



PLANNING AND DEVELOPMENT COMMITTEE

Date: Monday, 21 July 2025

Time: 6.30pm,

Location: Council Chamber

Contact:

committees@stevenage.gov.uk

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

AGENDA

PART 1

1. APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

2. MINUTES - 5 JUNE 2025

To approve as a correct record the Minutes of the previous meeting held on 5 June 2025.
3 – 20

3. 25/00221/FPM - WILTRON HOUSE, RUTHERFORD CLOSE

To consider the demolition of existing building and construction of a new building for Use Classes E(g)(iii), B2 and B8 (flexible) including access, servicing, parking, hard and soft landscaping, and associated works.
21 – 50

4. 25/00194/FP - INDOOR MARKET, MARKET SQUARE

To consider the change of use from Indoor Market, Use Class E(a) to Education Facilities for North Herts College, Engineering and Construction Campus, Use Class F1(a), with associated internal alterations and minor alterations to the building façade.
51 – 66

5. INFORMATION REPORT - DELEGATED DECISIONS

To note a report on decisions taken by the Assistant Director Planning and Regulatory in accordance with his delegated authority.
67 – 86

6. INFORMATION REPORT - APPEALS/CALLED IN APPLICATIONS

To note a report on decisions taken by the Assistant Director Planning and Regulatory in

accordance with his delegated authority.
87 – 88

7. URGENT PART I BUSINESS

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

8. 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.

9. 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: Thursday, 5 June 2025

Time: 6.30pm

Place: Council Chamber

Present: Councillors: Claire Parris (Chair), Carolina Veres (Vice-Chair), Julie Ashley-Wren, Stephen Booth, Robert Boyle, Kamal Choudhury, Forhad Chowdhury, Peter Clark, Coleen De Freitas, Lynda Guy, Ellie Plater and Nigel Williams.

Start / End Time: Start Time: 6.37pm
End Time: 7.55pm

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

Apologies for absence were received from Councillor Akin Elekolusi.

2 **MINUTES - 19 FEBRUARY 2025**

It was **RESOLVED** that the Minutes of the meeting of the Planning and Development Committee held on 19 February 2025 be approved as a correct record and signed by the Chair.

3 **25/00056/FP - 107 RALEIGH CRESCENT**

It was noted that Councillor Peter Clark declared a personal interest in the application at 107 Raleigh Crescent and left the meeting for the duration of the item while it was being considered and voted on.

The Committee received a presentation from the Senior Planning Officer regarding a planning application for the change of use of an existing three-bedroom dwelling into two one-bedroom flats. The proposal included a two-storey rear extension, internal alterations, and associated parking provision.

Site and floor plans were presented to the committee, including proposed locations for two parking spaces. It was clarified that a second room shown in the plans fell below the minimum required size for a bedroom and therefore the property was classified as a one-bedroom flat.

The Chair invited Councillor Tom Wren, a Chells Ward Councillor, to address the Committee.

Councillor Wren, spoke in opposition to the application, expressing concern that the proposal should be considered as two two-bedroom flats due to the inclusion of both bathroom and an en-suite in each unit.

Objections were raised regarding the use of public land for parking, noting that the land had not been sold to the applicant.

Councillor Wren also referenced a late submission from the Council's Arboricultural Officer, who objected to the application due to the potential impact on the adjacent trees.

The Chair thanked Councillor Tom Wren for his contributions and invited the Senior Planning Officer to respond.

The Senior Planning Officer confirmed that land ownership was not required at the application stage. Condition 9 stipulated that parking must be provided prior to occupation, meaning the land would need to be acquired before the development could be implemented.

Officers reiterated that the second room did not meet the minimum bedroom size and confirmed that 1-bedroom flats aligned with identified housing need in Stevenage, in accordance with Policy HO5.

Officers confirmed there would be no adverse impact on outlook, amenity, or daylight for neighbouring properties. Cycle storage was also included in the proposal.

At this Juncture, it was noted that both proposed bedrooms fell marginally below policy size standards (by 10-20cm). However, this was not considered significant enough to justify refusal.

Officers addressed the Arboricultural Officer's concerns, acknowledging that the proposed parking spaces would encroach on the root protection area of one tree. However, no tree loss was anticipated.

The application was confirmed as exempt from Biodiversity Net Gain requirements due to its de minimis status. Waste and recycling provision was deemed acceptable.

The Senior Planning Officer concluded that the development would make a "small but positive contribution" to meeting the Borough's housing need and recommended approval.

During discussion, Members raised concerns about the risk of a developer proceeding with internal works before securing necessary approvals, particularly regarding parking provision. Officers acknowledged the risk but advised that developers were unlikely to proceed without full permissions due to the financial implications.

Additional concerns were raised regarding the proximity of the parking spaces to the public footpath. Officers confirmed that the proposed spaces met the required standards (4.8m x 2.4m) and should not result in overhang.

A question was raised regarding why the parking spaces were not proposed

alongside the house. Officers explained that this would have resulted in encroachment into the root protection zones of two trees and require a dropped kerb too close to the junction, which would likely be refused.

Members noted that a dropped kerb would still be required for the proposed location and there was no guarantee this would be approved. Officers confirmed this point but advised that Hertfordshire County Council had reviewed the proposal and raised no objections.

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

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:
2410-30-P-300; 2410-30-P-501-D; 2410-30-P-003-A; 2410-30-P-100; 2410-30-P-101-C; 2410-30-P-200-A; 2410-30-P-201-C; 2410-30-P-500-A; 2410-30-P-001-B; 2410-30-P-002-B;
- 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 development hereby permitted shall match the materials used in the construction of the original building to the satisfaction of the Local Planning Authority.
- 4 No demolition or construction work relating to this permission that is audible at the site boundary shall be carried out on any Sunday, Public or Bank Holiday nor at any other time, except between the hours of 07:30 and 18:00 on Mondays to Fridays and between the hours of 08:00 and 13:00 on Saturdays.
- 5 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 submitted to and approved in writing by the local planning authority. Following completion of measures identified in the approved remediation scheme a verification report must be submitted to and approved in writing by the local planning authority.
REASON:- To ensure that the site does not pose any risk to human health and to ensure that the development does not contribute to unacceptable concentrations of pollution posing a risk to public water supply from previously unidentified contamination sources at the development site and to prevent deterioration of groundwater and/or surface water by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is completed.
- 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 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.

- 7 Before any development commences, including any site clearance or demolition works, any trees on and adjacent to the site shall be protected by fencing or other means of enclosure in accordance with the Arboricultural Impact Assessment and Method Statement by Arborcare (TL-25488-25512) Rev 01 dated 30.03.2025. Such protections shall be maintained until the conclusion of all site and building operations.
- 8 Prior to commencement of development, detailed technical plans shall be 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 vehicle accesses/driveway gradients and associated highway works concerning the footway, dropped kerb, etc. in accordance with the hereby approved plans. These works shall then be constructed to the specification of the Highway Authority and Local Planning Authority's satisfaction and completed before occupation of any part of the development.
- 9 Prior to the first occupation of the development hereby permitted, the parking spaces shall be constructed and completed in accordance with the technical plans in condition 8, the details on approved plans 2410-30-(P)-300 and 2410-30-(P)501-D, and the details contained within the Arboricultural Impact Assessment and Method Statement by Arborcare (TL-25488-25512) Rev 01 dated 30.03.2025. The parking shall be maintained as such for the lifetime of the development and used only for the parking of motor vehicles.
- 10 The proposed hardstanding shall be made of a porous material, or provision shall be made to direct surface water run-off water from the hardstanding to a permeable or porous area or surface within the curtilage of the dwellinghouse.
- 11 No access shall be provided to the roof of the extension by way of windows, doors or staircases and the roof of the extension hereby permitted shall not be used as a balcony or sitting out area.
- 12 Prior to the first occupation of the dwellings hereby permitted, details of the cycle storage shall be submitted to, and approved in writing by, the Local Planning Authority. The cycle storage shall be retained and maintained accordingly during the lifetime of the development.
- 13 Prior to the first occupation of the dwelling hereby permitted, details of the waste and recycling storage shall be submitted to, and approved in writing by, the Local Planning Authority. Scaled plans and written specifications to illustrate that the storage areas can be accessed within 30m of each dwelling

and within 25m of the kerbside collection point. The storage shall be retained and maintained accordingly during the lifetime of the development.

- 14 No development shall take place above slab level until details of measures to address adaptation to climate change 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.

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

- 1 Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the National Planning Policy Framework 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>

- 6 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.
- 7 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.
- 8 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.
- 9 Hertfordshire County Council as Highways Authority**
Avoidance of surface water discharge onto the highway: The applicant is advised that the Highway Authority has powers under section 163 of the

Highways Act 1980, to take appropriate steps where deemed necessary (serving notice to the occupier of premises adjoining a highway) to prevent water from the roof or other part of the premises falling upon persons using the highway, or to prevent so far as is reasonably practicable, surface water from the premises flowing on to, or over the footway of the highway.

10 Hertfordshire County Council as Highways Authority

Construction standards for new vehicle access: Where works are required within the public highway to facilitate the 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 website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/dropped-kerbs/dropped-kerbs.aspx> or by telephoning 0300 1234047.

***Recorded Vote**

For – Councillors Robert Boyle, Kamal Choudhury, Forhad Chowdhury, Coleen De Freitas, Lynda Guy, Claire Parris and Carolina Veres.

Against – Councillors Julie Ashley-Wren, Stephen Booth, Ellie Plater and Nigel Williams

Abstentions – 0

Absent – Councillors Peter Clark, Akin Elekolusi and Anne Wells

4 25/00277/FP - BUS INTERCHANGE SCULPTURE

The Committee received a presentation from the Planning and Development Team Leader on the proposed installation of public artwork outside Stevenage Interchange Bus Station. The location of the sculpture's footprint was shown. It was noted that the sculpture would be 2.5 metres high and consist of three stacked stones made from a metal armature and polystyrene carved rocks, coated with glass reinforced cement and decorated with hand-cut mosaic designs.

The Chair welcomed Jill Borchers from Cycling UK to address the Committee. It was noted that the concerns raised were related to the location of the artwork, not the design or content.

The Committee was informed that the artwork would be positioned at the Junction where the North Road Cycleway meets the East-West route to the station. Cyclists would approach from three different directions, while pedestrians would arrive from four.

It was proposed that the decision be deferred until further analysis of pedestrian and cyclist flow around the area had been undertaken.

The Chair thanked Jill for her contributions and welcomed the Planning and Development Team leader to respond.

It was explained to the Committee that the Highway authority and Stevenage Borough's Engineering department had been contacted for any objections to the application due to pedestrian and cyclist flows. Reference was made to the Local Transport Note (LTN120), which stated that the width of the sculpture and the rear edge of the footpath would be 4.6 metres and 6.2 metres from the landscaped area to the north, exceeding the 4-metre minimum requirement and therefore complying with guidance.

Members acknowledged that public sculptures across the town were well received. A question was raised about relocating the sculpture, however officers explained that the planning authority must assess the sculpture in its submitted location and had no authority in changing the location.

The Committee queried whether other street furniture had been considered in the application. The Planning and Development Team Leader confirmed that it had.

In response to concerns about spectators of the artwork narrowing the pathway to below 4 metres, the Planning and Development Team Leader noted it was a shared space and would be the responsibility of the users of the area to manage it safely.

Members sought clarification on why the proposal referred to the area as a pedestrianised highway rather than acknowledging it as a shared space with cyclists and felt this should have been explicitly stated for transparency. The Planning and Development Team Leader noted the comments and agreed that it was not mentioned in the report but explained that relevant departments would have been aware of the shared use and would have taken it into account in their assessments.

Members stated that users should exercise caution in shared spaces and, while acknowledging concerns, expressed that public art should be placed in visible, frequented locations rather than hidden from view.

A question was raised whether impact assessments had been conducted regarding potential congestion at the proposed location, and whether a decision should be delayed until this was assessed. It was noted that the decision rested on whether members believed the proposal posed an unacceptable safety risk. No objections had been received regarding the proposed location.

The Assistant Director of Planning thanked members for their contributions and noted that similar installations had been approved across the country, with examples

of mixed users navigating spaces. It was reiterated that members decision should focus on whether the proposal presented an unacceptable safety risk.

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

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

Site Location Plan; HDM-311224_01 P5; STV-CON-Z0-ZZ-DR-985001 C7; STV-CON-Z1-ZZ-DR-D-985100 C4.
- 2 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

INFORMATIVES

- 1 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 - 43 - 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).
- 2 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, Robert Boyle, Kamal Choudhury, Forhad Chowdhury, Coleen De Freitas, Claire Parris, Ellie Plater, Carolina Veres and Nigel Williams

Against – Councillors Stephen Booth, Peter Clark and Lynda Guy

Abstentions – 0

Absent – Councillors Akin Elekolusi and Anne Wells

5 **24/00544/FP - 11-19 TOWN SQUARE**

The Committee received a presentation on the application for 11 – 19 Town Square in the Town Centre, proposing alterations and refurbishments to include a new roof, replacement windows, fascia boards and air conditioning units to the rear of the building.

It was noted that these proposals had previously come before the Committee due to incomplete works, therefore a new application was required. Updates to the proposal included changes to some of the windows not present in the previous application.

A site plan and photographs were presented showing the completed new windows and roof from the previous application. Images of the enclosures for the air conditioning units were also shown.

It was noted that the air conditioning units were located within the conservation area of the site, however no objections had been raised by the Council's listed building and historic environment consultees. The recommendation was noted for approval for the application.

Members raised concerns regarding the upkeep of the rear of the shops and queried whether plans were in place to address this. In response, the Team Leader advised that the area would form part of the SG1 regeneration in the future, and these works were only for a temporary period of time.

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

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: SGEH-BBA-ZZ-RF-DE-A-2204 Rev P01; Site Location Plan; SGEH-BBA-ZZ-ZZ-DR-A-3002 Rev 02; SGEH-BBA-ZZ-ZZ-SH-A-7751 Rev P01; 00-M-01-0300-01 T1; SGEH-BBAZZ-01-DR-A-2202 Rev C01; SGEH-BBA-ZZ-RF-DR-A-2006 Rev P01; SGEH-BBA-ZZ-RFDR-A-2104 Rev P01; SGEH-BBA-ZZ-ZZ-DR-A-3001 Rev 02; SGEH-BBA-ZZ-ZZ-DR-A-3003 Rev C01; SGEH-BBA-ZZ-ZZ-SH-A-7051 Rev P01.
- 2 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Informatives

- 1 **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.

2 Building Regulations

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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).

3 **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>

4 **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, Stephen Booth, Robert Boyle, Kamal Choudhury, Forhad Chowdhury, Peter Clark, Coleen De Freitas, Lynda Guy, Claire Parris, Ellie Plater, Carolina Veres and Nigel Williams

Against – 0

Abstentions – 0

Absent – Councillors Akin Elekolusi and Anne Wells

6 INFORMATION REPORT - DELEGATED DECISIONS

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

7 INFORMATION REPORT - APPEALS/CALLED IN APPLICATIONS

The Team Leader provided the Committee with a verbal update to accompany the information report:

- Aintree Way
The enforcement notice was upheld, and the Planning Inspector had requested amendments to be made. The enforcement notice had now been served.

- 40A Vinters Avenue
The Lawful Development Certificate was approved, and further details could be found in the report.

8 **URGENT PART I BUSINESS**

There was no Urgent Part I Business.

9 **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.

10 **HMO COMMITTEE REPORT Q4 UPDATE**

The Committee discussed the Quarter 4 report on Houses in Multiple Occupation (HMOs) in Stevenage which was for noting.

11 **URGENT PART II BUSINESS**

There was no Urgent Part II Business.

CHAIR

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Meeting: Planning and Development Committee
Date: 21 July 2025
Author: Ailsa Davis
Lead Officer: James Chettleburgh
Contact Officer: Ailsa Davis

Application No:	25/00221/FPM
Location:	Wiltron House, Rutherford Close, Stevenage
Proposal:	Demolition of existing building and construction of a new building for Use Classes E(g)(iii), B2 and B8 (flexible) including access, servicing, parking, hard and soft landscaping, and associated works.
Drawing Nos.:	02001 REV PL01; 03000 REV PL02; 03001 REV PL06; 03002 REV PL01; 03101 REV PL02; 03102 REV PL02; 03103 REV PL02; 03201 REV PL05; 03210 REV PL01; 03211 REV PL01; 03301 REV PL03; 03302 REV PL02; 250109MJ-1; POE_322_001 REV D; POE_322_002; 25006-MBA-EX-SP-DR-E-0001 PL2
Applicant:	BlueBird Land
Date Valid:	25 March 2025
Recommendation:	GRANT PLANNING PERMISSION



The above plan is for illustrative purposes only.

