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CABINET

Date: Wednesday, 10 June 2026
Time: 2.00pm,
Location: Council Chamber
Contact: Lisa Jerome (01438) 242203
committees@stevenage.gov.uk

Members: Councillors: Richard Henry (Chair), Myla Arceno, Rob Broom,
Coleen DeFreitas, Tom Plater, Loraine Rossati and
Nazmin Chowdhury

AGENDA

PART 1

1. APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

2. MINUTES - CABINET 11 MARCH 2026

To approve as a correct record the Minutes of the meeting held on 11 March 2026.
5 – 10

3. MINUTES OF THE OVERVIEW AND SCRUTINY AND SELECT COMMITTEES

To note the following minutes of the Overview and Scrutiny and Select Committees:

- Overview and Scrutiny Committee – 17 March 2026
- Environment and Economy Select Committee – 19 March 2026
- Community Select Committee – 25 March 2026

11 – 28

4. PAVEMENT LICENCE POLICY

To consider the Council's draft pavement licensing policy which sets out the Council's approach in the granting, monitoring and enforcement of Pavement Licences within the Borough of Stevenage (excluding the Town Centre), in accordance with the Business and Planning Act 2020.

29 – 86

5. CIVIL PENALTIES POLICY

To consider the Council's revised Civil Penalty Policy which sets out the approach to determining the level of a civil penalty in all cases where regulatory breaches or offences are established under the Renters' Rights Act 2025 and other legislation relating to private rented sector housing standards.

87 - 138

6. RENTERS' RIGHTS ACT ENFORCEMENT POLICY

To consider the Renters' Rights Act 2025 Enforcement Policy.
139 – 184

7. ADOPTION OF STEVENAGE BOROUGH LOCAL PLAN PARTIAL UPDATE

To update Members on the outcomes of the Main Modifications consultation on the Stevenage Borough Local Plan Partial Update, following the Examination in Public Hearing Sessions.
185 – 416

8. ADOPTION OF REVISED COMMUNITY INFRASTRUCTURE LEVY

To provide Members with an update on the progress of the Stevenage Borough Revised Community Infrastructure Levy, now it has progressed through Examination in Public stage.
417 – 450

9. LGR STRUCTURAL CHANGES ORDER SUBMISSION

To note the LGR structural changes order submission report.
Report to follow.

10. URGENT PART 1 BUSINESS

To consider any Part 1 business accepted by the Chair as urgent.

11. EXCLUSION OF PUBLIC AND PRESS

To consider the following motions –

1. That under Section 100(A) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as described in paragraphs 1 – 7 of Part 1 of Schedule 12A of the Act as amended by Local Government (Access to Information) (Variation) Order 2006.

2. That Members consider the reasons for the following reports being in Part II and determine whether or not maintaining the exemption from disclosure of the information contained therein outweighs the public interest in disclosure.

12. LAND AND DEVELOPMENT PROGRAMME UPDATE WITH CONTRACT AWARDS/LAND SALES BRAGBURY END SCHEME

To update Members on progress with the Council's Housing Development programme.
451 – 464

13. BUSINESS TECHNOLOGY CENTRE CONTRACT

To seek approval to conclude the procurement process for the management and operation of the Business Technology Centre (BTC) and Chells Industrial Units (CIU) and

the provision of business support services for the period 2026-31.
465 – 518

14. URGENT PART II BUSINESS

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

Agenda Published 02/06/2026

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STEVENAGE BOROUGH COUNCIL

CABINET MINUTES

Date: Wednesday, 11 March 2026

Time: 1.00pm

Place: Council Chamber

Present: Councillors: Richard Henry (Chair), Jeannette Thomas (Vice-Chair), Myla Arceno, Rob Broom, Coleen De Freitas, Jackie Hollywell, Loraine Rossati and Simon Speller

Start / End Time: Start Time: 1.00pm
End Time: 1.45pm

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

Apologies for absence were received from Councillors Tom Plater and Nigel Williams.

There were no declarations of interest.

2 **MINUTES - CABINET 11 FEBRUARY 2026**

It was **RESOLVED** that the Minutes of the meeting of the Cabinet held on 11 February 2026 be approved as a correct record for signature by the Chair.

3 **MINUTES OF THE OVERVIEW AND SCRUTINY AND SELECT COMMITTEES**

Cabinet received a summary of the issues covered at the most recent meetings of the Select Committees including implementation of the Cycle Strategy at Environment and Economy Select and a focussed meeting on Public Health at Community Select.

In relation to the Cycle Strategy, Members of the Environment and Economy Select Committee discussed the delivery of the Strategy with the Director of Planning and Regulation and the Cabinet member for Transport and made a number of observations and recommendations.

The Community Select Committee met with the Health and Wellbeing Manager and the HCC Director of Public Health and Deputy Director of Public Health, along with the Cabinet Member for Older People. Areas of discussion included education and prevention activity, accessibility of services for those in work or with families or caring responsibilities, and improvements to the visibility of outreach provision.

Members thanked the officers involved in the arrangement of these meetings, as well as the Director and Assistant Director of Public Health for their attendance and input and acknowledged the strength of partnerships in these areas.

The Leader of the Council thanked the Chairs of the two Select Committees for their

work which highlighted the positive initiatives undertaken by the Council.

It was **RESOLVED** that the Minutes of the Environment and Economy Select and Community Select Committee meetings be noted.

4 **STEVENAGE BIODIVERSITY DUTY MONITORING**

Cabinet were presented with the Council's first Stevenage Borough Biodiversity Duty report as required by the Natural Environment and Rural Communities Act 2006 (as amended by the Environment Act 2021).

The report, required by legislation, provided Members with information on how Biodiversity Net Gain had been monitored within the Borough alongside the actions and strategies in place to enhance the environment. Members recognised that the Council had a long-standing Biodiversity Action Plan, with real commitment to improving the town through changes such as more trees, woodland and different habitats.

A number of comments were made by Members including:

- They welcomed the actions taken at neighbourhood and local level with the use of the Climate Change Community Fund (CCCF) allocated to Members;
- Members were pleased to note that a number of projects had been funded through the CCCF in response to requests from local residents;
- The ambition to achieve Biodiversity Net Gain sat alongside the work of the ambitions within the Stevenage Local Plan;
- The commitment to the Biodiversity Duty was essential to ensure the improvements to the local environment and that contributions to the future of the planet would benefit the next generation;
- The highest count to date had been recorded following the annual butterfly survey carried out by Green Space Volunteers; and
- Members were pleased to see the introduction of the new micro woods at various locations around the town.

Officers confirmed that the next phase of the Biodiversity reporting would be strengthening ecological networks and improving habitat delivery. It was noted that the report would be reported back to Cabinet in the future to review progress.

It was **RESOLVED** that the information within the Biodiversity Duty Report, set out in Appendix A be noted.

5 **CORPORATE PERFORMANCE - QUARTER 3 2025/26**

Cabinet received a report and presentation from the Chief Executive highlighting the Council's performance across key priorities and projects for Quarter Three 2025/26 and providing an update on progress against current strategic risks.

The report provided Members with an update on delivery of the Making Stevenage Even Better Programme, along with corporate performance results across the Council's business units. Members were pleased to note that Quarter 3 had been

another successful period for the Council, reporting on 54 Corporate Performance Measures and over 70 key projects.

The Chief Executive advised that a small number of areas required specific attention and active management by officers going forward and this was reflected in the report recommendations which were being closely monitored by Senior Management and the relevant Portfolio Holder.

The Chief Executive advised the meeting of the Government's intention to have a local outcomes framework for local government which had approximately 120 indicators reflecting performance of the council alongside public experience of the town and the council.

