

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

Date: 3 March 2020

Author: Dave Rusling 01438 242270

Lead Officer: Zayd Al-Jawad 01438 242257

Contact Officer: Dave Rusling 01438 242270

Application Nos:	19/00474/FPM
Location:	Land To The West Of Lytton Way, Stevenage
Proposal:	Demolition of existing office building (Use Class B1) and structures, and the construction of seven apartment buildings comprising 576 dwellings (Use Class C3) together with internal roads, parking, public open space, landscaping, drainage and associated infrastructure works
Drawing Nos.	16-019 D050C01, D051C01, D052C01, D053C02, D054C02, D060C02, D100C01, D101C02, D102C03, D111C01, D112C01, D113C01, D114C02, D115C02, D151C01, D152C01, D153C01, D154C01, D200C01, D201C02, D202C02, D203C02, D204C02, D251C01, D252C01, D253C02, D254C01, D300C01, D301C01, D302C01, D311C01, D312C02, D314C02, D351C01, D352C01, D353C01, D354C01, D400C03, D401C01, D402C01, D411C02, D412C02, D413C02, D451C02, D452C02, D453C02, D454C01, D500C02, D501C02, D503C02, D504C02, D551P02, D552C01, D553C02, D554C01, D600C02, D601C02, D602C02, D611C01, D612C01, D613C02, D614C02, D651C02, D652C02, D653C02, D654C01, D700C02, D701C03, D702C03, D706C01, D707C01, D708C02, D709C02, D751C01, D752C01, D753C01, D754P01.
Applicant:	Hill Residential Ltd
Date Valid:	8 August 2019
Recommendation:	GRANT PLANNING PERMISSION



1. SITE DESCRIPTION

- 1.1 The application site which measures approximately 2.75 hectares in area is located close to the roundabout junction of Lytton Way and Fairlands Way. The site comprises the former office building known as the Icon, which is a 7/8 storey high primarily glazed building. The site is bordered to the west by the East Coast Main Line railway line beyond which are residential properties in Kilby Road/Watson Road and to the east the site adjoins Lytton Way where the vehicular access to the site is taken from. The northern boundary of the site adjoins Trinity Road which forms the roundabout linking it with Lytton Way.
- 1.2 The site is relatively flat, although an embankment slopes down toward Lytton Way on the eastern boundary of the site. This leads to a cycle way and footpath which runs north south along this eastern boundary of the site continuing in either direction. The existing building is a large office building constructed in the 1980's and is a prominent and recognisable feature in Stevenage due to its clear visibility from many parts of the town as well as its unique design characteristics. The building footprint is multi-angled and is constructed with large glazed elevations which step-in as the building rises. The building features a large ground floor reception and full height atrium area. It is served by undercroft car parking as well as additional open parking areas and small green spaces.

2 RELEVANT PLANNING HISTORY

- 2.1 Permission granted under ref 2/0095/85 in May 1985 for office development in two phases with ancillary car parking landscaping and access bridge on to Lytton Way.
- 2.2 Permission granted under ref 99/00225/FP in July 1999 for new entrance lobby, new canopy and associated landscaping works adjacent to new entrance.
- 2.3 Permission granted under ref 99/00493/FP in 2000 for fire escape and elevational changes to rear of building.
- 2.4 Permission granted under ref 00/00286/FP in July 2000 for alteration to Car Park to Provide Additional 37 Spaces.
- 2.5 Outline planning permission granted under ref 02/00562/OP in March 2003 for a four storey building on existing car park, comprising 2,790 square metres gross floorspace, for use within Class B1 (business use).
- 2.6 Permission granted under ref 14/00417/AD in September 2014 for Installation of 1no internally illuminated box sign.

3 THE CURRENT APPLICATION

- 3.1 The application seeks planning permission for the demolition of the existing office building and for the erection of seven apartment buildings comprising 576 dwellings, together with associated parking, open space, landscaping and infrastructure. The development would retain the existing access to the site from Lytton Way, which would lead on to an internal road which would serve each end of the site and the parking areas to serve the development. It is proposed to introduce 7 residential blocks, six of which would front onto Lytton Way with the seventh block being set back within the site framed by the entrance to the site and blocks 3 and 4.

- 3.2 The proposed blocks are of varying building heights, ranging from 8 stories to 16 stories. Blocks 1 and 6 are the two tallest buildings and are located at the northern and southern end of the site. These both range in height between 11 and 16 stories. Block 2 is located to the south east of block 1 and comprises an 8 storey building. Block 5 is located to the north of block 6 and is also an 8 storey block of flats. Blocks 3 and 4 are located either side of the access and both have a height of between 11 and 13 stories. The final building is block 7 which is located toward the rear of the site adjacent to the railway and ranges between 6 and 9 stories in height. The majority of the proposed apartment blocks are served with undercroft parking and there are also areas of surface parking courts located to the rear of the blocks fronting onto Lytton Way.
- 3.3 The proposed development is to be set within open amenity areas. The site currently benefits from existing mature trees and grassed banking, particularly along Lytton Way and it is intended that the majority of this will be retained. It is proposed to introduce open spaces between blocks 1 and 2, 2 and 3, 4 and 5 and 5 and 6, which will provide amenity terraces for residents. These areas would contain mixed planting and specimen shrubs along the building edges as well as sheltered spaces for seating. It is also proposed to provide an area of on-site open space/children's play area. It is also proposed to retain the existing trees and landscaping to the rear of the site. As well as retaining existing vegetation it is proposed to plant a number of new trees within the development site.
- 3.4 In order to comply with recent amendments to the building regulations restricting the use of combustible materials, it is proposed that all of the buildings would be constructed out of facing brick. The taller elements will be light grey brick with the lower section consisting of the darker tones. It is proposed to use two grey tones to form striped banding at ground floor level to connect all buildings across the development in an attempt to add architectural variety at pedestrian level. Champagne coloured balconies and windows will be used to provide accented colour throughout the building and to add variety and interest to the development. Each balcony type provides the same usable area and utilises a consistent structural frame with variable panels depending on location. It is proposed to use perforated metal panels and glazed panels in the design.
- 3.5 The mix of housing across the development comprises a mixture of studio apartments, 1, 2 and 3 bed flats. The make-up of the units comprises 20 studio apartments, 249, one bed units, 257 two bed units and 50 three bed units. A total of 274 car parking spaces are proposed to serve the development, comprising 79 undercroft spaces, 180 surface level parking spaces and 15 disabled bays. Additional to this, 576 cycle parking spaces are proposed to serve the development and these would be distributed across all of the flat blocks.
- 3.6 The application comes before the planning committee for consideration as it is a major application.

4 PUBLIC REPRESENTATIONS

- 4.1 As a major planning application the proposal has been publicised by way of letters to adjoining premises, the posting of site notices and a press notice. Following this publicity objections have been received from the occupiers of the following properties within Stevenage:-

461, Archer Road,
13, Austen Paths,
68, Basils Road,
13, 22, 24, 26, 28, 40, 42, 46, 52, 54, 56, 58, 62, 67, Brick Kiln Road,
58, Buckthorn Avenue,
72, Eastbourne Avenue,

5, Elder Way
 80, 126, 131, 142, 155, 163, 169,174, 178, 182, 197, Fairview Road
 58, Ferrier Road,
 71, Fishers Green Road,
 21, Franklins Road,
 24, 53, Green Street,
 12, Gorleston Close,
 19, Hawkes Lane,
 94, Haycroft Road,
 4, High Street, Graveley,
 16, Jackdaw Close,
 15, 19, 36, 55, 70, 79, 80, 82, 87, 95, Kilby Road,
 2, King Georges Close,
 104, Letchmore Road,
 73, Longfields,
 73, 96, 191, 196, 202, Monument Court,
 5, Mozart Court,
 106, Oaks Cross,
 121, 533, Scarborough Avenue,
 48, Scott Road,
 27, Shackleton Spring,
 32, 48, Shephall Green,
 1, Sweyns Mead,
 2, The Hedgerows,
 2, The Priory, Rectory Lane,
 53, Trent Close,
 135, Torquay Crescent,
 55, 130,154, Townsend Mews,
 22, Walden End,
 60, Wansbeck Close,
 3a, Weston Road,
 51, Whitney Drive,
 308B, Wisden Road,
 458, York Road,
 Fairview Road Residents Association,

4.2 A summary of the objections received are as follows:-

- Objection to the height of the building. The new blocks will be up to 15 floors in height. This will affect view and privacy of residents in Kilby Road.
- Light pollution from proposed building rooms and balconies.
- Object to the building being demolished.
- High density of the development.
- No comparison of the height of the new and existing buildings.
- Overlooking and loss of privacy.
- The existing building should be converted to flats.
- The proposed buildings are ugly, way too high and far too many.
- Loss of light to surrounding properties.
- Lack of existing infrastructure for school, doctors surgery etc.
- Inadequate car parking facilities.
- Lack of open space and children's play space.
- Adverse impact on local services.
- The development has no architectural merit and is based on poor design standards maximizing financial gain for the developer and Council.
- The building of high rise blocks is a backward step to beat the housing crisis.
- Safety risks and anti-social behaviour associated with high rise blocks including increased crime levels.

- The development is unsuitable for families.
- The development will exacerbate existing traffic problems on Lytton Way.
- Loss of value of property.
- Noise and dust caused by construction of the flats.
- Air quality will suffer.
- It would be better for families if there were houses in the development.
- No need for more flats.
- Overdevelopment of the site.
- Buildings will be a fire hazard.
- The flats will be for workers moving out of London or Cambridge.
- Inadequate sewerage facilities.
- Inadequate density. Should be increased to 300dph.
- Inadequate provision of affordable housing.
- Site should be retained as an employment site.
- Inappropriate housing mix.

4.3 Letters of support have been received from:-

97, Leaves Spring,
212, Platform North, Gates Way,

- The building has long been empty and is not well suited to conversion for re-use.
- This is a prominent site addressing the roundabout which has housing on all sides and warrants substantial residential building which would support a central retail and leisure provision.
- Parking should be kept to a minimum. The location is a short walk from parks, shops, busses and trains. Space should be set aside for a car share/car club.

4.4 Please note the aforementioned is not a verbatim of the comments which have been received. A full copy of the comments received can be viewed on the Council's website.

5. CONSULTATIONS

5.1 Hertfordshire County Council as Highways Authority

5.1.1 The County Council as Highways Authority has considered the impacts associated with the proposed development based on the information submitted by the applicant, the Transport Assessment, Travel Plan, Technical Notes and the detailed plans. The highway safety, accessibility and capacity have all been assessed. The Highway Authority is satisfied that the proposed development will not have a 'severe' impact on the highway, subject to the development improving the existing access to the subway network and contributing towards wider improvement works under s106 agreement. The also recommend a number of conditions be attached to any grant of permission.

5.2 Hertfordshire County Council Growth and Infrastructure Unit

5.2.1 Following an assessment of the proposed development, it is recommended financial contributions should be secured in accordance with HCC Toolkit towards secondary education, nursery education, primary education, library services and youth services.

5.2.2 They are also seeking contributions toward additional waste and recycling facilities or the expansion of the existing waste and recycling centre at Caxton Way. Finally, it is recommended that a number of fire hydrants should be provided as part of the development. As such, the fire hydrants and the other requirements requested by HCC would be secured as part of any S106 Legal Agreement.

5.3 Hertfordshire County Council Minerals and Waste

- 5.3.1 Government policy seeks to ensure that all planning authorities take responsibility for waste management. This is reflected in the County Council's adopted waste planning documents. In particular, the waste planning documents seek to promote the sustainable management of waste in the county and encourage Districts and Boroughs to have regard to the potential for minimising waste generated by development.
- 5.3.2 The Council needs to be aware of the Policies in regards to waste management of the site, including the re-use of unavoidable waste where possible and the use of recycled materials where appropriate to the development's construction. Furthermore, Waste Policy 12: Sustainable Design, Construction and Demolition requires all relevant construction projects to be supported by a Site Waste Management Plan (SWMP). This aims to reduce the amount of waste produced on site and should contain information including types of waste removed from the site and where the waste is taken to
- 5.3.3 The county council as Waste Planning Authority would be happy to assess any SWMP that is submitted prior to the development's commencement either at this stage or as a requirement by condition, and provide comment to the Borough Council

5.4 Hertfordshire County Council as Lead Local Flood Authority

- 5.4.1 Have reviewed the flood Risk Assessment submitted with the application and the additional information provided and are raising no objection subject to the imposition of conditions should planning permission be granted.