1 SITE DESCRIPTION

- 1.1 The application site is located in an established employment location known as Gunnels Wood Employment Area in west Stevenage. The site is currently accessed via a private road from the south which leads onto Rutherford Close and Clovelly Way. There is a pedestrian/cycle link which runs along the western and northern boundary, which is lined by mature trees and vegetation which largely screen the site when viewed from Rutherford Close and Clovelly Way.
- 1.2 The site comprises a two-storey office building which is now largely unoccupied with remaining functions to cease later this year. Car parking is located to the south, west and north. The building also benefits from loading doors on the southern access which supports some existing HGV movements. Much of the surrounding area comprises employment uses located to the south, east and west. Residential dwellings are located to the north of Clovelly Way.

2 RELEVANT PLANNING HISTORY

- 2.1 None relevant.

3 THE CURRENT APPLICATION

- 3.1 The proposed development seeks full planning permission for the demolition of all existing structures and redevelopment of the site to provide 3,259m² GIA of flexible employment space. The unit is being built speculatively with flexible use classes necessary to attract a range of tenants. The proposal seeks permission for E(g)(iii) Light Industrial, B2 Manufacturing and B8 Storage and Distribution with unrestricted 24/7 hours of operation for the unit.
- 3.2 The 3,259m² GIA includes ancillary office space of 359m² located along the southern edge of the unit creating an enhanced active frontage onto the access road. The office is also in a 'podded' design sitting at a lower height to the main warehouse space, creating visual interest onto the site access. The proposed layout has been informed by the shape constraints of the site with the building size presenting an uplift in floorspace from the existing building of approximately 508m².
- 3.3 The unit would have a maximum height of 13m with 10m to underside of haunch. A total of 35 car parking spaces are proposed, two of which would be accessible. The car park would include electric charging points for 20% of the spaces with the remainder having passive provision. Car parking would largely be provided to the south and west of the building with additional parking to the north of the building in the service yard. Two motorcycle spaces, 11 HGV spaces and 24 cycle spaces within green roofed shelters are also proposed.
- 3.4 To minimise visual impact, HGV servicing and parking would be located to the north of the proposed building. The existing access to the south of the site off Rutherford Close would be retained and utilised as access for both cars and HGVs. This would ensure that continued access to the neighbouring office building is retained. Security gates are proposed on the edge of the service yard, rather than on the access road to allow for the existing pedestrian access along the western boundary to be retained and utilised by pedestrians accessing the proposed development and office building to the east of the site.
- 3.5 The existing trees located along the western, northern and eastern boundary would be retained along with those located south of the site, with additional landscaping features to be introduced. The development also targets BREEAM Excellent and an EPC rating of A.
- 3.6 The application comes before the Planning and Development Committee because the application is major development.

4 PUBLIC REPRESENTATIONS

- 4.1 The application was publicised by neighbour letters, two site notices and a press advert. No representations were received.

5 CONSULTATIONS

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

5.2 SBC Environmental Health

Operational impacts

Artificial light

- 5.2.1 The revised External LED Lighting Assessment Report by MBA Consulting Engineers (no reference, V3, dated 22/4/2025) removes the ambiguity contained within the initial version of the document. If the maximum illumination levels contained within the report are not exceeded in practice then I believe that the off-site impacts vis-a-vis nearby residential properties will be modest and therefore the proposed lighting scheme should comply with Policy FP7.

- 5.2.2 In order to safeguard the above I suggest the following condition:

1(a) The development hereby permitted shall not come into night time use until a verification report containing evidence of compliance with the maximum off-site artificial lighting levels as set out in Drawing Number 25006-MBA-EX-SP-DR-E-0001 Rev PL2 dated March 2025 cited in the External LED Lighting Assessment Report by MBA Consulting Engineers (Version 3, dated 22/4/2025) has been submitted to and approved in writing by the local planning authority.
1(b) The luminaires and associated lighting equipment authorised by 1(a) above shall thereafter be retained, operated, and maintained in accordance with the manufacturers' specifications.

REASON: In the interests of the amenities of nearby existing residential occupiers in accordance with Local Plan Policy FP7

Environmental Noise

- 5.2.3 Following my earlier memorandum I did enter into dialogue with the applicant's acoustic advisor with view to resolving my stated concerns. The resultant letter from Stantec UK Limited dated 21/5/2025 and Technical Note by Sharps Acoustics dated 1/5/2025 deal with most of my reservations such as the quantification of uncertainty, noise impact on non-domestic receptors, and use of BS4142.

- 5.2.4 However, whilst I accept the main trust of the methodology regarding the protection of domestic amenity, the revised assessment still gives me cause for concern as regards the night time operation of the service yard on the occupiers of '...dwellings to the north....' The BS4142 assessment is based on unpublished source data (which therefore I cannot verify) and assumes that none of the penalties set out in that standard relating to characteristics such as intermittency, impulsivity, etc., will be relevant; given the proposed delivery yard use I believe that this is likely to underestimate the noise impact. Finally, the estimation of uncertainty set out in Section 7.0 of the note, taken with my observations above, confirms that there is a distinct possibility that the dwellings to the north of the site may well be exposed to noise levels at night that would, according to BS4142, amount to an 'adverse impact'.

- 5.2.5 In light of these observations I would suggest the following conditions to the LPA:

1) The rating level of noise emitted by any or all fixed plant shall not exceed 54dB(A) within the curtilage of any nearby residential property between 07:00 and 23:00 and 38dB(A) between 23:00 and 07:00 hours. Any measurement or computation, and assessment shall be made in accordance with BS 4142:2014+A1:2019.

2) The development hereby permitted shall not come into use until such time a noise barrier has been erected in accordance with paragraph 4.5 of the Assessment of Noise report prepared by Sharps Acoustics LLP dated 20/3/2025. The barrier shall be imperforate and be retained and maintained for the life of the approved use.

3)(a) There shall be no use of on-board commercial vehicle refrigeration or compressor units whilst on site at any time.

3(b) No vehicle internal combustion engine shall be used on site at any time other than in connection with that vehicle's movement.

3(c) There shall be no use of tonal alarms by any vehicle on site at any time.

4(a) The development hereby permitted shall not come into night time (23:00 and 07:00) use until a Noise Management Plan detailing site specific measures to control noise from outside areas as bounded by the red line on the plan contained within Figure A2 as set out in the Assessment of Noise report prepared by Sharps Acoustics LLP dated 20/3/2025 has been submitted to and approved in writing by the local planning authority.

4(b) All measures authorised by 4(a) above shall thereafter be retained, operated, and maintained for the life of the approved use.

REASON: In the interests of the amenities of nearby existing residential occupiers in accordance with Local Plan Policy FP7

- 5.2.6 Following receipt of the above comments a set of conditions were agreed to cover the salient points, which can be found in section 9 below. The applicant also submitted an updated Intrusive Geoenvironmental and Geotechnical Site Assessment for review. The EHO confirmed that the site represents a low risk as regards human receptors and therefore remediation works are not necessary unless unanticipated contamination is encountered during the course of demolition/construction works. Additional ground investigation work is advocated in the report, but it is understood that this relates to non-health related matters such as foundation design. The EHO advised a pro-active remediation plan is no longer required for authorisation by the LPA and so the proposed contaminated land condition could be restricted to the reactive element only.

5.3 HCC Highway Authority

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

5.4 HCC Lead Local Flood Authority

- 5.4.1 We are concerned that the drainage strategy provided does not include a PDE from Thames Water confirming that the 2 l/s is sufficient. Additionally, supporting calculations need to clearly outline the Brownfield and Greenfield volumes. We also request signposting to the CCTV survey and infiltration testing.

- 5.4.2 We object to this planning application in the absence of an acceptable Drainage Strategy relating to:

- The proposed SuDS are likely to increase the risk of flooding elsewhere.
- The development is not in accordance with NPPF, PPG or Stevenage local policies including SP12 and FP3.

5.4.3 Reason

To prevent flooding in accordance with National Planning Policy Framework paragraphs 181, 182 and 187 by ensuring the satisfactory management of local flood risk, surface water flow paths, storage and disposal of surface water from the site in a range of rainfall events and ensuring the SuDS proposed operates as designed for the lifetime of the development.

- 5.4.4 We will consider reviewing this objection if the issues highlighted on the accompanying Planning Application Technical Response document are adequately addressed.

- 5.4.5 At the request of HCC as Lead Local Flood Authority, additional information has been submitted to address their concerns and updated comments are awaited. At the time of writing this report no comments have been received. If comments are received prior to the meeting and/or the drainage strategy is agreed an update will be provided, otherwise it is anticipated Members will agree to delegate powers being granted to the Assistant Director of Planning and Regulation to impose any conditions advised on any response provided after the committee meeting. However, it should be noted the LLFA does not object to the principle of the drainage strategy.
- 5.4.6 A decision will not be issued until the Legal Agreement associated with the development has been signed, which will allow time for comments to be received. Therefore, comments will be fully considered prior to a decision being issued. However, if the LLFA continues to raise an objection to this application and their concerns cannot be overcome, then this application will be referred back to the Planning and Development Committee for its decision.
- 5.5 Thames Water
- 5.5.1 No objection, subject to a condition and informative relating to groundwater discharge and piling.
- 5.6 UK Power Networks
- 5.6.1 The proposed development is in close proximity to our substation with HV and LV underground and have the following observations to make. If the proposed works are located within 6m of the substation, then they are notifiable under the Party Wall etc. Act 1996. The Applicant should provide details of the proposed works and liaise with the Company to ensure that appropriate protective measures and mitigation solutions are agreed in accordance with the Act. The Applicant would need to be responsible for any costs associated with any appropriate measures required. Any Party Wall Notice should be served on UK Power Networks at its registered office: UK Power Networks, Newington House, 237 Southwark Bridge Road, London SE1 6NP.
- 5.7 SBC Arboricultural and Conservation Manager
- 5.7.1 No comments received.
- 5.8 HCC Waste and Minerals
- 5.8.1 No comments received.
- 5.9 Planning Policy
- 5.9.1 No comments received.

6 RELEVANT PLANNING POLICIES

6.1 National Planning Policy Framework

- 6.1.1 The latest revision of the NPPF was published in December 2024. The policies it contains are material considerations which will be taken into account in dealing with applications. Due weight will be given to development plan policies according to their degree of consistency with the NPPF.
- 6.1.2 The NPPF provides that proposals which accord with an up-to-date development plan should be approved without delay (para.11) and that where a planning application conflicts with an up-to-date development plan, permission should not usually be granted (para.12). This

indicates the weight which should be given to an up-to-date development plan, reflecting the requirements of section 38(6) of the 2004 Act.

6.2 Planning Practice Guidance

- 6.2.1 The Planning Practice Guidance (“PPG”) is an online resource containing guidance supplementing the NPPF. The PPG is a material consideration which should be taken into account in determining planning applications.

6.3 National Design Guide

- 6.3.1 The National Design Guide 2019 is Government guidance on the characteristics of well-designed places and demonstrates what good design means in practice. It has the same status as the PPG and should similarly be taken into account when determining planning applications.

6.4 The Development Plan

- 6.4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications be determined in accordance with the development plan unless material considerations indicate otherwise. For Stevenage, the development plan comprises the following documents:
- Stevenage Borough Local Plan 2011-2031
 - Waste Core Strategy & Development Management Policies DPD 2011-2026
 - Waste Site Allocations DPD 2011-2026
 - Minerals Local Plan Review 2002-2016
- 6.4.2 The Stevenage Borough Local Plan 2011-2031 was adopted in 2019. The council concluded a full review of the plan in 2024, as required by regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).
- 6.4.3 In response to the review, the council is carrying out a partial update of the local plan. Weight will be given to emerging policies according to:
- a) the stage of preparation of the emerging plan;
 - b) the extent to which there are unresolved objections to the policies; and
 - c) the degree of consistency between the policies and the most recent revision of the NPPF.
- 6.4.4 In determining applications, regard will be had to other material considerations, including (but not limited to):
- The Planning Practice Guidance;
 - The National Design Guide;
 - Written ministerial statements and directions;
 - Guidance published by Hertfordshire County Council;
 - Stevenage Borough Council supplementary planning documents.
- 6.4.5 Where there are emerging policies which are relevant to the application, these will be highlighted in the main body of this report. The policies set out below are most relevant in the determination of this application:
- Policy SP1: Presumption in favour of sustainable development
Policy SP2: Sustainable development in Stevenage
Policy SP3: A strong, competitive economy
Policy SP5: Infrastructure
Policy SP6: Sustainable transport

Policy SP8: Good design
 Policy SP11: Climate change, flooding and pollution
 Policy EC2a: Gunnels Wood Employment Area
 Policy EC4: Remainder of Gunnels Wood
 Policy IT4: Transport Assessment and Travel Plans
 Policy IT5: Parking and access
 Policy IT6: Sustainable Transport
 Policy IT7: New and Improved Links for Pedestrians and Cyclists
 Policy GD1: High quality design
 Policy FP1: Climate change
 Policy FP2: Flood risk in Flood Zone 1
 Policy FP5: Contaminated land
 Policy FP7: Pollution
 Policy NH5: Trees and Woodland

6.5 **Supplementary Planning Documents**

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

Parking Provision SPD (2025)
 Stevenage Design Guide SPD (2025)
 Developer Contributions SPD (2025)

6.6 **Community Infrastructure Levy Charging Schedule**

6.6.1 Stevenage Borough Council adopted a Community Infrastructure Levy Charging Schedule in 2020. This allows the Council to collect a levy to fund infrastructure projects based on the type, location and floorspace of a development. This proposal would be CIL liable at £0/m².

7 **APPRAISAL**

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

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

7.2 Land Use Considerations

7.2.1 The site is an established employment site located within the wider Gunnels Wood Employment Area designated in the Local Plan under Policy EC2a which considers uses E(g)(iii) Industrial Processes, B2 General Industry and B8 Storage or Distribution as being appropriate. The application proposal is consistent with the above uses and is therefore considered to be acceptable in this regard.

7.2.2 Policy EC4 at paragraph 6.19 seeks to resist the development of large format warehousing in this location. The proposed floorspace of 3,259m² GIA is not considered to be large format warehousing, therefore, the proposed uses and extent of floorspace are considered to be consistent with policy and existing material considerations. The post-amble of policy SP3 recognises that the Local Plan currently has a shortfall of employment land to address the identified need. The opportunity to redevelop sites such as this would help address this shortfall to some extent, whilst also delivering high-quality and modern stock which is more attractive to high-value businesses.

- 7.2.3 Further, the proposed loss of office space on the site reflects the rationalisation of office space across Stevenage, as recognised within the Employment Technical Paper (2024) (Appendix 2) which supports the Local Plan review. The same document also recognises the greater need for the proposed uses and a deficit of 9.81ha of employment land supply across Stevenage. As such, bringing into full use largely vacant sites such as the application site is critical to ensuring full economic use of employment land available across Stevenage.
- 7.2.4 The Written Ministerial Statement from the 30 July 2024 is capable of being considered as a material planning consideration (see *Cala Homes (South) Ltd, R (on the application of) v Secretary of State for Communities and Local Government & Anor* [2011] EWCA Civ 639 (27 May 2011) (bailii.org)). The statement recognises that logistics and freight are part of the nation's critical infrastructure and more will be done to support this sector as part of the engine of the economy.
- 7.2.5 The proposed development for uses E(g)(iii) Industrial Processes, B2 General Industry and B8 Storage or Distribution are therefore considered to be acceptable in principle subject to satisfying other material planning considerations.

7.3 **Character and Appearance**

National Planning Policy Framework and Planning Practice Guidance

- 7.3.1 Chapter 12 Achieving well-designed places of the NPPF (2024) stipulates that the creation of high quality, sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process. Where development is not well designed, permission should be refused.
- 7.3.2 The National Design Guide 2019, which was published by the Government, is a material consideration in the determination of planning applications. It states that buildings are an important component of places and proposals for built development are a focus of the development management system. However, good design involves careful attention to other important components of places. These include:
- the context for places and buildings;
 - hard and soft landscape;
 - technical infrastructure – transport, utilities, services such as drainage; and
 - social infrastructure – social, commercial, leisure uses and activities.
- 7.3.3 A well-designed place is unlikely to be achieved by focusing only on the appearance, materials and detailing of buildings. It comes about through making the right choices at all levels, including:
- the layout;
 - the form and scale of buildings;
 - their appearance;
 - landscape;
 - materials; and
 - their detailing.

Development Plan

- 7.3.4 Whilst the policies contained in the Local Plan have limited weight, Policy SP8 generally reflects the requirements of the NPPF in that it requires new development to achieve the

highest standards of design and sustainability. In addition, Policy GD1 generally requires all forms of development to meet a high standard of design which includes form of built development, elevational treatment and materials along with how the development would integrate with the urban fabric, its relationship between buildings, landscape design and relevant aspects of sustainable design.