Cabinet received a presentation highlighting the following:

- All RSH compliance measures maintained 100%, with no overdue Fire Remedial Actions outstanding for the third quarter in a row;
- Works were underway on the site of the new Brent Court Independent Living Scheme including demolition of the garages which would commence following the handover of the parking;
- Work on regenerating The Oval continued with demolition works beginning in the near future and work continued at Phase Two of Burwell with a view to top out this financial year;
- Construction was progressing at the SG1 Plot A – Claxton House;
- An agreement had been executed with the owners of Westgate to improve the entrance to the centre to create a more welcoming visitor experience and improved access;
- The final sites under the play improvement programme had been completed;
- Satisfaction with the CSC customer service remained high at 92.6%; although it was recognised that there was still room for further improvement to be made.

Members made the following comments:

- Thanks were given to all staff working towards the continued performance improvements;
- Members were pleased to note the number of housing development schemes going ahead in the town;
- The opening of the indoor market had been a success with a high footfall through the market;
- Although it was recognised that there was still work to do on the void numbers, the Portfolio Holder for Housing gave reassurances that void properties were being closely monitored and although she was pleased to see that the figures were gradually improving, officers and members were working hard to achieve substantial improvement to this area;
- There had been welcome changes introduced in relation to waste collection services and the Portfolio Holder for Environment thanked the officers involved in the delivery of this service;
- Following Local Government Reorganisation, there would be new and wider

priorities in relation to performance monitoring resulting in necessary learning relating to those areas the Council was not currently responsible for.

It was **RESOLVED**:

1. That the service performance against 54 corporate performance measures and progress of key projects in Quarter Three 2025/26 through the Making Stevenage Even Better Programme (Appendix A) be noted.
2. That the proposal to replace the two Housing Complaints Satisfaction measures be agreed (section 4.3.9).
3. That the improvement actions being taken to improve void turnaround times and deliver value for money for tenants be noted (section 4.3.2).
4. That the strategic risk updates (section 4.6) be noted.

6 **QUARTER 3 BUDGET MONITORING**

Cabinet received a report providing an update on the projected General Fund (GF), Housing Revenue Account (HRA) and Capital 2025/26 net expenditure and seeking approval to amend the General Fund, HRA and Capital budgets as part of the quarterly revenue monitoring review.

The Portfolio Holder for Resources advised that the Q3 position showed a modest £68k General Fund pressure, driven largely by transitional costs at the Indoor Market, increased provisions for historic insurance liabilities, higher external audit fees, and operational pressures including repairs and vehicle hire. She also advised that the HRA was projecting a £1.234m underspend, mainly due to higher interest on balances, lower repairs and maintenance costs, and vacancy-related savings, with some offsetting pressures from damp and mould work and lower rent income linked to timing of development and Right to Buy sales.

The Strategic Director and Chief Financial Officer advised that the HRA variation related to an increase in investment income driven by capital receipts received in terms of right to buy and grant received that had not yet been spent. It was noted that borrowing had also been taken due to the good preferential interest rate at the time which the Government had confirmed would continue until the end of the next financial year.

It was **RESOLVED**:

General Fund

- 1 That the 2025/26 third quarter projected net increase in General Fund expenditure of £68,060 be approved.
- 2 That the proposed movement on reserves as detailed in paragraph 4.3.1 be noted.

- 3 That pavilion related Fees & Charges for the financial year 2026/27 for the General Fund (GF), as shown at Appendix C, be approved.

Housing Revenue Account

- 4 That the 2025/26 third quarter net decrease in HRA expenditure of £1,234,310 be approved.

Capital Programme

- 5 That the General Fund capital budget re-phasing of £3,260,842 from 2025/26 to future years be approved.
- 6 That the Housing Revenue Account capital budget re-phasing of £7,762,388 from 2025/26 to future years be approved.
- 7 That net changes to budgets of £230,000k fully funded by external contributions in paragraph 4.9.2 be noted.
- 8 That General Fund virement and update of £90,000 in paragraph 4.9.2 be approved.
- 9 That the proposed changes to the funding of the General Fund and HRA capital budgets in section 4.10 be approved.

7 REVOCATION AND VARIATION OF TAXI RANKS TO THE HIGH STREET, STEVENAGE

Cabinet received a report seeking approval to revoke the existing taxi rank located on the southbound side of the High Street, Stevenage and vary the taxi rank located on the northbound side of the High Street, Stevenage increasing the length from 35m to 54m, in accordance with Section 63 of the Local Government (Miscellaneous Provisions) Act 1976.

The Portfolio Holder advised that the proposed changes would result in the taxi rank on the southbound side being removed and the taxi rank on the northbound extending to 54 metres, providing sufficient capacity for approximately 9 vehicles, resulting in the reduction of 3 vehicles compared to the current rank provision. It was also proposed that the operating hours of the taxi rank extend by two and a half hours with the new times being from 18.30 to 04.00hrs (currently 21.00 to 04.00). It was also proposed that the remaining rank would operate on a dual-use basis, to be used for general parking during the daytime, with the provision of appropriate signage to indicate the restrictions which were in place.

It was noted that a full public consultation exercise had been undertaken over a 28-day period in accordance with relevant statutory requirements. The Police had no observations or comments and no responses had been received from the taxi trade or other stakeholders.

It was **RESOLVED**:

1. That the revocation of the existing, adopted taxi rank located on the southbound side of the High Street, Stevenage, in order to facilitate improvement works being undertaken by Hertfordshire County Council be noted.
2. That the variation of the existing, adopted taxi rank located on the northbound side of the High Street, Stevenage, increasing the length of the rank from 35 metres to 54 metres be approved.
3. That a change to the operating hours of the taxi rank which is to remain on the northbound side of High Street, Stevenage, extending the operating hours by two and a half hours, with the new times being from 18:30 to 04:00 (currently 21:00 to 04:00) be approved.
4. That the proposed dual use of the remaining taxi rank during the daytime and note the provision of signage indicating this be noted.

8 **URGENT PART 1 BUSINESS**

There was no urgent Part I Business.

9 **EXCLUSION OF PUBLIC AND PRESS**

It was **RESOLVED**:

1. That under Section 100A of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as described in Paragraphs 1 – 7 of Part 1 of Schedule 12A of the Act as amended by Local Government (Access to Information) (Variation) Order 2006.
2. That the reasons for the following reports being in Part II were accepted, and that the exemption from disclosure of the information contained therein outweighs the public interest in disclosure.

10 **PART II MINUTES - CABINET 11 FEBRUARY 2026**

It was **RESOLVED** that the Part II Minutes of the Cabinet held on 11 February 2026 be approved as a correct record and signed by the Chair.

11 **URGENT PART II BUSINESS**

There was no urgent Part II Business.

CHAIR

Public Document Pack Agenda Item 3

STEVENAGE BOROUGH COUNCIL

OVERVIEW AND SCRUTINY COMMITTEE MINUTES

Date: Tuesday, 17 March 2026

Time: 6.00pm

Place: Council Chamber

Present: Councillors: Jim Brown (Chair), Andy McGuinness (Vice-Chair), Philip Bibby, Stephen Booth, Robert Boyle, Leanne Brady, Kamal Choudhury, Peter Clark, Akin Elekolusi, Alistair Gordon and Ellie Plater

Start / End Time: Start Time: 6.00pm
End Time: 6.55pm

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

Apologies for absence were received from Councillors Sandra Barr, Lynda Guy and Ceara Roopchand.

2 **MINUTES OF THE PREVIOUS MEETING**

The Minutes of the Overview and Scrutiny Committee Meeting held on 17 February 2026 were agreed as a correct record and signed by the Chair.

3 **PART I DECISION OF THE CABINET - STEVENAGE BIODIVERSITY DUTY MONITORING**

The Director of Planning updated the Committee with the Council's first Biodiversity Duty Report. Members were informed that the report outlined how Biodiversity Net Gain (BNG) had been monitored across the town, alongside the actions and strategies in place to enhance the local environment.

It was noted that Cabinet had expressed support for initiatives such as the Climate Change Community Fund and the work of the Green Space volunteers.

