



PLANNING AND DEVELOPMENT COMMITTEE

Date: Tuesday, 7 January 2025
Time: 6.30pm,
Location: Council Chamber
Contact: Committees@stevenage.gov.uk

Members: Councillors: C Parris (Chair), N Chowdhury (Vice-Chair), J Ashley-Wren, R Broom, F Chowdhury, K Choudhury, P Clark, A Elekolusi, L Guy, C Houlihan, E Plater, C Veres, A Wells and S Booth

AGENDA

PART 1

1. APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

2. MINUTES - 29 OCTOBER 2024 & 3 DECEMBER 2024

To approve as a correct record the Minutes of the previous meetings held on 29 October 2024 & 3 December 2024.

3 December 2024 Minutes to follow.

Pages 3 – 60

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

To consider the construction of bin enclosure to house 10 no. 360 litre wheelie bins.

Pages 61 – 72

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

To consider the construction of bin enclosure to house 10 no. 360 litre wheelie bins.

Pages 73 – 84

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

To consider the construction of bin enclosure to house 10 no. 360 litre wheelie bins.

Pages 85 – 96

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

To consider the construction of bin enclosure to house 10 no. 360 litre wheelie bins.

Pages 97 – 108

7. INFORMATION REPORT - DELEGATED DECISIONS

To note a report on decisions taken by the Assistant Director Planning and Regulatory in accordance with his delegated authority.

Pages 109 – 124

8. INFORMATION REPORT - APPEALS/CALLED IN APPLICATIONS

To note a report on appeals and called in applications.

Pages 125 – 126

9. URGENT PART I BUSINESS

To consider any Part I Business accepted by the Chair as urgent.

10. EXCLUSION OF THE PRESS AND PUBLIC

To consider the following motions that:

1. Under Section 100(A) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business on the grounds that it involved 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 (if any) 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

To approve as a correct record the Minutes of the meetings of the Planning and Development Committee held on 29 October 2024 & 3 December 2024.

3 December 2024 Minutes to follow.

12. URGENT PART II BUSINESS

To consider any Part II Business accepted by the Chair as urgent.

STEVENAGE BOROUGH COUNCIL

PLANNING AND DEVELOPMENT COMMITTEE MINUTES

Date: Tuesday, 29 October 2024

Time: 6.30pm

Place: Council Chamber

Present: Councillors: Claire Parris (Chair), Nazmin Chowdhury (Vice Chair), Julie Ashley-Wren, Rob Broom, Forhad Chowdhury, Peter Clark, Akin Elekolusi, Coleen Houlihan, Graham Snell, Carolina Veres and Anne Wells

Start / End Time: Start Time: 18:30
End Time: 22:00

1 **APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST**

Apologies for absence were received from Councillors Kamal Choudhury, Lynda Guy and Ellie Plater.

There were no declarations of interest.

2 **MINUTES - 3 SEPTEMBER 2024**

It was **RESOLVED** that the Minutes of the Planning and Development Committee meeting held on 3 September 2024 be agreed as a correct record and signed by the Chair.

3 **UPDATE ON LOCAL PLAN REVIEW**

The Head of Planning Policy provided the Committee with a detailed update on the progress of the Stevenage Local Plan Review.

The Committee heard that the Local Plan (adopted in May 2019) provided a spatial vision for Stevenage to 2031 and comprised 13 strategic policies and 73 detailed policies, supported by a policies map and key diagram.

The review was influenced by national, regional, and local drivers, including revisions to the National Planning Policy Framework (NPPF), the North East Central Hertfordshire Joint Strategic Plan, and findings from the Station Gateway Area Action Plan consultation.

The Head of Planning Policy advised that, following legal advice, a two-stage process was adopted:

Stage 1: Partial Review and Update, with a focus on addressing immediate policy needs such as climate change, sustainability, HMOs, and tree-lined streets.

Stage 2: A full review, extending beyond 2031, incorporating broader strategic priorities like infrastructure and healthy homes principles.

The Committee were informed that the Regulation 18 consultation (July–August 2024) highlighted public and stakeholder concerns about climate policies, HMOs, and flooding. The upcoming Regulation 19 consultation, scheduled for 20 November 2024–14 January 2025 (with a possible extension), would allow further public engagement on the updated plan.

National Context and Transitional Arrangements:

The Head of Planning Policy advised the Committee that changes to the NPPF and associated timelines meant the Council must submit the Local Plan by December 2026, under the current planning framework, to avoid delays from adopting a new system. The current plan's policies were over five years old, reducing their material weight in decision-making. Advancing the review would help restore policy strength.

Outlining the next steps, the Head of Planning Policy informed the Committee that, following the Regulation 19 consultation, the plan would be submitted to the Secretary of State in Spring 2025, with examination expected in Summer/Autumn 2025 and adoption thereafter. The second-stage full review would commence post-adoption.

Approval was sought for the Regulation 19 consultation to proceed.

The Chair thanked the Head of Planning Policy for their update and invited Members to ask questions.

In response to a question regarding the NPPF timeline extension, the Head of Planning Policy clarified that Local Plans must be submitted by June 2025 under the current system; otherwise, they were subject to a new framework, potentially causing delays. While some councils might pause due to the extension to December 2026, Stevenage Borough Council was progressing with urgency due to the reduced material weight of policies in plans older than five years.

Members raised concerns about the practicalities of the proposed tree replacement ratio (up to 1:21) and its implications for carbon sequestration. In response, Officers advised that the replacement policy used a sliding scale based on tree size and significance. Small trees required fewer replacements, while veteran trees (e.g., 300–400 years old) demanded higher replacements to offset their ecological value. The approach aimed to balance development needs with environmental conservation.

Members highlighted what could be perceived as a lack of emphasis on protecting grasslands and other carbon-sequestering areas. In response, Officers advised that while the Local Plan did not demand new grassland in developments, existing grasslands were safeguarded through green space and ecological designations, including the Green Belt and ecological corridors. Grassland loss was considered case by case, whereas tree loss was actively mitigated through replacement policies.

In response to a question regarding “Green Walls”, Officers advised that encouraging green walls was not mandatory due to viability testing, but proposals

that included green walls received greater weight during planning decisions due to their biodiversity and ecological benefits.

Members sought clarification on who would be consulted, how they would be reached, and the inclusivity of the consultation process. Officers responded that consultations were conducted through Commonplace, an online interface used for prior consultations. A consultation database was maintained, which included key stakeholders. Hard copy documents were made available in libraries and council offices. Special attention was given to those who may not use digital platforms, ensuring accessibility via post and in-person options.

Engagement methods included partnerships with neighbourhood and communications teams, social media outreach, and publicising consultations in The Comet, The Chronicle, and leaflets with QR codes. Hard-to-reach groups, such as youth, were targeted through tailored initiatives like youth surveys, aiming to broaden engagement.

Responding to a question regarding Combined Heat and Power (CHP), Officers informed the Committee that CHP was included in the climate policy to reflect scenarios where it provided broader sustainability benefits, such as reducing waste heat from facilities like leisure centres. It aligned with Part L of building regulations, which emphasised energy efficiency in heating, cooling, and lighting. CHP was recognised as a secondary solution, often reliant on fossil fuels. There was concern over locking developments into long-term gas use when more renewable options were available. The Council encouraged hierarchies where renewable energy sources were prioritised over CHP.

However, flexibility was mandated by government guidelines, requiring consideration of feasibility for developers who could not meet higher standards. Developers were already moving away from gas due to forthcoming Future Homes Standards, expected to phase out gas and emphasise alternatives like air source heat pumps.

Members raised concerns regarding the readability of maps within the report. Officers responded that planned upgrades to the GIS system aimed to make policy maps more interactive and user-friendly.

It was **RESOLVED** that the update on the Local Plan Review be noted and that the Regulation 19 Consultation be approved to proceed.

4 **24/00058/FPM - LAND AT REDCAR DRIVE, STEVENAGE**

The Committee considered an application for the erection of 38 dwellings with associated infrastructure including new access points off Clovelly Way and Symonds Green Lane, cycleway and footpath connections and parking provision in line with local policy. The existing buildings had already been cleared following a prior approval.

The Committee were informed that the site was located near industrial estates and offices to the South, residential areas to the North and the Symonds Green Lane Conservation Area which was adjacent to the site boundary. The site comprised of previously developed land and an undesignated green space which would be developed into 32 houses and 12 flats.

The Committee were shown proposed site plans, elevations and bin and cycle enclosure plans.

Addressing affordable housing, the Team Leader (RE) advised the Committee that the provision of 12 affordable units met the 30% requirement for undeveloped land. However, the First Homes element of national policy was not included as part of proposal and was deemed a conflict with national policy, but Stevenage's housing needs prioritised other forms of affordable housing.

The Committee heard that the loss of green space complied with policy, as it was offset by existing facilities nearby such as Meadway playing fields and Symonds Green Village Green. Additional tree planting was proposed to compensate for removals associated with the land west of Stevenage development, which necessitated safeguarding a road corridor within the site.

The Committee were informed that parking, and bin and cycle storage was policy compliant.

The Team Leader (RE) advised the Committee that they were awaiting comments from the Lead Local Flood Authority due to backlog issues. Approval would be subject to their conditions being met.

The Committee heard that part of the site overlapped with safeguarded land for the land West of Stevenage development, ensuring no conflict with strategic road infrastructure plans.

Members commented on the loss of green space in the proposed development area, particularly it's impact on Meadway Playing Fields. Queries were made about whether future road developments, particularly access roads connecting to the A1(M), would further affect this space.

The Team Leader (RE) clarified that the Land West of Stevenage development would not have direct access from the A1(M) but would instead utilise existing infrastructure, including Redcar Drive and Meadway with a new road via a tunnel to also serve the development. Upgrades to those roads were planned to accommodate increased traffic. It was confirmed that the Meadway Playing Fields would largely be preserved, with improvements such as a new pavilion proposed as part of a separate planning application. Officers acknowledged the loss of open space in the proposed development but justified this decision based on the need to meet housing supply requirements.

Further comments were made by Members regarding increased traffic congestion near the A1(M) junctions, particularly given the existing pressure caused by Costco traffic. The Team Leader (RE) confirmed there would be no new junctions from the A1(M), and traffic from the Land West of Stevenage development would be routed through the current road network. Measures to mitigate traffic impact, such as improvements to footpaths, cycleways, and a travel plan monitored by Hertfordshire County Council, were outlined.

Members made comments regarding pedestrian and wheelchair access, particularly the inadequacy of a proposed footpath near Eastbourne Avenue. It was noted that the current design forced pedestrians to take a circuitous route, which was potentially unsuitable for wheelchair users. The Team Leader (RE) acknowledged those issues and agreed to explore adjustments, such as extending the footpath to directly connect with a bus stop. However, they noted potential challenges, including relocating utilities and trees, as well as obtaining agreement from Hertfordshire County Council.

Further discussion touched on the accessibility of paths and cycleways to local schools, including Woolenwick School. Residents had raised concerns about the lack of safe pedestrian routes to the school from the proposed estate. The Team Leader (RE) clarified that connectivity improvements had been incorporated into the revised plans, including a new cycle and footway track. Those changes aimed to address residents' concerns, and further improvements were expected as the Land West of Stevenage project progresses. The Team Leader (RE) emphasised that the development's scale limited the scope of additional highways upgrades and that the current proposal represented the best achievable outcome under the circumstances.

The Head of Planning and Enforcement advised that West Stevenage development was looking to deliver new and upgraded cycle and pedestrian connections which would then connect into the existing network on Clovelly Way. Once this has been delivered as part of the West Stevenage development, the development proposal at Redcar Drive could then connect into this upgraded and new network. It was advised that from there, residents can then make their way to Woolenwick School.

Members asked questions regarding funding requested by Hertfordshire County Council related to a feasibility study related to bus routes. The Team Leader (RE) responded that the Council, as a Community Infrastructure Levy (CIL) authority, determined this request was not specific enough to the development to meet the regulatory requirements. The Committee were informed that CIL funds must directly mitigate the development's impact and deliver physical infrastructure, not viability studies with uncertain outcomes.

Members asked questions regarding affordable housing and commented on the clustering of affordable units in flat blocks. In response, the Team Leader (RE) advised the Committee that, of the 38 proposed dwellings, 12 flats were designated as affordable rent and would be council owned. While meeting the numeric policy requirement, this did not fully comply with the national "First Homes" policy. The Committee heard that the current priority was for one- and two-bedroom homes to address local housing needs, especially for downsizing and younger residents.

A recorded vote* was taken on the application and it was **RESOLVED** that planning permission be granted subject to the applicant having first entered into a S106 legal agreement to secure/provide contributions towards:-

- Securing the provision of affordable housing;
- Section 278 Highway Improvement works;
- Secure the provision of a Management Company;
- Apprenticeships and construction jobs;

- Monitoring of Travel Plans;
- Biodiversity Net Gain provision or financial contribution;
- Secondary education financial contribution;
- NHS financial contribution;
- Securing the enhancement of play equipment at Meadway Playing Fields;
- Securing replacement trees at a 3 to 1 ratio;
- SBC Section 106 monitoring fee – 2.5% of total financial obligations (capped at £25,000); and
- HCC Monitoring Fee of £340 per trigger relating to HCC obligations.

The detail of which would be delegated to the Assistant Director of Planning and Regulation in liaison with the Council's appointed solicitor, along with delegated powers to the Assistant Director in liaison with the Council's appointed solicitor to enforce the obligations set out in the S106 Legal Agreement on behalf of Stevenage Borough Council and / or appoint another Planning Authority to enforce planning obligations on behalf of Stevenage Borough Council as and where legally required to do so. In addition, the imposition of suitable safeguarding conditions, with authority given to the Assistant Director of Planning and Regulation in consultation with the Chair of Planning Committee, to amend or add to the suggested draft conditions set out in this report, prior to the decision notice being issued, where such amendments or additions would be legally sound and most effectively deliver the development that the Planning Committee has resolved to approve. These suggested conditions are as follows:-

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:
14122_P200S, 14122_P201J, 14122_P202P, 14122_P203D, 14122_P204G, 14122_P210D, 14122_P211D, 14122_P212E, 14122_P213G, 14122_P214B;
- 2 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 3 Unless otherwise agreed in writing by the Local Planning Authority, no demolition or construction activities audible at the site boundary shall be carried out except between the hours of 07:30 to 18:00 Monday to Friday and 08:00 to 13:00 on Saturdays. For the avoidance of doubt, no such work shall be carried out on Sundays or Bank Holidays.
- 4 Any external lighting installed at the site shall be angled so as to avoid any spillage beyond the site boundaries unless otherwise agreed in writing by the Local Planning Authority.
- 5 The development to which this permission relates shall be carried out in accordance with the mitigation measures as specified in the Preliminary Ecological Appraisal and Preliminary Roost Assessment by Arbtech dated 31 January 2024 unless otherwise agreed in writing by the Local Planning Authority.

- 6 All areas of hedges, scrub or similar vegetation where birds may nest which are to be removed as part of the development, are to be cleared outside the bird-nesting season (March - August inclusive) or if clearance during the bird nesting season cannot reasonably be avoided, a suitably qualified ecologist will check the areas to be removed immediately prior to clearance and advise whether nesting birds are present. If active nests are recorded, no vegetation clearance or other works that may disturb active nests shall proceed until all young have fledged the nest.
- 7 All planting, seeding and turfing shall be carried out in the first planting and seeding seasons following the first use of the site or the completion of the development whichever is the sooner.
- 8 Any trees or plants comprised within the approved plans which within a period of five years from the completion of the development, die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless otherwise agreed in writing by the Local Planning Authority.
- 9 On completion, the design of windows and ventilators to each dwelling shall achieve an acoustic performance which shall ensure that, when windows are closed and ventilators are open, noise levels do not exceed:
 - 35 decibels (dB) (LAeq,16h) during the daytime (07:00 – 23:00) within bedrooms and living rooms;
 - 30dB (LAeq,16h) during the night (23:00 – 07:00) within bedrooms;
 - 45 dB (LAFmax) on more than ten occasions during any typical night (23:00 – 07:00) within bedroomsThe ventilation system for each dwelling shall incorporate continuous mechanical supply and extract with heat recovery shall be designed so as to ensure the ventilation system itself does not produce unacceptable levels of noise within each dwelling. All schemes for ventilation shall comply with the current edition of Approved Document F to the Building Regulations.
- 10 At least 50% of the residential units shall be Category 2: Accessible and Adaptable dwellings.
- 11 The trees works to Group 3 as identified in the Arboricultural Method Statement by Arbtech dated 29 January 2024 shall include a 50% overall reduction in accordance with the Council's Arboricultural Manager's consultation response. The works shall be carried out in accordance with the principles stated in the Method Statement.
- 12 No development shall take place (including demolition and site clearance) until additional plans have been submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority, which show the detailed engineering designs and construction of the following offsite highway works as indicated on the outline site plan (Ref-14122-P202-P):
 - a) New 3m wide footways along Clovelly Way to connect the existing footways on Eastbourne Ave, and Bude Crescent

- b) Tractile Paving Crossing points onto Eastbourne Avenue and Clovelly Way and
- c) New footway/cycleway connection to exiting ped/cycle link on the Symonds Green Lane and to the existing footway on Redcar Drive

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

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

- a) Construction vehicle numbers, type, routing.
- b) Access arrangements to the site.
- c) Measure to minimise dust, noise machinery and traffic noise impacts during construction.
- d) Screening and hoarding details to protect neighbouring residents.
- e) Traffic management requirements, including the location of routes and from the site, details of their signing monitoring and enforcement measures.
- f) Construction and storage compounds (including areas designated for car parking, loading /unloading and turning areas);
- g) Siting and details of wheel washing facilities.
- h) Cleaning of site entrances, site tracks and the adjacent public highway including end of day tidying procedures to ensure protection of the site out the hours of construction. The construction activities shall be designed and undertake in accordance with the code of best practice set out in BS 5228 1997 and the agreed details unless otherwise agreed in writing by the LPA and Highways.
- i) Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times.
- j) Provision of sufficient on-site parking prior to commencement of construction activities.
- k) Post construction restoration/reinstatement of the working areas and temporary access to the public highway.
- l) Where works cannot be contained wholly within the site, a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes, and remaining road width for vehicle movements.

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

- 15 No development shall take place (including demolition and site clearance) until the tree protection measures identified in the Arboricultural Method Statement by Arbtech and dated 29 January 2024 have been implemented. These measures shall remain in place for the duration of the development as necessary, unless otherwise agreed in writing by the Local Planning Authority.
- 16 No development shall take place (including demolition and site clearance) until an updated Arboricultural Survey has been carried out and submitted to the Local Planning Authority, identifying the exact number of trees to be removed further to the Summary of Tree Works (Table 8) contained in the Arboricultural Method Statement by Arbtech dated 29 January 2024.
- 17 No development shall take place above slab level (excluding demolition, site levelling and remediation works) until a schedule and samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
- 18 No development shall take place above slab level (excluding demolition, site levelling and remediation works) until there has been submitted to and approved by the Local Planning Authority a scheme of soft and hard landscaping and details of the treatment of all hard surfaces. The scheme shall include details of all existing trees and hedgerows on the land and details showing all trees to be removed, or retained, together with details of all new planting to take place including species, size and method of planting. The approved landscaping scheme shall be completed in accordance with the approved details prior to first occupation of any of the units within the development.
- 19 No development shall take place above slab level (excluding demolition, site levelling and remediation works) until details of measures to address adaptation to climate change and energy efficiency in line with Policy FP1 of the Stevenage Local Plan (2019) and which should exceed the relevant Building Control Regulations have been submitted to and approved in writing by the Local Planning Authority. These measures shall then be implemented and permanently maintained in accordance with the approved details prior to first occupation of any of the units within the development.
- 20 No development shall take place above slab level (excluding demolition, site levelling and remediation works) until details of the location of the integrated swift boxes and bat boxes have been submitted to and approved in writing by the Local Planning Authority. Prior to the first occupation of the first unit hereby permitted, the bird boxes and bat bricks or boxes as specified in the Ecology Report by Turnstone Ecology Ltd dated 31 January 2024 and their location as approved in writing shall be erected accordingly and thereafter permanently retained and maintained.