5.5 Hertfordshire County Council – Public Health

- 5.5.1 For all development proposals Public Health recommends that applicants refer to the Hertfordshire Health and Wellbeing Planning Guidance and Public Health England's Spatial Planning for Health evidence resource. This sets out our expectation of developers in terms of the delivery of healthy development and communities and focusses on the principle of "designing in" health and wellbeing as an essential part of the planning process. In doing so, this recognises the wider determinants of health as a diverse range of social, economic and environmental factors which influence people's mental and physical health and would demonstrate that an application for development has been positively prepared.
- 5.5.2 We recommend that a Health Impact Assessment (HIA) is undertaken for developments in excess of 100 dwellings. Our view is that this is an essential assessment for any development proposal to demonstrate that it will not have negative implications for the physical health and wellbeing of both existing communities in the vicinity, as well as the future residents of the new development. Health Impact Assessments can also be a tool through which to demonstrate the opportunities of a proposal and how a development has been positively planned.
- 5.5.3 The proposed development is in a good location for residents to access local services and amenities. It is also well connected with pedestrian and cycle ways and close to public transport. However, we have some concerns that the development as it is currently proposed is not maximising the opportunities for active and sustainable travel; the planning authority should be requiring the applicant to demonstrate that walking and cycling are both accessible to the new occupants and are the primary modes of choice for local journeys. Some further re-assurance on the potential for negative impacts on the new community through exposure to noise, poor air quality and the demarcation of affordable rented apartments would be welcome.

5.6 Environmental Health Department

5.6.1 The ambient noise environment is likely to be dominated by transport noise sources i.e. road traffic, railway and air traffic. Consideration should be given to the fact that there may be increased air traffic noise as Luton Airport have recently been seeking planning consent to allow a temporary increase in the extent of the night-time air traffic noise into parts of Stevenage not currently affected; this will include the location of the proposed development and is something the developer might want to take into account when developing an effective noise mitigation strategy. See attached OS map showing increased extent of area affected by air traffic noise.

A policy decision from Stevenage will need to be made on the inclusion of the proposed balconies to the dwellings as noise levels for these balconies will be above the BS8233:2014 and WHO Community Noise 1999 Guideline levels of 50-55dB.

The Noise Impact Assessment does not mention noise impacts that arise from the development itself i.e. noise from undercroft parking on those flats that are directly above this area, from internal plant such as lifts, proposed plant rooms and the gymnasium. These matters should be considered and confirmed at the detailed design stage and should be issues that can be overcome with careful acoustic design.

With regard to layout in some cases the developer has shown good acoustic design with bedrooms adjoining bedrooms on party walls between different flat units, but this has not always been achieved uniformly across the development i.e. Internal layouts of individual dwelling units should avoid conflicting noise uses i.e. bedrooms of one dwelling sharing party walls with living rooms to a neighbouring dwelling. The layout should be revisited or a good level of sound insulation between dwellings must be achieved.

Whilst raising no objection to the proposal recommend that in view of the medium-high risk nature of the noise environment, the development should be subject to pre-commencement conditions to deal with Noise Mitigation – Transport Noise Sources Noise Mitigation – Plant & Other Internal Noise Sources. They also recommend the need for a condition requiring the submission of a construction management plan.

5.7 Council's Parks and Amenities Section

5.7.1 Have had the opportunity to look at the response to my comments and note the developer will instruct a management company to maintain the landscaping for this site. As such and at a later date, we require to be kept up-to-date with the contact details of the management company as they become apparent.

5.7.2 In terms of the proposed play area and the Sunken Garden / SUDs basin:

- I would like to note that in most case studies for providing play spaces within such drainage areas, that the actual play surface area is raised to prevent submersion within water. Given the SUDs were designed based on 1:30 probable flood events, the developer should consider the potential increased flood probability and impacts as a result of climate change.
- We recommend that serious consideration be given to providing inclusive access (for limited mobility and disabilities) to the sunken garden and play features. Consideration should be given to the suitability of the 1:3 (19°) slope, providing suitable surfaced access improvements as well as inclusive play opportunities.
- In general, an embankment side requires a slope gradient of around 30° and should consider access and wear surfacing patches.

- Regular safety inspections of the slide will also be required to be undertaken by an RPII inspector and any issues / defects reported and repaired promptly.

5.7.3 Overall the responsibility of the play area and maintenance will be with the developer, but they will need to identify and mitigate the risks for providing a play facility within the development.

5.8 BEAMS (Council's Conservation Advisor)

5.8.1 Stevenage Old Town Conservation Area (a designated Heritage Asset) lies to the east of Lytton Way and is focused along the historic High Street and Bowling Green to the north and includes much of Ditchmore Lane to the south. Its significance is derived from views along and within the historic High Street/Ditchmore Lane, Middle Row, Bowling Green and Church Lane in particular and the statutory listed and unlisted buildings within.

5.8.2 The application is accompanied by a Heritage Statement which assesses the impact of the new development upon the significance of the Stevenage Old Town CA and Listed Buildings in accordance with the NPPF, para. 189. The Heritage Statement does not make much reference to the existing building and whether it is of any architectural significance; late 20th century architecture is now being recognised by Historic England through listing. I am in no way suggesting the building is worthy of statutory listing or indeed is of any particular architectural merit but it would be constructive if the heritage statement could consider this.

5.8.3 Setting is defined in the National Planning Policy Framework (NPPF) as "The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of the asset, may affect the ability to appreciate that significance or may be neutral." However, setting itself is not designated and every heritage asset, whether designated or not has a setting. Its importance, and, therefore, the degree of protection it is offered in planning decisions, depends entirely on the contribution it makes to the significance of the heritage asset or its appreciation.

At present the application site can be glimpsed from the southern end of the Conservation Area (area 3 as identified in the Conservation Area Appraisal) in views looking west from between buildings, from the Millenium Gardens and from the junction of Ditchmore Lane and Gates Way. However, its relatively low height means it does not form a backdrop to the roofscapes of buildings along Ditchmore Lane although its heavily glazed front elevation does draw the eye. The proposed height of the taller elements of the new development will undoubtedly mean the development is more visible from the southern end of the conservation area when looking west - as illustrated within the Heritage Statement. However, due to the distance from Ditchmore Lane to the site (approx. 100 metres) and the way the site is physically divorced from the Old Town area by the busy Lytton Way, the new development (whilst it will be visible) does not mean it will automatically have a harmful impact upon the significance of the Conservation Area and Listed Buildings within through development within its setting.

Upon careful consideration of the plans put forward, whilst the proposal is not considered to enhance the significance, character and appearance of the Old Town Conservation Area, it is considered to preserve its setting and significance in line with the NPPF.

5.9 Police Crime Prevention Design Officer

5.9.1 Thank you for asking me to comment on this application. I have studied the documentation and have the following comments to make;

- I have substantive concerns regarding the mention on page 76 that mentions the local plan policy GD1 c. “creates a safe environment that designs out crime.” Unfortunately the Design and Access Statement and Planning Statement do not elaborate on how this is achieved. I also note the sections 6.1 and 6.2 detail the layout and views from the two types of flat. The issue is that this assumes that bedrooms are ‘active’ rooms – unfortunately, for the purposes of designing out crime, the bedrooms are not active rooms, as most people close the curtains on entering the room etc. These concerns could be mitigated by engaging with the Police Crime Design Service with the intention to achieve the Police minimum security standard that is Secured by Design.
- I have substantive concerns regarding the entrance to the site and the parking arrangements. The reason for my concern is that there is an on-going problem with street parking in Primett Road from commuters using the local Railway Station and, as the entrance appears to open thereby allowing unrestricted access to the site. This could be mitigated by installing some form of access control at the entrance.

5.9.2 Given these concerns the Police Crime Prevention Design Service are not, currently, in a position to support this application. If, however the applicant engages with us with a view to achieving SBD accreditation then this position would change

5.10 Environment Agency

5.10.1 No response received.

5.11 Thames Water

5.11.1 Following initial investigations, Thames Water has identified an inability of the existing foul water network infrastructure to accommodate the needs of this development proposal. Thames Water have contacted the developer in an attempt to agree a position for foul water networks but have been unable to do so in the time available and as such Thames Water request that a condition be added to any planning permission. With regards to water supply, this area is covered by The Affinity Water Company.

5.12 Affinity Water

5.12.1 We are satisfied that our main concerns have been addressed but still require notification of the following:

- Piling Date (15 days prior).
- Contamination (previously unidentified) if encountered during construction.
- The depth of the Chalk aquifer if encountered during piling. (Due to the proximity of the planned 25mbg piles to the estimated minimum depth of the Chalk aquifer at 26mbg and potential for the geology to vary locally).

5.12.2 Notification of all the above is necessary in order to intensify our monitoring and plan potential interruption of the service. We would also be able to assess the aquifer connection in this area to our abstraction, which will assist in the risk assessments of future developments. We would also ask that mitigation measures be initiated if either the Chalk aquifer or contamination is encountered to avoid impacting the aquifer.

5.13 NHS East and North Hertfordshire Clinical Commissioning Group

- 5.13.1 Should this development of 576 dwellings go ahead, based on an occupancy of 2.4 it will create circa 1,382.4 new patient registrations.
- 5.13.2 Despite premises constraints, GP Practices are not allowed to close their lists to new registrations without consultation with, and permission from, the East and North Herts Clinical Commissioning Group. We expect such applications to increase as the new developments in the area go live. Even when surgeries are significantly constrained East and North Herts CCG and NHS England would not wish an individual patient to be denied access to their nearest GP surgery. Patient lists are therefore only closed in exceptional circumstances.
- 5.13.3 However, when a large number of new dwellings and registrations is planned the preferred option is to try and find a way to absorb those significant demands upon surgeries by providing additional resources, e.g. re-configuring, extending or relocating the practice to provide sufficient space to increase clinical human resources and clinical services and thus keep the patient lists open. A developer contribution under these circumstances is considered fair and reasonable.
- 5.13.4 'Constrained' means a practice working to over-capacity for the size of their premises and the clinical space available to provide the required services to their patients. A practice in this situation would usually need to be re-configured, extended or even relocated to absorb a significant number of new registrations.
- 5.13.5 Patients are at liberty to choose which GP practice to register with as long as they live within the practice boundary and NHS England cannot prescribe which surgery patients should attend. However the majority of patients choose to register with the surgery closest and/or most easily accessible to their home for the following reasons; quickest journey, non-car dependent (public transport or walking distance), parking provision if a car journey is necessary, easy access during surgery hours, especially for families with young children and for older adults.
- 5.13.6 Therefore, a financial contribution is sought towards the provision of GP Practices of £407,694.64. It is proposed to focus the monies on on the King George Practice Group and/or the Stanmore Medical Group of practices within whose patient registration boundaries this development directly falls. This may include the digitalisation of patient records to release rooms to increase clinical capacity by way of reconfiguration and any associated works. A trigger point of on occupancy of the 50th dwelling is requested. NHS England and the East and North Herts Clinical Commissioning Group reserve the right to apply for S106 money retrospectively and the right to amend and request that this be reflected in any S106 agreement.
- 5.13.7 In addition, it is vital to consider the impact of developments and additional residents on community and mental healthcare. Therefore, a financial contribution of £1,380,376.00 would be sought towards acute, mental health and community costs. In terms of mental health and community health costs, £216,858 would be focused towards Stevenage Health & Wellbeing Centre. In terms of acute costs £1,275,529.00 would be focused towards Lister Hospital which includes undertaking refurbishment works.

5.14 Sport England

5.14.1 The population of the development is estimated to be around 1,382 people based on a typical dwelling occupancy of 2.4 persons per dwelling. This additional population will generate additional demand for community sports facilities. If this demand is not adequately met then it may place additional pressure on existing sports facilities, thereby creating or exacerbating existing deficiencies in facility provision. In accordance with the NPPF, Sport England seeks to ensure that the development meets any new community sports facility needs arising as a result of the development. In its current form, the application makes provision for small pocket parks and a shared amenity/play space but no on-site provision for outdoor sport or indoor sport facilities. As set out in paragraph 5.28 (h) of the Planning Statement, it is anticipated that a Section 106 Planning Obligation would be required in order to secure benefits including off-site public open space provision.

5.14.2 The evidence base for community sport and local planning policy context can be summarised as follows:

The Stevenage Local Plan (2011-2031) includes policy HC8 which supports residential developments where on-site sports facility provision or a commuted sum is made in accordance with the standards in the Council's Sports Facilities Assessment & Strategy.

