



## PLANNING AND DEVELOPMENT COMMITTEE

Date: Tuesday, 28 October 2025

Time: 6.30pm.

Location: Council Chamber

Contact: Gemma O'Donnell (01438) 242216  
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 and N Williams

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### AGENDA

#### **PART 1**

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

**2. MINUTES - 9 SEPTEMBER 2025**

To approve as a correct record the Minutes of the previous meeting held on 9 September 2025.

3 – 26

**3. 25/00648/RMM - MATALAN, UNITS B-C, DANESTRETE**

To consider the Section 73 amendment application to planning permission ref. 20/00643/RMM relating to changes to building heights and internal configuration of phase 2 of the approved development.

27 – 60

**4. 25/00457/FPM - MOZART COURT, FAIRVIEW ROAD**

To consider the demolition of existing buildings and construction of accommodation for older people, comprising 79no. apartments and associated works.

61 – 100

**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.

101 – 122

**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.

**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. HMO ENFORCEMENT REPORT - Q1 AND Q2 UPDATE**

To consider the HMO enforcement investigations 2025/26 Q1 and Q2 update report.  
125 - 147

**10. URGENT PART II BUSINESS**

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

## STEVENAGE BOROUGH COUNCIL

### PLANNING AND DEVELOPMENT COMMITTEE MINUTES

Date: Tuesday, 9 September 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, Akin Elekolusi and Lynda Guy

**Start / End Time:** Start Time: 6.30pm  
End Time: 8.50pm

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

Apologies for absence were received from Councillor Ellie Plater, Anne Wells and Nigel Williams.

There were no declarations of interest.

#### 2 **MINUTES - 21 JULY 2025**

It was **RESOLVED** that the minutes of the meeting of the Planning and Development Committee held on 21 July 2025 be approved as a correct record and signed by the Chair.

#### 3 **25/00413/FPM - FORMER KODAK SITE, BESSEMER DRIVE**

The Committee received a presentation from the Team Leader for the application of the Former Kodak Site along Bessemer Drive. The application was for the erection of industrial building with flexible uses along with office space, car/cycling parking, landscaping and service yards.

The officer presented the site plans, access arrangements, landscaping and biodiversity and design and policy considerations.

Site plans and existing photos of the area were presented to the Committee, and it was noted that the main road running through the site was subject to a right of way covenant requiring access to the Mercedes dealership. This had therefore influenced the layout of the proposed development.

Access from Bessemer Drive was shown and it was noted that the footpath and cycle way would be upgraded as well as improved access for HGV.

It was noted that the Section 106 obligations relating to Hertfordshire County

Council Highways were yet to be agreed, and that authority was delegated to the Assistant Director to secure these as part of the finalised Section 106 agreement.

The Committee acknowledged that the site was currently allocated for research and development/office use in the adopted Local Plan. However, as part of the Local Plan review, the policy designation for the site had been updated to include light industry and warehousing.

It was noted that the required 10% biodiversity net gain would not be provided on-site. However, this would be secured off-site through credits in line with national legislation, with conditions to ensure compliance.

An objection had been received from the Lead Local Flood Authority, requesting further information on surface water drainage. Officers confirmed that this matter was being resolved with the applicants and consultants, and that delegated powers would be used to ensure the objection was addressed before any decision was issued.

A question was raised regarding site access and officers confirmed rights of access would be retained.

Members commented on the acronyms used in the report and it was noted that officers would make sure they were explained in future reports.

A question was raised regarding access to the site, and officers confirmed that routes into the site would be redesigned in agreement with Hertfordshire County Council to ensure priority for pedestrians and cyclists. Caxton Way access would be gated for emergency use only and would not be in frequent use.

A member noted that the development would greatly improve the appearance of the site and asked about the displacement of vehicles shown. Officers explained that the buses no longer operated there, and confirmed that their displacement was not a planning consideration. A further question on swift and bat boxes was raised, and officers advised that while their installation would be secured by condition, monitoring of occupation was outside the planning process, though local groups often checked provision.

A member questioned contaminated land risks and officers advised no issues had been identified, but conditions would require investigation and remediation if any were found to ensure the site remained safe.

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

- S278 Agreement (covering access works)
- Strand 2 Highway works (TBC)
- £6000 Travel Plan evaluation and support fee
- Local Employment and Apprenticeships

- Monitoring fee
- Habitat Monitoring and Management Plan (HMMP) for on-site BNG

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.

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:

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

24059-HAL-PL003-O; 418.063138.00001\_AT\_A01; 24059-HAL-PL001-A; BEA 25-007-01; 418.063138.00001\_AT\_A02-REV A; BEA 25-007-02; 0527-ESS-00-ZZ-DR-E-2100 P1; BEA 25-007-04 P07; BEA 25-007-05 P02; BEA 25-007-06 P02; 24-029- IANDL-D00 P2; HAL-PL002-A; 24059-HAL-PL005-A; 24059-HAL-PL006-B; HAL-PL010-C; HAL-PL011-B; HAL-PL012-C; HAL-PL013; HAL-PL020-C; HAL-PL021-B; HAL-PL022-D; HAL-PL023-A; BEA 25-007-03 P02.

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

3. No development shall commence until a Construction Management Plan 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 Plan shall include details of:

- Construction vehicle numbers, type and routing.
- 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.

- Phasing plan.
- Hours of working (including deliveries and waste removal).
- All plant necessary for construction and demolition.
- Noise and vibration mitigation measures with particular attention paid to piling, power floating, and vacuum excavation activities where these activities are to be undertaken.
- Dust and smoke mitigation measures.
- Site lighting and off-site mitigation measures.

4. Prior to the first occupation / use of the development hereby permitted the vehicular access shall be completed and thereafter retained as shown on drawing number (418-063138-00001-PD02 Rev A) in accordance with details/specifications to be submitted to and approved in writing by the Local Planning Authority in consultation with the highway authority. Prior to use appropriate arrangements shall be made for surface water to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

5. Prior to the first use of the development hereby permitted, arrangement shall be made for surface water from the proposed development to be intercepted and disposed of separately so that it does not discharge onto the highway carriageway.

6. Prior to the first occupation / use of the development hereby permitted a visibility splays measuring 31metres shall be provided to each side of the access where it meets the Cycle Track on Bessemer Drive and such splays shall thereafter be retained at all times free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway.

7. Prior to first occupation / use details of the secure and covered cycle parking storage shall be submitted to and approved in writing by the local planning authority. The cycle parking shall thereafter 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.

8. 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 and maintained at all times at the position shown.

9. Prior to the commencement of the development to which this permission relates (excluding site clearance and demolition), the results of a phase 2 site investigation and full written details of any necessary remediation works or controls shall be submitted to and approved in writing by the local planning authority. The development shall then be carried out in accordance with the approved details.

10. In the event that any previously unidentified ground contamination is discovered on the site, no further construction work may be carried out in the affected area until full written details of any necessary remediation works or controls has been submitted to and approved in writing by the local planning authority. The development shall then be carried out in accordance with the approved remediation strategy.

11. Where any development to which this permission relates is required to be carried out in accordance with a remediation scheme approved by the local planning authority, a verification report (setting out the remedial measures actually undertaken on the site) shall be submitted to and approved in writing by the local planning authority prior to the beneficial occupation of the development.

12. The development hereby permitted shall not come into operational use until a verification report containing evidence of compliance with the maximum off-site artificial lighting levels and temporal controls as set out in External Lighting Report by Engineering Services Consultancy Limited (reference 0527/ESS/00/ZZ/RP/Z/0016, dated 27/2/2025) has been submitted to and approved in writing by the local planning authority. The luminaires and associated lighting equipment authorised shall thereafter be retained, operated, and maintained in accordance with the above report and manufacturers' specifications.

13. The development hereby permitted shall not come into operational use until a verification report containing evidence that noise levels do not exceed those set out in Table 3, Table 4, Table 5, Table 6, and Table 7 of the Noise Impact Assessment report by Hoare Lea Acoustics LLP (10-16004, Rev. 01, dated 30/04/2025) has been submitted to and approved in writing by the local planning authority. All external plant shall thereafter be retained, operated, and maintained in accordance with manufacturers' specifications.

14. The development to which this permission relates shall be carried out in accordance with the external materials specified on drawing numbers HAL-PL012-C and HAL-PL022-D submitted as approved or any alternative to be submitted to and approved by the Local Planning Authority.

15. All soft landscaping shall be carried out in accordance with the approved details as shown in drawing number BEA 25-007-04 P07 to a reasonable standard in accordance with the relevant British Standards or other recognised Codes of Good Practice.

16. 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.

17. 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.

18. 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.

19. The measures to address adaptation to climate change as set out within the Energy and Sustainability Strategy and BREEAM Pre-Assessment by Engineering Services Consultancy Ltd shall be implemented and permanently maintained in accordance with the approved details.

20. Prior to the first occupation / use of the approved development a Species Enhancement Plan/Report shall be submitted to and approved in writing by the local planning authority. The Plan/Report from an appropriately qualified ecologist shall confirm that all the proposed species enhancement features as identified and approved in the Ecological Appraisal and Ecological Enhancement Strategy produced by FPCR Environment and Design (specifications and locations), have been installed, together with photographic evidence, shall be submitted to and approved in writing by the local planning authority. The species enhancement features once completed shall be permanently maintained in accordance with the approved details.

21. At least 3 months prior to the first occupation / use 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.

## **INFORMATIVES**

1. Extent of Highway: Information on obtaining the extent of public highway around the site can be obtained from the HCC website:  
[www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/extent-of-highways.aspx](http://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/extent-of-highways.aspx)

2. Storage of materials: 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>
3. Obstruction of highway: 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 County Council website at:  
<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>
4. 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.
5. 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.
6. Works within the highway (section 278): The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>

[pavements/business-and-developer-information/development-management/highways-development-management.aspx](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. Construction Management Plan (CMP): The purpose of the CMP is to help developers minimise construction impacts and relates to all construction activity both on and off site that impacts on the wider environment. It is intended to be a live document whereby different stages will be completed and submitted for application as the development progresses. A completed and signed CMP must address the way in which any impacts associated with the proposed works, and any cumulative impacts of other nearby construction sites will be mitigated and managed. The level of detail required in a CMP will depend on the scale and nature of development. The CMP would need to include elements of the Construction Logistics and Community Safety (CLOCS) standards as set out in our Construction Management template, a copy of which is available on the County Council's website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>
8. Abnormal loads and importation of construction equipment (i.e. large loads with: a width greater than 2.9m; rigid length of more than 18.65m or weight of 44,000kg - commonly applicable to cranes, piling machines etc.): The applicant is directed to ensure that operators conform to the provisions of The Road Vehicles (Authorisation of Special Types) (General) Order 2003 in ensuring that the Highway Authority is provided with notice of such movements, and that appropriate indemnity is offered to the Highway Authority. Further information is available via the Government website [www.gov.uk/government/publications/abnormal-load-movements-application-and-notification-forms](http://www.gov.uk/government/publications/abnormal-load-movements-application-and-notification-forms) or by telephoning 0300 1234047.
9. Travel Plan (TP): A TP, in accordance with the provisions as laid out in Hertfordshire County Council's Travel Plan Guidance, would be required to be in place from the first occupation/use until 5 years post occupation/use. A £1,200 per annum (overall sum of £6000 and index-linked RPI March 2014) Evaluation and Support Fee would need to be secured via a Section 106 agreement towards supporting the implementation, processing and monitoring of the full travel plan including any engagement that may be needed. Further information is available via the County Council's website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx> OR by emailing [travelplans@hertfordshire.gov.uk](mailto:travelplans@hertfordshire.gov.uk)
10. A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing [trade.effluent@thameswater.co.uk](mailto:trade.effluent@thameswater.co.uk).

Application forms should be completed on line via [www.thameswater.co.uk](http://www.thameswater.co.uk). Please refer to the Wholesale; Business customers; Groundwater discharges section.

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

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

12. The proposed development is located within 15 metres of Thames Waters underground assets and as such, the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures. <https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes>. Should you require further information please contact Thames Water. Email: [developer.services@thameswater.co.uk](mailto:developer.services@thameswater.co.uk) Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB
13. The applicant is advised of the Council's powers under Part III of the Environmental Protection Act 1990 to prohibit nuisances arising from noise, artificial light, and a range of other pollutants that may arise from commercial premises.
14. To obtain advice regarding current Building Regulations please contact Hertfordshire Building Control Ltd. by emailing us at [building.control@hertfordshirebc.co.uk](mailto:building.control@hertfordshirebc.co.uk) or phoning us on 01438 879990.

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

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

Once a building regulations application has been deposited with relevant drawings

and fee building work may commence. You will be advised in their acknowledgement letter of the work stages we need to inspect but in most instances these are usually:

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

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

15. 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>.

16. If European Protected Species (EPS), including bats and great crested newts, or evidence of them, are discovered during the course of works, work must stop immediately, and advice sought on how to proceed lawfully from an appropriately qualified and experienced Ecologist or Natural England to avoid an offence being committed.

To avoid the killing or injuring of wildlife during development, best practice should keep any areas of grass as short as possible and any longer, ruderal vegetation should be cleared by hand. To avoid creating refugia that may be utilised by wildlife, materials should be carefully stored on-site on raised pallets and away from the boundary habitats. Any trenches on site should be covered at night or have ramps to ensure that any animals that enter can safely escape, and this is particularly important if excavations fill with water. Any open pipework with an outside diameter greater than 120mm must be covered at the end of each working day to prevent animals entering / becoming trapped.

In order to protect breeding birds, their nests, eggs and young, demolition or vegetation clearance should only be carried out during the period October to February inclusive. If this is not possible then a pre-development (i.e. no greater than 48 hours before clearance begins) search of the area should be made by a suitably experienced ecologist. If active nests are found, then works must be delayed until the birds have left the nest or professional ecological advice taken on how best to proceed.

#### **\*Recorded Vote**

For – Councillors Julie Ashley-Wren, Stephen Booth, Robert Boyle, Kamal Choudhury, Forhad Chowdhury, Peter Clark, Coleen De Freitas, Akin Elekolusi, Lynda Guy, Claire Parris, Carolina Veres.

Against – 0

Abstentions – 0

Absent – Ellie Plater, Anne Wells and Nigel Williams

**25/00424/FPM - STEVENAGE SWIMMING CENTRE, ST GEORGES WAY**

The Committee received a presentation from the Team Leader on the application for the demolition of the existing swimming centre and erection of a new sports and leisure centre. Members were shown photographs of the existing site along with site maps.

The Chair invited Tom Brennan, the Chairman and volunteer coach of Aqualina Artistic Swimming Club to address the Committee.

It was noted that the club had a 50-year history in Stevenage and had a role in producing national level athletes. He expressed that the proposed pool depth of 1.8 metres was insufficient for artistic swimming and risked the club's continuity. It was requested that the Committee considered the adjustment to preserve the club and its future participation in artistic swimming in the area.

The Chair invited Trevor Knott, a user of the leisure centre to address the Committee.

Trevor Knott spoke in opposition to the application, highlighting the reduction in sporting facilities and activities in the proposed centre. Comments were raised regarding limited access for elderly users and suggested that the consultation surveys were framed in a way that influenced responses.

The Chair invited Dave Wells, Assistant Director for Regeneration from Stevenage Borough Council to address the Committee.

The Assistant Director for Regeneration spoke in support of the new sports and leisure centre, noting that existing facilities were outdated and no longer met community needs. It was noted that proposals formed a key part of the town's regeneration, supporting health, wellbeing, sustainability, and inclusivity, while addressing design, safety, and biodiversity. He acknowledged not all sports could be accommodated but explained that alternative provisions and support would be offered.

The chair thanked all speakers for their contributions and invited the Team Leader to respond.

The officer outlined the proposed development to replace the existing swimming centre. This included a new 10 lane swimming pool, teaching pool, splash pad, sports hall, gym, studios, café, and supporting facilities. The scheme provided improved access to the town centre gardens and enhanced landscaping to achieve a 10% biodiversity net gain. The design was said to reflect local character and modern influences and would meet Local Plan policies.

A net loss of 38 parking spaces was acknowledged, but was judged acceptable given the site's central location, access to other car parks and sustainable transport links.

Comments from Cycling UK regarding connectivity and cycling access had been

noted, however officers considered these were not sufficient to outweigh the significant public benefits of the scheme.

Highway access would be improved through reinstating the entrance and exit along Fairlands Way and would enhance pedestrian and cycle connections, with no objections from the local highway authority.

It was noted that drainage would be managed through swales, rain gardens, and discharge into the existing culvert, with ongoing discussions with the Lead Local Flood Authorities.

The scheme would incorporate sustainable construction measures, including air source heat pumps which would comply with current building regulations.

Sport England supported the proposal, noting the improved facilities to meet demand despite a reduction in space.

Concerns regarding crime and changing facilities were addressed, with the design incorporating natural surveillance, secured by design principles, and Sport England guidance.

Members raised concerns regarding the reduction in the pool depth and parking spaces alongside the provision for coach parking. A further question was raised regarding parking charges for leisure users.

Officers advised that parking management and charges were operational matters and not a planning consideration. It was noted that the project budget was fixed and decisions on design changes including the pool depth would sit with the Council's Regeneration team. This would therefore fall outside of planning considerations.

Officers also confirmed that coach parking would be made available in the planned proposals.

Further questions were raised regarding the concern for the reduction in parking provision due to the ageing population identified in the Local Plan. It was noted that 53 were proposed of which 5 were for disabled parking and 11 for electric vehicles.

Officers noted that the parking provision was policy compliant and constrained by the site, and members were asked to consider parking in the wider planning balance. Members were informed that the scheme would increase leisure provision from meeting 50% to 80% of residents by 2031.

Members raised a question regarding accessibility and safety of nearby underpasses to the new proposed site.

Officers noted that improvements to underpasses were part of the regeneration scheme and that they laid outside of the boundary for this application. It was noted that the underpass with the William Mitchell artwork was Grade II listed and was subject to restrictions on alterations.

A further question was raised to review the indoor provisions and the reduction in sporting facilities.

Officers noted that the application was for a wet and dry facility with significant improvements compared to current provision and was confirmed that the scheme met relevant policy requirements.

A question was raised regarding the timeframe for the pedestrian crossing and the relocation of the outdoor gym equipment affected by the proposed plans.

Officers confirmed that the crossing was planned to be delivered before the new facility opened and that the gym equipment would be relocated within the Town Centre Gardens Park.

A recorded vote\* was taken on the application and it was RESOLVED that planning permission be GRANTED subject to the applicant having first entered into a Unilateral Undertaking to secure/provide contributions towards:

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

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.

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:

SSLH-FBA-01-ZZ-D-A-0163 Rev P01; SSLH-FBA-01-ZZ-D-A-0164 Rev P01; SSLH-FBA-01-ZZ-D-A-0140 Rev P01; SSLH-FBA-01-ZZ-D-A-0142 Rev P01; SSLH-FBA-01-ZZ-D-A-0141 Rev P01; SSLH-FBA-01-ZZ-D-A-0143 Rev P01; FB-SK-4036-250519-AS-001; SSLH-FBA-01-ZZ-D-A-0110 Rev P01; SSLH-FBA-01-ZZ-D-A-0111 Rev P01; SSLH-FBA-01-ZZ-D-A-0112 Rev P01; SSLH-FBA-01-ZZ-D-A-0113 Rev P01; SSLH-FBA-01-ZZ-D-A-0119 Rev P01; SSLH-FBA-01-ZZ-D-A-0114 Rev P01; SSLH-FBA-01-ZZ-D-A-0150 Rev P01; SSLH-FBA-01-ZZ-D-A-0151 Rev P01; SSLH-FBA-01-ZZ-D-A-0152 Rev P01; SSLH-FBA-01-ZZ-D-A-0153 Rev P01; SSLH-FBA-01-ZZ-D-A-0170 Rev P01; SSLH-FBA-01-ZZ-D-A-0183 Rev P01; SSLH-FBA-01-ZZ-D-A-0171 Rev P01; SSLH-FBA-01-ZZ-D-A-0172 Rev P01; SSLH-FBA-01-ZZ-D-A-0173 Rev P01; SSLH-FBA-01-ZZ-A-0174 Rev P01; SSLH-FBA-01-ZZ-D-A-0180 Rev P01; SSLH-FBA-01-ZZ-D-A-0181 Rev P01; SSLH-FBA-01-ZZ-D-

A-0182 Rev P01; SSLH-WWA-ZZ-ZZ-D-L-0400 Rev P01; SSLH-WWA-ZZ-ZZ-D-L-0501 Rev P02; SSLH-WWA-ZZ-ZZ-D-L-0502 Rev P02; SSLH-SWH-ZZ-XX-D-C-0910 Rev P02; SSLH-FBA-01-ZZ-D-A-0160 Rev P01; SSLH-FBA-01-ZZ-D-A-0161 Rev P01; SSLH-FBA-01-ZZ-D-A-0162 Rev P01; SSLH-FBA-01-ZZ-D-A-0100 Rev 02; SSLH-FBA-01-ZZ-D-A-0101 REV 02; SSLH-FBA-01-ZZ-D-A-0102 REV 02; SSLH-FBA-01-ZZ-D-A-0103 REV 02; SSLH-WWA-ZZ-ZZ-D-L-0101-S3 REV 13; SSLH-WWA-ZZ-ZZ-D-L-0102-S3 REV 09; SSLH-WWA-ZZ-ZZ-D-L-0103-S3 REV 09; SSLH-WWA-ZZ-ZZ-D-L-0300-S3 REV 05;

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

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

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

r. vermin control.

4.No development shall take place until a detailed Phasing Plan for the development hereby approved has been submitted to and approved in writing by the local planning authority. The Plan shall include details of car park closures, access arrangements to the existing Swimming Centre during construction, access arrangements to the new Leisure Centre during demolition of the existing Swimming Centre and during construction of the car park following demolition.

5.The Biodiversity Gain Plan shall be prepared in accordance with the Biodiversity Net Gain Report dated May 2025 and prepared by Richard Graves Associates.

6.No development shall take place until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the approved Biodiversity Gain Plan and including:

- (a) a non-technical summary;
- (b) the roles and responsibilities of the people or organisation(s) delivering the HMMP;
- (c) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
- (d) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and
- (e) the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority has been submitted to, and approved in writing by, the local planning authority. The created and/or enhanced habitat specified in the approved HMMP shall be managed and maintained in accordance with the approved HMMP.

7.Notice in writing shall be given to the Council when the:

- (a) HMMP has been implemented; and
- (b) Habitat creation and enhancement works as set out in the HMMP have been completed.

8.No development shall take place above slab level until a full schedule and samples (where applicable) of the materials to be used in the construction of the external surfaces of the approved Leisure Centre hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

9.Prior to the first occupation of the development hereby permitted, the existing entrance only access off St. Georges Way shall be closed off permanently and reinstate all footways/ green verge in accordance with the technical approval issued by the HCC's Development Management Implementation (DMI) team and thereafter

retained at the position as indicated on the approved plan drawing number (Ref-SSLH-SWH-01-XX-D-C-5510, P06).

10. Prior to the first use of the development hereby permitted a visibility splay shall be provided in full accordance with the details indicated on the approved plan number (SSLH-SWH-01-XX-D-C-5510, P06). The splay shall always thereafter be maintained free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway.

11. Within six months of the first use of the new leisure facility hereby permitted all proposed onsite car, coach & cycle parking, and turning areas including shared cycle path as shown on the landscape masterplan (Ref- SSLH-WWA-ZZ-ZZ-D-L-0101 Rev-P13) shall be laid out, demarcated, levelled, surfaced, and drained in accordance with the approved plan and retained thereafter available for that specific use, unless otherwise agreed in writing by the Local Planning Authority.

12. Prior to the first use of the development hereby permitted, arrangement shall be made for surface water from the proposed development to be intercepted and disposed of separately so that it does not discharge onto the highway carriageway.

13. Prior to the first use of the development hereby permitted, full details of the proposed secure covered / cycle lockers shall be submitted to and approved in writing by the local planning authority. The development shall thereafter be completed in accordance with the approved details prior to first use of the development and permanently maintained and retained.

14. Prior to first use of the development hereby approved, full details of the proposed bin store shall be submitted to and approved in writing by the local planning authority. The development shall thereafter be completed in accordance with the approved details prior to first use of the development and permanently maintained and retained.

15. Prior to first use of the development hereby permitted, full details of all soft landscaping shall be submitted to and approved in writing by the local planning authority. Details shall take account of the comments made by the Council's Green Spaces Officer and Tree Officer. The soft landscaping shall thereafter be carried out in accordance with the approved details to a reasonable standard in accordance with the relevant British Standards or other recognised Codes of Good Practice.

16. Prior to the first use of the approved development the details for the provision of swift boxes and bat boxes within the site, on the buildings or on the trees respectively, as identified in the Preliminary Ecological Appraisal and Bat Roosting Features Report produced by Richard Graves Associates dated May 2025 shall be

submitted to and approved in writing by the local planning authority. The bird and bat boxes shall be installed prior to first use of the development and permanently maintained in accordance with the approved details.

17. Prior to the first use of the development, details of protection measures against the access of unauthorised vehicles within the proposed public realm areas shall be submitted to and approved in writing by the local planning authority. The development shall be carried out and maintained in accordance with the approved details.

18. Prior to demolition of the existing swimming centre, a Site Waste Management Plan (SWMP) for the site has been submitted to and approved in writing by the Local Planning Authority. The SWMP should aim to reduce the amount of waste produced on site and should contain information including estimated types and quantities of waste to arise from construction and waste management actions for each waste type, plus mechanisms to deal with environmental impacts such as air quality and dust control measures, noise and vibration restriction measures, light and odour. The development shall be carried out in accordance with the approved SWMP.

19. Prior to the installation of any external plant, an Operational Noise Management Plan shall be submitted to and approved in writing by the local planning authority. The plan shall detail siting of the plant and demonstrate its conformity with the plant noise objective set out on section 5 of the Noise Impact Assessment report by Anderson Acoustics Limited (reference 6816, dated 3/9/2024) (plant noise levels at the nearest noise sensitive receptors should not exceed 55 dB LAeq,Tr during the day and 52 dB LAeq,Tr during the night, when assessed in accordance with BS 4142) and how noise from non-plant sources will be mitigated. The approved plan shall then be implemented prior to the beneficial occupation of the development and permanently retained as such thereafter.

20. Prior to the implementation of any public realm works, details of the proposed furniture to be used within the public realm areas shall be submitted to and approved in writing by the local planning authority. Details shall include the picnic benches, concrete benches and measures to protect them against grinding by skateboards, bikes and scooters, and graffiti, and any refuse receptacles. The furniture shall be installed prior to first use of the development and permanently maintained in accordance with the approved details.

21. Prior to the installation of any external lighting associated with the development hereby permitted, a written scheme for the provision of external lighting together with an Artificial Lighting Assessment including the design, size, and illuminance of all lighting and its impact having regard to relevant national guidance shall be submitted to and approved in writing by the Local Planning Authority.

22. Prior to the construction of any of the Sustainable Drainage (SuDS) swales and

rain gardens proposed, details of their final design shall be submitted to and agreed in writing by the local planning authority. Details shall include engineer drawings and measures to ensure protection and maintenance. The SuDS features shall thereafter be managed and maintained in accordance with the approved details.

23. In the event that any previously unidentified ground contamination is discovered on the site, no further construction work may be carried out in the affected area until a remediation strategy has been submitted to and approved in writing by the local planning authority. The development shall then be carried out in accordance with the approved remediation strategy. Where any development to which this permission relates is required to be carried out in accordance with a remediation strategy, a verification report (setting out the remedial measures actually undertaken on the site) shall be submitted to and approved in writing by the local planning authority prior to the beneficial occupation of the development.

24. 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.

25. The measures to address adaptation to climate change as set out within the Energy Strategy Report by Environmental Mechanical Electrical Consultancy dated 15 May 2025 and the Planning Statement by WSP dated 2 June 2025 shall be implemented and permanently maintained in accordance with the approved details.