- 21 No development shall take place above slab level (excluding demolition, site levelling and remediation works) until a scheme for the provision of adequate water supplies and fire hydrants, necessary for firefighting purposes at the site, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the scheme has been implemented in accordance with the approved details.
- 22 Notwithstanding any details shown in this application the treatment of all boundaries including details of any walls, fences, gates or other means of enclosure shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development above slab level (excluding demolition, site levelling and remediation works). The approved boundary treatments shall be completed before the use hereby permitted is commenced or before any building is occupied.
- 23 Prior to the first occupation of the development hereby permitted, all vehicular access points shall be provided and thereafter retained at the position shown on the approved plan drawing number (Ref-24102-MX-XX-DR-C-0130 -P04) via S278 agreement with the highway. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.
- 24 Prior to the first occupation of the development hereby permitted, a visibility splay measuring 2.4m x 43m shall be provided to each side of the new access off Clovelly Way where it meets the highway, and such splays shall always thereafter be maintained free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway.
- 25 Prior to the first occupation of the first unit hereby permitted, all proposed onsite car & cycle parking, and turning area as shown on the outline site plan (Ref-14122-P202-P) shall be laid out, demarcated, levelled, surfaced, and drained in accordance with the approved plan and retained thereafter available for that specific use.
- 26 Prior to the first occupation of the first unit hereby permitted, the general waste and recycling stores and plant areas associated with the development shall be implemented in accordance with the details shown on approved plan 2023/P0221-001-G and retained and maintained accordingly for the lifetime of the development.
- 27 Prior to the first occupation of the first unit hereby approved, the Electric Vehicle Charging Points (EVCP) associated with the development shall be installed and readily available in accordance with the details and siting shown on approved plans 14122-P214B and 14122-P240G respectively. They shall be retained and maintained accordingly for the lifetime of the development.
- 28 Prior to the first occupation of the first unit hereby permitted, full details of the proposed Community Garden shall be submitted to and approved in writing by the Local Planning Authority. The details shall include how the community garden will be managed and maintained. The works shall thereafter be implemented in accordance with the approved details.

- 29 Prior to the first occupation of the first dwelling hereby permitted, a landscape management plan, including long term objective goals, management responsibilities (other than private domestic gardens and/or amenity areas) shall be submitted to and approved in writing by the Local Planning Authority. The landscape management and maintenance plan should be fully coordinated with the ecological management requirements and should include clearly defined details for monitoring of all landscape areas by suitably trained and qualified personnel. The development shall thereafter be carried out in accordance with the approved management plan.
- 30 In the event that contamination is found at any time when carrying out the approved development that was not previously identified, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historic environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.
- 31 In the event that contamination is found at any time when carrying out the approved development that was not previously identified, as required under condition 28, the approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval in writing of the Local Planning Authority.

INFORMATIVE

1 Public Information on Planning Applications

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

2 Community Infrastructure Levy

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

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

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

3 **Building Regulations**

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

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

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

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

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

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

4 **Party Wall etc. Act 1996**

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

5 Hertfordshire County Council as Highways Authority

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

6 Hertfordshire County Council as Highways Authority

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

7 Hertfordshire County Council as Highways Authority

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

- 8 **Hertfordshire County Council as Highways Authority**
Works within the highway (section 278): The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx> or by telephoning 0300 1234047.
- 9 **Hertfordshire County Council as Highways Authority**
Construction Management Plan (CMP): The purpose of the CMP is to help developers minimise construction impacts and relates to all construction activity both on and off site that impacts on the wider environment. It is intended to be a live document whereby different stages will be completed and submitted for application as the development progresses. A completed and signed CMP must address the way in which any impacts associated with the proposed works, and any cumulative impacts of other nearby construction sites will be mitigated and managed. The level of detail required in a CMP will depend on the scale and nature of development. The CMP would need to include elements of the Construction Logistics and Community Safety (CLOCS) standards as set out in our Construction Management template, a copy of which is available on the County Council's website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>
- 10 **Hertfordshire County Council as Highways Authority**
Travel Plan (TP): A TP, in accordance with the provisions as laid out in Hertfordshire County Council's Travel Plan Guidance, would be required to be in place from the first occupation/use until 5 years post occupation/use. A £1,200 per annum (overall sum of £6000 and index-linked RPI March 2014) Evaluation and Support Fee would need to be secured via a Section 106 agreement towards supporting the implementation, processing and monitoring of the full travel plan including any engagement that may be needed. Further information is available via the County Council's website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx> OR by emailing travelplans@hertfordshire.gov.uk
- 11 **Thames Water**
A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without

a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk. Application forms should be completed online via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.

12 Affinity Water

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

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

*** Recorded Vote**

For – Councillors Julie Ashley-Wren, Rob Broom, Forhad Chowdhury, Nazmin Chowdhury, Peter Clark, Akin Elekolusi, Coleen Houlihan, Claire Parris, Graham Snell, Carolina Veres and Anne Wells.

Against – 0

Abstentions – 0

Absent – Councillors Kamal Choudhury, Lynda Guy and Ellie Plater.

5 24/00525/FPM - BOND INTERNATIONAL, CARTWRIGHT ROAD

The Team Leader (AD) introduced the application. The Committee heard that the application was for the redevelopment of the old Bond International Warehouse site, located within the Pin Green Industrial Estate, the second largest employment area in Stevenage. The proposal involved the demolition of the existing warehouse and construction of a new building for flexible industrial storage, distribution and light industrial use along with associated parking, landscaping and servicing works.

The Committee were informed that the 1.9 hectare site was surrounded by industrial properties to the North and East, residential properties to the South and the newer Giles Crescent development to the West.

The Chair invited the Objector, Jill Borchers (Cycling UK Stevenage) to address the Committee.

The Objector commented on the lack of cycling infrastructure on Wedgwood Way and Cartwright Road. They highlighted that Wedgwood Way currently had no dedicated cycleways, which compromised the safety of active travel, especially given the presence of heavy goods vehicles (HGVs) and other traffic.

Emphasising local and emerging policies on sustainable transport and climate change, the Objector called for proper cycleway links along both sides of Wedgwood Way, from Giles Crescent and Cartwright Road to Martins Way, to support safe travel for residents and site workers. They noted that without such infrastructure, cycling will remain unsafe, particularly for children. Further concerns were raised regarding incomplete cycleway links on Gresley Way, which would enable safer access to Great Ashby.

The Objector concluded by urging the council to prioritise safe and accessible cycling infrastructure to promote sustainable travel, improve health, and align with environmental goals.

The Chair invited Gareth Pritchard (Stantec) to address the Committee on behalf of the applicant – Wrenbridge (FRELD Stevenage) LLP.

The Applicant's Representative expressed gratitude to Members and Officers for their work over the last six months and welcomed the officer recommendation that the proposed scheme complied with relevant planning policies. They emphasised that the site, currently underutilised within the Pin Green Employment Area, would be revitalised through the proposal, which sought to modernise and intensify the existing warehouse use.

The Applicant's Representative highlighted several proposed benefits of the development, including:

- A commitment to achieving a minimum BREEAM "Excellent" rating and an EPC rating of "A" to address the climate emergency.
- A biodiversity net gain of 19.94% for habitats and 99.88% for hedgerow.
- Creation of an estimated 159–300 operational jobs, with further opportunities during construction and throughout the supply chain.
- High-quality design incorporating substantial glazing to enhance active frontages on Wedgwood Way and Cartwright Road.

The Applicant's Representative noted that the proposed transport approach, confirmed as acceptable by officers, included additional improvements such as travel planning, shower and changing facilities, green roof cycle shelters, and other sustainability measures.

The Applicant's Representative concluded by reaffirming their belief that the proposal complied with planning policies and requested approval of the application.

The Chair thanked both speakers and invited the Team Leader (AD) to present their report.

The Team Leader (AD) began by showing photographs of the current site and its surroundings, illustrating the existing industrial building, grassland, hardstanding areas, mature trees, and proximity to nearby residential developments such as Giles Crescent and Shapiro House. The presentation emphasised the visual context and existing access points.

The Committee heard that the proposed development involved replacing the current industrial building with a larger structure designed for flexible industrial, storage, and distribution uses (Class E, B2, B8), which aligned with the site's designation as part of the Pin Green Employment Area in the Local Plan. The Team Leader (AD) confirmed that the land use was policy-compliant and acceptable in principle. The proposed layout sought to mitigate potential impacts on nearby residential properties by positioning the building in the southern part of the site and locating the service yard to the north, away from residential areas.

Key design elements included:

- Closing the existing access on Wedgwood Way and reinstating a footpath while relocating the main service entrance northwards for HGVs.
- A new car parking area with six accessible spaces along the southern boundary, served by an existing access point on Cartwright Road.
- Retention of the southern tree belt and additional landscaping along the southern and western boundaries.
- New pedestrian and cycle access points to ensure safe movement across the site without conflict with vehicular traffic.

The building design incorporated measures to minimise visual bulk and mass, with the southern office section being lower and featuring large glazed areas, while the warehouse section used varied tones and textures of metal panelling for architectural interest. Sectional drawings and CGIs were used to demonstrate that while the new building was taller, its height remained proportionate to the surrounding built context.

In response to earlier comments regarding cycling infrastructure, the Team Leader (AD) explained that the proposed development differed significantly from the previously withdrawn supermarket application, which included off-site highway improvements. Due to the limited public access and fewer employees associated with the warehouse proposal, the Highway Authority deemed off-site works disproportionate. Instead, the applicant had committed to on-site measures to encourage sustainable travel, including secure cycle parking, showers, and changing facilities for employees.

The Team Leader (AD) concluded by emphasising that the transport measures were proportionate to the scale and nature of the development, aligning with policy requirements.

Members asked questions related to the Stevenage Cycle Hire Scheme. In response, Officers advised that a nearby bike bay could be relocated to a nearby, accessible location.

In response to a Member question regarding speed limits, Officers advised that any speed limit reduction would fall under the jurisdiction of the County Highways Authority, which would need to assess and implement such changes.

Responding to a Member question related to the provision of off-site pedestrian and cycling improvements, Officers clarified that while the need for improved cycling infrastructure was recognised, the scale and impact of the current development did not justify such contributions. The County Highways Authority also did not request these contributions or indicate that they could deliver such improvements as part of this scheme.

A recorded vote* was taken on the application and it was **RESOLVED** that application 24/00525/FPM be granted subject to the applicant having first entered into a Unilateral Undertaking to secure/provide contributions towards:

- S278 Agreement (covering access works)
- £6000 Travel Plan evaluation and support fee
- Local Employment and Apprenticeships
- Monitoring fee

The detail of which be delegated to the Assistant Director of Planning and Regulation in liaison with the Council's appointed solicitor, along with the recommendations of the Lead Local Flood Authority, as well as the imposition of suitable safeguarding conditions.

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

1. The development hereby permitted shall be carried out in accordance with the following approved plans:

S090-CMP-SI-ZZ-DR-A-00001; S090-CMP-SI-ZZ-DR-A-00002 REV PL1; S090-CMP-SI-ZZ-DR-A-00030 REV PL1; S090-CMP-SI-ZZ-DR-A-00100 REV PL1; S090-CMP-SI-ZZ-DR-A-00202 REV PL1; S090-CMP-SI-ZZ-DR-A-00202 REV PL1; S090-CMP-SI-ZZ-DR-A-00255 REV PL1; S090-CMP-SI-ZZ-DR-A-00256 REV PL1; S090-CMP-SI-ZZ-DR-A-00260 REV PL1; S090-CMP-SI-ZZ-DR-A-00261 REV PL1; S090-CMP-SI-ZZ-DR-A-00800 REV PL1; S090-CMP-SI-ZZ-DR-A-00801 REV PL1; S090-CMP-SI-ZZ-DR-A-00802 REV PL1; S090-CMP-U1-00-DR-A-00100 REV PL1; S090-CMP-U1-00-DR-A-00120 REV PL1; S090-CMP-U1-01-DR-A-00101 REV PL1; S090-CMP-U1-02-DR-A-00102 REV PL1; S090-CMP-U1-02-DR-A-00122 REV PL1; S090-CMP-U1-DR-A-00121 REV PL1; S090-CMP-U1-RF-DR-A-00103 REV PL1; S090-CMP-U1-ZZ-DR-A-00200 REV PL1; S090-CMP-U1-ZZ-DR-A-00205 REV PL1; S090-CMP-U1-ZZ-DR-A-00206 REV PL1; S090-CMP-I1-ZZ-DR-A-00207 REV PL1; S090-CMP-U1-ZZ-DR-A-00250 REV PL1; S090-CMP-U1-ZZ-DR-A-00251 REV PL1; LN-LD-01

2. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
3. No site clearance or construction work relating to this permission shall be carried out except between the hours of 0730 and 1800 on Mondays to Fridays and between the hours of 0800 and 1300 on Saturdays, unless otherwise agreed in writing by the Local Planning Authority. These times apply to work which is audible at the site boundary.
4. No development shall commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The Construction Traffic Management Plan shall include details of:
 - i. Phasing of the development of the site, including all highway works;
 - ii. Construction vehicle numbers, type, routing;
 - iii. Fencing, hoarding and scaffolding provision;
 - iv. Traffic and pedestrian management requirements;
 - v. Construction storage compounds (including areas designated for car parking);
 - vi. On site welfare facilities;
 - vii. Siting and details of wheel washing facilities;
 - viii. Cleaning of site entrances, site tracks and the adjacent public highway;
 - ix. Timing of construction activities to avoid school pick up/drop off times; and
 - x. Provision of sufficient on-site parking prior to commencement of construction activities.
5. Prior to the first use of the development hereby permitted, vehicular, pedestrian and cyclist access to and egress from the adjoining highway shall be provided and thereafter retained in accordance with the positions shown on drawing number 090-CMP-SI-ZZ-DR-A-00100 REV PL1. The southern access point onto Wedgwood Way shall only be used for vehicles during emergency. Any other access(es) and egresses shall be permanently closed, and the footway and highway verge shall be reinstated in accordance with a detailed scheme to be agreed with the Local Planning Authority.
6. Prior to the first use of the development hereby permitted, a visibility splay measuring 2.4 x 43 metres shall be provided to each side of the access(es) where it meets the highway and such splays shall thereafter be maintained at all times free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway.
7. Prior to the first use of the development hereby permitted, the proposed access, onsite car and cycle parking, servicing / loading, unloading / turning / waiting area(s) shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan, drawing number S090-CMP-SI-ZZ-DR-A-00100 REV PL1, and retained thereafter available for that specific use.

8. The development shall ensure that arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.
9. If contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be submitted to and approved in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be submitted to and approved in writing by the Local Planning Authority.
10. The development to which this permission relates shall be carried out in accordance with the external materials specified on drawing number S090-CMP-U1-ZZ-DR-A-00200 REV PL1 submitted as approved or any alternative to be submitted to and approved by the Local Planning Authority.
11. All hard and soft landscaping shall be carried out in accordance with the approved details as shown in drawing number LN-LD-01 to a reasonable standard in accordance with the relevant British Standards or other recognised Codes of Good Practice.
12. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the completion of the development.
13. Any trees or plants comprised within the scheme of landscaping, which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless otherwise agreed in writing by the Local Planning Authority.
14. No tree shown retained on the approved landscaping scheme, shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped within five years of the completion of development without the written approval of the Local Planning Authority.
15. The measures to address adaptation to climate change as set out within the Energy and Sustainability Strategy and BREEAM Pre-Assessment by MBA Consulting Engineers shall be implemented and permanently maintained in accordance with the approved details.
16. The rating level of noise emitted by all fixed plant on the site shall not exceed 42dB between 07:00 and 23:00 and 36dB between 23:00 and 07:00 hours at the noise sensitive premises identified in the Sharps Acoustics LLP report, dated 10 July 2024. The measurement and assessment shall be made according to BS 4142:2014+A1:2019.

17. The recommended mitigation measures and enhancements set out within the Ecological Appraisal by Aspect Ecology dated July 2024 shall be implemented and permanently maintained in accordance with the approved details.
18. Prior to the commencement of the development hereby permitted, a detailed Site Waste Management Plan (SWMP) shall be submitted to and approved in writing by the Local Planning Authority. The SWMP shall detail how waste materials generated as a result of the proposed demolition and/or construction works will be disposed of, and the level and type of soil to be imported to the site as part of the development.
19. The external lighting strategy set out within the External Lighting Assessment Report by MBA Consulting Engineers dated July 2024 and accompanying drawing number 24081-MBA-EX-00-DR-E-0001 REV PL2 shall be implemented and permanently maintained in accordance with the approved details.
20. Should the end user of the building hereby approved fall within planning use class E(g)(iii) or B2, a parking layout plan shall be submitted to and approved by the Local Planning Authority prior to occupation.
21. The Biodiversity Gain Plan shall be prepared in accordance with the Biodiversity Net Gain Assessment dated July 2024 and prepared by Aspect Ecology.
REASON:- To ensure the development delivers a biodiversity net gain on site.
22. The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the approved Biodiversity Gain Plan and including:
 - (a) a non-technical summary;
 - (b) the roles and responsibilities of the people or organisation(s) delivering the HMMP;
 - (c) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
 - (d) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and
 - (e) the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority

has been submitted to, and approved in writing by, the local planning authority. The created and/or enhanced habitat specified in the approved HMMP shall be managed and maintained in accordance with the approved HMMP.

REASON:- To ensure the development delivers a biodiversity net gain on site.

23. Notice in writing shall be given to the Council when the:
- (a) HMMP has been implemented; and
 - (b) Habitat creation and enhancement works as set out in the HMMP have been completed.
- REASON:-** To ensure the development delivers a biodiversity net gain on site.
24. The Framework Travel Plan dated July 2024 hereby approved shall be implemented in accordance with the timetable and targets contained therein and shall continue to be implemented as long as any part of the development is occupied subject to approved modifications agreed by the Local Planning Authority in consultation with the Highway Authority as part of the annual review.
- 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. All development shall be constructed in accordance with the submitted and approved Flood Risk Assessment (Flood Risk Assessment and Drainage Strategy Report, Burrows Graham, 19 July 2024, Version 2, Flood Risk Assessment and Drainage Strategy Report, Burrows Graham, 24 September 2024, Version 3, Technical Note Response to LLFA Comments Dated 18 October 2024, Burrows Graham, 24 October 2024, Version 1), this includes all new buildings to have a finished floor level raised a minimum of 300mm above any flood level and maximum design water level and 150mm above the surrounding proposed external ground level unless otherwise first approved in writing by the Local Planning Authority.
- REASON:-** To ensure the flood risk is adequately addressed and not increased in accordance with NPPF and Policies of Stevenage Borough Council
26. Prior to commencement of the development hereby approved (excluding demolition), details of how all surface water management features to be designed in accordance with The SuDS Manual (CIRIA C753, 2015), including appropriate treatment stages for water quality prior to discharge, with consideration to above ground SuDS.
- REASON:-** To prevent flooding in accordance with NPPF paragraphs 173,175 and 180 by ensuring the satisfactory management of local sources of flooding surface water flow paths, storage and disposal of surface water from the site in a range of rainfall events and ensuring the SuDS proposed operates as designed for the lifetime of the development.
27. Upon completion of the surface water drainage system, including any SuDS features, and prior to the first use of the development; a survey and verification report from an independent surveyor shall be submitted to and approved in writing by the Local Planning Authority. The survey and report shall demonstrate that the surface water drainage system has been constructed in accordance with the details approved pursuant to condition 1. Where necessary, details of corrective works to be carried out along with a timetable for their completion, shall be included for approval in writing by the Local

Planning Authority. Any corrective works required shall be carried out in accordance with the approved timetable and subsequently re-surveyed with the findings submitted to and approved in writing by the Local Planning Authority.

REASON:- To ensure the flood risk is adequately addressed, not increased and users remain safe for the lifetime of the development in accordance with NPPF and Policies of Stevenage Borough Council.

28. Prior to the commencement of the development hereby approved (excluding demolition), construction drawings of the surface water drainage network, associated sustainable drainage components and flow control mechanisms and a construction method statement shall be submitted and agreed in writing by the local planning authority. The scheme shall then be constructed as per the agreed drawings, method statement, FRA & Drainage Strategy (Flood Risk Assessment and Drainage Strategy Report, Burrows Graham, 19 July 2024, Version 2, Flood Risk Assessment and Drainage Strategy Report, Burrows Graham, 24 September 2024, Version 3, Technical Note Response to LLFA Comments Dated 18 October 2024, Burrows Graham, 24 October 2024, Version 1) and Drawings (40213-BGL-XX-XX-DR-C-00212 P01, 23 September 2024 and 40213-BGL-XX-XX-DR-C P03, 18 July 2024) and remaining in perpetuity for the lifetime of the development unless agreed in writing by the Local Planning Authority. No alteration to the agreed drainage scheme shall occur without prior written approval from the Local Authority.

REASON:- To ensure that the development achieves a high standard of sustainability and to comply with NPPF and Policies of Stevenage Borough Council.