Stevenage Borough Council's Sports Facility Assessment and Strategy 2014-2031 (2015) provides a robust assessment of current and future community sports facility needs to support the delivery of the local plan and development management. The assessment identified a range of quantitative and/or qualitative deficiencies for both indoor and outdoor sports facilities and identified priorities for addressing these needs. Policy HC8 and other relevant policies of the local plan have been informed by this evidence base and set out the priorities for how developments should make provision for sport. While needs have been identified for new facilities, there is an emphasis in the local plan and sports facility strategy on prioritising enhancements to existing facilities or the replacement of existing facilities in order to meet both current and future needs.

In view of the local planning policy and evidence base context, it is considered that in accordance with Government policy in paragraph 96 of the NPPF, a robust local basis exists for justifying the provision of outdoor and indoor community sports facility provision to be made by this development.

5.14.3 In terms of outdoor sport, the preference is for provision to be made through financial contributions secured through a Section 106 agreement. Using Sport England's Playing Calculator the development would require a demand for additional grass and artificial pitches. In view of this, it is requested that a sum of £167,226.00 is provided to address this requirement. Additionally, it is calculated that the development would generate a need for 1.28 changing rooms requiring a contribution of £239,879.00. Sport England, therefore, advises that consideration should be given by the Council to using the figures from the calculator to inform the level of a financial contribution.

5.14.4 With regard to indoor sports provision, using the Sport England Sports Facilities Calculator (SFC), this indicates that a population of 1,382 in Stevenage Borough will generate a demand for 0.10 sports halls (£267,450.00), 0.07 swimming pools (£283,031.00) and 0.08 indoor bowls centres (£35,021.00) (total £585,502.00). This money could be used toward the replacement of or upgrade of the Stevenage Swimming Centre and/or the Arts and Leisure. Sport England, therefore, advises that consideration should be given by the Council to using the figures from the calculator to inform the level of a financial contribution.

5.14.5 As there are no confirmed proposals at this stage for meeting the development's outdoor or indoor sports facilities needs an objection is made to the planning application in its current form.

5.14.6 Finally, Sport England acknowledge that scheme viability may be an issue and there are competing priorities in terms of affordable housing and other infrastructure for the use of financial contributions. They emphasise that their response to the application represents non-statutory advice to the Council on the demand generated for community sports facilities by the proposed residential development. The Council, as the local planning authority, will therefore need to consider how much weight to give to this advice in the context of viability considerations and other competing infrastructure requirements that may apply to this application. This is not a matter that Sport England can review its position to account for as it is not within our remit to advise on these matters and it would be inappropriate to do so. Without prejudice to the above position, if the Council is not of the view that the contributions sought by Sport England can be secured without compromising the viability of the delivery of the scheme or impacting on other planning obligations that may be sought then I would advocate that the maximum possible contribution is sought within the financial constraints of the scheme.

5.15 Network Rail

5.15.1 There are no objections to the proposed development but there are a number of requirements the applicant will need to comply with due to the proximity of the electrified railways. The requirements which need to be adhered to cover the following:-

Drainage;
Protection of existing railway drainage assets within a clearance area;
Fail safe use of crane and plant;
Excavations and earthworks;
Security of mutual boundary;
Armco safety barriers;
Fencing;
Method Statements/Fail Safe/Possessions;
OPE;
Demolition;
Vibro-impact machinery;
Scaffolding;
Cranes;
Encroachment;
Noise/soundproofing;
Trees/Shrubs/Landscaping;
Lighting;
Access to railway.

5.15.2 It is recommended that issues of drainage, boundary fencing, Armco barriers, method statement, soundproofing, lighting and landscaping should be the subject of conditions.

6. RELEVANT PLANNING POLICIES

6.1 Background to the Development Plan

6.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that the decision on the planning application should be in accordance with the development plan unless material considerations indicate otherwise. For Stevenage the statutory development plan comprises:

- The Stevenage Borough Council Local Plan 2011-2031
- Hertfordshire Waste Development Framework 2012 and Hertfordshire Waste Site Allocations Development Plan Document (adopted 2012 and 2014); and
- Hertfordshire Minerals Local Plan 2002 – 2016 (adopted 2007)

6.2 Central Government Advice

- 6.2.1 A revised National Planning Policy Framework (NPPF) was published in February 2019. This largely reordered the policy substance of the earlier 2012 version of the NPPF albeit with some revisions to policy. At the time the revised NPPF was published, the Stevenage Local Plan was subject to a Holding Direction by the Secretary of State following an Examination in Public in 2017. On 25 March 2019 the Secretary of State withdrew the Holding Direction on the understanding that the Council would adopt it as part of the Development Plan. The Council are content that the policies in the Local Plan are in conformity with the revised NPPF and that the Local Plan be considered up to date for the purpose of determining planning applications.
- 6.2.2 Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is itself a material consideration. Given that the advice that the weight to be given to relevant policies in the local plan will depend on their degree of consistency with the NPPF, it will be necessary in the determination of this application to assess the consistency of the relevant local plan policies with the NPPF. The NPPF applies a presumption in favour of sustainable development.
- 6.2.3 In addition to the NPPF, advice in Planning Practice Guidance must also be taken into account. It states that, where the development plan is absent, silent or the relevant policies are out of date, paragraph 11 of the National Planning Policy Framework requires the application to be determined in accordance with the presumption in favour of sustainable development unless otherwise specified.

6.3 Adopted Local Plan

Policy SP1: Presumption in favour of sustainable development;
 Policy SP2: Sustainable development in Stevenage;
 Policy SP5: Infrastructure;
 Policy SP6: Sustainable transport;
 Policy SP7: High quality homes;
 Policy SP8: Good design;
 Policy SP9: Healthy Communities
 Policy SP11: Climate change, flooding and pollution;
 Policy SP12: Green infrastructure and the natural environment;
 Policy SP13: The historic environment;
 Policy IT3: Infrastructure;
 Policy IT4: Transport assessments and travel plans;
 Policy IT5: Parking and access;
 Policy IT6: Sustainable transport;
 Policy IT7: New and improved links for pedestrians and cyclists;
 Policy HO7: Affordable housing targets;
 Policy HO8: Affordable housing tenure, mix and design;
 Policy HO9: House types and sizes;
 Policy GD1: High quality design;
 Policy HC8: Sports facilities in new developments;
 Policy FP1: Climate change;
 Policy FP2: Flood Risk in Flood Zone 1;
 Policy FP5: Contaminated land;

Policy FP7: Pollution;
Policy FP8: Pollution sensitive uses;
Policy NH5: Trees and woodland;
Policy NH7: Open space standards;
Policy NH10 – Conservation Areas;

6.4 Supplementary Planning Documents

Parking Provision Supplementary Planning Document January 2012.
Stevenage Design Guide Supplementary Planning Document January 2009.

7. APPRAISAL

7.1. The main issues for consideration in the determination of this application are its acceptability in land use policy terms; housing policies and planning obligations; the impact on the character and appearance of the area generally, the impact on both existing amenities and proposed occupants; the effect of the proposals on the highway network and the adequacy of parking provision, trees, ecology and landscaping and climate change.

7.2 Land Use Policy Considerations

Loss of Employment Land

7.2.1 Policy EC7 of the adopted local plan: Employment Development and Unallocated Sites states that new major employment development will not be permitted outside of allocated areas and centres. Additionally, this policy also addresses the circumstances for planning applications which seek development causing the loss of employment land on sites not allocated for any specific purposes. This part of the policy states:-

‘Planning permission for the loss of employment land on sites not allocated for any specific purpose will be granted where:

- i) There is sufficient suitable employment land available elsewhere;
- ii) The proposals provide overriding benefits against other objectives or policies in the plan; or
- iii) It can be demonstrated that a unit has been unsuccessfully marketed for its existing use, or has remained vacant, over a considerable period of time’.

7.2.2 With regard to part iii above, the advice in the local plan suggests that “the Council would normally expect a site to be have remained vacant and be actively marketed for a period of at least six months to satisfy criterion iii”. To support the application a marketing report has been provided by the applicant. This confirms that local estate agents Brown & Lee were instructed by Talk Talk UK to market the excess office space in the building in June 2011. At that stage, Talk Talk was intending to remain in the building after their lease expiry in September 2015. The property was marketed both wholly and partially over the previous 7 years, with very little interest.

7.2.3 The marketing initiatives undertaken included: Letting boards outside the property located on Lytton Way; an A4 sided full-colour brochure was produced and mailed to local occupiers along the A1(M) corridor, including Letchworth Garden City, Hitchin, Stevenage, Welwyn Garden City and Hatfield. Other commercial agents including Matthews & Goodman and Lambert Smith Hampton were instructed alongside Brown & Lee in order that the building could be marketed more widely. The property was also marketed online through local estate agent websites and EG Property Link.

- 7.2.4 The main feedback received from the marketing process included: the appearance of the building was deemed to be too ostentatious for Stevenage, putting potential occupiers off. The design was not what was expected by companies seeking to occupy space in Stevenage. Larger scale occupiers deemed the layout and floorplate efficiency to be poor. The service charge of £11 per sqft was too high for many potential occupiers. The cumulative effect of service charge, along with rent and business rates was too expensive for occupiers seeking space in this market.
- 7.2.5 Further to the above, an analysis of the Stevenage office market was undertaken and has demonstrated that there is very weak demand from occupiers. Demand is for the best buildings in each centre and there is a lack of this in Stevenage. The result of this is dated schemes such as the Icon Building are struggling to find occupiers and will remain unlet for the foreseeable future. This has been evidenced in the case of the site through minimal interest from potential occupiers, despite an intensive 7 year marketing process. It is, therefore, clear that office demand in Stevenage is poor, particularly for the type of office accommodation which the Icon Building offers.
- 7.2.6 In view of the above, it is considered that the building has been actively marketed in accordance with the requirements of policy EC7 of the local plan and it has been demonstrated that there is no demand to continue to use the building for office purposes.

Compliance with the Council's Housing Policies

- 7.2.7 The NPPF states at paragraph 7 that the purpose of the planning system is to contribute to the achievement of sustainable development. The NPPF also stipulates that decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area. In addition, the Framework also sets out that sustainable development needs to be pursued in a positive way and at the heart of the framework is a "presumption on favour of sustainable development".
- 7.2.8 Paragraph 61 of the NPPF 2019 requires that the planning system should deliver, inter alia, a mix of housing particularly in terms of tenure and price to support a wide variety of households in all areas. Paragraph 68 of the NPPF sets out that small and medium sites can make an important contribution to meeting housing requirements in an area, and this includes supporting the development of windfall sites.
- 7.2.9 Paragraph 67 of the NPPF (2019) states that planning policies should identify a supply of specific deliverable sites for years one to five of the plan period, and specific deliverable sites or broad locations for growth, for years 6 to 10 and where possible, for years 11 to 15. Paragraph 73 of the same document states that "Local Planning Authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies".
- 7.2.10 Paragraph 117 of the NPPF stipulates that planning policies and decisions should promote the effective use of land in meeting the need for homes such as through the use of brownfield sites (previously developed land) and the development of underutilised land.
- 7.2.11 Turning to the adopted Local Plan (2019), as the site is not designated for residential development it would be classed as a windfall site. Taking this into consideration, Policy SP7 (High quality homes) states that the Council needs to be provide 7600 new homes over the local plan period of which 1,950 homes would be provided through windfall sites. Turning to the specific policy on windfall development sites, (Policy HO5 of the Local Plan), this outlines a set of criteria that must be met for a development to

be considered acceptable. These criteria state that permission will be granted where: the site is on previously developed land or is a small, underused urban site; there is good access to local facilities; there will be no detrimental impact on the environment and the surrounding properties; proposals will not prejudice the Council's ability to deliver residential development on allocated sites; and, the proposed development would not overburden existing infrastructure.

7.2.12 The proposal consists of the creation of 576 dwellings and a mixture of studio, 1, 2 and 3 bedroom units. The proposed layout covers the bulk of the site area, including over the footprint of the former office building and as associated curtilage. The land is, therefore, considered to be previously developed for the purposes of policy HO5. Furthermore, the proposal does not see the loss of public amenity space, and is close to the local bus, rail and cycle network. As such, the proposal is considered to be in a sustainable location.

7.2.13 With respect to the five year land supply of deliverable housing, local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirements, but the supply of specific deliverable sites should in addition include a buffer (moved forward from later in the plan period) of:-

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

7.2.14 The most up to date housing supply figures indicate that the Council is able to meet its requirements to provide a 5 year land supply as defined in the adopted Local Plan. The fact that the Council can meet its 5 year land supply of housing is thus a material consideration in the assessment of this application. However, as set out above, as the application site is considered to be a 'windfall' site, it will help to meet the Council's overall housing need over the local plan period in this instance.