7.3.5 In the emerging local plan partial review and update, criterion (e) of Policy GD1 is updated to refer to “unacceptable” adverse impacts. The intention behind the change is to make clear that in some circumstances, an adverse impact might still fall within acceptable bounds and that this is a matter of judgement for the decision maker. Policy GD2 is a new policy emerging from the local plan partial review and update. It states that proposals which demonstrate they have been designed to achieve a rating of excellent or higher against a relevant BREEAM standard and/or to achieve the BRE Home Quality Mark will be strongly supported. Having regard to paragraph 49 of the NPPF, this emerging version of the policy is afforded moderate weight in the assessment of the application.

7.3.6 This part of the application has been assessed against the key policy criteria on good design, as well as how the scheme meets the four key objectives in the National Design Guide on what is considered as a well-designed place.

Layout

7.3.7 The building layout has been designed to maximise site efficiency, help screen the service yard and add a positive frontage to Rutherford Close. Additional pockets of tree planting have been introduced to add vertical greening to views across the site. The proposed building would occupy the same building area zone as the existing, allowing the northern section of the site to be adapted into a service yard. The existing parking areas would remain largely unchanged. The site is accessed via Rutherford Close, leading to a shared access route serving the application site and the neighbouring commercial premises. Visitor and staff parking would be located to the south and west, with additional overflow parking available within the service yard area.

7.3.8 The service yard would be positioned within the northern part of the site, minimising its visual impact as it is screened from the highway by dense landscaping and trees. The yard would be secured with a 2.4m high paladin fence, complete with gated access. To address acoustic concerns, a 4.5m high acoustic fence would be incorporated along the northern boundary. Designated waste areas would be positioned near the three vehicle doors for convenience. The service yard would have a depth of 45m, providing appropriate space for HGV manoeuvring while ensuring overflow parking would remain outside the manoeuvring zone.

Scale, Massing and Form

7.3.9 The site is surrounded by two-storey brick commercial buildings. The adopted design approach is to ensure the proposed design aligns with the existing massing and scale of the area. The form and size of the unit has been informed by the functional parameters expected by the target small and medium sized local business market within the light industrial, manufacturing, storage and distribution sectors. Generally, these buildings are designed as open warehouse type spaces with ancillary operational offices and mezzanines at first floor level. The building is specifically designed to meet institutional height requirements appropriate to the size and use in this location.

7.3.10 A 10m haunch height has been designed to meet the building’s functional needs. To minimise the visual impact of the height, particular attention was given to the roof design. To reduce the building’s perceived height from the access road, the office roofline would be separated and lowered from the main warehouse roof to appear subservient. This design strategy would help to break up the overall mass of the building. A griffin roof design was also chosen to lower the perceived height, while adding an interesting architectural element to the building.

Appearance and Materiality

- 7.3.11 The proposed building is largely concealed from the main highway and pedestrian routes by dense landscaping and trees, though careful attention has been given to its identity within the surrounding environment, while creating its own distinct character. The office would feature a corner curtain wall that marks the building's entrance, creating visual interest on the most prominent side visible from the main road. The south façade would incorporate a pattern of windows to maximize natural light in the office areas. Activating all sides poses a unique challenge, especially with industrial structures where opportunities for diversity in form and materiality are limited.
- 7.3.12 In warehouse buildings, elements like windows, which typically break up material transitions, are often minimal. To overcome this, the facade would be activated using varied materials, colours, and textures. Profiled metal panels, strategically oriented, would serve both functional and aesthetic purposes. Horizontal micro-ribbed elements and vertically laid profiled metal would create an engaging texture across the facade. A continuous feature band would wrap around the building's intersections, adding visual interest while drawing the eye downward, reducing the perception of height. Projecting eaves would extend outward, reflecting the surrounding buildings' characteristics and enhancing the design's contextual connection.

Conclusion

- 7.3.13 Overall, it is considered the proposed development would have a high-quality finish and has been designed to assimilate itself with the wider area with the careful use of materials and finishes to give the building architectural interest and to reduce the perception of bulk. The scale of the building is considered acceptable for this employment area. The layout of the proposed development has been well considered and considers the need for satisfactory access and separation with nearby residential areas. The proposed development is therefore, considered acceptable in accordance with the policies on design in the adopted Local Plan (2019), the Design Guide SPD (2025), the NPPF (2024) and PPG.

7.4 Impact on the Environment and Neighbouring Occupiers

National Planning Policy Framework and Planning Practice Guidance

- 7.4.1 Paragraph 135 of the NPPF (2024) sets out that planning decision should ensure create places with a high standard of amenity for existing and future residents. Paragraph 124 of the National Design Guide states that *"Good design promotes quality of life for the occupants and users of buildings. This includes function – buildings should be easy to use. It also includes comfort, safety, security, amenity, privacy, accessibility and adaptability"*. Paragraph 126 of the National Design Guide also emphasises that *"well-designed homes and communal areas within buildings provide a good standard and quality of internal space. This includes room sizes, floor-to-ceiling heights, internal and external storage, sunlight, daylight and ventilation. The quality of internal space needs careful consideration in higher density developments, particularly for family accommodation, where access, privacy, daylight and external amenity space are also important"*.

Development Plan

- 7.4.2 Whilst the policies contained in the Local Plan have limited weight, Policies SP8 and GD1 of the Local Plan (2019) which generally reflect the good design principles outlined in the NPPF and National Design Guide, require that development does not adversely impact the amenities of neighbouring occupiers. In the emerging Local Plan review and partial update, criterion (e) of policy GD1 is updated to refer to "unacceptable" adverse impacts. The intention behind the change is to make clear that in some circumstances, an adverse impact might still fall within acceptable bounds and that this is a matter of judgement for the decision maker. This emerging policy carries significant weight under paragraph 49 of the NPPF.

- 7.4.3 Policy FP5 of the Local Plan requires development proposals to consider contamination and be supported by an appropriate preliminary risk assessment (PRA), demonstrating that any necessary remediation and subsequent development poses no risk to the population, environment or groundwater bodies.
- 7.4.4 Policy FP7 requires all development proposals to minimise, and where possible, reduce air, water, light, and noise pollution. Planning permission will be granted when it can be demonstrated that the development will not have unacceptable impacts on general amenity and the tranquillity of the wider area.

Contamination

- 7.4.5 The Intrusive Geo-environmental and Geotechnical Site Assessment submitted with the application advises the generic risk assessments undertaken indicate there are no significant contamination concerns and remediation is not considered necessary. Notwithstanding this, a condition is recommended to ensure that any unexpected contamination is dealt with properly if discovered during the construction phase. The Environmental Health Officer advised the proposed contaminated land condition could be restricted to the reactive element only. Should suspected contaminated materials be encountered during construction works then works around those materials should be stopped. The materials tested and risk assessed by a competent environmental consultant. If the materials are confirmed to be contaminated, then a remediation plan must be produced and submitted to the regulator for approval prior to remediation of those material.

Noise Pollution

- 7.4.6 The application is accompanied by a Noise Impact Assessment by Sharps Acoustics Ltd. Noise survey work was undertaken to determine baseline noise levels in the vicinity of the site. The site and surroundings currently experience ambient noise levels which are neither particularly high nor particularly low, and the sound character is mainly from road traffic. The report concludes the predicted rating noise levels at the nearest residential properties would be below background at all times, without any noise mitigation being necessary. According to British Standard (BS) 4142: 2014+A1: 2019 'Methods for rating and assessing industrial and commercial sound' (BS 4142), this would result in a "low" impact and indicate that no adverse effects would be present, day and night.
- 7.4.7 Notwithstanding this, noise sources at the site which have the potential to result in offsite effects would comprise HGVs arriving, manoeuvring and departing, loading / unloading of HGVs and fixed mechanical services (such as heating or ventilation) operated on site. With regards to fixed mechanical services, a condition has been agreed to limit the rating level of noise emitted by any or all fixed plant. With this planning condition in place, there would be no observed adverse effects from noise from this source.
- 7.4.8 With regards to noise from HGVs arriving, loading/unloading and leaving, primary noise mitigation would be included in the form of a 4.5m acoustic fence along the northern service yard boundary to attenuate noise. There would also be no use of on-board refrigeration on vehicles; vehicle engines would be switched off other than when moving; there would be no use of tonal alarms by any vehicles on site; and there would be no use of diesel forklifts on site at nighttime. These mitigation measures have been agreed with the applicant and Council's Environmental Health Officer and can be secured by condition. It is considered the agreed mitigation measures would negate the requirement for the submission of a Noise Management Plan detailing site specific measures to control noise from outside areas. This will not be subject to condition, as it is not considered necessary. Subject to conditions, it is considered the proposal would accord with Local Plan Policy FP7 in terms of noise.

Light Pollution

- 7.4.9 The application is supported by an External LED Lighting Assessment Report. The report details the lighting scheme, which covers all areas surrounding the building including external areas to the access road, walkways, car parking and service yard. The scheme is based on the use of LED luminaires fixed to the building façades and on lighting columns, as detailed on drawing 25006-MBA-EX-SP-DR-E-0001 PL2. Due to the existing nature of the site, the lighting installation is proposed to align with existing boundaries. The new lighting is proposed as LED which gives better control of the lighting distribution on site and controls any upward light spill. The lighting solution has been prepared in accordance with the current Design Standard for Exterior Lighting and care has been taken when selecting the luminaires to ensure the products would reduce spill light and glare to and around site boundaries and prevent sky glow.
- 7.4.10 With the proposed luminaires being strategically placed and having zero or minimal upward light ratio, the proposed design solution would meet the criteria of environmental zone E4, Lighting Environment classification of High District Brightness and Maximum Upward Light Ratio of Luminaires. The total lighting solution has been carefully generated to ensure the immediate environment has been protected, including the properties adjacent to the site. The lighting has been kept to a practical standard using a mixture of efficient high-quality building and column mounted luminaires which have been chosen to minimise impact on the natural environment. Subject to a condition limiting maximum illumination levels to those stated in the report, it is considered the proposal would accord with Local Plan Policy FP7 in terms of external light.

Air Quality

- 7.4.11 Looking at air quality and air pollution specifically, the Air Quality Annual Status Report (ASR) 2019 by Stevenage Borough Council identifies that the development site is not located within or in close proximity to an Air Quality Management Area (AQMA). This generally indicates that the air quality in the area is within national guidelines.
- 7.4.12 In order to mitigate the impact of the construction phase on air quality, it is recommended a condition is imposed to any permission issued. This condition would require the applicant to submit a Construction Management Plan to detail measures on how to control levels of dust and air pollutions which are generated during the demolition and construction phases of development.
- 7.4.13 With regards to the operational aspect of the development, due to its limited scale, the proposed development would give rise to a very small increase in NO₂ emissions which in accordance with IAQM/EPUK guidance is identified as having a negligible impact at all receptors in the area. As such, the need for additional mitigation has not been identified as being required. Consequently, the Council's Environmental Health department has not raised any concerns with respect to the operational impact the development would have on air quality.

Privacy, Overbearing Impact and Daylight

- 7.4.14 The site is separated from the residential properties to the north by Clovelly Way, which provides approximately 56m separation between the proposed development and nearby dwellings mitigating concerns of overlooking, loss of light and overbearing impact. Furthermore, the existing mature trees and landscaping along this boundary are set to be retained and enhanced which would provide additional screening and reduce visual impact. The site is adjoined by existing office development to the south, west and east with a minimum 13m separation distance to Meadway Court to the east, the closest non-residential building. It is not considered that the impact on the office buildings abutting the boundary with the application site in terms of over shadowing, overbearing impact or loss of light would be adverse.

- 7.4.15 Turning to privacy and overlooking of the residential properties to the north, it is considered the separation distance in excess of 85m from the proposed building to these dwellings, together with the retention of existing boundary trees would mitigate any direct overlooking. As such, it is considered the relationship would not raise amenity concerns with regards to privacy and the proposal can be considered acceptable in this regard.

Demolition and Construction Impacts

- 7.4.16 The disruptive effect of demolition and construction work is a material consideration. Some disruption is inevitable, insofar as vehicle movements and noisy work would be necessary to complete the development. However, the impacts can be mitigated, for example by employing dust suppression techniques, limiting the hours when deliveries can be made, and limiting the hours when work can be carried out.
- 7.4.17 To this end, it is recommended that a construction management plan be secured by condition. Subject to this condition, it is considered that the impacts of demolition and construction could be mitigated to an acceptable degree.

Conclusions on Environment and Neighbouring Occupiers

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

7.5 Parking

National Planning Policy Framework and Planning Practice Guidance

- 7.5.1 Chapter 9 'Promoting Sustainable Transport' of the NPPF (2024) sets out a requirement to consider transport issues, which includes parking, at the earliest stages of a development proposal. Paragraph 116 of the NPPF (2024) states "*Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios*". Taking this into consideration, paragraph 117 of the NPPF (2024) stipulates that applications for development should:
- a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;
 - b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;
 - c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;
 - d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and
 - e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

Development Plan

- 7.5.2 Policy IT5 of the Local Plan requires development proposals to comply with the parking standards set out in the Council's Parking SPD (2025) and has not been updated by the Local Plan (LP) Review. Policy SP6 Sustainable Transport has been reordered to reflect the priority of sustainable transport consistent with NPPF under the LP Review and the amended policy

carries significant weight. This policy requires, amongst other things, for developments to demonstrate they are in a sustainable location and will promote active travel by non-car modes of transport by providing appropriate cycle parking and prioritise public transport.

- 7.5.3 With regard to parking, the Council's parking standards include reductions in provision based on Accessibility Zones. The site is not located within an Accessibility Zone but falls just outside Zone 2 within which parking can be provided at 25-50% of the maximum permitted. However, with no designated zone the standard requires that 75-100% of the maximum is provided. It is considered that this would represent an over-provision, given the site is borderline Zone 2 and directly adjacent to the dedicated cycle and pedestrian path on the western boundary and the bus stop on Clovelly Way serving the SB8 route. Given the site's proximity to Zone 2, the applicant considers that the Zone 3 requirement of 50-75% provision is more appropriate. Officers agree with this approach, given the sustainability of the site. The table below shows the standards and what could be permitted for a flexible employment use of the site.

Use Class	Standard	Maximum	75%	50%
E(g)(iii)	1 per 35m ²	98	74	49
B2	1 per 50m ²	68	51	34
B8	1 per 75m ²	46	35	23

- 7.5.4 The application proposal includes 35 car parking spaces, two of which are disabled bays, 11 lorry spaces (including loading bays) and 24 cycle spaces. As shown, for a B8 use between 23 and 46 spaces could be provided based on Zone 3 reductions and at the other end of the scale between 49 and 98 could be provided for E(g)(iii) use. It is proposed to provide 35 spaces which aligns with the 50% provision for B2 and the 75% provision for B8. As such, the level of parking is considered to be acceptable given that the site is directly adjacent to the Accessibility Zone 2 boundary. Providing parking to suit the E(g)(iii) requirement would result in a significant over provision for B2 and B8 uses and providing parking based on the B8 standards would provide significantly below the number for the other uses for which permission is sought. Therefore, a balanced provision is most appropriate.
- 7.5.5 However, the Transport Statement also highlights how different uses have different servicing requirements, and that the service yard could be used to flex up and down the parking to meet the demands of each user. The Transport Statement shows an alternative parking layout for a E(g)(iii) operator. Alternative provision to reflect the end user can be secured by way of a planning condition to ensure the appropriate amount of parking is provided depending on whether the end user is a B8, B2 or E(g)(iii) use.
- 7.5.6 There are also bus stops adjacent to the site providing access to bus services that serve a large area of Stevenage, which also connect with the bus station and train station. Furthermore, the existing pedestrian and cycle connections to surrounding residential areas means that a high number of potential employees at the site could live within an accessible walking or cycling distance with facilities provided to promote and encourage travel by these modes. The implementation of the Travel Plan for the site would also encourage non-car travel meaning that parking demand could be lower than the standards permit.
- 7.5.7 In terms of cycle parking, cycle standards require 7 long term and 3 short term cycle parking spaces for all the use classes (E(g) (iii)/B2 and B8). It is proposed to provide 24 cycle parking spaces at the site, within covered shelters which exceeds the minimum requirement and is

sufficient to promote cycling and cater for future increased demand for cycle parking. Shower and changing facilities would be provided within the building to further encourage employees to access the site via active travel modes. Cycle parking usage would be monitored through the Travel Plan and should additional parking be required, then additional spaces would be provided.