Observations were made regarding the limitations of using habitats as a proxy for biodiversity. It was suggested that while habitats may exist, this did not necessarily indicate that they were healthy or supporting species. Questions were raised about gaps in biodiversity data and the need for more comprehensive monitoring. Officers acknowledged that biodiversity monitoring was a relatively new legal requirement and that the current level of data required further development.

Members also considered the financial implications of biodiversity monitoring. It was explained that, in relation to BNG, monitoring costs associated with development would typically be secured through the planning process and funded by developers.

It was noted that the priority would be to avoid any negative impacts on biodiversity

and the need for offsetting elsewhere. Questions were raised about biodiversity offsetting occurring outside of Hertfordshire. Officers advised that, where local habitat banks were unavailable, developers may need to secure biodiversity gains elsewhere, though efforts would be made to identify more local opportunities, including collaboration with neighbouring authorities.

The Committee noted the decisions of Cabinet.

4 **PART I DECISION OF THE CABINET - CORPORATE PERFORMANCE - QUARTER 3 2025/26**

The Committee considered the Corporate Performance Report for Quarter 3. It was noted that the Regulator of Social Housing compliance measures had been maintained at 100%, and progress was also highlighted on the Brent Court Independent Living Scheme, alongside the forthcoming demolition works as part of the regeneration of the Oval.

However, it was acknowledged by the Portfolio Holder for Housing that further work was required to address the void rates. The introduction of the new food waste collection service was also noted, and thanks were extended to officers for their work in delivering this.

During discussion, a question was raised regarding the impact of the relocation of the indoor market, and Members questioned whether further clarification could be provided on the effect of the move on stallholders and overall footfall. In response, officers advised that a briefing note would be provided to Members, including footfall data.

Officers further noted that while there were some vacant units, a number were in the process of being let, with additional traders expected to join in the coming months. Officers further confirmed that engagement with traders was ongoing to understand feedback and support the transition to the new market.

Questions were raised in relation to Local Government Reorganisation (LGR) and the future monitoring of performance. Officers explained that this would be decided by the new unitary authority, as it would be responsible for determining how performance was reported in the future. Members noted this and highlighted the importance of encouraging reporting that still allowed for local comparisons.

The Committee noted the decisions of Cabinet.

5 **PART I DECISION OF THE CABINET - QUARTER 3 BUDGET MONITORING**

The Committee considered the Quarter 3 Budget Monitoring report. It was reported that Cabinet had reviewed the position for the General Fund, Housing Revenue Account (HRA), and Capital Programme.

It was noted that there was a projected overspend of £68,000 for the General Fund, while the HRA was forecasting an underspend of £1.2 million, largely due to

additional grant funding and interest income from increased cash flow linked to Right to Buy receipts.

Members raised questions regarding the potential financial risks, particularly in relation to energy price volatility. In response, Officers explained that energy costs had largely been secured in advance, with prices fixed until the end of the financial year, although some risk remained for unpurchased supply. It was confirmed that this risk would continue to be monitored.

A further question was raised regarding the status of the Hydrotreated Vegetable Oil (HVO) fuel-related contract, and whether cost inflation could arise from this. Officers confirmed that the current contract had been extended and that procurement for a new contract would take place in the coming months. It was acknowledged that market conditions were challenging, particularly in relation to pricing, although supply was not currently considered a significant risk. It was noted that the price of HVO was moving in line with conventional diesel during the current crisis.

6 PART I DECISION OF THE CABINET - REVOCATION AND VARIATION OF TAXI RANKS TO THE HIGH STREET, STEVENAGE

The Committee considered the report seeking the revocation of the existing taxi rank on the High Street. This was to support works being undertaken by the County Council as part of the Active Travel Fund.

The report outlined a number of associated changes, including arrangements for alternative ranks, timings, and the use of ranks for parking.

Members were informed that parking restrictions for the retained northbound rank would mirror existing High Street arrangements, with a maximum stay of two hours and no return within three hours, operating between 7:00am and 6:30pm, after which the taxi rank would be in use.

A further question was raised regarding the temporary taxi rank outside Tesco and whether it would be regulated. Officers advised that this would be a temporary arrangement put in place during the works, and further details would be provided to the Committee.

Questions were raised regarding additional signage, and it was noted that this would be installed to clearly communicate when parking was permitted on taxi ranks.

7 OVERVIEW AND SCRUTINY WORK PROGRAMME 2025-26

The Committee considered the development of the current and future Overview and Scrutiny work programme. Members acknowledged the importance of avoiding a situation where an incoming committee would be constrained by a pre-determined programme, whilst also recognising the need to allow officers sufficient time to prepare forthcoming work.

The Committee was informed that Members had previously been invited to submit suggestions for the work programme, and initial feedback had been received.

Discussions took place regarding LGR, and members agreed that this would need to form a key component of the future work programme, although it was acknowledged that the scope and detail of scrutiny activity would depend on the outcome of national decisions. Officers advised that, at this stage, the Council was in a holding position pending further clarity, but that future scrutiny could examine readiness for transition and the development of any formal transition plans.

It was further noted that the future shadow authority would have a formal role in overseeing organisational design and implementation.

Members noted that previously considered topics, such as corporate communications, workforce and Member complaints, would not require a new scrutiny review at this stage, but would instead be monitored through existing reporting mechanisms.

It was confirmed that the action tracker would be brought back to the Committee in July to ensure that previous recommendations and actions were not lost.

The Committee agreed that cyber security should remain an area of focus for future scrutiny.

In addition, the scope of the proposed review on social value and ethical investment was broadened to include consideration of how social value is delivered through procurement processes and contract management, including the extent to which social value commitments made in tenders are realised in practice.

Members also noted that certain statutory and recurring items, including the General Fund Budget, Council Tax setting, and Housing Rents, would continue to form part of the work programme.

In terms Council Tax Support, it was suggested that, depending on the progress of local government reorganisation, it may not be appropriate to undertake a full review of the scheme for a single year if significant structural changes were imminent.

The Committee concluded that, while a number of key themes had been identified, further input from Members was required to finalise the work programme. Members were invited to submit any additional suggestions or comments by the agreed deadline of 26 March 2026, after which the programme would be reviewed and reported back.

8 **URGENT PART I DECISIONS AUTHORISED BY THE CHAIR OF THE OVERVIEW AND SCRUTINY COMMITTEE**

There was no Urgent Part I Decisions authorised by the Chair of the Overview and Scrutiny Committee.

9 **URGENT PART I BUSINESS**

There was no Urgent Part I Business.

10 **EXCLUSION OF PRESS AND PUBLIC**

It was **RESOLVED**:

1. That, under Section 100(A) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they involved the likely disclosure of exempt information as described in paragraphs 1 to 7 of Part 1 of Schedule 12A of the Act, as amended by SI 2006 No. 88.

2. That having considered the reasons for the following item being in Part II, it be determined that maintaining the exemption from disclosure of the information contained therein outweighed the public interest in disclosure.

11 **PART II MINUTES OF THE PREVIOUS MEETING**

It was **RESOLVED** that the Part II minutes of the Overview and Scrutiny Committee meeting held on 17 February 2026 be agreed as a correct record and signed by the Chair.

12 **URGENT PART II DECISIONS AUTHORISED BY THE CHAIR OF THE OVERVIEW AND SCRUTINY COMMITTEE**

There were no Urgent Part II Decisions authorised by the Chair of the Overview and Scrutiny Committee.

13 **URGENT PART II BUSINESS**

There was no Urgent Part II Business.