### **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 led 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**

17. Storage of materials: 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>

18. 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.

19. 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.
20. Construction Management Plan (CMP): The purpose of the CMP is to help developers minimise construction impacts and relates to all construction activity both on and off site that impacts on the wider environment. It is intended to be a live document whereby different stages will be completed and submitted for application as the development progresses. A completed and signed CMP must address the way in which any impacts associated with the proposed works, and any cumulative impacts of other nearby construction sites will be mitigated and managed. The level of detail required in a CMP will depend on the scale and nature of development. The CMP would need to include elements of the Construction Logistics and Community Safety (CLOCS) standards as set out in our Construction Management template, a copy of which is available on the County Council's website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>
21. Street works licence (New Roads and Street Works Act - Section 50): The applicant is advised that they are not authorised to carry out any work within the Public Highway and that to do so they will need to enter into a legal agreement with the Highway Authority (NRSW agreement). This consent is separate and additional to any planning permission that may be given. Before proceeding with the proposed development, the applicant shall obtain the requirements and permission for the associated placement of apparatus within the adjacent highway as part of the proposal via the County Council's website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/permit-scheme/east-of-england-permit-scheme.aspx> or by telephoning 0300 1234 40047. This should be carried out prior to any new apparatus is placed within the highway.
22. Travel Plan (TP): A TP, in accordance with the provisions as laid out in Hertfordshire County Council's Travel Plan Guidance, would be required to be in place from the first occupation/use until 5 years post occupation/use. A £1,200 per annum (overall sum of £6000 and index-linked RPI March 2014) Evaluation and Support Fee would need to be secured via a Section 106 agreement towards

supporting the implementation, processing and monitoring of the full travel plan including any engagement that may be needed. Further information is available via the County Council's website at:

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-anagement/highways-development-management.aspx> OR by emailing [travelplans@hertfordshire.gov.uk](mailto:travelplans@hertfordshire.gov.uk)

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

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

24. The applicant is advised of the Council's powers under Part III of the Environmental Protection Act 1990 to prohibit nuisances arising from noise, artificial light, and a range of other pollutants that may arise from commercial premises.
25. To obtain advice regarding current Building Regulations please contact Hertfordshire Building Control Ltd. by emailing us at [building.control@hertfordshirebc.co.uk](mailto:building.control@hertfordshirebc.co.uk) or phoning us on 01438 879990.

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

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

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

Excavation for foundations  
Damp proof course  
Concrete oversite  
Insulation

Drains (when laid or tested)  
Floor and Roof construction  
Work relating to fire safety  
Work affecting access and facilities for disabled people  
Completion

26. 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>.

11. The applicant is advised that the design and layout of the leisure centre should comply with the relevant industry Technical Design Guidance, including guidance published by Sport England and, National Governing Bodies for Sport. Particular attention is drawn to Sport England's "Accessible and Inclusive Sports Facilities", "Sports Hall Design & Layouts" and "Swimming Pools" design guidance notes <https://www.sportengland.org/guidance-and-support/facilities-and-planning/design-and-cost-guidance>

**\*Recorded Vote**

For – Councillors Julie Ashley-Wren, Robert Boyle, Forhad Chowdhury, Peter Clark, Coleen De Freitas, Akin Elekolusi, Lynda Guy, Claire Parris and Carolina Veres.

Against – 0

Abstentions – Councillors Stephen Booth and Kamal Choudhury.

Absent – Councillors Ellie Plater, Anne Wells and Nigel Williams.

**5 INFORMATION REPORT - DELEGATED DECISIONS**

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

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

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

**7 URGENT PART I BUSINESS**

There was no Urgent Part I Business.

**8 EXCLUSION OF THE PRESS AND PUBLIC**

It was **RESOLVED** 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.

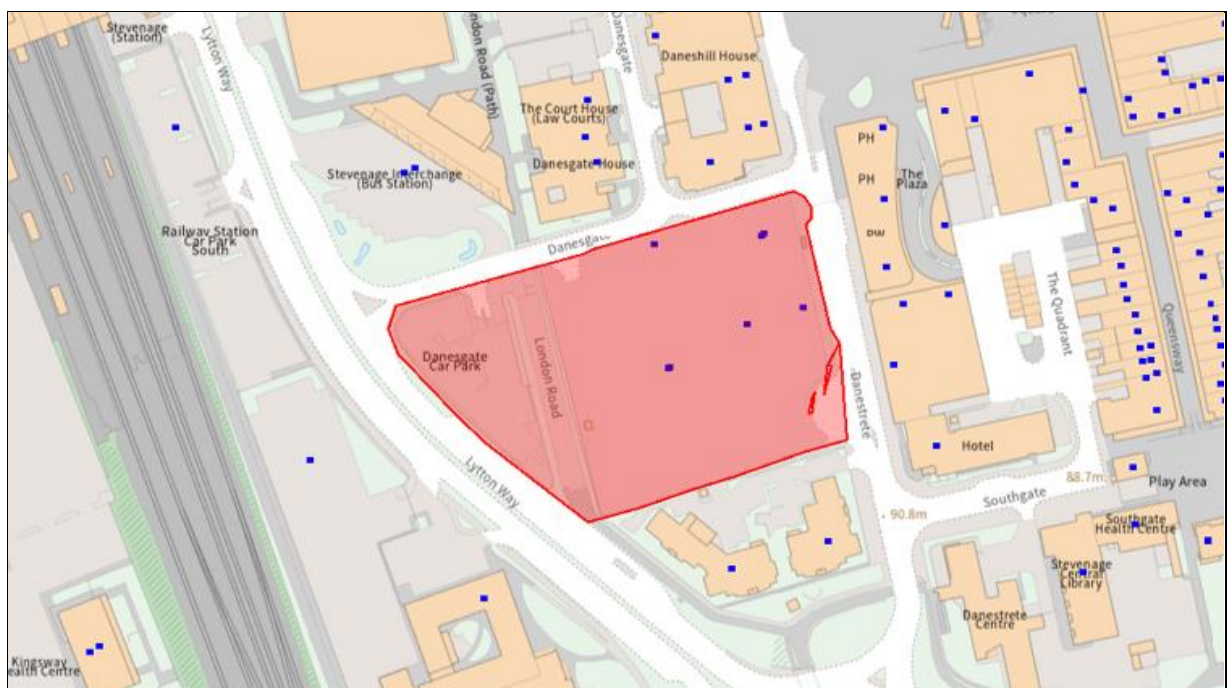
9      **URGENT PART II BUSINESS**

There was no Urgent Part II Business.

**CHAIR**

**Meeting:** Planning and Development Committee  
**Agenda Item:**  
**Date:** 28 October 2025  
**Author:** Ailsa Davis  
**Lead Officer:** James Chettleburgh  
**Contact Officer:** Ailsa Davis

|                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|-----------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Application No: | 25/00648/RMM                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Location:       | Matalan, Unit B-C, Danestrete, Stevenage                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| Proposal:       | Section 73 amendment application to planning permission ref. 20/00643/RMM relating to changes to building heights and internal configuration of phase 2 of the approved development.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Drawing Nos.:   | A(91)E0-000; A(91)E0-001; A(91)E0-002; A(91)E0-003; A(91)E0-004; A(GA)E0-100; A(GA)E0-101; A(GA)E0-102; A(GA)E0-103; A(GA)E0-104; A(GA)E0-105; A(GA)E0-106; A(GA)E0-107; A(GA)E0-108; A(GA)E0-109; A(GA)E0-110; A(GA)E0-111; A(GA)E0-112; A(GA)E0-113; A(GA)E0-114; A(GA)E0-115; A(GA)E0-116; A(GA)E0-117; A(GA)E0-118; A(GA)E0-119; A(GA)E0-120; A(GA)E0-121; A(DET)E0-500; A(DET)E0-501; A(DET)E0-502; A(DET)E0-503; A(DET)E0-504; A(DET)E0-505; A(DET)E0-506; A(DET)E0-507; A(DET)E0-508; A(DET)E0-509; A(DET)E0-510; A(DET)E0-511; A(DET)E0-512; A(DET)E0-513; A(GA)E0-300; A(GA)E0-301; A(GA)E0-302; A(GA)E0-306; A(GA)E0-307; A(GA)E0-305; A(GA)E0-310; A(GA)E0-304; A(GA)E0-311; A(GA)E0-303; A(GA)E0-309; A(GA)E0-308; A(GA)E0-201; A(GA)E0-202; A(GA)E0-203; A(GA)E0-400; A(GA)E0-402; A(GA)E0-401; A(GA)E0-403; A(DET)E0-600 |
| Applicant:      | Thirdi Property PTY Ltd                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Date Valid:     | 25 August 2025                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Recommendation: | GRANT PLANNING PERMISSION                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |



The above plan is for illustrative purposes only.

# 1 SITE DESCRIPTION

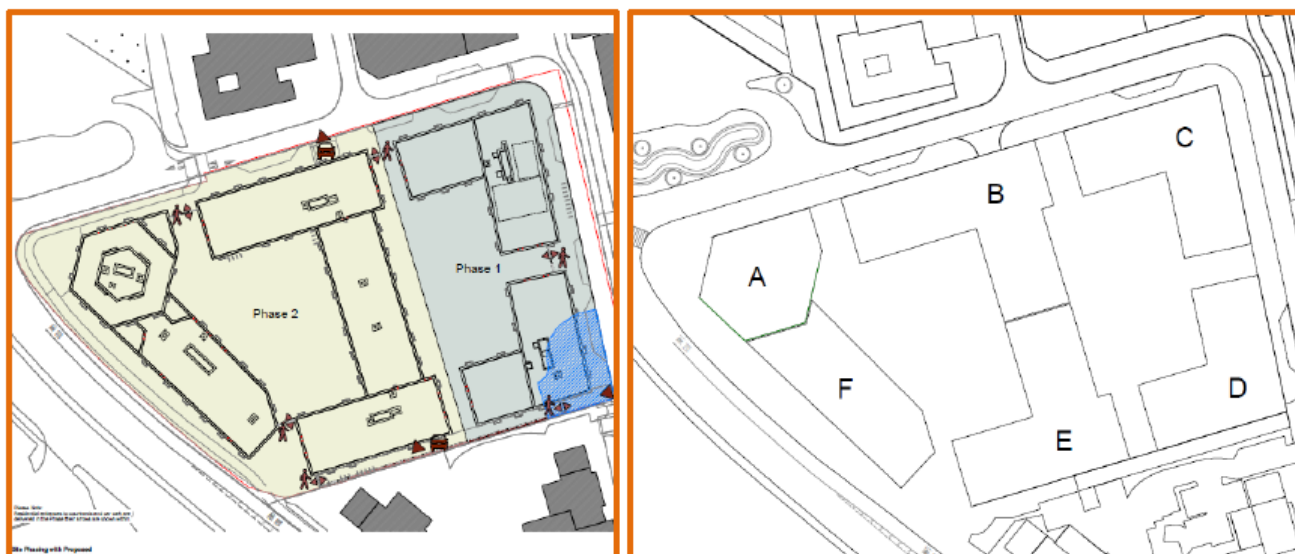
- 1.1 The application site comprises the balance of the land previously occupied by the former Matalan retail store and the car park to the west. The site is located on the west side of Danestrete, bordered by Danesgate to the north and Lytton Way to the west. The site adjoins the Council Offices and Magistrates' Court to the north separated by Danesgate. To the west on the opposite side of Lytton Way is the Police Station. To the south, the site adjoins Pinetree Court, a residential block of retirement flats. To the east, on the opposite side of Danestrete, is the Plaza development which contains a number of leisure/food and drink units. To the south of this is the Holiday Inn hotel. The site is located to the east (opposite) the area for the major Town Centre regeneration scheme known as SG1 for which outline planning permission was granted in May 2023.

# 2 RELEVANT PLANNING HISTORY

- 2.1 Outline Planning Permission was granted by Stevenage Borough Council (SBC) with all matters reserved on 19 October 2017, with the following description of development (ref. 14/00559/OPM):

*Application for outline permission for residential development of up to 526 residential apartments and commercial units Class A1 (retail) A2 (professional and financial) A3 (restaurant) and A4 (drinking establishments) and A5 (hot food take away) with associated access, parking and landscaping following demolition of existing buildings.*

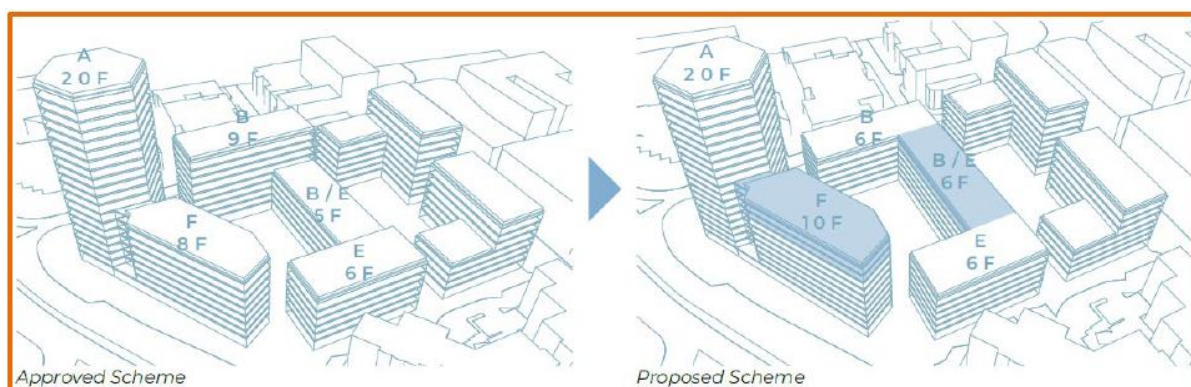
- 2.2 A Reserved Matters Application (RMA) was submitted in October 2020 including details of all reserved matters (access, appearance, layout, landscaping and scale) under reference 20/00643/RMM. The RMA was approved on 9 April 2021.
- 2.3 The development phasing of the proposal comprised a two-phase delivery with Phase 1 including Blocks C and D (143 units). A series of S96a non-material amendment applications were submitted and approved between 2021 to 2025 in relation to Phase 1 of the approved scheme. Phase 1 has been completed and is now occupied as affordable rented flats. The balance of the site, to which this S73 Planning Application relates, comprises the remaining 383 new homes to be delivered in Phase 2 (Blocks A, B, E and F).



**Figure 1: Phasing and Block Naming Plans**

### 3 THE CURRENT APPLICATION

- 3.1 This Section 73 (S.73) Planning Application relates to the remaining 383 new homes to be delivered in Phase 2 (Blocks A, B, E and F). The applicant, as the prospective purchaser of the Phase 2 land has undertaken detailed feasibility studies to consider the most suitable form of development in light of significant commercial and regulatory changes since the Reserved Matters Planning Permission was granted back in 2021. A series of targeted amendments are required to the approved scheme to deliver dwellings at the site, whilst adhering to the vision and commitments to high quality design enshrined within the Reserved Matters Planning Permission.
- 3.2 Chief among these changes are targeted amendments to the approved scheme to cater for a Build-to-Rent (BTR) market. The applicant is pursuing a BTR strategy, backed by a pension fund capital partner. This approach secures forward funding to deliver the scheme and provides a long-term structure to retain and professionally manage the homes. The applicant is aiming to provide a supply of high-quality, well-managed rental housing that meets local needs and maintains the full housing output originally proposed.
- 3.3 In addition, the Building Safety Act introduced in April 2022 represents a significant regulatory change which has been introduced since the Reserved Matters Planning Permission was granted. A comprehensive review of the massing strategy of the approved Phase 2 scheme has been undertaken to manage fire risk while seeking to provide an expedited programme of housing delivery to meet identified local housing need and provide certainty for funders of the emerging Phase 2 development.
- 3.4 Buildings B and E have been unified in height to six storeys, bringing them below the Building Safety Act (BSA) Higher-Risk Building (HRB) threshold. In contrast, Building F has been increased to ten storeys, strengthening its role as a visual marker within the townscape and consolidating the HRB components into a single defined phase along with Block A at 20 storeys. Block A remains unchanged from the original Reserved Matters approval.



- 3.5 As a result, there are also minor associated amendments to car and cycle parking provision, internal layout, configuration of non-residential ground floor uses and limited introduction of residential use at ground floor. The proposed amendments would not increase the total number of residential homes, which remains at 383. However, the internal configuration and housing mix are revised to improve compliance, efficiency and viability. The new housing mix is set out below along with the original approved mix. The site phasing has also been updated to split phase 2 into two sub-phases. Phase 2a (blocks B and E) would deliver 144 homes and phase 2b (blocks A and F) would deliver 239 homes.

| Approved Housing Mix                                                                               | Revised Housing Mix                                                                                                            |
|----------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"> <li>• 207 x 1-bed units</li> <li>• 176 x 2-bed units</li> </ul> | <ul style="list-style-type: none"> <li>• 215 x 1-bed units</li> <li>• 155 x 2-bed units</li> <li>• 13 x 3-bed units</li> </ul> |
| TOTAL: 383 homes                                                                                   | TOTAL: 383 homes                                                                                                               |

- 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. An objection was received from the occupier of No.72 Daneshill House (part of phase 1) on the grounds that the development does not have enough parking.
- 4.2 A verbatim copy of the representation that was made against this application can be viewed on the Council's website.

## 5 CONSULTATIONS

- 5.1 The following section contains summaries of consultation responses. Full copies of the responses are available on the Council's website.
- 5.2 SBC Environmental Health
- 5.2.1 Thank you for consulting the Environmental Health & Licensing Service (EH&LS) regarding the above.

### *Environmental noise*

As I understand it, this application seeks only to modify the configuration of the physical structure permitted by consent 20/00643/RMM, as amended. I have reviewed the Section 73 Application – Acoustics Compliance Letter prepared by Sol Acoustics Limited (reference L486460-SOL-XX-XX-RP-Y-001, dated 21/8/2025) and have no material disagreement with its key conclusion, i.e. that the proposed increase in height of Block F will not have a significant detrimental impact on existing and future residents. Permission 20/00643/RMM contains a number of conditions (such as 26, 27, 28, and 29) relating to the control of noise and I believe that these control measures remain necessary and relevant.

I have no other environmental health related observations regarding this application.

- 5.3 HCC Highway Authority
- 5.3.1 Notice is given under article 22 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission.
- 5.3.2 The Highway Authority note the submission of a Section 73 application relating to Phase 2 of the former Matalan site. The submission of documents in support of the application are noted, including a Transport Statement, dated August 2025. The Highway Authority is content that the proposed changes do not have a material impact on the adjoining local highway network. As such, the Highway Authority does not wish to restrict the grant of planning permission.

#### 5.4 SBC Highway Engineers

5.4.1 No comments received.

#### 5.5 HCC Growth and Infrastructure

5.5.1 No comments received.

#### 5.6 Herts Fire and Rescue (Water Officer)

5.6.1 As discussed, the DAMA fire statement references Fire Hydrant locations within 90m of the site (attached). Using the service mapping software and the real route of any Fire hose being laid the tower will fall short of the 90m (attached). Also, the hydrant (014885) outside the Police Station would require this to be laid across 4 lanes of traffic and the fence separating the carriageway which would not be realistic. We would require that fire hydrants are placed on the site

## **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 SP4: A vital Town Centre  
 Policy SP6: Sustainable Transport  
 Policy SP7: High quality homes  
 Policy SP8: Good design  
 Policy SP11; Climate change, flooding and pollution  
 Policy SP13: The historic environment  
 Policy TC1: Town Centre  
 Policy TC2: Southgate Park Major Opportunity Area  
 Policy TC5: Central core Major Opportunity Area  
 Policy IT3: Infrastructure  
 Policy IT4: Transport assessments and travel plans  
 Policy IT5: Parking and Access;  
 Policy IT6: Sustainable transport  
 Policy IT7: New and improved links for pedestrians and cyclists  
 Policy HO9: Housing types and sizes  
 Policy HO11: Accessible and adaptable housing  
 Policy GD1: High quality design  
 Policy FP1: Climate change  
 Policy FP2: Flood risk in Zone 1  
 Policy FP5: Contaminated land  
 Policy FP7: Pollution  
 Policy FP8: Pollution sensitive uses  
 Policy NH5: Trees and woodland  
 Policy NH7: Open space standards

## 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)

## 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. However, as outline planning permission was granted prior to the adoption of CIL this development is not CIL liable, rather infrastructure contributions would be collected as agreed in the s106 attached to the outline permission.

## 7 APPRAISAL

- 7.1.1 The principle of redeveloping the site for a residential-led mixed use development has been established via the grant of Outline Planning Permission in October 2017 (ref. 14/00559/OPM) and the later Reserved Matters Planning Permission in April 2021 (ref. 20/00643/RMM). The main issues for consideration now relate to the amendments to Phase 2 of the scheme which impact upon the character and appearance of the area; whether the design of the development continues to be of high quality in accordance with policy; the effect of the changes on the amenities of existing neighbours; whether the development would continue to provide an acceptable living environment for future residents; the impact of the development on the highway network; parking provision; flood risk, trees and landscaping/open space, ecology, sustainable construction and climate change.
- 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.
- 7.1.3 The general thrust of national and local planning policy is to secure sustainable patterns of development and re-use previously developed ('brownfield') land. Section 11 of the NPPF (Making Effective Use of Land) of the NPPF highlights the importance of optimising existing brownfield sites. In particular, paragraph 124 of the NPPF sets out that strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously developed or 'brownfield' land.
- 7.1.4 Paragraph 125(c) of the NPPF states that substantial weight should be given to the value of using suitable brownfield land within settlements for homes and other identified needs, while Paragraph 125(d) adds that planning policies and decisions should:
- "promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively ..."*
- 7.1.5 There is a strategic need for increased housing delivery particularly on brownfield land sites. The NPPF (paragraph 61) reiterates the central Government's objective to significantly boost housing supply to ensure that enough homes are being delivered without unnecessary delay.
- 7.1.6 The application site is located within the Southgate Park Major Opportunity Area. Within this area Policy TC2 states that permission will be granted for high density residential units, new multi storey or basement car parking with landmark buildings in prominent locations, with the widening of Danesgate along its length from Lytton Way to Danestrete and the corner of Danestrete eased to allow buses to negotiate the corner more easily. It is considered that the application proposal continues to meet the requirements of this policy.
- 7.1.7 Policy TC8: Town Centre Shopping Area of the adopted Local Plan (2019) sets out that in the Town Centre Shopping Area (TCSA), uses which are appropriate will be permitted at ground floor level, including Use Classes A1, A2, A3, A4 (Now Use Class E) C1, D1 and/or D2 (Now Class F1 (non-residential), Class F2 (Local Community) and (Sui Generis such as cinemas

and concert halls). The policy provides that uses other than A1 (Now Class E) will be granted in respect of premises which are not within a primary retail frontage, where the benefits to the overall vitality and viability of the town centre would equal or outweigh those that would be provided by an A1 or A2 use (Now Class E) in the equivalent location. This will be considered having regard to whether:

- The proposal will retain an active frontage;
- The proposal will generate footfall equivalent to, or greater than, an A1 or A2 use in the equivalent location; and
- The unit has been unsuccessfully marketed for A1 or A2 use or has remained vacant for at least six months.

- 7.1.8 In the emerging local plan review and partial update, policy TC8 is updated to remove primary and secondary frontages as a designation in the town centre. This is consistent with national policy, which promotes flexibility of uses in town centres. The policy continues to allow uses appropriate to a town centre at ground floor level, including Use Classes E, F1, F2 and C1, as well as some other *sui generis* uses.
- 7.1.9 The commercial floorspace has been designed to activate the ground floor at key points attracting footfall to the area. The Outline permission allows for several commercial uses such as retail, office, food and drink, including hot food takeaway. Under changes to the Use Classes Order in 2020, Class E (commercial, business and service) provides for a wide variety of potential uses and the ability to move between the uses without the need for further planning permission. The latest Phase 2 proposals allow for resident 'amenity' uses at ground floor including a gym, co-working space and residents' lounges. It is considered that the ground floor amenity/commercial elements of the proposal continue to meet the requirements of this policy for Phase 2 of the development.
- 7.1.10 The applicant has advised the revisions to Phase 2 are necessary to respond to significant changes in both market conditions and the regulatory environment since the original Reserved Matters Planning Permission was granted in 2021. The amendments would ensure that the site can continue to make an effective contribution to the identified housing need, whilst maintaining the high standards of design and placemaking previously secured through the Reserved Matters approval.
- 7.1.11 A central adjustment relates to the adoption of the Build to Rent typology. The Government's Planning Practice Guidance (PPG) recognises BTR as a distinct and important tenure supporting housing delivery to meet local housing markets. Paragraph 001 of the BTR section of the PPG highlights that large town centre sites and/or town regeneration areas should encourage BTR where a local need can be identified. The proposed amendments are therefore consistent with national policy support for BTR provision, and they would enhance the scheme's alignment with the Council's housing objectives, including widening access to high quality rental accommodation.
- 7.1.12 Additionally, the revisions would respond to updated regulatory requirements following the introduction of the Building Safety Act 2022. The changes would ensure full compliance with the enhanced fire safety standards. The proposed revisions would ensure the expedited delivery of 144 homes within "Phase 2A" (Blocks B and E) with "Phase 2B" (Blocks A and F) to follow. These homes would make a significant and essential contribution to the housing needs of the local area.
- 7.1.13 By facilitating this development through the revisions proposed, this previously developed site in a suitable town centre and sustainable location can be utilised. This should be given substantial weight in accordance with Paragraph 125(c) of the NPPF. The proposal would also provide additional housing and the council's latest Housing Delivery Test score was below 75%. The policies most relevant for determining the proposal are therefore considered to be out of date and the 'tilted balance' as set out under paragraph 11(d) of the NPPF is engaged.

- 7.1.14 The development would make a significant contribution towards meeting the borough's overall housing need and would also help to address a structural imbalance in the existing housing stock by providing smaller residential units. The provision of good quality housing on a suitable site at a time when housing delivery is constrained carries significant weight in favour of the application proposal.

## 7.2 Character and Appearance

### National Planning Policy Framework and Planning Practice Guidance

- 7.2.1 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.
- 7.2.2 The NPPF sets out at Paragraph 140 that local planning authorities should seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme.
- 7.2.3 The National Design Guide 2019, which was published by the Government, is a material consideration in the determination of planning applications. It states that buildings are an important component of places and proposals for built development are a focus of the development management system. However, good design involves careful attention to other important components of places. These include:
- the context for places and buildings;
  - hard and soft landscape;
  - technical infrastructure – transport, utilities, services such as drainage; and
  - social infrastructure – social, commercial, leisure uses and activities.
- 7.2.4 A well-designed place is unlikely to be achieved by focusing only on the appearance, materials and detailing of buildings. It comes about through making the right choices at all levels, including:
- the layout;
  - the form and scale of buildings;
  - their appearance;
  - landscape;
  - materials; and
  - their detailing.

### Development Plan

- 7.2.5 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.
- 7.2.6 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. Policy GD2 is a new policy emerging from the local plan review and partial 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.

- 7.2.7 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.

#### Design Principles

- 7.2.8 The design of Phase 2 builds directly on the strategic principles established in the original Reserved Matters Planning Permission, maintaining the architectural character, massing hierarchy, and urban structure that were previously supported. The proposal identifies minor modifications to facilitate the delivery of Build-to-Rent homes, enhanced regulatory efficiency and scheme buildability. The revised scheme retains the approved perimeter block arrangement and architectural character, ensuring that the overall structure and appearance of the development remains consistent with the Reserved Matters Planning Permission.
- 7.2.9 By unifying the height of Buildings B and E to six storeys, they would sit below the Building Safety Act and Higher-Risk Building threshold while ensuring a consistent and respectful relationship with adjacent residential buildings, particularly Pinetree Court. To facilitate this, while maintaining a consistent unit mix, Building F has been increased to ten storeys. Building F is strategically positioned to mark the western edge of the site, and the revised proposals emphasise its importance while retaining the stepped approach to building heights from the landmark building of Block A and stepping down along Lytton Way.
- 7.2.10 The internal layout has been optimised to improve the space efficiency in accordance with requirements for BTR development. The rationalised footprint also supports a more efficient internal layout, enabling better unit stacking, simplified servicing, and clearer structural logic. These refinements contribute to improved buildability and operational performance, while preserving the legibility and urban presence of the original scheme. The updated design continues to prioritise high-quality public realm and active street frontages, consistent with the site's location within the Town Centre. The result is a development that remains true to its original vision while responding intelligently to regulatory and financial imperatives.

