comprise *Pyrus chantage* and *Liquidambar styraciflua*, *Carpinus betulus* 'Frans Fontaine', *Amelanchier Lamarckii* as well as *Prunus avium* to maintain a dialogue to surrounding context.

- 7.8.5 The planting strategy aims to create a naturalistic look to the site using a variety of native species to create a diverse landscape that is both aesthetic and beneficial to wildlife. The planting strategy for the site has been carefully considered working closely with the project ecologist to provide enhanced wildlife value. The scheme has deliberately moved away from providing large areas of non-native amenity shrubs and ground cover plants, instead using a mix of native wildflower grasslands for biodiversity.
- 7.8.6 In some localised places amenity shrubs have been specified to add impact and seasonal interest. A combination of native hedgerows, woodland mixes, groups of trees, ornamental planting and meadow mixes would create an attractive, layered landscape providing a variety of habitats for wildlife. A mixed species hedge has been selected to run around the periphery of the site along the fence boundary, creating a wildlife corridor for local fauna. The Rain Garden area would have wetland meadow mix with wet tolerant planting.
- 7.8.7 In terms of hard landscaping, a simple paving palette has been selected. Enhanced arrival space and pedestrian path around the building with permeable block paving have been proposed to create a welcoming atmosphere. Concrete paving to the service yard would provide an easily maintained, sturdy hard surface. Within the green space, a self-binding gravel path has been proposed to connect amenity features and existing green infrastructure. A seating area with timber picnic benches has been proposed within the central green space to encourage users to enjoy the sunny southerly aspect and views over the proposed pond. Within the site boundaries a suite of galvanised powder coated steel and timber furniture has also been proposed.
- 7.8.8 It is considered the overall landscaping and tree strategy is high quality and would create an attractive landscaped setting for the proposed building, with clear biodiversity and visual amenity benefits in accordance with policies SP12 and NH5 of the Local Plan (2019).

## **7.9 Flood Risk and Drainage**

- 7.9.1 A Flood Risk Assessment and Drainage Strategy accompanies the application. The report reviews the drainage and flood risk issues associated with the proposed development and sets out how surface water run off would be accommodated. The report states that the application site is located within Flood Zone 1 and that flood risk from fluvial and surface water flooding is low. The development of the site for an employment use is therefore appropriate as set out by the 'flood risk vulnerability classification' contained within the Planning Practice Guidance. The Drainage Strategy sets out details in respect of surface water and foul water drainage.
- 7.9.2 Drainage strategies should adhere to the Sustainable Drainage Strategy (SuDS) hierarchy provided in the Local Flood Risk Management Strategy 2 (2019). The hierarchy identifies that living roofs and walls are the most-sustainable SuDS features, followed by ponds and basins, infiltration devices and permeable surfaces. Tanked and piped systems are identified as the least sustainable, providing no pollution reduction nor biodiversity benefit.
- 7.9.3 In the emerging local plan partial review and update, flood risk and drainage policies are significantly revised. The existing policy FP1 is replaced by a new sustainable drainage policy, which places an emphasis on the use of the most sustainable SuDS features and methods of surface water discharge. Meanwhile, existing policies FP2 and FP3 are combined into a new, more comprehensive flood risk policy, which largely reflects national flood risk policies but also seeks to protect watercourses and flood defences. Having regard to paragraph 48 of the NPPF, this emerging version of the policy is afforded limited weight in the assessment of the application.
- 7.9.4 The current development is served by a below ground surface water drainage network that outfalls unrestricted via a pipe to a Thames Water (TW) adopted manhole to the southeast of the site within the verge of Cartright Road. The TW sewer then flows west and connects to a larger sewer in Wedgwood Way and flows south. The foul drainage serving the current building

outfalls in a westerly direction to a TW foul sewer in Wedgwood Way that also flows south. The surface water drainage strategy involves restricting the proposed flow rate to satisfy Lead Local Flood Authority and TW policies for brownfield developments, and to ensure that the flood risk to the site and surrounding catchment is not increased by the development.

- 7.9.5 The Sustainable Drainage Systems (SuDS) hierarchy has been considered. The surface water runoff would be collected from the new impermeable areas and directed via the underground network through a geocellular attenuation tank located beneath the service yard, before outfalling into the existing private surface water drain that outfalls to the TW adopted surface water sewer. The peak rate of runoff would be restricted to the respective Greenfield runoff rates. The existing site is fully impermeable and discharges at an unrestricted rate. As such the proposed strategy provides a significant reduction in these pre-development discharge rates. A detailed Drainage layout with hydraulic calculations incorporating a climate change allowance of 40% have been prepared to support this approach. SuDS in the form of permeable paving for the car parking bays and a rain garden integrated into the layout to serve the office roof and external pathway would also be incorporated.
- 7.9.6 There would be no residual flood risk from the development site to the surrounding area due to the reduction in storm water flow rates. The development would not therefore increase the risk of flooding to other adjacent neighbourhoods. Out of chamber or gully flooding for the extreme 100 year plus climate change event may occur within the development site and is classed as exceedance flows. Flood water from this event would be contained within the lower lying yard areas of the development site and directed away from the proposed building. Foul flows would be collected by a new gravity network and discharge to the existing Thames Water foul water sewer via a new manhole to the southeast of the site.
- 7.9.7 At the request of HCC as Lead Local Flood Authority, additional information has been submitted to address their concerns and updated comments are awaited. At the time of writing this report no comments have been received. If comments are received prior to the meeting and/or the drainage strategy is agreed an update will be provided, otherwise it is anticipated Members will agree to delegate powers being granted to the Assistant Director of Planning and Regulation to impose any conditions advised on any response provided after the committee meeting.
- 7.9.8 A decision will not be issued until the S106 Legal Agreement associated with the development has been signed, which will allow time for comments to be received. Therefore, comments will be fully considered prior to a decision being issued. However, if the Lead Local Flood Authority continues to raise an objection to this application and their concerns cannot be overcome, then this application will be referred back to the Planning and Development Committee for its decision.

## **7.10 Sustainable Construction and Climate Change**

- 7.10.1 Policy FP1 of the adopted Local Plan (2019) stipulates that planning permission will be granted for development that can incorporate measures to address adaptation to climate change. New developments will be encouraged to include measures such as:
- Ways to ensure development is resilient to likely variations in temperature
  - Reducing water consumption to no more than 110 litres per person per day, including external water use
  - Improving energy performance of buildings
  - Reducing energy consumption through efficiency measures
  - Using or producing renewable or low carbon energy from a local source; and
  - Contributing towards reducing flood risk through the use of SuDS or other appropriate measures.
- 7.10.2 The emerging local plan partial review and update contains a suite of new climate change policies (CC1 to CC8). These policies cover a much broader range of topics which are relevant

to climate change and also make mandatory some of the measures that are currently only encouraged. Given that the emerging local plan is in the earliest stages of preparation, the extent of objections to the policies is as yet unclear, and their degree of consistency with the NPPF is likewise yet to be tested, emerging Policies CC1 to CC8 should only be afforded limited weight in the assessment of this application.

- 7.10.3 The Council's Design Guide SPD (2023) sets out additional requirements with respect to climate change. The guide states that all developments are required to make efforts to minimise energy usage and to incorporate methods of using renewable energy, including:-
- reducing energy demand;
  - using passive environmental systems, e.g. natural ventilation;
  - daylighting and passive solar gains;
  - using high levels of insulation and air tightness in the fabric of the building;
  - specifying energy efficient services, controls and appliances;
  - implementing water recycling and the provision of water butts;
  - using renewable energy;
  - using low/zero carbon technologies to provide as much of the energy load as is technically and economically feasible, minimising use of fossil fuels; and
  - using efficient fossil fuel technologies, such as Combined Heat and Power and condensing boilers.
- 7.10.4 Sustainability and energy saving features have been carefully considered within the design of the unit. This would be demonstrated through targeting a minimum 'Excellent' rating in the Building Research Establishment's Environmental Assessment Methodology (BREEAM). BREEAM considers a range of issues within the development of a building including energy and water consumption, ecology, waste, materials and the health and well-being of building users, amongst others. Therefore, a holistic approach to environmental protection and sustainability would be implemented.
- 7.10.5 Several sustainable features are proposed to be included within the design of the industrial units including photovoltaic panels and energy efficient lighting, heating and cooling to be installed to encourage reduced energy consumption above Part L Building Regulations. Water efficient sanitary ware would be specified, and cycle storage spaces (with green roofs) are to be installed, to encourage building users to consider sustainable travel to site. Electric car charging points would be provided to 20% of all spaces with the remaining 80% covered by passive provision for ease of future installation as demand grows. The sustainability approach undertaken within the built elements is echoed in the green opportunities proposed within the landscape areas for SuDs, amenity and biodiversity habitat creation (including green roofs to the cycle shelters).
- 7.10.6 Turning to sustainable construction, Hertfordshire County Council as Minerals and Waste Authority recommended the applicant submit a SWMP (Site Waste Management Plan). This is to ensure that materials used in construction are properly recycled where possible. It is recommended that if planning permission were to be granted, a condition could be imposed requiring the applicant to submit a SWMP prior to the commencement of development.
- 7.10.7 Given the above, and subject to conditions securing the measures identified to address adaptation to climate change, the development would be in accordance with Local Plan Policy FP1 as well as ensuring a suitable site waste management plan would be provided.

## **7.11 Planning Obligations**

- 7.11.1 The following planning obligations would be attached to any planning permission:
- Requirement to enter into a S278 Agreement of the Highways Act 1980 (covering access works)

- £6000 Travel Plan evaluation and support fee
- Local Employment and Apprenticeships
- Monitoring fee

7.11.2 The above obligations have been agreed with the applicant and Hertfordshire County Council as Highway Authority (where relevant) and would be secured via a Unilateral Undertaking, subject to planning permission.

## 7.12 Other Matters

### Community Infrastructure Levy

7.12.1 Stevenage Borough Council adopted a Community Infrastructure Levy Charging Schedule on 1 April 2020. This allows the Council to collect a levy to fund infrastructure projects based on the type, location and floor space of a development, in line with the rates shown in the table below.

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

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

7.12.3 CIL replaces the need for S106 agreements to specify financial and/or land contributions for non-site-specific infrastructure projects. This allows infrastructure to be planned on a borough-wide scale rather than on a site-by-site basis as mitigation against the impacts of individual proposals. A CIL Form 1: Additional Information has been submitted along with the application. The development would be CIL liable at £0/m<sup>2</sup>.

### Human Rights and Equalities

7.12.4 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.

7.12.5 When considering proposals placed before Members it is important that they are fully aware of and have themselves rigorously considered the equalities implications of the decision that they are taking. Rigorous consideration will ensure that proper appreciation of any potential impact of that decision on the Council's obligations under the Public Sector Equalities Duty. As a minimum this requires decision makers to read and carefully consider the content of any Equalities Impact Assessment (EqIA) produced by officers.

7.12.6 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.

- 7.12.7 The proposal would provide disabled spaces in the most accessible carpark location, level access to all parts of the site and disabled toilets / internal lift to ensure the site is accessible to all. The proposed development would not have any material impact on persons with any of the protected characteristics listed under the Equalities Act.

## **8 CONCLUSIONS**

- 8.1 This application seeks planning permission for the demolition of existing buildings and structures and construction of a new building for Use Classes E(g)(iii), B2 and B8 (flexible), including hard and soft landscaping, parking, access, servicing and associated works. The site is located within the designated employment area of Pin Green Industrial Estate, which is identified to deliver industrial and logistic uses. Therefore, the proposal is acceptable in principle.
- 8.2 Whilst the proposed floorspace exceeds the Pin Green floorspace cap of 3,000m<sup>2</sup>, it would replace a building which already far exceeds this limit and does not result in the loss of smaller units. As such, it is a material consideration which allows an exception to policy in these specific circumstances.
- 8.3 The proposal would contribute significantly to modernising the employment floorspace in Stevenage, helping to address the identified shortfall in floorspace being delivered over the Local Plan period by intensifying the use of the site. The building has been designed to create a high-quality frontage onto the corner of Wedgwood Way/Cartwright Road with an active office frontage with glazing and framing, softened by new high-quality soft landscaping. The proposal would meet BREEAM Excellent as a minimum and would therefore be highly sustainable. Further, the proposal has been carefully designed so as to not cause undue harm to nearby residents, will not prejudice highway safety and would seek to deliver an uplift in biodiversity on this site.
- 8.4 Having regard to the above, the proposal is considered to accord with the development plan when read as a whole. In the absence of any other material considerations which indicate that permission should be refused, it is recommended that planning permission be granted.

## **9 RECOMMENDATION**

- 9.1 That planning permission be GRANTED subject to the applicant having first entered into a Unilateral Undertaking to secure/provide contributions towards:
- S278 Agreement (covering access works)
  - £6000 Travel Plan evaluation and support fee
  - Local Employment and Apprenticeships
  - Monitoring fee
- 9.2 The detail of which would be delegated to the Assistant Director of Planning and Regulation in liaison with the Council's appointed solicitor, along with the recommendations of the Lead Local Flood Authority, as well as the imposition of suitable safeguarding conditions.

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

### Conditions

1. The development hereby permitted shall be carried out in accordance with the following approved plans:  
S090-CMP-SI-ZZ-DR-A-00001; S090-CMP-SI-ZZ-DR-A-00002 REV PL1; S090-CMP-SI-ZZ-DR-A-00030 REV PL1; S090-CMP-SI-ZZ-DR-A-00100 REV PL1; S090-CMP-SI-ZZ-DR-A-00202 REV PL1; S090-CMP-SI-ZZ-DR-A-00202 REV PL1; S090-CMP-SI-ZZ-DR-A-00255 REV PL1; S090-CMP-SI-ZZ-DR-A-00256 REV PL1; S090-CMP-SI-ZZ-DR-A-00260 REV PL1; S090-CMP-SI-ZZ-DR-A-00261 REV PL1; S090-CMP-SI-ZZ-DR-A-00800 REV PL1; S090-CMP-SI-ZZ-DR-A-00801 REV PL1; S090-CMP-SI-ZZ-DR-A-00802 REV PL1; S090-CMP-U1-00-DR-A-00100 REV PL1; S090-CMP-U1-00-DR-A-00120 REV PL1; S090-CMP-U1-01-DR-A-00101 REV PL1; S090-CMP-U1-02-DR-A-00102 REV PL1; S090-CMP-U1-02-DR-A-00122 REV PL1; S090-CMP-U1-DR-A-00121 REV PL1; S090-CMP-U1-RF-DR-A-00103 REV PL1; S090-CMP-U1-ZZ-DR-A-00200 REV PL1; S090-CMP-U1-ZZ-DR-A-00205 REV PL1; S090-CMP-U1-ZZ-DR-A-00206 REV PL1; S090-CMP-I1-ZZ-DR-A-00207 REV PL1; S090-CMP-U1-ZZ-DR-A-00250 REV PL1; S090-CMP-U1-ZZ-DR-A-00251 REV PL1; LN-LD-01  
**REASON:-** For the avoidance of doubt and in the interests of proper planning.
2. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  
**REASON:-** To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).
3. No site clearance or construction work relating to this permission shall be carried out except between the hours of 0730 and 1800 on Mondays to Fridays and between the hours of 0800 and 1300 on Saturdays, unless otherwise agreed in writing by the Local Planning Authority. These times apply to work which is audible at the site boundary.  
**REASON:-** To safeguard the amenities of the occupiers of neighbouring properties.
4. No development shall commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The Construction Traffic Management Plan shall include details of:
  - i. Phasing of the development of the site, including all highway works;
  - ii. Construction vehicle numbers, type, routing;
  - iii. Fencing, hoarding and scaffolding provision;
  - iv. Traffic and pedestrian management requirements;
  - v. Construction storage compounds (including areas designated for car parking);
  - vi. On site welfare facilities;
  - vii. Siting and details of wheel washing facilities;
  - viii. Cleaning of site entrances, site tracks and the adjacent public highway;
  - ix. Timing of construction activities to avoid school pick up/drop off times; and
  - x. Provision of sufficient on-site parking prior to commencement of construction activities.**REASON:-** In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan (adopted 2018).
5. Prior to the first use of the development hereby permitted, vehicular, pedestrian and cyclist access to and egress from the adjoining highway shall be provided and thereafter retained in accordance with the positions shown on drawing number 090-CMP-SI-ZZ-DR-A-00100 REV



PL1. The southern access point onto Wedgwood Way shall only be used for vehicles during emergency. Any other access(es) and egresses shall be permanently closed, and the footway and highway verge shall be reinstated in accordance with a detailed scheme to be agreed with the Local Planning Authority.

**REASON:-** To ensure satisfactory access into the site in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

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

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

7. Prior to the first use of the development hereby permitted, the proposed access, onsite car and cycle parking, servicing / loading, unloading / turning / waiting area(s) shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan, drawing number S090-CMP-SI-ZZ-DR-A-00100 REV PL1, and retained thereafter available for that specific use.

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

8. The development shall ensure that 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 avoid carriage of extraneous material or surface water from or onto the highway.

9. If contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be submitted to and approved in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be submitted to and approved in writing by the Local Planning Authority.

**REASON:-** To ensure that the site does not pose any risk to human health and to ensure that the development does not contribute to unacceptable concentrations of pollution posing a risk to public water supply from previously unidentified contamination sources at the development site and to prevent deterioration of groundwater and/or surface water by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is completed.

10. The development to which this permission relates shall be carried out in accordance with the external materials specified on drawing number S090-CMP-U1-ZZ-DR-A-00200 REV PL1 submitted as approved or any alternative to be submitted to and approved by the Local Planning Authority.

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

11. All hard and soft landscaping shall be carried out in accordance with the approved details as shown in drawing number LN-LD-01 to a reasonable standard in accordance with the relevant British Standards or other recognised Codes of Good Practice.

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

12. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the completion of the development.

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

13. Any trees or plants comprised within the scheme of landscaping, which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless otherwise agreed in writing by the Local Planning Authority.  
**REASON:-** To ensure a satisfactory appearance for the development.
14. No tree shown retained on the approved landscaping scheme, shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped within five years of the completion of development without the written approval of the Local Planning Authority.  
**REASON:-** To ensure the protection of those trees which should be retained in the interests of visual amenity.
15. The measures to address adaptation to climate change as set out within the Energy and Sustainability Strategy and BREEAM Pre-Assessment by MBA Consulting Engineers 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.
16. The rating level of noise emitted by all fixed plant on the site shall not exceed 42dB between 07:00 and 23:00 and 36dB between 23:00 and 07:00 hours at the noise sensitive premises identified in the Sharps Acoustics LLP report, dated 10 July 2024. The measurement and assessment shall be made according to BS 4142:2014+A1:2019.  
**REASON:-** To safeguard the amenity of the surrounding area.
17. The recommended mitigation measures and enhancements set out within the Ecological Appraisal by Aspect Ecology dated July 2024 shall be implemented and permanently maintained in accordance with the approved details.  
**REASON:-** To minimise harm to biodiversity and enhance the ecological value of the site.
18. Prior to the commencement of the development hereby permitted, a detailed Site Waste Management Plan (SWMP) shall be submitted to and approved in writing by the Local Planning Authority. The SWMP shall detail how waste materials generated as a result of the proposed demolition and/or construction works will be disposed of, and the level and type of soil to be imported to the site as part of the development.  
**REASON:-** In order to reduce the level of waste generated during the demolition and construction phases of development and to recycle all waste materials where possible.
19. The external lighting strategy set out within the External Lighting Assessment Report by MBA Consulting Engineers dated July 2024 and accompanying drawing number 24081-MBA-EX-00-DR-E-0001 REV PL2 shall be implemented and permanently maintained in accordance with the approved details.  
**REASON:-** To minimise pollution of the environment and to protect foraging and commuting bats.
20. Should the end user of the building hereby approved fall within planning use class E(g)(iii) or B2, a parking layout plan shall be submitted to and approved by the Local Planning Authority prior to occupation.  
**REASON:-** To ensure there is sufficient parking to serve the development.
21. The development shall not be occupied until confirmation has been provided that either:- 1. All surface water network upgrades required to accommodate the additional flows from the development have been completed; or 2. A development and infrastructure phasing plan has been agreed with the Local Authority in consultation with Thames Water to allow development to be occupied. Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan.

**REASON:** Network reinforcement works are likely to be required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid sewage flooding and/or potential pollution incidents.

### **Pro-active Statement**

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

### **INFORMATIVES**

1. The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website:  
<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highwaysdevelopment-management.aspx>
2. 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:  
<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>
3. It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and 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 are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website:  
<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highwaysdevelopment-management.aspx>
4. A Section 106 agreement will be required for the following: Approved Travel Plan with individual monitoring fees in accordance with the current HCC Travel Plan Guidance for Business and Residential Development (£6k per use). The above contributions will come under the auspices of the Planning Obligations Guidance Toolkit for Hertfordshire (2008) for schemes in the local area that accord with the three CIL tests.
5. The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website: <https://www.hertfordshire.gov.uk/services/highways-roadsandpavements/businessanddeveloperinformation/developmentmanagement/highways-development-management.aspx>

6. The proposed development is located within 15 metres of Thames Waters underground assets and as such, the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures. <https://www.thameswater.co.uk/developers/larger-scale-developments/planning-yourdevelopment/working-near-our-pipes> Should you require further information please contact Thames Water. Email: [developer.services@thameswater.co.uk](mailto:developer.services@thameswater.co.uk) Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB.
7. A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing [trade.effluent@thameswater.co.uk](mailto:trade.effluent@thameswater.co.uk). Application forms should be completed online via [www.thameswater.co.uk](http://www.thameswater.co.uk). Please refer to the Wholesale; Business customers; Groundwater discharges section.
8. Stevenage Borough Council adopted a Community Infrastructure Levy (CIL) Charging Schedule at Full Council on 27 January 2020 and started implementing CIL on 01 April 2020. This application may be liable for CIL payments and you are advised to contact the CIL Team for clarification with regard to this. If your development is CIL liable, even if you are granted an exemption from the levy, please be advised that it is a requirement under Regulation 67 of The Community Infrastructure Levy Regulations 2010 (as amended) that CIL Form 6 (Commencement Notice) must be completed, returned and acknowledged by Stevenage Borough Council before building works start. Failure to do so will mean you risk losing the right to payment by instalments and a surcharge will be imposed. NB, please note that a Commencement Notice is not required for residential extensions if relief has been granted.

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

9. To obtain advice regarding current Building Regulations please contact Hertfordshire Building Control Ltd. by emailing us at [building.control@hertfordshirebc.co.uk](mailto: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).

10. 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 Stevenage Local Plan 2011-2031.

3. Stevenage Borough Council Supplementary Planning Documents – Parking Provision and Sustainable Transport SPD (2020); Developer Contributions SPD (2021); Design Guide SPD (2023).
4. Hertfordshire County Council Local Transport Plan LTP4 2018-2031
5. Central Government advice contained in the National Planning Policy Framework 2023 and the National Planning Practice Guidance.
6. Responses to consultations with statutory undertakers and other interested parties referred to in this report.