CHAIR

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STEVENAGE BOROUGH COUNCIL

**ENVIRONMENT & ECONOMY SELECT COMMITTEE
MINUTES**

Date: Thursday, 19 March 2026

Time: 6.00pm

Place: Council Chamber

Present: Councillors: Leanne Brady (Chair), Andy McGuinness (Vice-Chair), Robert Boyle, Jim Brown, Forhad Chowdhury, Alistair Gordon, Rob Henry, Claire Parris, Peter Wilkins and Peter Clark

Start / End Start Time: 18:00

Time: End Time: 19:45

1 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were received from Councillors Ceara Roopchand, and Jade Woods. It was noted that Councillor Peter Clark attended the meeting as a substitute for Councillor Ceara Roopchand.

2 MINUTES OF THE PREVIOUS MEETING - TUESDAY 24 FEBRUARY 2026

The Minutes of the meeting held on 24 February were agreed by the Committee.

3 CLIMATE CHANGE ADAPTATIONS PLAN

The Committee received a presentation on the draft Climate Change Adaptation Plan from officers, including the Head of Climate Action and supporting officers. The Chair invited members to raise questions throughout the presentation.

Officers stated that the report had been brought to Committee to inform its development prior to submission to Cabinet. It was emphasised that climate change was no longer a future concern but an ongoing issue affecting the UK, including Stevenage. It was noted that average global temperatures had already increased by approximately 1.3°C and were projected to continue rising.

The Committee acknowledged that climate change impacts were increasingly relevant to local government service delivery and long-term planning.

The Committee was advised that future projections indicated:

- Hotter, drier summers and milder, wetter winters
- Increased frequency and intensity of extreme weather events
- Increase in number of hot days (above 25°C)
- Slight increase in annual rainfall, but with greater seasonal variation and intensity

Members discussed the implications of seasonal rainfall changes, noting that while

overall rainfall may increase, summer water shortages and winter flooding risks would both intensify.

The Committee further noted that extreme weather events, such as storms, flooding, and heatwaves, had already occurred locally and were expected to become more frequent and severe.

Officers outlined the broader policy framework, including:

- International agreements such as the Paris Agreement
- Development of global adaptation frameworks and indicators
- UK legislative requirements under the Climate Change Act 2008
- Climate Change Risk Assessments (CCRA) on a five-year cycle
- National Adaptation Programmes (NAP), currently NAP3 (2023–2028)
- Adaptation Reporting Power (ARP) requiring organisations to assess and report risks

The Committee was informed that a local Climate Change Risk Assessment had been completed in 2024, identifying 45 climate-related risks to council operations, assets, and services.

Key points included:

- Risks were categorised by climate drivers such as flooding, drought, storms, and extreme heat
- Impacts were assessed on services including housing, green spaces, infrastructure, and public health
- Risks were evaluated using likelihood and impact scoring, aligned with existing corporate risk frameworks

Members noted that:

- Most risks were currently low to medium but would increase significantly under 2°C and 4°C warming scenarios
- Engagement with Heads of Service had been undertaken to embed climate considerations across the organisation

Natural Environment - Risks identified included:

- Damage to parks, woodlands, and green spaces
- Tree loss due to pests, disease, and climate stress
- Increased maintenance costs

Members discussed:

- Risks of tree failure and associated liabilities
- Need for climate-resilient planting strategies
- Data gaps in tree inventories and carbon baselines

A specific high-risk example was highlighted at Fairlands Valley Park, where:

- Water temperature and runoff could increase algal blooms
- Impacts could include biodiversity loss, health risks, and reduced recreational use
- Existing mitigation included water quality monitoring and treatment

Proposed actions included improved monitoring and exploration of alternative treatment methods.

Health, Community, and Built Environment - Key risks included:

- Poor air quality during heatwaves
- Increased pests and food safety risks

- Damp, mould, and structural issues in buildings
- Increased demand on council services

Members noted:

- Potential increases in maintenance and insurance costs
- Greater demand for temporary housing
- Increased workload for environmental health services

Waste and Battery Risks

The Committee discussed emerging risks associated with lithium-ion batteries, including:

- Increased fire risk in waste collection and storage
- Challenges in identifying and safely disposing of batteries
- Limited accessibility of disposal points for residents

Officers confirmed that:

- The issue was recognised as a high risk
- Communication campaigns were ongoing
- Future service changes, such as kerbside collection, were under consideration

Members raised concerns regarding accessibility and public safety, and the need for further review.

Building Fabric and Council Assets

The Committee received further detail on risks relating to the deterioration of building fabric across council-owned properties, including corporate, commercial, and residential stock.

It was noted that:

- Climate factors such as flooding, extreme heat, drought, storms, and UV exposure would accelerate structural degradation
- Increased maintenance and repair costs were anticipated
- There was potential for increased tenant complaints and service demand

Infrastructure

The Committee considered risks relating to infrastructure, including transport networks, power supply, telecommunications, water systems, and electric vehicle charging points.

It was noted that:

- Although much infrastructure was not directly owned by the Council, disruptions would significantly impact service delivery
- Increased reliance on digital systems and electrification heightened vulnerability

Business and Industry (Council Operations)

The Committee noted risks affecting council operations and staff, including:

- Increased health and safety risks, particularly for outdoor workers
- Reduced productivity due to extreme temperatures or travel disruption
- Impacts on leisure services and council-run events
- Extreme weather could lead to event cancellations, facility damage, and loss of revenue
- Energy demand and associated costs were likely to increase

The Committee was advised of wider global risks impacting the Council indirectly, including: Supply chain disruptions, global economic instability, climate-driven migration and impacts on food supply.

Officers outlined the draft five-year Climate Adaptation Plan, which aimed to:

- Strengthen council services and resilience
- Improve forecasting of future resource requirements
- Support residents and communities in adapting to climate change

The Plan included 18 proposed actions across four key themes:

Evidence, Policies, Communities and Infrastructure

It was noted that the Plan had been developed with consideration of future local government reorganisation (LGR).

The Committee discussed broader environmental impacts, including:

- Potential introduction of new pests and invasive species
- Impacts on biodiversity net gain

Members noted:

- Existing biodiversity monitoring and management activities
- Limitations in data and resources for comprehensive assessment
- Importance of national and regional coordination

The role of planning policies, including biodiversity net gain, was also noted, with a need for ongoing monitoring and local delivery.

Members further noted:

- The importance of maintaining green spaces to mitigate urban heat island effects
- Risks associated with loss of green space through development
- Need for balanced planning approaches integrating green infrastructure

Members thanked officers for the comprehensive presentation.

A Member commented that, while the presentation was thorough, it highlighted the seriousness of the challenges ahead. Officers acknowledged that the risk register also identified potential opportunities, such as increased solar energy generation due to higher levels of UV radiation.

The Committee emphasised that:

- Adaptation measures must be complemented by continued mitigation efforts to reduce emissions
- Reliance solely on adaptation would not be sufficient to address long-term climate risks
- Transitioning away from fossil fuels would also improve resilience to global economic shocks

Members referenced historical examples of energy supply disruptions and noted the importance of moving towards sustainable energy sources.

In response to questions, officers confirmed that:

- Business Continuity Plans were reviewed annually

Members also discussed collaboration at county level and were advised that:

- The Council worked with partners through the Hertfordshire Climate Change and Sustainability Partnership

- Joint planning and emergency response arrangements were in place via the Hertfordshire Local Resilience Forum
- Climate adaptation planning was increasingly being approached in a coordinated, multi-agency manner

It was further noted that future local government structures would require continued collaboration and integration of climate adaptation planning at a wider strategic level.

The Chair thanked officers for their work and presentation, noting that while the subject matter was challenging, it was essential for the Council to address. Officers welcomed further feedback from Members as the Plan progressed.

4 **CABINET PORTFOLIO HOLDER RESPONSE TO REVIEW OF RECYCLING IN FLAT BLOCKS**

The Committee considered the response to its review of recycling in flat blocks. Officers reported that the recommendation to introduce recycling champions had been supported, with an emphasis on effective recognition and improved data from combined kerbside collection vehicles.