#### Layout

- 7.2.11 The proposed layout for phase 2 would retain the original perimeter block design, which encloses a generous courtyard serving shared amenity space for residents. The block is arranged to address all surrounding streets, with active frontages and clearly defined entrances. The ground floor would accommodate a mix of residential lobbies, cycle stores, refuse rooms and commercial or community facing units, all arranged to activate the public realm and support long term management. The latest proposal also includes four residential units (2 x 1no. bed and 2 x 2no. bed) at ground floor level in Block B/E facing out onto the shared courtyard garden. The layout would also accommodate a central, single level carpark within Block B/E accessed from Danestrete. The arrangement of balconies, windows and amenity spaces has been coordinated with the internal layout to ensure compliance with housing standards and to maximise useability. Overall, the architects have strived to create a layout which balances efficiency, liveability and architectural clarity.

### Massing and Scale

- 7.2.12 The scale of the Phase 2 development has been carefully designed to balance urban intensity with contextual sensitivity. While the site occupies a central location within the town centre, the proposal would maintain a human scaled environment using stepped building heights, generous courtyard spaces and active ground floor frontages. Building F at 10 storeys is strategically positioned to mark the western edge of the site and reinforce its role as a visual landmark, while the unified six storey height of Buildings B and E would ensure a consistent and respectful relationship with adjacent residential buildings.
- 7.2.13 Despite the increase in height of Building F and rationalisation of Buildings B and E, it is considered the overall scale of the development remains in line with the original design intent. These adjustments have been made to improve fire safety compliance and financial viability without compromising the architectural character or massing logic of the scheme. The perimeter block structure, courtyard proportions and street facing elevations continue to reflect the design principles of the Reserved Matters Planning Permission. This ensures that the development would continue to contribute positively to the evolving town centre skyline while maintaining a comfortable and legible scale and street level.

### Materiality

- 7.2.14 The facade treatment has been updated to match the proposed amendments to Phase 2. The updated façade grid, introduced to accommodate rationalised apartment layouts, is more regular and orderly, yet retains the rhythm and character of the original design. The material palette for the revised scheme remains consistent with the Reserved Matters Planning Permission. The external elevations would continue to utilise high-quality facing brickwork, with patterned detailing to articulate façades and break up massing. Balconies would retain the same metalwork finish, providing continuity in character and durability. No changes are proposed to the material specification, ensuring that the revised scheme would deliver design continuity and meet the architectural quality established in the Reserved Matters Planning Permission.

### Conclusion

- 7.2.15 The updated design retains the core values of the original scheme, in terms of clarity, coherence, and contextual sensitivity. The proposal introduces targeted refinements that improve compliance, efficiency, and resident experience. Given that this application seeks to retain the intent and the key principles of the original, approved design under the Reserved Matters Planning Permission, the proposals are considered to be in accordance with the adopted Local Plan (2019), the Design Guide SPD (2025), the NPPF (2024) and PPG. The proposals would support the deliverability of the housing in response to changes in the market and regulatory context while enhancing efficiency and design quality.

## **7.3 Impact upon the Character and appearance of the Conservation Area**

- 7.3.1 The Planning (Listed Buildings and Conservation Areas) Act 1990 contains ‘statutory duties’ that apply to this application:

S.66: The decision maker shall have special regard to the desirability of preserving the setting of listed assets (relates to the indirect impact on the statutory listed clock tower, the bronze ‘Joyride’ sculpture by Franta Belsky and Baijo’s tiled mural).

S.72: The decision maker shall pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area (this relates to the direct impact on the conservation area. This section of the 1990 Act does not relate to the setting of conservation areas).

- 7.3.2 Paragraphs 207 to 221 of the NPPF (2024) have to be considered in the determination of this planning application. As established through case law, if there is any harm to designated heritage assets, great weight has to be given as to the impact the development may have on these assets.
- 7.3.3 Policy SP13 of the adopted Local Plan relates to the historic environment. This states that the council will preserve and enhance the most important area and characteristics of Stevenage. The policy goes on to state that the Council will:
- a. Have carried out Heritage Impact Assessments for development sites within, or adjacent to, conservation areas. Site specific mitigation measures have been incorporated to minimise the impacts of development.
  - b. Will use national guidance and legislation to review, designate and determine planning applications affecting heritage assets.
  - c. Will protect areas of archaeological importance and other relevant heritage assets by applying the detailed policies set in this plan.
- 7.3.4 Policy NH10 Conservation Areas states those development proposals within, or affecting a conservation area should have regard to the guidance provided by the relevant Conservation Area Management Plan Supplementary Planning Document. In terms of site-specific policy, Policy TC2 stipulates that a heritage assessment and design work to preserve and enhance the significance of the Town Square Conservation Area and the contribution made by its setting has to be considered as part of the scheme's design. This requirement is also reflected in Policy TC5. This policy under criterion IV also sets out that all development proposals should continue the preservation and enhancement of the Town Square Conservation Area.

#### The Town Square Conservation Area

- 7.3.5 The Conservation Area was originally designated in 1988. The boundary of this was extended in 2010 following a review and is drawn tightly around the properties that enclose Queensway. This is the main north-south spine which runs through the retail area. It also includes Market Place which extends east from Queensway and there are also the properties on the northern and south side of Town Square which form its enclosure. The review considered that the Conservation Area boundary should only be focused on the whole of Phase 1 pedestrianised area of the New Town. The justification for not expanding the conservation area boundary beyond its current limit was because it was agreed by the Council at the time that it would not be beneficial or appropriate for the future of the town centre and would include newer developments such as the Matalan site, The Plaza, The Forum and the West Gate shopping centre. None of these were part of the original town centre masterplan and none are of significant architectural or historic interest to warrant inclusion in the conservation area.
- 7.3.6 The Conservation Area also includes the Clock Tower and surrounding pool, the Joy Ride sculpture and Gyula Bajó's tiled mural on Primark all of which are Grade II listed. Given this, the proposed development could potentially have an impact on the setting of the Town Square Conservation as well indirectly impact on the setting of the Joy Ride sculpture, Clock Tower and mural.

#### Contributions of the application site (Conservation Area and Listed Buildings)

- 7.3.7 The application site is located approximately 50m west of the Town Square Conservation Area. The Listed structures are located approximately 100m to the northeast of the application site boundary. The sculpture and mural can only be experienced from within the Town Square, while the top of the Clock Tower can be seen in views from Danesgate, albeit largely obscured by existing built form on Danestrete. The application site is therefore considered to make a

neutral contribution to the setting and significance of the three listed structures and the proposed development would not result in harm to their setting.

- 7.3.8 The application site is already somewhat restricted from view from within the Conservation Area. The proposed development would be seen from the edge of the Town Square. However, the approved SG1 development would obscure this view to a large extent with only the top floors of the proposed Landmark tower visible from the Conservation Area.

#### Summary

- 7.3.9 In summary, it is not considered that the proposed development would cause harm to the setting of the Town Square Conservation Area nor the Grade II listed Joy Ride Sculpture, Clock Tower and mural. The proposal would deliver a number of significant public benefits, some of which have already happened through the delivery of Phase 1. These public benefits have included the removal of the old Matalan retail store and its car park, which was considered to have a negative impact on the setting of the Conservation Area, and its replacement with much needed housing in an attractively designed development which would complement the wider town centre regeneration proposals. It would also improve cycle and pedestrian routes which build on the original ethos of the “pedestrianised” streets of the original town centre.

### **7.4 Affordable housing and Section 106 Financial Obligations**

- 7.4.1 Policy HO7 of the adopted Local Plan (2019) which governs affordable housing, stipulates that planning permission will be granted for residential development which would maximise affordable housing provision. There is a requirement to provide 25% of new homes to be affordable.
- 7.4.2 In the submission of the Outline planning application the then applicant provided a detailed financial viability assessment which demonstrated that the proposal would not be viable if the full requirement for on-site affordable housing were to be sought. That appraisal was independently assessed by the Council’s own viability consultant who concurred with that view. In that instance, the viability appraisal indicated that a reduced provision of only 24 social rented units could be provided (4.6%) and this was negotiated with the applicant and secured by way of a S106 legal agreement. That approach was in accordance with the NPPF as it had been clearly demonstrated that the scheme would not be viable with the usual full requirement of affordable housing provision.
- 7.4.3 Since then, a Registered Social Housing Provider took over the development of Phase 1 (now built and occupied) and has provided 100% of the dwellings in Phase 1 as affordable rent (143 homes). This has exceeded the policy requirement, and front loaded all the affordable housing into the Phase 1 buildings leaving the dwellings in Phase 2 available for the open market. The prospective purchaser of this site and applicant is intending to deliver these homes as build to rent units.
- 7.4.4 In addition to affordable housing, financial contributions were also required in accordance with the Hertfordshire County Council tool kit and contributions to Stevenage Borough Council for the maintenance of the Public Realm. The previous applicant under the Outline planning application agreed to provide contributions toward Primary and Nursery Education, Childcare and Library facilities. They also agreed to provide contributions to the Council toward improvements to outdoor open space and children’s play provision which would be calculated on the mix of residential units. These were secured by way of a S106 legal agreement and have been paid in accordance with the triggers within the agreement.

## 7.5 Impact on Amenity

### National Planning Policy Framework and Planning Practice Guidance

- 7.5.1 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

- 7.5.2 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.
- 7.5.3 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.

### Noise Pollution

- 7.5.4 A Compliance Letter prepared by Sol Acoustics is submitted with this application. The letter confirms that the design criteria outlined in the original Sandy Brown report submitted with the Reserved Matters Application (document reference 20297-R03-C) remains valid for the submission of this Section 73 amendment application. The new proposals for Phase 2 would introduce additional residential accommodation at higher levels at Block F which by virtue of vertical distance should not experience worse noise conditions than lower floors. The increased height of Block F would at the same time provide further shielding from noise from Lytton Way as the main source of noise, benefitting the rest of the Phase 2 scheme, as well as Phase 1.
- 7.5.5 4no. new residential units would be introduced at ground floor on the east side of the Phase 2 courtyard. The applicant’s noise consultants have advised noise is not expected to be of concern and amenity would be further protected with regard to defensive/buffer planting. Further to the original Sandy Brown report, updated noise measurements were undertaken in 2023 (L486460- SOL-XX-XX-RPT-Y-0001 P02) which demonstrated a generally quieter noise environment than the original noise report submitted with the RMA (20297-R03-C) and supports site suitability for Phase 2.
- 7.5.6 This position has been confirmed by the Council’s environmental health officer who has concluded that the proposed increase in height of Block F would not have a significant detrimental impact on existing and future residents. However, it is noted permission 20/00643/RMM contains a number of conditions (such as 26, 27, 28, and 29) relating to the control of noise and these control measures would remain necessary and relevant.

## Daylight / Sunlight

- 7.5.7 The scheme has been designed to locate the tallest building in the North West corner of the site along Lytton Way to ensure overshadowing to existing and new residents is limited. Distances between buildings and breaks between buildings would ensure that new dwellings would receive adequate daylight and sunlight and overshadowing would be limited. Daylighting assessments have informed the design of the layout of homes and window openings, and the application is supported by a Daylight, Sunlight and Overshadowing note which follows on from the previous detailed studies in support of the earlier Reserved Matters Application ref. 20/00643/RMM.
- 7.5.8 Where a scheme benefits from an earlier permission, the relevant BRE guidance<sup>1</sup> states that the effects of subsequent revisions may be benchmarked against the original Reserved Matters Application (RMA) scheme. In respect of this Section 73 amendment application, key reductions in height and considered optimisation of the proposals would ensure the continued acceptability of the scheme.
- 7.5.9 In respect of external amenity, the key relationship is with the retirement flats at Pine Tree Court to the south. Building E of the proposals is maintained at the same height as the original scheme and there would be no change in the external effects to these residential neighbours. Internally the design of the proposed units would remain similar to the original scheme which delivered an excellent level of compliance with the BRE targets. Where additional units have been introduced to the lower floors, these would benefit from appropriate glazing and an efficient internal layout such that amenity would be good.
- 7.5.10 The overall site layout follows the principles of the original scheme such that shading and sunlight availability to the landscaping would experience limited change. In particular, there would be no change in the height of the southern elements of the proposal at Building E to maintain sunlight availability within the courtyard space. Accordingly, no likely significant effects are considered to arise in terms of sunlight, daylight and overshadowing.
- 7.5.11 The review concludes that the daylight and sunlight effects of the proposals would remain consistent with the original scheme and therefore meet the relevant BRE targets in respect of the previous Reserved Matters Planning Permission. Shading and internal amenity would also remain in line with the previously permitted levels, with changes to the flat layouts and balcony provision only enhancing the quality of the homes. The Section 73 amendment scheme is therefore considered to be a high-quality evolution of the earlier proposals, remaining in accordance with the relevant BRE targets.

## Standard of Accommodation

- 7.5.12 Phase 2 provides a mix of one, two and three-bedroom flats that meet the Nationally Described Space Standards. The scheme is optimised for Build to Rent, with layouts and amenities designed to support long-term occupancy, operational efficiency and resident wellbeing with a gym, resident lounges and co-working space. The blocks would maintain the original courtyard-focused layout, with active street frontages and clearly defined entrances. Internal layouts have been refined for efficiency, with shorter corridors, well-organised cores, and dual access to both street and courtyard, supporting convenience, natural surveillance, and fire safety.
- 7.5.13 All homes would include outdoor amenity space: full balconies for the lower 12 storeys, and Juliette balconies for the upper 8 levels due to wind constraints. Ground floor homes would be equipped with private external terraces. Residents would also have access to shared landscaped courtyards and internal communal areas, ensuring high-quality amenity, daylight,

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<sup>1</sup> Building Research Establishment Guidance Note 209: Site Layout Planning for Daylight and Sunlight – A Guide to Good Practice (the BRE Guidelines).

privacy, and a strong sense of community. Ground-floor lobbies, community/commercial areas, cycle stores, and refuse areas would help animate the street and support long-term management.

#### Demolition and Construction Impacts

- 7.5.14 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.
- 7.5.15 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

- 7.5.16 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 future occupiers and the amenity of neighbouring properties. In these respects, the proposal is considered to accord with Policies SP8, FP7 and GD1 of the Local Plan.

### **7.6 Parking**

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

- 7.6.7 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

- 7.6.8 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.

- 7.6.9 The Parking Provision SPD (2025) provides guidance on the Council's policies in the adopted Local Plan. Importantly, this SPD provides guidance on how car parking should be considered for accessible town centre sites. With regards to car parking standards, the SPD sets out that in the 'Accessibility Zone' for town centre sites, adjustments can be made to parking provision for residential development, with the adjustments equating to parking at 0% to 25% of the applicable maximum standard. In applying the standards, the SPD notes the following regarding town centre locations:

*"The Council will place the town centre at the forefront of its efforts to transition to sustainable modes of transport. This will not only involve limiting new car parking but also providing new sustainable travel facilities and measures to ensure that car parking is not simply displaced to surrounding areas."*

*"Residential development in the town centre should provide parking spaces at no more than 25% of the baseline maximum level. Ideally, it should not provide any parking apart from disabled persons' parking, cycle parking and dedicated bays for car sharing schemes. Applications for residential development in the town centre should always be supported by a transport assessment or technical note to justify the proposed level of parking."*

- 7.6.10 The proposed amendments do not result in any changes to the overall number of residential units. However, the change in the schedule of accommodation has resulted in minor amendments to aspects of the development in terms of parking provision. In addition, there have also been changes in planning policy since the 2021 Reserved Matters Permission which has influenced the latest proposal. The proposed amendments would result in reduced parking on-site, mainly due to the internal changes to Blocks B and E which involves converting areas occupied by parking spaces into residential accommodation. The change in parking provision is summarised below. The figures are for Phase 2 only.

| Parking Type | 2021 Permission | Proposed Amendments | Net Change |
|--------------|-----------------|---------------------|------------|
| Standard     | 49              | 12                  | -37        |
| Disabled     | 3 (6%)          | 3 (20%)             | 0 (+14%)   |
| Visitor      | 0               | 0                   | 0          |
| <b>Total</b> | <b>52</b>       | <b>15</b>           | <b>-37</b> |

- 7.6.11 A total of 37 parking bays have been removed from the development, with 15 spaces remaining within the ground floor of Blocks B and E. Of the 15 spaces, 12 would be provided as standard bays and 3 spaces for disabled users. 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. As noted earlier, changes in SBC parking policy through the recently adopted SPD support a reduction in car parking in town centre sites, allowing 0-25% parking provision of the maximum applicable standard.
- 7.6.12 The site lies opposite the Bus Interchange and nearby railway station, along with connections into the cycle network which would encourage alternative modes of travel away from the car. The reduction in car parking and the remaining level of provision is therefore considered appropriate based on the site's accessible town centre location and the direction of prevailing policy.

- 7.6.13 Cycle parking arrangements would remain in keeping with the Reserved Matters Permission, but with a slight increase in the level of provision to account for a change in the type and mix of residential units. The proposed amendments now also allow for larger/accessible cycle parking spaces, with a total of 20 provided (1:1 ratio with wheelchair units) and is therefore in accordance with standards. The consented and proposed level of cycle parking is summarised below. The figures are for both Phases 1 and 2.

| Cycle Type   | 2021 Permission | Proposed Amendments | Net Change |
|--------------|-----------------|---------------------|------------|
| Long-stay    | 765             | 769                 | +4         |
| Visitor      | 50              | 50                  | 0          |
| <b>Total</b> | <b>815</b>      | <b>819</b>          | <b>+4</b>  |

- 7.6.14 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.

## 7.7 Highway Safety

- 7.7.1 Policy IT4 of the Local Plan has been amended under the Local Plan 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.

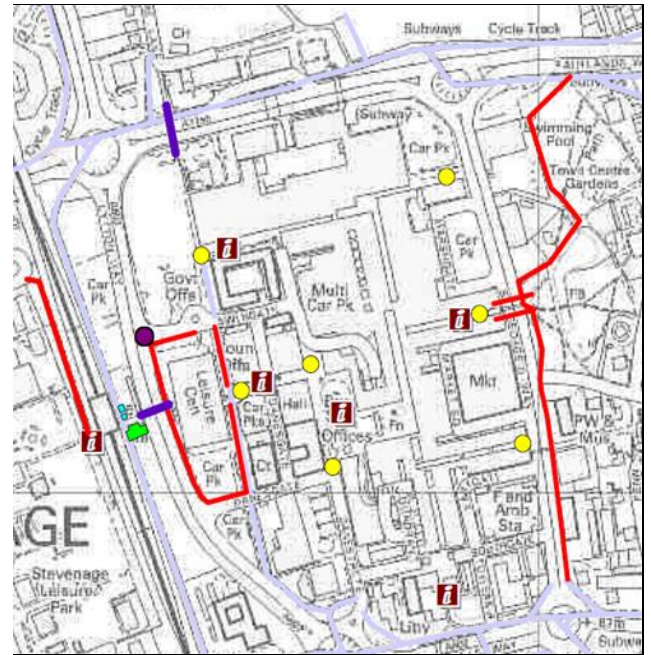
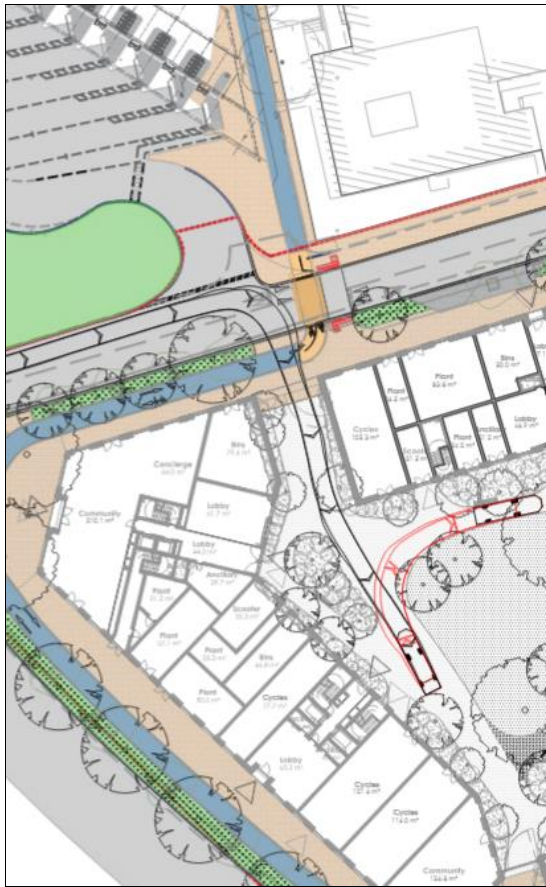
### Access

- 7.7.2 The Reserved Matters Permission allowed for access to be taken from Danestrete to the south with egress onto Danesgate to the north. There are no changes proposed to the access arrangements for the site and in relation to the car park access/egress, the arrangements would remain as per the original scheme.

### Public Realm works and Cycle Route

- 7.7.3 Condition 22 of the Outline Planning Permission required the applicant to submit details in relation to a new pedestrian crossing along Danestrete to facilitate improved pedestrian and cyclists crossing and, in recognition of the changes proposed as a result of the SG1 redevelopment and new Bus Station which will result in significant changes to the public realm. The developer who built out phase 1 of the proposals delivered a raised surface on the corner of Danestrete and Danesgate to increase connectivity and permeability between the site and the Town Centre.
- 7.7.4 To complement the proposals for Danestrete, the developer of phase 1 also delivered a similar treatment to Danesgate, reducing the carriageway width, and providing improved facilities for parking and loading. At the western end of Danesgate the proposals have tied into those delivered as part of the Bus Station with the building line set back to provide increased footway width and to improve the pedestrian experience. A dropped kerb with tactile paving to facilitate pedestrian crossing has also been provided.
- 7.7.5 The Outline Planning Permission also resulted in the removal of a cycle route that routed through the eastern permit only car park (northwest corner of the site). To ensure that the removal of the route did not result in a negative impact on existing cycle movements through the town, the proposal included the provision of a diverted and upgraded section of

pedestrian/cycleway along the site boundary with Lytton Way to connect with the route further north across Danesgate leading towards the Bus Interchange. Adjacent to the cycle lane, an improved footway would be provided with active frontages to the proposed development on its eastern edge. The extract from the plan below shows the new cycle route and this will be delivered as part of phase 2.



### Refuse and Servicing

- 7.7.6 The servicing and waste collection strategy would remain broadly as per the original scheme, with loading bays incorporated on the periphery of the site located adjacent to the core entrances so that refuse vehicles can stop within a short walking distance. Refuse requirements for Phase 2 have been discussed with the Council's waste team whereby the number of bins required for each core was confirmed. Waste collection vehicles would be able to stop on-street adjacent to the refuse stores to ensure that bin dragging distances are minimised.

### Trip Generation

- 7.7.7 Given that the total number of residential units would remain at 383 units as per the original scheme, there would not be a material or perceptible change in the overall trip generation associated with the site. Furthermore, it should be noted that the reduction in car parking spaces would have a net-benefit on the operation of the local highway network through the modal shift from car-based journeys towards alternative and more sustainable modes.
- 7.7.8 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 re-instating the planning conditions (where relevant) from the original Reserved Matters Permission set out in Section 9 below.

## **7.8 Impact on the Environment**

- 7.8.1 Policy FP5 of the Local Plan (2019) specifies that planning permission will be granted for development on brownfield sites if an appropriate Preliminary Risk Assessment (PRA) is submitted which demonstrates that any necessary remediation and subsequent development poses no risk to the population, environment and ground water bodies. Matters relating to contamination, groundwater, air quality and environmental wind were considered under the previous Reserved Matters application and were found to be acceptable. The amendments to be considered under this s73 amendment application do not impact on these matters and therefore no further assessment is required.

## **7.9 Development and Flood Risk**

- 7.9.1 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.
- 7.9.2 The site is in Flood Zone 1 which is an area with a low probability of flooding for tidal or fluvial water course. Therefore, all developments are generally directed to Flood Zone 1. The approved drainage strategy for the site will discharge surface water via three connections to the Thames Water sewer network. Attenuation storage will be provided in two attenuation basins as well as two below ground geocellular tanks. The Lead Local Flood Authority found the drainage strategy to be acceptable, subject to conditions to secure the principles of the scheme and final details which will be reattached to the latest proposal for Phase 2 subject to planning permission. Under this s73 amendment application, no changes are proposed to the approved building footprints or the approved landscaping areas. Therefore, no further assessment is required regarding flood risk and the application continues to be acceptable in this regard.

## **7.10 Biodiversity and Ecology**

- 7.10.1 The Environment Act received royal assent 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.
- 7.10.2 Within the legislation, some proposals are exempt from achieving 10% net gain. This includes section 73 applications where the original permission which the section 73 relates to was either granted before 12 February 2024 or the application for the original permission was made before 12 February 2024. This applies to this application and therefore it is exempt from the biodiversity gain condition.
- 7.10.3 The original Reserved Matters application was accompanied by an Ecological Impact Assessment. This identified the potential ecological impacts, mitigation, compensation and enhancement measures for the re-development of the site. To mitigate the loss of the existing trees and hedgerows, a landscape plan was devised which would involve the planting of trees and the creation of biodiverse roofs. These would be seeded with wildflower mixes suitable to the area and would be enhanced with invertebrate features, including sand piles, log piles,

rubble piles and water trays. Swift, sparrow and bat boxes would be integrated into the fabric of the new buildings. Following the original consultation with Herts & Middlesex Wildlife Trust in 2021, it was considered that a substantial net gain in biodiversity would occur as a result of the development.

7.10.4 Turning to the Knebworth Woods SSSI, the development site falls within the impact zone of this SSSI. However, the site is separated from the SSSI by some distance (0.9km) and urban development and highway infrastructure (including the A1(M)). As such, Natural England had not raised concerns as to the potential impact this development could have on the SSSI (including increased recreational pressure from residents residing from this development). In terms of the nearest Wildlife Site located to the south at Six Hills Barrows, due to the level of separation and the presence of highway infrastructure and the wider urban environment, it is not considered the proposed development would cause harm to this wildlife site.

7.10.5 Under this s73 amendment application, the ecological impact of the development would remain the same and no changes are proposed to the approved ecological mitigation, compensation and enhancement measures. Therefore, no further assessment is required, and the application continues to be acceptable in this regard. Having regard to the above, it is considered that the proposed development would continue to have an acceptable impact on ecology and biodiversity. In this respect, the proposal accords with Policy SP12 of the Local Plan.

## **7.11 Trees and Landscaping**

7.11.1 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.

7.11.2 The applicant's approach to tree planting has been informed by the existing hierarchy of trees within the town centre. A diverse selection of native and non-native trees is proposed to provide colour and interest throughout the year. 'Signature' trees would be planted at key junctions and the entrances to courtyards. Large, long-lived species have been selected for these locations with the intention that when they reach maturity they would add to the established structure of the local urban canopy. Street trees would include mixed size species with distinctive colour, flora and leaf shape to add character to the streets surrounding the blocks. The courtyards would be planted with some signature trees to provide continuity to views in from the streets. Also proposed are several species with open canopies to allow light through to understorey planting which would include a mix of shrubs, perennials, grasses and ferns. In addition, some fruit trees will be included within the courtyards.