7.2.15 In respect to Policy HO9 (House types and sizes) of the Adopted Local Plan (2019), as the proposed development seeks to deliver a mixture of 1, 2 and 3 bedroom dwellings, it would be in accordance with this policy as it would add to the overall mix of housing which is required to meet the objectively assessed need over the local period.

7.2.16 The impact of the proposal on the local environment and surrounding properties will be addressed later in this report, however, based on the above it is concluded that the proposal is acceptable in land use policy terms.

7.3 Affordable Housing Provision and S106 Contributions

7.3.1 Policy HO7 of the adopted Local Plan (2019) stipulates that planning permission would be granted for residential development which would maximise affordable housing provision. Taking this into consideration, there is a requirement to provide 25% of new homes to be affordable on previously developed sites. In this regard, there would be a requirement to provide 144 affordable units.

7.3.2 Policy HO7 continues that "planning permission will be refused where these targets are not at least achieved unless:

- a) Developers robustly demonstrate that the target cannot be achieved due to site-specific constraints resulting in higher than normal costs, which affect its viability; or
- b) Meeting the requirements would demonstrably and significantly compromise other policy objectives.”

7.3.3 Additionally, advice in the Planning Practice Guidance (PPG) refers to viability and sets out the key principles for viability and plan making. This seeks to ensure that policy requirements are taken into account when land is valued and purchased and goes on to state that “the price paid for the land is not a relevant justification for failing to accord with relevant policies in the plan”. Where viability statements are required at the decision taking stage, then the PPG reinforces the responsibility of the applicant to be transparent in terms of the assumptions behind the evidence provided. The principles of carrying out viability assessments are:-

“to strike a balance between the aspirations of developers and landowners, in terms of returns against risk, and the aims of the planning system to secure maximum benefits in the public interest through the granting of planning permission”.

7.3.4 In this instance the applicant has provided a detailed financial viability assessment which demonstrates that the proposal is unable to provide the policy compliant position of 25% affordable housing. This appraisal has been independently assessed by the Council’s own viability consultants who have confirmed that the application is unable to provide the full amount of affordable housing provision and other S106 contributions required toward infrastructure improvements, such as Education, Libraries, Youth etc, NHS and sport. In submitting the application the developer was offering 9% affordable housing. However, when all the other S106 requirement requested by HCC, NHS Sport England and SBC were assessed this demonstrated that the scheme would be even more unviable.

7.3.5 However, following further negotiations with the applicant, whilst they accept the scheme is not viable, they are aware of the Council’s desire to achieve maximum affordable housing provision. In view of this, they have made an offer to the Council to provide the following levels of affordable housing taking into account the fact that they are eligible to Vacant Building Credit (VBC) which is offset against the affordable housing requirements. This is calculated on the floorspace of the development and then offsetting the amount of vacant floorspace. In the case of this application the development proposes 47,268 sq.m of floorspace; however, the current building is 11,316sq.m. As such, the qualifying amount of affordable housing required is calculated to be 76% of 25%. (47,268 sqm less 11,316 sqm = 24% of the proposed floorspace). Given the application is for 576 dwellings, using this assessment, 109 units would be sought under policy as affordable dwellings. In view of this, the applicant is proposing two affordable housing proposals to the Council:-

Option 1

7.3.6 The provision of 98 affordable homes all as Affordable Rent. The applicant considers that best meets the need for Affordable Homes within the District. That would equate to 90% of the required level (allowing for vacant building credit). This would be provided as follows:

35 x 1 bed

45 x 2 bed (4p)

10 x 3 bed (5p)

8 x 1 bed modular homes to be delivered on the Council’s development at Hertford Road. Should that not prove achievable, a financial contribution of £65,000 per modular home to enable delivery elsewhere on council land.

Option 2

7.3.7 A policy compliant version (allowing for VBC) of 109 affordable homes on site, comprising:

76 affordable rented homes (35 x 1 bed, 39 x 2 bed, 2 x 3 bed) (70%)
33 shared ownership homes (10x1 bed, 15x2 bed, 8x3 bed) (30%)

This latter option results in 76 rented homes being provided rather than 98.

7.3.8 Turning to affordable housing tenure, mix and design, Policy HO8 states that planning permission would be granted where those dwellings:

- a. Are provided by the developer on site with at least 70% of the units being for rent and the remainder consisting of other tenures which is to be agreed with the Council's Housing team;
- b. Meets the requirements of Policy HO9 (House types and sizes);
- c. Are physically indistinguishable from other types of homes and are distributed across the site to avoid over-concentration in particular; and
- d. Will remain at an affordable price for future eligible households.

7.3.9 In addition to the above, paragraph 64 of the NPPF (2019) stipulates that for major developments involving the provision for housing, planning decisions should expect at least 10% of the homes to be made available for affordable home ownership (this includes shared ownership, equity loans, other low cost homes which are 20% below local market value and rent to buy). However, the aforementioned 10% requirement is part of the overall affordable housing contribution for the site.

7.3.10 Having regard to the above and given the viability issues relating to the proposal either of these offers of affordable housing and housing mix are considered acceptable to the Council. However, the Committee may have a view on which option is most appropriate to the Council.

7.3.11 In addition to affordable housing, as referred to previously, financial contributions have also been requested in accordance with the Hertfordshire County Council tool kit toward NHS facilities, indoor and outdoor sports facilities and contributions to Stevenage Borough Council toward outdoor sport and children's play facilities. However, based on the outcome of the viability appraisal the applicant has confirmed that they are unable to pay the amounts requested in the table below. However, being aware of the implications a development of this scale would have on facilities they are prepared to pay a contribution toward some of the services, and these are also set out in the table below:-

Stevenage Borough Council	Financial Contribution Requested	Financial Contribution offered
Contribution toward outdoor sport and children play space improvements. These would include multi games areas at Shephalbury Park or King George V playing fields and improvements to Fairlands Valley Park – Maze and trim trail improvements.	£52,784.00	£52,784.00
Total	£52,784.00	£52,784.00

Hertfordshire County Council		
Primary Education - toward the new primary school proposed in Stevenage Town Centre	£3,333,870.00	£1,500,000.00 toward all HCC requirements incl Waste.
Secondary Education – towards the delivery of a new secondary free school at the former Barnwell East Secondary School.	£3,019,212.00	
Childcare Services towards a new pre-school, Clare Little Bear	£21,515.00	
Library Service – to support the re-provision of Stevenage Central Library as part of the redevelopment of Stevenage Town Centre.	£59,730.00	
Youth Services – for the re-provision of the Bowes Lyon Young People’s Centre to provide a life-skills training kitchen, including group work area which will enable a greater number of young people to learn independent living skills.	£5,834.00	
Sustainable Transport – financial contributions towards improvements to cycle routes connecting the new development to the town centre and Gunnels Wood or improvements to Stevenage rail station or improvement of bus services between new development sites and the Town Centre.	£381,852	£22,754.00 to subsidise 2 hybrid electric vehicles for 2 years on site through Ubeqoo
HCC Waste facilities - towards either the replacement or enlargement of the current waste facility at Caxton Way		
Enlargement	£32,629.00	
Replacement	£57,811.00	
Travel Plan monitoring contribution	£6,000.00	£6,000.00
Total	£6,860,642.00 or £6,885,824.00	£1,528,754.00
NHS England and East & North Herts CCG		
GMS GP provision.	£407, 694.00	£81, 538.00
Acute, mental health and community costs.	£1,380,376.00	£0
Total	£1,788,070.00	£81,538.00

Sport England		
Indoor sports facilities - toward New Leisure Centre at Stevenage Swimming Pool/Bowes Lyon youth centre site (or alternative facilities) including maintenance contribution.	£585,502.00	£0
	£167,226.00	£0
Outdoor Sport facilities – toward artificial and turf playing pitch provision	£239,897.00	£0
Provision toward changing room provision		
Total	£992,625.00	£0
Overall Total	£9,694,121.00 or £9,719,303.00	£1,662,322.00
NOTE:- All financial obligations would be index linked.		

7.3.12 In addition to the above, there would be a requirement to secure fire hydrants on the application site which the applicant is prepared to provide.

7.3.13 Following further correspondence from HCC Growth and Infrastructure Unit, HCC have considered the £1.5m of S106 financial contributions which are being offered for the Growth and Infrastructure Unit requirements. HCC confirm their disappointment that they will not be receiving the full level of contributions which have been requested and are concerned that the £1.5m being offered will not provide sufficient mitigation towards those HCC services. However, they note that a viability assessment has been produced and that viability is a material consideration in the determination of the application for the planning authority.

7.3.14 In view of the above and in this instance, HCC is willing to accept the £1.5m to be used for the following requirements:

- £1,467,000 towards education provision
- £16,500 towards library provision
- £16,500 towards waste provision

TOTAL = £1,500,000

7.3.15 The above is on the understanding that the primary and secondary education contributions are combined into a single education contribution (totalling £1,467,000) and that the following definition is included in the committee report and S106 legal agreement **“towards additional primary and/or secondary education provision serving the development”**. The reason for this requirement is that the £1,467,000 being provided is significantly less than monies required for either education project. Therefore HCC requires a degree of flexibility as to how the education contribution is divided between the primary and secondary education projects. Additionally, this is also on the proviso that the S106 legal agreement contains ‘clawback’ mechanisms which allow the future viability of the scheme to be reassessed and any increase or uplift in market conditions results in additional monies being provided for the underfunded HCC requirements.

7.3.16 The above requirements are considered reasonable to both the applicant and the Council and the definition will be included within any legal agreement. Additionally, due

to the viability issues relating to the proposal it was always the intention that there would be a “clawback” clause added to the S106 legal agreement.

7.3.17 To clarify the NHS position, whilst the developer is prepared to pay a sum toward GP provision, they do not agree to the financial contribution sought by the NHS in terms of the acute, mental health and community contribution which has been requested. Whilst the applicant does not dispute there is a need to support and finance these fundamental services; the financial contribution which has been sought does not accord with Regulation 122 of the Community Infrastructure Levy (CIL) 2010 (as amended). For reference, Regulation 122 states:-

A planning obligation may only constitute a reason for granting planning permission for the development if the obligation is –

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

7.3.18 The main area of contention is around the “*Fairly and reasonably related in scale and kind to the development*” test. In this regard, the NHS has not provided a formula to demonstrate how they arrived at the financial contribution they have sought. This is a requirement in order for the applicant to establish whether or not what is being sought by the NHS is “reasonable”. To date, the NHS has not been willing to provide the developer with the formula on how they have calculated the contribution they have sought for acute, mental health and community costs.

7.3.19 In terms of GP provision, the calculation is based on an assumption that 2.4 persons will occupy the new dwellings and this will create 1,382 new patient registrations at a cost of £407,694.64. However, the applicant contends that based on the 2011 census 10,880 persons live in 6,873 flats within Stevenage, an average household size of 1.58 in flats across Stevenage. Furthermore, the basis of the calculation that all new dwellings create new patient registrations is not accepted and is not an appropriate basis for contributions. Among the biggest drivers of household formation are people living longer or downsizing. Furthermore, the applicant contends that a significant number of new homes house people already living within the area, who will already be registered with a GP. The applicant, therefore, contend that based on household projections, whilst there will be an increase in households, a significant number are meeting a decline in household size and that only 20% of the household growth is from new households. In view of this, the applicant contends that only 20% of the contribution towards GP provision is required and are therefore prepared to pay 20% of the requested contribution which amounts to £81,538.00.

7.3.20 Finally, with regard to the request for a contribution towards sustainable transport, the applicant contends that site lies in central Stevenage, in a highly sustainable and accessible location. The transport statement sets out the diverse range of services and employment opportunities within close proximity to the site. There are also bus and rail services in very close proximity. Car parking within the development will be below the maximum standard and 574 cycle spaces are provided. The development is already well located for sustainable travel and measures are proposed through the application to support sustainable travel options. Additionally, as part of the application it is proposed to undertake improvements to the existing cycle and pedestrian linkages to the site. The applicant, therefore, contends that this request is unreasonable. However, they are willing to contribute toward the provision of 2 hybrid cars to serve the development as well as to provide and fund the monitoring of a Travel Plan.

7.3.21 To summarise, as set out previously, the application has been accompanied by a viability appraisal which has been assessed and found that the development would be

unviable, based on an initial submission providing 9% of affordable housing. However, following negotiations the applicant has offered to increase the level of affordable housing to a level which would be policy compliant taking into account VBC or an option to provide a lesser number but all as affordable rent. Furthermore, they are offering a contribution of £1,662,322.00 toward education, libraries, youth, waste and open space/children's play space provision. It is considered that this offer, based on the viability of the scheme is acceptable.