INFORMATIVES

1. The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highwaysdevelopment-management.aspx>
2. Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>

3. It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highwaysdevelopment-management.aspx>

4. A Section 106 agreement will be required for the following: Approved Travel Plan with individual monitoring fees in accordance with the current HCC Travel Plan Guidance for Business and Residential Development (£6k per use). The above contributions will come under the auspices of the Planning Obligations Guidance Toolkit for Hertfordshire (2008) for schemes in the local area that accord with the three CIL tests.

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

6. The proposed development is located within 15 metres of Thames Waters underground assets and as such, the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures.

<https://www.thameswater.co.uk/developers/larger-scale-developments/planning-yourdevelopment/working-near-our-pipes> Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB.

7. A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater

discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk. Application forms should be completed online via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.

8. Stevenage Borough Council adopted a Community Infrastructure Levy (CIL) Charging Schedule at Full Council on 27 January 2020 and started implementing CIL on 01 April 2020. This application may be liable for CIL payments and you are advised to contact the CIL Team for clarification with regard to this. If your development is CIL liable, even if you are granted an exemption from the levy, please be advised that it is a requirement under Regulation 67 of The Community Infrastructure Levy Regulations 2010 (as amended) that CIL Form 6 (Commencement Notice) must be completed, returned and acknowledged by Stevenage Borough Council before building works start. Failure to do so will mean you risk losing the right to payment by instalments and a surcharge will be imposed. NB, please note that a Commencement Notice is not required for residential extensions if relief has been granted.

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

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

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

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

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

- Excavation for foundations
- Damp proof course
- Concrete oversite
- Insulation
- Drains (when laid or tested)
- Floor and Roof construction
- Work relating to fire safety

Work affecting access and facilities for disabled people
Completion

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

10. The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition") that development may not begin unless:
- a) a Biodiversity Gain Plan has been submitted to the planning authority, and
 - b) the planning authority has approved the plan.

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

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

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

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

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

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

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

*** Recorded Vote**

For – Councillors Julie Ashley-Wren, Rob Broom, Forhad Chowdhury, Nazmin Chowdhury, Peter Clark, Akin Elekolusi, Coleen Houlihan, Claire Parris, Graham Snell, Carolina Veres and Anne Wells.

Against – 0

Abstentions – 0

Absent – Councillors Kamal Choudhury, Lynda Guy and Ellie Plater.

6 23/00710/FPM - COURTLANDS, TODDS GREEN

The Committee received a presentation from the Senior Planning Officer regarding the resubmission of the application for Courtlands, previously approved in 2021. Key points raised during the presentation included:

The Committee heard that the resubmission proposed no changes to the number of houses or overall site layout. The changes pertained solely to the size and internal configurations of the houses, which now included additional features such as utility rooms and boot rooms. These changes aligned with the expectations of rural homeowners and eliminated the need for future individual permitted development applications.

The Senior Planning Officer advised the Committee that the site was accessed via Old Chantry Lane through Todd's Green. The development included a wildflower meadow and a link to Halfpenny Bridge, which connected to public rights of way into Stevenage. The development replaced former buildings of the Courtlands Riding Stables with a smaller built form.

Minor changes to house elevations were presented, including adjustments to dormers, garage roofs, and extensions to accommodate the new internal layouts. The footprint of the buildings had slightly increased, but their height and width remain unchanged.

The Senior Planning Officer advised the Committee that while the development was within the Green Belt, the built form remained 800 square metres smaller than the original riding stables. The principle of development was established under the previous application, and the visual impact of the current proposal remained comparable. The development included a biodiversity net gain through landscaping improvements, such as the wildflower meadow, enhancing the site's visual amenities.

The Committee heard that the original application delivered affordable housing at Dunn Close, which had already been implemented. The current proposal continued to support social and economic benefits, including job creation during construction and housing delivery.

Following the presentation, Members engaged in discussions and raised questions about conditions, biodiversity measures, and planning processes. Key points from the discussion included:

Conditions and Compliance:

A query was raised regarding whether conditions from the original application, such as the inclusion of swift and bat boxes and hedgehog highways, had been included in the new submission. It was confirmed that all conditions from the original application were carried over. Most conditions had already been discharged and were compliant, with the exception of drainage, which was under ongoing review by the Lead Local Flood Authority (LLFA).

Consistency in Biodiversity Requirements:

A question was raised about why biodiversity features were included for some applications and not others. The response highlighted a reliance on external advice from specialists, including individuals associated with Herts and Middlesex Wildlife Trust, due to the council's lack of an in-house ecology officer. It was noted that the council was actively recruiting for an ecology officer to provide strategic guidance for future applications.

Tree Loss and Biodiversity Net Gain:

It was clarified that any tree loss had already occurred under the original application, and replacements were accounted for. The site achieved a biodiversity net gain of 97.61% in habitat units, which remains unaffected by the minor increase in house footprints proposed in the current application.

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

1. The development hereby permitted shall be carried out in accordance with the following approved plans:
20258_P-11-001A PLOT 11; 20258_P-13-001A PLOT 13; 20258_P-00-001-A; 20258_P-00-002A SITE SECTIONS-A1; 20258_P-01-001A PLOT 1; 20258_P-02-001A PLOT 2; 20258_P-03-001A PLOT 3; 20258_P-04-001A PLOT 4; 20258_P-05-001A PLOT 5; 20258_P-06-001A PLOT 6; 20258_P-07-001A PLOT 7; 20258_P-08-001A PLOT 8; 20258_P-09-001A PLOT 9; 20258_P-10-001A PLOT 10; 20258_P-12-001A PLOT 12; 20258_P-14-001A PLOT 14; 20258_P-15-001A PLOT 15; 20258_P-16-001A; 20258_P-17-001A PLOT 17; Type 3 Pumping Station Layout; 20258-P-00-003;
2. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
3. The materials to be used in the construction of the external surfaces of the dwellings hereby permitted shall be as per the approved plans and

documents to the satisfaction of the Local Planning Authority unless otherwise agreed in writing by the Local Planning Authority.

4. The development shall be carried out in accordance with the Construction Management Plan agreed under application 23/00202/COND, which includes the following additional matters:
 1. Construction vehicle numbers, type, routing;
 2. Access arrangements to the site;
 3. Traffic management requirements;
 4. Construction and storage compounds (including areas designated for car parking, loading/unloading and turning areas);
 5. Siting and details of wheel washing facilities;
 6. Cleaning of site entrances, site tracks and the adjacent public highway;
 7. Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times;
 8. Provision of sufficient on-site parking prior to commencement of construction activities;
 9. Post construction restoration/reinstatement of the working areas and temporary access to the public highway;
 10. where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements.
 11. Demolition and construction works between the hours of 0730 and 1800 on Mondays to Fridays and between the hours of 0800 and 1300 on Saturdays only (These times relate to works which are audible at the boundary)
 12. hours of construction operations including times of deliveries and removal of waste;
5. The development shall be carried out in accordance with the Site Waste Management Plan (SWMP) agreed under application 23/00202/COND. The SWMP shall detail how waste materials generated as a result of the proposed demolition and/or construction works will be disposed of, and the level and type of soil to be imported to the site as part of the development.
6. Prior to the first occupation of the development hereby permitted the vehicular access shall be provided 5.0 m wide complete with a minimum 8.0 m radius kerb to the southern side of the carriageway and thereafter retained at the position shown on the approved drawing number 14043-P030-R and include a pedestrian link from the development to the existing footway network as shown on drawing 5565 / 002 revision A to the current specification of Hertfordshire County Council and to the local Planning Authority's satisfaction. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.
7. Prior to the first occupation of the development hereby permitted, the cycle parking provision and bin storage shall be implemented in accordance with the approved details under application 23/00202/COND.

8. Prior to the first occupation of the development hereby permitted the car parking spaces as detailed on Drawing number 14043-P030-R shall be surfaced and marked out or completed as applicable, in accordance with the approved plan and thereafter retained for the sole use of parking for the development hereby permitted.
9. Electric Vehicle Charging Points (EVCPs), the energy sources and the strategy/management plan for supply and maintenance of the EVCPs shall be as per the approved details under application 23/00202/COND. All EVCPs shall be installed in accordance with the approved details prior to occupation of each of the units and permanently maintained, and retained, unless otherwise agreed in writing by the Local Planning Authority.
10. Prior to the first occupation of the first dwelling hereby approved, a final design of the drainage scheme for the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall adhere with the Drainage Strategy Addendum No. 2 (Ref: 21100-FCE-XX-XX-RP-D-0003-P01, October 2022). The scheme shall subsequently be implemented in accordance with the approved details before the development is occupied. The scheme shall include the following:
 - Infiltration testing in accordance with BRE Digest 365 which should be carried out at the location and depth of any proposed infiltration measure, supported by evidence of the test, methodology and calculations.
 - detailed engineering layouts and cross section drawings of the proposed SuDS features (including deep borehole soakaways), including their, size, volume, depth and any inlet and outlet features including any connecting pipe runs;
 - updated surface water drainage calculations and modelling for all rainfall events up to and including the 1 in 100 year + 40% climate change event;
 - Confirmation that suitable treatment of surface water would be delivered by the proposed SuDS management train before discharge to the ground via deep borehole soakaway(s).
 - Demonstration that the scheme satisfies all of the criteria within Environment Agency Groundwater Protection Position Statement G9, as requested by the Environment Agency.
 - Evidence of the Environment Agency's response to the deep borehole soakaway proposals and adherence to any guidance contained in their response.
11. Prior to the first occupation of the first dwelling hereby approved, a management and maintenance plan for the approved SuDS features and drainage network must be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:
 - Provision of a complete set of as built drawings, including the final drainage layout for the site drainage network;

- details of the maintenance and operational activities for all parts of the final drainage strategy the lifetime of the development;
- arrangements for adoption; and,
- any other measures necessary to secure the operation of the scheme throughout its lifetime.

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

12. The development hereby approved shall be carried out in accordance with the measures to address adaptation to climate change and energy efficiency in line with Policy FP1 of the Stevenage Local Plan (2019) and which should exceed the relevant Building Control Regulations have been submitted to and approved in writing by the Local Planning Authority which were approved under application 24/00040/COND. These measures shall be implemented and permanently maintained in accordance with the approved details.
13. The development hereby permitted shall be carried out in accordance with the ecological mitigation and enhancement measures as detailed in the 'Preliminary Ecological Appraisal August 2021' and as agreed under application 23/00202/COND. This document shall be adhered to at all times during construction, including site clearance works, and during occupation of the development.
14. The 9 integrated swift boxes, 8 integrated bat boxes and hedgehog highways as shown on approved plan 14043-W-002-A under application 23/00202/COND must be installed and located in the most appropriate locations to ensure occupation. They shall be fully installed prior to occupation and retained as such thereafter.
15. Prior to the first occupation of the first dwelling hereby approved, a scheme of soft and hard landscaping and details of the treatment of all hard surfaces and boundaries shall be submitted to and approved by the Local Planning Authority. The scheme shall include details of the following:
 1. All existing trees and hedgerows on the land and details showing all trees to be removed, or retained;
 2. Details of all new planting to take place including species, size, quantity, location and method of planting;
 3. Details of all boundary treatments including type, size, positions, heights and materials;
 4. Details of any street furniture
 5. Details of tree pit designs and root protection measures;
 6. Details of all hardsurfacing areas to include type, size and materials;
 7. Details of the wild flower meadow

Soft landscaping details will need to take into consideration Network Rail's acceptable and unacceptable planting (see Informative No.9).
16. All planting, seeding and turfing comprised in the approved landscaping details as specified in condition 16 of this approval shall be carried out in the

first planting and seeding seasons following the first use of the site or the completion of the development whichever is the sooner.

17. All hard surfacing and boundary treatments comprised in the approved landscaping details as specified in condition 15 of this approval shall be carried out prior to the first use of the site or the completion of the development, whichever is the sooner.
18. Any trees or plants comprised within the approved plans or subsequently approved landscaping scheme, which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless otherwise agreed in writing by the Local Planning Authority.
19. No tree shown retained on the approved plans, or subsequently approved landscaping scheme, shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped within five years of the completion of development without the written approval of the Local Planning Authority.
20. Prior to the first occupation of the first dwelling hereby approved, a landscape management plan, including long term objective goals, management responsibilities (other than private domestic gardens and/or amenity areas) shall be submitted to and approved in writing by the Local Planning Authority. The landscape management and maintenance plan should be fully coordinated with the ecological management requirements and should include clearly defined details for monitoring of all landscape areas by suitably trained and qualified personnel. The development shall thereafter be carried out in accordance with the approved management plan.
21. No development, including site clearance, shall commence until the trees shown to be retained on the site, as identified on the approved plans, or subsequently approved landscaping scheme, have been protected by fencing or other means of enclosure in accordance with BS:5837:2012. Such protection shall be maintained until the conclusion of all site and building operations.
22. Within the areas to be fenced off in accordance with condition 21, there shall be no stockpiling of any materials or soil, no machinery or other equipment parked or operated, no traffic over the root system, no changes to the soil level, no excavation of trenches, no site huts, no fires lit and no dumping of toxic chemicals will be permitted and no retained trees shall be used for winching purposes.
23. All areas of hedges, scrub or similar vegetation where birds may nest which are to be removed as part of the development, are to be cleared outside the bird-nesting season (March - August inclusive) or if clearance during the bird nesting season cannot be reasonably be avoided, a suitably qualified ecologist will check the areas to be removed immediately prior to clearance and advise whether nesting birds are present. If active nests are recorded, no

vegetation clearance or other works that may disturb active nests shall proceed until all young have fledged the nest.

24. The development hereby approved shall be carried out in accordance with the approved details of the treatment of all boundaries including walls, fences, gates or other means of enclosure as approved under application 23/00372/COND. The approved boundary treatments shall be completed before the dwellings are occupied.
25. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 26 which is subject to the approval of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 27.
26. In the event that contamination is found at any time when carrying out the approved development that was not previously identified, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historic environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.
27. In the event that contamination is found at any time when carrying out the approved development that was not previously identified, as required under condition 25, the approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval in writing of the Local Planning Authority.
28. External lighting on the development hereby approved shall be as per the plans and details approved under application 23/00372/COND. There shall be no other sources of external illumination.
29. On completion, the dwellings shall meet the following criteria, either:
 - i. with windows open for ventilation or

ii. with windows closed and with mechanical purge and background ventilation, sufficient to comply with the current Building Regulations.
Noise Level (dB)

Daytime Noise

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

Night-time Noise

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

Where mechanical purge ventilation is required to achieve the above standards with windows closed, this shall be designed so as to ensure that the ventilation system itself does not produce unacceptable levels of noise within each dwelling. All schemes for ventilation shall comply with the current edition of Approved Document F to the Building Regulations.

30. Prior to the first use of the development hereby approved, the acoustic fencing, including the sound insulation values, shall be as per the approved details under application 23/00202/COND and in accordance with the "Noise and Vibration Impact Assessment, Land at Courtlands Riding Stables", Report reference J04467R1, dated 7th September 2021 by Sound Planning Ltd. The development shall thereafter be implemented in accordance with the approved details, and shown to be effective, and shall be retained in accordance with those details thereafter.
31. All windows within the dwellings hereby approved shall be glazed with triple glazing as shown on drawings 14043-P034-D and 14043-P035-C and shall be retained in that form thereafter.
32. The water supplies and fire hydrants, necessary for firefighting purposes at the site, shall be installed as per the approved details under application 23/00202/COND. The development shall not be occupied until the scheme has been implemented in accordance with the approved details.
33. The development hereby approved shall be carried out in accordance with the Intrusive Ground Investigation, Risk Assessments and Method Statements as approved under application 23/00202/COND in conjunction with Affinity Water to prevent and/or minimise any potential migration of pollutants to public water supply. Any excavations must be undertaken in accordance with the terms of the approved method statement.
34. The development hereby approved shall be carried out in accordance with the construction methodology approved under application 23/00372/COND in consultation with the Asset Protection Project Manager at Network Rail. The development shall thereafter be carried out in accordance with the approved construction methodology unless otherwise agreed in writing by the Local Planning Authority.
35. The dwellings hereby permitted shall not be occupied until the proposed accesses for vehicles, pedestrians and cyclists have been constructed as detailed on the approved drawings, the existing footway/verge has been reinstated and the new footway link from the site access south, to Stevenage

Road has been completed to the current specification of Hertfordshire County Council and to the Local Planning Authority's satisfaction.

36. At least 50% of the residential units are Category 2: Accessible and Adaptable dwellings.

INFORMATIVE

1 Public Information on Planning Applications

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

2 Community Infrastructure Levy

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

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

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

3 Building Regulations

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

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

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

Once a building regulations application has been deposited with relevant drawings and fee building work may commence. You will be advised in their

acknowledgement letter of the work stages we need to inspect but in most instances these are usually:

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

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

4 Hertfordshire County Council as Highways Authority

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

5 Hertfordshire County Council as Highways Authority

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

6 Hertfordshire County Council as Highways Authority

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

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

7 Hertfordshire County Council as Highways Authority

The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/businessanddeveloper-information/development-management/highways-developmentmanagement.aspx> or by telephoning 0300 1234047.

8 Thames Water

A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.

9 Network Rail

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

Acceptable:

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

Not Acceptable:

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

10 Herts Police Crime Prevention Design Advisor

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

11 Biodiversity Net Gain

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

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

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

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

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

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

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

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

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

*** Recorded Vote**

For – Councillors Julie Ashley-Wren, Rob Broom, Forhad Chowdhury, Nazmin Chowdhury, Peter Clark, Akin Elekolusi, Coleen Houlihan, Claire Parris, Graham Snell, Carolina Veres and Anne Wells.

Against – 0

Abstentions – 0

Absent – Councillors Kamal Choudhury, Lynda Guy and Ellie Plater.

7 24/00667/FP - 1-17, 19-35, 37-53, 55-71, 85-101, 103-119 AND 121-137 PENN ROAD

The Committee received a presentation from the Senior Planning Officer.

The Committee heard that the proposal involved all flat blocks along Penn Road, excluding a block on Cutty's Lane, which was part of a separate application. Each block would have a dedicated external bin store to replace the existing internal waste storage facilities.

The Senior Planning Officer advised that the proposed bin stores would be constructed from timber and would have a height of 1.5 metres, comparable to existing adjacent storage units. The stores would be situated in locations appropriate to each block:

- For some blocks, the stores would be located at the front.
- For others, they would be placed at the rear or to the side, ensuring minimal visual impact.

The Committee heard that current internal waste storage facilities were inadequate, unpleasant to use, and did not support effective recycling.

The new stores would provide larger, easily accessible bins, encouraging recycling and improving waste management for residents.

The Senior Planning Officer advised that the bin stores were designed to be visually unobtrusive and harmonise with the existing built environment. Their modest height and timber construction ensured they did not detract from the visual amenity of the area.

The Senior Planning Officer concluded that the proposal would enhance waste storage facilities for residents without causing harm to visual or residential amenities and recommended approval.

A recorded vote* was taken on the application and it was **RESOLVED** that application 24/00667/FP be granted planning permission subject to the conditions and informatives set out below:-

1. The development hereby permitted shall be carried out in accordance with the following approved plans:
Site Location Plan; 267/835 Rev A; 267/811B Rev A; 267/813B Rev A;
267/815B Rev A; 267/817B Rev A; 267/819B Rev A; 267/821B Rev A;
267/823B Rev A;
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.

INFORMATIVES

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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.

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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:

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

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

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.

1. Development below the de minimis threshold, meaning development which:
 - a) 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
 - b) 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, Rob Broom, Forhad Chowdhury, Nazmin Chowdhury, Peter Clark, Akin Elekolusi, Coleen Houlihan, Claire Parris, Graham Snell, Carolina Veres and Anne Wells.

Against – 0

Abstentions – 0

Absent – Councillors Kamal Choudhury, Lynda Guy and Ellie Plater.

8 **24/00668/FP - 23 - 29 CUTTYS LANE**

The Committee received a presentation from the Senior Planning Officer.

The Committee heard that the proposal applied to the flat block on Cutty's Lane, located near the Friends Meeting House and in proximity to St Andrew and St George Church. The flat block would have a dedicated external bin store to replace the existing internal waste storage facilities. The proposed bin store would be situated at the front of the building but positioned discreetly behind an existing brick storage area for minimal visual impact.

The Senior Planning Officer advised that the proposed bin store would be constructed from timber and would have a height of 1.5 metres, comparable to existing adjacent storage units.

The Committee heard that current internal waste storage facilities was inadequate, unpleasant to use, and did not support effective recycling. The new store would provide larger, easily accessible bins, encouraging recycling and improving waste management for residents.