7.11.3 The layout of the courtyard in Phase 2 has been informed by sunlight analysis. The central lawn and play space would be in areas which benefit from sunlight for more than two hours a day throughout the year. The courtyard itself would provide important amenity space for residents for both relaxation and play with a careful balance of safety and privacy for users. Doorstep play would be provided in excess of policy requirements to add animation, with an area of more than 1400m<sup>2</sup> between the two communal gardens dedicated to play spaces. A generous lawn would form a central gathering space with gently undulating topography. Screen planting would frame the lawn and play space in the centre with distinct areas for play and relaxation with a degree of privacy for residents.

7.11.4 In terms of providing new tree planting at the site to address the loss of existing trees in numerical terms, this would amount to a significant increase in the number of trees within the site. It is considered that the overall effect of the proposed development is therefore positive, both in terms of its impact upon the public realm as provided by tree planting and the proposed hard and soft landscaping in the courtyard for the enjoyment of future occupiers.

7.11.5 Under this s73 amendment application, no changes are proposed to the approved landscaping scheme. Therefore, no further assessment is required, and the application continues to be acceptable in this regard. It is considered the overall landscaping and tree strategy is high quality and would continue to create an attractive landscaped setting for the phase 2 buildings, with clear biodiversity and visual amenity benefits in accordance with policies SP12 and NH5 of the Local Plan (2019).

## **7.12 Sustainable Construction and Climate Change**

7.12.1 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.

7.12.2 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).

7.12.3 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.

7.12.4 The Council's Design Guide SPD (2025) sets outs 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.

- 7.12.5 This application does not propose any changes to the approved energy and sustainability strategy set out within the Reserved Matters Planning Permission. The scheme would continue to comply with all measures and commitments previously approved, including those relating to energy efficiency, carbon reduction, sustainable design and construction and climate resilience. The development would have an energy efficient fabric and building services design with the use of Air Source Heat Pumps (ASHP) for heating and cooling for the commercial units and community space and to meet the domestic hot water (DHW) demand for the flats.
- 7.12.6 All approved strategies and technical assessments remain valid and would be fully implemented in accordance with the original Reserved Matters approval. The proposed amendments would have no impact on the scheme's ability to meet relevant national and local planning policy requirements in respect of energy and sustainability. Given the above, and subject to the same conditions as previously secured to address adaptation to climate change, the development would continue to comply with the requirements of the existing policy FP1, with the emerging policies carrying moderate weight.

## 7.13 Other Matters

### Community Infrastructure Levy

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

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

- 7.13.2 The 2014 outline planning permission pre-dated CIL. The 2021 Reserved Matters planning permission did not seek to increase the approved level of floorspace and therefore was not subject to any CIL liability. The proposal under consideration here also does not seek to increase the level of floorspace and continues to be exempt from CIL.

### Fire and Safety

- 7.13.3 An updated Fire Statement prepared by Dama Engineering Consultants is submitted in support of this application. The Statement confirms that as Buildings B and E would each be six storeys and less than 18m in height, they would not qualify as higher risk buildings. As such, Blocks B and E would be overseen by a Registered Building Control Approver. Building A would be 20 storeys and Block F would be 10 storeys. Both qualify as higher risk buildings under the Building Safety Act.
- 7.13.4 The Fire Statement sets out specific recommendations to ensure appropriate levels of fire safety are embedded in the design from the outset. To that end, the Fire Statement describes the method of construction, package of fire protection measures, means of escape, firefighter access and provisions, and measures to mitigate external fire spread. To ensure the highest standards of fire safety are maintained throughout the lifetime of the development, the

principles outlined in the Fire Statement would form the basis of future construction contract and building management information.

- 7.13.5 To that end a further Fire Strategy would be produced, which would inform the design and guide construction. The Fire Strategy would be updated as the design and construction develop. The package of fire safety measures including the sprinkler protection, automatic fire detection and alarm system, passive fire protection measures, emergency power supplies, firefighters' lifts, and the evacuation lifts would be intrinsic to the design. Any modification of these provisions would be reviewed by a competent fire engineer in line with the Fire Strategy to ensure the underpinning fire safety principles are not compromised.
- 7.13.6 The provision of sufficient fire hydrants to serve the development is secured within the s106 legal agreement attached to the Outline Planning Permission. Existing hydrants close to the site were considered sufficient for Phase 1, however Herts Fire and Rescue Service are asking for new hydrants to be placed on site to serve Phase 2. The applicant is required by the legal agreement to submit a Water Scheme for Phase 2 and the discharging of the hydrants obligation will run parallel to this s73 application.

#### Human Rights and Equalities

- 7.13.7 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.
- 7.13.8 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.
- 7.13.9 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.
- 7.13.10 In terms of inclusive access, the new buildings have been designed to be fully accessible and inclusive. All spaces would be accessible to all; the floors and thresholds would be level and there are lifts serving all floors. The routes into the buildings would be signed and demarcated appropriately using landscape treatments. There would be no abrupt changes in levels on the approach to the new proposed buildings. A policy compliant level of disabled parking is being provided.

## **8 CONCLUSION**

- 8.1 This application is seeking to amend planning permission ref. 20/00643/RMM to enable changes to building heights and the internal configuration of Phase 2 of the approved development. Phase 1 has been completed and is now occupied. The balance of the site, to which this application relates, comprises the remaining 383 new homes to be delivered in Phase 2 within blocks A, B, E and F as build to rent units.
- 8.2 The development of Phase 2 of the former Matalan site as a mixed-use scheme with commercial and community uses at ground floor level with residential dwellings above would

support the wider redevelopment of the Town Centre, which is being most significantly progressed through the SG1 Masterplan. The development would make a significant contribution towards meeting the borough's overall housing need by delivering high quality homes in a sustainable town centre location, within generously landscaped amenity areas. The council's latest Housing Delivery Test score is below 75% and therefore the policies most relevant for determining the proposal are considered to be out of date and the 'tilted balance' as set out under paragraph 11(d) of the NPPF is engaged. The provision of good quality housing on a sustainable, town centre brownfield site at a time when housing delivery is constrained carries significant weight in favour of the application proposal.

- 8.3 The carefully sited buildings would allow for generous footways with substantial tree planting to provide a high-quality public realm, while the strategically located tower building would deliver a landmark to the town visible from road and rail. Although different in character to the mainly low-rise residential neighbourhoods surrounding the town centre, the proposal would provide an opportunity for a more sustainable lifestyle that is focused on walking and cycling which is supported by the close proximity to the train and bus stations as well as local shops and amenities.
- 8.4 It has been established that the revised scheme would cause no additional harm over and above the originally approved scheme in terms of heritage assets. The proposal would also help to address a structural imbalance in the existing housing stock by providing smaller residential units. 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 following conditions:

1. The development hereby permitted shall be carried out in accordance with the following approved plans:  
A(91)E0-002; A(91)E0-003; A(91)E0-004; A(GA)E0-100; A(GA)E0-101; A(GA)E0-102; A(GA)E0-103; A(GA)E0-104; A(GA)E0-105; A(GA)E0-106; A(GA)E0-107; A(GA)E0-108; A(GA)E0-109; A(GA)E0-110; A(GA)E0-111; A(GA)E0-112; A(GA)E0-113; A(GA)E0-114; A(GA)E0-115; A(GA)E0-116; A(GA)E0-117; A(GA)E0-118; A(GA)E0-119; A(GA)E0-120; A(GA)E0-121; A(DET)E0-500; A(DET)E0-501; A(DET)E0-502; A(DET)E0-503; A(DET)E0-504; A(DET)E0-505; A(DET)E0-506; A(DET)E0-507; A(DET)E0-508; A(DET)E0-509; A(DET)E0-510; A(DET)E0-511; A(DET)E0-512; A(DET)E0-513; A(GA)E0-301; A(GA)E0-302; A(GA)E0-306; A(GA)E0-307; A(GA)E0-305; A(GA)E0-310; A(GA)E0-304; A(GA)E0-311; A(GA)E0-303; A(GA)E0-309; A(GA)E0-308; A(GA)E0-201; A(GA)E0-202 Section; A(GA)E0-203; A(GA)E0-400; A(GA)E0-402; A(GA)E0-401; A(GA)E0-403; A(DET)E0-600 and the following plans contained within the Transport Statement Rev B dated 20 October 2020: 20164-MA-XX-XX-DR-C-0010-P03; 20164-MA-XX-XX-DR-C-0014-P02; 20164-MA-XX-XX-DR-C-0015 -P01; 20164-MA-XX-XX-DR-C-0016-P01; 20164-MA-XX-XX-DR-C-0017-P01

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

2. Before any above-groundwork is commenced on any phase or sub-phase of the development hereby permitted, samples of all external finishing materials shall be submitted to and approved in writing by the Local Planning Authority. This shall include:
- i) Facing and roof materials
  - ii) Balcony treatment
  - iii) Window material details
  - iv) The boundary treatment
  - v) External rainwater goods where permitted

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

**REASON:-** To ensure the development has an acceptable appearance in accordance with Policy.

3. Before any above-groundwork is commenced on any phase or sub-phase of the development hereby permitted, details of the following matters in respect of the outline permission and relating to each phase of development shall be submitted and approved in writing by the Local Planning Authority:

a) surfacing materials and b) green/brown roofs.

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

**REASON:-** To ensure the development has an acceptable appearance.

4. Prior to occupation of each phase or sub-phase of development within the application site, details of any associated communal telecommunications infrastructure and plant shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out strictly in accordance with the details approved and maintained as such thereafter.

**REASON:-** To ensure satisfactory appearance and facilitate equitable access to telecommunications services.

5. Prior to occupation of each phase or sub-phase of development hereby permitted a detailed lighting scheme shall be undertaken and submitted to the Local Planning Authority for approval with details of all external lighting, including lighting required for pedestrian walkways, parking areas and security lighting and there shall be no external illumination erected, installed or operated on any part of the site other than in accordance with the approved details unless otherwise agreed in writing.

The following limits shall not be exceeded by the exterior light installations:

- Sky Glow ULR (Max%) 5.0
- Maximum light into windows Ev (lux) 07.00 to 23.00hrs 10 Lux; 23.00 to 07.00hrs 2 Lux
- Source intensity I 07.00 to 23.00hrs 10 kcd; 23.00hrs to 07.00hrs 1 kcd

Building luminance 07.00 to 23.00hrs Average L 10 (cd/m sq)

The approved scheme for each phase shall be implemented before any occupation of that phase of the development hereby permitted.

**REASON:-** To ensure that the development does not prejudice the amenities of adjoining and future occupiers, visual amenities of the area and to protect bats.

6. Prior to occupation of each phase or sub-phase of development within the application site the measures detailed in the Ecological Impact Assessment (Non-EIA) prepared by Ecology by Design dated October 2020 shall be fully implemented.

**REASON:-** To ensure that the development contributes to improving the ecology and biodiversity of the area.

7. Prior to above ground works for each phase or sub-phase of development, a strategy for the siting and maintenance of permanent nesting and roosting boxes within the façade and roof ledges of built structure and/or trees shall be submitted to and approved in writing by the Local Planning Authority. Nesting and roosting boxes shall be provided in accordance with the approved strategy prior to occupation of the relevant building.

**REASON:-** To ensure that the development contributes to improving the ecology and Biodiversity of the area.

8. Prior to the first occupation of each phase or sub-phase of the development hereby approved, a landscaping scheme including details of both hard and soft landscaping, street furniture and children's play for that relevant phase(s) shall be submitted to and approved in writing by the local planning authority. The scheme shall also include a schedule of all trees (including tree pit design), shrub, plants and other vegetation planting which shall form part of any landscaping scheme. The scheme as approved shall be implemented within the first available planting

season following the completion of each relevant phase(s) of development. Any trees, shrubs or plants that die within a period of five years from the completion of each relevant phase(s) of development, or are removed and/or become seriously damaged or diseased in that period, shall be replaced (and if necessary continue to be replaced) in the first available planting season with others of similar size and species, unless the Local Planning Authority gives written permission for any variation.

**REASON:-** To ensure satisfactory landscape treatment of the site which will enhance the character and appearance of the area.

9. Prior to occupation of each phase or sub-phase of the development hereby permitted, the measures detailed in the submitted Energy and Sustainability Statement to manage adaptability to climate change along with measures to manage overheating and cooling shall be implemented in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

**REASON:-** To ensure the development is adaptable to climate change and to avoid overheating and minimising cooling demand.

10. Prior to the first occupation of any part of Phase 2 of the development hereby permitted, the vehicular access(es) and egresses shall be provided and thereafter retained at the position(s) shown on the approved plan(s) drawing numbers 20164-MA-XX-XX-DR-C-0016 Rev P01 and 20164-MA-XX-XX-DR-C-0017 Rev P01. 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 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).

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

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

12. Prior to the first occupation of any part of Phase 2 of the development hereby permitted, the proposed access, onsite car and cycle parking, servicing / loading, unloading / turning / waiting area(s) pursuant to that phase shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan(s), and retained thereafter available for that specific use.

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

13. Prior to the first occupation of Phase 2 of the development hereby permitted, vehicular and pedestrian (and cyclist) access to and egress from the adjoining highway shall be limited to the access(es) within Phase 2 as shown on 'Construction Phasing Plan' on drawing number A(91)E0-004 only. Any other access(es) or egresses within Phase 2 as shown on 'Site Phasing with Existing' on drawing number MLUK-799-A-SK-080 R04 shall be permanently closed, and the footway / highway verge shall be reinstated in accordance with the related S278 and S38 highways & Street Development Agreements with the Local Planning Authority and/or Highway Authority, concurrently with the bringing into use of the new access(es).

**REASON:-** To ensure construction of a satisfactory development and in the interests of highway safety and amenity in accordance with Policies 5 and 7 of Hertfordshire's Local Transport Plan (adopted 2018).

14. Prior to the occupation of any part of Phase 2 of the development hereby permitted, the details of the siting, type and specification of EVCPs, the energy sources and the strategy/management plan for supply and maintenance of the EVCPs shall be submitted to and approved in writing by the Local Planning Authority. All EVCPs shall be installed in accordance with the approved details prior to occupation of any of the units in Phase 2 and permanently maintained and retained thereafter.  
**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).
15. Prior to the first occupation of each phase or sub-phase of the development hereby permitted, a scheme for the parking of cycles including details of the design, level and siting of the proposed parking shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented before the development is first occupied or brought into use and thereafter retained for this purpose.  
**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).
16. No part of Phase 2 shall be occupied until a detailed scheme for the offsite highway improvement works to facilitate a pedestrian crossing from the site frontage on Danesgate into the new bus interchange as indicated on drawing number 20164-MA-XX-XX-DR-C-0017 Rev P01 have been submitted to and approved in writing by the Local Planning Authority. No development in Phase 2 shall be occupied until the detailed scheme has been implemented.  
**REASON:-** To ensure construction of a satisfactory development and that the highway improvement works are designed to an appropriate standard in the interest of highway safety and amenity and in accordance with Policy 5, 13 and 21 of Hertfordshire's Local Transport Plan (adopted 2018).
17. The proposed new highway boundary(ies) or areas of public highway/realm under control of Stevenage Borough Council shall be marked out on site prior to commencement of construction of any part of the development fronting the highway.  
**REASON:-** To prevent unauthorised structures being erected within the highway boundary.
18. The proposed new highway boundary(ies) to facilitate a new public footway and cycleway on land fronting Lytton Way/Danesgate as illustrated on drawing number 20164-MA-XXXX-DR-C-0014 Rev P02 HIGHWAYS AMENDMENTS PROPOSED WORKS AND ORDERS DRAFT shall be marked out on site prior to commencement of construction of Phase 2. No part of Phase 2 of the development shall be occupied until the details have been approved in writing and an Agreement made under Section 38 of the Highways Act 1980 is in place and approval under a Street Development Agreement with the Council.  
  
The new footway and cycleway on land fronting Lytton Way/Danesgate shall be implemented prior to any occupation of Phase 2 of the development hereby permitted.  
**REASON:-** To prevent unauthorised structures being erected within the highway boundary.
19. Prior to the first occupation of each phase or sub-phase of the development hereby permitted any access gate(s), bollard, chain or other means of obstruction shall be hung to open inwards (permit fire tender access), set back, and thereafter retained a minimum distance of 6 metres from the edge of the highway.  
**REASON:-** To enable vehicles to safely draw off the highway before the gate(s) or obstruction is opened and/or closed in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).
20. The development permitted by this planning permission shall be carried out in accordance with the approved surface water drainage assessment carried out by Conisbee reference MTL-

CON-xx-xx-RP-C-000001 Version 3 dated 26 October 2020, the Designers Response to LLFA SuDS Review reference 200523/A Prais Version 1 dated 15 January 2021 and the following mitigation measures detailed within the FRA:

1. Limiting the surface water run-off generated by the critical storm events so that it will not exceed the surface water run-off rate of 17.5 l/s during the 1 in 100 year event plus 30% of climate change event.
2. Providing storage to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event providing a minimum of 255 m<sup>3</sup> (or such storage volume agreed with the LLFA) of total storage volume in detention basins, rain gardens and attenuation tanks.
3. Discharge of surface water from the private drain into the Thames Water sewer network.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

**REASON:-** To prevent flooding by ensuring the satisfactory disposal and storage of surface water from the site and to reduce the risk of flooding to the proposed development and future occupants.

21. No development on any part of phase 2 (other than demolition and/or site enabling works) shall take place until a detailed surface water drainage scheme for the site based on the approved drainage strategy and sustainable drainage principles shall be submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including 1 in 100 year + climate change critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

1. Final, fully detailed drainage layout including detailed engineered drawings of the proposed SuDS features with cross section drawings, their size, volume, depth and any inlet and outlet features including all connecting pipe runs.
2. Final, detailed post-development network calculations including half drain down times up to and including the 1 in 100 year + 30% climate change event. Please note that the main site network to be modelled separately to the Highways network.
3. Evidence that any consequential flood risk to the highway up to the 1 in 100 year + climate change event can be managed without increasing flood risk to adjacent properties. If there is to be flooding, it should be managed effectively with third party agreement.

Upon completion of the drainage works for Phase 2 and in accordance with the timing/phasing arrangement, a management and maintenance plan for the SuDS features and drainage network must be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

1. Provision of a complete set of as built drawings for site drainage.
2. Maintenance and operational activities.
3. Arrangements for adoption and any other measures to secure the operation of the scheme throughout its lifetime.

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

22. Prior to the first occupation of each phase or sub-phase of the development hereby permitted, a Delivery and Servicing Plan shall be submitted and approved in writing by the Local Planning Authority, in consultation with the Highway Authority.

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

23. Prior to the first occupation of each phase or sub-phase of the development hereby permitted, details of the proposed noise mitigation measures to be implemented within that phase shall

be submitted for approval to the Local Planning Authority. The noise mitigation measures shall be based upon "Stage 3+ Environmental & Intrusive Noise Assessment Report" reference L486460-SOL-XX-XX-RPT-Y-0001 P02 dated 3 November 2023 by Sol Acoustics, or any other such report that is approved in writing by the Local Planning Authority. Following approval, the measures shall be maintained thereafter.

**REASON:-** To protect the residential amenities of future residents.

24. At the nearest noise sensitive premises, the cumulative noise levels from the operation of all new plant shall comply with the plant noise limits specified in Table 5 of "Former Matalan Site, Stevenage - Plant Noise Emission Limit Variation" Report reference L486460-SOL-XX-XX-RPT-Y-0008 P01 dated 27 March 2024 by Sol Acoustics Ltd.

**REASON:-** To protect the residential amenity of existing and future residents.

25. Before the use of the buildings for *Sui Generis* (former Use Class A4 or A5) purposes is commenced, a scheme of sound attenuation works shall be submitted to the Local Planning Authority for written approval, installed and thereafter retained. The scheme of works shall be capable of restricting noise breakout from the *Sui Generis* (former Use Class A4 or A5) uses to the flat above to levels complying with the following:

Bedrooms. Noise Rating Curve NR20 (2300 to 0700 hrs)

Living Rooms. Noise Rating Curve NR25 (0700 to 2300 hrs)

Noise Rating Curve shall be measured as a 15 minute linear Leq at the octave band centre frequencies 31.5 Hz to 8 kHz.

**REASON:-** To protect the residential amenity of future residents.

26. Deliveries and servicing by commercial vehicles shall only be made to or from the commercial premises between 0700 to 1800 hrs on any day, and at no other time without the prior agreement in writing of the Local Planning Authority.

**REASON:-** To protect the amenities of existing and future residents.

27. The *Sui Generis* (formerly A4 and A5) uses hereby permitted shall only operate Monday to Saturday 10.00hrs to 23.00hrs and 10.00hrs to 22.00hrs on Sundays and Bank Holidays.

**REASON:-** to protect the residential amenity of existing and future residents.

28. Prior to occupation of any *Sui Generis* uses (former A4 or A5 class), details of the kitchen extract ventilation scheme to be used by those uses shall be submitted to the Local Planning Authority for approval. The extract ventilation system shall incorporate a three-stage carbon filtration or similar system based on current standards. Following approval and installation, the system shall thereafter be permanently maintained and retained in use.

**REASON:-** to protect the residential amenity of existing and future residents.

29. 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 first occupation of each phase of development or the completion of the development whichever is the sooner.

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

30. All hard surfacing comprised in the approved details of landscaping shall be carried out within 3 months of the first occupation of each phase of the development or the completion of the development, whichever is the sooner.

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

31. Notwithstanding the requirements of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that order) the non-residential units hereby permitted shall be used only for ancillary resident amenity, Use Classes E and/or *Sui Generis* (formerly A4 & A5) of the schedule to the Town and Country Planning (Use Classes) Order 1987 and for no other purposes (including the creation of

dwelling within Use Class C3 – Residential), unless agreed in writing or approved by way of separate planning permission.

**REASON:-** To ensure the retention of active frontage, appropriate infrastructure is retained to support the residential community and because highway and other impacts have been assessed on the basis of the above uses.

32. No dwelling hereby permitted in any part of phase 2 shall be occupied until the parking spaces shown on the approved plans have been constructed, hard surfaced and made ready for use. The parking facilities shall be retained in that form and thereafter be used only for the parking of vehicles. In addition, the applicant shall use best endeavours to encourage the use of a Car Club by future residents.

**REASON:-** To ensure that adequate parking and servicing facilities are available within the site and that there is no detriment to the safety of adjoining highways.

### **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 led 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**

HCC as Highway Authority recommends inclusion of the following Advisory Notes (AN) to ensure that any works within the highway are carried out in accordance with the provisions of the Highway Act 1980:

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

4. **Construction standards for works within the highway:** The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website:  
<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-anddeveloper-information/development-management/highways-developmentmanagement.aspx>.
5. **Estate Road Adoption:** The applicant is advised that if it is the intention to request that Hertfordshire County Council as Highway Authority adopt any of the highways included as part of this application as maintainable at the public expense then details of the specification, layout and alignment, width and levels of the said highways, together with all the necessary highway and drainage arrangements, including run off calculations must be submitted to the Highway Authority. No development shall commence until the details have been approved in writing and an Agreement made under Section 38 of the Highways Act 1980 is in place. The applicant is further advised that the County Council will only consider roads for adoption where a wider public benefit can be demonstrated. The extent of adoption as public highway must be clearly illustrated on a plan. Further information is available via the website:  
<https://www.hertfordshire.gov.uk/services/highways-roadsand-pavements/business-anddeveloper-information/development-management/highwaysdevelopmentmanagement.aspx>.
6. **Flooding**  
For further advice on what we expect to be contained within the FRA to support a planning application, please refer to our Developers Guide and Checklist on our surface water drainage webpage:  
<https://www.hertfordshire.gov.uk/services/recycling-waste-and-environment/water/surfacewater-drainage/surface-water-drainage.aspx>
7. **Building Regulations**  
To obtain advice regarding current Building Regulations please contact Hertfordshire Building Control Ltd. by emailing us at [building.control@hertfordshirebc.co.uk](mailto:building.control@hertfordshirebc.co.uk) or phoning us on 01438 879990.
- To make a building regulations application please apply through our website portal at <https://www.hertfordshirebc.co.uk/contact-us/>. Payment can be made online or by phoning the above number after the application has been uploaded. Please phone Hertfordshire Building Control for fees guidance on 01438 879990.
- Hertfordshire Building Control can also be contacted by post at Hertfordshire Building Control Ltd., 4th Floor, Campus West, Welwyn Garden City, Hertfordshire, AL8 6BX. 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).

8. **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 Act 1996, a copy of which is available online at <https://www.gov.uk/government/publications/the-party-wall-etc-act-1996-revisedexplanatory-booklet>.

9. Applications where Biodiversity Net Gain is not required as s.73 application (Excluding Section 73A - planning permission for development already carried out) - Made / Approved before 12 February 2024

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 always 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. The planning permission was granted on an application made under section 73 of the Town and Country Planning Act 1990 and:
  - a) the original planning permission to which the section 73 planning permission relates was granted before 12 February 2024; or
  - b) the application for the original planning permission to which the section 73 planning permission relates was made before 12 February 2024.

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

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

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

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

## **10 BACKGROUND DOCUMENTS**

1. The application file, forms, plans and supporting documents having the reference number relating to this item.
2. 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:** 28 October 2025

**Author:** Linda Sparrow

**Lead Officer:** Alex Robinson

**Contact Officer:** Linda Sparrow

**Application No :** 25/00457/FPM

**Location :** Mozart Court Fairview Road

**Proposal :** Demolition of existing buildings and construction of accommodation for older people, comprising 79no. apartments and associated works.

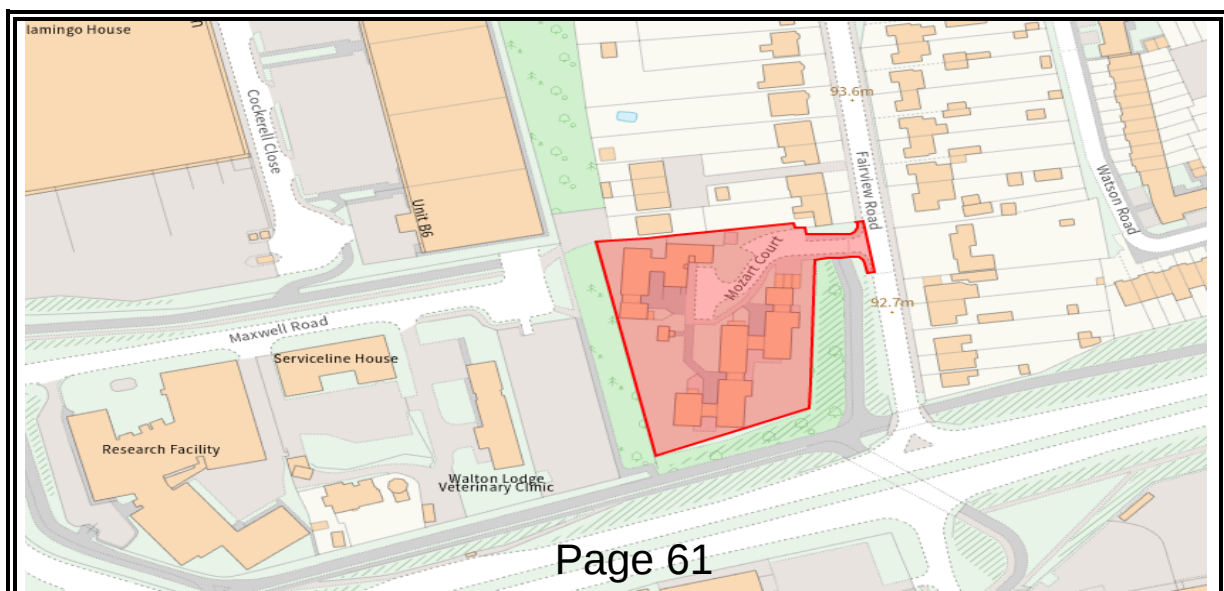
**Drawing Nos.:** 2064-SBA -XX-00-DR-A-504-G; 2064-SBA -XX-00-DR-A-010-Q; 2064-SBA-XX -01-DR-A-011-Q; 2064-SBA-XX-00 -DR-A-505-A; 2064-SBA-XX-00-DR-A-506-A; 1852-PWL-ZZ-XX-DR-L-1001-PO9; BXMW-BLOX-A-41-OF-FSC-BLOX-A; 1852-PWL-ZZ-XX-DR-L-1002-P02; 2064-SBA-XX-00-DR-A-501-A; 2064-SBA-XX-00-DR-A-502; 2064-SBA-XX-00-DR-A-503-A; 2064-SBA-XX-02-DR-A-012-N; 2064-SBA-XX-03-DR-A-013-N; 2064-SBA-XX-04-DR-A-014-L; 2064-SBA-XX-05-DR-A-015-L; 2064-SBA-XX-06-DR-A-016-K; 2064-SBA-XX-ZZ-DR-A-050-H; 2064-SBA-XX-ZZ-DR-A-530; 2064-SBA-XX-ZZ-DR-A-531; 2064-SBA-XX-ZZ-DR-A-520-E; 2064-SBA-XX-ZZ-DR-A-521-E; 2064-SBA-XX-ZZ-DR-A-522-E; 2064-SBA-XX-ZZ-DR-A-523-F; 2064-SBA-XX-ZZ-DR-A-524-F; 241117-CPW-XX-00-DR-E-307002-S3-P02;

**Applicant :** Anchor Housing

**Agent:** Pegasus Planning Group Ltd

**Date Valid:** 18 June 2025

**Recommendation:** GRANT PLANNING PERMISSION



## **1. SITE DESCRIPTION**

- 1.1 The application site comprises an established older person's residential site, first granted planning permission in 1972 (2/0360/72) which comprises 33 units. There is no evidence to suggest that it has operated as anything other than older persons accommodation since construction. The site lies at the southern end of Fairview Road, bounded by Fairview Road, Fairlands Way and Maxwell Road. It comprises 3 buildings of one, two, and three storeys. On the northern side of the site is an electricity sub-station. Car parking is located throughout the site as well as a small area to the northern side of the site near the entrance.
- 1.2 The east, west and south boundaries of the site are heavily screened by existing landscaping of tall, mature trees, most of which are planted on land outside of the curtilage of the site and are therefore within the ownership of the Council. There are a number of mature trees within the curtilage of the site as well.
- 1.3 To the north and east are two storey residential dwellings, mostly detached or semi-detached and of varying design and materials. Further east is the development of Watson Road and Kilby Road which comprise a mix of dwellings, and low-rise and high-rise flat blocks finished in multiple render colour options and brickwork. To the south is Fairlands Way with commercial premises beyond, and to the west is Maxwell Road which comprises commercial enterprises and a private residential dwelling which is a Grade II Listed Building, Broomin Green Farm.

## **2. RELEVANT PLANNING HISTORY**

- 2.1 None.

## **3. THE CURRENT APPLICATION**

- 3.1 This application seeks planning permission for the demolition of the existing buildings which contain 33no. older persons apartments and replacement with a six-storey building comprising 68no. one-bedroom and 11no. two-bedroom apartments for independent living of older persons.
- 3.2 Improved car parking, cycle storage and the storage of waste and recycling will be provided, and the soft landscaping of the site will be significantly improved with dedicated allotments, orchards and communal gardens with sculptures and improved outdoor seating.
- 3.3 The main aims of independent living are:
  - To provide older people with their own self-contained apartment;
  - To promote independence within a community where people have active social lives;
  - To provide flexible care and support from a care team when required;
  - To provide and maintain a balanced community ranging from those with high care needs to those with virtually none;
  - To offer a 'home for life' as far as practically possible;
  - To provide cost-effective care and value for money for the commissioning authority.
- 3.4 New and modern independent living schemes are designed to be suitable for residents who require varying degrees of care ranging from people who still live fully independent lives through to people who require a daily carer. The principle behind this is that as people's needs vary over time, residents can remain in their homes and adapt their environment to suit their needs rather than having to move to a new house.

- 3.5 Personal care services would be provided either through social services or paid for privately. Residents live in their own apartment although there are communal areas, such as lounges, so people can meet up with friends or join in with social activities if they want to. Support accommodation such as staff/visitor sleep-over facilities, offices, quiet areas, laundry, treatment room and bathing spa are provided within the building to aid the support network for the residents.
- 3.6 The building would predominantly measure approximately 20m high with a small design element in the south-eastern corner measuring approximately 24m high and the northern elevation adjacent to No. 210 Fairview Road would only be 12.7m high. The building will have a flat roof.
- 3.7 Car parking would be to the northern part of the site, 4no. cycle storage units will be placed close to the building/car parking area and the waste/recycling storage shed would be to the north of the building. A new circulatory path will navigate the perimeter of the building and connect into the residents' garden/central plaza area as well as the pedestrian footpath at the site entrance/Fairview Road.
- 3.8 The final material details would be determined via the submission of a detailed specification prior to the development proceeding above slab level, however, the submitted plans indicate the use of buff coloured brick at ground floor with red brick or grey curtain wall cladding to upper floors. The entrance point to the building would be smooth rendered in a cream colour. These material choices are consistent with surrounding residential properties.
- 3.9 The proposal consists of the following:
- Ground floor – 10no. one-bed units
  - First floor – 14no. one-bed units and 1no. two-bed unit
  - Second floor – 14no. one-bed units and 1no. two-bed unit
  - Third floor – 12no. one-bed units and 3no. two-bed units
  - Fourth floor – 9no. one-bed units and 3no. two-bed units
  - Fifth floor – 9no. one-bed units and 3no. two-bed units
- 3.10 The application comes before the Council's Planning and Development Committee as the application is a Major residential development.

## **4. PUBLIC REPRESENTATIONS**

- 4.1 Following notification of the application via letters to adjoining landowners, a site notice, and a press notice, four public representations have been received.
- 4.2 A summary of the comments received are set out below:
- 20no. integrated swift bricks should be installed
  - The developer's public consultation was held miles away from site
  - Not enough car parking and visitor spaces must be additional
  - No gates on site to deter commuters
  - Not in keeping with houses on Fairview Road
  - Trees along boundary should not be touched
  - Noise and disruption from construction
  - Loss of privacy as higher than the trees
  - Insufficient and inappropriate cycle storage
- 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 UK Power Networks

The proposed development is in close proximity to our substation. 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.

### 5.2 HCC Minerals and Waste Policy Team

In relation to minerals, the site is not located within the 'Sand and Gravel Belt' or a Mineral Resource Block. British Geological Survey Data does identify that there could potentially be some sand/gravel deposits beneath the proposed development site. The Waste Planning Authority would expect to see a SWMP prepared to support this application. The SWMP must be prepared and agreed in consultation with the Waste Planning Authority prior to commencement of the project. The SWMP must be implemented throughout the duration of the project, from initial site preparation works to final completion of the construction phase.

### 5.3 Herts Police Crime Prevention Design Officer

This is a well thought out and designed scheme. Although, I am disappointed that the applicant has not sort accreditation to the Police preferred minimum security standard that is Secured by Design (SBD). Between May 2024 to the thirtieth of April 2025, within one hundred metres of the site there were eight reported crimes three were recorded as antisocial behaviour (ASB), and there were two assaults. By seeking to achieve SBD accreditation this can provide at least a twenty-five percent reduction in ASB. In addition, SBD can provide a greater than eighty percent reduction in dwelling burglary. Given that SBD can reduce the risk of dwelling burglary by over eighty percent this results in a massive saving on the carbon footprint of the development over its lifetime. Given the comments above the Police Crime Prevention Design Service cannot fully support this application, but we are not looking to oppose it.

### 5.4 SBC Waste and Recycling Team

We have no concerns regarding the location of the bin store or access for the collection vehicle. The bin store on the submitted plans would not be of a size to accommodate the required number of receptacles for a scheme of this size.

### 5.5 Affinity Water

You should be aware that the proposed development site is located within an Environment Agency defined groundwater Source Protection Zone 1 corresponding to our Pumping Station. This is a public water supply, comprising a number of Chalk abstraction boreholes. We currently object to the application as we require the submission of further information for our review, to allow us to assess the application in greater detail and, if we are able to remove our objection, provide informed condition requirements.

### 5.6 Thames Water

Waste Comments: The proposed development is located within 15 metres of a strategic sewer. Thames Water requests a piling foundations condition to be added to any planning permission. Public sewers are crossing or close to your development. Build over agreements are required for any building works within 3 metres of a public sewer and, or within 1 metre of a public lateral drain. With regard to surface water, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection.

Water Comments: The applicant is advised that their development boundary falls within a Source Protection Zone for groundwater abstraction. These zones may be at particular risk from polluting activities on or below the land surface. To prevent pollution, the Environment Agency and Thames Water (or other local water undertaker) will use a tiered, risk-based approach to regulate activities that may impact groundwater resources. The applicant is encouraged to read the Environment Agency's approach to groundwater protection.

## **5.7 Environmental Health**

Concerns regarding adjacent commercial premises can be mitigated with appropriate conditions for glazing and ventilation specifications and construction of acoustic barrier as shown on the plans, to protect future occupiers. External lighting could potentially spill out from the site which can be conditioned to ensure a suitable scheme is implemented, additional ground investigations for contamination are required as per the submitted reports which can be conditioned. Conditions for a construction management plan and compliance of plant and machinery are also necessary to protect residential amenities. No objections subject to conditions.

## **5.8 HCC Highways**

9<sup>th</sup> July 2025: There is insufficient information supplied with this application to enable the Highway Authority to reach a recommendation. In the absence of important information and lack of promotion of sustainable travel opportunities in and around the site, the current submission would not be acceptable in terms of highway safety and LPT4 policy compliance. Would require a s.106 financial contribution to improve bus services and connections in the Gunnells Wood Road/Fairview Road/Fairlands Way area.

26<sup>th</sup> July 2025: The Bus Services Team has confirmed that funding from the Costco development is available to support these improvements and is actively working towards their delivery. The Highway Authority is content with the development proposal, subject to conditions for a CMP, parking & access, and stopping up of highway land.

## **5.9 HCC Growth and Infrastructure Unit**

No comments to make in relation to financial contributions required by the Hertfordshire County Council's Guide to Developer Infrastructure Contributions 2021.

## **5.10 East of England Ambulance Trust**

This application could generate another 46 residents and will generate an anticipated additional 23 calls per annum on already constrained ambulance services. In order to meet the additional population growth at the development location EEAST requires mitigation which is sought through a s106 agreement and/or CIL.

## **5.11 NHS England**

Based on the information that this development will produce 29 apartments NET creating circa 58 new patient registrations based on an average occupancy of 2 persons per unit. This development will have an impact on primary health care provision in the Stevenage area and its implications, if unmitigated, would be unsustainable for the NHS. We seek a financial contribution to mitigate this.

## **5.12 BEAMS**

The grade II listed Broomin Green Farmhouse lies 85 metres to the west of the application site; the setting of this designated heritage asset needs to be considered. The redeveloped Mozart Court will be more visible in views along Fairlands Way due to its greater height, however, the setting of Broomin Green Farmhouse will not be directly impacted, and its significance will be preserved. No objection.

## **5.13 Herts County Council as Lead Local Flood Authority (LLFA)**

We have no objection subject to conditions being attached to any consent if this application is approved. Drainage strategy is acceptable, but evidence of infiltration testing is required and details of floor levels. An updated strategy will need to be provided and details of the maintenance and management of the onsite SuDS.

## **5.14 Herts Fire and Rescue Service – Water Officer**

We will require a condition for the provision and installation of fire hydrants, at no cost to the county council, or fire and rescue service. This is to ensure there are adequate water supplies available for use in an emergency, at all times.

### **5.15 SBC Arboricultural Manager**

I can confirm that, in principle, I have no objection to it, from an Arboriculture viewpoint. I suggest that one of the conditions for this development is that the nearest trees, on the Eastern, Southern and Western sides, (owned by the Council) are pruned/overall reduced, before the commencement of the construction work, at the cost of the applicant. The submitted Arboricultural Report addresses my concerns regarding tree protection very well.

### **5.16 SBC Green Spaces Department**

Overall, I was impressed with what is being proposed. It is reassuring to see that the BNG assessment indicates that the scheme will provide a significant uplift in biodiversity on site. We note that a bat survey was conducted, and although no emerging bats were observed, evidence of foraging bats was found in the area. Therefore, a sensitive lighting scheme must be implemented to mitigate impacts.

### **5.17 SBC Ecology Officer**

The applicant is to follow the recommendations of the Preliminary Roost Assessment (PRA) and the Preliminary Ecological Appraisal (PEA). The applicant is to provide contact details of the responsible person/company that will be maintaining the habitats stated in the metric and BNG report. This responsible person/company is to provide a management and monitoring plan for the 30 years post creation. This responsible person/company is to provide evidence in a report that the habitats and areas of habitats as stated in the metric submitted for the application, have been created. These details can be secured via condition.

### **5.18 Health and Safety Executive – Planning Gateway One**

No comments to make as the development does not meet the criteria to be consulted on.

## **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)

### **6.2 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 Housing Delivery Test and 5-Year Land Supply**

- 6.3.1 Since November 2018, housing delivery has been measured against the Housing Delivery Test (HDT) as set out by the Government planning policy and guidance. The results of the HDT dictate whether a local planning authority should be subject to consequences to help increase their housing delivery. Where an authority's HDT score is less than 95%, the authority should prepare an action plan to assess the causes of under delivery and identify actions to increase delivery in future years. Where an authority's HDT score is less than 85% of its housing requirement, the Council must incorporate a 20% buffer into

its housing supply calculations in line with paragraph 79 of the NPPF. This will be in addition to the preparation of an Action Plan. Where an authority's score is below 75%, the Council will be subject to the HDT's most severe penalty and must apply the presumption in favour of sustainable development under paragraph 11d) of the NPPF. The latest HDT results published by the Ministry of Housing, Communities, and Local Government (MHCLG) in December 2024 identifies that Stevenage delivered 38% of its housing requirement.

- 6.3.2 The Council, based on its HDT score is currently subject to the most severe penalty under paragraph 11(d) of the NPPF (2024). For reference, as this policy is now engaged, it means Local Plan policies would be classed as out-of-date. Consequently, Stevenage Borough Council must apply the presumption in favour of sustainable development in its decision making and give great weight towards the need to deliver housing. The Council must also apply a 20% buffer in its 5-year housing supply calculations, and it also has to produce an Action Plan in order to boost housing delivery.
- 6.3.3 On the 21<sup>st</sup> May 2024, the Council published its 5 Year Land Supply Update May 2024. This identifies that the Council can demonstrate a Housing Supply of **5.59 years** for the period 01 April 2024 to 31 March 2029, using the *Liverpool* methodology (spreads the delivery of historic undersupply of housing equally across the remainder of the Local Plan period) and guidance from the NPPF and Planning Practice Guidance. The 5-year land supply includes a 20% buffer.
- 6.3.4 However, the Revised Housing Technical Paper (June 2025) identifies that the Council's Housing Supply is at **5.49 years**, but this has yet to be confirmed through an Examination in Public (EiP) and is therefore not formally adopted at this time.
- 6.3.5 The Council, based on its HDT score is currently subject to the most severe penalty under paragraph 11(d) of the NPPF (2024). For reference, as this policy is now engaged, it means Local Plan policies relevant to determine this application would be classed as out-of-date. Consequently, Stevenage Borough Council must apply the presumption in favour of sustainable development in its decision making and give great weight towards the need to deliver housing. The Council must also apply a 20% buffer in its 5-year housing supply calculations, and it also has to produce an Action Plan in order to boost housing delivery.

## **6.4 Planning Practice Guidance**

- 6.4.1 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.

## **6.5 National Design Guide**

- 6.5.1 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.

## **6.6 Stevenage Borough Local Plan 2011-2031 (Adopted 2019)**

- 6.6.1 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 SP5: Infrastructure;  
Policy SP6: Sustainable transport;  
Policy SP7: High quality homes;  
Policy SP8: Good design;  
Policy SP11: Climate change, flooding, and pollution;  
Policy SP12: Green infrastructure and the natural environment;  
Policy IT4: Transport assessments and travel plans;  
Policy IT5: Parking and access;

Policy IT6: Sustainable transport;  
 Policy HO5: Windfall sites;  
 Policy HO7: Affordable housing targets;  
 Policy HO8: Affordable housing tenure, mix and design;  
 Policy HO9: House types and sizes;  
 Policy HO10: Sheltered and supported housing;  
 Policy HO11: Accessible and adaptable housing;  
 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 FP8: Pollution sensitive uses;  
 Policy NH5: Trees and woodland.

## **6.7 Local Plan Review and Update (2024)**

### **6.7.1 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.

## **6.8 Supplementary Planning Documents**

### **6.8.1 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);

## **6.9 Community Infrastructure Levy**

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

## **7. APPRAISAL**

- 7.1.1 The main issues in the assessment of the application are its acceptability in land use policy terms, affordable housing and planning obligations, visual impact of the development, impact upon neighbouring amenities, impact upon future amenities of residents, parking provision, highway implications, development and flood risk, impact on the environment, trees, landscaping and Biodiversity.**
- 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 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". It also states that significant weight should be placed on both the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.
- 7.2.2 The proposed site is undesignated in the adopted Stevenage Borough Local Plan 2011-2031 (2019) and is not allocated for residential development within the Local Plan. As such, the site is therefore regarded as a 'windfall site'.
- 7.2.3 Policy SP7 of the adopted local plan sets a strategic target of 7,600 homes to be provided within the borough over the plan period from 2011 to 2031. The emerging partial update of the local plan identifies that 4,956 of these homes remain to be delivered as of 2024. However, the overall target remains unchanged, and the proposed development would make a small but nonetheless positive contribution to meeting this target.
- 7.2.4 The spatial strategy for housing also remains unchanged; the majority of the planned new housing will be delivered on regeneration sites in the town centre and in urban extensions to the north, west and south-east of the town, with a sizeable minority delivered on smaller housing sites spread throughout the borough. An allowance is also made for residential development coming forward on sites not specifically allocated for any purpose in the local plan, referred to as "windfall" sites.
- 7.2.5 In this case, the application site is not designated for any particular purpose in the local plan. The proposed development is therefore treated as windfall development and is subject to Policy HO5, which sets out criteria such development must satisfy. The proposal satisfies these criteria insofar as they relate to land use: the site is previously developed land (as defined by annex 2 to the NPPF); it enjoys good access to shops, schools and other local facilities necessary for day-to-day living; and the proposed development would not prejudice the delivery of housing on any allocated housing sites.
- 7.2.6 In accordance with the fundamental objectives of updated Policy SP2 (Sustainable Development), residential developments must have a good level of access to local facilities. The site lies within walking distance of both the High Street, the Town Centre, the train station and the bus interchange. There are bus stops directly outside the site entrance and a cycle network runs along the southern site boundary, linking the site to the majority of the town by both walking and other means of non-car modes of transport. There are two GP surgeries within 15-minutes' walk (Stanmore Medical Group and King George Surgery).
- 7.2.7 The effect of the proposal on housing choice (in terms of the range of housing types and sizes provided in the borough) is also a relevant consideration. To this end, Policy HO9 of the local plan requires residential developments to provide an appropriate mix of housing types and sizes, having regard to existing imbalances in the borough's housing stock and the most up-to-date evidence on housing need.
- 7.2.8 The only identified imbalance in the borough's existing stock is a very high proportion of three-bedroom dwellings and terraced dwellings. As for housing need, the latest evidence is presented in the Strategic Housing Market Assessment (SHMA) 2023. The SHMA 2023 shows that the need for one-bedroom affordable units is marginally higher than the need for four-bedroom or larger market units. The proposal is consistent with the aim of meeting this identified need.

- 7.2.9 Paragraph 61 of the NPPF (2024) states that to support the Government's objective of significantly boosting housing supply, it is important that a sufficient amount, and variety, of land comes forward where it is needed, that the needs of groups with specific housing requirements are met, and that land with permission is developed without unnecessary delay. In addition, para 61. of the NPPF states that the overall aim should be to meet as much of an area's identified housing need, including with an appropriate mix of housing types for the local community. As such, the proposed development would contribute to the aim of boosting housing supply without compromising the delivery of housing on allocated sites.
- 7.2.10 In summary, whilst the Council is currently able to demonstrate a five-year supply of deliverable housing sites, due to the under-delivery of housing as identified in recent HDT scores, paragraph 11(d) of the NPPF is engaged as there is a presumption in favour of delivering sustainable development. Consequently, this is considered to be a key material consideration in the assessment of this application.
- 7.2.11 The proposed development would contribute to the aim of boosting housing supply as required by the NPPF without compromising the delivery of housing on allocated sites or placing an undue burden on local infrastructure. There would be some economic benefit during the construction phase, and future occupiers would be likely to contribute to local services and facilities. Given the quantum of development, it is considered that these benefits would be substantial and therefore attracts significant weight in favour of the proposal.
- 7.2.12 On balance, having regard to all the policy considerations laid out above, the proposed development is considered to be acceptable in principle.

### **7.3 Affordable Housing and Planning Obligations**

- 7.3.1 Policy HO7 of the adopted Local Plan (2019) stipulates that planning permission would be granted for residential development which would maximise affordable housing provision. Taking this into consideration, there is a requirement to provide 25% of new homes to be affordable on previously developed sites. In this regard, there would be a requirement to provide 11.5 affordable units, rounded to 12 units, based on the net additional 46 dwellings.
- 7.3.2 Turning to affordable housing tenure, mix and design, Policy HO8 states that planning permission will be granted where those dwellings:
- a) Are provided by the developer on site with at least 70% of the units being for rent and the remainder consisting of other tenures which is to be agreed with the Council's Housing team;
  - b) Meets the requirements of Policy HO9 (House types and sizes);
  - c) Are physically indistinguishable from other types of homes and are distributed across the site to avoid over-concentration in particular; and
  - d) Will remain at an affordable price for future eligible households.
- 7.3.3 In addition to the above, paragraph 66 of the NPPF (2024) stipulates that for major developments involving the provision for housing, planning decisions should expect that the mix of affordable housing required, meets identified local needs, across Social Rent, other affordable housing for rent, and affordable home ownership tenures.
- 7.3.4 In regard to affordable housing delivery, the Council's five-year land supply includes the provision of a number of affordable housing units. The table below illustrates the forecast for affordable housing delivery 2011-2031. At present, the Council can demonstrate a delivery of 601 affordable units between 2024 and March 2031:

| <b>Deliverable Housing</b>                                                                 | <b>No. of Homes</b> | <b>Comments</b>                             |
|--------------------------------------------------------------------------------------------|---------------------|---------------------------------------------|
| Total Number of Affordable Units Dwellings for Sites with Detailed Planning Permission     | 376                 | NPPF Part A                                 |
| Total Number of Dwellings for Sites with Outline Permission                                | 225                 | NPPF Part B                                 |
| Total Identified Supply 2024 - 2031                                                        | 601                 |                                             |
| Total Delivered 2011 – April 2024                                                          | 141                 | Smartherts                                  |
| Total Required 2011 – 2031 based on SHMA 2023 (including 312 who aspire to home ownership) | 2114                | (114 Annual Requirement x 20yr Plan Period) |
| Total Shortfall                                                                            | 1372                |                                             |

- 7.3.5 The most recent Housing Technical Paper identifies the total need for affordable housing between 2022 and 2031 which is shown below. Based on the delivery of affordable housing set out above, against that of the identified need below, there is a significant shortfall that this application will help address, which carries significant weight in favour of the application.

Figure 4: Overall need for Affordable Housing 2022-31 in Stevenage by property size

| Stevenage                 | Affordable Housing Need Households unable to afford | Affordable Housing Need Households aspiring to home ownership | Affordable Housing (Households) |
|---------------------------|-----------------------------------------------------|---------------------------------------------------------------|---------------------------------|
| 1 bedroom                 | 94                                                  | 103                                                           | 197                             |
| 2 bedrooms                | 442                                                 | 125                                                           | 567                             |
| 3 bedrooms                | 993                                                 | 84                                                            | 1,077                           |
| 4+ bedrooms               | 272                                                 | -                                                             | 272                             |
| <b>TOTAL HOUSING NEED</b> | <b>1,802</b>                                        | <b>312</b>                                                    | <b>2,114</b>                    |

- 7.3.6 The proposed development is seeking to deliver 79no. dwellings, which, considering the existing development, would be a net gain of 46 dwellings. Accordingly, the overall provision of affordable housing at 12 units, is broken down as follows:
- 70% affordable rent – 8 units
  - The remainder to be determined by the Council's Housing Development Team – 4 units.
- 7.3.7 However, the applicant is seeking to provide 100% affordable homes offered as social rent to people on the housing register, although it should be noted that only the policy compliant element (25%) can be secured through a legal agreement. In terms of the final affordable housing mix for this development, this would be negotiated and secured as part of any S.106 agreement.
- 7.3.8 As a consequence, if planning permission were to be granted for this development, the level, and tenure, of affordable housing the development would provide is deemed to be a significant benefit and would help address the identified shortfall of affordable homes which still have to be delivered up to end of the Local Plan period.

#### Other Financial Contributions

- 7.3.9 Financial contributions are also required in line with the Developer Contributions Supplementary Planning Documents (2025). In this regard, only a contribution to be made towards the Local Training Fund if target employment of Stevenage residents is not met as follows:
- £4,000 per number of targeted jobs not filled by Stevenage residents;
  - £2,000 per number of targeted apprenticeships not filled by Stevenage residents or students; and
  - £500 per apprenticeship position as an administrative fee towards the brokerage system to fill apprenticeship positions;

- If a major development could not provide suitable apprenticeship opportunities due to the quick construction of the development project, and the resultant lack of suitable opportunity to provide apprenticeships, they should pay a lesser fee of £1,000 per number of targeted apprenticeships not created rather than the £2,000 fee.
- 7.3.10 These targets do not add a requirement for additional jobs that would add a financial burden to the developer or contractor. The targets merely add a requirement that a portion of the jobs will be targeted to local residents. The in-lieu payments do not add a significant financial burden to the developer or contractor and will only be required if the developer or contractor does not meet the employment targets.
- 7.3.11 The Developer Contributions SPD (2025) also has a requirement for fees to be paid to cover the monitoring of legal agreements. This cover requesting payments, ensuring transfer and/or expenditure of money and keeping/publishing records of contributions in line with regulations. The Council will seek 5% of the value of contributions being monitored with a minimum fee of £1000.00 and a cap of £50,000.00. This is considered a fair cost that will reflect the value of the legal agreement and will not affect the viability of a scheme being delivered.
- 7.3.12 NHS England have stated that they will require financial contributions towards improving existing GP surgeries as well as contributions towards community healthcare and mental health care. When it comes to the NHS and their requests for s.106 contributions, there is an appeal in Elsenham (s62A/2023/0026) that references R.(oao University Hospitals of Leicester NHS Trust) v Harborough District Council (2023) EWHC 263 (admin), and the Inspector agrees that the judgement rules that the starting point is for the NHS to provide medical provision for new residents, and that this is a statutory duty of the NHS. The inspector concludes that the NHS must demonstrate funding gaps and in the absence of such evidence, then contribution requests would not pass the statutory tests.
- 7.3.13 Appeal reference APP/J0405/W/24/3339126, Buckinghamshire, concluded that the NHS contributions sought in that case passed the statutory tests because they provided the necessary evidence of funding deficiencies and identified specific projects, including an expansion of existing clinical spaces to increase capacity.
- 7.3.14 However, in this instance, the NHS have provided comments requesting £40,397.00 that will be spent physically expanding existing GP Surgeries to increase patient intake and towards the future Stevenage Hub project (proposed in the Town Centre SG1 Regeneration project as a brand-new NHS surgery). They have requested an additional £5,851.00 in mental health care costs and £5,279.00 community healthcare costs, giving a total request for £51,527.00.
- 7.3.15 The East of England Ambulance Trust advised that they seek a contribution of £15,640.00 for the redevelopment of the existing Stevenage Ambulance Hub.
- 7.3.16 The applicant disputes the NHS and Ambulance Trust requests for the main reason that the development would not see an increase in number persons using the NHS as these people are already living in Stevenage and would already be accounted for. Additionally, the development is purpose built for older persons and the inclusion of such items as grab rails, shower seats, level entry thresholds and ramps, reduces the number of falls and accidents and therefore this type of accommodation can *reduce* the impacts and pressures on the NHS.
- 7.3.17 As neither the NHS or the Ambulance Trust have sufficiently set out any funding gaps and how the contributions would mitigate a funding gap, the Council is minded to agree with the applicant in this instance that the requests fail to meet the necessary CIL Reg 122 tests and are therefore unreasonable and would not be included in any s.106 legal agreement if the application is granted planning permission.

7.3.18 Herts County Council as Highways Authority initially sought to secure contributions to improve the bus services in and around Gunnels Wood Road, Fairview Road and Fairlands Way, to the sum of £60,000.00. However, they went on to withdraw this request and confirmed that the records show a financial contribution from the Costco development will cover this.

7.3.19 No other financial contributions have been sought by other consultees.

#### **7.4 Design and visual impact**

7.4.1 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.

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

7.4.3 The current site is occupied by single storey and two storey 1970s yellow-buff brick buildings with mono-pitched roofs. Fenestrations are white uPVC and there is limited landscaping in the form of grass and some pockets of shrubbery. The site offers limited architectural interest.

7.4.4 The proposal would see the demolition of all buildings on site. The building in the north-west corner would be replaced with car parking and landscaping. The remaining buildings would be replaced with one large L-shaped building, predominantly six storeys in height, although it would only be three storeys in height adjacent to the neighbouring property at No.210 Fairview and four storeys in height on the western boundary with the currently vacant commercial premises/Broomin Green Farmhouse.

7.4.5 The building will be constructed with a mixture of materials – buff brick and smooth cream render at ground floor, red brick and grey cladding on upper floors, with aluminium fenestration and metal railings and solid panels to balconies. The materials are considered acceptable and of similar appearance to those used in the surrounding area.

7.4.6 It is accepted that the proposed building is very different to the existing buildings and very different to anything existing in the wider area. However, the use of high-quality materials and a modern, contemporary design will add interest to views along Fairview Road and Fairlands Way.

7.4.7 The building would have a similar footprint to the existing building, expanding upwards rather than outwards to accommodate the necessary increase in dwelling units. The visual appearance of the building, with the differing heights and recessed/projecting elements add architectural interest and, as a result, the building does not appear as a large bulky mass in the street scene. The use of differing materials results in a modern and high-quality building which adds interest to the character and appearance of the area. With innovation in design lacking in the Town, modern and contemporary architectural developments are welcomed as encouraged in the Council's Design Guide SPD.

7.4.8 Herts Police Crime Prevention Design advisor has assessed the application and advised that they would like to work with the developer to achieve Secured by Design standard. This standard is a proven method of reducing crime and can also reduce the carbon footprint over the lifetime of the development. An informative can be added to any grant of permission advising the applicant that this is something they could consider. It is not

mandatory, or necessary, in order to secure an acceptable development so cannot be secured by condition.

7.4.9 The accompanying Design and Access Statement sets out some of the design characteristics that make the site accessible to mobility impaired people:

- Level access thresholds to the building and all dwellings
- Level access footpaths and gardens
- Internal corridors wide enough to allow two wheelchairs to pass each other
- Large lifts to accommodate 13 people
- Accessible and adaptable dwellings to allow wheelchair use, low level showers etc
- External pathways a minimum of 1.5m wide and suitable materials for wheelchair use

7.4.10 Overall, the design, scale, and massing are considered acceptable for this prominent corner plot location. The materials and appearance of the proposal are modern and high quality. The outdoor spaces are a significant improvement on the existing site and will have a significant positive contribution to the visual amenities of the area. The accessible and adaptable measures proposed are substantial benefits to future occupiers.

#### Impact on Designated Heritage Assets

7.4.11 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) states that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority should have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

7.4.12 Chapter 16 of the NPPF (2024), specifically paragraphs 207 to 221, requires Local Planning Authorities to place great weight on preserving historic assets and their significance; that 'Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification; and that where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss.

7.4.13 Policy SP13 of the Local Plan relates to the historic environment. This states that the council will preserve and enhance the most important areas and characteristics of Stevenage.

7.4.14 Broomin Green Farm is a residential dwelling that lies to the west of the application site. is a Grade II Listed Building and as such is classified as a Designated Heritage Asset. The application was accompanied by a Heritage Assessment which has been reviewed by the Council's Heritage Advisor, BEAMS.

7.4.15 The Heritage Advisor confirms that whilst the redeveloped Mozart Court will be more visible in views along Fairlands Way, the setting of Broomin Green Farmhouse will not be directly impacted, and its significance will be preserved. Accordingly, there is no requirement to undertake any further assessment in this regard.

#### **7.5 Impact on Neighbouring residential amenity**

7.5.1 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*”.

- 7.5.2 Policies SP8 and GD1 of the Local Plan Partial Review (2024) are deemed to carry significant weight, this is because they generally reflect the good design principles outlined in the NPPF and National Design Guide, i.e., that these policies require developments do not adversely impact the amenities of neighbouring occupiers as a good design principle.
- 7.5.3 The main consideration will be the impact on the occupiers of Broomin Green Farm and Philbeck House, Maxwell Road and Nos.210, and 213 to 223 Fairview Road.
- 7.5.4 In terms of Broomin Green Farm, this property is approximately 90m to the west and separated by commercial yards, a vacant building and extensive landscaping. This neighbour would not have significant views of the development as it would be mostly screened by landscaping, although they would have views of the upper floors. However, this would be seen against the backdrop of the taller flats in Watson Road and Kilby Road. The proposed building is considered to be unlikely to have an unduly detrimental impact on their outlook or privacy, especially given the separation distance. Additionally, the western flank of the building contains a window serving a stairwell and a smaller, secondary window to a dining area of each flat and therefore the design and layout is unlikely to result in a level of harm to the privacy of this neighbour that would exceed acceptable limits. At 90m away, the separation is considered large enough such that the proposed development would not impact on their daylight or sunlight, especially as the majority would be screened by landscaping.
- 7.5.5 Philbeck House is located to the north-west of the site and is currently adjacent to a two-storey building on the application site. The south-east corner of their rear elevation is approximately 33m from the north-west corner of the closest party of the proposed building. This building would be demolished and replaced by open car parking. They will have an improved outlook through the removal of the building, but the introduction of car movements next to their rear garden that currently doesn't exist means they will have an increased exposure to noise and pollution (exhaust fumes) that could be detrimental unless mitigations are employed. Accordingly, additional landscaping and an acoustic fence is shown on the submitted plans to mitigate the aforementioned impacts to within acceptable levels. The building faces predominantly west, so whilst there would be a significant increase in the number of windows visible to this neighbour, they are not angled to be directly overlooking their private rear garden but would have an almost oblique view. Whilst it is acknowledged that there would be an increase in overlooking and a loss of privacy to some degree, the separation distance is such that these identified harms would be within acceptable limits and the additional landscaping would help mitigate some of the overlooking from lower floors. The siting of the proposed building in relation to this neighbour means that their views from their rear windows would remain unaffected and their view of the building would be at an oblique angle such that it would not appear overbearing.
- 7.5.6 With regards to No.210 Fairview Road to the north, this is the closest neighbour and therefore the one likely to be most impacted. However, they have no windows in their southern side elevation so no loss of outlook or privacy would occur to any habitable rooms within the dwelling. The building is sited such that it is unlikely that any windows would have a significant view of their garden. At ground floor there would be 1no. Solid door serving a plant room; at first, second and third floor there would be 1no. window serving the living/dining room which would be a secondary window. Additionally, each floor would have a small window serving the landing. The building is orientated such that the windows would not be directly overlooking the rear garden and would be more oriented towards the side of the dwelling. It is not considered that these windows would result in undue harm to the neighbouring privacy such that a refusal would be warranted on this basis alone, but it is considered reasonable to impose a condition that requires them to be obscurely glazed and fixed shut below 1.7m from floor level.

- 7.5.7 Turning to Nos.213 to 223 Fairview Road, these are located to the front (east) of the site and would have a front-to-front orientation with the development. There is no minimum separation distance for this type of orientation in the Local Plan or Design Guide. However, the 40m-45m distance as measured from the submitted site layout is considered acceptable. With the extensive mature landscaping between the site and the aforementioned properties, with a trafficked highway separating the application site and nos. 213 to 223, it is unlikely that a significant harm would occur to be able to warrant refusal. However, it is acknowledged that there is potential for some level harm from overlooking from the balconies of dwellings above the tree line. Notwithstanding, the overall impacts are considered to be within acceptable limits given the substantial separation distance and existing level of natural screening.
- 7.5.8 On this basis it is concluded the proposal would likely have an acceptable relationship with neighbouring residential dwellings.

## **7.6 Impact Upon Amenities of Future Residents**

### Private Amenity Space

- 7.6.1 In respect to private amenity space the Design Guide SPD (2025) requires that all dwellings, including flatted developments, should have private amenity space with an exception granted to flats in central locations where public open space is easily accessible. There is a requirement to provide 50sqm for the first 5 units and an additional 10sqm for every additional unit. Garage courts, parking areas and bin storage areas are not considered as part of the useable garden amenity requirements.
- 7.6.2 Accordingly, the development would need to provide 790sqm. The site layout has the main residents garden measuring more than 1,200sqm. Additionally, all flats have either a balcony or terrace. The communal garden is also of exceptional quality with a mini orchard, vegetable garden, sculpture, seating, large open lawn, communal terrace, and substantial soft landscaping.
- 7.6.3 Overall, therefore, the development would provide a significant improvement to the existing site and an exceptional quality of space for residents.

### Internal Living Standards

- 7.6.4 Policies GD1 and SP8 of the Local Plan Partial Review (2024) relate to High Quality and Good Design. requires residential developments to comply with the government's nationally described space standard (NDSS), which is reproduced in the plan in appendix C. The proposal seeks to provide a variety of one-bedroom and two-bedroom dwellings.
- 7.6.5 The one-bed units would vary between 52sqm and 54sqm whilst the two-bedroom units would be 65sqm. The NDSS requires one-bedrooms to be at least 50sqm and two-bedrooms to be at least 61sqm. Double bedspaces need to be at least 11.5sqm and single bedspaces at least 7.5sqm. All units exceed these minimum requirements and will therefore provide an acceptable living accommodation.

### Noise and Pollution

- 7.6.6 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.
- 7.6.7 The application is accompanied by a Noise Impact Assessment (NIA) and the Council's Environmental Health department initially raised concerns over commercial noise from the adjacent Maxwell Road and Cockerell Close sites. However, the Maxwell Road sites are now vacant, and the proposed occupier of the site has undertaken their own NIA and confirmed that their operation would not have any undue impacts on surrounding residential dwellings which Environmental health have reviewed and agreed. Further, the

Cockerell Close premises are a substantial distance from the site and are light industrial uses compatible with residential neighbours.

- 7.6.8 Accordingly, Environmental Health have confirmed that subject to an updated NIA being provided prior to occupation to ensure noise levels inside the dwellings are within acceptable limits, they do not object, nor raise any concerns over, the proposal in this regard.

## **7.7 Car Parking and Cycle Provision**

- 7.7.1 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.

- 7.7.2 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 SPD (2025). 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.

- 7.7.3 The Council’s Parking Provision SPD (2025) requires the proposed development, as assisted living accommodation with wardens on site, to provide 1 space per unit, which would equate to 79 spaces.

- 7.7.4 However, as the site is located within Residential Accessibility Zone 2 in the SPD, a provision of between 50% and 75% of the maximum parking is allowed:

- 50% provision = 39.5 spaces, rounded to 40 spaces
- 75% provision = 59.25 spaces, rounded to 60 spaces.

- 7.7.5 Additionally, the SPD now requires that all new parking spaces must meet the design standards in Herts County Council’s “Place and Movement Planning and Design Guidance for Hertfordshire (2024)”. The current design standards in the aforementioned guidance are 5m long and 2.5m.

- 7.7.6 The submitted plans identify that only 25 parking spaces are to be provided which is a significant under provision when taking account of a 50% reduction as set out in 7.7.4 above. Accordingly, a planning balance must be undertaken to weigh this policy contravention against the public benefits. This will be undertaken at the end of this chapter of the report.

### Visitor Parking

- 7.7.7 The Parking Provision SPD requires visitor spaces to be provided at a standard of 0.25 spaces per dwelling. If parking is to be allocated then these spaces will be required in addition to the parking spaces; where a significant portion of parking is unallocated, additional visitor spaces would preferably not be provided.
- 7.7.8 On the basis of 79 dwellings, there would be a requirement for 19.75, rounded up to 20 spaces. The parking spaces shown on the submitted plans are not allocated and therefore the visitor spaces can be included in the overall provision and there is no requirement to provide additional visitor spaces.

### Disabled Parking Spaces

- 7.7.9 The Parking Provision SPD (2025) states that for residential developments, there is a requirement for 1 space per wheelchair user dwelling and no requirement for additional enlarged spaces.
- 7.7.10 Under the Building Regulations Approved Document M, a wheelchair user dwelling is one that falls under category M4(3). None of the proposed units have been designated under this standard and as such there is no requirement to provide any disabled parking spaces. Notwithstanding this, the developer has chosen to provide 3no. disabled spaces which is therefore considered acceptable and an additional benefit of the development.

### Mobility Scooter Storage

- 7.7.11 The Parking Provision SPD (2025) states that consideration must be given to the storage of mobility scooters, especially when dealing with schemes for elderly persons accommodations; the required spaces will be assessed on a site-by-site basis.
- 7.7.12 The submitted plans show that a dedicated mobility scooter secure storage area will be provided on the ground floor that can accommodate at least 15 scooters. Given that each flat is also designed to meet the Building Regulations Part M4(2) (accessible and adaptable dwellings) as a minimum, it is considered that there is sufficient space within the individual flats, or the dedicated storage area to be able to securely store wheelchairs and mobility scooters.

### Cycle Storage

- 7.7.13 The Parking Provision SPD requires 1 long term space per bedroom and 1 short term space per 40 units. With 68no. one-beds and 11no. two-beds, this would equate to 90 bedrooms on site and therefore a requirement for 90 long term spaces and 2 short term spaces. The accessibility zone reductions do not apply to cycle storage.
- 7.7.14 The originally submitted plans only provide 20 spaces overall, and these were open Sheffield stands with no enclosures or security. Following discussions with the developer, amended plans were provided that increased the number of spaces to 66 spaces. It was agreed that, given the nature of the development for older persons, the cycle parking and mobility scooter storage could be taken together which would provide 81 spaces in total. It is noted that this is still 9 spaces short of the 90 required but this is based on an error in calculation whereby units instead of bedrooms has been used in advice provided to the developer by the Council.
- 7.7.15 Given the nature of the development, for older persons and more usually, elderly persons with mobility issues, it is unlikely that many residents would have a requirement for a bicycle, instead preferring to use local bus services where access to a car is not available. Accordingly, the deficit of 9 spaces is not considered to be unduly significant from a planning perspective in this instance, especially as the site is deemed to be in a highly sustainable location.

- 7.7.16 Further, the committee should note that a specialised condition has been agreed with the developer in relation to cycle parking for this specific development that takes account of the fact that bicycles are not necessarily a choice of transport for the type of tenants in these developments. It has been agreed that only 50% of the cycle storage needs to be installed prior to the first occupation of the development. The developer will then undertake surveys in the following 12 months as to whether there is a need for additional storage, or if the installed storage is not being used. If there is a need, then they will seek to install another 25% and then the remaining 25% after 24 months from occupation. If there is no additional need then the developer has the option to negotiate the wording of the condition and amend it accordingly. It is understood that non-car modes of transport are essential in order to help tackle climate change. However, it is important to note that this development is under-delivering with regards to car parking provision. In addition, it has to be taken into account that this development is for assisted living for the elderly and infirm and so is unlikely to generate a need for policy compliant cycle storage.

#### Highway Safety

- 7.7.17 The application site occupies a substantial corner plot on Fairview Road and Fairlands Way, and whilst it is a privately owned site, the existing vehicular highway and associated footpath within the site is maintainable by Herts County Council as Highways Authority (HA).
- 7.7.18 The developer has stated in their Transport Statement (TS) that in order to undertake the proposed re-development of the site, they will require the highway status to be removed from the vehicular highway and its associated footpath. The HA has raised no concerns or objections to this. This would be dealt with by the developer and the HA under the relevant powers through the Highways Act and is not a material planning consideration.
- 7.7.19 The accompanying Transport Statement (TS) confirms that there have been no vehicle collisions within 3 years in the vicinity of the site. The HA have not refuted this evidence.
- 7.7.20 The TS, using TRICS (Trip Rate Information Computer System) data, confirms that the net increase of 46 units on site could generate an additional 6 two-way movements in AM peak hours, additional 5 two-way movements during PM peak hours, and an additional 75 two-movements off peak, which is a modest increase in movements that would not have a significant impact on the highway network. The HA have reviewed the TS and raised no concerns or objections in this regard.
- 7.7.21 The HA state in their 9<sup>th</sup> July 2025 comments that whilst the submitted plans show connections to the Fairview Road footpaths, there is no connection to the footpaths in Maxwell Road and as such fails to accord with HCC's Local Transport Plan 4. Whilst this is noted, such proposal is refuted in terms of its need to make the development acceptable in planning terms. The site links to the shared cycle/pedestrian network on Fairview Road immediately at the site access point. This in turn links to the shared network on Fairlands Way just 70m to the south, and which then joins to the Gunnels Wood Road network to the west in under 200m. As such, the requirement that the site provides a new access point on Maxwell Road, through the commercial site, and joining to the Gunnels Wood Road network is unnecessary and unreasonable.
- 7.7.22 The HA stipulate in their comments on the application that there are no pedestrian crossings on Fairview Road linking the existing bus stops. Given this, they will require financial contributions to install such crossings, upgrade the existing bus stops and make general improvements to sustainable transport offerings. This was refuted by officers on the basis that financial contributions have already been secured and allocated for such works via the Costco development. Therefore, they would in effect be double counting in relation to financial obligations which are not lawful under Reg 122 of the CIL Regulations.
- 7.7.23 Following discussions the HA, they confirmed on 28<sup>th</sup> July 2025 that they would no longer be seeking any financial contributions from the developer.

- 7.7.24 Additionally, they confirmed that they had no objections or concerns to raise regarding the development subject to the imposition of conditions to secure a Construction Management Plan to control the construction phase of development, that parking and access on the submitted plans is made ready prior to occupation, and that the applicant obtains a Stopping Up Order of the highway status prior to commencement of development. They also require an informative to be placed on any grant of permission to remind the developer that all roads and footpaths within the redeveloped site shall remain privately maintainable by the owner of the site at all times.
- 7.7.25 Subject to the imposition of suitable conditions, it is considered that the proposal is therefore acceptable in highway safety terms.
- 7.7.26 In summary, the proposal has been demonstrated to be within a highly sustainable location, being within a 15-minute walk of many shops, restaurants, community facilities and GP surgeries. Additionally, there are bus services running along Fairview Road, Fairland Way, and Gunnels Wood Road with Hertfordshire County Council having s.106 contributions allocated for the upgrading and improving of these bus services. There are bus stops located within metres of the site entrance and a cycle/pedestrian network immediately bounding the site.
- 7.7.27 The site will be providing policy compliant level of affordable housing in the form of social rent to people on the local housing register which is a significant public benefit; additionally, due to the failure of the housing delivery targets, the Council is subject to paragraph 11(d) where provision of housing in sustainable locations is given significant weight. When taking account of the under provision of car parking and cycle storage against the identified public benefits, it is not considered that any harms arising from such policy contraventions would outweigh the significant public benefits.

## **7.8 Impact on the Environment**

- 7.8.1 The application site is a residential development and prior to the original development, the site was part of open fields. Therefore, there would be very low risk of contamination.
- 7.8.2 Following consultation with the Council's Environmental Health section, they have raised no concerns from a land contamination perspective subject to the imposition of conditions. The conditions imposed would require a remediation strategy to be submitted for approval in the event that contamination is identified during the construction phase of development.

### Groundwater

- 7.8.3 The application site is located within Source Protection Zone 1 and it should be noted that Affinity Water have objected to the application on the basis that they require further information to ensure the redevelopment will not impact water supplies. They have requested:
1. Intrusive ground investigations to identify the condition of the land;
  2. A risk assessment to identify the aquifer and abstraction points
  3. Details of foundations
- 7.8.4 Groundwater in an SPZ1 is the most vulnerable to pollution due to its proximity to the abstraction point and intended use for human consumption.
- 7.8.5 Thames Water have also assessed the application and raised no objections subject to a condition for foundation details and Environmental Health have raised no objections subject to further risk assessments. Give that these statutory consultees have no concerns subject to the requested information being provided prior to commencement, it is considered reasonable to condition all the requirements and proceed despite the Affinity Water objection as this can be adequately addressed via condition.

### Air Quality

- 7.8.6 Policy FP7 of the adopted Local Plan (2019) states that all development proposals should minimise, and where possible, reduce air, water, light and noise pollution. Looking at air quality and air pollution specifically, The Air Quality Annual Status Report (ASR) 2021 by Stevenage Borough Council identifies that the development site is not located within, or near, an Air Quality Management Area (AQMA).
- 7.8.7 In order to mitigate the construction phase, it is recommended a condition for a Construction Management Plan (CMP) is imposed on any permission issued. This condition would require the applicant to adhere to the CMP which details measures on controlling levels of dust and air pollutions which are generated during the construction phase of development.
- 7.8.8 With regards to the operational aspect of the development, due to its limited scale, the proposed development would give rise to a very small increase in NO<sub>2</sub> emissions which, in accordance with IAQM/EPUK guidance, is identified as having a negligible impact at all receptors in the area. As such, the need for additional mitigation has not been identified as being required. As such, the Council's Environmental Health Section has not raised any concerns with respect to the operational impact the development would have on air quality.

### Noise Pollution

- 7.8.9 With respect to noise, Policy FP8: Pollution Sensitive Uses stipulates that planning 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.
- 7.8.10 Dealing firstly with the impact of noise from the construction phase of the development, detailed measures will be required in the CMP. Through the CMP the hours in which noisy activities take place are to be controlled along with the imposition of relevant mitigation measures being put in place to minimise the impact of noise from construction activities. Moreover, if a breach were to take place, the Council can enforce the condition accordingly. Consequently, the imposition of such a condition is supported by the Council's Environmental Health Section.
- 7.8.11 With regards to noise which could arise during the operational phase of development, if any complaints arose regarding future occupiers, these would be dealt with by the Borough Council's Environmental Health department.
- 7.8.12 Turning to noise impacts on future occupiers, this was addressed in sections 7.6.7 and 7.6.8 of this report whereby it was established that the Noise Impact Assessment concluded that occupiers would not be unduly harmed by surrounding commercial activities and, subject to suitable mitigation measures in the glazing and ventilation, occupiers should have a good level of internal living accommodation. A condition will be imposed on any grant of permission to ensure that noise levels adhere to the relevant standards as below:
- 35 decibels (dB) (LA<sub>eq</sub>,16h) during the daytime (07:00 – 23:00) within bedrooms and living rooms;
  - 30dB (LA<sub>eq</sub>,16h) during the night (23:00 – 07:00) within bedrooms;
  - 45 dB (LAF<sub>max</sub>) on more than ten occasions during any typical night (23:00 – 07:00) within bedrooms

### Light Pollution

- 7.8.13 In terms of light pollution, Policy FP7: Pollution of the adopted Local Plan (2019) requires all development proposals should minimise, where possible, light pollution. Applications for development where pollution is suspected must contain sufficient information for the application to make a full assessment of impacts. Planning permission will be granted

where it can be demonstrated that the development will not have unacceptable impacts on:

- a) the natural environment, general amenity and the tranquillity of the wider area which includes light pollution;
- b) health and safety of the public; and
- c) The compliance with statutory environmental quality standards.

7.8.14 Turning to the operational side of the development, the development would be set back from the main highways and therefore any external lighting is not considered to prejudice highway safety or cause a substantive nuisance to neighbouring residential properties. The Highways Authority have raised no objections; however, Environmental Health have raised the concern that whilst the external lighting strategy for the site is acceptable, it does not include details of possible light spillage outside the site boundary to neighbouring properties. They have requested a condition for the submission of these details.

7.8.15 In terms of lighting associated with the construction aspect of the proposed development, this is dealt with as part of a Construction Management Plan.

## **7.9 Development and Flood Risk**

7.9.1 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.

7.9.2 The application site is located within Flood Zone 1 within the Environment Agency's flood risk map. Flood Zone 1 is defined as land having less than 1 in 1000 annual probability of flooding and is the lowest risk. Therefore, all developments are generally directed to Flood Zone 1.

7.9.3 The application is accompanied by a Flood Risk Assessment (FRA) and drainage strategy which has been assessed by Herts County as the Lead Local Flood Authority (LLFA) and they have raised no concerns or objections subject to the imposition of conditions which will be discussed in more detail below.

7.9.4 The FRA confirms that CCTV surveys were undertaken on the site in February 2025 that identified the presence of separate surface and foul water networks serving the existing site and, further, that there are private drain connections for both into the Thames Water sewers that also run through the site.

7.9.5 The site FRA sets out that the site has no risk of surface water flooding in either the 1 in 30-year or 1 in 100-year events but shows a very small area of surface water flooding in the 1 in 1000-year event as per the Environment Agency's online mapping service. The depth of the flooding in the 1 in 1000-year event would likely be less than 20cm.

7.9.6 The proposed drainage strategy states that surface water run-off will be controlled via a flow control chamber where flows are then directed into the existing surface water network. Through pre-application consultation between Thames Water, the LLFA and the drainage consultant, Thames Water confirmed to the drainage consultant that there was sufficient capacity in the system for this to occur provided that water discharge is limited to a maximum flow rate of 2.0 litres/second and the LLFA confirmed the flow rate was acceptable.

- 7.9.7 The drainage strategy also includes an attenuation tank in the northern part of the site to provide storage of surface water prior to discharge into the Thames system. Additionally, green roofs and rain gardens will be included.
- 7.9.8 As part of this application, Thames Water and the LLFA were consulted and neither raised any concerns or objections subject to the imposition of suitably worded conditions to which the developer has seen and agreed to.

### **7.10 Trees and Landscaping**

- 7.10.1 Policy NH5 of the adopted Local Plan (2019) states that development proposals will be expected to protect and retain individual trees within the development site and should include new planting where appropriate. In the emerging Local Plan Partial Review and update (2024), 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.
- 7.10.2 The submitted Arboricultural Impact Assessment (AIA) confirms that a Black Poplar, Leyland Cypress hedge and laurel hedge on the western side of the site will be removed. However, to mitigate the loss of trees and hedges, at least 29 new trees will be planted on site as part of the extensive landscaping strategy and biodiversity improvements. No other trees or hedges within or bordering the site will be removed.
- 7.10.3 The AIA goes on to recommend that some pruning works are likely to be required to the Council owned trees outside the boundary of the site to the east and south. The works are necessary to ensure a good level of clearance between the trees and construction works, and to ensure a good level of clearance between the trees and the completed building. The Council's Arboricultural Manager agrees with this assessment but has requested that the works are carried out by the developer prior to commencement with no cost to the Council.
- 7.10.4 Generally, the imposition of a condition requiring works on land outside of the developer's control are not recommended. They are known as Grampian Conditions. However, where the works are reasonable and necessary to ensure a development can proceed, and where they offer a suitable alternative to a planning obligation in a legal agreement, they are acceptable to ensure the development is deemed acceptable in planning terms.
- 7.10.5 In this instance, the pruning of trees to ensure they are protected long term from both construction works, and the complete building, is considered reasonable and would not be too onerous on the developer to complete prior to commencement. To secure the works via a planning obligation is unnecessary as the works are fairly minor in nature.
- 7.10.6 Conditions can also be secured for tree protection measures to ensure all retained trees and all trees along the boundary of the site are suitably protected.
- 7.10.7 The application was accompanied by a detailed landscaping plan that was reviewed by the Council's Green Spaces department. They made some recommendations on planting suggestions, and a revised scheme was submitted. At the time of writing no further comments have been received but given the detailed landscaping falls to be assessed as part of the Biodiversity Net Gain on the site, any further comments can be addressed at that time but given the developer made all the amendments recommended, it is considered that the submitted scheme is acceptable and can be condition as such.

### **7.11 Biodiversity, Ecology and Protected Species**

- 7.11.1 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.

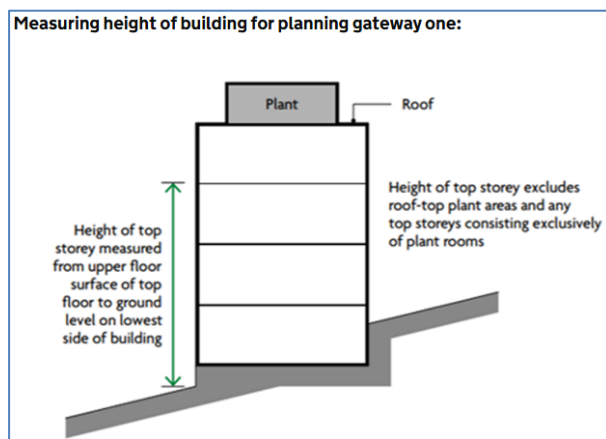
- 7.11.2 Applicants for planning permission are required to make a statement as to whether the biodiversity gain condition will apply if permission is granted, and, if it does not apply, under which exemption they are applying. In this instance, the site has no exemptions, and a 10% net gain is required.
- 7.11.3 The application is accompanied by detailed landscaping plans and a Biodiversity Net Gain (BNG) Assessment, a Preliminary Ecological Appraisal (PEA) and a Preliminary Roost Assessment (PRA).
- 7.11.4 The BNG assessment states that there will be a 24.85% gain on site with trading rules satisfied. The mandatory requirement is 10% and therefore the development is acceptable in this regard. With regards to hedgerows, there would additionally be a net gain of 166.43% with trading rules satisfied which is a substantial benefit to the development.
- 7.11.5 The BNG comes from the inclusion of modified grassland, an orchard, vegetable gardens (allotments), ornamental hedgerows, a rain garden, and additional trees. The Council's Green Spaces department and Ecology Officer have reviewed the documentation and praised the developer for providing a substantial improvement to the site and welcomed the proposals.
- 7.11.6 The site is located in an urban setting and is bordered by residential properties, pedestrian and vehicle highways and the Gunnels Wood Employment Area. The wider environment is urban in nature. The application is accompanied by an Ecological Appraisal and Roost Appraisal to assess the potential for the site and adjoining habitats to have species that receive legal protection at either UK and/or European level. The survey comprised a desk top study from Hertfordshire Environmental Records Centre as well as habitat surveys on site.
- 7.11.7 The Ecological Appraisal identifies that there are no impacts on any designated sites expected as a result of construction or use of the development. In addition, no habitats of conservation interest were present on site. The majority of the site is not considered to have any potential for protected species in its current condition. The Roost Appraisal confirms none of the trees on site have bat roost potential although any external lighting should be directed away from retained trees to minimise any potential impacts on foraging or commuting bats.
- 7.11.8 Additionally, in the interests of ecology, it is recommended to impose a condition requiring the developer to install integrated swift boxes. It is noted that a commentator on the application requested a condition for 20 boxes, however, there are no Local Plan policies in this regard and no definitive rules or guidance in the NPPF or planning practice guidance that sets out a specific number of boxes or formula for calculating the number. As such, in this regard it is for the developer to provide details of how many they wish to install, and where, and the Council will assess the details as part of a discharge of condition application.

## **7.12 Tall Buildings and Fire Safety**

- 7.12.1 Following the Grenfell Tower fire in June 2017, the Government commissioned an Independent Review of Building Regulations and Fire Safety. Following this, the Government introduced Planning Gateway One (introduced under the Town and Country Planning (Development Management Procedure and Section 62A Applications) (England) (Amendment) Order 2021) which has two key elements:
- The submission of a fire statement for relevant planning applications to set out fire safety considerations specific to the development; and

- To establish the Health and Safety Executive (HSE) as a statutory consultee for relevant planning applications.

7.12.2 Relevant buildings are those set out in Planning Practice Guidance Paragraph: 004 Reference ID: 71-004-20210624 and are described as containing two or more dwellings or educational developments within a building 18m tall or higher, or 7 storeys or more. The height is measured from the lowest point at ground level to the floor of the uppermost storey and excludes any storey that is roof-top machinery or plant area or consists exclusively of rooms for plant and machinery. The diagram below shows this in practice for clarity.



7.12.3 Accordingly, whilst this application includes the required fire statement, and the Health and Safety Executive (HSE) were consulted, they confirmed that there was no requirement to consult them as the floor level of the uppermost floor would be 15.96m above lowest ground level and is therefore exempt from Planning Gateway One.

7.12.4 The fire safety of the building and its future occupants will therefore fall to be assessed under the Building Regulations in conjunction with Herts Fire and Rescue Service should the application be granted planning permission.

### 7.13 Other Matters

#### Sustainable construction and climate change

7.13.1 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.

7.13.2 The application is accompanied by a Design and Access Statement and Energy and Sustainability Statement which detail a number of mitigation and adaptation measures to be incorporated into the proposed scheme. The development has been developed in line with Passivhaus principles, which is exemplary in terms of energy efficiency and minimizing operation carbon.

7.13.3 The proposed energy strategy has been tested by energy modelling using Passivhaus PHPP (Passivhaus Planning Package) which is a rigorous energy efficiency standard for buildings that aims to minimize heating and cooling needs and achieves this through a combination of very high insulation, airtight construction, efficient ventilation with heat recovery, and optimized solar gain. Passivhaus standard is designed to reduce

energy consumption significantly while also ensuring a comfortable and healthy living environment. By drastically reducing energy consumption, Passivhaus buildings contribute to lowering greenhouse gas emissions and combating climate change.

- 7.13.4 The rigorous Passivhaus principles proposed result in the development comprising a very low energy demand, which complies with and exceeds the requirements of the Council's sustainability policies FP1, FP2, FP7 and emerging draft policies CC1, CC2 and CC3. and the measures can be secured via the imposition of a suitably worded condition.

#### Waste and Recycling

- 7.13.5 The Design Guide (2025) states that provision should be made within new developments for the storage and collection of waste from a site.

- 7.13.6 Following an assessment of the initial plans which were submitted as part of the original application, the bin stores, the Council's Head of Environmental Operations (HEO) for Stevenage Direct Services raised concerns that the provisions shown on the plans would fail to meet required standards and were unacceptable.

- 7.13.7 The HEO went on to confirm the Council's standards per dwelling as set out below and that new Government Legislation "Simpler Recycling" is pushing for increased recycling rates:

- General waste – 90lt
- Paper/card – 30lt
- Plastics/cans – 30lt
- Glass – 12.5lt
- Food – 23lt

- 7.13.8 On the basis of the above, a 79 dwelling development would need to provide 32no. 360lt dry recycling, 7no. 240lt food waste, 7no. 1100lt general waste. The submitted plans show that the revised bin store can adequately accommodate this number of bins and, being at the site access point, is well within the 30m drag distance for operatives. This can be secured via condition.

#### Community Infrastructure Levy

- 7.13.9 The Council adopted CIL on 1 April 2020, and the CIL Charging Schedule specifies a payment for new floorspace in line with the following rates (plus appropriate indexation):

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

- 7.13.10 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.

- 7.13.11 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.

## **7.14 Equality, Diversity and Human Rights**

- 7.14.1 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.
- 7.14.2 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.
- 7.14.3 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.
- 7.14.4 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.
- 7.14.5 In terms of inclusive access, the scheme has been designed to be DDA (Disability Discrimination Act) compliant. In addition, in accordance with Policy HO11: Accessible and Adaptable Housing of the adopted Local Plan (2019), as this is a major scheme at least 50% of all new dwellings will need to be category 2: accessible and adaptable dwellings. As the development is providing assisted living for older persons, 100% of the development will meet this standard as a minimum. Additionally, the building will have level access throughout and lifts to all floors with a secured storage area for powered mobility scooters.
- 7.14.6 The scheme also seeks to deliver the necessary disabled parking provision in accordance with the Council's adopted Parking Standards SPD (2025). The bays will meet the relevant size standards and have been located in an appropriate location in close proximity to the entrance of the main residential building.

## **8. CONCLUSIONS**

- 8.1 The proposed development would involve the provision of housing and the council's latest Housing Delivery Test result indicates that housing delivery was substantially below the housing requirement over the last three years. Therefore, the policies most important for determining the application are considered to be out-of-date and paragraph 11(d) of the NPPF is engaged.
- 8.2 It has been established that the proposed development accords with Policy HO5 as it would be located on land which meets the definition of previously developed land as stated within the NPPF (2024), which places substantial weight on reusing brownfield sites. Given this proposal is reusing a brownfield site, this weighs significantly in favour of the proposal.

- 8.3 The development would provide 79 dwellings, for independent (assisted) living of older persons, making a strong contribution to the aim of boosting housing supply, which in this instance, would be through redeveloping a sustainable brownfield site to deliver this much needed type of residential dwelling. Further, the proposal would deliver all units as affordable housing which exceeds the requirements of Policy HO8 and attracts significant weight in favour of the development. This is due to the under-delivery of affordable housing to date over the Local Plan period.
- 8.4 There would be some economic benefit during the construction phase, and future occupiers would be likely to contribute to local services and facilities. Given the quantum of development, it is considered that these benefits would be significant and therefore attracts significant weight in favour of the proposal.
- 8.5 The proposal would incorporate a number of measures to be adaptable to, and mitigate, climate change and would result in a sustainable built form. This attracts moderate weight in favour of the proposal.
- 8.6 The proposed development would have an acceptable impact on the amenities of neighbouring occupiers, and the collection of waste and recycling is acceptable; these are neutral matters.
- 8.7 The development has been assessed to be acceptable in appearance and would not harm the visual amenities of the area. The development has been assessed to be acceptable in terms of private amenity space in accordance with the adopted Design Guide (2025) and Policy GD1 of the Local Plan (2019). This carries moderate weight in favour of the development.
- 8.8 With regards to the environmental impact of the development in terms of ecology, biodiversity and landscaping, it has been established that there would be significant uplift and improvements to landscaping and biodiversity and is therefore acceptable in this regard.
- 8.9 The car parking and cycle parking fail to meet the standards as set out in the Parking Provision SPD (2025) and is therefore contrary to Policy IT5 of the Local Plan. However, the Highways Authority have raised no concerns with highway safety. This carries moderate weight against the proposal.
- 8.10 The provision of affordable housing and other developer contributions can be satisfactorily addressed through the use of a S106 Legal Agreement.
- 8.11 In conclusion, whilst the proposal has been assessed to contravene policy IT5 of the Local Plan (2019) through under provision of car parking and cycle parking, it is considered that the public benefits identified through the delivery of much needed independent living apartments and affordable housing, on previously developed brownfield land, outweigh the harms identified. Therefore, despite the conflicts with the aforementioned Local Plan Policies, there are sufficient material considerations to indicate that planning permission should be granted in this instance.

## **9. RECOMMENDATIONS**

- 9.1 That planning permission be GRANTED subject to the applicant having first entered into a S106 legal agreement to secure/provide contributions towards:-
- Securing the provision of affordable housing;
  - Apprenticeships and construction jobs; and
  - SBC Section 106 monitoring fee – 5% of total financial obligations (capped at £50,000.00);

- 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, 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 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:

#### **SUBJECT TO THE FOLLOWING CONDITIONS/REASONS**

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:  
2064-SBA -XX-00-DR-A-504-G; 2064-SBA -XX-00-DR-A-010-Q; 2064-SBA-XX -01-DR-A-011-Q; 2064-SBA-XX-00 -DR-A-505-A; 2064-SBA-XX-00-DR-A-506-A; 1852-PWL-ZZ-XX-DR-L-1001-PO9; BXMW-BLOX-A-41-OF-FSC-BLOX-A; 1852-PWL-ZZ-XX-DR-L-1002-P02; 2064-SBA-XX-00-DR-A-501-A; 2064-SBA-XX-00-DR-A-502; 2064-SBA-XX-00-DR-A-503-A; 2064-SBA-XX-02-DR-A-012-N; 2064-SBA-XX-03-DR-A-013-N; 2064-SBA-XX-04-DR-A-014-L; 2064-SBA-XX-05-DR-A-015-L; 2064-SBA-XX-06-DR-A-016-K; 2064-SBA-XX-ZZ-DR-A-050-H; 2064-SBA-XX-ZZ-DR-A-530; 2064-SBA-XX-ZZ-DR-A-531; 2064-SBA-XX-ZZ-DR-A-520-E; 2064-SBA-XX-ZZ-DR-A-521-E; 2064-SBA-XX-ZZ-DR-A-522-E; 2064-SBA-XX-ZZ-DR-A-523-F; 2064-SBA-XX-ZZ-DR-A-524-F; 241117-CPW-XX-00-DR-E-307002-S3-P02;  
**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, that is audible at the site boundary, 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.  
**REASON:-** To safeguard the amenities of the occupiers of neighbouring properties.
- 4 In the event that any previously unidentified ground contamination is discovered on the site, no further construction work may be carried out in the affected area until a remediation strategy has been submitted to and approved in writing by the local planning authority. Where any development to which this permission relates is required to be carried out in accordance with a remediation strategy, a verification report (setting out the remedial measures actually undertaken on the site) shall be submitted to and approved in writing by the local planning authority prior to the beneficial occupation of the development.  
**REASON:-** To prevent harm to human health and pollution of the water environment
- 5 The development hereby approved shall be constructed in accordance with the measures to address adaptation and mitigation to climate change as laid out in the Energy & Sustainability Statement and Section 6.13 of the Design and Access Statement. These measures shall then 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.

- 6 No development shall take place (including demolition and site clearance) until a construction management plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved plan. The construction management plan shall include details of the following:
- a) Construction vehicle numbers, type, routing.
  - b) Access arrangements to the site.
  - c) Measures to minimise dust, noise machinery and traffic noise impacts during construction.
  - d) Screening and hoarding details to protect neighbouring residents.
  - e) Traffic management requirements, including the location of routes to and from the site, details of their signing monitoring and enforcement measures.
  - f) Construction and storage compounds (including areas designated for car parking, loading /unloading and turning areas);
  - g) Siting and details of wheel washing facilities.
  - h) Cleaning of site entrances, site tracks and the adjacent public highway including end of day tidying procedures to ensure protection of the site out the hours of construction.
  - i) Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times.
  - j) Provision of sufficient on-site parking prior to commencement of construction activities.
  - k) Post construction restoration/reinstatement of the working areas and temporary access to the public highway.
  - l) where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes, and remaining road width for vehicle movements.

**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 groundworks and construction phases of development and to recycle all waste materials where possible.

- 7 No development shall take place (including site clearance) until a final detailed design for the drainage scheme for the site has been submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall incorporate infiltration testing to confirm whether infiltration is viable on site and shall ensure that all new dwellings have a finished floor level raised a minimum of 300mm above any flood level and 150mm above the surrounding proposed ground level. The approved drainage scheme shall be implemented in full prior to the beneficial occupation of the development to which this permission relates and shall be permanently retained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.

**REASON:-** To adhere to the hierarchy of drainage options, as set out in paragraph 080 (Reference ID: 7-080-20150323) of the Planning Practice Guidance; to maximise the use of SuDS in the interests of mitigating the risk of flooding to the site itself and downstream; and to maximise the sustainability of the development.

- 8 No development shall take place (including site clearance) until a detailed construction phase surface water management plan for the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be carried out in accordance with the approved details.

**REASON:-** To ensure that the construction of the site does not result in any flooding both on and off site and that all Surface water Drainage features are adequately protected.

- 9 Prior to the commencement of the development, the results of a phase 2 site investigation with details of any necessary remediation strategy and 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 water assets, the local topography and clearance between the face of the pile to the face of any pipe has been submitted to and approved in writing by the local planning authority. The development shall then be carried out in accordance with the approved details.  
**REASON:-** To protect any underground utility infrastructure.
- 10 No development shall take place (including demolition and site clearance) until a Site Waste Management Plan (SWMP) for the site has been submitted to the Local Planning Authority and approved in consultation with the Waste Planning Authority. The SWMP should aim to reduce the amount of waste produced on site and should contain information including estimated types and quantities of waste to arise from construction and waste management actions for each waste type. The development shall be carried out in accordance with the approved SWMP.  
**REASON:-** To promote the sustainable management of waste arisings and contribution towards resource efficiency, in accordance with Policy 12 of the Hertfordshire Waste Core Strategy and Development Management Policies Development Plan Document (2012).
- 11 No development shall take place (including site clearance) until the tree protection measures as detailed in the Arboricultural Impact Assessment dated 28th May 2025, Reference TH4575B by Trevor Heaps Arboricultural Consultancy Ltd have been implemented accordingly. The tree protection measures shall remain in place until the development has been completed. Within the tree protection areas to be fenced off in accordance with the AIA there shall be no alteration to the ground level and they shall be kept clear of vehicles, materials, surplus soil, temporary buildings, plant and machinery. Any trees identified as part of Condition 9 shall not be covered by this condition.  
**REASON:-** To ensure the protection of those trees which should be retained in the interests of visual amenity.
- 12 The Biodiversity Gain Plan shall be prepared in accordance with the Biodiversity Net Gain Assessment dated 6th June 2025 and prepared by ACP Consultants Ltd.  
**REASON:-** To ensure the development delivers a biodiversity net gain on site.
- 13 The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the Biodiversity Gain Plan and including:  
a) a non-technical summary;  
b) the roles and responsibilities of the people or organisation(s) delivering the HMMP;  
c) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;  
d) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and  
e) the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority  
has been submitted to, and approved in writing by, the local planning authority. The created and/or enhanced habitat specified in the approved HMMP shall be managed and maintained in accordance with the approved HMMP.  
**REASON:-** To ensure the development delivers a biodiversity net gain on site.
- 14 Notice in writing shall be given to the Council when the:  
a) HMMP has been implemented; and  
b) Habitat creation and enhancement works as set out in the HMMP have been completed.  
**REASON:-** To ensure the development delivers a biodiversity net gain on site.

- 15 No development shall take place above slab level until a specification of the materials to be used in the construction of the external surfaces development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.  
**REASON:-** To ensure the development has an acceptable appearance and to protect the visual amenities of the area.
- 16 No development shall take place above slab level until a scheme for the provision of adequate water supplies and fire hydrants, necessary for firefighting purposes at the site, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the scheme has been implemented in accordance with the approved details.  
**REASON:-** To ensure adequate water infrastructure provision is made on site for the local fire service to discharge its statutory firefighting duties
- 17 No development shall take place above slab level until the identified works to Council owned trees on the southern and eastern boundary of the site within the Arboricultural Impact Assessment dated 28th May 2025, Reference TH4575B by Trevor Heaps Arboricultural Consultancy Ltd have been completed.  
**REASON:-** To ensure the protection of those trees which should be retained in the interests of visual amenity.
- 18 No development shall take place above slab level until details of integrated swift boxes are submitted to and approved in writing by the local planning authority. These features must be integrated into the brickwork of the development and located in the most appropriate locations to ensure occupation. They shall be fully installed prior to occupation and retained as such thereafter.  
**REASON:-** To conserve and enhance biodiversity in accordance with NPPF.
- 19 The parking, turning and servicing areas shown on drawing number 2064-SBA -XX -00 -DR-A -505-A, shall be provided, marked out and hard surfaced ready for use prior to the first occupation of the building and shall be retained in that form and kept available for those purposes thereafter. The hardstanding areas 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 building.  
**REASON:-** To ensure that adequate parking and servicing facilities are available within the site and that there is no detriment to the safety of adjoining highways and to ensure the development is sustainable and accords with the aspirations of Class F, Part 1 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 2015.
- 20 Prior to the first occupation of the dwellings hereby permitted, not less than 50% of the approved secure cycle parking areas shall be constructed in accordance with the details identified on drawing 2064-SBA-XX-00-DR-A-010(Q) and associated document BXMW\_BLOX\_A\_41\_OF\_FSC\_BLOX\_A and shall be permanently retained in that form. Within 12 months of the first occupation, an additional 25% of the approved storage shall be implemented, and within 24 months of the first occupation, the final 25% of the approved storage shall be implemented, unless otherwise agreed in writing by the Local Planning Authority.  
**REASON:-** To ensure that there is sufficient cycle parking provision in accordance with the Council's adopted standards is maintained for all dwellings on site in perpetuity.
- 21 Prior to the first occupation of the dwellings hereby permitted the general waste and recycle stores and plant areas associated with the development hereby permitted shall be implemented in accordance with the details shown on approved plan 2064-SBA-XX-00-DR-A-010(Q) and retained and maintained accordingly for the lifetime of the development.  
**REASON:-** To ensure the storage areas have an acceptable appearance and are of sufficient size to accommodate the number of bins which are required for this development.

- 22 Prior to the first occupation of the dwellings hereby permitted, the acoustic barrier complying with the specification set out on page 15 of the Change in Ambient Noise Impact Assessment report prepared by Dice Consulting Engineers Ltd. (reference 101875-R02, Version 4, dated 13/6/2025) located in accordance with Drawing Number 1852-PWL-ZZ-XX-DR-L-1001-P09 has been erected in its entirety. The barrier shall thereafter be permanently maintained and retained.  
**REASON:-** In the interests of amenities of occupiers of the site and surrounding residential properties.
- 23 The development hereby approved shall not be occupied until details of the maintenance and management of the sustainable drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall be implemented prior to the first occupation of the development hereby approved and thereafter managed and maintained in accordance with the approved details in perpetuity. The Local Planning Authority shall be granted access to inspect the sustainable drainage scheme for the lifetime of the development. The details of the scheme to be submitted for approval shall include:
- a timetable for its implementation.
  - details of SuDS feature and connecting drainage structures and maintenance requirement for each aspect including a drawing showing where they are located.
  - a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime. This will include the name and contact details of any appointed management company.
- REASON:-** To ensure that the development achieves a high standard of sustainability and ensure the flood risk is adequately addressed for each new dwelling and not increased in accordance with NPPF and Policies of Stevenage Borough Council.
- 24 Prior to the first occupation of the dwellings hereby approved, an updated Noise Impact Assessment shall be submitted to and approved in writing to confirm that the design of windows and ventilators to each dwelling have achieved an acoustic performance that, when windows are closed and ventilators are open, noise levels do not exceed:
- 35dB (LAeq,16hr) during the daytime (07:00 - 23:00) within bedrooms and living rooms;
  - 40dB (LAeq, 16hr) during the daytime (07:00 - 23:00) within dining rooms;
  - 30dB (LAeq,16hr) during the night (23:00 - 07:00) within bedrooms;
  - 45 dB (LAmax) on more than ten occasions during any typical night (23:00 - 07:00) within bedrooms
- Where mechanical purge ventilation is required to achieve the above standards with windows closed, this shall be designed so as to ensure that the ventilation system itself does not produce unacceptable levels of noise within each dwelling.  
**REASON:-** To protect the amenity of future occupiers of the development.
- 25 Prior to the first occupation of the dwellings hereby approved, an updated external lighting strategy shall be submitted to and approved in writing by the Local Planning Authority which shall include details of any off-site light spill from the development to ensure compliance with national guidance set out in the ILP Guidance Note 01 - The reduction of Obtrusive Light).  
**REASON:-** In order to protect the amenities and operations of neighbouring properties, to ensure any external lighting does not prejudice highway safety and in the interests of minimising light pollution.

- 26 Upon completion of the surface water drainage system, including any SuDS features, and prior to the first use of the development; a survey and verification report from an independent surveyor shall be submitted to and approved in writing by the Local Planning Authority. The survey and report shall demonstrate that the surface water drainage system has been constructed in accordance with the details approved pursuant to condition [LPA to specify]. Where necessary, details of corrective works to be carried out along with a timetable for their completion, shall be included for approval in writing by the Local Planning Authority. Any corrective works required shall be carried out in accordance with the approved timetable and subsequently re-surveyed with the findings submitted to and approved in writing by the Local Planning Authority.  
**REASON:-** To ensure the flood risk is adequately addressed, not increased and users remain safe for the lifetime of the development in accordance with NPPF and Policies of Stevenage Borough Council.
- 27 The development hereby permitted shall be carried out in accordance with the scheme of landscaping as shown on approved plan 1852-PWL-ZZ-XX-DR-L-1001-P09. 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 first occupation of the building(s) or the completion of the development whichever is the sooner. In regards to hard surfacing, this shall be carried out in accordance with any approved details within three months of the first occupation of the building or the completion of the development, whichever is the sooner.  
**REASON:-** To ensure the development has an acceptable appearance and to protect the visual amenities of the area.
- 28 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.
- 29 No tree shown as retained on the approved plans 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.
- 30 The rating levels of noise emitted by any or all fixed plant shall not exceed those set out Table 10 of the Noise Impact Assessment report prepared by Dice Consulting Engineers Ltd. (reference 101875-R01, Version 4, dated 12/6/2025) at any noise sensitive façade. Any measurement or computation, and allied assessment, shall be made in accordance with BS 4142:2014+A1:2019.  
**REASON:-** In the interests of future occupier amenity.
- 31 The development hereby permitted shall be carried out in accordance with the ecological mitigation and enhancement measures as detailed in the Preliminary Ecological Appraisal and Preliminary Roost Assessment, both dated 10th June 2025 by ACP Consultants Ltd. These documents shall be adhered to at all times during construction, including site clearance works, and during occupation of the development.  
**REASON:-** To ensure protection of the natural environment.
- 32 The windows in the northern side elevation shall be glazed with obscured glass and shall be fixed so as to be incapable of being opened below a height of 1.7 metres above floor level and shall be retained in that form thereafter.  
**REASON:-** To safeguard the privacy of the occupiers of adjoining properties.

## **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 early engagement with the applicant at the pre-application stage 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](http://www.stevenage.gov.uk/CIL) or by contacting the Council's CIL Team at [CIL@Stevenage.gov.uk](mailto: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](mailto:building.control@hertfordshirebc.co.uk) or phoning us on 01438 879990.

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

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

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

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

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

**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**

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>

**6 UK Power Networks**

1. UK Power Networks require 24 hour vehicular access to their substations. Consideration for this should be taken during the design stage of the development.
2. There are underground cables on the site associated with the substation and these run in close proximity to the proposed development. Prior to commencement of work accurate records should be obtained from our Plan Provision Department at UK Power Networks, Fore Hamlet, Ipswich, IP3 8AA.
3. Should any diversion works be necessary as a result of the development then enquiries should be made to our Customer Connections department. The address is UK Power Networks, Metropolitan house, Darkes Lane, Potters Bar, Herts, EN6 1AG.
4. The development may have a detrimental impact on our rights of access to and from the substation. If in doubt please seek advice from our Operational Property and Consents team at Barton Road, Bury St Edmunds, Suffolk, IP32 7BG.

**7 UK Power Networks - Party Wall Act 1996**

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.

**8 Herts Police Crime Prevention Design Advisor**

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

**9 Thames Water: Groundwater Risk Management Permit**

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

**10 Hertfordshire County Council as Highways Authority**

Stopping up of highway: Highway rights will need to be extinguished across the area of land affected in accordance with a Stopping Up order to be made by the Secretary of State for the Department of Transport under Section 247 of the Town and Country Planning Act 1990 before development can commence. Further information is available on the Planning Portal at:

[https://www.planningportal.co.uk/info/200187/your\\_responsibilities/40/other\\_permissions\\_you\\_may\\_require/14](https://www.planningportal.co.uk/info/200187/your_responsibilities/40/other_permissions_you_may_require/14) and on the government website:

<https://www.gov.uk/government/publications/stopping-up-and-diversion-of-highways>

**11 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.

- 12 **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.
- 13 **Hertfordshire County Council as Highways Authority**  
Construction Management Plan (CMP): The purpose of the CMP is to help developers minimise construction impacts and relates to all construction activity both on and off site that impacts on the wider environment. It is intended to be a live document whereby different stages will be completed and submitted for application as the development progresses. A completed and signed CMP must address the way in which any impacts associated with the proposed works, and any cumulative impacts of other nearby construction sites will be mitigated and managed. The level of detail required in a CMP will depend on the scale and nature of development. The CMP would need to include elements of the Construction Logistics and Community Safety (CLOCS) standards as set out in our Construction Management template, a copy of which is available on the County Council's website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>
- 14 **Hertfordshire County Council as Highways Authority**  
Roads to remain private: The applicant is advised that all new roads/access routes marked on the submitted plans, associated with this development, will remain un-adopted (and shall not be maintained at public expense by the highway authority). At the entrance of the new estate the road name plate should indicate that it is a private road and the developer should put in place permanent arrangements for long-term maintenance.
- 15 **Nesting Birds**  
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.
- 16 **Environmental Health**  
During the demolition and construction phase of the development, the guidance in BS5228-1:2009 (Code of Practice for Noise Control on Construction and Open Sites) should be adhered to.
- 17 **Environmental Health**  
All schemes for ventilation measures within the approved dwellings must adhere to the most up to date edition of the Building Regulations Approved Documents F and O.
- 18 **Lead Local Flood Authority**  
The applicant is advised that as a starting point, all infiltration testing should adhere to the most up to date edition of the BRE 365 guidelines.

## **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, Stevenage Borough Council Developer Contributions adopted February 2025.
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.

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**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 : 24/00766/COND  
Date Received : 29.10.24  
Location : Land To The North Of Stevenage Weston Road Stevenage  
Herts  
Proposal : Discharge of condition 21 (Passenger transport infrastructure)  
attached to planning permission reference number  
17/00862/OPM.  
Date of Decision : 01.09.25  
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**

2. Application No : 25/00128/COND  
Date Received : 14.02.25  
Location : Land To The North Of Stevenage Off North Road And Weston Road Stevenage Herts  
Proposal : Discharge of condition 12 (External finishes) attached to planning permission reference number 23/00890/RMM  
Date of Decision : 15.10.25  
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.
3. Application No : 25/00168/COND  
Date Received : 04.03.25  
Location : Land To The North Of Stevenage Off North Road And Weston Road Stevenage Herts  
Proposal : Partial Discharge of Condition 12 (hours of operation of the non-residential units) attached to planning permission reference number 23/00526/RMM  
Date of Decision : 02.09.25  
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**
4. Application No : 25/00169/COND  
Date Received : 04.03.25  
Location : Land To The North Of Stevenage Off North Road And Weston Road Stevenage Herts  
Proposal : Discharge of Condition 11 (Toilet Block) attached to planning permission reference number 22/00781/RMM  
Date of Decision : 30.09.25  
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**

5. Application No : 25/00365/COND  
Date Received : 02.05.25  
Location : Brent Court Silam Road Stevenage Herts  
Proposal : Discharge of Conditions 8 (Construction Management Plan), 9 (Site Compound Layout Plan) and 15 (Site Waste Management Plan) attached to planning permission reference number 22/00963/FPM  
Date of Decision : 18.09.25  
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**
6. Application No : 25/00408/COND  
Date Received : 27.05.25  
Location : Land To The North Of Stevenage Off North Road And Weston Road Stevenage Herts  
Proposal : Partial discharge of condition 2 (Play Area Details) attached to planning permission reference number 22/00808/RMM - Local Centre Only (see covering letter)  
Date of Decision : 02.09.25  
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**
7. Application No : 25/00410/COND  
Date Received : 27.05.25  
Location : Brent Court Silam Road Stevenage Herts  
Proposal : Discharge of conditions 10 (Drainage 1), 11 (Drainage 2) and 12 (drainage 3) attached to planning permission reference 22/00963/FPM  
Date of Decision : 01.09.25  
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**

8. Application No : 25/00440/FP  
Date Received : 09.06.25  
Location : 66 - 68 Queensway Town Centre Stevenage Herts  
Proposal : Refurbishment to include new shopfront, ATM at the front of the premises and a disabled access ramp, satellite dish and new condensers at the rear.  
Date of Decision : 19.09.25  
Decision : **Planning Permission is GRANTED**
9. Application No : 25/00470/FPH  
Date Received : 23.06.25  
Location : 33 Bedwell Crescent Stevenage Herts SG1 1LU  
Proposal : Erection of two storey side and rear extension  
Date of Decision : 08.09.25  
Decision : **Planning Permission is GRANTED**
10. Application No : 25/00471/FPH  
Date Received : 24.06.25  
Location : 15 Benstede Stevenage Herts SG2 8JL  
Proposal : Erection of single storey front and rear extension  
Date of Decision : 12.09.25  
Decision : **Planning Permission is GRANTED**
11. Application No : 25/00477/FP  
Date Received : 26.06.25  
Location : 79 Four Acres Stevenage Herts SG1 3PJ  
Proposal : Change of use from public amenity land to private residential garden  
Date of Decision : 14.10.25  
Decision : **Planning Permission is GRANTED**

12. Application No : 25/00502/AD  
Date Received : 30.06.25  
Location : Land To The North Of Stevenage Weston Road Stevenage Herts  
Proposal : 1 no. free-standing non-illuminated monolith sign  
Date of Decision : 30.09.25  
Decision : **Advertisement Consent is GRANTED**
13. Application No : 25/00520/FPH  
Date Received : 07.07.25  
Location : 5 Foster Close Stevenage Herts SG1 4SA  
Proposal : Part two storey, part single storey side extension  
Date of Decision : 02.09.25  
Decision : **Planning Permission is GRANTED**
14. Application No : 25/00530/COND  
Date Received : 10.07.25  
Location : 58 - 90 Queensway And Forum Chambers Town Centre Stevenage Herts  
Proposal : Discharge of condition 9 (Drainage Survey) attached to planning permission reference 23/00502/FPM  
Date of Decision : 30.09.25  
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**
15. Application No : 25/00531/COND  
Date Received : 10.07.25  
Location : 58 - 90 Queensway And Forum Chambers Town Centre Stevenage Herts  
Proposal : Discharge of condition 8 (Construction Management Plan) attached to planning permission reference 23/00502/FPM  
Date of Decision : 01.09.25  
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**

16. Application No : 25/00534/FP  
Date Received : 11.07.25  
Location : 77 - 83 Queensway Town Centre Stevenage Herts  
Proposal : Elevational alterations  
Date of Decision : 05.09.25  
Decision : **Planning Permission is GRANTED**
17. Application No : 25/00536/FP  
Date Received : 14.07.25  
Location : 95 High Street Stevenage Herts SG1 3HR  
Proposal : Shopfront alteration and the installation of a high level ducting extraction system at the rear of the existing premises  
Date of Decision : 12.09.25  
Decision : **Planning Permission is GRANTED**
18. Application No : 25/00541/FP  
Date Received : 15.07.25  
Location : 26 - 28 Queensway Town Centre Stevenage Herts  
Proposal : Alterations to premises to remove all external manifestation, artwork, branding, and signage and removal of ATMs and night safe with associated infilling with appropriate materials  
Date of Decision : 12.09.25  
Decision : **Planning Permission is GRANTED**
19. Application No : 25/00543/COND  
Date Received : 16.07.25  
Location : 58 - 90 Queensway And Forum Chambers Town Centre Stevenage Herts  
Proposal : Discharge of condition 11 (Cycle Parking) attached to planning permission reference number 23/00502/FPM  
Date of Decision : 30.09.25  
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**

20. Application No : 25/00545/AD  
Date Received : 16.07.25  
Location : Daves Hot Chicken 15 Stevenage Leisure Park Kings Way Stevenage  
Proposal : Installation of roof mounted illuminated individual letters on eastern and western elevations, 1no. illuminated wall mounted roundel sign, 1no. illuminated post mounted sign with three roundels and 1no. illuminated service hatch sign.  
Date of Decision : 09.09.25  
Decision : **Advertisement Consent is GRANTED**
21. Application No : 25/00547/FP  
Date Received : 17.07.25  
Location : South-West Corner Of Westgate And Entrance Onto Queensway And The Forum Town Centre Stevenage Herts  
Proposal : Exterior and facade works to the Southwest corner of the Westgate car park and shopping centre entrance portals onto Queensway and the Forum  
Date of Decision : 03.09.25  
Decision : **Planning Permission is GRANTED**
22. Application No : 25/00549/FPH  
Date Received : 17.07.25  
Location : 74 Anderson Road Stevenage Herts SG2 0LN  
Proposal : Single storey front extension  
Date of Decision : 15.09.25  
Decision : **Planning Permission is GRANTED**
23. Application No : 25/00550/COND  
Date Received : 18.07.25  
Location : 224-230 Bedwell Crescent Stevenage Herts SG1 1NG  
Proposal : Discharge of condition 12 (Vehicular Access) attached to planning permission reference number 22/00965/FPM  
Date of Decision : 11.09.25  
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**

24.      Application No :      25/00552/CLPD  
            Date Received :      21.07.25  
            Location :              79 The Hedgerows Stevenage Herts SG2 7DQ  
            Proposal :              Lawful Development Certificate (Proposed) single storey rear extension and rear dormer loft conversion.  
            Date of Decision :      05.09.25  
            Decision :              **Certificate of Lawfulness is APPROVED**
25.      Application No :      25/00556/FP  
            Date Received :      22.07.25  
            Location :              24 Grace Way Stevenage Herts SG1 5AA  
            Proposal :              Change of use from 4-bed Dwellinghouse (Class C3) to 4-bed House of Multiple Occupation (Class C4)  
            Date of Decision :      17.09.25  
            Decision :              **Planning Permission is GRANTED**
26.      Application No :      25/00564/FP  
            Date Received :      24.07.25  
            Location :              495 Canterbury Way Stevenage Herts SG1 4EQ  
            Proposal :              Change of use of public amenity land to private residential land.  
            Date of Decision :      16.09.25  
            Decision :              **Planning Permission is GRANTED**
27.      Application No :      25/00573/BNGCO  
            Date Received :      28.07.25  
            Location :              Barnwell Middle School Shephall Green Stevenage Herts  
            Proposal :              Compliance with Biodiversity Net Gain details required by planning permission 24/00700/FPM  
            Date of Decision :      12.09.25  
            Decision :              **The Biodiversity Net Gain Condition is discharged**

28. Application No : 25/00574/FP  
Date Received : 29.07.25  
Location : Tarrant Court Ingleside Drive Stevenage Herts  
Proposal : Erection of bin store  
Date of Decision : 15.09.25  
Decision : **Planning Permission is GRANTED**
29. Application No : 25/00577/FPH  
Date Received : 30.07.25  
Location : 90 St. Margarets Stevenage Herts SG2 8RE  
Proposal : Erection of part two storey, part single storey side and rear extension  
Date of Decision : 12.09.25  
Decision : **Planning Permission is GRANTED**
30. Application No : 25/00578/TPCA  
Date Received : 30.07.25  
Location : Rooks Nest Farm Weston Road Stevenage Herts  
Proposal : Removal of 15 conifer trees caught in a nearby fire, burning all live foliage on one side. Reduction of a cherry tree, cutting off brunt sections back to live growth. Reduction of a large conifer by 30%. Reduction of an ash tree by 30%  
Date of Decision : 05.09.25  
Decision : **CONSENT TO CARRY OUT WORKS TO A TREE IN A CONSERVATION AREA**
31. Application No : 25/00580/FPH  
Date Received : 30.07.25  
Location : 20 Park View Stevenage Herts SG2 8PU  
Proposal : First floor side extension and installation of window at first floor in southern side elevation  
Date of Decision : 15.09.25  
Decision : **Planning Permission is GRANTED**

32. Application No : 25/00587/FP  
Date Received : 04.08.25  
Location : 226 Jessop Road Stevenage Herts SG1 5LZ  
Proposal : Change of use from dwellinghouse (Use Class C3) to a House of Multiple Occupation (HMO) (Use Class C4).  
Date of Decision : 24.09.25  
Decision : **Planning Permission is GRANTED**
33. Application No : 25/00589/TPCA  
Date Received : 04.08.25  
Location : 9C High Street Stevenage Herts SG1 3BG  
Proposal : 1no. Yew prune back from property minimum 0.5m clearance;  
1no. Magnolia prune back from property minimum 0.5m clearance.  
Date of Decision : 16.09.25  
Decision : **CONSENT TO CARRY OUT WORKS TO A TREE IN A CONSERVATION AREA**
34. Application No : 25/00591/FPH  
Date Received : 04.08.25  
Location : 7 Burymead Stevenage Herts SG1 4AX  
Proposal : Variation of Condition 1 (approved plans) attached to planning permission 23/00277/FPH  
Date of Decision : 15.09.25  
Decision : **Planning Permission is GRANTED**
35. Application No : 25/00597/NMA  
Date Received : 05.08.25  
Location : 8 Windsor Close Stevenage Herts SG2 8UD  
Proposal : Non-material amendment to planning approval 22/00984/FP - Change from face brickwork to white render, increase in depth and height of extensions  
Date of Decision : 01.09.25  
Decision : **Non Material Amendment AGREED**

36. Application No : 25/00604/TPTPO  
Date Received : 06.08.25  
Location : 14 Foster Close Stevenage Herts SG1 4SA  
Proposal : 1no. Copper Beech Tree (T12) requires a 30% reduction and 1no. Hornbeam Tree (T13) requires a 30% reduction protected by Tree Preservation Order 10  
Date of Decision : 09.09.25  
Decision : **CONSENT TO CARRY OUT WORKS TO A TREE, THE SUBJECT OF A TREE PRESERVATION ORDER**
37. Application No : 25/00605/AD  
Date Received : 07.08.25  
Location : Land To The North Of Stevenage Weston Road Stevenage Herts  
Proposal : Advertisement Consent for the display of internally illuminated and non-illuminated advertisement signs  
Date of Decision : 02.09.25  
Decision : **Advertisement Consent is GRANTED**
38. Application No : 25/00606/FPH  
Date Received : 07.08.25  
Location : 15 Hellards Road Stevenage Herts SG1 3PN  
Proposal : Single storey rear extension  
Date of Decision : 30.09.25  
Decision : **Planning Permission is GRANTED**
39. Application No : 25/00607/CLPD  
Date Received : 07.08.25  
Location : 65 Weston Road Stevenage Herts SG1 3RW  
Proposal : Lawful Development Certificate (Proposed) roof alterations for rear dormer window and 3 no. roof lights.  
Date of Decision : 15.09.25  
Decision : **Certificate of Lawfulness is APPROVED**

40. Application No : 25/00608/TPCA  
Date Received : 07.08.25  
Location : 20 Green Street Stevenage Herts SG1 3DS  
Proposal : Crown reduction by approximately 4m from branch tips on T1 Ash and reduction of ivy-covered main stem by approximately 4m on T2 Sweet Chestnut  
Date of Decision : 05.09.25  
Decision : **CONSENT TO CARRY OUT WORKS TO A TREE IN A CONSERVATION AREA**
41. Application No : 25/00609/TPTPO  
Date Received : 07.08.25  
Location : 99 Hertford Road Stevenage Herts SG2 8SE  
Proposal : Overall crown reduction of English Oak (T1) approximately 2m from branch tips and crown lift road side to give 5.2m clearance protected by Tree Preservation Order 77  
Date of Decision : 30.09.25  
Decision : **CONSENT TO CARRY OUT WORKS TO A TREE, THE SUBJECT OF A TREE PRESERVATION ORDER**
42. Application No : 25/00613/FP  
Date Received : 11.08.25  
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 : 30.09.25  
Decision : **Planning Permission is GRANTED**

43. Application No : 25/00616/FPH  
Date Received : 11.08.25  
Location : 55 Wetherby Close Stevenage Herts SG1 5RX  
Proposal : Conversion of garage into a habitable room, including the replacement of the garage door with a door and window  
Date of Decision : 16.09.25  
Decision : **Planning Permission is GRANTED**
44. Application No : 25/00618/COND  
Date Received : 12.08.25  
Location : Queensway Chambers 58 Queensway Town Centre Stevenage  
Proposal : Discharge of Condition 12 (Swift Bricks) attached to planning permission reference number 23/00502/FPM  
Date of Decision : 30.09.25  
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**
45. Application No : 25/00622/FP  
Date Received : 14.08.25  
Location : 38 - 44 The Forum Town Centre Stevenage Herts  
Proposal : Installation of new rooftop mechanical plant equipment, including 3 outdoor condenser units, associated pipework and cabling infrastructure, and new safety provisions to support the building heating, ventilation and air condition systems  
Date of Decision : 07.10.25  
Decision : **Planning Permission is GRANTED**
46. Application No : 25/00623/FP  
Date Received : 14.08.25  
Location : 306 Broadwater Crescent Stevenage Herts SG2 8EU  
Proposal : Erection of single-storey front and rear extensions and conversion of existing 1no. 4 bedroom dwellinghouse into 3no. 1-bedroom flats comprising 2 no. 1-bedroom flats at the ground floor and 1 no. 1-bedroom apartment on the first floor  
Date of Decision : 06.10.25  
Decision : **Planning Permission is GRANTED**



50. Application No : 25/00631/TPCA  
Date Received : 18.08.25  
Location : Traffords Symonds Green Lane Stevenage Herts  
Proposal : Removal of a row of Conifer trees located adjacent to the eastern boundary. Removal of a Conifer tree adjacent to the southern boundary and removal of a Conifer tree adjacent to the northern boundary  
Date of Decision : 19.09.25  
Decision : **CONSENT TO CARRY OUT WORKS TO A TREE IN A CONSERVATION AREA**
51. Application No : 25/00632/FPH  
Date Received : 18.08.25  
Location : 2 King George Close Stevenage Herts SG1 3TB  
Proposal : Erection of part two-storey, part single storey rear extension  
Date of Decision : 03.10.25  
Decision : **Planning Permission is GRANTED**
52. Application No : 25/00633/FPH  
Date Received : 19.08.25  
Location : 135 Walkern Road Stevenage Herts SG1 3RE  
Proposal : Single storey rear extension  
Date of Decision : 13.10.25  
Decision : **Planning Permission is GRANTED**
53. Application No : 25/00637/FPH  
Date Received : 20.08.25  
Location : 95 Hayfield Stevenage Herts SG2 7JR  
Proposal : Part single-storey, part two-storey rear extension.  
Date of Decision : 13.10.25  
Decision : **Planning Permission is GRANTED**

54. Application No : 25/00639/COND  
Date Received : 20.08.25  
Location : 18 - 24 Ellis Avenue Stevenage Herts SG1 3SA  
Proposal : Discharge of condition 15 (Drainage 1) attached to planning permission reference number 24/00064/FPM  
Date of Decision : 09.09.25  
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**
55. Application No : 25/00642/TPTPO  
Date Received : 21.08.25  
Location : 61 Sparrow Drive Stevenage Herts SG2 9FB  
Proposal : Reduction of 1no. Oak tree (T7) to previous pruning points protected by Tree Preservation Order 38  
Date of Decision : 13.10.25  
Decision : **CONSENT TO CARRY OUT WORKS TO A TREE, THE SUBJECT OF A TREE PRESERVATION ORDER**
56. Application No : 25/00643/FPH  
Date Received : 22.08.25  
Location : 24 Wood Drive Stevenage Herts SG2 8NY  
Proposal : Extensions and alterations to garage to facilitate conversion to habitable space.  
Date of Decision : 13.10.25  
Decision : **Planning Permission is GRANTED**
57. Application No : 25/00646/OP  
Date Received : 22.08.25  
Location : 40 Shephall View Stevenage Herts SG1 1RL  
Proposal : Erection of 1 x 2no. bedroom dwelling on land adjacent to No.40 Shephall View with associated rear access and parking.  
Date of Decision : 14.10.25  
Decision : **Outline Planning Permission is GRANTED**

58. Application No : 25/00647/FPH  
Date Received : 22.08.25  
Location : 140 Lonsdale Road Stevenage Herts SG1 5EU  
Proposal : Single story rear extension  
Date of Decision : 13.10.25  
Decision : **Planning Permission is GRANTED**
59. Application No : 25/00651/CLEU  
Date Received : 26.08.25  
Location : 438 Broadwater Crescent Stevenage Herts SG2 8HD  
Proposal : Lawful Development Certificate (Existing) use as a dwellinghouse C3 (b), not more than 6 residents with an element of care being provided.  
Date of Decision : 14.10.25  
Decision : **Certificate of Lawfulness is APPROVED**
60. Application No : 25/00652/CLPD  
Date Received : 26.08.25  
Location : 46 Broad Oak Way Stevenage Herts SG2 8QW  
Proposal : Lawful Development Certificate (Proposed) to use the property to house young people with an element of care being provided under Class C3 (b) of the 1987 Use Classes Order (as amended).  
Date of Decision : 14.10.25  
Decision : **Certificate of Lawfulness is APPROVED**
61. Application No : 25/00653/FPH  
Date Received : 26.08.25  
Location : 134 Shephall View Stevenage Herts SG1 1RR  
Proposal : Single storey rear extension, levelling and hard surfacing of front curtilage, and fenestration alterations for disability compliance  
Date of Decision : 14.10.25  
Decision : **Planning Permission is GRANTED**

62. Application No : 25/00655/FPH  
Date Received : 27.08.25  
Location : 5 Blenheim Way Stevenage Herts SG2 8TD  
Proposal : First floor rear extension  
Date of Decision : 14.10.25  
Decision : **Planning Permission is GRANTED**
63. Application No : 25/00661/FPH  
Date Received : 01.09.25  
Location : 74 Fairview Road Stevenage Herts SG1 2NR  
Proposal : Part two storey, part single storey rear extension with alterations to rear and side elevation fenestrations  
Date of Decision : 15.10.25  
Decision : **Planning Permission is GRANTED**
64. Application No : 25/00665/FPH  
Date Received : 02.09.25  
Location : 126 Hydean Way Stevenage Herts SG2 9XP  
Proposal : Single storey rear extension.  
Date of Decision : 15.10.25  
Decision : **Planning Permission is GRANTED**
65. Application No : 25/00666/NMA  
Date Received : 03.09.25  
Location : Bond International Cartwright Road Stevenage Herts  
Proposal : Non-Material Amendment to planning permission 24/00525/FPM - Conditions 1 (Approved Plans), Condition 5 (Access), Condition 7 (Parking), Condition 10 (External Materials) and Condition 11 (Hard and Soft Landscaping)  
Date of Decision : 29.09.25  
Decision : **Non Material Amendment AGREED**

66. Application No : 25/00673/TPTPO  
Date Received : 05.09.25  
Location : 54 Dryden Crescent Stevenage Herts SG2 0JG  
Proposal : Reduction of crown of 1no. Ash tree (T2) protected by Tree Preservation Order 18  
Date of Decision : 16.10.25  
Decision : **CONSENT TO CARRY OUT WORKS TO A TREE, THE SUBJECT OF A TREE PRESERVATION ORDER**
67. Application No : 25/00677/NMA  
Date Received : 08.09.25  
Location : The Priory Nursery, St John's Ambulance Hall Stanmore Road Stevenage Herts  
Proposal : Non material amendment to planning permission 25/00450/FP for changes to fenestration and external finishes.  
Date of Decision : 15.09.25  
Decision : **Non Material Amendment AGREED**
68. Application No : 25/00682/COND  
Date Received : 10.09.25  
Location : Walpole Court Blenheim Way Stevenage Herts  
Proposal : Discharge of conditions 4 (construction management plan); and condition 5 (site waste management plan) attached to planning permission reference number 24/00047/FPM  
Date of Decision : 14.10.25  
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**

69. Application No : 25/00702/NMA  
Date Received : 18.09.25  
Location : 58 - 90 Queensway And Forum Chambers Town Centre  
Stevenage Herts  
Proposal : Non material amendment to reserved matters approval  
23/00502/FPM to change the wording of Condition 10  
Date of Decision : 19.09.25  
Decision : **Non Material Amendment AGREED**
70. Application No : 25/00704/NMA  
Date Received : 19.09.25  
Location : Priory Meadow Rectory Lane Stevenage Herts  
Proposal : Non-material amendment to planning approval 21/01356/FPH for  
addition of skylight to ground floor flat roof  
Date of Decision : 13.10.25  
Decision : **Non Material Amendment AGREED**
71. Application No : 25/00707/CLPD  
Date Received : 22.09.25  
Location : 14 Kennett Way Stevenage Herts SG1 3XU  
Proposal : Lawful Development Certificate (proposed) loft conversion with  
rear dormer & 2 roof lights to front.  
Date of Decision : 14.10.25  
Decision : **Certificate of Lawfulness is APPROVED**
72. Application No : 25/00736/CLPD  
Date Received : 08.10.25  
Location : 55 Torquay Crescent Stevenage Herts SG1 2RH  
Proposal : Lawful Development Certificate (Proposed) Single storey rear  
extension  
Date of Decision : 14.10.25  
Decision : **Certificate of Lawfulness is APPROVED**

73.      Application No :      25/00747/CLPD  
            Date Received :      10.10.25  
            Location :              64 Haycroft Road Stevenage Herts SG1 3JJ  
            Proposal :              Lawful Development Certificate (Proposed) for rear dormer window.  
            Date of Decision :      14.10.25  
            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:** 28 October 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. 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 24/00893/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.

#### **Decision - APPEAL ALLOWED**

#### **Preliminary Matters**

3.2 The Inspector noted that the land is shown to be maintained by Herts County Council but went on to state that this is not a valid planning matter and would be dealt with under relevant Highways Law.

3.3 A building shown as garages on the submitted plan was in fact an electricity substation which could over-represent the available parking and is taken into account in the Inspectors decision making.

#### **Main Issue**

3.4 The main issue is whether the proposal would have an unacceptable impact on highway safety.

#### **Reasons**

3.5 The Inspector's site visit was just before midday on a weekday during term time and they noted only half the communal spaces were occupied. They did acknowledge the Council's survey results that found similar scenario during the day but far fewer spaces available at 6pm and that local residents state there is insufficient parking to meet current demand.

3.6 The Inspector stated the development would have no parking which would be similar to surrounding housing and that the proposal would not result in the loss of any existing parking and consequently they concluded that the proposal would have neither an adverse nor unacceptable impact on highway safety.

### **Other Matters**

- 3.7 The Inspector noted there was no justification for the loss or compensation of public open space as set out in Policy NH6 and further noted that the Council had not refused permission on this basis so was content to conclude no harm in this regard.

### **Planning Balance and Conclusion**

- 3.8 The Council has failed to meet Housing Delivery Targets, and the National Planning Policy Framework (NPPF, 2024) requires a delivery of sufficient homes. In this regard, the Inspector attached significant weight to the provision of two dwellings in a sustainable location.
- 3.9 They noted that whilst the existing street layout and parking are evidently subject to stress and the Council's standards appear to reflect guidance, the additional unmet demand created by the proposed development would not cause unacceptable highway safety or severe residual impacts and therefore they only attached moderate weight to the conflict with Policy IT5.
- 3.10 The moderate weight of the policy conflict does not outweigh the significant weight attached to the provision of new dwellings and therefore **the appeal is allowed.**

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