7.4 Impact upon the Character and Appearance of the Area

- 7.4.1 Paragraph 127 of the NPPF 2019 stipulates that planning decisions should ensure development functions well and adds to the overall quality of the area, not just in the short term but over the lifetime of the development. It also sets out that development should be visually attractive as a result of good architecture, layout and appropriate and effective landscaping is sympathetic to local character and history, including the surrounding built environment and landscape setting. In addition, the NPPF sets out that development should establish or maintain a strong sense of place, using arrangements of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit. It also stipulates that development should optimise the potential of the site to accommodate and sustain an appropriate mix of development and finally, create places that are safe, inclusive and accessible.
- 7.4.2 Paragraph 130 of the NPPF states that “permission should be refused for development of poor design that fail to make available opportunities for improving the character and quality of an area and the way it functions”.
- 7.4.3 Policy GD1 of the adopted local plan requires all forms of development to meet a high standard of design which includes form of built development, elevational treatment and materials along with how the development would integrate with the urban fabric, its relationship between buildings, landscape design and relevant aspects of sustainable design.
- 7.4.4 The application site represents an “island” site which adjoins the East Coast rail line to the west, Fairlands Way to the south, Lytton Way to the east and Trinity Road/Chequers Bridge Road to the north. In terms of the characteristics of the area, to the west beyond the railway are residential properties in Kilby Road/Watson Road, which comprise a mix of flats and dwelling houses. These comprise primarily 1 and 2 bedroom flats in buildings ranging between 4, 6 and 10 storeys in height, the tallest element being where the development adjoins Fairlands Way. Also as part of this development are a number of 2 storey 3 and 4 bedroom dwellings. To the west of this are residential properties in Fairview Road comprising mainly of two storey detached and semi-detached dwellings. Further properties are located in the Brik Kiln Road to the north west of the site.
- 7.4.5 To the east are properties in Ditchmore Lane, comprising a mixture of 4 storey offices (Saffron Ground), The Haven, a 3 storey development, The Gate Hotel and residential properties. Further north is Platform North, which is a recently converted 3 and 4 storey residential flatted development to the east of which are properties in the High Street.
- 7.4.6 To the north of the site beyond Trinity Road is a petrol filling station beyond which is the residential development of Monument Court, which is a flatted development which is 5/6 stories in height with undercroft car parking. To the north east of the site adjacent the eastern arm of Trinity Road is the Townsend Mews development which is a 4/5/6 storey flatted development.

- 7.4.7 Having regard to aforementioned assessment it is clear that the characteristics of the area comprise a combination of commercial premises including the application premises and a mixture of low medium and high rise residential developments.
- 7.4.8 In assessing the proposed development this would involve the demolition of the existing 7/8 storey glazed office building to be replaced with 7 flat blocks ranging across the site between 8 stories in height and 16 stories. The submitted plans indicate the two tallest buildings block 1 and 6 would be located at the southern (block 1) and northern (block 6) boundaries of the site. These are between 11 and 16 stories in height and would be set at an angle, with block 1 facing north east across the Trinity Road Lytton Way roundabout and block 6 toward the Fairlands Way/Lytton Way Roundabout. These buildings would have a height of between 35m and 50m and would comprise undercroft car parking and cycle parking at the ground floor with residential units above.
- 7.4.9 Flat block 2 would be sited to the south of block 1 and comprises an 8 storey block which faces east/west with the front elevation facing toward Lytton Way. This has a height of 26m and would comprise undercroft car parking and cycle parking at the ground floor with residential units above.
- 7.4.10 Flat blocks 3 and 4 would be sited either side of the proposed access to the site and are intended to frame the entrance to the development. These are similar in appearance and comprise of a 13 storey element adjacent to the access road reducing to an 11 storey element. These would face east/west with the front elevation facing toward Lytton Way and would have a height of between 33m and 40m. At ground floor level block 4 would contain a Gym, communal lounge area and a management lobby with residential accommodation on the floors above. Block 5 would have communal parking cycle facilities at the ground floor along with residential accommodation similar to the remainder of the blocks.
- 7.4.11 Block 5 would be positioned toward the southern part of the site located between blocks 4 and 6 and comprises an 8 storey block and would be similar in appearance to block 2. This faces east/west with the front elevation facing toward Lytton Way and has a height of 26m. This would comprise undercroft car parking and cycle parking at the ground floor with residential units above.
- 7.4.12 The final element of the scheme is block 7 which would be located toward the western part of the site set back behind the other 6 blocks which face onto Lytton Way. This is a part 6 storey, part 9 storey building having a height ranging between 20m and 30m. This unit would incorporate undercroft parking and cycle facilities at the ground floor with the residential accommodation above.
- 7.4.13 Having regard to the setting of the site, as indicated previously, there is no particular characteristic to the area albeit the most recent development has tended to be the residential developments to the north, east and west of the site, with the Kilby Road/Watson Road development being most prominent containing a 10 storey flatted element. The other flatted development is at a lower height. The current application seeks to introduce a series of tall buildings on the site ranging between 8 and 16 stories in height. Clearly the introduction of these dwellings and particularly the taller buildings at the north and southern end of the site would be seen as prominent features in the street scene, located at nodal points in the highway network.
- 7.4.14 The applicant has designed the development to create its own character and sense of place with the intent to create a series of differing, yet linked block typologies that front Lytton Way. The use of the higher buildings are intended to create gateway features which will be recognised by road users, as is the case with the tall flatted block in the Watson Road/Kilby Road development. The use of differing heights adds variety to the

development with the framing of the access to the site by blocks 3 and 4 offering views through to the rear of the site framing block 7. The layout is such that the buildings would front Lytton Way, allowing for the service road and parking areas to be provided to the rear of the development. In particular, this allows for central amenity areas sheltered within the site. The site benefits from existing mature trees and grassed banking, particularly along Lytton Way and it is intended that where appropriate this would be retained. Additional to this, it is also proposed to introduce landscaping within the development allowing for a mixture of pocket green spaces and paved areas between the blocks acting as more private communal amenity.

- 7.4.15 With regard to the appearance of the buildings, these would all be finished in facing brickwork. The taller elements will be light grey brick with the lower section consisting of the darker tones. Balconies and windows will provide accented colour throughout the building. The two grey tones of brickwork are intended to form a striped banding at ground floor level to connect all buildings across the development and add further architectural variety at pedestrian level. All of the residential properties would have their own individual metal balconies which from a design perspective help to break up the facades and add interest to the appearance of the buildings.
- 7.4.16 Paragraphs 193 to 196 of the NPPF (2019) have to be considered in the determination of this planning application. As established through case law, if there is any harm to designated heritage assets, great weight has to be given as to the impact the development may have on these assets. Paragraph 193 stipulates that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss, or less than substantial harm to its significance
- 7.4.17 Paragraph 197 of the NPPF states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required to having regard to the scale of any harm or loss and the significance of the heritage asset.
- 7.4.18 The application has been assessed by the Council's Conservation Advisor who has assessed the impact of the development of the nearby Old Town Conservation Area and listed buildings. However, due to the distance from Ditchmore Lane to the site (approx. 100 metres) and the way the site is physically divorced from the Old Town area by the busy Lytton Way, it is considered that the new development, whilst it will be visible, will not have a harmful impact upon the significance of the Conservation Area and Listed Buildings through development within its setting. In view of this, whilst the proposal is not considered to enhance the significance, character and appearance of the Old Town Conservation Area, it is considered to preserve its setting and significance in line with the NPPF. Accordingly, it is considered that the proposal will have a less than significant effect on these nearby heritage assets.
- 7.4.19 In conclusion on this issue, taking account of the factors referred to above, whilst it is accepted that the site is an elevated site in a prominent gateway location into the town centre, it is considered that the form and design of the proposed scheme respond imaginatively to the context and constraints of the site. The layout has been carefully designed to introduce a series of tall buildings which respond to Lytton Way and create a high density scheme that would fit in with the existing character of the surrounding area.

7.5 Impact upon Neighbouring Amenity/Future Residential Amenity

- 7.5.1 As referred to above, the application site is considered to be an “island” site which adjoins the East Coast rail line to the west, Fairlands Way to the south, Lytton Way to the east and Trinity Road/Chequers Bridge Road to the north. In view of this, the application site does not physically adjoin any residential developments. In assessing the impact on neighbouring amenity, the Council’s Design Guide sets out standards which should be met to safeguard the privacy and outlook of adjoining properties from new developments. In this regard the, when assessing developments over 2 storeys in height the recommended separation distances are 30m for a back to back relationship or 20m for a back to side relationship. There are no standards relating to front to front or front to rear relationships.
- 7.5.2 The nearest residential properties to the west of the site are in Kilby Road/Watson Road and to the northern part of the site properties in Brick Kiln Road, both of which are separated by the railway line. These developments are located between 50-60m away from the proposed development. Given this separation, they accord with Council’s adopted standards. Similarly, given this level of separation there would be no significant loss of light to these properties. In terms of the Monument Court development, this lies to the north of the site and is over 50m away and again accords with the guidance. Additionally, proposed Block 1 would be angled such that it faces in a north east direction over the Trinity Road/Lytton Way roundabout away from this development. In assessing the impact on properties within Townsend Mews and backing onto Lytton Way facing Ditchmore Lane, these would be over 50m away from the proposed development. Again, this would result no significant loss of light to these properties.
- 7.5.3 Having regard to the aforementioned relationships and separation, it is considered that there would be no sustainable objection to the development with regard to the impact on the amenities of nearby residential properties.
- 7.5.4 In assessing the future residential amenity which would be provided by the proposed development, all of the dwellings accord with the space requirements set out in the adopted local plan. In terms of relationship between units, the majority of the development has a side to side relationship. In terms of Block 7 as this would be located to the rear of blocks 3 and 4 and there is a possibility that there would be some overlooking between the rear and front of these dwellings. Whilst there is no separation standard for this relationship in the Design Guide, this could be an issue. However, given the fact this is a high density development, this relationship would be known to future occupiers of the development and they would, therefore, be aware of this prior to deciding to occupy the dwellings.
- 7.5.5 In terms of layout, each building consists of 1, 2 and 3 bedroom apartments providing eight/nine units per floor. Over 50% of the apartments are dual aspect and the majority of the larger units are located on corner plots. The one bedroom flats are generally single aspect with private amenity space, open plan kitchen/living/diners and have direct access to private balconies. The two bedroom units are generally dual aspect with kitchen/ living/diners achieving views across two directions. The main bedroom offers an en suite. The 3 bedroom units are dual aspect and offer a main bedroom with en suite and communal bathroom. These have open plan kitchen/living/diners and have direct access to private balconies. Additional to this, 50% of the units will comply and exceed the accessible and adaptable dwelling requirement as set out in the Local Plan. Finally, the development is proposed to be constructed out of appropriate materials which would accord with the requirements of the building regulations legislation relating to fire safety.

- 7.5.6 With regard to amenity space, the Council's Design Guide recommends that 50 sqm of amenity space plus an additional 10sqm per unit over 5 is required. This also states that where there is no communal space, effort should be made to provide balconies or roof gardens. It is proposed to provide approximately 900 sq m of amenity space within the development which includes an equipped play area in the amenity space along with sculptural play within the courtyard spaces between the buildings and in the equipped amenity space. Added to this, all of the buildings are provided with balconies, the approximate size of which is 5 sqm which will provide an area of open space for the occupiers. This provision would be below the standards recommended in the Design Guide providing approximately 65% of the requirement. The reason for the limited amount of amenity space is caused by the constrained shape and banked frontage of the site.
- 7.5.7 Notwithstanding the above, the site is within 5 minute walking distance of the King George recreation ground which offers a range of open space and play equipment and facilities. Additionally, there are the Medway Playing field and the play area at Cutty's Lane within a 10 minute walking distance. Having regard to this available public open space nearby, it is considered that the combination of this on-site and off-site open space/play space provision would be appropriate to serve the development. Added to this, the developer is offering a financial contribution toward improvements to off-site sport and children's play facilities and one of the possible projects would relate to King George V playing fields.
- 7.5.8 Having regard to the above assessment, it is considered that future residents of the dwellings will all have an acceptable living environment.