Progress was noted on several initiatives, including the implementation of new food waste collections, the design and installation of clear pictorial signage in bin stores, and the introduction of simplified recycling systems for residents.

Additional accessibility measures, such as a braille signage option and narrated instructional videos, had also been delivered. The Committee further noted that mobile CCTV at bring bank sites would be reviewed alongside wider enforcement measures, with hotspot locations to be identified, and that proposals for locations such as Vardon Road flats would be considered as part of the wider improvement programme, including resident consultation and potential use of recycling bags.

The Committee also noted measures to address fly tipping, including the installation of locks on bin stores and the introduction of three wheeled bins where practical.

Members sought clarification regarding the differing delivery timescales for bin stickers and signage. Officers advised that the current flat block improvement programme would be rolled out over the coming months and would ensure that the council was compliant in terms of food waste recycling; and future flat block improvements over phases would see improvements to signage, stickers and bins in other locations as part of a longer term initiative. The first phase is expected to be completed by late summer.

The Committee welcomed the detailed responses and noted the update.

5 **UPDATE ON DELIVERY OF THE COMMITTEE'S WORK PROGRAMME FOR 2025-26**

The Committee considered the Work Programme for 2025–2026. Members noted the items completed during the current year, including the review of waste and recycling and ongoing work relating to the climate change emergency. It was further noted that some items had not been progressed due to time constraints.

The Chair invited Members to propose items for inclusion in the 2026-2027 Work Programme. It was suggested that the enforcement of fly-tipping should form a key area of focus, reflecting concerns raised in previous discussions. Members indicated general agreement with this proposal, and no alternative topics were put forward.

It was noted that fly-tipping be included as the primary item within the Committee's Work Programme for 2026–2027.

The Committee received a reminder from officers that the action tracker would be presented to the Committee during the Summer. This would enable Members to review progress against previous recommendations and determine whether further scrutiny or follow-up work was required. It was noted that the tracker would also be updated to remove outdated items and ensure continued relevance.

It was RESOLVED that the action tracker would be refreshed and brought back to a future meeting for review.

6 URGENT PART 1 BUSINESS

There was no Urgent Part I Business

7 EXCLUSION OF PUBLIC AND PRESS

Not required.

8 URGENT PART II BUSINESS

There was no Urgent Part II Business.

CHAIR

Public Document Pack

STEVENAGE BOROUGH COUNCIL

COMMUNITY SELECT COMMITTEE MINUTES

Date: Wednesday, 25 March 2026

Time: 6.00pm

Place: Council Chamber

Present: Councillors: Ellie Plater (Chair), Julie Ashley-Wren (Vice-Chair), Kamal Choudhury, Akin Elekolusi, Mason Humberstone, Dermot Kehoe, Sarah Mead and Peter Wilkins

Start / End Time: Start Time: 6.00pm
End Time: 7.05pm

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

Apologies were received from Councillors Lynda Guy and Carolina Veres.

2 **MINUTES OF THE PREVIOUS MEETING - WEDNESDAY 4 FEBRUARY 2026**

It was **RESOLVED** that the minutes of the Community Select Committee meeting held on 4 February 2026 be agreed as a correct record and signed by the Chair.

3 **CRIME & DISORDER COMMITTEE**

The Portfolio Holder for Stronger Communities addressed the Committee and emphasised the importance of residents' safety across the Town. The SoSafe Partnership was highlighted alongside the close working relationship the Council had with the Police, which was key to tackling crime and anti-social behaviour (ASB).

Members were advised that the priorities for 2025–2028 included strengthening community engagement, encouraging reporting of ASB and working collaboratively with residents and partners. Supporting objectives included raising awareness of risks linked to drugs and crime, supporting victims of domestic abuse, addressing cuckooing, preventing involvement in ASB, and tackling issues such as county lines and online fraud.

Data on service demand through the Council was also presented, highlighting significant numbers of referrals across community safety, domestic abuse, homelessness, and ASB services.

Members were presented with a review of the ASB service, which identified key challenges around compliance, triage, and case management. Actions to improve the service included introducing a neighbourhood management policy, strengthening early intervention, improving data systems and enhancing partnership working.

The Police provided an update on operational activity, highlighting strong partnership

working with the Council. Over the past year, a number of targeted operations had been undertaken to address organised crime, retail crime, and ASB. Additional patrols in hotspot areas had contributed to the reductions in ASB and the recovery of weapons.

It was confirmed that these operations were delivered collaboratively with partners, with information sharing enabling both enforcement and preventative interventions. Members asked questions regarding e-scooter enforcement and partnership involvement, and it was clarified that while e-scooters were legal to purchase, their misuse on public roads remained an issue being addressed locally and nationally.

The Committee also received an update on suicide prevention work, including partnership efforts to identify high-risk locations, deliver staff training and work with transport providers to explore infrastructure improvements.

Discussions took place regarding public perceptions of safety. It was acknowledged that some residents felt unsafe due to changes in the town and increased anonymity. Officers recognised these concerns and advised that further work would be undertaken to improve communication about ongoing initiatives, and to promote positive activity in order to help reassure residents.

The Committee was informed of a range of community safety initiatives, including domestic abuse awareness campaigns, the development of a Safer Routes project to improve safety in the town centre, and the opening of a Community Hub providing support for homeless individuals. Officers advised members that they were welcome to organise with Officers to attend the Community Hub.

Additional projects included an educational film addressing county lines exploitation, which had been widely shared and positively received and discussions took place regarding the details of the film.

Members asked how progress from previous years was measured, noting that similar priorities appeared annually and requested clearer updates on outcomes. Officers noted that work was guided by crime data and evolving local needs, with ongoing multi-agency meetings forming the basis of project development. It was acknowledged that while some issues, such as domestic abuse, may not show reductions in data, increased reporting could indicate improved confidence in services. It was suggested that future reports include clearer comparisons against previous objectives and progress updates.

Discussion also highlighted concerns around the rise in scams and fraud, with Members emphasising the need for greater public awareness and education campaigns. It was noted that scams affected a wide range of age groups and that simple preventative messaging could be beneficial to residents.

Members sought clarification on specific initiatives, including the Safer Routes project, where officers confirmed that routes had been carefully assessed with partners to prioritise visibility, safety, and natural footfall, with planned signage and design measures to guide safer movement through the town.

Discussions took place regarding the community initiatives, including the summer holiday programme for young people. It was noted that this was a free scheme delivered in partnership with local organisations, providing activities in parks and community venues.

A question was raised regarding attendance at these events, as well as the football club's portable pitch, and whether any further information was available on its potential use across the town. Officers confirmed that a response would be provided to the Committee.

The Chair thanked Officers and the Police for their presentation and responses.

It was **RESOLVED** that:

- Members requested clearer updates on outcomes from previous years and that future reports would include clearer comparisons against previous objectives and progress updates.
- Officers would provide attendance statistics for community initiatives which happened throughout the summer holiday programme for young people.
- Officers would provide further information on the football clubs portable pitch and its use across the town.

4 **CABINET MEMBER RESPONSE TO THE RECOMMENDATIONS OF THE EQUALITIES DIVERSITY & INCLUSION REVIEW**

The Committee considered the Cabinet Member's response to the Equality, Diversity and Inclusion (EDI) Review. It was highlighted that additional time had been allowed to ensure a comprehensive response, and Members welcomed the opportunity to observe the Council's equalities group in operation.

Clarification was sought regarding engagement with the LGBTQ+ community, and it was agreed that a further response would be provided following additional officer input. It was noted that some engagement had taken place through community events including Stevenage Day, although further detail was requested.

Concerns were also raised regarding the lack of clear timescales for certain actions, such as the bench audit. Members suggested that defined timelines should be provided to ensure progress could be monitored effectively. Officers agreed to take this feedback forward and seek further clarification.