The Senior Planning Officer advised that the bin store was designed to be visually unobtrusive and harmonise with the existing built environment. It's modest height and timber construction ensured it did not detract from the visual amenity of the area.

The Senior Planning Officer concluded that the proposal would enhance waste storage facility for residents without causing harm to visual or residential amenities and recommended approval.

A recorded vote* was taken on the application and it was **RESOLVED** that application 24/00668/FP be granted planning permission subject to the conditions and informatives set out below:-

1. The development hereby permitted shall be carried out in accordance with the following approved plans:
267/835 Rev A; 267/825B Rev A; Site Location Plan;
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.

INFORMATIVES

1 Public Information on Planning Applications

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2 Community Infrastructure Levy

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

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

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

3 Building Regulations

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

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

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

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

- Excavation for foundations
- Damp proof course
- Concrete oversite
- Insulation
- Drains (when laid or tested)
- Floor and Roof construction

Work relating to fire safety
Work affecting access and facilities for disabled people
Completion

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

4 Party Wall etc. Act 1996

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

5 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:

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

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

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.

1. Development below the de minimis threshold, meaning development which:
 - a) 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
 - b) 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, Rob Broom, Forhad Chowdhury, Nazmin Chowdhury, Peter Clark, Akin Elekolusi, Coleen Houlihan, Claire Parris, Graham Snell, Carolina Veres and Anne Wells.

Against – 0

Abstentions – 0

Absent – Councillors Kamal Choudhury, Lynda Guy and Ellie Plater.

9 24/00681/FP - GARAGES 13 AND 14 ADJACENT TO 11 OUNDLE PATH

The Committee heard that the application was brought before the committee as it was a council-owned project. The site originally contained two dilapidated timber sheds and two garages. The sheds were replaced with a new garage, and alterations were made to the two existing garages, including raising their height to match the new garage, in order to allow for continuous guttering.

The two altered garages were raised in height to match the new garage, which protruded approximately 0.9 metres beyond the original building line. While the new structure appeared slightly incongruous within the setting, it was noted that maintaining the original design and size would not have allowed for a functional garage space under planning rules, as it would have been too small to park a car.

The Senior Planning Officer acknowledged the visual discrepancy but stated that the larger size of the new garage, which extended slightly beyond the original footprint, was necessary to make it a usable space for parking, thereby enabling the council to generate revenue. The Senior Planning Officer concluded that the balance between functionality and appearance justified the recommendation for approval.

A recorded vote* was taken on the application and it was **RESOLVED** that application 24/00681/FP be granted planning permission subject to the conditions set out below:-

The development hereby permitted shall be carried out in accordance with the following approved plans:

267/836-P3; Site Location Plan;

*** Recorded Vote**

For – Councillors Julie Ashley-Wren, Rob Broom, Forhad Chowdhury, Nazmin Chowdhury, Peter Clark, Akin Elekolusi, Coleen Houlihan, Claire Parris, Graham Snell, Carolina Veres and Anne Wells.

Against – 0

Abstentions – 0

Absent – Councillors Kamal Choudhury, Lynda Guy and Ellie Plater.

10 **24/00598/FP - 1-12 FOVANT COURT, INGLESIDE DRIVE**

The Senior Planning Officer advised the Committee that the application was brought to Committee due to the Council ownership of the property.

The Committee heard that the application was for the installation of perimeter guard railing at Fovant Court, located on Ingleside Drive.

The proposal involved installing a perimeter guard railing around the roof of Fovant Court to ensure safety for council staff who may need to access the roof for maintenance or other purposes. The Senior Planning Officer clarified that the red outline in the presentation was for clarity only and the actual railing would be a grey post and railing system, in line with health and safety regulations.

The Committee heard that, while the railing would be visible, it would not significantly detract from the building's appearance. The necessity of the installation, due to health and safety laws, outweighed potential aesthetic concerns. It was considered that the installation would not be so visually prominent as to warrant a refusal.

The Senior Planning Officer recommended approval of the application, as the installation was deemed essential for safety and would not have a detrimental visual impact.

A recorded vote* was taken on the application and it was **RESOLVED** that

application 24/00598/FP be granted planning permission subject to the conditions and informatives set out below:-

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: CD-ADC392-1-12FC-100_P1; CD-ADC392-1-12FC-101_P1; CD-ADC392-1-12FC-102_P1; CD-ADC392-1-12FC-200_P1; CD-ADC392-1-12FC-201_P1; CD-ADC392-1-12FC-202_P3; CD-ADC392-1-12FC-203_P3;
- 2 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 3 The materials to be used in the development hereby permitted shall be as per the approved plans and associated documents to the satisfaction of the Local Planning Authority.

INFORMATIVE

1 Public Information on Planning Applications

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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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- Insulation
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- Work relating to fire safety
- Work affecting access and facilities for disabled people
- Completion

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4 Party Wall etc. Act 1996

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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:

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

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

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.

1. Development below the de minimis threshold, meaning development which:
 - a) 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
 - b) 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, Rob Broom, Forhad Chowdhury, Nazmin Chowdhury, Peter Clark, Akin Elekolusi, Coleen Houlihan, Claire Parris, Graham Snell, Carolina Veres and Anne Wells.

Against – 0

Abstentions – 0

Absent – Councillors Kamal Choudhury, Lynda Guy and Ellie Plater.

11 **24/00626/FP - 1-14 CAVALIER COURT**

The Senior Planning Officer advised the Committee that the application was brought to Committee due to the Council ownership of the property.

The Committee heard that the application was for the installation of perimeter guard railing at Cavalier Court, located on Ingleside Drive.

The proposal involved installing a perimeter guard railing around the roof of Cavalier Court to ensure safety for council staff who may need to access the roof for maintenance or other purposes. The Senior Planning Officer clarified that the red outline in the presentation was for clarity only and the actual railing would be a grey post and railing system, in line with health and safety regulations.

The Committee heard that, while the railing would be visible, it would not significantly detract from the building's appearance. The necessity of the installation, due to health and safety laws, outweighed potential aesthetic concerns. It was considered that the installation would not be so visually prominent as to warrant a refusal.

The Senior Planning Officer recommended approval of the application, as the installation was deemed essential for safety and would not have a detrimental visual impact.

A recorded vote* was taken on the application and it was **RESOLVED** that application 24/00626/FP be granted planning permission subject to the conditions set out below:-

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: CD-ADC392-1-14CC-100_P1; CD-ADC392-1-14CC-101_P1; CD-ADC392-1-14CC-102_P1; CD-ADC392-1-14CC-200_P1; CD-ADC392-1-14CC-201_P1; CD-ADC392-1-14CC-202_P2; CD-ADC392-1-14CC-203_P2;
- 2 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 3 The materials to be used in the development hereby permitted shall be as per the approved plans and associated documents to the satisfaction of the Local Planning Authority.

INFORMATIVE

1 Public Information on Planning Applications

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

- Excavation for foundations
- Damp proof course
- Concrete oversite
- Insulation
- Drains (when laid or tested)
- Floor and Roof construction
- Work relating to fire safety
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- Completion

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4 Party Wall etc. Act 1996

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<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:

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

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

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.

1. Development below the de minimis threshold, meaning development which:
 - a) 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
 - b) 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, Rob Broom, Forhad Chowdhury, Nazmin Chowdhury, Peter Clark, Akin Elekolusi, Coleen Houlihan, Claire Parris, Graham Snell, Carolina Veres and Anne Wells.

Against – 0

Abstentions – 0

Absent – Councillors Kamal Choudhury, Lynda Guy and Ellie Plater.

12 **24/00627/FP - 1-14 CRANBORNE COURT**

The Senior Planning Officer advised the Committee that the application was brought to Committee due to the Council ownership of the property.

The Committee heard that the application was for the installation of perimeter guard railing at Cranborne Court, located on Ingleside Drive.

The proposal involved installing a perimeter guard railing around the roof of Cranborne Court to ensure safety for council staff who may need to access the roof for maintenance or other purposes. The Senior Planning Officer clarified that the red outline in the presentation was for clarity only and the actual railing would be a grey post and railing system, in line with health and safety regulations.

The Committee heard that, while the railing would be visible, it would not significantly detract from the building's appearance. The necessity of the installation, due to health and safety laws, outweighed potential aesthetic concerns. It was considered that the installation would not be so visually prominent as to warrant a refusal.

The Senior Planning Officer recommended approval of the application, as the installation was deemed essential for safety and would not have a detrimental visual impact.

A recorded vote* was taken on the application and it was **RESOLVED** that application 24/00627/FPM be granted planning permission subject to the conditions set out below:-

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: CD-ADC392-1-14CC-100_P1; CD-ADC392-1-14CC-101_P1; CD-ADC392-1-14CC-102_P1; CD-ADC392-1-14CC-200_P1; CD-ADC392-1-14CC-201_P1; CD-ADC392-1-14CC-
- 2 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 3 The materials to be used in the development hereby permitted shall be as per the approved plans and associated documents to the satisfaction of the Local Planning Authority.

INFORMATIVE

1 **Public Information on Planning Applications**

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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.

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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

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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>.

* **Recorded Vote**

For – Councillors Julie Ashley-Wren, Rob Broom, Forhad Chowdhury, Nazmin Chowdhury, Peter Clark, Akin Elekolusi, Coleen Houlihan, Claire Parris, Graham Snell, Carolina Veres and Anne Wells.

Against – 0

Abstentions – 0

Absent – Councillors Kamal Choudhury, Lynda Guy and Ellie Plater.

13 **INFORMATION REPORT - DELEGATED DECISIONS**

At this juncture, the Chair commended Officers for their hard work and the quality of the reports they had provided to the Committee.

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

14 **INFORMATION REPORT - APPEALS/CALLED IN APPLICATIONS**

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

15 **URGENT PART I BUSINESS**

There was no Urgent Part I Business.

16 **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.

17 **22/00957/ENF - NOVOTEL, KNEBworth PARK, OLD KNEBworth**

The Committee received a verbal update from the Head of Planning and Enforcement.

18 **URGENT PART II BUSINESS**

There was no Urgent Part II Business.

CHAIR

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

Date: 7 January 2025

Author: Linda Sparrow

Lead Officer: James Chettleburgh

Contact Officer: Linda Sparrow

Application No : 24/00821/FP

Location : 2 - 16 Walden End Stevenage

Proposal : Construction of bin enclosure to house 10no. 360 litre wheelie bins

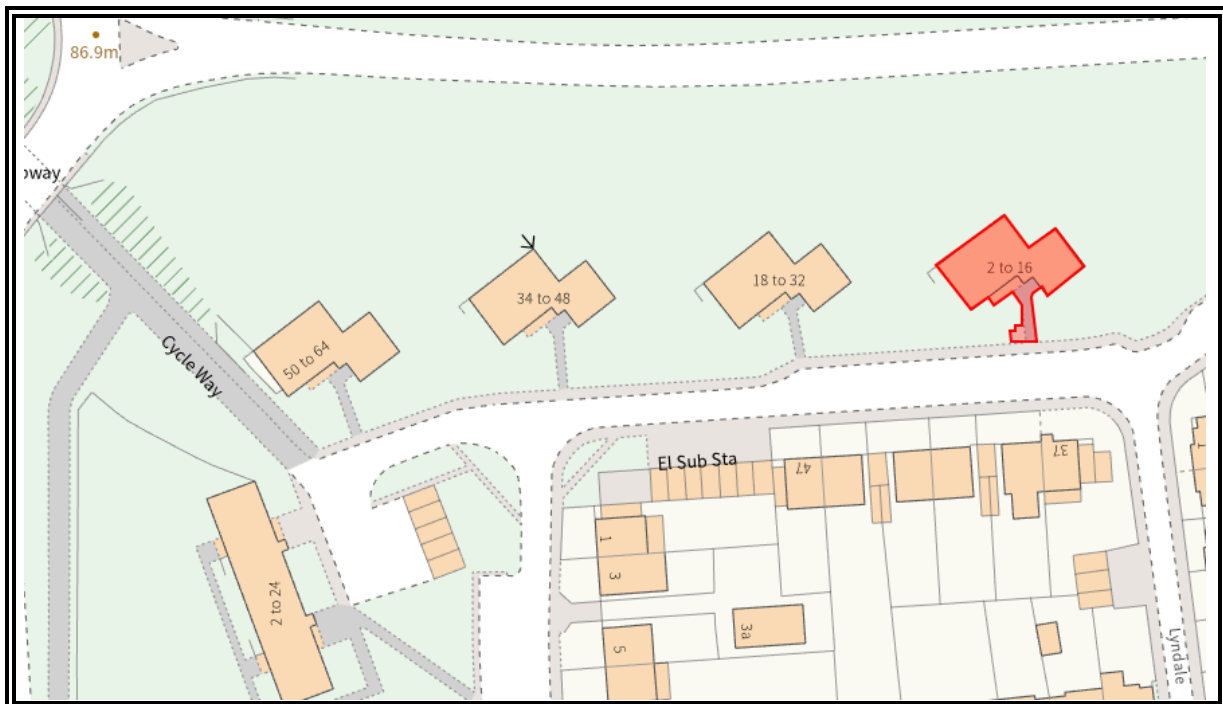
Drawing Nos.: Location Plan; 267/586;

Applicant : Wates Living Space

Agent: Randall Shaw Billingham

Date Valid: 21 November 2024

Recommendation: GRANT PLANNING PERMISSION



1. SITE DESCRIPTION

- 1.1 The application site comprises a block of flats on the northern side of Walden End. Residential dwellings lie to the south, and the main highway of Six Hills Way is to the north. The building is currently undergoing refurbishment to replace doors, windows, and balconies, and new external render and roof tiles with solar panels.

- 1.2 The building is three storeys with a dual pitched tiled roof and contains 8no. flats. There are small areas of shrub planting to the front with large areas of public open space around. Car parking is a combination of on-street parking and laybys and shared with other residential dwellings.

2. RELEVANT PLANNING HISTORY

- 2.1 23/00252/FP. Erection of bin enclosures. Granted 26.05.2023.
- 2.2 24/00076/FPM. Installation of external wall insulation and associated external finish, installation of solar PV array system; replacement roof tiles; replacement of external windows and doors, alterations to external ventilation and balcony upgrades. Granted 02.04.2024.

3. THE CURRENT APPLICATION

- 3.1 This application seeks planning permission to erect an external, detached, bin store to the front of each of the seven blocks. Each bin store will be able to accommodate up to 10no. 360 litre wheelie bins.
- 3.2 This application comes before the Planning and Development Committee because the owner of the buildings is Stevenage Borough Council and previous applications for these properties have been referred to Committee. Therefore, in line with the Council's constitution, this application is being referred to the aforementioned committee for its decision.

4. PUBLIC REPRESENTATIONS

- 4.1 Following notification of the application via the erection of site notices, no comments have been received at the time of writing this report. Any comments received prior to the committee meeting will be detailed via an addendum report.

5. CONSULTATIONS

5.1. Herts County Council as Highways Authority

- 5.1.1 No comments received.

5.2. SBC Environmental Health

- 5.2.1 Having reviewed the application and the information submitted, we do not have any objection.

5.3. SBC Waste and Recycling

- 5.3.1 No comments received.

6. RELEVANT PLANNING POLICIES

6.1 Background to the Development Plan

- 6.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications be determined in accordance with the development plan unless material considerations indicate otherwise. For Stevenage, the statutory development plan comprises the following documents:

- The Stevenage Borough Council Local Plan 2011-2031 (adopted 2019)

- The Hertfordshire Waste Core Strategy & Development Management Policies Development Plan Document 2011-2026 (adopted 2012)
- The Hertfordshire Waste Site Allocations Development Plan Document 2011-2026 (adopted 2014)
- The Hertfordshire Minerals Local Plan Review 2002-2016 (adopted 2007)

6.2 National Planning Policy Framework

6.2.1 A revised National Planning Policy Framework (NPPF) was published in December 2023. This made significant changes to the September 2023 version and revised policy with respect to the following:

- maintaining supply and delivery of housing.
- making effective use of land with the allowance of mansard roof extensions to suitable properties.
- significant uplift in the average density of residential development can be seen as being inappropriate if the built form is out of character.
- strengthening policies around achieving well-designed and beautiful places.
- requirement for councils to prepare Local Design Codes.
- no longer a requirement to review or change Green Belt boundaries when plans are being prepared or updated.
- local planning authorities should now give significant weight to the need to support energy efficiency and low carbon heating improvements to existing buildings, both domestic and non-domestic.
- change to policies on Biodiversity.

6.2.2 The NPPF provides that proposals which accord with an up-to-date development plan should be approved without delay (para.11) and that where a planning application conflicts with an up-to-date development plan, permission should not usually be granted (para.12). This indicates the weight which should be given to an up-to-date development plan, reflecting the requirements of section 38(6) of the 2004 Act.

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

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

6.2.5 The council is currently carrying out a partial review and update of the local plan. On 21 November 2024, a schedule of proposed changes was published for the second stage of public consultation under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). This is where a further opportunity for representations can be made on the amendments to the Local Plan before it is submitted for examination to a planning inspector. The Council intends to submit the Local Plan for Examination in Public (EiP) in early 2025 with the aim to adopt an updated Local Plan by June 2025. As the updated Local Plan progresses through the relevant stages outlined above, more weight can be applied to the respective policies until its formal adoption by the Council. Please refer to point 6.6 below for more information.

6.3 Planning Practice Guidance

6.3.1 The Planning Practice Guidance (“PPG”), with which Members are fully familiar, is an online resource containing guidance supplementing the NPPF. The PPG is a material consideration which should be taken into account in determining planning applications.

6.4 National Design Guide

- 6.4.1 The National Design Guide 2021 is Government guidance on the characteristics of well-designed places and demonstrates what good design means in practice. It has the same status as the PPG and should similarly be taken into account when determining planning applications.

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

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

Policy SP8: Good design;
Policy GD1: High quality design;
Policy NH6: General protection for open space.

6.6 Local Plan Partial Review (2024)

6.6.1 Local Plan Partial Review and Update

The council is currently carrying out a partial review and update of the local plan. On 21 November 2024, a schedule of proposed changes was published for the second stage of public consultation under regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). Paragraph 48 of the NPPF 2023 states that local planning authorities may give weight to relevant policies in emerging plans according to:

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

Where there are emerging policies which are relevant to the application, these will be highlighted in the main body of this report.

In order to view an updated tracked change copy of the Local Plan Partial Review (LPPR), please see the link below:

<https://democracy.stevenage.gov.uk/documents/s37641/4%20Appendix%20A%20LPPR%202024%20-%20Track%20Changes%20Reg%2018%20to%20Reg%2019.pdf>

6.7 Supplementary Planning Documents

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

- Stevenage Design Guide Supplementary Planning Document (January 2023);

6.8 Community Infrastructure Levy

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

7. APPRAISAL

- 7.1.1. The only issue in the assessment of the application is the impact on the character and appearance of the area, impact on residential amenities and waste and recycling.

7.1.2. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that all planning applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

7.2 Impact on the Character and Appearance of the Area

National Planning Policy Framework and Planning Practice Guidance

7.2.1 Chapter 12. Achieving well-designed and beautiful places of the NPPF (2023) stipulates that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process. Where development is not well designed, permission should be refused.

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

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

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

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

Development Plan

7.2.4 Policy SP8 of the Local Plan Partial Review (2024), generally reflects the requirements of the NPPF in that it requires new development to achieve the highest standards of design and sustainability. In addition, Policy GD1 generally requires all forms of development to meet a high standard of design which includes form of built development, elevational treatment, and materials along with how the development would integrate with the urban fabric, its relationship between buildings, landscape design and relevant aspects of sustainable design.

7.2.5 In the emerging local plan partial review and update, criterion (e) is updated to refer to “unacceptable” adverse impacts. The intention behind the change is to make clear that in some circumstances, an adverse impact might still fall within acceptable bounds and that this is a matter of judgement for the decision maker. Policy GD2 is a new policy emerging from the local plan partial review and update. It states that proposals which demonstrate they have been designed to achieve a rating of excellent or higher against a relevant BREEAM standard and/or to achieve the BRE Home Quality Mark will be strongly supported, although this is not mandatory.

Supplementary Planning Document

- 7.2.6 The Council's Design Guide SPD (Jan 2023) sets out that an understanding and analysis of the original New Town design concepts identified some key issues. These have been used as key themes, which run throughout the entirety of the Design Guide. Considering these concepts at all stages of the development process provides a good basis for the creation of a successful place; based on the recognised principles of urban design, but also building on the existing fabric of the town without taking away from Stevenage's history as Britain's first Mark One New Town. The themes have been identified as follows:
- Sustainability – incorporate principles of sustainable development from a town-wide perspective to measures incorporated into an individual property;
 - Increasing densities – encourage high densities in accessible locations;
 - Respecting existing characteristics – respect local characteristics and preserve and enhance existing features, where appropriate;
 - Legibility – provide landmark developments at nodal points;
 - Design innovation – showcase Stevenage as an example of high-quality design, creating safer places through urban design techniques.
- 7.2.7 The building is located on the northern side of Walden End and is highly prominent from a number of different public vantage points both to the front and the rear. There is a modest amount of soft landscaping in the form of shrubs and trees around the buildings with an extensive expanse of open grass to the rear.
- 7.2.8 The proposed enclosure will be located to the front of the building, adjacent to the public footpath. The enclosure will measure 4.2m long, 3.9m wide and 1.45m high and will be constructed in treated hit and miss timber set between concrete posts. Similar new enclosures at Council owned flatted developments have been installed with Digi locks on the gates to prevent unauthorised access by non-residents.
- 7.2.9 The enclosure will be sited close to the public footpath. There will be an access point on the rear for residents to use and an access point at the front for SBC waste and recycling crews and therefore any potential conflict with passing members of the public would only occur once a week on collection days.
- 7.2.10 While it is noted that the bin enclosures will be visible from the public realm, it is considered that the overall amenity of the street scene will be improved by the removal of numerous bins from the four block entrances. The bin enclosures are 1.45m in height and as low as they can be whilst still obscuring the bins from view and remaining at a safe height; this therefore minimalizes the visual impact of the enclosures.
- 7.2.11 In terms of design, the bin enclosures will be timber and not include a roof. This is a design choice of the Council and no new bin enclosures erected by the Council have roofs. A roofed enclosure would need to be significantly taller to accommodate internal head room and would therefore have a greater impact on the street scene.
- 7.2.12 The timber enclosures are considered visually acceptable and will screen view of the bins from the public, thereby improving the visual amenities of the area.
- 7.2.13 The area of land where the enclosure will be sited is an area of open grass land owned by Stevenage Borough Council and is designated as an area of informal open space and is protected by Policy NH6 of the Stevenage Local Plan. Policy NH6 for general protection of open space states that planning permission for development of any existing, unallocated open space will be permitted where the loss of the open space is justified having regard to the quality and accessibility of the open space, the existence of any interventions to improve quality or access, whether the open space is serving its function or purpose and whether alternate spaces would remain available for community use.
- 7.2.14 Whilst it is noted that the development would result in the loss of an area of open space, it would be minimal, having an area of approximately 16sqm. Being adjacent to a busy and congested highway, the land is not considered to be useable as a play space by children and its purpose is to provide a visual softening in an otherwise urban setting.

When balanced against the public benefits of providing improved facilities for residents, the loss of a very small area of open space is considered acceptable.

7.3 Impact on Neighbouring residential amenity

National Planning Policy Framework and Planning Practice Guidance

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

Development Plan

- 7.3.2 Policies SP8 and GD1 of the Local Plan Partial Review (2024) are deemed to carry significant weight, this is because they generally reflect the good design principles outlined in the NPPF and National Design Guide, i.e., that these policies require developments do not adversely impact the amenities of neighbouring occupiers as a good design principle.
- 7.3.3 The existing waste disposal arrangements are no longer considered suitable, with the current location of the bins, immediately outside the main entrance to the building, pose a fire hazard and health hazard from rat infestations. Their relocation is therefore required to improve the amenities of the occupiers of the building. Under previously approved planning permission 23/00252/FP for a previous iteration of new bin stores, it was noted by Environmental Health that “*there have been serious problems in the area with rat infestations, affecting the residents. This infestation is directly associated with the proximity of bin storage areas to the flats*”. Further, it was also noted under that application from Stevenage Direct Services that “*current good practice is for waste storage areas to be fenced off and located at least 10m away from buildings and other risk areas.*” In this instance, the bin stores are located between 5-7m from the existing blocks. This is considered an acceptable distance to reduce the risk of fires, rat infestations, odours, and other associated issues, whilst also remaining a reasonable walking distance for residents.
- 7.3.4 When considering the current location of the bins at the front entrances of each block, residents pass close to the bins upon entry and exit of the blocks. Here, it is of note that the bins likely become odorous, especially in warmer weather. The refuse bins are also of an inadequate capacity in their current state, increasing the risk of rubbish being left by the side of the bins, therefore worsening the odorous state, and causing an untidy appearance at each entrance. The new enclosure is located away from the entrance points to reduce the impact of odours and has adequate capacity to prevent overfilling; therefore, minimising the impact on residential amenity. Additionally, the travel distance for waste operatives when collecting bins from the current location is further than the maximum 10m from the refuse vehicle. The location of the enclosures close to the existing public footpath would reduce this distance by up to 50%. When considering the above, the relocation of the existing bins is considered to improve the existing living conditions of occupiers as well as the overall residential amenity. This outweighs any harm relating to increased walking distances for residents for waste disposal. In this regard, the development is therefore considered acceptable.

7.4 Waste and Recycling

- 7.4.1 The design guide SPD requires developments to provide for the storage and collection of waste from site.

7.4.2 The proposed development would provide adequate space and storage of waste arising from the site and would amount to a significant upgrade over the existing facilities. The distance for operatives collecting the bins is acceptable. The proposal is considered acceptable in this regard.

7.5 Biodiversity Net Gain

7.5.1 Paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 sets out that every planning permission granted for the development of land in England shall be deemed to have been granted subject to the 'biodiversity gain condition' requiring development to achieve a net gain of 10% of biodiversity value. There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not apply.

7.5.2 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.

1. Development below the de minimis threshold, meaning development which:
 - a) 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
 - b) 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).

7.6 Equality, Diversity and Human Rights

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

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

7.6.3 Rigorous consideration will ensure that proper appreciation of any potential impact of that decision on the Council's obligations under the Public Sector Equalities Duty. As a minimum this requires decision makers to read and carefully consider the content of any Equalities Impact Assessment (EqIA) produced by officers.

7.6.4 The Equalities Act 2010 requires the Council when exercising its functions to have due regard to the need to (a) eliminate discrimination, harassment, victimisation and other conduct prohibited under the Act; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and (c) foster good relations between persons who share protected characteristics under the Equality Act and persons who do not share it. The protected characteristics under the Equality Act are: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion and belief; sex and sexual orientation.

7.6.5 Measures will be put in place during the construction phase of the development to minimise harm to neighbouring properties arising from noise and dust. Residential dwellings are not considered to be a noise-based use. Accordingly, it is not considered that the development would contravene the Human Rights Act by way of preventing or hindering the right to peaceful enjoyment of a home.

7.6.6 The proposal will not block or reduce accessibility of the buildings by persons using pushchairs, wheelchairs, or other mobility aids. The enclosure itself will be accessible by all persons through level access. Accordingly, the development will not affect persons of protected characteristics.

- 7.6.7 It is considered that the decision has had regard to this duty. The development would not conflict with either Stevenage Borough Council's Equality Policy or the commitments set out in our Equality Objectives and would support the Council in meeting its statutory equality responsibilities.

8. CONCLUSIONS

- 8.1. The proposal is considered to be in accordance with the development plan and in the absence of any other material considerations which indicate that permission should be refused, it is recommended that planning permission be granted.

9. RECOMMENDATIONS

- 9.1 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;
REASON:- For the avoidance of doubt and in the interests of proper planning
 - 2 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON:- To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).
 - 3 The 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.
REASON:- To ensure the development has an acceptable appearance.

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

- 1 Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted pro-actively in line with the requirements of the National Planning Policy Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

INFORMATIVE

1 Public Information on Planning Applications

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

2 Community Infrastructure Levy

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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.

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

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- Work affecting access and facilities for disabled people
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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:

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

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

1. Development below the de minimis threshold, meaning development which:
 - a) 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
 - b) 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>.

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 – Stevenage Design Guide adopted January 2023.
3. Stevenage Borough Local Plan 2011 – 2031 adopted 2019 and Local Plan Partial Review (2024).
4. Responses to consultations with statutory undertakers and other interested parties referred to in this report.
5. Central Government advice contained in the National Planning Policy Framework December 2023 and Planning Practice Guidance.

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

Date: 7 January 2025

Author: Linda Sparrow

Lead Officer: James Chettleburgh

Contact Officer: Linda Sparrow

Application No : 24/00818/FP

Location : 18 - 32 Walden End Stevenage

Proposal : Construction of bin enclosure to house 10no. 360 litre wheelie bins

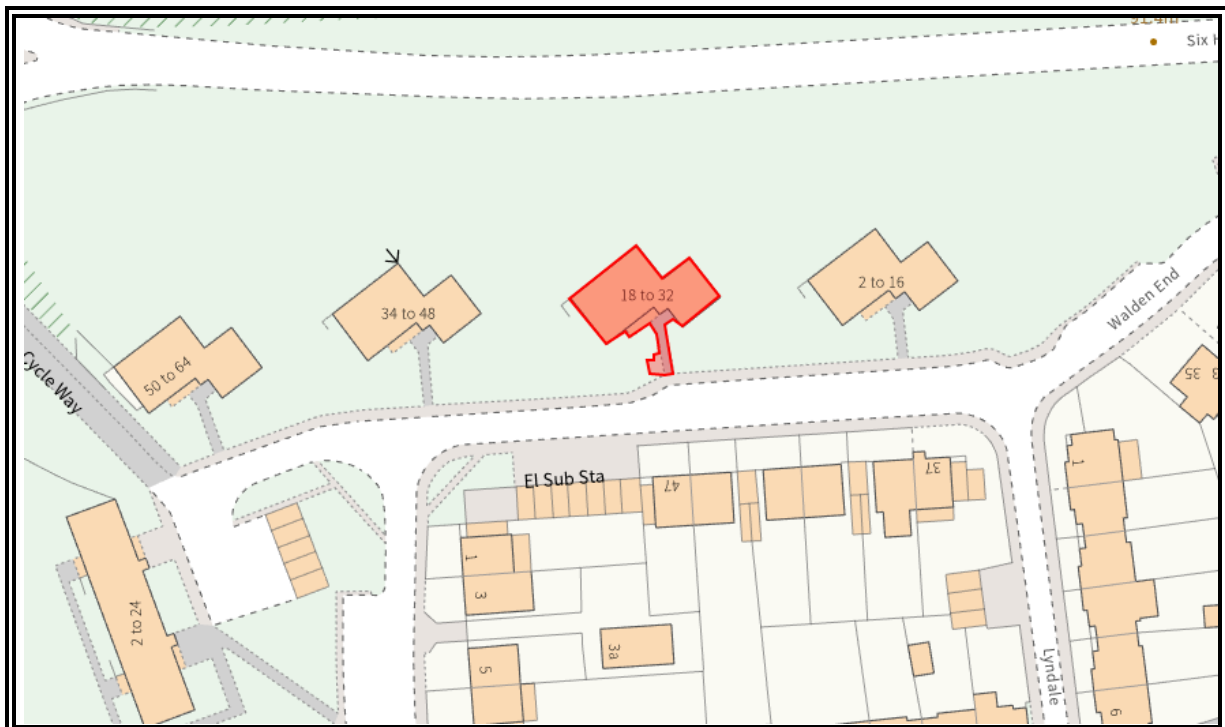
Drawing Nos.: Location Plan; 267/587;

Applicant : Wates Living Space

Agent: Randall Shaw Billingham

Date Valid: 21 November 2024

Recommendation: GRANT PLANNING PERMISSION



1. SITE DESCRIPTION

- 1.1 The application site comprises a block of flats on the northern side of Walden End. Residential dwellings lie to the south, and the main highway of Six Hills Way is to the north. The building is currently undergoing refurbishment to replace doors, windows, and balconies, and new external render and roof tiles with solar panels.

- 1.2 The building is three storeys with a dual pitched tiled roof and contains 8no. flats. There are small areas of shrub planting to the front with large areas of public open space around. Car parking is a combination of on-street parking and laybys and shared with other residential dwellings.

2. RELEVANT PLANNING HISTORY

- 2.1 23/00252/FP. Erection of bin enclosures. Granted 26.05.2023.
- 2.2 24/00076/FPM. Installation of external wall insulation and associated external finish, installation of solar PV array system; replacement roof tiles; replacement of external windows and doors, alterations to external ventilation and balcony upgrades. Granted 02.04.2024.

3. THE CURRENT APPLICATION

- 3.1 This application seeks planning permission to erect an external, detached, bin store to the front of each of the seven blocks. Each bin store will be able to accommodate up to 10no. 360 litre wheelie bins.
- 3.2 This application comes before the Planning and Development Committee because the owner of the buildings is Stevenage Borough Council and previous applications for these properties have been referred to Committee. Therefore, in line with the Council's constitution, this application is being referred to the aforementioned committee for its decision.

4. PUBLIC REPRESENTATIONS

- 4.1 Following notification of the application via the erection of site notices, no comments have been received at the time of writing this report. Any comments received prior to the committee meeting will be detailed via an addendum report.

5. CONSULTATIONS

5.1. Herts County Council as Highways Authority

- 5.1.1 No comments received.

5.2. SBC Environmental Health

- 5.2.1 Having reviewed the application and the information submitted, we do not have any objection.

5.3. SBC Waste and Recycling

- 5.3.1 No comments received.

6. RELEVANT PLANNING POLICIES

6.1 Background to the Development Plan

- 6.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications be determined in accordance with the development plan unless material considerations indicate otherwise. For Stevenage, the statutory development plan comprises the following documents:

- The Stevenage Borough Council Local Plan 2011-2031 (adopted 2019)

- The Hertfordshire Waste Core Strategy & Development Management Policies Development Plan Document 2011-2026 (adopted 2012)
- The Hertfordshire Waste Site Allocations Development Plan Document 2011-2026 (adopted 2014)
- The Hertfordshire Minerals Local Plan Review 2002-2016 (adopted 2007)

6.2 National Planning Policy Framework

6.2.1 A revised National Planning Policy Framework (NPPF) was published in December 2023. This made significant changes to the September 2023 version and revised policy with respect to the following:

- maintaining supply and delivery of housing.
- making effective use of land with the allowance of mansard roof extensions to suitable properties.
- significant uplift in the average density of residential development can be seen as being inappropriate if the built form is out of character.
- strengthening policies around achieving well-designed and beautiful places.
- requirement for councils to prepare Local Design Codes.
- no longer a requirement to review or change Green Belt boundaries when plans are being prepared or updated.
- local planning authorities should now give significant weight to the need to support energy efficiency and low carbon heating improvements to existing buildings, both domestic and non-domestic.
- change to policies on Biodiversity.

6.2.2 The NPPF provides that proposals which accord with an up-to-date development plan should be approved without delay (para.11) and that where a planning application conflicts with an up-to-date development plan, permission should not usually be granted (para.12). This indicates the weight which should be given to an up-to-date development plan, reflecting the requirements of section 38(6) of the 2004 Act.

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

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

6.2.5 The council is currently carrying out a partial review and update of the local plan. On 21 November 2024, a schedule of proposed changes was published for the second stage of public consultation under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). This is where a further opportunity for representations can be made on the amendments to the Local Plan before it is submitted for examination to a planning inspector. The Council intends to submit the Local Plan for Examination in Public (EiP) in early 2025 with the aim to adopt an updated Local Plan by June 2025. As the updated Local Plan progresses through the relevant stages outlined above, more weight can be applied to the respective policies until its formal adoption by the Council. Please refer to point 6.6 below for more information.

6.3 Planning Practice Guidance

6.3.1 The Planning Practice Guidance (“PPG”), with which Members are fully familiar, is an online resource containing guidance supplementing the NPPF. The PPG is a material consideration which should be taken into account in determining planning applications.

6.4 National Design Guide

- 6.4.1 The National Design Guide 2021 is Government guidance on the characteristics of well-designed places and demonstrates what good design means in practice. It has the same status as the PPG and should similarly be taken into account when determining planning applications.

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

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

Policy SP8: Good design;
Policy GD1: High quality design;
Policy NH6: General protection for open space.

6.6 Local Plan Partial Review (2024)

6.6.1 Local Plan Partial Review and Update

The council is currently carrying out a partial review and update of the local plan. On 21 November 2024, a schedule of proposed changes was published for the second stage of public consultation under regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). Paragraph 48 of the NPPF 2023 states that local planning authorities may give weight to relevant policies in emerging plans according to:

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

Where there are emerging policies which are relevant to the application, these will be highlighted in the main body of this report.

In order to view an updated tracked change copy of the Local Plan Partial Review (LPPR), please see the link below:

<https://democracy.stevenage.gov.uk/documents/s37641/4%20Appendix%20A%20LPPR%202024%20-%20Track%20Changes%20Reg%2018%20to%20Reg%2019.pdf>

6.7 Supplementary Planning Documents

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

- Stevenage Design Guide Supplementary Planning Document (January 2023);

6.8 Community Infrastructure Levy

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

7. APPRAISAL

- 7.1.1. The only issue in the assessment of the application is the impact on the character and appearance of the area, impact on residential amenities and waste and recycling.

- 7.1.2. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that all planning applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

7.2 Impact on the Character and Appearance of the Area

National Planning Policy Framework and Planning Practice Guidance

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

Development Plan

- 7.2.4 Policy SP8 of the Local Plan Partial Review (2024), generally reflects the requirements of the NPPF in that it requires new development to achieve the highest standards of design and sustainability. In addition, Policy GD1 generally requires all forms of development to meet a high standard of design which includes form of built development, elevational treatment, and materials along with how the development would integrate with the urban fabric, its relationship between buildings, landscape design and relevant aspects of sustainable design.
- 7.2.5 In the emerging local plan partial review and update, criterion (e) is updated to refer to “unacceptable” adverse impacts. The intention behind the change is to make clear that in some circumstances, an adverse impact might still fall within acceptable bounds and that this is a matter of judgement for the decision maker. Policy GD2 is a new policy emerging from the local plan partial review and update. It states that proposals which demonstrate they have been designed to achieve a rating of excellent or higher against a relevant BREEAM standard and/or to achieve the BRE Home Quality Mark will be strongly supported, although this is not mandatory.

Supplementary Planning Document

- 7.2.6 The Council’s Design Guide SPD (Jan 2023) sets out that an understanding and analysis of the original New Town design concepts identified some key issues. These have been used as key themes, which run throughout the entirety of the Design Guide. Considering

these concepts at all stages of the development process provides a good basis for the creation of a successful place; based on the recognised principles of urban design, but also building on the existing fabric of the town without taking away from Stevenage's history as Britain's first Mark One New Town. The themes have been identified as follows:

- Sustainability – incorporate principles of sustainable development from a town-wide perspective to measures incorporated into an individual property;
- Increasing densities – encourage high densities in accessible locations;
- Respecting existing characteristics – respect local characteristics and preserve and enhance existing features, where appropriate;
- Legibility – provide landmark developments at nodal points;
- Design innovation – showcase Stevenage as an example of high-quality design, creating safer places through urban design techniques.

7.2.7 The building is located on the northern side of Walden End and is highly prominent from a number of different public vantage points both to the front and the rear. There is a modest amount of soft landscaping in the form of shrubs and trees around the buildings with an extensive expanse of open grass to the rear.

7.2.8 The proposed enclosure will be located to the front of the building, adjacent to the public footpath. The enclosure will measure 4.2m long, 3.9m wide and 1.45m high and will be constructed in treated hit and miss timber set between concrete posts. Similar new enclosures at Council owned flatted developments have been installed with Digi locks on the gates to prevent unauthorised access by non-residents.

7.2.9 The enclosure will be sited close to the public footpath. There will be an access point on the rear for residents to use and an access point at the front for SBC waste and recycling crews and therefore any potential conflict with passing members of the public would only occur once a week on collection days.

7.2.10 While it is noted that the bin enclosures will be visible from the public realm, it is considered that the overall amenity of the street scene will be improved by the removal of numerous bins from the four block entrances. The bin enclosures are 1.45m in height and as low as they can be whilst still obscuring the bins from view and remaining at a safe height; this therefore minimalizes the visual impact of the enclosures.

7.2.11 In terms of design, the bin enclosures will be timber and not include a roof. This is a design choice of the Council and no new bin enclosures erected by the Council have roofs. A roofed enclosure would need to be significantly taller to accommodate internal head room and would therefore have a greater impact on the street scene.

7.2.12 The timber enclosures are considered visually acceptable and will screen view of the bins from the public, thereby improving the visual amenities of the area.

7.2.13 The area of land where the enclosure will be sited is an area of open grass land owned by Stevenage Borough Council and is designated as an area of informal open space and is protected by Policy NH6 of the Stevenage Local Plan. Policy NH6 for general protection of open space states that planning permission for development of any existing, unallocated open space will be permitted where the loss of the open space is justified having regard to the quality and accessibility of the open space, the existence of any interventions to improve quality or access, whether the open space is serving its function or purpose and whether alternate spaces would remain available for community use.

7.2.14 Whilst it is noted that the development would result in the loss of an area of open space, it would be minimal, having an area of approximately 16sqm. Being adjacent to a busy and congested highway, the land is not considered to be useable as a play space by children and its purpose is to provide a visual softening in an otherwise urban setting. When balanced against the public benefits of providing improved facilities for residents, the loss of a very small area of open space is considered acceptable.

7.3 Impact on Neighbouring residential amenity

National Planning Policy Framework and Planning Practice Guidance

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

Development Plan

7.3.2 Policies SP8 and GD1 of the Local Plan Partial Review (2024) are deemed to carry significant weight, this is because they generally reflect the good design principles outlined in the NPPF and National Design Guide, i.e., that these policies require developments do not adversely impact the amenities of neighbouring occupiers as a good design principle.

7.3.3 The existing waste disposal arrangements are no longer considered suitable, with the current location of the bins, immediately outside the main entrance to the building, pose a fire hazard and health hazard from rat infestations. Their relocation is therefore required to improve the amenities of the occupiers of the building. Under previously approved planning permission 23/00252/FP for a previous iteration of new bin stores, it was noted by Environmental Health that “*there have been serious problems in the area with rat infestations, affecting the residents. This infestation is directly associated with the proximity of bin storage areas to the flats*”. Further, it was also noted under that application from Stevenage Direct Services that “*current good practice is for waste storage areas to be fenced off and located at least 10m away from buildings and other risk areas.*” . ” In this instance, the bin stores are located between 5-7m from the existing blocks. This is considered an acceptable distance to reduce the risk of fires, rat infestations, odours and other associated issues, whilst also remaining a reasonable walking distance for residents.

7.3.4 When considering the current location of the bins at the front entrances of each block, residents pass close to the bins upon entry and exit of the blocks. Here, it is of note that the bins likely become odorous, especially in warmer weather. The refuse bins are also of an inadequate capacity in their current state, increasing the risk of rubbish being left by the side of the bins; therefore worsening the odorous state and causing an untidy appearance at each entrance. The new enclosure is located away from the entrance points to reduce the impact of odours and has adequate capacity to prevent overfilling; therefore, minimising the impact on residential amenity. Additionally, the travel distance for waste operatives when collecting bins from the current location is further than the maximum 10m from the refuse vehicle. The location of the enclosures close to the existing public footpath would reduce this distance by up to 50%. When considering the above, the relocation of the existing bins is considered to improve the existing living conditions of occupiers as well as the overall residential amenity. This outweighs any harm relating to increased walking distances for residents for waste disposal. In this regard, the development is therefore considered acceptable.

7.4 Waste and Recycling

7.4.1 The design guide SPD requires developments to provide for the storage and collection of waste from site.

7.4.2 The proposed development would provide adequate space and storage of waste arising from the site and would amount to a significant upgrade over the existing facilities. The distance for operatives collecting the bins is acceptable. The proposal is considered acceptable in this regard.

7.5 Biodiversity Net Gain

- 7.5.1 Paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 sets out that every planning permission granted for the development of land in England shall be deemed to have been granted subject to the 'biodiversity gain condition' requiring development to achieve a net gain of 10% of biodiversity value. There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not apply.
- 7.5.2 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.
1. Development below the de minimis threshold, meaning development which:
 - a) 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
 - b) 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).

7.6 Equality, Diversity and Human Rights

- 7.6.1 Consideration has been given to Articles 1 and 8 of the First Protocol of the European Convention on Human Rights. It is not considered that the decision would result in a violation of any person's rights under the Convention.
- 7.6.2 When considering proposals placed before Members it is important that they are fully aware of and have themselves rigorously considered the equalities implications of the decision that they are taking.
- 7.6.3 Rigorous consideration will ensure that proper appreciation of any potential impact of that decision on the Council's obligations under the Public Sector Equalities Duty. As a minimum this requires decision makers to read and carefully consider the content of any Equalities Impact Assessment (EqIA) produced by officers.
- 7.6.4 The Equalities Act 2010 requires the Council when exercising its functions to have due regard to the need to (a) eliminate discrimination, harassment, victimisation and other conduct prohibited under the Act; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and (c) foster good relations between persons who share protected characteristics under the Equality Act and persons who do not share it. The protected characteristics under the Equality Act are: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion and belief; sex and sexual orientation.
- 7.6.5 Measures will be put in place during the construction phase of the development to minimise harm to neighbouring properties arising from noise and dust. Residential dwellings are not considered to be a noise-based use. Accordingly, it is not considered that the development would contravene the Human Rights Act by way of preventing or hindering the right to peaceful enjoyment of a home.
- 7.6.6 The proposal will not block or reduce accessibility of the buildings by persons using pushchairs, wheelchairs, or other mobility aids. The enclosure itself will be accessible by all persons through level access. Accordingly, the development will not affect persons of protected characteristics.
- 7.6.7 It is considered that the decision has had regard to this duty. The development would not conflict with either Stevenage Borough Council's Equality Policy or the commitments set out in our Equality Objectives and would support the Council in meeting its statutory equality responsibilities.

8. CONCLUSIONS

- 8.1. The proposal is considered to be in accordance with the development plan and in the absence of any other material considerations which indicate that permission should be refused, it is recommended that planning permission be granted.

9. RECOMMENDATIONS

- 9.1 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;
REASON:- For the avoidance of doubt and in the interests of proper planning
 - 2 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON:- To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).
 - 3 The 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.
REASON:- To ensure the development has an acceptable appearance.

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

- 1 Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted pro-actively in line with the requirements of the National Planning Policy Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

INFORMATIVE

- 1 **Public Information on Planning Applications**
Warning: all information provided on your planning application is now publicly available. Individuals and organisations offering their services may contact you. The Council does not endorse or approve any builders, surveyors, trades persons or other supplier, and advises householders to obtain quotes/references, and check the legitimacy of any contractor who contacts them before making payment.
- 2 **Community Infrastructure Levy**
Stevenage Borough Council adopted a Community Infrastructure Levy (CIL) Charging Schedule at Full Council on 27 January 2020 and started implementing CIL on 01 April 2020.

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

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

3 **Building Regulations**

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

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

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

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

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

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

4 **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:

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

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

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.

1. Development below the de minimis threshold, meaning development which:
 - a) 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
 - b) 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>

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 – Stevenage Design Guide adopted January 2023.
3. Stevenage Borough Local Plan 2011 – 2031 adopted 2019 and Local Plan Partial Review (2024).
4. Responses to consultations with statutory undertakers and other interested parties referred to in this report.
5. Central Government advice contained in the National Planning Policy Framework December 2023 and Planning Practice Guidance.

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

Date: 7 January 2025

Author: Linda Sparrow

Lead Officer: James Chettleburgh

Contact Officer: Linda Sparrow

Application No : 24/00819/FP

Location : 34 - 48 Walden End Stevenage

Proposal : Construction of bin enclosure to house 10no. 360 litre wheelie bins

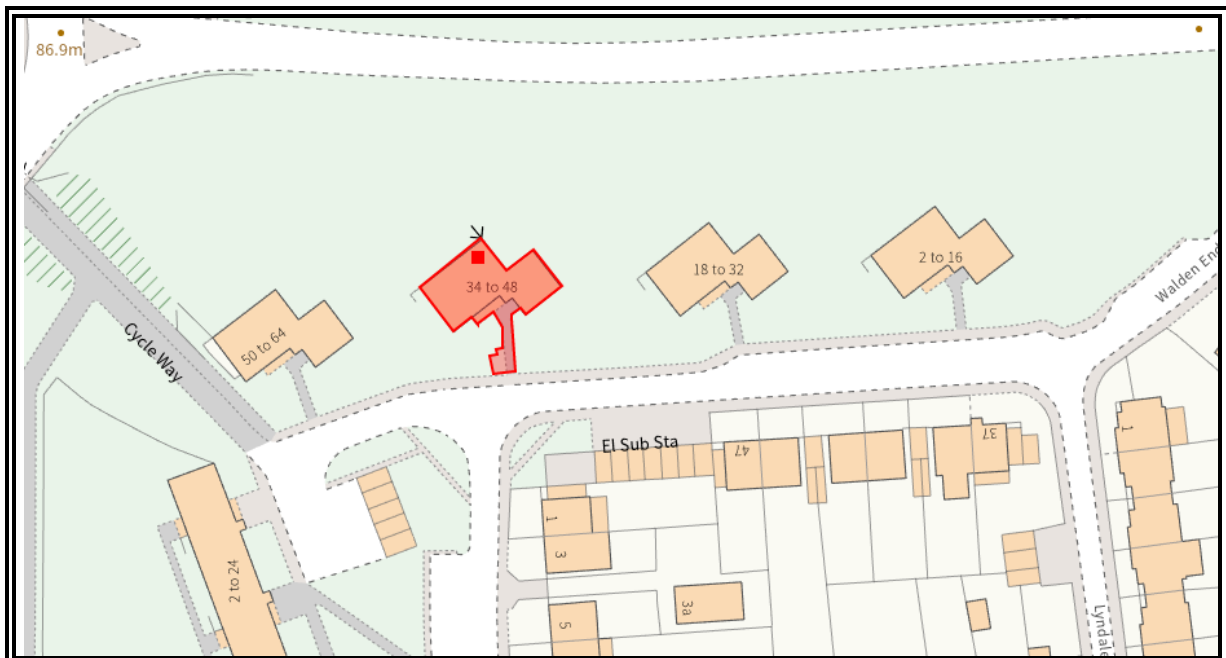
Drawing Nos.: Location Plan; 267/588;

Applicant : Wates Living Space

Agent: Randall Shaw Billingham

Date Valid: 21 November 2024

Recommendation: GRANT PLANNING PERMISSION



1. SITE DESCRIPTION

- 1.1 The application site comprises a block of flats on the northern side of Walden End. Residential dwellings lie to the south, and the main highway of Six Hills Way is to the north. The building is currently undergoing refurbishment to replace doors, windows, and balconies, and new external render and roof tiles with solar panels.
- 1.2 The building is three storeys with a dual pitched tiled roof and contains 8no. flats. There are small areas of shrub planting to the front with large areas of public open space around.

Car parking is a combination of on-street parking and laybys and shared with other residential dwellings.

2. RELEVANT PLANNING HISTORY

- 2.1 23/00252/FP. Erection of bin enclosures. Granted 26.05.2023.
- 2.2 24/00076/FPM. Installation of external wall insulation and associated external finish, installation of solar PV array system; replacement roof tiles; replacement of external windows and doors, alterations to external ventilation and balcony upgrades. Granted 02.04.2024.

3. THE CURRENT APPLICATION

- 3.1 This application seeks planning permission to erect an external, detached, bin store to the front of each of the seven blocks. Each bin store will be able to accommodate up to 10no. 360 litre wheelie bins.
- 3.2 This application comes before the Planning and Development Committee because the owner of the buildings is Stevenage Borough Council and previous applications for these properties have been referred to Committee. Therefore, in line with the Council's constitution, this application is being referred to the aforementioned committee for its decision.

4. PUBLIC REPRESENTATIONS

- 4.1 Following notification of the application via the erection of site notices, no comments have been received at the time of writing this report. Any comments received prior to the committee meeting will be detailed via an addendum report.

5. CONSULTATIONS

5.1. Herts County Council as Highways Authority

- 5.1.1 No comments received.

5.2. SBC Environmental Health

- 5.2.1 Having reviewed the application and the information submitted, we do not have any objection.

5.3. SBC Waste and Recycling

- 5.3.1 No comments received.

6. RELEVANT PLANNING POLICIES

6.1 Background to the Development Plan

- 6.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications be determined in accordance with the development plan unless material considerations indicate otherwise. For Stevenage, the statutory development plan comprises the following documents:

- The Stevenage Borough Council Local Plan 2011-2031 (adopted 2019)
- The Hertfordshire Waste Core Strategy & Development Management Policies Development Plan Document 2011-2026 (adopted 2012)

- The Hertfordshire Waste Site Allocations Development Plan Document 2011-2026 (adopted 2014)
- The Hertfordshire Minerals Local Plan Review 2002-2016 (adopted 2007)

6.2 National Planning Policy Framework

6.2.1 A revised National Planning Policy Framework (NPPF) was published in December 2023. This made significant changes to the September 2023 version and revised policy with respect to the following:

- maintaining supply and delivery of housing.
- making effective use of land with the allowance of mansard roof extensions to suitable properties.
- significant uplift in the average density of residential development can be seen as being inappropriate if the built form is out of character.
- strengthening policies around achieving well-designed and beautiful places.
- requirement for councils to prepare Local Design Codes.
- no longer a requirement to review or change Green Belt boundaries when plans are being prepared or updated.
- local planning authorities should now give significant weight to the need to support energy efficiency and low carbon heating improvements to existing buildings, both domestic and non-domestic.
- change to policies on Biodiversity.

6.2.2 The NPPF provides that proposals which accord with an up-to-date development plan should be approved without delay (para.11) and that where a planning application conflicts with an up-to-date development plan, permission should not usually be granted (para.12). This indicates the weight which should be given to an up-to-date development plan, reflecting the requirements of section 38(6) of the 2004 Act.

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

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

6.2.5 The council is currently carrying out a partial review and update of the local plan. On 21 November 2024, a schedule of proposed changes was published for the second stage of public consultation under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). This is where a further opportunity for representations can be made on the amendments to the Local Plan before it is submitted for examination to a planning inspector. The Council intends to submit the Local Plan for Examination in Public (EiP) in early 2025 with the aim to adopt an updated Local Plan by June 2025. As the updated Local Plan progresses through the relevant stages outlined above, more weight can be applied to the respective policies until its formal adoption by the Council. Please refer to point 6.6 below for more information.

6.3 Planning Practice Guidance

6.3.1 The Planning Practice Guidance (“PPG”), with which Members are fully familiar, is an online resource containing guidance supplementing the NPPF. The PPG is a material consideration which should be taken into account in determining planning applications.

6.4 National Design Guide

- 6.4.1 The National Design Guide 2021 is Government guidance on the characteristics of well-designed places and demonstrates what good design means in practice. It has the same status as the PPG and should similarly be taken into account when determining planning applications.

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

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

Policy SP8: Good design;
Policy GD1: High quality design;
Policy NH6: General protection for open space.

6.6 Local Plan Partial Review (2024)

6.6.1 Local Plan Partial Review and Update

The council is currently carrying out a partial review and update of the local plan. On 21 November 2024, a schedule of proposed changes was published for the second stage of public consultation under regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). Paragraph 48 of the NPPF 2023 states that local planning authorities may give weight to relevant policies in emerging plans according to:

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

Where there are emerging policies which are relevant to the application, these will be highlighted in the main body of this report.

In order to view an updated tracked change copy of the Local Plan Partial Review (LPPR), please see the link below:

<https://democracy.stevenage.gov.uk/documents/s37641/4%20Appendix%20A%20LPPR%202024%20-%20Track%20Changes%20Reg%2018%20to%20Reg%2019.pdf>

6.7 Supplementary Planning Documents

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

- Stevenage Design Guide Supplementary Planning Document (January 2023);

6.8 Community Infrastructure Levy

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

7. APPRAISAL

- 7.1.1. The only issue in the assessment of the application is the impact on the character and appearance of the area, impact on residential amenities and waste and recycling.

- 7.1.2. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that all planning applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

7.2 Impact on the Character and Appearance of the Area

National Planning Policy Framework and Planning Practice Guidance

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

Development Plan

- 7.2.4 Policy SP8 of the Local Plan Partial Review (2024), generally reflects the requirements of the NPPF in that it requires new development to achieve the highest standards of design and sustainability. In addition, Policy GD1 generally requires all forms of development to meet a high standard of design which includes form of built development, elevational treatment, and materials along with how the development would integrate with the urban fabric, its relationship between buildings, landscape design and relevant aspects of sustainable design.
- 7.2.5 In the emerging local plan partial review and update, criterion (e) is updated to refer to “unacceptable” adverse impacts. The intention behind the change is to make clear that in some circumstances, an adverse impact might still fall within acceptable bounds and that this is a matter of judgement for the decision maker. Policy GD2 is a new policy emerging from the local plan partial review and update. It states that proposals which demonstrate they have been designed to achieve a rating of excellent or higher against a relevant BREEAM standard and/or to achieve the BRE Home Quality Mark will be strongly supported, although this is not mandatory.

- 7.2.6 The Council's Design Guide SPD (Jan 2023) sets out that an understanding and analysis of the original New Town design concepts identified some key issues. These have been used as key themes, which run throughout the entirety of the Design Guide. Considering these concepts at all stages of the development process provides a good basis for the creation of a successful place; based on the recognised principles of urban design, but also building on the existing fabric of the town without taking away from Stevenage's history as Britain's first Mark One New Town. The themes have been identified as follows:
- Sustainability – incorporate principles of sustainable development from a town-wide perspective to measures incorporated into an individual property;
 - Increasing densities – encourage high densities in accessible locations;
 - Respecting existing characteristics – respect local characteristics and preserve and enhance existing features, where appropriate;
 - Legibility – provide landmark developments at nodal points;
 - Design innovation – showcase Stevenage as an example of high-quality design, creating safer places through urban design techniques.
- 7.2.7 The building is located on the northern side of Walden End and is highly prominent from a number of different public vantage points both to the front and the rear. There is a modest amount of soft landscaping in the form of shrubs and trees around the buildings with an extensive expanse of open grass to the rear.
- 7.2.8 The proposed enclosure will be located to the front of the building, adjacent to the public footpath. The enclosure will measure 4.2m long, 3.9m wide and 1.45m high and will be constructed in treated hit and miss timber set between concrete posts. Similar new enclosures at Council owned flatted developments have been installed with Digi locks on the gates to prevent unauthorised access by non-residents.
- 7.2.9 The enclosure will be sited close to the public footpath. There will be an access point on the rear for residents to use and an access point at the front for SBC waste and recycling crews and therefore any potential conflict with passing members of the public would only occur once a week on collection days.
- 7.2.10 While it is noted that the bin enclosures will be visible from the public realm, it is considered that the overall amenity of the street scene will be improved by the removal of numerous bins from the four block entrances. The bin enclosures are 1.45m in height and as low as they can be whilst still obscuring the bins from view and remaining at a safe height; this therefore minimalizes the visual impact of the enclosures.
- 7.2.11 In terms of design, the bin enclosures will be timber and not include a roof. This is a design choice of the Council and no new bin enclosures erected by the Council have roofs. A roofed enclosure would need to be significantly taller to accommodate internal head room and would therefore have a greater impact on the street scene.
- 7.2.12 The timber enclosures are considered visually acceptable and will screen view of the bins from the public, thereby improving the visual amenities of the area.
- 7.2.13 The area of land where the enclosure will be sited is an area of open grass land owned by Stevenage Borough Council and is designated as an area of informal open space and is protected by Policy NH6 of the Stevenage Local Plan. Policy NH6 for general protection of open space states that planning permission for development of any existing, unallocated open space will be permitted where the loss of the open space is justified having regard to the quality and accessibility of the open space, the existence of any interventions to improve quality or access, whether the open space is serving its function or purpose and whether alternate spaces would remain available for community use.
- 7.2.14 Whilst it is noted that the development would result in the loss of an area of open space, it would be minimal, having an area of approximately 16sqm. Being adjacent to a busy and congested highway, the land is not considered to be useable as a play space by children and its purpose is to provide visual softening in an otherwise urban setting.

When balanced against the public benefits of providing improved facilities for residents, the loss of a very small area of open space is considered acceptable.