7.6 Highway Safety

- 7.6.1 The plans and Transport Assessment (TA) submitted with the application identify that the existing vehicular access will be retained and utilised for the proposed development. The site is directly accessed from the northbound carriageway of the A602 Lytton Way via a left-in left-out priority junction. The access is located approximately 110m south of the A602 Lytton Way/Trinity Road roundabout and 150m north of the A602 Lytton Way/A1155 Fairlands Way roundabout. An internal spine road will run through the centre of the site providing connectivity to the various residential blocks and associated parking provision.
- 7.6.2 The TA considers the full development traffic impact for 2024, the anticipated full occupation year of the proposed development. To identify these impacts, baseline conditions in 2024 without the development are first assessed. The future baseline background growth and trips is established by assessing that which could be generated by the office building assuming full occupation.
- 7.6.3 Vehicular trip generation for the existing office building, assuming full occupation, have been calculated using the Trip Rate Information Computer System (TRICS) database v.7.4.4. Assuming the building is fully occupied under its permitted usage as an office (B1 land class), it would generate a total of 143 vehicle trips in the AM peak hour (131 arrivals and 12 departures) and 129 vehicle trips in the PM peak hour (10 arrivals and 119 departures). Coinciding with standard working hours, the majority of trips arriving to the site occur in the AM peak hour whereas the majority of trips departing the site occur in the PM peak hour.
- 7.6.4 This model indicates that the operation of the A602 Lytton Way/Trinity Road roundabout is not significantly altered by 2024 with the addition of background traffic growth and vehicles associated with the office in full occupation. In terms of the operation of the A602 Lytton Way/A1155 Fairlands Way roundabout this is pushed over capacity by 2024 with the addition of background traffic growth and vehicles

associated with the office in full occupation. Finally, the A602 Lytton Way/site access priority junction is forecast to operate with significant reserve capacity.

- 7.6.5 With the proposed redevelopment, the flats would generate a total of 152 vehicle trips in the AM peak hour (34 arrivals and 118 departures) and 184 vehicle trips in the PM peak hour (124 arrivals and 60 departures). Coinciding with standard working hours, the majority of trips departing the site occur in the AM peak hour whereas the majority of trips arriving at the site occur in the PM peak hour. The trips associated with the residential dwellings have been added to the 2024 future baseline values to form the “future baseline with development” scenario.
- 7.6.6 The comparison demonstrates a significant reduction in arrivals to the site during the AM peak hour and departures from the site in the PM peak hour generated by the proposed residential development compared to the permitted office use. However, there are additional departures from the site in the AM peak hour and greater arrivals in the PM peak hour. This is due to the reverse tidal nature of trips associated with the two land use types with the residential development generating trips and the office building attracting trips in the AM peak hour and the reverse occurring in the PM peak hour.
- 7.6.7 Overall, the proposed redevelopment is forecast to generate a net increase in the total number of two-way movements in both the AM and PM peak hours; however this is minimal in the AM peak hour.
- 7.6.8 With regard to the impact on the highway network, the model outputs indicate that in the 2024 future baseline with development scenario, there is a slight improvement of performance on the A602 Lytton Way (North) and Trinity Road (East) arms in the AM peak compared to the 2024 future baseline with permitted office use scenario. However, this benefit is offset by a reduction in performance on the A602 Lytton Way (South) and Trinity Road (West) arms. In the PM peak hour, the reverse pattern is evident although queues and delays have reduced or maintained at the same level compared with the 2024 future baseline with permitted office use scenario.
- 7.6.9 In terms of the Lytton Way/Fairlands Way roundabout, the model outputs indicate that in the 2024 future baseline with development scenario, there is a slight improvement of performance on all arms except the A602 Lytton Way (North) in the AM peak hour. The A1155 Fairlands Way (East) was at theoretical capacity in the 2024 future baseline with permitted office use scenario but the redevelopment would reduce this. The performance improvements on the A1155 Fairlands Way (East) are greater in magnitude than the dis-benefits to the A602 Lytton Way (North) and, as such, there is no significant change to the junction performance. In the PM peak hour, the performance of the junction is marginally worsened with slightly elevated flow capacity increases. However, at the A602 Lytton Way (South) and A1155 Fairlands Way (West) junction there are significant increases in the associated queue and delay values.
- 7.6.10 This modelling indicates that the A602 Lytton Way / A1155 Fairlands Way roundabout to operate within capacity in the AM peak hour with marginal improvements to performance. In the PM peak hour the junction is forecast to operate over-capacity; however, the impact of the proposed development is not deemed severe when compared to the 2024 future baseline with permitted office used scenario.
- 7.6.11 In respect of the A602 Lytton Way/Site Access priority junction with the development in place, this is forecast to operate with significant reserve capacity and the impact of the proposed development is not deemed severe when compared to the 2024 future baseline with permitted used scenario.
- 7.6.12 Finally, with regard to the A602 Lytton Way/Trinity Road roundabout the modelling demonstrates that this remains within capacity and the impact of the proposed

development is not deemed severe when compared to the 2024 future baseline with permitted use scenario.

- 7.6.13 Due to the proximity of the proposed development site to Stevenage Railway Station, Stevenage Bus Station, local bus stops and the segregated pedestrian/cycle network, along with the restricted car parking provision for the residential development, the assessment of the net change in multi-modal trips represents a robust assessment of the redevelopment's impacts. Furthermore, the application accords policy IT5 of the adopted local plan as there will be safe, direct and convenient routes within the development and links with the existing segregated walking and cycle network which provides appropriate means to traverse the highway network. Additionally, the site is well served by passenger transport services from Stevenage Railway Station and Stevenage Bus Station offering onward local, regional and national travel. Whilst it is considered that the development site is well connected to the existing cycle network, it is proposed as part of the development to improve the existing southbound ramp to the site which would be replaced with a 3m wide ramp with a gradient of 1:20 to connect directly to the pedestrian/cycle network providing for southbound, eastbound and northern journeys. A pedestrian link is also to be provided from the site to Trinity Road to support northbound and westbound journeys, linking into Chequers Bridge Road. These improvements have been provided in accordance with the advice from HCC highways.
- 7.6.14 Finally, as part of the application it is proposed to provide a contribution toward 2 hybrid cars for use by occupiers of the development as well as the provision of a number of individual electric charging points throughout the development. Additional to this a residential travel plan has been submitted as part of the application and appropriate funding would be provided in order to monitor and implement the requirements of this plan.
- 7.6.15 In summary, junction capacity assessments have been undertaken to establish the net impact on traffic flows on the highway network surrounding the proposed development. These indicate that the A602 Lytton Way/Trinity Road roundabout operates marginally below its theoretical capacity in all scenarios; the A602 Lytton Way/site access junction is forecast to operate with reserve capacity in all scenarios and the A602 Lytton Way/A1155 Fairlands Way roundabout would operate over-capacity in the 2024 future scenarios. However, when comparing the future baseline associated with the permitted use to the future baseline plus development scenarios, the impact of the proposed development is minimal. HCC as highway has assessed the highway implications of the development and consider that it has been demonstrated that the development will not have a severe vehicular impact on the highway network in comparison to the use as an office.
- 7.6.16 With regard to non-car modes of transport, the proposed development is predicted to generate a net increase in journeys undertaken by train compared with the permitted use of the site. The additional demand by rail is likely to be spread across the many services that are available from Stevenage Railway Station; therefore, the impact on existing train capacity is likely to be negligible. A net decrease in journeys undertaken by bus is anticipated in comparison to the permitted use of the site, as a result of workers being more likely to travel by bus than residents. However, the net impact on public transport services is not considered appropriate to seek additional services or public transport facilities for the proposed development. Additionally, it is considered that any increase in walking and cycling trips can be accommodated by the extensive network of good quality segregated footways/cycleways that surround the site. The network provides good quality connections to the town centre and key employment areas as well as access to transport interchanges including Stevenage Railway Station and Stevenage Bus Station.

7.6.17 With regard to servicing and emergency access for the site, this will be via the existing vehicular access. Swept path analysis of the proposed internal spine road for a large refuse vehicle of 11.3m in length has been undertaken which demonstrates that a refuse vehicle can safely access and egress the site. Similarly, an assessment has been undertaken which confirms that a fire tender of 8.6m in length can also safely navigate through the site.

7.7 Parking Provision

7.7.1 Policy IT5 of the adopted Local Plan (2019) states that planning permission will be granted where proposals comply with the parking standards set out in the plan. The Council's Car Parking Standards SPD (2012) sets out the maximum amount of off-street parking for residential developments based on the number of bedrooms. The proposed development would comprise the following accommodation schedule:

- 20 no. studio apartments (1 parking space);
- 249 no. one bedroom units (1 parking space);
- 257 no. two bedroom units (1.5 parking spaces).
- 50 no. three bedroom units (2 parking spaces);

7.7.2 Taking into consideration of the above, there would be a requirement to provide 755 off-street parking spaces. However, the application site is located within residential accessibility zone 1 where the Council would seek between 25% to 50% of the maximum number of car parking spaces to serve the development. In this regard, the Council would require between 188 to 378 parking spaces. The proposed development would seek to provide 274 car parking spaces which would be in accordance with the Council's adopted standards. The applicant has confirmed that the parking areas would not be allocated and, as such, there would not be a requirement to provide additional visitor parking. Additional to this, 5% of the total number of spaces should be designated for disabled persons. In this regard, 15 disabled bays are provided as part of the overall parking provision which accords with the policy. With regard to the proposed Gym within the ground floor of block 4, as this would be for occupiers of the development and ancillary to the proposed residential use, there would be no requirement to provide additional parking facilities to serve this element.

7.7.3 In assessing car parking provision associated with the development, the submitted plans indicate that all of the proposed flat blocks with the exception of block 4 would be designed with an element of undercroft parking with the remainder of the provision being unallocated parking bays located to the rear of the proposed flat blocks.

7.7.4 In regards to cycle parking, the Council's Parking Standards SPD stipulates that 1 long-term cycle parking space should be provided per unit if no shed or garage is provided. As part of the development 576 cycle parking spaces are proposed spread across the individual units.

7.8 Development and Flood Risk

7.8.1 The application site is located in Flood Zone 1 within the Environment Agency's flood risk map. Flood Zone 1 is defined as land having less than 1 in 100 annual probability of flooding. Therefore, all developments are generally directed to Flood Zone 1. Notwithstanding this, the application which has been submitted to the Council is classified as a Major, therefore, in line with the Town and Country Planning (General Development) (Procedure) (England) Order 2015, the applicant has provided a Sustainable Urban Drainage Strategy and Flood Risk Assessment.

7.8.2 The Flood Risk Assessment and Drainage Strategy have been assessed by the Lead Local Flood Authority (LLFA) who initially raised objections. However, following the

submission of additional information it has been confirmed that Thames Water are willing to accept flows restricted to 12.0l/s if it is proven the site cannot discharge adequately to either soakaways or existing watercourses. Given the constraints of the site and proven low infiltration rates, the LLFA consider this method of discharge to surface water to be acceptable.

7.8.3 Additionally, the LLFA are satisfied with the list of SuDS management stages regarding quality management and treatment, including pollution hazard indices and the mitigation provided from the SuDS features, such as permeable paving and detention basin. Additionally, the LLFA note that the schematic drainage strategy drawing has been updated to include indication of exceedance surface water flow paths in events greater than the 1 in 100 year + 40% climate change rainfall return period.

7.8.4 Finally, the LLFA have confirmed that they are satisfied that given the constraints of the site in an urbanised area, the proposed drainage strategy demonstrates appropriate consideration of the SuDS hierarchy and the choice of SuDS methods is justified.

7.8.5 Having regard to the aforementioned assessment the proposed development is considered to be acceptable from a sustainable drainage viewpoint.

7.9 Trees/Landscaping/Ecology/ Biodiversity

7.9.1 Policy NH5 of the adopted Local Plan (2019) states that development proposals will be expected to protect and retain individual trees within the development site and should include new planting where appropriate.

7.9.2 An arboricultural report has been submitted with the application which confirms that there are some trees of modest amenity value on site, most of which are 'B' and 'C' category standard trees. There were 95 individual trees, 32 groups and 4 hedges surveyed on-site or immediately adjacent to the site boundary. The dominant individual tree species are Rowan and Whitebeam, with Sycamore, Horse Chestnut and Maple as the other standard trees present. There are some low quality trees on site that it is recommended should be felled regardless of the constraining development. 18 trees and 5 groups within category 'B' and 28 trees, 5 groups and 3 hedges within category 'C' are in conflict with the proposed layout and will be required to be felled, as well as a section of a further category 'B' group trees.

7.9.3 In addition to the above a landscaping strategy has been submitted with the proposal identifying proposed new planting and open space provision within the development. The existing landscaped embankment towards Lytton Way will be enhanced further with additional shrub and tree planting to integrate the buildings better into the landscape when viewed from the road. It is proposed that embankment slopes will have large swathes of ground cover and meadow grass offering year round interest. Access into site will be along a two-way permeable block paved street with raised pavements. Low hedges and an avenue of trees will provide a formal soft edge on either side of the access square. The access road will lead into a shared surface nodal square framed by attractive, permeable block paving with decorative, specimen trees. A further row of formal planted trees to the west will terminate the space and the view leading into the site. The reinforced planting along this stretch will also provide privacy and seclusion for ground floor units.

7.9.4 Trees will be used throughout the development as focal features through the spaces in order to improve legibility throughout the site and reinforce local character. Street trees, with oblong crown shapes will reinforce the linear spaces and provide softened frontage to the tall residential blocks. Amenity terraces between the development

blocks will have smaller multi-stem and single stem trees with ornamental value to create a more intimate setting around them. Trees along the edge to network rail track have been carefully selected following a consultation with network rail to exclude species that are not acceptable along the edge of the railway.

- 7.9.5 The proposals have been assessed by the Council's Parks and Amenities Section who whilst raising no objection to the proposal have raised queries about the layout of the landscaping and particularly the proposed play area. They have also queried the future maintenance of the open space. As part of any grant of permission conditions can be imposed requiring details of the proposed play area including the proposed gradient and layout/equipment to be submitted to the Council for approval. Additionally, whilst details of the proposed new landscaping have been referred to in the submitted landscape strategy, these details can also be required for submission for approval.
- 7.9.6 Overall, it is intended to retain a number of the trees at the site, particularly toward the rear boundary. Whilst it is accepted that some poor quality trees would need to be removed as part of the proposal, it is considered that with appropriate replacement and additional landscaping the development would have an acceptable appearance.
- 7.9.7 With regard to ecology, a desktop study was carried out for any statutory or non-statutory wildlife sites within 2km of the proposal area. The data search identified one statutory designated site and eighteen non-statutory designated sites within 2km of the application area.
- 7.9.8 With regard to the site itself, surveys were undertaken of the existing building and the site. The main building is a large modern multi-storey office building, constructed of brick and steel with mainly large glass which has an under-building car parking area with the main structure above. Along the rear of the building and to the north are large areas of car parking and landscaped areas typical of a multi-office business site. The building is considered to offer no ecological value due to the style and materials used in its construction.
- 7.9.9 With regard to nesting birds, shrubs and trees on and adjacent to the site showed limited potential to support nesting birds. In terms of Bats, the main building on site was considered unsuitable for roosting bats, being mainly of glass and brick construction, with no features such as cracks or roof voids that could be used by roosting bats. Additionally, none of the trees on or bordering the site showed potential for roosting bats. The site showed limited potential for foraging and commuting activity, with few hedgerows or avenues of trees and little connectivity to the wider environment.
- 7.9.10 The survey of the site identified that there was little habitat on site that was considered suitable for reptiles, with shortly mown grass surrounding much of the site and a lack of potential shelter features. The area to the north west of the site was densely vegetated with ivy and scrub and was considered unlikely to support reptiles. As with reptiles, it was considered that there was little habitat suitable for great crested newts as there are no ponds nearby or with connectivity to the site. Finally, there was no evidence of Badgers using the site.
- 7.9.11 To summarise on ecology, the site has the potential to support nesting birds and foraging and commuting bats, however, there is no other habitat on or immediately adjacent to the site that shows potential to support any other protected flora or fauna. Notwithstanding this, it recommended that trees, hedgerows and shrubs present should be retained and enhanced with additional planting of native species where possible, to ensure the continued provision of bird nesting habitat on site.

7.9.12 In assessing improvement to biodiversity, the proposed development includes areas of landscaping with opportunities to include several biodiversity enhancement measures, namely the establishment of species-rich grassland, planting of new hedgerows and trees, and planting of nectar-rich shrubs. The calculation of Defra biodiversity offsetting metrics for the current and proposed habitats confirms that the proposed development is likely to lead to an enhancement to local biodiversity. The inclusion of scattered trees, introduced shrubs (provided they comprise a mixture of nectar-rich or otherwise valuable species for wildlife), hedgerows and species-rich grassland have the potential to provide a refuge for wildlife in an area otherwise dominated by urban development. This would help to provide high-quality connecting habitat to areas of greenspace in the wider landscape. Inclusion of additional enhancements within the buildings will add further to overall biodiversity enhancement of the Site.

7.10 Sustainable Construction and Climate Change

7.10.1 Policy FP1 of the 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 applicant has provided a sustainability statement with the application, including building performance. This indicates that the buildings would be designed to achieve low energy carbon emissions by using passive solar design in order to minimise heat loss in the winter and overheating in the summer by using natural light and ventilation as much as possible. Community heating with the use of high efficiency commercial boilers will be provided. Additionally, the development will be constructed using enhanced building fabric specification with low air permeability rate and calculated thermal bridging. Added to this, low NOx commercial gas boilers will be specified for the community heating scheme to ensure that the local air pollution levels are not increased.

7.10.3 Turning to sustainable construction, Hertfordshire County Council as Minerals and Waste Authority recommended the applicant submit a SWMP (Strategic Waste Management Plan). This is to ensure that materials used in construction consist of the development 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.

7.10.4 Given the above, and subject to conditions, it would ensure the development is designed in order to be adaptable to climate change as well as ensure a suitable waste management plan is provided.

7.11 Other Matters

Crime Prevention/anti-social behaviour/security

7.11.1 In regards to crime prevention it is noted that concerns have been raised by local residents that the development could have an impact on their security. In addition, they have raised concerns that the development could generate issues of anti-social

behaviour. Whilst these are not planning matters, there is a requirement under the NPPF to design out crime. Nevertheless the Police Crime Prevention Design Advisor (PCPDA) has been consulted on the application and whilst raising concerns has indicated that these could be mitigated by engaging with the PCPDA with the intention to achieve the Police minimum security standard that is Secured by Design. The applicants have confirmed that it is their intention to engage with the PCPDA with a view of achieving secure by design accreditation.

Health Impact of the development

- 7.11.2 In regards to health impact of the development, in order to improve opportunities for future local residents, the development would comprise of large areas of public open space and recreation space. The development would also seek to connect to existing cycle and footpath network, including public rights of way in order to encourage healthy exercise and activities as well as creating wider accessibility to the countryside. Turning to the points raised by HCC Public Health on noise and air quality, this is already considered in detail in the report and sufficient mitigation measures would be put in place.
- 7.11.3 In relation to the recommendation of submitting a Health Impact Assessment for this development, there is no statutory requirement for the applicant to do so. In addition, the health impacts of the development have been thoroughly considered by the applicant through the relevant assessments and these have been assessed in detail as set out in this committee report. Therefore, it is not considered reasonable to request the applicant submit a Health Impact Assessment for this particular development especially at such a late stage in the application process.

Impact on Property Values/Loss of Views.

- 7.11.4 A number of residents have raised concerns about the impact that the development would have on property values. However, despite the concerns raised, it has long been established through planning case law that in the assessment of planning applications, it is the conventional tests of impact on planning policies and amenity harm to neighbouring uses or the character of an area as a whole that is the deciding issue and not any possible consequential effects on nearby property values. Further, there is no evidence that there would be any material effect on existing property values. Similarly, the right to a view is not deemed to be a material planning consideration.

Air Quality

- 7.11.5 An Air Quality Assessment has been carried out to assess the effects of both construction and operation of the proposed development on the application site and surrounding area. The air quality impacts have been calculated using the ADMS-Roads gaussian dispersion model. Major roads in the vicinity of the development site have been modelled explicitly within 200 metres of assessed receptors for the 2017 baseline scenario, the future without the development scenario and the future with the development scenario.
- 7.11.6 The results of the assessment indicate that baseline air quality conditions at nearby existing receptors meet the annual mean NO₂ national objective of 40 µg/m³ and are expected to reduce further by the first operational year of 2023.
- 7.11.7 The results of the dust risk assessment indicate that construction activities may have, at worst, high air quality impacts at nearby receptors without mitigation. These impacts can be minimised or removed through the implementation of a published construction phase dust management plan which details appropriate mitigation measures and dust

monitoring. Air quality impacts from construction vehicles are anticipated to be negligible, due to the low number of vehicle movements.

7.11.8 Baseline information indicates that new receptors will not be introduced into any area breaching air quality objectives. Detailed dispersion modelling has shown that NO₂ concentrations at 21 assessed receptors around the development and the development itself, which include locations representative of worst-case exposure, will be within the annual objective during the first year of operation. There will be a negligible impact on local air quality from operational traffic.

7.11.9 In view of the aforementioned it is considered that the development would result in an acceptable level of air quality.

8. CONCLUSIONS

8.1 In summary, the principle of residential development has been established as being acceptable on this windfall site. In addition, whilst considered a high density scheme, the development is located within a sustainable location with access to local buses, train station, the nearby cycle and pedestrian network and is in close proximity to both the Old Town and Stevenage Town Centre and the facilities which they provide. In view of this, the proposal is considered to accord with the Council's adopted District Plan policies which relate to windfall developments.

8.2 The design and layout of the development would not significantly harm the amenities of the occupiers of neighbouring residential properties and the residents of the proposed development would enjoy an acceptable level of amenity. In design terms, it would represent a high quality development resulting in landmark buildings in this prominent town centre location.

8.3 The proposal would have adequate off-street parking in line with the Council's adopted standards as well as an appropriate level of cycle parking provision in a convenient location. Finally, issues relating to construction management, materials and landscaping, be satisfactorily addressed through the use of conditions

8.4 In terms of the provision of affordable housing and developer contributions, the application has been accompanied by a viability appraisal which has been assessed and which has demonstrated that the scheme is not capable of delivering the full amount of obligations normally required. However, the applicant has made a significant offer toward affordable housing provision and other section 106 obligations and this offer is considered acceptable.

9. RECOMMENDATIONS

9.1 That planning permission be GRANTED subject to the applicant having first entered into a S106 agreement to secure/provide contributions towards:-

- The provision of affordable housing;
- Additional primary and/or secondary education provision serving the development;
- Library services;
- Securing of a travel plan monitoring fee;
- Trees and Plants from UK nurseries;
- Secure the provision of a maintenance company for the development of the open space and play area;
- HCC Waste
- GP Provision;

- Provision of fire hydrants; and
- Associated Section 278 Highway Works.

The detail of which is to be delegated to the Assistant Director of Planning and Regulation in liaison with the Council's appointed Solicitor and subject to the following conditions:-

1. The development hereby permitted shall be carried out in broadly accordance with the following approved plans: 16-019 D050C01, D051C01, D052C01, D053C02, D054C02, D060C02, D100C01, D101C02, D102C03, D111C01, D112C01, D113C01, D114C02, D115C02, D151C01, D152C01, D153C01, D154C01, D200C01, D201C02, D202C02, D203C02, D204C02, D251C01, D252C01, D253C02, D254C01, D300C01, D301C01, D302C01, D311C01, D312C02, D314C02, D351C01, D352C01, D353C01, D354C01, D400C03, D401C01, D402C01, D411C02, D412C02, D413C02, D451C02, D452C02, D453C02, D454C01, D500C02, D501C02, D502C02, D503C02, D504C02, D551P02, D552C01, D553C02, D554C01, D600C02, D601C02, D602C02, D611C01, D612C01, D613C02, D614C02, D651C02, D652C02, D653C02, D654C01, D700C02, D701C03, D702C03, D706C01, D707C01, D708C02, D709C02, D751C01, D752C01, D753C01, D754P01, 2660-SK-04-F.
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 development shall take place above slab level until samples of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.
REASON:- To ensure the development has an acceptable appearance and to protect the visual amenities of the area.
4. Prior to the first occupation, a scheme of landscaping which shall include details of both hard and soft landscape works and the timings of works shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed scheme.
REASON:- To ensure the development has an acceptable appearance and to protect the visual amenities of the area. Furthermore, to ensure the landscaping scheme does not affect the operation of the adjoining railway network.
5. 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.
REASON:- To ensure a satisfactory appearance for the development.
6. No development, including any site clearance or demolition works, shall commence until all trees within the development site which are to be retained have been protected by fencing or other means of enclosure in accordance with a detailed scheme submitted to and approved in writing by the Local Planning Authority. Such protection as may be agreed shall be inspected and approved by the Local Planning Authority prior to the commencement of the work and maintained until the conclusion of all site and building operations.

- REASON:** - To ensure that the retained trees are not damaged or otherwise adversely affected during site operations.
7. Within the tree protection areas to be fenced off in accordance with condition 6, there shall be no alteration to the ground level and they shall be kept clear of vehicles, materials, surplus soil, temporary buildings, plant and machinery.
REASON: - To ensure that the retained trees are not damaged or otherwise adversely affected during site operations.
8. No removal of trees, scrubs or hedges shall be carried out on site between 1st March and 31st August inclusive in any year, unless a pre-works survey of the vegetation to be removed and surrounding vegetation is undertaken immediately prior to removal by a suitable qualified Ornithologist, and approved in writing by the Local Planning Authority.
REASON:- Nesting birds are protected from disturbance under the Wildlife and Countryside Act 1981 (As amended).
9. Prior to commencement of works above slab level, details of any external lighting, including the intensity of illumination and predicted light contours, shall be submitted to and approved in writing by the Local Planning Authority. Any external lighting shall accord with the details so approved.
REASON:- In order to protect the amenities and operations of neighbouring properties and to ensure any external lighting does not prejudice highway safety.
10. Prior to the commencement of development (including site clearance) a Construction Management Plan for the construction phases shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the works of construction of the development shall only be carried out in accordance with the approved statement. The Construction Management Plan shall address the following matters:-
- (i) Details of construction phasing programme (including any pre-construction enabling works);
 - (ii) Hours of operations including times of deliveries and removal of waste which should avoid school pick up/drop off times;
 - (iii) Demolition and construction works between the hours of 0730 and 1800 on Mondays to Fridays and between the hours of 0830 and 1300 on Saturdays only.
 - (iv) The site set-up and general arrangements for storing plant including cranes, materials, machinery and equipment, temporary offices and other facilities, construction vehicle parking and loading/unloading and vehicle turning areas;
 - (v) Access and protection arrangements around the site for pedestrians, cyclists and other road users;
 - (vi) Details of the provisions for temporary car parking during construction which shall be provided prior to the commencement of construction activities;
 - (vii) The location of construction traffic routes to and from the site, details of their signing, monitoring and enforcement measures;
 - (viii) Screening and hoarding;
 - (ix) End of day tidying procedures;

- (x) Construction and storage compounds (including areas designated for car parking);
- (xi) Siting and details of wheel washing facilities;
- (xii) Cleaning of site entrances, site tracks and the adjacent public highway;
- (xiii) Control measures to manage noise and dust;
- (xiv) Disposal of surplus materials;
- (xv) Post construction restoration/reinstatement of the working areas and access to the public highway.
- (xvi) Details of the access and highways works to accommodate construction traffic.
- (xvii) Details of consultation and complaint management with local businesses and neighbours.
- (xviii) Mechanisms to deal with environmental impacts such as noise and vibration, air quality and dust, light and odour;
- (xix) Details of any proposed piling operations, including justification for the proposed piling strategy, a vibration impact assessment and proposed control and mitigation measures;
- (xx) Details of a Site Waste Management Plan (SWMP) detailing actual waste arising and how waste is managed (i.e. re-used, recycled or sent off site for treatment or disposal) and where it is sent to. Further updated should be provided throughout the life of the development at an interim of two months or sooner should the level of waste be considered significant by the developer.

REASON:- To minimise the impact of construction vehicles and to maintain the amenity of the local area.

11. No development apart from demolition and site preparation works shall take place until the final design of the surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The surface water drainage system will be based on the Flood Risk Assessment prepared by PEP Civil & Structures Ltd, reference 460917-PEP-00-xx-RP-C-6201, dated September 2019. The scheme shall also include;

1. Confirmation of Thames Water agreement demonstrating discharge is permitted at the agreed rate of 12.0l/s.

2. Implement drainage strategy based on detention basin, permeable paving and geocellular tanks as indicated on the proposed drainage strategy drawing 469017-PEP-00-XX-DR-C-1800 Rev P04 and drawing 469017-PEP-00-XX-DR-C-1801 Rev P04

3. Detailed engineered drawings of the proposed SuDS features including their, location, size, volume, depth and any inlet and outlet features including any connecting pipe runs and all corresponding calculations/modelling to ensure the scheme caters for all rainfall events up to and including the 1 in 100 year + 40% allowance climate change event.

4. Silt traps for protection for any residual tanked elements.

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

12. The development shall be carried out in accordance with the approved final design of the surface water drainage scheme.
REASON:- To reduce the risk of flooding to the proposed development and future occupants.
13. Upon completion of the surface water drainage works, a management and maintenance plan for the SuDS features and drainage network must be submitted to the Local Planning Authority for approval in writing. The scheme shall include;
1. Provision of a complete set of as built drawings for site drainage.
 2. Maintenance and operational activities.
 3. Arrangements for ongoing management and measures to secure the operation of the scheme throughout its lifetime.

The development shall thereafter be carried out in accordance with the approved details.

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

14. No properties shall be occupied until written confirmation has been provided that either:-
1. All wastewater network upgrades required to accommodate the additional flows from the development have been completed; or
 2. A housing and infrastructure phasing plan has been agreed with Thames Water to allow additional properties to be occupied.

Where a housing and Infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed housing 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.

15. An Armco or similar barrier should be located in positions where vehicles may be in a position to drive into or roll onto the railway or damage the lineside fencing. Network Rail's existing fencing/wall must not be removed or damaged. The barrier would need to be installed at each turning area, roadway and car parking area which is located adjacent to the railway.
REASON:- In order to protect infrastructure associated with the railway line managed by Network Rail.

16. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 17 and submitted to the Local Planning Authority for approval. Following completion of measures identified in the approved remediation scheme a verification report must be submitted to the Local Planning Authority for approval in accordance with condition 18.
REASON:- To prevent harm to human health and pollution of the water environment in accordance with Government policy set out in The National Planning Policy Framework.

17. A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and

the natural and historic environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

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

18. The approved remediation scheme must be carried out in accordance with its terms. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

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

19. No development above slab level shall take place until a scheme for protecting the proposed dwellings from noise arising from road & rail traffic and air transport sources has been submitted to and approved in writing by the local planning authority. The scheme shall follow the recommendations identified in the Cass Allen Noise Impact Assessment report (Ref: RP02-16241) dated 23rd July 2019. No dwelling shall be occupied until the measures detailed within the scheme for that dwelling has been implemented in accordance with the approved details, and shown to be effective, and it shall be retained in accordance with those details thereafter.

REASON: To protect the amenity of future occupiers of the development hereby approved.

20. No development above slab level shall take place until a scheme for protecting the proposed dwellings from noise arising from internal plant & plant rooms, undercroft parking areas and the communal gym has been submitted to and approved in writing by the local planning authority. No dwelling shall be occupied until the measures within the scheme for that dwelling has been implemented in accordance with the approved details, and shown to be effective, and it shall be retained in accordance with those details thereafter.

REASON: To protect the amenity of future occupiers of the development hereby approved.

21. Prior to first occupation of the development hereby approved the details of the type and design of at least 576 cycle parking spaces (at least one per property) should be submitted to and approved in writing by the Local Planning Authority. Residents cycle parking should be in the form of lit, lockable and weather resistant cycle lockers or stores and be installed in accordance with the approved details. Cycle parking shall be fully completed for each block or phase and in accordance with the approved details before first occupation of that particular block or phase in the development.

REASON: To ensure the provision of cycle parking spaces in line with the Council's adopted standards contained in Policy 1 and 5 of the Hertfordshire's Local Transport Plan 4 and in accordance with the Stevenage's parking standards.

22. Prior to first occupation of the development hereby approved the following pedestrian improvement works shall be undertaken:

1. Provision of new ramp in accordance with Appendix B of WSP Technical Note HCC003 dated 24th January 2020

2. Provision of a new pedestrian access to the north as identified under Appendix C of WSP Technical Note HCC003 dated 24th January 2020.

The works shall be completed before first occupation of the new development.

REASON: So that all users of the development can safely walk to and from the site, in compliance with paragraphs 108 and 110 of the NPPF.

23. Prior to the occupation of the development hereby permitted, the details of the siting, type and specification of Electric Vehicle Charging Points (EVCPs) for 28 vehicles, the energy sources, a timetable for their delivery and the strategy/management plan for supply and maintenance of the EVCPs shall be submitted to and approved in writing by the Local Planning Authority. All EVCPs shall be installed in accordance with the approved details and timetable and permanently maintained and retained.

REASON: To ensure construction of a satisfactory development and to promote sustainable development in accordance with Policies 5, 19 and 20 of Hertfordshire's Local Transport Plan (adopted 2018).

24. No part of the development hereby permitted shall be occupied prior to the implementation of the approved WSP's Residential Travel Plan Doc Ref No. 70020570-RTP-001 Dated July 2019. Those parts of the approved Travel Plans that are identified therein as being capable of implementation after occupation shall be implemented in accordance with the timetable contained therein and shall continue to be implemented as long as any part of the development is occupied.

REASON: To ensure that sustainable travel options associated with the development are promoted and maximised to be in accordance with Policies 3, 5, 7, 8, 9 and 10 of Hertfordshire's Local Transport Plan (adopted 2018).

25. Notwithstanding the details shown in this application the treatment of all boundaries including details of any walls, fences, gates or other means of enclosure shall be submitted to and approved in writing by the Local Planning Authority prior to any works above slab level. The approved boundary treatments shall be completed before the use hereby permitted is commenced or before the building(s) is occupied and thereafter permanently retained.

REASON:- To ensure a satisfactory standard of development in the interests of amenity

26. Prior to the first occupation, details of a scheme to provide suitable bird and bat boxes shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the timing of provision. The scheme shall be installed in accordance with approved details.

REASON: - To increase opportunities for wildlife in new developments.

27. Prior to the first occupation, details shall be submitted to and agreed in writing by the local planning authority of the layout of the open space/play area identified to be constructed adjacent to block 7. The scheme shall include details of the gradient/levels of the proposed play area and details of any equipment to be provided. The scheme shall be implemented in accordance with the approved details prior to the occupation of block 7 or before the occupation of 50% of the dwellings, whichever is the sooner.

REASON:- To ensure the provision of quality play space in the development.

28. The development shall be implemented in accordance with the above slab level measures to reduce energy and water consumption contained within the approved Whitecode Design Associates Energy Strategy 10293-S-EBER-0001 Revision 5 dated 30 July 2019

REASON:- To ensure the development is adaptable to climate change

29. Prior to the first occupation of the dwellings hereby permitted the approved refuse and recycle stores shall be constructed in accordance with the details submitted with this application and shall be permanently retained in the form.

REASON:- To ensure that there is sufficient refuse/recycle provision in accordance with the Council's standards and maintained for all dwellings and the development as a whole in perpetuity.

INFORMATIVES

Hertfordshire County Council as Highways Authority

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/highways-development-management.aspx>

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>

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/highways-development-management.aspx>

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 38 and 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 noted below:

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

Before commencement of the proposed development, the applicant shall contact Hertfordshire County Council's Rights of Way Service

<http://www.hertfordshire.gov.uk/services/envplan/countrysideaccess/row/>

(Tel: 0300 123 4047, email at row@hertfordshire.gov.uk) to obtain their requirements for the ongoing maintenance of the surface of the Public Right of Way that routes through the site along the proposed development.

The Public Right of Way should remain unobstructed by vehicles, machinery, materials, tools and any other aspects of the construction during works. The safety of the public using the

route and any other routes to be used by construction traffic should be a paramount concern during works, safe passage past the site should be maintained at all times. The condition of the route should not deteriorate as a result of these works. Any adverse effects to the surface from traffic, machinery or materials (especially overflows of cement & concrete) should be made good by the applicant to the satisfaction of this Authority. All materials should be removed at the end of the construction and not left on the Highway or Highway verges. If the above conditions cannot reasonably be achieved, then a Temporary Traffic Regulation Order would be required to close the affected route and divert users for any periods necessary to allow works to proceed. A fee would be payable to Hertfordshire County Council for such an order.

Hertfordshire Constabulary Crime Prevention Design Advisor.

The proposed development should achieve Secured by Design (SBD) accreditation in order for it to comply with current Building Regulations. The Police Crime Prevention Design Advisor can be contracted by telephone on 01707 355227 or by email on mark.montgomery@herts.pnn.police.uk.

Affinity Water

Notification shall be given to affinity water of the following:-

1. 15 days' notice prior to any Piling works commencing
2. Details of the depth of the Chalk aquifer if encountered during piling.

Pro-active statement

Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the National Planning Policy Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

10. BACKGROUND DOCUMENTS

1. The application file, forms, plans and supporting documents having the reference number relating to this item.
2. Stevenage Borough Council Supplementary Planning Documents – Parking Provision adopted January 2012 and Stevenage Design Guide adopted October 2009.
3. Stevenage Borough Local Plan 2011-2031 adopted 2019.
4. Hertfordshire County Council's Local Transport Plan 4 adopted May 2018.
5. Responses to consultations with statutory undertakers and other interested parties referred to in this report.
6. Central Government advice contained in the National Planning Policy Framework February 2019 and Planning Policy Guidance March 2014.