- 7.5.8 With regards to accessible parking, the standards require that 5% of the spaces provided are disabled bays. Two spaces would be provided close to the building entrance to comply with this and step-free access into the building would also be provided from these spaces.
- 7.5.9 In terms of EV parking, the Council's standards do not set any specific requirements but require all developments with more than 10 spaces to comply with building regulations. The car park would include electric charging points for 20% of the spaces with the remainder having passive provision which exceeds the minimum requirements of Part S of the building regulations.
- 7.5.10 With regard to lorry parking, the Council's standards state that the need for lorry parking spaces for non-residential development will be assessed on a case-by case basis. However, for B2 general industry and B8 storage and distribution uses, lorry parking should usually be provided at a rate of between 1 space per 200m² and 1 space per 1,000m². On this basis, the proposed development could be expected to provide parking for between 4 and 17 lorries. In addition to the 3 loading doors provided, parking for up to 8 HGV spaces could be provided, meaning that up to 11 lorries could park at the site, albeit that the order in which they park in the spaces would need to be managed.
- 7.5.11 In practice, a unit of this size would not have a large fleet of lorries although there may be ad hoc requirements for a lorry to park at the site for a short period if a driver is required to have a break to comply with driving hours regulations. As such, the proposed parking is considered to be sufficient for a development of this size, especially in the context of the minimum requirement of 4 lorry spaces, which could be accommodated.
- 7.5.12 Having regard to the above, the proposed parking arrangements are considered to be acceptable. In this respect, the proposal accords with Policy IT5 of the Local Plan.

7.6 Highway Safety

- 7.6.1 Policy IT4 of the Local Plan has been amended under the LP Review by substituting the word "adverse" with "unacceptable" to align with the NPPF and to the travel plan threshold to align with HCC Highways policy. The amended policy carries significant weight. It states that planning permission will be granted where development will not have an unacceptable impact on highway safety. The application is accompanied by a Transport Statement and a Travel Plan.

Access

- 7.6.2 It is proposed to retain the existing site access location to the southwest of the site on Rutherford Close and the internal access, however, minor amendments are proposed to both junctions to accommodate articulated lorries accessing the site. The pedestrian and cycle access point would be in the same location as the existing pedestrian/cycle access. This would provide easy access to the entrance to the building via a zebra crossing as well as the cycle parking area located just to the north of the pedestrian and cycle access. This would mean pedestrians and cyclists would not need to interact with vehicles within the access road.
- 7.6.3 The access has been designed to accommodate a car and an articulated lorry passing in both the Rutherford Close junction and the site access. Given that the remaining building to the east of the site is in office use, there are limited HGV movements associated with that site and the proposed development would generate up to 3 lorry movements per hour, not all of which would be articulated lorries. The Highway Authority considers this to be appropriate as

widening the junctions to accommodate two lorries passing would result in an increased crossing width for the pedestrian/cycleway crossing the access road, loss of trees, and amendments to the existing culvert beneath the access road, which would not be necessary to accommodate the vehicles likely to use the site. A swept path analysis has been undertaken which shows that a car and articulated lorry could pass in both junctions.

7.6.4 A Stage 1 Road Safety Audit (RSA) was undertaken for the proposed access amendments. Most of the comments raised have been addressed and it is considered that any outstanding matters can be resolved at the detailed design stage. The Highway Authority's pre-application response requested that consideration be given to implementing a Traffic Regulation Order (TRO) to provide double yellow lines opposite the site access on Rutherford Close. Currently there are no waiting restrictions on Rutherford Close and cars park opposite the site access, which requires vehicles exiting the site to drive on the wrong side of the road between the access and the roundabout.

7.6.5 A drawing showing the potential extent of double yellow lines that could be provided along with swept path analysis showing vehicles exiting and entering the site access is included within the Transport Statement at Appendix A8. A TRO would be subject to consultation and approval by the Council. The Highway Authority advise it may not be possible to implement one given current car parking and possible objections to a TRO in public consultation. Given it has been demonstrated it is possible for articulated lorries to enter and exit the site safely, the Highway Authority have confirmed a TRO is not essential and the proposed access arrangements are acceptable.

Refuse and Servicing

7.6.6 Refuse and service vehicles would enter and exit the site access, with refuse being stored within the service yard for collection purposes. A swept path analysis has been undertaken to demonstrate that the site could accommodate large articulated lorries. A 16.5m articulated lorry could enter and exit the site in forward gear as well as accessing the service doors. The Highway Authority has confirmed the proposed arrangements are acceptable.

Trip Generation

7.6.7 The Transport Statement undertakes an exercise which presents forecasts for the trip generation of the existing and proposed development and the attendant net effect. The trip generation exercise has used the Industrial Unit category from the TRICS (Trip Rate Information Computer System) database to forecast both existing and proposed trips. The existing development generates in the region of 33 two-way trips in the AM peak and 29 in the PM peak. To estimate the number of vehicle trips associated with the proposed use, trip rates were calculated based on similar sites available on the TRICS database. The proposed development would be expected to generate in the region of 13 two-way trips in the AM peak for all uses, whereas in the PM peak it is estimated to be 8 two-way for B2 use and 15 two-way for B8. The worst case B8 use in terms of HGV movements would only generate 3 two-way trips per hour.

7.6.8 On this basis, it is considered that designing the access to accommodate two-way articulated lorry movements was not necessary as this would be highly unlikely to arise and could be managed by the operator to ensure that deliveries are scheduled to avoid this situation arising. When comparing the observed existing trips and the proposed B8 trips, which are the higher of the scenarios assessed, it is anticipated that the proposed development could generate 20 fewer trips in the AM peak and 15 fewer in the PM peak when compared to the existing trips associated with the site.

7.6.9 The Highway Authority is content to accept that the proposed development would not precipitate a material impact on the adjoining local highway network. The same principle applies to the multi-modal trip generation exercise as presented within the Transport

Statement. Notwithstanding, the Highway Authority notes that all developments should seek to promote travel by sustainable modes. Given the site's location with good access to neighbourhood areas, a high-quality walking and cycling network within Stevenage and bus routes, there exists an opportunity to promote trips by sustainable modes via an approved Travel Plan which can be secured by condition.

- 7.6.10 Based on the submission, the Highway Authority has concluded that the proposal would not have an unreasonable impact on the safety and operation of the adjoining highways. For this reason, the Highway Authority offers no objection subject to the inclusion of planning conditions and informatives set out in Section 9 below.

7.7 Biodiversity and Ecology

- 7.7.1 The Environment Act received royal ascent in 2021. Within the legislation is the requirement for proposals to bring about a positive net gain in biodiversity. The regulations make a 10% net gain a statutory requirement (with a standard condition). The requirement and the ways in which this gain is measured apply to planning applications for major development submitted after the regulations came into force on 12 February 2024. The NPPF and accompanying PPG require the Council to achieve measurable net gains in biodiversity at development sites across the Borough unless they are exempt. Policy SP12 of the Local Plan requires the protection of assets of ecological and biodiversity value. This policy has not been amended by the Local Plan Review and carries significant weight.
- 7.7.2 The application is supported by a preliminary ecological appraisal. No statutory or non-statutory nature conservation designations are present within the site, all designations in the wider area are physically separated from the site and therefore are unlikely to be adversely affected by the proposals. The Phase 1 habitat survey established that the site is dominated by habitats not assessed to be of ecological importance, whilst the proposal seeks to retain those features identified to be of value as far as possible, including the native hedgerow at the western boundary. The existing habitats are suitable to support protected and notable fauna including birds and hedgehogs, however appropriate mitigation measures are proposed to safeguard such species. The proposed lighting strategy has also been designed under guidance from the project ecologist.
- 7.7.3 The application is also supported by a Biodiversity Net Gain Assessment which has considered the landscape proposals using the latest statutory metric. Based upon the metric, the proposals would result in a net loss in habitat units of 66.23% and a 42.31% net gain in hedgerows. Therefore, the proposed development would not deliver a 10% net gain within the site itself. To achieve a net gain in habitat units, a total of 1.56 off-site habitat units are required to be provided, increasing to a maximum of 3.12 habitat units if provided in a different Local Planning Authority/National Character Area. 1.16 units of the required 1.56 units would need to comprise individual trees or a higher distinctiveness habitat. Details of how this shortfall would be addressed are not required to accompany the planning application and would be secured via the biodiversity gain condition under separate legislation.
- 7.7.4 Having regard to the above, it is considered that the proposed development would have an acceptable impact on ecology and biodiversity. In this respect, the proposal accords with Policy SP12 of the Local Plan.

7.8 Trees and Landscaping

- 7.8.1 Policy NH5 of the Local Plan (2019) states that development proposals will be expected to protect and retain individual trees within the development site and should include new planting where appropriate. In the Local Plan review and partial update, policy NH5 is replaced by two new policies: Policy NH5a, which relates to trees and woodland; and Policy NH5b, which relates to tree-lined streets. Policy NH5a continues to provide a general presumption against the loss of healthy trees, but also introduces a new tree replacement standard and offsetting

mechanism where replacement planting cannot be provided on site. This emerging policy currently has limited weight. Policy NH5b requires new streets to be tree-lined, mirroring paragraph 136 and footnote 53 of the NPPF. This emerging policy carries significant weight, however, is not relevant to this application proposal.

- 7.8.2 Full landscaping details have been submitted as part of this application. Currently, the majority of the existing landscaping features are located around the boundary of the site. The proposal would retain the key features around the site; however areas of incidental landscaping are proposed for removal as the proposed warehouse would require larger areas kept clear for the service yard, which the existing office development does not require. A total of 13 new trees are proposed to be planted throughout the site, primarily located around the perimeter including the eastern boundary. These new trees would be supplemented by several other landscaping features, including native mixed hedgerow, grass seeding and ornamental shrubs. This replacement planting would offset the removal of 13 trees (primarily category C), two groups of trees and a section of hedge.
- 7.8.3 The proposal would also incorporate hard landscaping features including permeable paving across the site to address drainage in line with Policy FP2, which encourages the use of SuDS. However, the hard landscaping for the road surface and service yard would need to be suitably robust and hardwearing for HGV movements.
- 7.8.4 It is considered the overall landscaping and tree strategy is high quality and would create an attractive landscaped setting for the proposed building, with clear biodiversity and visual amenity benefits in accordance with policies SP12 and NH5 of the Local Plan (2019).

7.9 Flood Risk and Drainage

- 7.9.1 A Flood Risk Assessment and Drainage Strategy accompanies the application. The report reviews the drainage and flood risk issues associated with the proposed development and sets out how surface water run off would be accommodated. The report states that the application site is located within Flood Zone 1 and that flood risk from fluvial and surface water flooding is low, albeit there are two small areas at medium and high risk which are localised. The development of the site for an employment use is therefore appropriate as set out by the 'flood risk vulnerability classification' contained within the Planning Practice Guidance. The Drainage Strategy sets out details in respect of surface water and foul water drainage.
- 7.9.2 Drainage strategies should adhere to the Sustainable Drainage Strategy (SuDS) hierarchy provided in the Local Flood Risk Management Strategy 2 (2019). The hierarchy identifies that living roofs and walls are the most-sustainable SuDS features, followed by ponds and basins, infiltration devices and permeable surfaces. Tanked and piped systems are identified as the least sustainable, providing no pollution reduction nor biodiversity benefit.
- 7.9.3 In the emerging local plan review and partial update, flood risk and drainage policies are significantly revised. Existing policy FP1 is replaced by a new sustainable drainage policy, which places an emphasis on the use of the most sustainable SuDS features and methods of surface water discharge. Meanwhile, existing policies FP2 and FP3 are combined into a new, more comprehensive flood risk policy, which largely reflects national flood risk policies but also seeks to protect watercourses and flood defences. Having regard to paragraph 49 of the NPPF, these emerging policies carry significant weight in the assessment of the application.
- 7.9.4 The drainage strategy advises foul water would drain into a public sewer under the cycle path to the south of the site. In terms of surface water, the strategy has considered the most appropriate drainage options, including ground conditions, ensuring efficient use of brownfield land and the SUDS hierarchy. Site investigations have demonstrated that infiltration is not a viable solution for surface water drainage as the ground is predominantly clay. As such, other methods have been considered. The proposed strategy includes the use of permeable paving and underground crates which would result in an overall betterment on the existing flow rate.

7.9.5 Whilst above ground solutions (swales, rain gardens, etc) have been considered, the site is also a brownfield site with no existing SUDS features. The NPPF (paragraph 124) and Local Plan both recognise the need to prioritise the use of brownfield land. NPPF paragraph 125 (c) is clear that substantial weight must be given to the reuse of brownfield land to meet identified needs, proposals should therefore be approved unless substantial harm would be caused. This is key, as whilst it is recognised that the Lead Local Flood Authority would prefer to see above ground SUDS features, this must be weighed against the substantial weight afforded to brownfield developments to meet identified needs (i.e. need for industrial and logistics land in Stevenage). The proposed drainage strategy does not result in increased flood risk on-site or off-site and instead has an overall betterment in terms of reducing flow rates by 99.6%.

7.9.6 At the request of HCC as Lead Local Flood Authority, additional information has been submitted to address the issues they have raised and updated comments are awaited. At the time of writing this report no comments have been received. If comments are received prior to the meeting and/or the drainage strategy is agreed an update will be provided, otherwise it is anticipated Members will agree to delegate powers being granted to the Assistant Director of Planning and Regulation to impose any conditions advised on any response provided after the committee meeting. However, it should be noted the LLFA does not object to the principle of the drainage strategy.

7.9.7 A decision will not be issued until the S106 Legal Agreement associated with the development has been signed, which will allow time for comments to be received. Therefore, comments will be fully considered prior to a decision being issued. However, if the Lead Local Flood Authority continues to raise an objection to this application and their concerns cannot be overcome, then this application will be referred back to the Planning and Development Committee for its decision.

7.10 Sustainable Construction and Climate Change

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

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

7.10.2 Under the Local Plan review, Policy FP1 has been revised to cover sustainable drainage and Policy SP1: climate change is the new relevant policy in this regard. The fundamental objective of Policy SP1 remains the same as previous policy FP1, however, it sets out in more detail the objectives to adapting to climate change. This policy requires, amongst other things the off-setting of emissions targets if not met on site, water usage targets, rainwater harvesting, grey water recycling, use of sustainable materials and practices on site, ultra-low and zero carbon combined heat and power systems and urban greening (green roofs and walls).

7.10.3 This policy is further supported by a suite of new climate change policies, CC1 through CC7 which cover a broad range of topics. However, it should be noted that Policies CC1 and CC2 require only major planning applications to provide an energy statement. Emerging policy GD2 'Design certification' strongly supports development proposals which demonstrate that they have been designed to achieve a rating of excellent or higher against the relevant BREEAM standard.

- 7.10.4 The Council's Design Guide SPD (2025) sets out additional requirements with respect to climate change. The guide states that all developments are required to make efforts to minimise energy usage and to incorporate methods of using renewable energy, including:-
- reducing energy demand
 - using passive environmental systems, e.g. natural ventilation
 - daylighting and passive solar gains
 - using high levels of insulation and air tightness in the fabric of the building
 - specifying energy efficient services, controls and appliances
 - implementing water recycling and the provision of water butts
 - using renewable energy
 - using low/zero carbon technologies to provide as much of the energy load as is technically and economically feasible, minimising use of fossil fuels; and
 - using efficient fossil fuel technologies, such as Combined Heat and Power and condensing boilers.
- 7.10.5 An Energy Strategy has been submitted with the application which outlines the key measures to be incorporated within the design in regard to sustainability, carbon emissions, renewable energy and environmental impacts of the development. The report confirms that the proposed development could achieve carbon and energy reductions through the inclusion of energy efficient measures and Low and Zero Carbon technologies including air source heat pumps and solar panels. The development would achieve an EPC A rating, as such, it is in accordance with Policy SP2 by taking a positive approach to energy use and with Policy FP1 by incorporating measures to address adaption to climate change.
- 7.10.6 A Utilities Statement has also been submitted which sets out the existing utilities on the site. The statement concludes that there should be sufficient capacity within the gas and water networks to support the proposed development. The applicant has committed to a minimum of BREEAM 'Excellent', which complies with emerging Local Plan policy GD2 'Design certification'.
- 7.10.6 The application is also accompanied by a Circular Economy Statement and Whole Life Carbon Assessment. The documents explain the design rationale for the development including how existing materials from demolition would be reused on-site, and how decisions have been made regarding the materiality of the development to reduce whole life carbon.
- 7.10.7 Given the above, and subject to conditions securing the measures identified to address adaptation to climate change, the development would exceed the requirements of the existing policy FP1, with the emerging policies carrying moderate weight.

7.11 Planning Obligations

- 7.11.1 The following planning obligations would be attached to any planning permission:
- Requirement to enter into a S278 Agreement of the Highways Act 1980 (covering access works)
 - £6000 Travel Plan evaluation and support fee
 - Local Employment and Apprenticeships
 - Monitoring fee
- 7.11.2 The above obligations have been agreed with the applicant and Hertfordshire County Council as Highway Authority (where relevant) and would be secured via a Unilateral Undertaking, subject to planning permission.