It was **RESOLVED** that:

- Officers would provide information regarding engagement with the LGBTQ+ community.
- Members suggested that defined timelines should be provided for the proposed bench audit to ensure effective monitoring.

5 **UPDATE ON THE DELIVERY OF THE COMMITTEE'S WORK PROGRAMME FOR 2025-26 AND POTENTIAL ITEMS FOR 2026-27**

The Committee received an update on the progress of the agreed work programme. It was noted that a number of items, including statutory reports on crime and disorder, had been delivered during the municipal year. A request was made for future reports to include clearer year on year progress against previously agreed actions.

Members welcomed the inclusion of the public health items but suggested that future contributions from partners could be more locally targeted, including the provision of ward-level data where possible.

The Committee was invited to propose additional items for inclusion in the future work programme. Members requested further information on damp and mould, particularly in relation to the impact of recent legislative changes, current processes, and the number of outstanding cases.

In addition, a review of community cohesion was proposed, as well as a particular emphasis on issues affecting young people.

It was noted that any outstanding items not addressed within the current municipal year would remain on the work programme. Members were advised that there would be a further opportunity to review and update the programme following the Annual Council meeting.

It was **RESOLVED** that:

- Members suggested that for future public health programme items, contributions from partners could be locally targeted, and include ward-level data where possible.

6 **URGENT PART 1 BUSINESS**

There was no Urgent Part I Business.

7 **EXCLUSION OF PUBLIC AND PRESS**

It was **RESOLVED**:

1. That, under Section 100(A) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they involved the likely disclosure of exempt information as described in paragraphs 1 to 7 of Part 1 of Schedule 12A of the Act, as amended by SI 2006 No. 88.

2. That having considered the reasons for the following item being in Part II, it be determined that maintaining the exemption from disclosure of the information contained therein outweighed the public interest in disclosure.

8 **URGENT PART II BUSINESS**

There was no Urgent Part II Business.

CHAIR

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Meeting Cabinet
Portfolio Area Environment, Transport and Planning
Date 10th June 2026



BUSINESS & PLANNING ACT 2020 – NEW PAVEMENT LICENSING POLICY

Authors Julie Dwan | 2493
Lead Officers Rory Cosgrove | 2888 & Alex Robinson | 2288
Contact Officer Julie Dwan | 2493

NON-KEY DECISION

1 PURPOSE

- 1.1 To consider the Council's draft pavement licensing policy which sets out the Council's approach in the granting, monitoring and enforcement of Pavement Licences within the Borough of Stevenage (excluding the Town Centre), in accordance with the Business and Planning Act 2020.
- 1.2 It ensures a consistent, fair and transparent approach in managing the use of public highways for commercial purposes while safeguarding public safety, accessibility and amenity. It also provides guidance to applicants, existing licence holders and authorised Officers of the Council, detailing how compliance will be regulated and what measures will be taken in cases of non-compliance or breaches of licence conditions.
- 1.3 To note that the draft Pavement Licence Policy was considered by the Council's General Purposes Committee at their meeting on 14th April 2026.

2 RECOMMENDATIONS

- 2.1 That Cabinet notes the recommendations of the Councils General Purposes Committee to adopt the Policy at their meeting on 14th April 2026.

- 2.2 That Cabinet agrees the proposed Stevenage Borough Council Pavement Licensing Policy 2026 (attached at **appendix A**)
- 2.3 That Cabinet recommend the Policy to Council for adoption.
- 2.4 That Cabinet recommends to the Council that minor inconsequential amendments to the Policy, following its adoption be delegated to the Director of Planning and Regulation, in consultation with the relevant Cabinet Member/Portfolio Holder.

3 BACKGROUND

- 3.1 This policy sets out how Stevenage Borough Council will administer, monitor and enforce pavement licences (outside the Town Centre) under the Business and Planning Act 2020, ensuring outdoor trading supports local businesses while protecting public safety, accessibility and amenity.
- 3.2 The Pavement Licence regime introduced under the Business and Planning Act 2020 does not apply to businesses operating within Stevenage Town Centre. This is because businesses seeking to place tables, chairs or other furniture on areas outside of their premises in the Town Centre are subject to separate arrangements managed by Stevenage Borough Council. These existing arrangements provide an alternative mechanism for regulating and managing the use of the external areas within the Town Centre.
- 3.2 The Council recognises the important contribution that local cafés, restaurants, pubs and other hospitality businesses make to Stevenage's economy and the vitality of its neighbourhood centres. Supporting safe, well-managed outdoor dining can help businesses attract customers, extend capacity in a flexible way and respond to changing consumer preferences, while creating a more vibrant street scene that encourages people to spend time in the borough. This policy therefore seeks to enable 'café culture' where appropriate, balancing business growth with the need to keep public spaces safe, accessible and welcoming for everyone.
- 3.3 The policy has been written following the Levelling Up and Regeneration Act 2023 which made permanent the provisions set out in the Business and Planning Act 2020 which was originally enacted to help businesses, particularly in the hospitality sector, operate safely during the COVID-19 pandemic.
- 3.4 This policy sets out how Stevenage Borough Council will comply with the requirements of the Business and Planning Act 2020, in the provision of pavement licences for the following activities:
 - Use of furniture by the licence holder to sell or serve food or drink supplied from, or in connection with, the relevant use of the premises.
 - Use of the furniture by other persons for the purpose of consuming food or drink supplied from, or in connection with, the relevant use of the premises.

- 3.5 The policy applies to hospitality and other food-and-drink businesses seeking to place removable furniture (for example tables, chairs, barriers, umbrellas and heaters) on eligible parts of the public highway immediately adjacent to their premises, and sets clear standards to keep routes safe, accessible and unobstructed. Applications are assessed on their individual merits against the policy's objectives, including public safety, the prevention of nuisance and crime and disorder, sustainability and the suitability of proposed furniture, with particular emphasis on maintaining a clear pedestrian route (normally at least 2 metres, with limited discretion for constrained locations) and protecting disabled access.
- 3.6 The policy also explains how the Council will operate the statutory application process, including required plans, photographs and evidence of at least £5 million public liability insurance, along with public notice, consultation and decision-making timescales. Licences are generally granted for up to two years, subject to standard conditions (and, where necessary, additional case-specific conditions), with published fees for new and renewal applications and limited circumstances for refunds. It sets out the Council's proportionate approach to monitoring and enforcement, including how complaints will be investigated and the actions available where furniture is placed without a licence or licence conditions are breached, up to and including removal of items and revocation of the licence.
- 3.7 Hertfordshire County Council (HCC) has been consulted, and their endorsement of the policy is a strong indication that applicants are likely to get permission from them to use HCC land if their applications aligns with this policy.
- 3.8 Where possible, businesses will be encouraged to engage with the Council and Hertfordshire County Council (HCC) at an early stage so that they can better understand the likelihood of an application being successful before formally submitting an application and incurring any associated costs.
- 3.9 There will be a phased approach to implementation. Businesses operating prior to the implementation of this policy are being encouraged to become compliant in advance to reduce any impact upon businesses when needing to renew their licence

4 REASONS FOR RECOMMENDED COURSE OF ACTION AND OTHER OPTIONS

- 4.1 The Council recognises the importance of pavement licensing to businesses and value their contribution towards the local economy. 'Café Culture' is a growing trend, with an increasing demand for eating and drinking outdoors. Many pubs, restaurants and cafes want to provide facilities to meet this demand by using the pavement area outside of their premises.
- 4.2 The Pavement Licensing Policy will be used to create an alfresco dining environment which:

- Ensures fair trading between all licence holders in the Borough of Stevenage.
 - Protects the amenity of the residents by ensuring that licence holders do not cause nuisance, damage, disturbance or annoyance.
 - Ensures the safety of the people using the dining areas and the pavements.
- 4.3 Provides applicants and licence holders with advice and guidance on the Council's approach to the administration and enforcement in relation to pavement licences. The introduction of this policy is not expected to have any significant impact on businesses when compared to the current position. The Policy primarily provides greater transparency and consistency in the way applications are considered and managed. It does not introduce substantive changes to the existing legislative framework or place additional operational requirements on businesses beyond those already applicable under the pavement licensing regime. The Policy is therefore intended to provide a clear framework for applicants and decision making rather than create new burdens on businesses
- 4.4 Before determining its policy, the Licensing Authority has consulted informally by email with the following persons for comment:
- Hertfordshire County Council Highways
 - The Local Planning Authority
 - Hertfordshire Constabulary
 - Environmental Health
 - Stevenage Borough Council Engineering Services
 - Stevenage Borough Council Town Centre Management Team
 - Stevenage Borough Council Estates Team.
 - Stevenage Borough Council Street Scene and Amenities
 - All existing holders of a Stevenage Borough Council Pavement Licence.
- 4.5 The consultation was open for comment between 30th May and 13th June 2025. A copy of the consultation email is provided within the background documents attached to this report.
- 4.6 Consultation responses on the draft policy focused on improving clarity and operational detail, including the need to better distinguish between pavement licensing and outside seating arrangements, and to confirm that landowner permission is still required where a licence is not. Respondents also called for clearer definitions, particularly of "furniture," and for explicit confirmation that fixed structures fall outside the scope of the policy.
- 4.7 Stronger wording was recommended to emphasise licence holders' responsibilities, including the removal of items outside permitted hours and the maintenance of clean and tidy trading areas. Additional clarification was

also sought on the policy's application to privately owned retail areas, along with queries regarding fee arrangements, including the potential for partial refunds where businesses cease trading or cannot use licensed areas due to external works. Copies of the responses are attached in background documents

- 4.8 All consultation responses and comments have been carefully reviewed. All recommendations have been addressed and incorporated into version 2 of the policy attached at Appendix A, all amendments made are outlined in Section 12 (Version History) of the policy document.
- 4.9 A further informal consultation was undertaken on version 2 of the policy with all existing holders of a Stevenage Borough Council Pavement Licences. This consultation took place between 28 January and 25 February 2026.
- 4.10 No further comments were received.
- 4.11 The Council's General Purposes Committee considered the Policy at its meeting on 14th April 2026.
- 4.12 The Committee agreed to recommend the proposed Stevenage Borough Council Pavement Licensing Policy 2026 (attached at Appendix A) to Cabinet. No additional points or suggestions were made.

5 IMPLICATIONS

Financial Implications

- 5.1 Expenditure associated with the pavement licensing policy is likely to include:
- Administration and processing of applications
 - Consultation and engagement activities
 - Enforcement and compliance monitoring
 - Initial policy development
- 5.2 There is also potential for reduced income if refunds or fee adjustments are applied.
- 5.3 There will be financial implications for businesses applying for a pavement licence through the introduction of an application fee for each new licence application or renewal. The charges are intended to contribute towards the administrative costs outlined in 5.1. Whilst this will introduce an additional cost for applicants, the fee is intended to ensure that the service operates on a cost-recovery basis and that the financial burden of administering the regime is not solely met by the Council.

- 5.4 Businesses may also benefit from the commercial opportunities provided through the use of outdoor space, including increased seating capacity and enhanced customer experience.

Legal Implications

- 5.5 The pavement licensing policy must comply with the statutory and regulatory requirements governed by the Business and Planning Act 2020 as amended, which sets out the framework for issuing, renewing and enforcing pavement licences. The legal framework ensures licences are issued fairly, safely and transparently, balancing business interests with public safety and amenity.
- 5.6 Inadequate implementation of the Act would result in lack of clarity and direction for businesses and residents. Licences must also align with existing planning regulations, highway regulations and local bylaws.

Equalities and Diversity Implications

- 5.7 Equalities Impact Assessment was carried out in May 2025. The policy promotes the importance of safety and accessibility of the public highway, particularly for those with disabilities and those who are visually impaired
- 5.8 A copy of the Equalities Impact Assessment can be found at **Appendix 4** of the policy document.

Community Safety Implications

- 5.9 The introduction of a pavement licensing policy can have several positive impacts on community safety. Licences ensure that outdoor trading areas are properly managed, keeping pavements clear and accessible for pedestrians, including those with disabilities or pushchairs. The policy also allows the Council to revoke or modify licences if safety standards are not met, ensuring ongoing compliance.

BACKGROUND DOCUMENTS

- BD1 [Business and Planning Act 2020](#)
- BD2 [Pavement licences: guidance - GOV.UK](#)
- BD3 Informal Consultation Emails
- BD4 SBC pavement licence fees calculation sheet.
- BD5 Informal Consultation Responses



Appendix B -
Informal Consultation

APPENDICES

- A Pavement Licensing Policy (Final -15.04.2026)

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Pavement Licensing Policy

Stevenage Borough Council

2026

| | |
|--|--|
| Date created | April 2025 |
| Approved by | Full Council |
| Owner | Rory Cosgrove (Head of Environmental Health & Licensing) |
| Version | Version 2 |
| Author | Julie Dwan (Licensing Manager) |
| Business Unit and Team | Planning & Regulation (Environmental Health & Licensing) |
| Policy Review Date | April 2027 |
| Equality Impact Assessment Date | May 2025 |

For translations, braille or large print versions of this document please email equalities@stevenage.gov.uk.

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1. Purpose

- 1.1 This policy sets out the approach of Stevenage Borough Council to the granting of pavement licences in accordance with the Business and Planning Act 2020. The purpose of this policy is to set out the standards, expectations and application procedures associated with the granting, monitoring and enforcement of Pavement Licences within the Borough of Stevenage (excluding the Town Centre). It ensures a consistent, fair and transparent approach in managing the use of public highways for commercial purposes while safeguarding public safety, accessibility and amenity. It also provides guidance to applicants, existing licence holders and authorised Officers of the Council, detailing how compliance will be regulated and what measures will be taken in cases of non-compliance or breaches of licence conditions. Applicants and members of the public are advised to contact the Licensing Authority in the event of an enquiry for appropriate advice.
- 1.2 This policy is introduced following the Levelling Up and Regeneration Act 2023 which made permanent the provisions set out in the business and Planning Act 2020. This policy will be reviewed every 2 years or earlier if there are changes in legislation or guidance.

2. Scope

- 2.1 Stevenage Borough Council, as the Licensing Authority recognises the importance of pavement licensing to businesses and value their contribution towards the local economy. 'Café Culture' is a growing trend, with an increasing demand for eating and drinking outdoors. Many pubs, restaurants and cafes want to provide facilities to meet this demand by using the pavement area outside of their premises.
- 2.2 The Pavement Licensing Policy (hereafter referred to as 'The Policy') will be used to create an alfresco dining environment which:
- Ensures fair trading between all licence holders in the Borough of Stevenage;
 - Protects the amenity of the residents by ensuring that licence holders do not cause nuisance, damage, disturbance or annoyance;
 - Ensures the safety of the people using the dining areas and the pavements;
 - Provides applicants and licence holders with advice and guidance on the Council's approach to the administration and enforcement in relation to pavement licences.

2.3 In determining an application for a pavement licence, the principle adopted by the Licensing Authority, will be that each application will be determined on its own merits. All applications will be considered, under the terms of this policy, and regard will be given to the list of objectives outlined below:

2.3.1 **Public Safety**

The proposed licensed area of the street should not present a significant risk to the public in terms of an obstruction or safety on the highway. All applicants should consider the following which will help the Licensing Authority assess the suitability of the proposed site:

- Interference with the line of sight for road users
- Access to pedestrian crossings,
- Space for those with disabilities to pass by unhindered, and
- Proximity to roads or cycle paths

2.3.2 **Prevention of Crime and Disorder**

All applicants/licence holders are expected to operate in such a way as to promote the Prevention of Crime and Disorder, particularly those applicants/licence holders who intend to trade during later hours.