7.3 Impact on Neighbouring residential amenity **National Planning Policy Framework and Planning Practice Guidance**

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

Development Plan

- 7.3.2 Policies SP8 and GD1 of the Local Plan Partial Review (2024) are deemed to carry significant weight, this is because they generally reflect the good design principles outlined in the NPPF and National Design Guide, i.e., that these policies require developments do not adversely impact the amenities of neighbouring occupiers as a good design principle.
- 7.3.3 The existing waste disposal arrangements are no longer considered suitable, with the current location of the bins, immediately outside the main entrance to the building, pose a fire hazard and health hazard from rat infestations. Their relocation is therefore required to improve the amenities of the occupiers of the building. Under previously approved planning permission 23/00252/FP for a previous iteration of new bin stores, it was noted by Environmental Health that “*there have been serious problems in the area with rat infestations, affecting the residents. This infestation is directly associated with the proximity of bin storage areas to the flats*”. Further, it was also noted under that application from Stevenage Direct Services that “*current good practice is for waste storage areas to be fenced off and located at least 10m away from buildings and other risk areas.*” In this instance, the bin stores are located between 5-7m from the existing blocks. This is considered an acceptable distance to reduce the risk of fires, rat infestations, odours, and other associated issues, whilst also remaining a reasonable walking distance for residents.
- 7.3.4 When considering the current location of the bins at the front entrances of each block, residents pass close to the bins upon entry and exit of the blocks. Here, it is of note that the bins likely become odorous, especially in warmer weather. The refuse bins are also of an inadequate capacity in their current state, increasing the risk of rubbish being left by the side of the bins, therefore worsening the odorous state, and causing an untidy appearance at each entrance. The new enclosure is located away from the entrance points to reduce the impact of odours and has adequate capacity to prevent overfilling; therefore, minimising the impact on residential amenity. Additionally, the travel distance for waste operatives when collecting bins from the current location is further than the maximum 10m from the refuse vehicle. The location of the enclosures close to the existing public footpath would reduce this distance by up to 50%. When considering the above, the relocation of the existing bins is considered to improve the existing living conditions of occupiers as well as the overall residential amenity. This outweighs any harm relating to increased walking distances for residents for waste disposal. In this regard, the development is therefore considered acceptable.

7.4 Waste and Recycling

- 7.4.1 The design guide SPD requires developments to provide for the storage and collection of waste from site.

7.4.2 The proposed development would provide adequate space and storage of waste arising from the site and would amount to a significant upgrade over the existing facilities. The distance for operatives collecting the bins is acceptable. The proposal is considered acceptable in this regard.

7.5 Biodiversity Net Gain

7.5.1 Paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 sets out that every planning permission granted for the development of land in England shall be deemed to have been granted subject to the 'biodiversity gain condition' requiring development to achieve a net gain of 10% of biodiversity value. There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not apply.

7.5.2 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.

1. Development below the de minimis threshold, meaning development which:
 - a) 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
 - b) 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).

7.6 Equality, Diversity and Human Rights

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

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

7.6.3 Rigorous consideration will ensure that proper appreciation of any potential impact of that decision on the Council's obligations under the Public Sector Equalities Duty. As a minimum this requires decision makers to read and carefully consider the content of any Equalities Impact Assessment (EqIA) produced by officers.

7.6.4 The Equalities Act 2010 requires the Council when exercising its functions to have due regard to the need to (a) eliminate discrimination, harassment, victimisation and other conduct prohibited under the Act; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and (c) foster good relations between persons who share protected characteristics under the Equality Act and persons who do not share it. The protected characteristics under the Equality Act are: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion and belief; sex and sexual orientation.

7.6.5 Measures will be put in place during the construction phase of the development to minimise harm to neighbouring properties arising from noise and dust. Residential dwellings are not considered to be a noise-based use. Accordingly, it is not considered that the development would contravene the Human Rights Act by way of preventing or hindering the right to peaceful enjoyment of a home.

7.6.6 The proposal will not block or reduce accessibility of the buildings by persons using pushchairs, wheelchairs, or other mobility aids. The enclosure itself will be accessible by all persons through level access. Accordingly, the development will not affect persons of protected characteristics.

7.6.7 It is considered that the decision has had regard to this duty. The development would not conflict with either Stevenage Borough Council's Equality Policy or the commitments set

out in our Equality Objectives and would support the Council in meeting its statutory equality responsibilities.

8. CONCLUSIONS

- 8.1. The proposal is considered to be in accordance with the development plan and in the absence of any other material considerations which indicate that permission should be refused, it is recommended that planning permission be granted.

9. RECOMMENDATIONS

- 9.1 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; 267/588;
REASON:- For the avoidance of doubt and in the interests of proper planning
 - 2 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON:- To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).
 - 3 The 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.
REASON:- To ensure the development has an acceptable appearance.

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

- 1 Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted pro-actively in line with the requirements of the National Planning Policy Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

INFORMATIVE

1 Public Information on Planning Applications

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

2 Community Infrastructure Levy

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

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

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

3 **Building Regulations**

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

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

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

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

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

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

4 **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:

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

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

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.

1. Development below the de minimis threshold, meaning development which:
 - a) 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
 - b) 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>

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 – Stevenage Design Guide adopted January 2023.
3. Stevenage Borough Local Plan 2011 – 2031 adopted 2019 and Local Plan Partial Review (2024).
4. Responses to consultations with statutory undertakers and other interested parties referred to in this report.
5. Central Government advice contained in the National Planning Policy Framework December 2023 and Planning Practice Guidance.

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

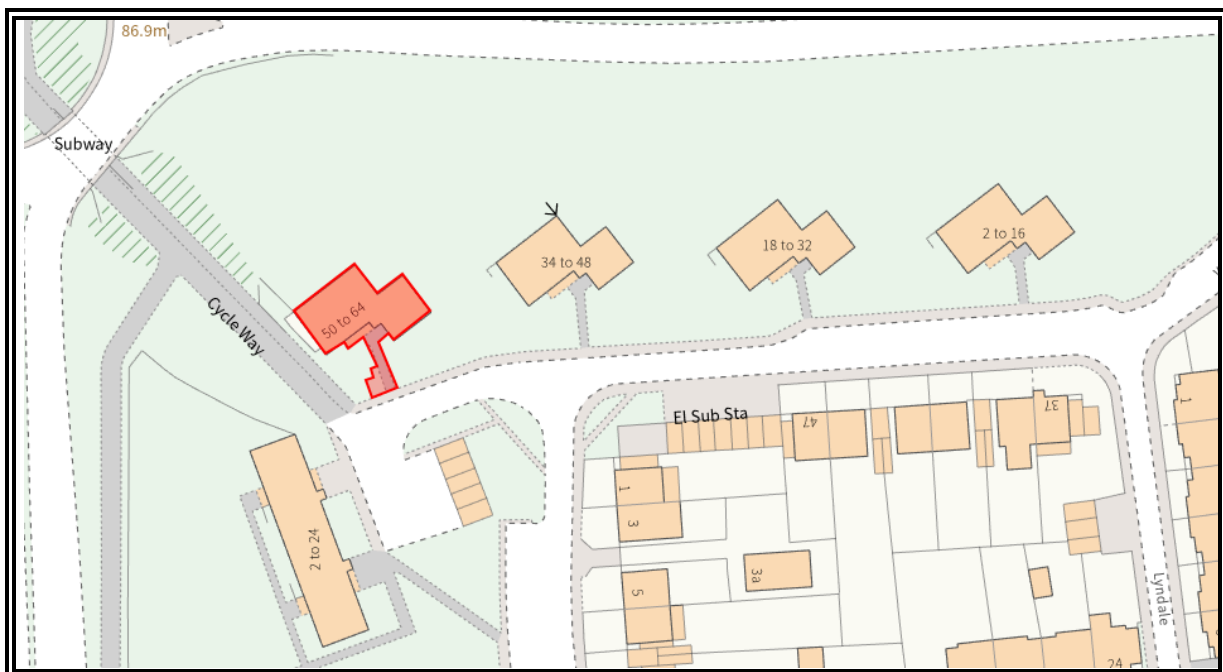
Date: 7 January 2025

Author: Linda Sparrow

Lead Officer: James Chettleburgh

Contact Officer: Linda Sparrow

Application No :	24/00820/FP
Location :	50 - 64 Walden End Stevenage
Proposal :	Construction of bin enclosure to house 10no. 360 litre wheelie bins
Drawing Nos.:	Location Plan; 267/589;
Applicant :	Wates Living Space
Agent:	Randall Shaw Billingham
Date Valid:	21 November 2024
Recommendation:	GRANT PLANNING PERMISSION



1. SITE DESCRIPTION

- 1.1 The application site comprises a block of flats on the northern side of Walden End. Residential dwellings lie to the south, and the main highway of Six Hills Way is to the north. The building is currently undergoing refurbishment to replace doors, windows, and balconies, and new external render and roof tiles with solar panels.
- 1.2 The building is three storeys with a dual pitched tiled roof and contains 8no. flats. There are small areas of shrub planting to the site with large areas of public open space around.

Car parking is a combination of on-street parking and laybys and shared with other residential dwellings.

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3. THE CURRENT APPLICATION

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- 3.2 This application comes before the Planning and Development Committee because the owner of the buildings is Stevenage Borough Council and previous applications for these properties have been referred to Committee. Therefore, in line with the Council's constitution, this application is being referred to the aforementioned committee for its decision.

4. PUBLIC REPRESENTATIONS

- 4.1 Following notification of the application via the erection of site notices, no comments have been received at the time of writing this report. Any comments received prior to the committee meeting will be detailed via an addendum report.

5. CONSULTATIONS

5.1. Herts County Council as Highways Authority

- 5.1.1 No comments received.

5.2. SBC Environmental Health

- 5.2.1 Having reviewed the application and the information submitted, we do not have any objection.

5.3. SBC Waste and Recycling

- 5.3.1 No comments received.

6. RELEVANT PLANNING POLICIES

6.1 Background to the Development Plan

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- strengthening policies around achieving well-designed and beautiful places.
- requirement for councils to prepare Local Design Codes.
- no longer a requirement to review or change Green Belt boundaries when plans are being prepared or updated.
- local planning authorities should now give significant weight to the need to support energy efficiency and low carbon heating improvements to existing buildings, both domestic and non-domestic.
- change to policies on Biodiversity.

6.2.2 The NPPF provides that proposals which accord with an up-to-date development plan should be approved without delay (para.11) and that where a planning application conflicts with an up-to-date development plan, permission should not usually be granted (para.12). This indicates the weight which should be given to an up-to-date development plan, reflecting the requirements of section 38(6) of the 2004 Act.

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

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

6.2.5 The council is currently carrying out a partial review and update of the local plan. On 21 November 2024, a schedule of proposed changes was published for the second stage of public consultation under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). This is where a further opportunity for representations can be made on the amendments to the Local Plan before it is submitted for examination to a planning inspector. The Council intends to submit the Local Plan for Examination in Public (EiP) in early 2025 with the aim to adopt an updated Local Plan by June 2025. As the updated Local Plan progresses through the relevant stages outlined above, more weight can be applied to the respective policies until its formal adoption by the Council. Please refer to point 6.6 below for more information.

6.3 Planning Practice Guidance

6.3.1 The Planning Practice Guidance (“PPG”), with which Members are fully familiar, is an online resource containing guidance supplementing the NPPF. The PPG is a material consideration which should be taken into account in determining planning applications.

6.4 National Design Guide

- 6.4.1 The National Design Guide 2021 is Government guidance on the characteristics of well-designed places and demonstrates what good design means in practice. It has the same status as the PPG and should similarly be taken into account when determining planning applications.

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

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

Policy SP8: Good design;
Policy GD1: High quality design;
Policy NH6: General protection for open space.

6.6 Local Plan Partial Review (2024)

6.6.1 Local Plan Partial Review and Update

The council is currently carrying out a partial review and update of the local plan. On 21 November 2024, a schedule of proposed changes was published for the second stage of public consultation under regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). Paragraph 48 of the NPPF 2023 states that local planning authorities may give weight to relevant policies in emerging plans according to:

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

Where there are emerging policies which are relevant to the application, these will be highlighted in the main body of this report.

In order to view an updated tracked change copy of the Local Plan Partial Review (LPPR), please see the link below:

<https://democracy.stevenage.gov.uk/documents/s37641/4%20Appendix%20A%20LPPR%202024%20-%20Track%20Changes%20Reg%2018%20to%20Reg%2019.pdf>

6.7 Supplementary Planning Documents

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

- Stevenage Design Guide Supplementary Planning Document (January 2023);

6.8 Community Infrastructure Levy

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

7. APPRAISAL

- 7.1.1. The only issue in the assessment of the application is the impact on the character and appearance of the area, impact on residential amenities and waste and recycling.

- 7.1.2. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that all planning applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

7.2 Impact on the Character and Appearance of the Area

National Planning Policy Framework and Planning Practice Guidance

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

Development Plan

- 7.2.4 Policy SP8 of the Local Plan Partial Review (2024), generally reflects the requirements of the NPPF in that it requires new development to achieve the highest standards of design and sustainability. In addition, Policy GD1 generally requires all forms of development to meet a high standard of design which includes form of built development, elevational treatment, and materials along with how the development would integrate with the urban fabric, its relationship between buildings, landscape design and relevant aspects of sustainable design.
- 7.2.5 In the emerging local plan partial review and update, criterion (e) is updated to refer to “unacceptable” adverse impacts. The intention behind the change is to make clear that in some circumstances, an adverse impact might still fall within acceptable bounds and that this is a matter of judgement for the decision maker. Policy GD2 is a new policy emerging from the local plan partial review and update. It states that proposals which demonstrate they have been designed to achieve a rating of excellent or higher against a relevant BREEAM standard and/or to achieve the BRE Home Quality Mark will be strongly supported, although this is not mandatory.

- 7.2.6 The Council's Design Guide SPD (Jan 2023) sets out that an understanding and analysis of the original New Town design concepts identified some key issues. These have been used as key themes, which run throughout the entirety of the Design Guide. Considering these concepts at all stages of the development process provides a good basis for the creation of a successful place; based on the recognised principles of urban design, but also building on the existing fabric of the town without taking away from Stevenage's history as Britain's first Mark One New Town. The themes have been identified as follows:
- Sustainability – incorporate principles of sustainable development from a town-wide perspective to measures incorporated into an individual property;
 - Increasing densities – encourage high densities in accessible locations;
 - Respecting existing characteristics – respect local characteristics and preserve and enhance existing features, where appropriate;
 - Legibility – provide landmark developments at nodal points;
 - Design innovation – showcase Stevenage as an example of high-quality design, creating safer places through urban design techniques.
- 7.2.7 The building is located on the northern side of Walden End and is highly prominent from a number of different public vantage points both to the front and the rear. There is a modest amount of soft landscaping in the form of shrubs and trees around the buildings with an extensive expanse of open grass to the rear.
- 7.2.8 The proposed enclosure will be located to the front of the building, adjacent to the public footpath. The enclosure will measure 4.2m long, 3.9m wide and 1.45m high and will be constructed in treated hit and miss timber set between concrete posts. Similar new enclosures at Council owned flatted developments have been installed with Digi locks on the gates to prevent unauthorised access by non-residents.
- 7.2.9 The enclosure will be sited close to the public footpath. There will be an access point on the rear for residents to use and an access point at the front for SBC waste and recycling crews and therefore any potential conflict with passing members of the public would only occur once a week on collection days.
- 7.2.10 While it is noted that the bin enclosures will be visible from the public realm, it is considered that the overall amenity of the street scene will be improved by the removal of numerous bins from the four block entrances. The bin enclosures are 1.45m in height and as low as they can be whilst still obscuring the bins from view and remaining at a safe height; this therefore minimalizes the visual impact of the enclosures.
- 7.2.11 In terms of design, the bin enclosures will be timber and not include a roof. This is a design choice of the Council and no new bin enclosures erected by the Council have roofs. A roofed enclosure would need to be significantly taller to accommodate internal head room and would therefore have a greater impact on the street scene.
- 7.2.12 The timber enclosures are considered visually acceptable and will screen view of the bins from the public, thereby improving the visual amenities of the area.
- 7.2.13 The area of land where the enclosure will be sited is an area of open grass land owned by Stevenage Borough Council and is designated as an area of informal open space and is protected by Policy NH6 of the Stevenage Local Plan. Policy NH6 for general protection of open space states that planning permission for development of any existing, unallocated open space will be permitted where the loss of the open space is justified having regard to the quality and accessibility of the open space, the existence of any interventions to improve quality or access, whether the open space is serving its function or purpose and whether alternate spaces would remain available for community use.
- 7.2.14 Whilst it is noted that the development would result in the loss of an area of open space, it would be minimal, having an area of approximately 16sqm. Being adjacent to a busy and congested highway, the land is not considered to be useable as a play space by children and its purpose is to provide visual softening in an otherwise urban setting.

When balanced against the public benefits of providing improved facilities for residents, the loss of a very small area of open space is considered acceptable.

7.3 Impact on Neighbouring residential amenity

National Planning Policy Framework and Planning Practice Guidance

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

Development Plan

- 7.3.2 Policies SP8 and GD1 of the Local Plan Partial Review (2024) are deemed to carry significant weight, this is because they generally reflect the good design principles outlined in the NPPF and National Design Guide, i.e., that these policies require developments do not adversely impact the amenities of neighbouring occupiers as a good design principle.
- 7.3.3 The existing waste disposal arrangements are no longer considered suitable, with the current location of the bins, immediately outside the main entrance to the building, pose a fire hazard and health hazard from rat infestations. Their relocation is therefore required to improve the amenities of the occupiers of the building. Under previously approved planning permission 23/00252/FP for a previous iteration of new bin stores, it was noted by Environmental Health that “*there have been serious problems in the area with rat infestations, affecting the residents. This infestation is directly associated with the proximity of bin storage areas to the flats*”. Further, it was also noted under that application from Stevenage Direct Services that “*current good practice is for waste storage areas to be fenced off and located at least 10m away from buildings and other risk areas.*” In this instance, the bin stores are located between 5-7m from the existing blocks. This is considered an acceptable distance to reduce the risk of fires, rat infestations, odours, and other associated issues, whilst also remaining a reasonable walking distance for residents.
- 7.3.4 When considering the current location of the bins at the front entrances of each block, residents pass close to the bins upon entry and exit of the blocks. Here, it is of note that the bins likely become odorous, especially in warmer weather. The refuse bins are also of an inadequate capacity in their current state, increasing the risk of rubbish being left by the side of the bins, therefore worsening the odorous state, and causing an untidy appearance at each entrance. The new enclosure is located away from the entrance points to reduce the impact of odours and has adequate capacity to prevent overfilling; therefore, minimising the impact on residential amenity. Additionally, the travel distance for waste operatives when collecting bins from the current location is further than the maximum 10m from the refuse vehicle. The location of the enclosures close to the existing public footpath would reduce this distance by up to 50%. When considering the above, the relocation of the existing bins is considered to improve the existing living conditions of occupiers as well as the overall residential amenity. This outweighs any harm relating to increased walking distances for residents for waste disposal. In this regard, the development is therefore considered acceptable.

7.4 Waste and Recycling

- 7.4.1 The design guide SPD requires developments to provide for the storage and collection of waste from site.

7.4.2 The proposed development would provide adequate space and storage of waste arising from the site and would amount to a significant upgrade over the existing facilities. The distance for operatives collecting the bins is acceptable. The proposal is considered acceptable in this regard.

7.5 Biodiversity Net Gain

7.5.1 Paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 sets out that every planning permission granted for the development of land in England shall be deemed to have been granted subject to the 'biodiversity gain condition' requiring development to achieve a net gain of 10% of biodiversity value. There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not apply.

7.5.2 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.

1. Development below the de minimis threshold, meaning development which:
 - a) 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
 - b) 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).

7.6 Equality, Diversity and Human Rights

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

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

7.6.3 Rigorous consideration will ensure that proper appreciation of any potential impact of that decision on the Council's obligations under the Public Sector Equalities Duty. As a minimum this requires decision makers to read and carefully consider the content of any Equalities Impact Assessment (EqIA) produced by officers.

7.6.4 The Equalities Act 2010 requires the Council when exercising its functions to have due regard to the need to (a) eliminate discrimination, harassment, victimisation and other conduct prohibited under the Act; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and (c) foster good relations between persons who share protected characteristics under the Equality Act and persons who do not share it. The protected characteristics under the Equality Act are: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion and belief; sex and sexual orientation.

7.6.5 Measures will be put in place during the construction phase of the development to minimise harm to neighbouring properties arising from noise and dust. Residential dwellings are not considered to be a noise-based use. Accordingly, it is not considered that the development would contravene the Human Rights Act by way of preventing or hindering the right to peaceful enjoyment of a home.

7.6.6 The proposal will not block or reduce accessibility of the buildings by persons using pushchairs, wheelchairs, or other mobility aids. The enclosure itself will be accessible by all persons through level access. Accordingly, the development will not affect persons of protected characteristics.

7.6.7 It is considered that the decision has had regard to this duty. The development would not conflict with either Stevenage Borough Council's Equality Policy or the commitments set

out in our Equality Objectives and would support the Council in meeting its statutory equality responsibilities.

8. CONCLUSIONS

- 8.1. The proposal is considered to be in accordance with the development plan and in the absence of any other material considerations which indicate that permission should be refused, it is recommended that planning permission be granted.

9. RECOMMENDATIONS

- 9.1 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; 267/589;
REASON:- For the avoidance of doubt and in the interests of proper planning
 - 2 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON:- To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).
 - 3 The 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.
REASON:- To ensure the development has an acceptable appearance.

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

- 1 Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted pro-actively in line with the requirements of the National Planning Policy Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

INFORMATIVE

1 Public Information on Planning Applications

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

2 Community Infrastructure Levy

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

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

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

3 **Building Regulations**

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

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

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

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

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

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

4 **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:

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

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

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.

1. Development below the de minimis threshold, meaning development which:
 - a) 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
 - b) 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>

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 – Stevenage Design Guide adopted January 2023.
3. Stevenage Borough Local Plan 2011 – 2031 adopted 2019 and Local Plan Partial Review (2024).
4. Responses to consultations with statutory undertakers and other interested parties referred to in this report.
5. Central Government advice contained in the National Planning Policy Framework December 2023 and Planning Practice Guidance.

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Meeting: Planning and Development
Committee

Agenda Item:

Date:

IMPORTANT INFORMATION - DELEGATED DECISIONS

Author – Technical Support 01438 242838

Lead Officer – Zayd Al-Jawad 01438 242257

Contact Officer – James Chettleburgh 01438 242266

The Assistant Director of Planning and Regulation has issued decisions in respect of the following applications in accordance with his delegated authority:-

1. Application No : 24/00716/CLPD
Date Received : 07.10.24
Location : 19 Bandley Rise Stevenage Herts SG2 9LS
Proposal : Lawful development certificate (proposed) for front porch.
Date of Decision : 06.12.24
Decision : **Certificate of Lawfulness is APPROVED**

2. Application No : 24/00741/CLPD
Date Received : 16.10.24
Location : 44 Ten Acres Crescent Stevenage Herts SG2 9US
Proposal : Lawful development certificate (proposed) for a side dormer window and 3 rooflights for loft conversion.
Date of Decision : 22.11.24
Decision : **Certificate of Lawfulness is APPROVED**

3. Application No : 24/00708/CLPU
Date Received : 04.10.24
Location : 7 Mulberry House Park Place Stevenage Herts
Proposal : Lawful Development Certificate for use as a nail salon (Use Class E)
Date of Decision : 25.11.24
Decision : **Certificate of Lawfulness is APPROVED**
4. Application No : 24/00717/FP
Date Received : 07.10.24
Location : 4 Holly Copse Stevenage Herts SG1 1QT
Proposal : Conversion of single dwelling house to 2no. one bedroom, 1 person flats
Date of Decision : 02.12.24
Decision : **Planning Permission is GRANTED**
5. Application No : 24/00767/COND
Date Received : 29.10.24
Location : The Forum Centre The Forum Town Centre Stevenage
Proposal : Discharge of condition 17 (Demolition Management Plan) attached to planning permission reference 22/00923/FPM
Date of Decision : 06.12.24
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**
6. Application No : 24/00769/FP
Date Received : 30.10.24
Location : 83 Penn Road Stevenage Herts SG1 1HT
Proposal : Enlargement of 2no. existing dormer windows.
Date of Decision : 20.12.24
Decision : **Planning Permission is GRANTED**

7. Application No : 24/00786/CPA
Date Received : 07.11.24
Location : 40 - 56 Queensway Town Centre Stevenage Herts
Proposal : Prior approval for the conversion of part ground, first and second floors of office building (Use Class (E) to 18no. one bedroom flats (Use class (C3))
Date of Decision : 18.12.24
Decision : **Prior Approval is REQUIRED and GIVEN**
8. Application No : 24/00805/COND
Date Received : 14.11.24
Location : Matalan Site Danestrete Stevenage Herts
Proposal : Discharge of condition 35 (Temporary Car Parking) attached to planning permission reference number 20/00643/RMM
Date of Decision : 29.11.24
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**
9. Application No : 24/00825/COND
Date Received : 26.11.24
Location : 15 And 15A Bedwell Crescent Stevenage Herts SG1 1LT
Proposal : Discharge of Condition 3 (Materials) attached to planning permission reference number 17/00094/FP
Date of Decision : 02.12.24
Decision : **The Condition(s)/Obligation(s) cannot be discharged but are deemed Acceptable**

Please note that the condition(s) cannot be discharged given that a breach of planning control has occurred in this instance. However, the Local Planning Authority would not seek any enforcement action against the breach at this time. Notwithstanding this, the Local Planning Authority still reserves the right to undertake enforcement action if a further breach of the condition(s) occurs at a later date.

The case officer's letter is attached providing further information.

10. Application No : 24/00740/CLPD
Date Received : 16.10.24
Location : 70 Pankhurst Crescent Stevenage Herts SG2 0QH
Proposal : Lawful Development Certificate (Proposed) for insertion of roof lights to facilitate loft conversion, with removal of chimney and alteration of rear window to bifold door.
Date of Decision : 27.11.24
Decision : **Certificate of Lawfulness is APPROVED**
11. Application No : 24/00762/CLPD
Date Received : 28.10.24
Location : 10 Poston Place Stevenage Herts SG2 0BS
Proposal : Erection of single storey rear extension and side facing dormer window
Date of Decision : 18.12.24
Decision : **Certificate of Lawfulness is APPROVED**
12. Application No : 24/00806/CLPD
Date Received : 15.11.24
Location : 3 Fry Road Stevenage Herts SG2 0QG
Proposal : Lawful Development Certificate (Proposed) for alterations to ground floor fenestration, rear dormer window and 2 no. roof lights for loft conversion.
Date of Decision : 12.12.24
Decision : **Certificate of Lawfulness is APPROVED**
13. Application No : 24/00744/FPH
Date Received : 16.10.24
Location : 17 Taywood Close Stevenage Herts SG2 9QP
Proposal : Single storey front extension.
Date of Decision : 03.12.24
Decision : **Planning Permission is GRANTED**

14. Application No : 24/00787/FPH
Date Received : 08.11.24
Location : Nine Furlongs 127 Hertford Road Stevenage Herts
Proposal : Erection of part one / two storey front extension with front dormer window and alterations to roof. New front entrance gates and boundary wall.
Date of Decision : 19.12.24
Decision : **Planning Permission is GRANTED**
15. Application No : 24/00855/NMA
Date Received : 09.12.24
Location : 13 Longfields Stevenage Herts SG2 8QD
Proposal : Non material amendment to planning permission 24/00570/FPH to change the external wall finish from render to brickwork to match existing. Alteration to omit parapet to rear (garden) elevation
Date of Decision : 17.12.24
Decision : **Non Material Amendment AGREED**
16. Application No : 23/00591/COND
Date Received : 02.08.23
Location : Land To The West Of Lytton Way Stevenage Herts
Proposal : Discharge of condition 6 (Noise Mitigation) attached to planning permission reference number 23/00239/FPM and 23/00655/FPM (As approved at appeal under reference: APP/K1935/W/20/3255692).
Date of Decision : 12.12.24
Decision : **The Condition(s)/Obligation(s) cannot be discharged but are deemed Acceptable**

Please note that the condition(s) cannot be discharged given that a breach of planning control has occurred in this instance. However, the Local Planning Authority would not seek any enforcement action against the breach at this time. Notwithstanding this, the Local Planning Authority still reserves the right to undertake enforcement action if a further breach of the condition(s) occurs at a later date.

The case officer's letter is attached providing further information.

17. Application No : 24/00683/COND
Date Received : 21.09.24
Location : 11 High Street Stevenage Herts SG1 3BG
Proposal : Discharge of condition 2 (climate change) and condition 3 (EV charging) attached to planning permission reference number 23/00432/FP
Date of Decision : 02.12.24
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**
18. Application No : 24/00704/FPH
Date Received : 03.10.24
Location : 5 Orchard Road Stevenage Herts SG1 3HD
Proposal : Replacement of existing garage roof with pitched roof, replacement garage door and fenestration to dwelling.
Date of Decision : 26.11.24
Decision : **Planning Permission is GRANTED**
19. Application No : 24/00726/COND
Date Received : 11.10.24
Location : 23 Essex Road Stevenage Herts SG1 3EX
Proposal : Discharge of conditions 14 (CO2 and Water) and 16 (Acoustic Mitigation) attached to planning permission reference number 23/00186/FP
Date of Decision : 02.12.24
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**
20. Application No : 24/00754/TPCA
Date Received : 24.10.24
Location : Car Park Behind 133 High Street Stevenage Herts SG1 3HT
Proposal : Remove to ground 3 no. sycamore (acer pseudoplatanus) at T1 (northernmost), T2 (centre of group) and T3 (southernmost).
Date of Decision : 05.12.24
Decision : **CONSENT TO CARRY OUT WORKS TO A TREE IN A CONSERVATION AREA**

21. Application No : 24/00784/CPA
Date Received : 06.11.24
Location : 29-29A High Street Stevenage Herts SG1 3AU
Proposal : Prior approval for the change of use of office building Use Class (E) proposed conversion to 3no. one bedroom studio flats and 2no. one bedroom flats Use Class (C3)
Date of Decision : 12.12.24
Decision : **Prior Approval is REQUIRED and GIVEN**
22. Application No : 24/00578/FP
Date Received : 13.08.24
Location : ASDA Stores Ltd Monkswood Way Stevenage Herts
Proposal : Variation of Condition 1 attached to planning permission reference 06/00177/FP to allow night time (22.00 to 07.00) and Sunday deliveries after 15.00 from the front of the store to enable 24 hour servicing to continue.
Date of Decision : 03.12.24
Decision : **Planning Permission is GRANTED**
23. Application No : 24/00613/FPH
Date Received : 29.08.24
Location : 14 Burydale Stevenage Herts SG2 8AT
Proposal : Erection of single storey front and rear extension.
Date of Decision : 27.11.24
Decision : **Planning Permission is GRANTED**
24. Application No : 24/00685/FP
Date Received : 24.09.24
Location : Church Of St. Peter The Willows Stevenage Herts
Proposal : Replacement roof and fenestrations to existing entrance porch and new disabled access ramp and hardstanding area
Date of Decision : 05.12.24
Decision : **Planning Permission is GRANTED**

25. Application No : 24/00718/TPTPO
Date Received : 08.10.24
Location : 55 Fellowes Way Stevenage Herts SG2 8BS
Proposal: Reduce crown by 3m-3.5m, remove deadwood and thin interior growth to Beech tree (T19) protected by TPO34.
Date of Decision : 06.12.24
Decision : **CONSENT TO CARRY OUT WORKS TO A TREE, THE SUBJECT OF A TREE PRESERVATION ORDER**
26. Application No : 24/00725/TPTPO
Date Received : 11.10.24
Location : 8 Brookhill Stevenage Herts SG2 8RR
Proposal : Reduce 1 x Oak (T1) by 2m in height and width and reduce rear limbs over property by 3m protected by Tree Preservation Order 59
Date of Decision : 04.12.24
Decision : **CONSENT TO CARRY OUT WORKS TO A TREE, THE SUBJECT OF A TREE PRESERVATION ORDER**
27. Application No : 24/00843/NMA
Date Received : 29.11.24
Location : Unit 3 Roaring Meg Retail Park London Road Stevenage
Proposal : Non material amendment to planning permission 24/00285/FP to amend the wording of Condition 3, as previously amended by approval reference 24/00498/NMA
Date of Decision : 18.12.24
Decision : **Non Material Amendment AGREED**
28. Application No : 24/00748/FPH
Date Received : 21.10.24
Location : 251 Shephall Way Stevenage Herts SG2 9RL
Proposal : Erection of first floor rear extension and obscure side window.
Date of Decision : 18.12.24
Decision : **Planning Permission is GRANTED**

29. Application No : 24/00749/TPCA
Date Received : 23.10.24
Location : 18 Shephall Green Stevenage Herts SG2 9XR
Proposal : Wild Damson - to remove the large bough branching towards number 17 and reduce the crown by 50% overall
Date of Decision : 29.11.24
Decision : **CONSENT TO CARRY OUT WORKS TO A TREE IN A CONSERVATION AREA**
30. Application No : 24/00763/TPCA
Date Received : 28.10.24
Location : St. Marys Vicarage 148 Hydean Way Stevenage Herts
Proposal : Crown Reduction of 30% of 1no. Cherry tree and removal of 3no. Ash saplings to ground level and poison.
Date of Decision : 05.12.24
Decision : **CONSENT TO CARRY OUT WORKS TO A TREE IN A CONSERVATION AREA**
31. Application No : 24/00803/CLPD
Date Received : 13.11.24
Location : 76 Peartree Way Stevenage Herts SG2 9EA
Proposal : Erection of single storey rear extension
Date of Decision : 06.12.24
Decision : **Certificate of Lawfulness is APPROVED**
32. Application No : 24/00816/NMA
Date Received : 20.11.24
Location : 9 Shackledell Stevenage Herts SG2 9AE
Proposal : Non Material amendment to planning permission 21/01074/FPH for the addition of a roof light to flat roof extension
Date of Decision : 02.12.24
Decision : **Non Material Amendment AGREED**

33. Application No : 24/00822/HPA
Date Received : 22.11.24
Location : 45 Breakspear Stevenage Herts SG2 9SQ
Proposal : Single storey rear extension which will extend beyond the rear wall of the original house by 4.50m, for which the maximum height will be 3.00m and the height of the eaves will be 3.00m
Date of Decision : 19.12.24
Decision : **Prior Approval is NOT REQUIRED**
34. Application No : 24/00279/COND
Date Received : 17.04.24
Location : Courtlands Todds Green Stevenage Herts
Proposal : Discharge of conditions 10 (drainage scheme), 11 (drainage scheme), 15 (soft and hard landscaping scheme) and 20 (landscape management plan) attached to planning permission reference number 21/00971/FPM.
Date of Decision : 27.11.24
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**
35. Application No : 24/00712/FPH
Date Received : 06.10.24
Location : 12 Bawdsey Close Stevenage Herts SG1 2LA
Proposal : Part two-storey, part single-storey side and rear extension.
Date of Decision : 29.11.24
Decision : **Planning Permission is GRANTED**
36. Application No : 24/00753/FP
Date Received : 24.10.24
Location : Hertford House Rutherford Close Stevenage Herts
Proposal : Elevational alterations including new external staircase to rear and installation of solar panels to roof
Date of Decision : 02.12.24
Decision : **Planning Permission is GRANTED**

37. Application No : 24/00798/FPH
Date Received : 12.11.24
Location : 7 Sheringham Avenue Stevenage Herts SG1 2JU
Proposal : Erection of two storey front and single storey rear extension
Date of Decision : 20.12.24
Decision : **Planning Permission is REFUSED**
- For the following reason(s);
- The proposed development, if approved, would result in inadequate car parking provision to serve the property in line with the Council's adopted parking standards. This is likely to result in additional on-street parking in inappropriate locations close to junctions, to the detriment of the free flow of traffic and highway safety in the vicinity of the application site. The proposal is therefore contrary to Policy IT5 of the Stevenage Borough Local Plan 2011 - 2031 (2019) and Local Plan Partial Review (2024), the Council's Parking Provision SPD (2020), the National Planning Policy Framework (2024) and the National Planning Practice Guidance.
38. Application No : 24/00415/COND
Date Received : 14.06.24
Location : Land To The North Of Stevenage Weston Road Stevenage Herts
Proposal : Discharge of conditions 2 (Street Furniture), 4 (Off road vehicle measures) and 5 (Access deterrents) attached to planning permission reference number 22/00781/RMM
Date of Decision : 20.12.24
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**
39. Application No : 24/00567/COND
Date Received : 09.08.24
Location : Land To The North Of Stevenage Off North Road And Weston Road Stevenage Herts
Proposal : Discharge of Conditions 13 (Hardstanding Finishes) attached to planning permission reference number 22/00806/RMM Phase 1D Bellway plots only
Date of Decision : 22.11.24
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**

40. Application No : 24/00732/COND
Date Received : 15.10.24
Location : Land To The North Of Stevenage Weston Road Stevenage Herts
Proposal : Discharge of conditions 7 (Bird and bat boxes) attached to planning permission reference number 23/00890/RMM - Phase 2 - Plots 359-398 , 468-594, 695-720 and 766-800
Date of Decision : 11.12.24
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**
41. Application No : 24/00733/COND
Date Received : 15.10.24
Location : Land To The North Of Stevenage Weston Road Stevenage Herts
Proposal : Discharge of condition 14 (External lighting) attached to planning permission reference number 23/00890/RMM
Date of Decision : 11.12.24
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**
42. Application No : 24/00734/COND
Date Received : 15.10.24
Location : Land To The North Of Stevenage Weston Road Stevenage Herts
Proposal : Discharge of condition 2 (Soft and hard landscaping) attached to planning permission reference number 23/00890/RMM
Date of Decision : 11.12.24
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**

43. Application No : 24/00735/COND
Date Received : 15.10.24
Location : Land To The North Of Stevenage Weston Road Stevenage Herts
Proposal : Discharge of condition 12 (External finishes) attached to planning permission reference number 23/00890/RMM
Date of Decision : 11.12.24
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**
44. Application No : 24/00765/COND
Date Received : 29.10.24
Location : Land To The North Of Stevenage Weston Road Stevenage Herts
Proposal : Discharge of conditions 26 (Hardstand Materials) attached to planning permission reference number 17/00862/OPM for Bellway Parcels 2A, 2C and part of 2D only
Date of Decision : 20.12.24
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**
45. Application No : 24/00768/NMA
Date Received : 29.10.24
Location : Land To The North Of Stevenage Weston Road Stevenage Herts
Proposal : Non material amendment to reserved matters approval 23/00526/RMM for layout, landscaping, scale, and appearance for residential development of 243 units comprising Phase 1 Parcels A-C and commercial unit Use Class (E)
Date of Decision : 26.11.24
Decision : **Non Material Amendment AGREED**

46. Application No : 24/00771/CLPD
Date Received : 30.10.24
Location : 11 Tates Way Stevenage Herts SG1 4WP
Proposal : Lawful development certificate (Proposed) for a single storey rear extension
Date of Decision : 05.12.24
Decision : **Certificate of Lawfulness is APPROVED**
47. Application No : 24/00772/TPTPO
Date Received : 31.10.24
Location : 2 Daltry Close Stevenage Herts SG1 4BW
Proposal : Reduce by 30% 2 x oak, (T8 and T10) (back to previous growth point) and reduce by 30% 1x Atlantic Cedar (T6) protected by Tree Preservation Order 71
Date of Decision : 19.12.24
Decision : **CONSENT TO CARRY OUT WORKS TO A TREE, THE SUBJECT OF A TREE PRESERVATION ORDER**
48. Application No : 24/00776/COND
Date Received : 01.11.24
Location : John Henry Newman School Hitchin Road Stevenage Herts
Proposal : Discharge of conditions 9 (Biodiversity Gain Plan) and 10 (Habitat Management and Monitoring Plan) attached to planning permission reference number 24/00640/FP
Date of Decision : 09.12.24
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**

BACKGROUND PAPERS

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 2020.
3. Stevenage Borough Local Plan 2011-2031 adopted May 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 September 2023 and Planning Policy Guidance.

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Meeting: Planning and Development
Committee

Agenda Item:

Date: 7 January 2025

INFORMATION REPORT - APPEALS / CALLED IN APPLICATIONS

Author – Linda Sparrow

Lead Officer – James Chettleburgh

Contact Officer – James Chettleburgh

1. APPEALS RECEIVED

1.1 None

2. DECISIONS AWAITED

2.1 21/01025/ENFAPL, 7 Boxfield Green. Appeal against the serving of an Enforcement Notice relating to the development not in accordance with approved plans under planning permission reference number 17/00734/FPH.

2.2 23/00035/ENFAPL, Car park to side of 10 Aintree Way. Appeal against the serving of an Enforcement Notice relating to the erection of a car port.

2.3 23/00920/FPM, Land to the west of Lytton Way. Appeal against refusal of planning permission for the variation of condition 1 (approved plans) attached to planning permission reference number 23/00655/FPM to remove undercroft parking areas to blocks 1 to 3 and 5 to 7 to provide 16 additional apartments and to cycle parking provision, communal entrances, refuse stores, plant and equipment, water tanks and storage areas. Alterations to centralised communal area and ancillary facilities layout in block 4, removal of external cycle store adjacent to block 4, addition of 13 parking spaces, amendment to affordable housing mix in block 7.

2.4 23/00824/CLEU, 40A Vinters Avenue. Appeal against the refusal to issue a Lawful Development Certificate for the existing use of the premises as 4no. self-contained studio flats. *To be determined following a Public Inquiry.*

2.5 23/00771/ENF, 40A Vinters Avenue. Appeal against the serving of an Enforcement Notice relating to the development under planning permission reference number 23/00824/CLEU.

3. DECISIONS RECEIVED

3.1 None.

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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