7.12 Other Matters

Community Infrastructure Levy

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

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

- 7.12.2 CIL is a non-negotiable charge. The exact charge will be determined by the Council's CIL officer after an application has been granted in accordance with the CIL Charging Schedule and the Community Infrastructure Levy Regulations 2010 (as amended). Opportunities for relief or exemption from the CIL charge exist and will be taken into account in the calculation of the final CIL charge.
- 7.12.3 CIL replaces the need for S106 agreements to specify financial and/or land contributions for non-site-specific infrastructure projects. This allows infrastructure to be planned on a borough-wide scale rather than on a site-by-site basis as mitigation against the impacts of individual proposals. A CIL Form 1: Additional Information has been submitted along with the application. The development would be CIL liable at £0/m².

Human Rights and Equalities

- 7.12.4 Consideration has been given to Articles 1 and 8 of the First Protocol of the European Convention on Human Rights. It is not considered that the decision would result in a violation of any person's rights under the Convention.
- 7.12.5 When considering proposals placed before Members it is important that they are fully aware of and have themselves rigorously considered the equalities implications of the decision that they are taking. Rigorous consideration will ensure that proper appreciation of any potential impact of that decision on the Council's obligations under the Public Sector Equalities Duty. As a minimum this requires decision makers to read and carefully consider the content of any Equalities Impact Assessment (EqIA) produced by officers.
- 7.12.6 The Equalities Act 2010 requires the Council when exercising its functions to have due regard to the need to (a) eliminate discrimination, harassment, victimisation and other conduct prohibited under the Act; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and (c) foster good relations between persons who share protected characteristics under the Equality Act and persons who do not share it. The protected characteristics under the Equality Act are: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion and belief; sex and sexual orientation.
- 7.12.7 The proposal would provide disabled spaces in the most accessible carpark location, level access to all parts of the site and disabled toilets / internal lift to ensure the site is accessible

to all. The proposed development would not have any material impact on persons with any of the protected characteristics listed under the Equalities Act.

8 CONCLUSION

- 8.1 This application seeks planning permission for the demolition of the existing building and construction of a new building for Use Classes E(g)(iii), B2 and B8 (flexible) including access, servicing, parking, hard and soft landscaping, and associated works. The site is located within the designated employment area of Gunnels Wood, which is identified to deliver industrial and logistic uses. Therefore, the proposal is acceptable in principle.
- 8.2 The proposal would contribute to modernising the employment floorspace in Stevenage, helping to address the identified shortfall in floorspace being delivered over the Local Plan period by redeveloping the site for the proposed uses. The building has been designed to create a high-quality frontage, particularly at the southwestern corner to provide a positive design feature overlooking the entrance to the site and creating an active frontage along Rutherford Close. Additional landscaping would be incorporated throughout the site and the proposals would meet BREEAM Excellent and EPC A standard. Further, the proposal has been carefully designed so as to not cause undue harm to nearby residents and would not prejudice highway safety.
- 8.3 Having regard to the above, the proposal is considered to accord with the development plan when read as a whole. In the absence of any other material considerations which indicate that permission should be refused, it is recommended that planning permission be granted.

9 RECOMMENDATION

- 9.1 That planning permission be GRANTED subject to the applicant having first entered into a Unilateral Undertaking to secure/provide contributions towards:
- S278 Agreement (covering access works)
 - £6000 Travel Plan evaluation and support fee
 - Local Employment and Apprenticeships
 - Monitoring fee
- 9.2 The detail of which would be delegated to the Assistant Director of Planning and Regulation in liaison with the Council's appointed solicitor, along with the recommendations of the Lead Local Flood Authority, as well as the imposition of suitable safeguarding conditions.
- 9.3 Authority would be given to the Assistant Director of Planning and Regulation in consultation with the Chair of Planning Committee, to amend or add to the suggested draft conditions set out in this report, prior to the decision notice being issued, where such amendments or additions would be legally sound and most effectively deliver the development that the Planning Committee has resolved to approve. These suggested conditions are as follows:

Conditions

1. The development hereby permitted shall be carried out in accordance with the following approved plans:
02001 REV PL01; 03000 REV PL02; 03001 REV PL06; 03002 REV PL01; 03101 REV PL02;
03102 REV PL02; 03103 REV PL02; 03201 REV PL05; 03210 REV PL01; 03211 REV PL01;
03301 REV PL03; 03302 REV PL02; 250109MJ-1; POE_322_001 REV D; POE_322_002;
25006-MBA-EX-SP-DR-E-0001 PL2.

REASON:- For the avoidance of doubt and in the interests of proper planning.

2. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON:- To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

3. No site clearance or construction work relating to this permission shall be carried out except between the hours of 0730 and 1800 on Mondays to Fridays and between the hours of 0800 and 1300 on Saturdays, unless otherwise agreed in writing by the Local Planning Authority. These times apply to work which is audible at the site boundary.

REASON:- To safeguard the amenities of the occupiers of neighbouring properties.

4. No demolition and site clearance shall commence until a demolition management plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter, demolition and clearance of the site shall only be carried out in accordance with the approved plan. The demolition management plan shall include details of the following:

- a) Vehicle numbers, type, routing;
- b) Access arrangements to site;
- c) Traffic and pedestrian management requirements;
- d) Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas);
- e) Siting and details of wheel washing facilities;
- f) Cleaning of site entrances, site tracks and the adjacent public highway;
- g) Timing of demolition activities (including delivery times and removal of waste) and to avoid school pick up/drop off times;
- h) Provision of sufficient on-site parking prior to commencement of demolition/site clearance activities;
- i) 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;
- j) A Site Waste Management Plan including mechanisms to deal with environmental impacts such as air quality and dust control measures, noise and vibration restriction measures, light and odour and predicted and latterly actual waste arisings and how this is to be managed and where it is sent to.
- k) Dust control measures during demolition and construction from plant and machinery, and vehicles.

REASON:- In order to protect highway safety and the amenity of other users of the public highway and rights of way, in the interests of amenities of neighbouring properties, to ensure suitable, safe and satisfactory planning and development, in order to reduce the level of waste generated during demolition and to recycle all waste materials where possible.

5. No development shall commence (excluding demolition and site clearance) until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority, including elements of the CLOCS standards as set out in the Highway Authority's Construction Management template. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan: The Construction Management Statement shall include details of:

- Access arrangements to the site.
- Traffic management requirements.
- Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas).
- Siting and details of wheel washing facilities.
- Cleaning of site entrances, site tracks and the adjacent public highway.
- Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times.
- Provision of sufficient on-site parking prior to commencement of construction activities.

- Post construction restoration/reinstatement of the working areas and temporary access to the public highway.
- 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 which must be kept within the site boundary, pedestrian routes and remaining road width for vehicle movements.

REASON:- In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan (adopted 2018).

6. Prior to commencing works on the vehicle access, technical plans shall be submitted to the Local Planning Authority which show the detailed engineering designs and construction of the vehicle access off Rutherford Close and associated highway works in accordance with the hereby approved plans. Prior to occupation, the access shall be delivered and retained as approved.

REASON:- To ensure the vehicle access is safe, suitable, and sustainable for all highway users in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

7. Before the occupation of the proposed development, a Parking and Servicing Management Plan (PSMP) shall be submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority, which details how parking will be managed and enforced, including how egress of HGVs will be managed to ensure that at no point are two HGVs expected to pass each other along Rutherford Close. The PSMP shall then be in operation from first occupation of the development hereby approved and shall thereafter be kept operational at all times.

REASON:- In the interest of maintaining highway efficiency and safety in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

8. The development shall ensure that arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

REASON:- To avoid carriage of extraneous material or surface water from or onto the highway.

9. The cycle parking shall be constructed and laid out in accordance with the agreed details and completed prior to occupation of the development hereby approved and shall thereafter be retained, maintained, and kept available for the occupants of the development at all times.

REASON:- To ensure the provision of adequate cycle parking that meets the needs of occupiers of the proposed development and in the interests of encouraging the use of sustainable modes of transport in accordance with Policies 1, 5 and 8 of Hertfordshire's Local Transport Plan (adopted 2018).

10. Prior to the occupation/use of the development hereby permitted, EVCPs (active and passive) shall be installed in accordance with the approved details and permanently maintained and retained.

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

11. Prior to the first occupation/use of the development hereby permitted the car parking layout including servicing bays shall be installed in accordance with the approved detailed technical plans and thereafter retained at all times at the position shown or otherwise approved under condition 27.

REASON:- To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

12. If contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be submitted to and approved in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be submitted to and approved in writing by the Local Planning Authority.
REASON:- To ensure that the site does not pose any risk to human health and to ensure that the development does not contribute to unacceptable concentrations of pollution posing a risk to public water supply from previously unidentified contamination sources at the development site and to prevent deterioration of groundwater and/or surface water by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is completed.
13. The development hereby permitted shall not come into night time use until a verification report containing evidence of compliance with the maximum off-site artificial lighting levels as set out in Drawing Number 25006-MBA-EX-SP-DR-E-0001 Rev PL2 dated March 2025 cited in the External LED Lighting Assessment Report by MBA Consulting Engineers (Version 3, dated 22/4/2025) has been submitted to and approved in writing by the local planning authority. The luminaires and associated lighting equipment shall thereafter be retained, operated, and maintained in accordance with the manufacturers' specifications.
REASON:- In the interests of the amenities of nearby existing residential occupiers in accordance with Local Plan Policy FP7.
14. The rating level of noise emitted by any or all fixed plant shall not exceed 54dB(A) within the curtilage of any nearby residential property between 07:00 and 23:00 and 38dB(A) between 23:00 and 07:00 hours. Any measurement or computation, and assessment shall be made in accordance with BS 4142:2014+A1:2019.
REASON:- In the interests of the amenities of nearby existing residential occupiers in accordance with Local Plan Policy FP7.
15. The development hereby permitted shall not come into use until such time a noise barrier has been erected as shown on drawing 24-072-03001 Rev PL06 and within the Assessment of Noise report prepared by Sharps Acoustics LLP dated 20 March 2025. The barrier shall be imperforate and be retained and maintained for the life of the approved use.
REASON:- In the interests of the amenities of nearby existing residential occupiers in accordance with Local Plan Policy FP7.
16. There shall be no use of on-board commercial vehicle refrigeration or compressor units whilst on site at any time.
REASON:- In the interests of the amenities of nearby existing residential occupiers in accordance with Local Plan Policy FP7.
17. No vehicle internal combustion engine shall be used on site at any time other than in connection with that vehicle's movement.
REASON:- In the interests of the amenities of nearby existing residential occupiers in accordance with Local Plan Policy FP7.
18. There shall be no use of tonal alarms by any vehicle on site at any time.
REASON:- In the interests of the amenities of nearby existing residential occupiers in accordance with Local Plan Policy FP7.
19. The development to which this permission relates shall be carried out in accordance with the external materials specified on drawing number 03201 REV PL05 submitted as approved or any alternative to be submitted to and approved by the Local Planning Authority.
REASON:- To ensure a satisfactory appearance for the development.

20. All soft landscaping shall be carried out in accordance with the approved details as shown in drawing number POE_322_001 REV D to a reasonable standard in accordance with the relevant British Standards or other recognised Codes of Good Practice.
REASON:- To ensure a satisfactory appearance for the development.
21. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the completion of the development.
REASON:- To ensure a satisfactory appearance for the development.
22. Any trees or plants comprised within the scheme of landscaping, which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless otherwise agreed in writing by the Local Planning Authority.
REASON:- To ensure a satisfactory appearance for the development.
23. No tree shown retained on the approved landscaping scheme, shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped within five years of the completion of development without the written approval of the Local Planning Authority.
REASON:- To ensure the protection of those trees which should be retained in the interests of visual amenity.
24. The measures to address adaptation to climate change as set out within the Energy and Sustainability Strategy and BREEAM Pre-Assessment by MBA Consulting Engineers shall be implemented and permanently maintained in accordance with the approved details.
REASON:- To ensure the development is adaptable to climate change through provision of energy and water efficiency measures.
25. The recommended mitigation measures and enhancements set out within the Ecological Appraisal by Aspect Ecology dated March 2025 shall be implemented and permanently maintained in accordance with the approved details.
REASON:- To minimise harm to biodiversity and enhance the ecological value of the site.
26. The external lighting strategy set out within the External Lighting Assessment Report by MBA Consulting Engineers rev PL3 dated April 2025 and drawing number 25006-MBA-EX-SP-DR-E-0001 Rev PL2 shall be implemented and permanently maintained in accordance with the approved details.
REASON:- To minimise pollution of the environment and to protect foraging and commuting bats.
27. Should the end user of the building hereby approved fall within planning use class E(g)(iii), a parking layout plan shall be submitted to and approved by the Local Planning Authority prior to occupation.
REASON:- To ensure there is sufficient parking to serve the development.
28. No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) and piling layout plan including all Thames Water wastewater assets, the local topography and clearance between the face of the pile to the face of a pipe has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement and piling layout plan.
REASON:- The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to significantly impact / cause failure of local underground sewerage utility infrastructure.

29. No part of the development hereby permitted shall be occupied prior to the implementation of the approved Travel Plan, dated May 2025. Those parts of the approved Travel Plan that are identified therein as being capable of implementation after occupation shall be implemented in accordance with the timetable contained therein and shall continue to be implemented as long as any part of the development is occupied.

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

Pro-active Statement

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

INFORMATIVES

1. The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website:
<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highwaysdevelopment-management.aspx>
2. Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website:
<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>
3. New or amended vehicle crossover access (section 278): 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.
4. 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:

5. 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.
6. Avoidance of surface water discharge onto the highway: The applicant is advised that the Highway Authority has powers under section 163 of the Highways Act 1980, to take appropriate steps where deemed necessary (serving notice to the occupier of premises adjoining a highway) to prevent water from the roof or other part of the premises falling upon persons using the highway, or to prevent so far as is reasonably practicable, surface water from the premises flowing on to, or over the footway of the highway.
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.

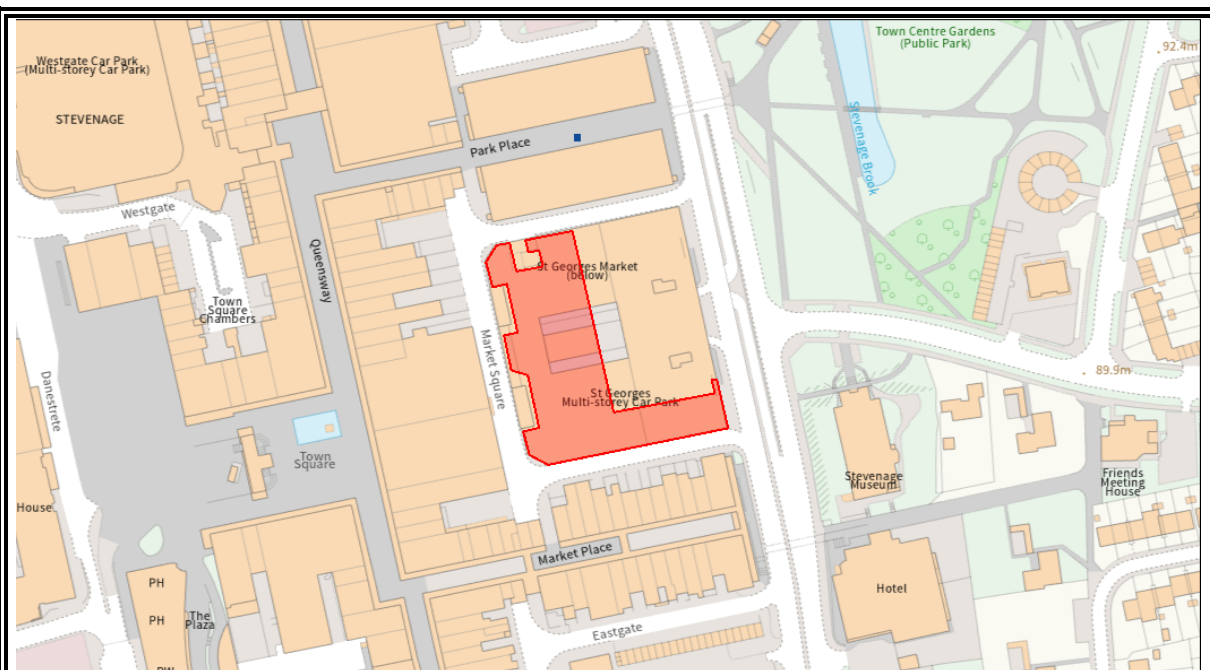
More information can be found in the Planning Practice Guidance online at <https://www.gov.uk/guidance/biodiversity-net-gain>.

10 BACKGROUND DOCUMENTS

1. The application file, forms, plans and supporting documents having the reference number relating to this item.
2. The Stevenage Local Plan 2011-2031.
3. Stevenage Borough Council Supplementary Planning Documents – Parking Provision SPD (2025); Developer Contributions SPD (2025); Design Guide SPD (2025).
4. Hertfordshire County Council Local Transport Plan LTP4 2018-2031
5. Central Government advice contained in the National Planning Policy Framework 2024 and the National Planning Practice Guidance.
6. Responses to consultations with statutory undertakers and other interested parties referred to in this report.

Meeting:	Planning and Development Committee	Agenda Item:
Date:	21 July 1015	
Author:	Linda Sparrow	
Lead Officer:	Alex Robinson	
Contact Officer:	Linda Sparrow	

Application No :	25/00194/FP
Location :	Indoor Market, Market Square
Proposal :	Change of use from Indoor Market, Use Class E(a) to Education Facilities for North Herts College, Engineering and Construction Campus, Use Class F1(a), with associated internal alterations and minor alterations to the building façade
Drawing Nos.:	8935_P001; 8935_P002; 8935_P003; 8935_P004; 8935_P005; 8935_P006; 8935_P101; 8935_P201; 8935_P301; 8935_P302; 8935_P401;
Applicant :	Mr Kit Davies, North Hertfordshire College
Agent:	Mr Richard Grenfell, Saunders Partnership Ltd
Date Valid:	17 March 2025
Recommendation:	GRANT PLANNING PERMISSION



1. SITE DESCRIPTION

- 1.1 The application site comprises the ground floor of the multi-storey car park on St. George's Way. The building is four storeys and constructed with red brick with areas of pebble dash render. The two lift shafts and some ground floor brickwork located on the rear Market Square elevation have recently been painted with brightly coloured flower murals.
- 1.2 There are two main entrances, located on each corner on Market Square. Additionally, there are entrance doors located centrally between the two lift shafts.
- 1.3 The site is designated within the Local Plan (2019) as falling within the town centre and the town centre shopping area, although it is not located within the primary or secondary retail frontages. It is not located within a Conservation Area, although the Town Square Conservation Area is located to the west. The site does not have any statutory designations relating to heritage. The nearest Listed Building is the Grade II Listed "Scenes of Contemporary Life", a sculptural wall mural by William Mitchell within the St George's Way underpass approximately 100m away. The Environment Agency's Flood Map indicates the site falls within Flood Zone 1 (low probability of fluvial flooding). There are no trees subject to Tree Preservation Orders on, or within close proximity.

2. RELEVANT PLANNING HISTORY

- 2.1 02/00346/FP. Demolition of toilets and extension to market involving erection of glazed shopfront and entrance. Granted 18.07.2002.
- 2.2 02/00429/FP. Demolition of toilets, new shop frontage and entrances with 3 identification panels above main entrances. Granted 06.09.2002.
- 2.3 03/00097/AD. Two externally illuminated identification panel signs above corner entrances and one non-illuminated panel sign above central entrance. Granted 19.05.2003.
- 2.4 06/00267/AD. Display of 10no. advertising banners. Granted 19.05.2006.

3. THE CURRENT APPLICATION

- 3.1 This application seeks planning permission for the change of use of the ground floor retail space (Indoor Market) for use by North Herts College as an education facility to replace their current facility on Argyle Way. The floor area to which this application relates measures approximately 3,457 square metres.
- 3.2 The application also seeks alterations to the panelling above the existing loading bay doors on the southern elevation to accommodate louvres and the installation of mechanical ventilation extract ducts inside an existing void area in the car park.
- 3.3 There are no changes to the existing pedestrian accesses, these will remain as existing.
- 3.4 The application comes before the Committee as the application site is within the ownership of the Council and there has been more than 5 letters of representation received.

4. PUBLIC REPRESENTATIONS

4.1 Following notification of the application via letters (including letters posted directly to traders), press notice and the erection of site notices, public representations have been received from the following properties:

- 56 Anderson Road
- 201 Monument Court
- 50 Park View
- 5 Grenville Way
- 2 Nursery Villas, Queen Street, Hitchin
- Cycling UK (Stevenage)

4.2 A summary of the comments received are set out below:

- General complaint on the regeneration of the Town Centre making access to services difficult for elderly residents;
- Concerned about loss of Age Concern from the market and if they are to be re-located;
- Happy as long as additional cycle parking is provided;
- Additional cycle parking is required;
- Loss of cycle parking;
- Access to the site by non-car modes of transport is difficult;
- Loss of the indoor market;
- No cycle route adjoining the site resulting in use of St. George's Way dual carriageway or walking with bicycles.

4.3 The aforementioned is not a verbatim copy of the objections which have been raised. Full copies of the representations received can be viewed on the Council's website.

5. CONSULTATIONS

5.1. Hertfordshire County Council (HCC) as Highways Authority

5.1.1 No objection subject to conditions for a travel plan to be submitted 3 months prior to first use, and for cycle parking. The site is located with the Town Centre/shopping areas and therefore at a highly sustainable location with easy public transport accessibility. Pedestrian connectivity around the site has been improved and completed. However, no cycle parking has been identified for college staff and students. In addition, with the multistorey car park, gives rise to the challenge to seek to achieve mode shift towards walking, cycling and public transport on what is already a high-quality network. Appropriate planning conditions are therefore recommended to ensure adequate provision for cycle parking and that the trips by sustainable modes are properly utilised.

5.1.2 Following submission of a Travel Plan and Transport Statement, the Highways Authority were re-consulted and had the following comments to make: The submitted Travel Plan has been examined by the County's 'Active and Safer Travel' Team. They have also confirmed insufficient information has been provided. HCC hold a licence with Modeshift STARS – a travel plan accreditation platform (DfT approved). Modeshift STARS offers a platform to build a travel plan and manage it, awarding developments for their efforts to encourage sustainable modes of travel. Prior to occupation, the travel plan coordinator should attend a meeting with an HCC officer for an introduction and set up to the platform. In view of this, the previous recommended conditions relating to a scheme for the parking of cycles and Travel Plan is still applicable for the amended proposal.

5.2 Environmental Health

5.2.1 No comments to make.

6. RELEVANT PLANNING POLICIES

6.1 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)
- 6.1.2 In order for a Local Plan to be effective, they need to be kept up-to-date. The NPPF states policies in local plans should be reviewed to assess whether they need updating at least once every 5 years. This is reflected under Regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) which sets out local planning authorities must review local plans every 5 years from their adoption to ensure that policies remain relevant and effectively address the needs of the local community.
- 6.1.3 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.
- 6.1.4 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 summer / autumn 2025 with the aim to adopt an updated Local Plan by the end of 2026 / early 2027. 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.

6.2 National Planning Policy Framework

- 6.2.1 The latest revision of the NPPF was published in December 2024. The policies it contains are material considerations which will be taken into account in dealing with applications. Due weight will be given to development plan policies according to their degree of consistency with the NPPF.

6.3 Planning Practice Guidance

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

6.4 National Design Guide

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

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

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

Policy SP1: Presumption in favour of sustainable development;
Policy SP2: Sustainable development in Stevenage;
Policy SP4: A vital town centre;
Policy SP5: Infrastructure;
Policy SP6: Sustainable transport;
Policy SP8: Good design;
Policy SP11: Climate change, flooding, and pollution;
Policy SP13: The historic environment;
Policy IT4: Transport assessments and travel plans;
Policy IT5: Parking and access;
Policy IT7: New and improved links for pedestrians and cyclists;
Policy GD1: High quality design;
Policy FP1: Climate change;
Policy FP7: Pollution;
Policy FP8: Pollution sensitive uses;

6.6 Local Plan Review and Update (2024)

6.6.1 Local Plan Partial Review and Update

The Stevenage Borough Local Plan 2011-2031 was adopted in 2019. The council concluded a full review of the plan in 2024, as required by regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).

In response to the review, the council is carrying out a partial update of the local plan. Weight will be given to emerging policies according to:

- a) the stage of preparation of the emerging plan;
- b) the extent to which there are unresolved objections to the policies; and
- c) the degree of consistency between the policies and the most recent revision of the NPPF.

6.7 Supplementary Planning Documents

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

- Parking Provision Supplementary Planning Document (February 2025);
- Stevenage Design Guide Supplementary Planning Document (February 2025);
- Developer Contributions Supplementary Planning Document (February 2025);
- Town Square Conservation Area Management Plan (July 2012)

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 The main issue in the assessment of the application is the acceptability of an education use in this Town Centre location.

7.1.1 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 Principle of Development

- 7.2.1 The NPPF (2024) states that the purpose of the planning system is to contribute to the achievement of sustainable development. The NPPF also stipulates that decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area. In addition, the Framework also sets out that sustainable development needs to be pursued in a positive way and at the heart of the framework is a "presumption in favour of sustainable development".
- 7.2.2 Paragraph 100 of the NPPF states that it is important that a sufficient choice of early years, school, and post-16 places are available, and that great weight should be given to developments that create, expand, or alter such provisions. Paragraph 101 states that significant weight should be placed on importance of new, expanded, or upgraded public service infrastructure, which includes for education.
- 7.2.3 Paragraph 111 goes on to state that policies should support an appropriate mix of uses that minimise the number and length of journeys for employment, shopping, leisure, education, and other activities.
- 7.2.4 Paragraph 90 states that planning policies should retain and enhance existing markets.
- 7.2.5 The building within which the proposed development is to be located is owned and operated by the Council. It is currently occupied by the 'Indoor Market' which operates on a Wednesday through Saturday only.
- 7.2.6 The application site has no site-specific policies.
- 7.2.7 The Council, has secured a long-term lease of the vacant ground floor retail units at Boston House, Park Place which is less than 50m to the north in order to relocate the existing Indoor Market. The new units are modern and easily accessible in the Town Centre and will offer an enhanced area to operate, thereby complying with paragraph 90 of the NPPF.
- 7.2.8 The existing Engineering Campus of North Herts College (NHC) operates from units 1-5 Fulton Close, Argyle Way and is seeking relocation as part of NHCs broader strategy to modernise and consolidate its engineering offerings.
- 7.2.9 The proposed use is not a main town centre use as defined in the NPPF. However, Local Plan Policy SP4 seeks to promote the regeneration of the Town Centre with the inclusion of community facilities and Policy SP5 seeks to deliver education facilities. Additionally, Policy SP2 seeks to regenerate underperforming areas, promote redevelopment of brownfield sites, and seeks to raise education levels in the town.
- 7.2.10 An education facility is considered a community use which will act as a complimentary offer in the Town Centre that contributes towards the overall aim of the Local Plan and Regeneration of the Town Centre to diversify, boost footfall and secure its long-term future. A diverse Town Centre is not reliant on just retail and can adjust to changing social and economic tides and deliver a new sense of vitality to this part of town.
- 7.2.11 The current indoor market is under performing and the Council have sought to move the stall holders to a location that will improve their performance. As a result, the area occupied by this use will become vacant. The introduction of the proposed education facility will deliver an improved engineering campus, thereby delivering an improved education offer in compliance with the NPPF and aims of the Local Plan.
- 7.2.12 Taking the aforementioned into account, the principle of use as an education facility is considered to be acceptable.

7.3 **Design and visual impact**

National Planning Policy Framework and Planning Practice Guidance

- 7.3.1 Chapter 12. (Achieving well-designed places) of the NPPF (2024) stipulates that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process. Where development is not well designed, permission should be refused.
- 7.3.2 Chapter 16 (Conserving and enhancing the historic environment) of the NPPF (2024) sets out great weight should be given to heritage assets' conservation whether any potential harm amounts to substantial harm, total loss, or less than substantial harm. Where any harm is considered to be substantial, then consent should be refused unless it can be demonstrated that the identified harm is necessary to achieve substantial public benefits that outweigh said harm. Where identified harm is less than substantial, this should be weighed against any public benefits of the proposal including, where appropriate, securing its optimal viable use.

Development Plan

- 7.3.3 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.
- 7.3.4 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.
- 7.3.5 Policy NH10 of the adopted Local Plan relates to Conservation Areas and states that development proposals within or affecting a conservation area should have regard to the guidance provided by the relevant Conservation Area Management Plan. Further, Policy SP13 relates to the historic environment and states that the council will preserve and enhance the most important areas and characteristics of Stevenage.

Appraisal

- 7.3.6 The external alterations are limited to replacement of a louvred panel above a window on the western rear elevation with a plain panel and installation of louvred panels above a loading bay door on the southern side elevation.
- 7.3.7 These external alternations are minor in appearance and will not detract from the overall appearance of the building, nor will they detrimentally impact on the visual appearance of the building in the street scene and will preserve the character of the nearby conservation area.

7.4 Impact on Neighbouring residential amenity

National Planning Policy Framework and Planning Practice Guidance

- 7.4.1 Paragraph 135 of the NPPF (2024) 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”*.
- 7.4.2 Paragraph 187 requires planning policies and decisions should contribute to and enhance the natural and local environment by ... preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of ...noise pollution.
- 7.4.3 Paragraph 198 goes on to state that new developments should be appropriate for their location and mitigate and reduce potential adverse impacts from noise and identify and protect tranquil areas.

Development Plan

- 7.4.4 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.
- 7.4.5 Policy FP7 of the Local Plan Partial Review (2024), states that developments should minimise, and where possible, reduce air, water, light and noise pollution. Policy FP8 stipulates that permission for pollution sensitive uses will be granted where they will not be subjected to unacceptably high levels of pollution exposure from either existing, or proposed, pollution generating uses. Given the proposed development would be located within an existing residential area; harm from noise is not considered an issue. Through the Local Plan Review, these policies now carry significant weight.
- 7.4.6 There are residential dwellings approximately 23m to the south of the site and approximately 10m to the north of the site. Given the use of the premises as an education facility has been assessed to be an acceptable use in this location, it is not considered that there would be detrimental harm to neighbouring residential premises arising through the use of the site.
- 7.4.7 It falls then to assess the proposal in terms of potential for impacts from noise arising from the proposed use.
- 7.4.8 The application was accompanied by a Noise Impact Assessment (NIA) which has been reviewed by the Council's Environmental Health department.
- 7.4.9 The applicant has not identified specific mechanical plant and equipment to be used in the building at this stage. However, based on the established background noise from the busy St. George's Way dual carriageway as well as the wider commercial activities taking place within the town centre, the NIA concludes that the proposal will operate within acceptable limits and no adverse harm would arise to neighbouring residential dwellings.
- 7.4.10 Environmental Health have confirmed that they have no objections or comments to make on the proposal or the NIA. If any complaints arose with regards to noise from the operation of the proposed use, these would be dealt with by the Borough Council's Environmental Health department.
- 7.4.11 With regards to noise that may arise during the construction phase, this can be controlled via the imposition of a suitably worded condition.

7.5 Car Parking, Highway Safety, and Cycle Provision

National Planning Policy Framework and Planning Practice Guidance

- 7.5.1 Chapter 9. (Promoting Sustainable Transport) of the NPPF (2024) sets out a requirement to consider transport issues, which includes parking, at the earliest stages of a development proposal. Paragraph 116 of the NPPF (2024) states “*Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.*”. Taking this into consideration, paragraph 117 of the NPPF (2024) stipulates that applications for development should:
- a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;
 - b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;
 - c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;
 - d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and
 - e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

Development Plan

- 7.5.2 Policy IT5 of the Local Plan Partial Review (2024), which carries significant weight, requires development proposals to comply with the parking standards set out in the Stevenage Borough Council Parking Provision and Sustainable Transport SPD 2020.
- 7.5.3 Policy SP6: Sustainable Transport, has been significantly updated. This policy requires, amongst other things, for developments to demonstrate they are in a sustainable location and will promote active travel by non-car modes of transport by providing appropriate cycle parking and prioritise public transport.
- 7.5.4 As an education facility for further education, the adopted Parking Provision SPD (2025) sets out a requirement for 1 parking space per staff and 1 space per 5 students. However, the site is located within the Town Centre non-residential accessibility zone which allows for parking provision to be assessed on a case by case basis.
- 7.5.5 The application site is tightly constrained to just the floor area of St. Georges car park and does not include any additional space for other purposes such as parking. No details of the number of staff or students has been provided, and the proposal comes forward as a car-free development which is the same premise as the existing indoor market which also provides no dedicated on-site car parking for stall holders or customers.
- 7.5.6 The application site forms the ground floor of the existing public multi-storey car park.
- 7.5.7 The site is located within the Town Centre and is within a short walking distance of the bus interchange and train station which are both located within the Town Centre, there are numerous public car parks surrounding the site, and the site is also easily accessible by foot and bicycle. Accordingly, the site is in a highly sustainable location and it is considered acceptable to allow for a car-free development and not require any additional car parking provision.
- 7.5.8 Herts County Council (HCC) as Highways Authority (HA) have assessed the application and raised no concerns or objections to the proposal. However, they have assessed the submitted Transport Statement and Travel Plan and raised an objection to the Travel Plan on the basis that it does not contain sufficient information at this time.

- 7.5.9 HCC Highways have advised that they do not wish to restrict the grant of planning permission nor recommend refusal so long as a condition is imposed on any grant of permission that requires an updated Travel Plan to be submitted at least 3 months prior to first occupation. They have provided specific contact details for the applicant to liaise with them in drawing up the new document to ensure that it meets the required standards.

Cycle Parking

- 7.5.10 As an educational facility for further education, the Parking Provision SPD (2025) sets out that the proposed development should provide 1 long term space per 8 staff and 1 long term space per 8 students and should also provide 1 short term space per 7 students.
- 7.5.11 The proposal does not include any cycle storage because the application site is tightly constrained to the floor area of the Multi-storey car park and does not include any additional space around the site where cycle storage could be placed.
- 7.5.12 It is accepted that this is contrary to Policies IT5 and SP6 of the Local Plan and is the main area of concern submitted in written objections and HCC Highways have requested a condition is imposed to require cycle parking to be provided prior to occupation. It should be noted that the Council is the parking authority and determines whether conditions in this regard are appropriate or not.
- 7.5.13 As part of the assessment of the application, Planning Officers undertook an evaluation of the existing cycle parking in the Town Centre close to the application site. The assessment was undertaken at 11am on a Wednesday which would be when the proposed development is in operation and is also at a time when the existing use is in operation.
- 7.5.14 Officers found that there is an existing provision of 29 Sheffield stands and 5 single stands in the immediate surrounding area. This provides a total of 63 spaces. Of these 63 existing spaces, only 11 bicycles were noted.
- 7.5.15 It is accepted that this is only a snapshot on one day, but it is clear that there is a surplus of spaces available in the existing provision. Within the existing provision are 5 Sheffield stands within the northern lift lobby of the multi-storey car park which can accommodate 10 bicycles. There is no proposal to remove these spaces, and they are indoors and covered by CCTV so are of exceptional quality. However, at the time of the survey, only 1 bicycle was stored here so there is a surplus availability of 9 spaces effectively on site.
- 7.5.16 Taking the aforementioned into account, and when balanced against the public benefits of providing improved educational facilities in line with Policies SP2 and SP5 and regenerating an underperforming brownfield site in line with Policies SP2 and SP4, it is not considered reasonable to recommend refusal on the basis of no additional cycle parking provision given the large surplus in existing provision in the immediate vicinity of the site.

7.6 Development and Flood Risk

- 7.6.1 In the emerging Local Plan Partial Review and update (2024), flood risk and drainage policies are significantly revised. The existing policy FP1 is replaced by a new sustainable drainage policy, which places an emphasis on the use of the most sustainable SuDS features and methods of surface water discharge and now requires all major and minor applications to incorporate SuDS unless there are clear and convincing reasons for not doing so. Meanwhile, existing policies FP2 and FP3 are combined into a new, more comprehensive flood risk policy, which largely reflects national flood risk policies but also seeks to protect watercourses and flood defences. Policy SP11 encourages direction of development to low-risk areas, where possible to utilise SuDS features and to overall protect watercourses and ensure developments do not result in acceptable harm to human health or the natural environment as a result of pollution.

- 7.6.2 The application site is not located within a flood zone and given the proposal is wholly within the existing footprint of the building, there is no proposed increase in floorspace. Consequently, the proposal causes no flood related issues.

7.7 Biodiversity, Ecology and Protected Species

- 7.7.1 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 in some circumstances.
- 7.7.2 Applicants for planning permission are required to make a statement as to whether the biodiversity gain condition will apply if permission is granted, and, if it does not apply, under which exemption they are applying.
- 7.7.3 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 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).

7.8 Other Matters

Sustainable construction and climate change

- 7.8.1 Existing Policy FP1 of the adopted Local Plan (2019) stipulates that planning permission will be granted for development that can incorporate measures to address adaptation to climate change. New developments will be encouraged to include measures such as:
- Ways to ensure development is resilient to likely variations in temperature.
 - Reducing water consumption to no more than 110 litres per person per day, including external water use.
 - Improving energy performance of buildings.
 - Reducing energy consumption through efficiency measures.
 - Using or producing renewable or low carbon energy from a local source; and
 - Contributing towards reducing flood risk through the use of SuDS or other appropriate measures.
- 7.8.2 Under the Local Plan Partial Review, Policy FP1 has been revised to cover sustainable drainage and Policy SP1: climate change, is the new relevant policy in this regard. The fundamental objective of Policy SP1 remains the same as previous policy FP1, however, it sets out in more detail the objectives to adapting to climate change. This policy requires, amongst other things off-setting of emissions targets if not met on site, water usage targets, rainwater harvesting, grey water recycling, use of sustainable materials and practices on site, ultra-low and zero carbon combined heat and power systems and urban greening (green roofs and walls). This policy is further supported by a suite of new climate change policies, CC1 through CC7 which cover a broad range of topics. However, it should be noted that Policies CC1 and CC2 require only major planning applications to provide an energy statement.

- 7.8.3 The proposed development seeks only minor alterations to the internal layout of the site and does not include any alterations to the fabric of the building. Notwithstanding this, the site is in the ownership of the Council and will only be leased to the applicant and therefore any changes or improvements to the efficiency of the building would not be the responsibility of the applicant but the Council.

Waste and Recycling

- 7.8.4 The Design Guide (2025) states, provision should be made within new development for the storage and collection of waste from a site. The layout plan shows that the existing arrangements for the storage and collection of waste, in the existing loading bay on the southern side of the building, will remain un-changed. Accordingly, this is considered acceptable.

7.9 Equality, Diversity and Human Rights

- 7.9.1 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.
- 7.9.2 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.
- 7.9.3 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.
- 7.9.4 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.
- 7.9.5 In terms of inclusive access, the building has level access via the two main entrances on each corner which are also compliant with the DDA (Disability Discrimination Act). Lift access is available to the public multi-storey car park which also contains a number of disabled parking spaces adjacent to each lift. Further, the internal layout of the development appears to meet necessary requirements for disabled users.

8. CONCLUSIONS

- 8.1 The application proposes to replace the existing underperforming indoor market with an education facility for North Herts College, Engineering Campus.
- 8.2 The development would make a positive contribution to the vitality and viability of the Town Centre and would provide an improved education offer in a highly sustainable location. It would contribute towards the regeneration of the Town Centre through provision of community uses.
- 8.3 Given the highly sustainable Town Centre location, it is acceptable to provide a car free development and the existing provision of cycle parking has been established to have a substantial surplus thereby negating the requirement to provide additional cycle provision.

- 8.4 Taking the aforementioned into account, the proposed development is considered an acceptable use in this Town Centre location, and it is recommended that planning permission be granted.

9. RECOMMENDATIONS

- 9.1 That planning permission be GRANTED.

SUBJECT TO THE FOLLOWING CONDITIONS/REASONS

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:
8935_P001; 8935_P002; 8935_P003; 8935_P004; 8935_P005; 8935_P006;
8935_P101; 8935_P201; 8935_P301; 8935_P302; 8935_P401;
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 use hereby permitted shall be carried on only by North Hertfordshire College. When the premises cease to be occupied by North Hertfordshire College, the use hereby permitted shall cease.
REASON:- The development has only been considered to be acceptable based on the specific educational and training use of these buildings by North Hertfordshire College.
- 4 At least 3 months prior to the first occupation of the approved development, a detailed Travel Plan for the site shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highways Authority. The approved Travel Plan shall be implemented in accordance with the timetable and target 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).
- 5 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 08:00 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.
REASON:- In the interests of the living conditions of neighbouring occupiers.

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 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>

6 Hertfordshire County Council: Travel Plans

Hertfordshire County Council (HCC) hold a licence with Modeshift STARS, a travel plan accreditation platform (DfT approved). Modeshift STARS offers a platform to build a travel plan and manage it, awarding developments for their efforts to encourage sustainable modes of travel. Prior to occupation, the travel plan coordinator should attend a meeting with an HCC officer for an introduction and set up to the platform. For more information please contact travelplans@hertfordshire.gov.uk.

10. BACKGROUND DOCUMENTS

1. The application file, forms, plans and supporting documents having the reference number relating to this item.
2. Stevenage Borough Council Supplementary Planning Documents – Parking Provision adopted February 2025, Stevenage Design Guide adopted February 2025, Town Square Conservation Area Management Plan adopted July 2012.
3. Stevenage Borough Local Plan 2011 – 2031 adopted 2019.
4. Hertfordshire County Council's Local Transport Plan 4 adopted May 2019.
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 December 2024 and Planning Practice Guidance.

Meeting: Planning and Development
Committee

Agenda Item:

Date:

IMPORTANT INFORMATION - DELEGATED DECISIONS

Author – Technical Support 01438 242838

Lead Officer – Alex Robinson 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 : 20/00583/COND

 Date Received : 12.10.20

 Location : Land To West Of A1(M) And South Of Stevenage Road Todds
 Green Stevenage Herts

 Proposal : Discharge of Condition 27 (Roads) attached to planning
 permission reference number 20/00682/FPM

 Date of Decision : 10.06.25

 Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**

2. Application No : 20/00586/COND

 Date Received : 12.10.20

 Location : Land To West Of A1(M) And South Of Stevenage Road Todds
 Green Stevenage Herts

 Proposal : Discharge of condition 31 (sustainable modes of travel) attached
 to planning permission reference number 20/00682/FPM.

 Date of Decision : 10.06.25

 Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**

3. Application No : 24/00055/FP
Date Received : 30.01.24
Location : 11 Manor View Stevenage Herts SG2 8PD
Proposal : Two storey rear extension and single storey front extension to facilitate conversion of existing 4 Bedroom House into 4 No. 1 Bedroom Flats.
Date of Decision : 25.06.25
Decision : **Planning Permission is GRANTED**
4. Application No : 24/00068/COND
Date Received : 02.02.24
Location : Land To West Of A1(M) And South Of Stevenage Road Todds Green Stevenage Herts
Proposal : Discharge of conditions 3 (Materials) and 4 (Boundary Treatment) attached to planning permission reference number 19/00123/FPM
Date of Decision : 10.06.25
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**
5. Application No : 25/00063/FPH
Date Received : 25.01.25
Location : 71 Whitney Drive Stevenage Herts SG1 4BH
Proposal : Retention and relocation of storage container
Date of Decision : 16.06.25
Decision : **Planning Permission is GRANTED**

6. Application No : 25/00070/COND
 Date Received : 28.01.25
 Location : 29 - 31 Orchard Road Stevenage Herts SG1 3HE
 Proposal : Discharge of Conditions 5 (Drainage); 7 (External Lighting); and 8 (Climate Change) attached to planning permission reference number 24/00565/FP
 Date of Decision : 29.05.25
 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.
7. Application No : 25/00201/FP
 Date Received : 20.03.25
 Location : 77 Raleigh Crescent Stevenage Herts SG2 0ED
 Proposal : Erection of two storey side and single storey rear extension and change of use from public amenity land to residential to facilitate the erection of the two storey side extension.
 Date of Decision : 13.06.25
 Decision : **Planning Permission is GRANTED**
8. Application No : 25/00230/LB
 Date Received : 27.03.25
 Location : Sala Thong 112 High Street Stevenage Herts
 Proposal : Reposition door on rear extension and replacement windows to main building
 Date of Decision : 23.05.25
 Decision : **Listed Building Consent is GRANTED**

9. Application No : 25/00247/FP
Date Received : 31.03.25
Location : Sala Thong 112 High Street Stevenage Herts
Proposal : Reposition door on rear extension and replacement windows to main building
Date of Decision : 23.05.25
Decision : **Planning Permission is GRANTED**
10. Application No : 25/00255/FPH
Date Received : 03.04.25
Location : 14 Chancellors Road Stevenage Herts SG1 4AP
Proposal : Erection of single storey front, side and rear extension. Insertion of front facing dormer window.
Date of Decision : 22.05.25
Decision : **Planning Permission is GRANTED**
11. Application No : 25/00260/TPTPO
Date Received : 04.04.25
Location : 34 Granby Road Stevenage Herts SG1 4AS
Proposal : 1 x Oak tree (T10) to be pollarded, protected by Tree Preservation Order 14
Date of Decision : 30.05.25
Decision : **CONSENT TO CARRY OUT WORKS TO A TREE, THE SUBJECT OF A TREE PRESERVATION ORDER**
12. Application No : 25/00264/FPH
Date Received : 08.04.25
Location : 22 Burwell Road Stevenage Herts SG2 9RQ
Proposal : Single storey side extension and installation of pitched roof to existing rear extension.
Date of Decision : 28.05.25
Decision : **Planning Permission is GRANTED**

13. Application No : 25/00265/FPH
Date Received : 08.04.25
Location : 399 Broadwater Crescent Stevenage Herts SG2 8HB
Proposal : Part single-storey, part two-storey rear extension and front porch extension.
Date of Decision : 27.05.25
Decision : **Planning Permission is GRANTED**
14. Application No : 25/00269/FPH
Date Received : 09.04.25
Location : 5 Wilson Close Stevenage Herts SG1 4TD
Proposal : Single storey rear extension
Date of Decision : 29.05.25
Decision : **Planning Permission is GRANTED**
15. Application No : 25/00278/FPH
Date Received : 09.04.25
Location : 63 Colestrete Stevenage Herts SG1 1RE
Proposal : Part single-storey, part two-storey rear extension, part first-floor part two-storey side extension
Date of Decision : 03.06.25
Decision : **Planning Permission is REFUSED**
- For the following reason(s);
- The proposed development fails to demonstrate that adequate provision for car parking can be provided on site for a 5 bedroom property, in accordance with the Council's standards set out in the 'Parking Provision' Supplementary Planning Document (2025). The proposal would likely result in vehicles from the development parking on-street, in an area already heavily constrained by parking of vehicles on the public highway, which exacerbate existing on-street parking issues to the detriment of highway safety and neighbour amenity. The proposed development is therefore, contrary to Policy IT5 of the Stevenage Borough Local Plan 2011 - 2031 (2019) and the Local Plan Partial Review (2024) (Reg19), the Council's Car Parking Standards SPD (2025), the National Planning Policy Framework (2024) and Planning Practice Guidance.

16. Application No : 25/00279/AD
Date Received : 09.04.25
Location : Gates Of Stevenage Arlington Business Park Gunnels Wood Road Stevenage
Proposal : 3 no. internally illuminated static Pylon signs
Date of Decision : 30.05.25
Decision : **Advertisement Consent is GRANTED**
17. Application No : 25/00280/FPH
Date Received : 09.04.25
Location : The Old Timber Cottage Norton Green Stevenage Herts
Proposal : Two storey rear extension and enlargement of front porch. Re-cladding external walls with insulated boarding, re-felt and tile the roof of the dwelling.
Date of Decision : 04.06.25
Decision : **Planning Permission is GRANTED**
18. Application No : 25/00281/FPH
Date Received : 09.04.25
Location : 42 The Lawns Stevenage Herts SG2 9RT
Proposal : Two storey rear extension
Date of Decision : 02.06.25
Decision : **Planning Permission is GRANTED**
19. Application No : 25/00282/FPH
Date Received : 10.04.25
Location : 61 Burymead Stevenage Herts SG1 4AY
Proposal : Single storey side extension, side window enlargement, rear window alteration for French doors
Date of Decision : 02.06.25
Decision : **Planning Permission is GRANTED**

20. Application No : 25/00285/FPH
Date Received : 10.04.25
Location : 6 Mablethorpe Road Stevenage Herts SG1 2YZ
Proposal : Retention of 2.1m high rear boundary fence
Date of Decision : 03.06.25
Decision : **Planning Permission is GRANTED**
21. Application No : 25/00286/FPH
Date Received : 14.04.25
Location : 50 Mandeville Stevenage Herts SG2 8JN
Proposal : Demolition of existing front extension and erection of two-storey front extension.
Date of Decision : 27.05.25
Decision : **Planning Permission is GRANTED**
22. Application No : 25/00291/CLPD
Date Received : 16.04.25
Location : 64 Holly Leys Stevenage Herts SG2 8HZ
Proposal : Lawful development certificate (Proposed) for rear dormer window and 2 no. roof lights.
Date of Decision : 23.05.25
Decision : **Certificate of Lawfulness is APPROVED**
23. Application No : 25/00292/LB
Date Received : 16.04.25
Location : 108 High Street Stevenage Herts SG1 3DW
Proposal : Installation of 4 no. through wall MHRV (Mechanical Heat and Recovery Ventilation) units with 4no. external extraction grilles; installation of loft hatch and insulation; installation of secondary glazing and draft proofing
Date of Decision : 03.06.25
Decision : **Listed Building Consent is GRANTED**

24. Application No : 25/00293/CLEU
Date Received : 16.04.25
Location : 2 Wellington Road Stevenage Herts SG2 9HR
Proposal : Lawful Development Certificate (Existing) for an HMO (use class C4)
Date of Decision : 06.06.25
Decision : **Certificate of Lawfulness is APPROVED**
25. Application No : 25/00294/FPH
Date Received : 17.04.25
Location : 23 Parishes Mead Stevenage Herts SG2 9QD
Proposal : Installation of 1.5m high fencing/brick pillars to extend existing garden area.
Date of Decision : 04.06.25
Decision : **Planning Permission is GRANTED**
26. Application No : 25/00297/FPH
Date Received : 19.04.25
Location : 138 Letchmore Road Stevenage Herts SG1 3PT
Proposal : Single storey rear extension
Date of Decision : 10.06.25
Decision : **Planning Permission is GRANTED**
27. Application No : 25/00298/COND
Date Received : 22.04.25
Location : Garages At Dunn Close Stevenage Herts
Proposal : Discharge of condition 17 (External Lighting) attached to planning permission reference number 21/00944/FPM
Date of Decision : 10.06.25
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**

28. Application No : 25/00299/FP
Date Received : 22.04.25
Location : Lister Hospital Coreys Mill Lane Stevenage Herts
Proposal : New landscaping arrangements to hospital plaza and creation of drop-off area
Date of Decision : 03.06.25
Decision : **Planning Permission is GRANTED**
29. Application No : 25/00300/COND
Date Received : 24.04.25
Location : John Henry Newman School Hitchin Road Stevenage Herts
Proposal : Discharge of Conditions 5 (Community Use Agreement); and 8 (Noise Management Plan) attached to planning permission reference number 24/00640/FP
Date of Decision : 23.06.25
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**
30. Application No : 25/00301/FPH
Date Received : 24.04.25
Location : 8 Cuttys Lane Stevenage Herts SG1 1UL
Proposal : Erection of single storey rear extension
Date of Decision : 05.06.25
Decision : **Planning Permission is GRANTED**
31. Application No : 25/00302/CLPD
Date Received : 24.04.25
Location : 4 Severn Way Stevenage Herts SG1 3YL
Proposal : Lawful Development Certificate (Proposed) single storey rear extension
Date of Decision : 05.06.25
Decision : **Certificate of Lawfulness is APPROVED**

32. Application No : 25/00306/FPH
Date Received : 25.04.25
Location : 11 Goddard End Stevenage Herts SG2 7ER
Proposal : Variation of Condition 1 (Approved Plans) and Condition 3 (Matching Materials) attached to planning permission reference number 23/00716/FPH.
Date of Decision : 13.06.25
Decision : **Planning Permission is GRANTED**
33. Application No : 25/00314/TPTPO
Date Received : 29.04.25
Location : 5 Nycolles Wood Stevenage Herts SG1 4GR
Proposal : 1no. Oak (T4) reduce lateral branches growing towards the property by approx 2-2.5m and reduce lateral branches regrowth by 1.5m. 1no. Scots Pine (T5) reduce lateral branches growing towards garage by approx 1.5m and reduce lateral branches by 1.5m protected by Tree Preservation Order 100
Date of Decision : 13.06.25
Decision : **CONSENT TO CARRY OUT WORKS TO A TREE, THE SUBJECT OF A TREE PRESERVATION ORDER**
34. Application No : 25/00318/CLPD
Date Received : 30.04.25
Location : 33 Orwell Avenue Stevenage Herts SG1 3XT
Proposal : Lawful Development Certificate (Proposed) for a loft extension with 3 velux to front
Date of Decision : 05.06.25
Decision : **Certificate of Lawfulness is APPROVED**
35. Application No : 25/00183/FPH
Date Received : 01.05.25
Location : 5 Jubilee Road Stevenage Herts SG1 2PG
Proposal : Single-storey rear extension
Date of Decision : 06.06.25
Decision : **Planning Permission is GRANTED**

36. Application No : 25/00360/FPH
Date Received : 01.05.25
Location : 112 Mildmay Road Stevenage Herts SG1 5SW
Proposal : Erection of first floor side extension.
Date of Decision : 18.06.25
Decision : **Planning Permission is GRANTED**
37. Application No : 25/00361/FP
Date Received : 01.05.25
Location : Security Hut Gunnels Wood Park Gunnels Wood Road Stevenage
Proposal : Change of use from security hut to takeaway (sui generis)
Date of Decision : 18.06.25
Decision : **Planning Permission is GRANTED**
38. Application No : 25/00362/FPH
Date Received : 01.05.25
Location : 22 Hazelmere Road Stevenage Herts SG2 8RX
Proposal : Conversion of existing garage into Study/W.C.
Date of Decision : 13.06.25
Decision : **Planning Permission is GRANTED**
39. Application No : 25/00363/FPH
Date Received : 02.05.25
Location : 22 Newgate Stevenage Herts SG2 9DS
Proposal : Single storey front extension, and part single, part two storey rear extension.
Date of Decision : 23.06.25
Decision : **Planning Permission is GRANTED**

40. Application No : 25/00364/TPCA
Date Received : 02.05.25
Location : Medbury Rectory Lane Stevenage Herts
Proposal : 1 x Sycamore tree fell to ground level. 3 x Sycamore trees reduce by 50%
Date of Decision : 06.06.25
Decision : **CONSENT TO CARRY OUT WORKS TO A TREE IN A CONSERVATION AREA**
41. Application No : 25/00366/FPH
Date Received : 03.05.25
Location : 7 Forest Row Stevenage Herts SG2 8BY
Proposal : Erection of single storey side and rear extension
Date of Decision : 13.06.25
Decision : **Planning Permission is GRANTED**
42. Application No : 25/00370/FP
Date Received : 07.05.25
Location : Play Centre Hampson Park Webb Rise Stevenage Herts
Proposal : Erection of log cabin structure in connection with existing Forest School
Date of Decision : 08.07.25
Decision : **Planning Permission is GRANTED**
43. Application No : 25/00371/LB
Date Received : 07.05.25
Location : The Standing Order 33 High Street Stevenage Herts
Proposal : Listed building consent for WiFi upgrade to public house
Date of Decision : 27.06.25
Decision : **Listed Building Consent is GRANTED**

44. Application No : 25/00373/AD
Date Received : 09.05.25
Location : Santander Bank 96 - 98 Queensway Town Centre Stevenage
Proposal : Display of 1no. externally illuminated fascia sign and 1no. non-illuminated hanging sign.
Date of Decision : 06.06.25
Decision : **Advertisement Consent is GRANTED**

45. Application No : 25/00381/FP
Date Received : 12.05.25
Location : Unit C Mindenhall Court High Street Stevenage
Proposal : Change of use from offices to 2no. 2bed and 1no. 1bed flats with associated elevational alterations including side and rear dormer windows
Date of Decision : 01.07.25
Decision : **Planning Permission is REFUSED**

For the following reason(s);

The proposal fails to demonstrate that adequate provision for car parking can be provided on site for the proposed dwellings in accordance with the Council's standards set out in the Parking Provision SPD (2025). The proposal would, therefore, be likely to result in on street parking, to the detriment of highway safety and neighbour amenity, contrary to Policy IT5 of the Stevenage Borough Local Plan 2011 to 2031 (adopted 2019), the Council's Parking Provision SPD (2025), the National Planning Policy Framework (2024) and Planning Practice Guidance.

The proposed development fails to demonstrate that any cycle parking facilities can be provided within the red line application site, or otherwise encourage alternative forms of transport, thereby failing to adequately promote sustainable transport. The proposal is therefore contrary to Policies SP6 and IT5 of the Stevenage Borough Local Plan 2011 to 2031 (adopted 2019), the Parking Provision and Sustainable Transport SPD (2025), and the aims and objectives of National Planning Policy Framework (2024).

The quality of the proposed loft space accommodation would be exceptionally poor, having no windows to either the kitchen or bedroom. Future occupants would be likely to feel oppressed through a lack of natural daylight and sunlight, no outlook and no evidence of suitable and acceptable means of ventilation, to the extent that living conditions would be unacceptable. The proposal is therefore contrary to policy SP8 and GD1 of the Stevenage Borough Local Plan 2011 to 2031 (adopted 2019), the Design

Guide SPD (2025), and the aims and objectives of the National Planning Policy Framework (2024).

The proposed dormer windows, by virtue of their design, scale, and siting, would be detrimental to the architectural form of the existing and neighbouring buildings. Additionally, the proposal does not follow the guidance for roof extensions as set out in the Stevenage Design Guide 2025 and will fail to preserve or enhance the Old Town Conservation Area. This would amount to less than substantial harm to the significance of these assets, which would not be outweighed by the modest public benefits of the development. The proposal is therefore contrary to Policies SP8, SP13, HO5, GD1 and NH10 of the Stevenage Borough Local Plan 2011 to 2031 (adopted 2019), the Old Town Conservation Area Management Plan SPD (2012), the National Planning Policy Framework (2024) and Planning Practice Guidance.

The quality of the proposed ground floor accommodation would be poor, suffering from noise and light pollution from the adjacent car park and office building entrance, and offering no defensible space, privacy or useable outdoor space. Future occupants would be likely to feel oppressed and suffer from a fear of crime to the extent that living conditions would be unacceptable. The proposal is therefore contrary to policy SP8 and GD1 of the Stevenage Borough Local Plan 2011 to 2031 (adopted 2019), the Design Guide SPD (2025), and the aims and objectives of the National Planning Policy Framework (2024).

The proposed 2no. two-bedroom flats, by virtue of the bedroom sizes, are considered to be two-bedroom, four-person residential units. As such, the gross internal floorspaces of these two units are below the nationally described space standards set out in Appendix C of the Stevenage Borough Local Plan 2011-2031 (2019) and would be contrary to Policy GD1 of the Stevenage Borough Local Plan 2011-2031 (2019), which requires proposals to meet the nationally described space standards. This would lead to unsatisfactory living conditions for future occupiers of the proposed residential accommodation.

46. Application No : 25/00382/FP
 Date Received : 12.05.25
 Location : The Fisherman Fishers Green Stevenage Herts
 Proposal : Erection of single storey front extension and new pergola
 Date of Decision : 19.06.25
 Decision : **Planning Permission is GRANTED**

47. Application No : 25/00384/TPCA
Date Received : 13.05.25
Location : 3 The Close Rectory Lane Stevenage Herts
Proposal : Remove section of hedge (mixed species, including Cypress, Holly and Sycamore) to achieve a minimum clearance of 5m to the insured property
Date of Decision : 10.06.25
Decision : **CONSENT TO CARRY OUT WORKS TO A TREE IN A CONSERVATION AREA**
48. Application No : 25/00385/FPH
Date Received : 14.05.25
Location : 110 Chells Way Stevenage Herts SG2 0LT
Proposal : Single storey rear extension and new front porch
Date of Decision : 01.07.25
Decision : **Planning Permission is GRANTED**
49. Application No : 25/00386/FPH
Date Received : 15.05.25
Location : 61 Walkern Road Stevenage Herts SG1 3RA
Proposal : Erection of a two storey side extension, rear extension, single storey front porch and alteration to existing roof
Date of Decision : 03.07.25
Decision : **Planning Permission is GRANTED**
50. Application No : 25/00387/FPH
Date Received : 15.05.25
Location : 107 Wheatlands Stevenage Herts SG2 0JU
Proposal : First floor side extension
Date of Decision : 03.07.25
Decision : **Planning Permission is GRANTED**

51. Application No : 25/00393/FPH
Date Received : 19.05.25
Location : 32 The Pastures Stevenage Herts SG2 7DZ
Proposal : Two storey side extension, with single storey timber shed following demolition of garage
Date of Decision : 26.06.25
Decision : **Planning Permission is GRANTED**
52. Application No : 25/00394/FPH
Date Received : 20.05.25
Location : 23 Long Leaves Stevenage Herts SG2 9AX
Proposal : Proposed pitched roof to existing porch
Date of Decision : 23.06.25
Decision : **Planning Permission is GRANTED**
53. Application No : 25/00397/FP
Date Received : 21.05.25
Location : 57 Warwick Road Stevenage Herts SG2 0QT
Proposal : Two storey side extension to facilitate sub-division of existing four-bedroom dwelling into 2no. three-bedroom flats
Date of Decision : 08.07.25
Decision : **Planning Permission is REFUSED**
- For the following reason(s);
- The internal amenity space of the upper floor flat within the converted building would be below the nationally described space standards set out in Appendix C of the Stevenage Borough Local Plan 2011-2031 (2019) for a three-bedroom, 5-person dwelling, contrary to Policy GD1 of the Stevenage Borough Local Plan 2011-2031 (2019), which requires proposals to meet the nationally described space standards. This would lead to unsatisfactory living conditions for future occupiers of the proposed residential accommodation.

54. Application No : 25/00398/FPH
Date Received : 22.05.25
Location : 78 Derby Way Stevenage Herts SG1 5TH
Proposal : Conversion and extension to existing garage to form new outbuilding
Date of Decision : 08.07.25
Decision : **Planning Permission is GRANTED**
55. Application No : 25/00402/CLPD
Date Received : 23.05.25
Location : 45 Jessop Road Stevenage Herts SG1 5LQ
Proposal : Lawful Development Certificate (Proposed) for the conversion of existing garage into habitable space and 3m rear extension
Date of Decision : 06.06.25
Decision : **Certificate of Lawfulness is APPROVED**
56. Application No : 25/00406/NMA
Date Received : 27.05.25
Location : 17 Church Lane Stevenage Herts SG1 3QS
Proposal : Non material amendment to planning permission 23/00923/FPH to increase the number of solar panels.
Date of Decision : 29.05.25
Decision : **Non Material Amendment AGREED**
57. Application No : 25/00414/CLPD
Date Received : 29.05.25
Location : 66 Bude Crescent Stevenage Herts SG1 2RB
Proposal : Lawful Development Certificate (Proposed) for a single storey rear extension, front storm porch and 2 roof lights.
Date of Decision : 06.06.25
Decision : **Certificate of Lawfulness is APPROVED**

58. Application No : 25/00425/NMA
Date Received : 02.06.25
Location : Garage Block 31 - 49 Spring Drive Stevenage Herts
Proposal : Non material amendment to reserved matters approval 24/00376/RM to amend the internal layout of the two bedroom dwelling.
Date of Decision : 26.06.25
Decision : **Non Material Amendment AGREED**
59. Application No : 25/00452/NMA
Date Received : 16.06.25
Location : Autolus Marshgate Stevenage Herts
Proposal : Non-material amendment to planning approval 21/00627/FPM, alteration to the landscaping design on the northern building facade to allow for the creation of bicycle parking
Date of Decision : 30.06.25
Decision : **Non Material Amendment AGREED**
60. Application No : 25/00463/CLPD
Date Received : 19.06.25
Location : 31 Dovedale Stevenage Herts SG2 9EP
Proposal : Lawful Development Certificate (Proposed) for a 3m rear extension to a single dwelling house
Date of Decision : 23.06.25
Decision : **Certificate of Lawfulness is APPROVED**
61. Application No : 25/00467/CLPD
Date Received : 20.06.25
Location : 47 Wychdell Stevenage Herts SG2 8JE
Proposal : Lawful Development Certificate (Proposed) for outbuilding in rear garden.
Date of Decision : 24.06.25
Decision : **Certificate of Lawfulness 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. Local Plan Partial Review (2024).
5. Hertfordshire County Council's Local Transport Plan 4 adopted May 2018.
6. Responses to consultations with statutory undertakers and other interested parties referred to in this report.
7. Central Government advice contained in the National Planning Policy Framework December 2024 and Planning Policy Guidance.

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Meeting: Planning and Development
Committee

Agenda Item:

Date: 21 July 2025

INFORMATION REPORT - APPEALS / CALLED IN APPLICATIONS

Author – Linda Sparrow

Lead Officer – Alex Robinson

Contact Officer – Alex Robinson

1. APPEALS RECEIVED

1.1 NONE.

2. DECISIONS AWAITED

- 2.1. 24/00893/FP, Land Adjacent to 175 Vardon Road. Appeal against refusal of planning permission for the erection of a pair of semi-detached two-bedroom dwellings.
- 2.2. 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.

3. DECISIONS RECEIVED

- 3.1 24/00469/FPH, 7 Milestone Close. Appeal against refusal of planning permission for a single storey front extension.
- 3.2 The appeal is DISMISSED.
- 3.3 The Inspector found that whilst the proposed extension would be built in matching materials, owing to its irregular shaped footprint, substantial overall mass, and a contrasting roof construction to the main and porch roofs, it would disrupt the simple existing proportions and form of the dwelling. The awkward intersection of the development with the porch would furthermore contribute to its appearance as an unsympathetic addition to the building.
- 3.4 The Inspector noted that the Council and appellant were in dispute over the extension being described as a side or front extension but noted that the classification was irrelevant, by virtue of the combination of its incongruous design and positioning on the gable end that would unbalance the terrace, diminishing its symmetrical form and would be conspicuous due to its prominence and would fail to have a high quality of design.
- 3.5 In conclusion, the Inspector agreed with the Council that the proposal would be contrary to Policies SP8 and GD1 of the Local Plan and Principles HD1 and HD2 of the Design Guide SPD (2025). The appeal is dismissed and a copy of the appeal decision is attached.

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