2.3.3 **Prevention of Public Nuisance**

All applicants/licence holders should consider measures to mitigate the risk of nuisance from noise, refuse, vermin, fumes and smells. Licence holders have an obligation to ensure that the licensed area does not impede those using the highway, particularly those with prams, wheelchairs or persons with disabilities.

2.3.4 **Sustainability**

All applicants/licence holders should consider steps which they intend to follow to reduce the environmental impact of the activity. i.e. the use of reusable/ recyclable products and energy efficient processes.

2.3.5 **Suitability of Street Furniture**

All applicants/licence holders must ensure that street furniture is able to be removed from the licensed pavement area at the end of the period for which it is licensed. Furniture should be strong, safe and well maintained.

3. Legal Framework

3.1 This policy sets out how Stevenage Borough Council will comply with the requirements of the Business and Planning Act 2020, in the provision of a pavement licences for the following activities:

- Use of furniture by the licence holder to sell or serve food or drink supplied from, or in connection with, the relevant use of the premises;
- Use of the furniture by other persons for the purpose of consuming food or drink supplied from, or in connection with, the relevant use of the premises.

3.2 The Levelling Up and Regeneration Act 2023 came into effect on 31st March 2024 and made permanent the provisions set out in the Business and Planning Act (BPA) 2020 with a number of changes. The Levelling Up and Regeneration Act introduced a standard cap on fees for both new and renewals of licences as well as increased consultation and determination periods, the lengthening of the maximum duration of licences and provides Local Authorities with new powers to remove unlicensed furniture.

3.3 The Highways Act 1980 is no longer used to provide pavement licences for the activities specified in 3.1 and 3.2.

3.4 The Licensing Authority will exercise its functions with respect to pavement licensing in accordance with the provisions of the Business and Planning Act 2020, as amended. These functions will be carried out under the delegated authority granted by Stevenage Borough Council

3.5 All decisions made under this policy will be taken by Officers designated through the Council's approved scheme of delegations.

3.6 The Licensing Authority will only grant a pavement licence in respect of highways listed in section 115A (1) of the Highways Act 1980, these are generally footways restricted to pedestrians or are roads and places where vehicle access is restricted or prohibited. Highways maintained by Network Rail are exempt and a licence cannot be granted.

- 3.7 The granting of a pavement licence does not grant the right to permanently close a road. This would require a pedestrian planning order to be made under section 249 (2) or 249 (2A) of the Town and Country Planning Act 1990, to extinguish the right to use vehicles on the highway.
- 3.8 The granting of a pavement licence only permits the placing of furniture on the highway and does not negate the need for businesses to obtain approvals under other regulatory frameworks, such as the need for a licence to sell alcohol (Licensing Act 2003) and the need to comply with the registration requirements for food businesses.
- 3.9 The Local Authority has regard for the Public Sector Equality Duty, under the Equality Act 2010 in the implementation of this policy which includes the need to have due regard to eliminate discrimination, harassment, victimisation, and any other conduct that is prohibited by or under the Act. Any businesses which apply for a pavement licence will also need to have regard to their own duties under the Equality Act 2010, such as their duty under section 29 of the Act not to discriminate in providing their service and the duty to make reasonable adjustments.

3.10 **Changes to this Policy**

Minor inconsequential amendments to this policy may be made by the Assistant Director of Planning and Regulation, in consultation with the Cabinet Member/Portfolio Holder for the relevant service area. These amendments are limited to updates that reflect changes in legislation or other insignificant adjustments that do not materially alter the original intent or impact of the policy. These amendments will help keep the policy up to date, while ensuring that its core objectives and effectiveness remain unchanged.

4. **Equalities**

- 4.1 Under the Equality Act (2010), the Council has a legal duty to fulfil the requirements of the Public Sector Equality Duty (PSED). Through this duty and in the application of this policy, the Council will carry out its functions in a way that:
- a. Removes discrimination, harassment, victimisation and any other conduct that is unlawful under the Equality Act (2010)
 - b. Promotes equal opportunities between people who have a protected characteristic(s) and those who don't
 - c. Encourages good relations between people who have a protected characteristic(s) and those who don't

Further information on the Council's fulfilment of the Equality Act (2010) is set out in the Equality, Diversity and Inclusion (EDI) Policy (2022) and Reasonable Adjustment Policy (2024).

5. Data Protection

5.1 The Council regards respect for the privacy of individuals and the lawful and careful treatment of personal information as very important to delivery of services.

5.2 The Council will ensure that it treats personal information lawfully and proportionately as set out in the General Data Protection Regulation (GDPR) and Data Protection Act (2018). For further information on the Councils approach to handling information please see [Data Protection Act \(stevenage.gov.uk\)](https://www.stevenage.gov.uk)

6. Policy

6.1 A pavement licence is a licence which is granted by the Licensing Authority. It permits the licence holder to place removeable furniture on designated highways adjacent to the premises in relation to which the application was made. Typically, these licences support hospitality businesses such as cafes, restaurants and pubs, enabling them to utilise outdoor areas for customer seating and service.

6.1.1 To be suitable for a pavement licence, the area must be a public highway as defined by section 115 of the Highways Act 1980:

- A highway in relation to which a pedestrian planning order is in force;
- A restricted byway;
- A bridleway;
- A footpath (including a walkway as defined in section 35 (2) of the highways Act 1980);
- A footway
- A subway constructed under section 69 of the Highways Act 1980;
- A footbridge constructed under section 70 of the Highways Act 1980;
- A highway where the use of vehicular traffic is prohibited by a traffic order but the use by other traffic is not prohibited, restricted or regulated by such an order.

6.1.2 Seating areas that are located on privately owned land, land to the rear of buildings, or within the defined boundary of Stevenage Town Centre do not require a licence under this Policy. However, if you do not own the land, you will need to obtain permission from the landowner.

- 6.1.3 Those persons wishing to apply for outdoor seating within the area defined as Stevenage Town Centre, must contact the Town Centre Management team in the first instance at tcm@stevenage.gov.uk

6.2 Eligibility

- 6.2.1 A business which uses (or proposes to use) premises for the sale of food or drink for consumption (on or off the premises) can apply for a licence. Businesses that are eligible include: public houses, cafes, bars, restaurants, snack bars, coffee shops, and ice cream parlours including where such uses form an ancillary aspect of another use, for example supermarkets, or entertainment venues which sell food and drink.
- 6.2.2 A licence permits the business to use furniture placed on the highway to sell or serve food or drink and/or allow it to be used by people for consumption of food or drink supplied from, or in connection with the use of the premises.
- 6.2.3 Businesses that do not use their premises for the sale of food or drink, for example hair or beauty salons, are ineligible, though they can apply for permission to place furniture on the pavement through Hertfordshire County Council under the Highways Act 1980.

6.3 A Suitable Location

- 6.3.1 Before applying for a new or renewal of a pavement licence, applicants must ensure that the proposed licensed area is in a suitable location, and must meet all of the following criteria:

6.3.2

- A minimum width of 2 meters of clear, unobstructed access to the footpath must be maintained for the movement of pedestrians. This means there must be at least 2 meters of space between the edge of the licensable area and either the Highway, or any fixed objects such as trees, benches, bollards, or lampposts. This is to ensure, safe and unimpeded pedestrian movement at all times. In certain constrained locations, a reduced clear width of no less than 1.5 metres may be considered at the discretion of the licensing authority, provided it can be demonstrated that pedestrian access and public safety will not be compromised. In such cases where the licensable area extends across the entire width of a footpath, abutting the highway, the above space criteria is still required, but can be achieved by the pedestrian access sub-dividing the licensable area.

- Must not present a significant risk to the public in terms of an obstruction or safety on the highway such as interference with the line of sight for road users, access to pedestrian crossings, and space for those with disabilities to pass by unhindered.
- