

STEVENAGE BOROUGH COUNCIL

**PLANNING AND DEVELOPMENT COMMITTEE
MINUTES**

Date: Tuesday, 7 January 2025

Time: 6.30pm

Place: Council Chamber

Present: Councillors: Claire Parris (Chair), Nazmin Chowdhury (Vice Chair), Julie Ashley-Wren, Stephen Booth, Rob Broom, Forhad Chowdhury, Peter Clark, Lynda Guy, Coleen De Freitas, Ellie Plater CC and Carolina Veres

Start / End Time: Start Time: 6.30pm
End Time: 6.50pm

1 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

The Chair opened the meeting and informed members of the passing of Alderman David Cullen who was a former Councillor and long-time Chair of Planning. The Chair advised Members that there would be an opportunity for tributes at the meeting of the Council on 22 January 2025.

Apologies for absence were received from Councillor Kamal Choudhury and Councillor Anne Wells

There were no declarations of interest.

2 MINUTES - 29 OCTOBER 2024 & 3 DECEMBER 2024

It was **RESOLVED** that the Minutes of the meetings of the Planning and Development Committee held on 29 October 2024 and 3 December 2024 be approved as correct records and signed by the Chair.

3 24/00821/FP - 2-16 WALDEN END

At this juncture, the Interim Assistant Director advised the Committee that the four applications being considered at the meeting were all for identical bin enclosures outside four different flat blocks all on Walden End. As such, the presentations would contain a lot of duplication. The Interim Assistant Director reminded the Committee that each application had to be considered on its own merits.

The Committee received a presentation from the Interim Assistant Director (Planning and Regulation). The Committee were informed about refurbishment works which had taken place at the flats, and the proposal that each flat block would have a dedicated bin enclosure to house 10no. 360 litre wheelie bins.

The Interim Assistant Director advised Members that the proposed bin enclosures would be constructed from Timber and would have a height of 1.45 metres. All four

stores would be located at the front of the flat blocks.

The Committee heard that the main principles were the design of the visual impact, the impact on the area of open space and the impact of residential amenity. It was also noted that officers had considered the proposals acceptable in relation to the local plan and national planning policy framework.

The Interim Assistant Director advised the Committee that an addendum report circulated with the agenda papers, included comments from Cycle UK regarding the installation of cycle storage facilities at these flat blocks to encourage a modal shift. This however was not part of the original application but could be discussed with the applicants in the future.

The Committee was informed of an objection from HCC Highways, which raised concerns about the potential highway safety issue with the unit's door opening out onto public highway. The Interim Assistant Director advised the Committee that the door in question would only be used for refuse collections thus minimising the potential for any obstruction.

In response to a question regarding access to the codes on the bin enclosures, the Interim Assistant Director advised that the refuse team would have access to this code and residents would use the back of the bin store for access.

At this juncture, Members commented on the similarity of these four reports and questioned why they could not reference back to the first item, to which the officer responded that each submission was an individual application and therefore a statutory requirement to review each application separately.

Members sought clarification on environmental waste and the risk of fly tipping. The Interim Assistant Director responded that it was a matter for Stevenage Direct Services and did not form part of the planning application being considered.

At this junction the Chair of the Environment and Economy Select Committee advised Members of an upcoming session on waste and recycling which covered these policies and welcomed members to attend.

A recorded vote* was taken on the application and it was **RESOLVED** that planning permission be GRANTED subject to the following conditions and informatives:

1. The development hereby permitted shall be carried out in accordance with the following approved plans:
Location Plan; 267/586;
2. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
3. The external materials used in the development to which this permission relates shall be those detailed on the approved plans and in the accompanying planning submission documents unless otherwise agreed in writing by the local planning authority.

INFORMATIVE

1. **Public Information on Planning Applications**

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

2. **Community Infrastructure Levy**

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

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

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

3. **Building Regulations**

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

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

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- Excavation for foundations

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

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

4. **Party Wall etc. Act 1996**

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

5. **Biodiversity Net Gain**

Applications where Biodiversity Net Gain is not required as development is considered De Minimis

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

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

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

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not apply.

Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because the following statutory exemption or transitional arrangement is considered to apply.

3. Development below the de minimis threshold, meaning development which:
 - e. does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment

- and Rural Communities Act 2006); and
- f. impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

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

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

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans. The Biodiversity Gain Plan must include, in addition to information about steps taken or to be taken to minimise any adverse effect of the development on the habitat, information on arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat. The planning authority can only approve a Biodiversity Gain Plan if satisfied that the adverse effect of the development on the biodiversity of the irreplaceable habitat is minimised and appropriate arrangements have been made for the purpose of compensating for any impact which do not include the use of biodiversity credits.

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

*** Recorded Vote**

For – Councillors Julie Ashley-Wren, Stephen Booth, Rob Broom, Forhad Chowdhury, Nazmin Chowdhury, Peter Clark, Lynda Guy, Coleen Houlihan, Claire Parris, Ellie Plater and Carolina Veres

Against – 0

Abstentions – 0

Absent – Councillors Kamal Choudhury, Akin Elekolusi and Anne Wells

4 **24/00818/FP - 18 - 32 WALDEN END**

The Interim Assistant Director informed the committee that the application was identical to item three but for flat block 18-32 Walden End and offered to reprise the presentation.

A recorded vote* was taken on the application and it was **RESOLVED** that planning permission be GRANTED subject to the following conditions and informatives:

1. The development hereby permitted shall be carried out in accordance with the following approved plans:
Location Plan; 267/587;
2. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
3. The external materials used in the development to which this permission relates shall be those detailed on the approved plans and in the accompanying planning submission documents unless otherwise agreed in writing by the local planning authority.

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

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

Stevenage Borough Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not apply.

Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because the following statutory exemption or transitional arrangement is considered to apply.

4. Development below the de minimis threshold, meaning development which:
 - f. does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and
 - g. impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

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

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*** Recorded Vote**

For – Councillors Julie Ashley-Wren, Stephen Booth, Rob Broom, Forhad Chowdhury, Nazmin Chowdhury, Peter Clark, Lynda Guy, Coleen Houlihan, Claire

Parris, Ellie Plater and Carolina Veres
Against – 0
Abstentions – 0
Absent – Councillors Kamal Choudhury, Akin Elekolusi and Anne Wells

5 **24/00819/FP - 34 - 48 WALDEN END**

The Interim Assistant Director informed the committee that the application was identical to item three but for flat block 34-48 Walden End and offered to reprise the presentation.

Members commented on the location of the enclosure at this flat block being in close proximity to a lamppost and BT column, to which the Interim Assistant Director confirmed they had been positioned to avoid utilities where possible.

A recorded vote* was taken on the application and it was **RESOLVED** that planning permission be GRANTED subject to the following conditions and informatives:

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2. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
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- i. a Biodiversity Gain Plan has been submitted to the planning authority, and
- j. the planning authority has approved the plan.

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

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not apply.

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5. Development below the de minimis threshold, meaning development which:
 - g. does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and
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*** Recorded Vote**

For – Councillors Julie Ashley-Wren, Stephen Booth, Rob Broom, Forhad Chowdhury, Nazmin Chowdhury, Peter Clark, Lynda Guy, Coleen Houlihan, Claire Parris, Ellie Plater and Carolina Veres

Against – 0

Abstentions – 0

Absent – Councillors Kamal Choudhury, Akin Elekolusi and Anne Wells

6 **24/00820/FP - 50 - 64 WALDEN END**

The Interim Assistant Director informed the committee that the application was identical to item three but for flat block 50-64 Walden End and offered to reprise the presentation.

A recorded vote* was taken on the application and it was **RESOLVED** that planning permission be GRANTED subject to the following conditions and informatives:

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*** Recorded Vote**

For – Councillors Julie Ashley-Wren, Stephen Booth, Rob Broom, Forhad Chowdhury, Nazmin Chowdhury, Peter Clark, Lynda Guy, Coleen Houlihan, Claire Parris, Ellie Plater and Carolina Veres

Against – 0

Abstentions – 0

Absent – Councillors Kamal Choudhury, Akin Elekolusi and Anne Wells

7 INFORMATION REPORT - DELEGATED DECISIONS

It was **RESOLVED** that the Information Report – Delegated Decision be noted.

8 INFORMATION REPORT - APPEALS/CALLED IN APPLICATIONS

The Interim Assistant Director provided the Committee with a brief verbal update to accompany the information report:

- **Boxfield Green**
The Planning Inspector stated there was an error in the enforcement notice which has been withdrawn and reproduced.

- **Aintree Way**
A site visit was conducted by the Planning Inspector. Awaiting decision on the enforcement notice.
- **Land West of Lytton Way (ICON Site)**
A recent site visit was conducted by the inspector. A decision was expected imminently, with full details to be shared with the Committee once the decision was received.

It was **RESOLVED** that the Information Report – Appeals / Called In Decisions be noted.

9 **URGENT PART I BUSINESS**

There was no Urgent Part I Business.

10 **EXCLUSION OF THE PRESS AND PUBLIC**

It was **RESOLVED**:

1. That under Section 100(A) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as described in paragraphs 1 – 7 of Part 1 of Schedule 12A of the Act as amended by Local Government (Access to Information) (Variation) Order 2006.
2. That Members consider the reasons for the following reports being in Part II and determine whether or not maintaining the exemption from disclosure of the information contained therein outweighs the public interest in disclosure.

11 **PART II MINUTES OF PREVIOUS MEETING - 29 OCTOBER 2024 & 3 DECEMBER 2024**

It was **RESOLVED** that the Part II Minutes of the previous meetings of the Planning & Development Committee held on 29 October 2024 and 3 December be approved as correct records.

12 **URGENT PART II BUSINESS**

There was no Urgent Part II Business.

CHAIR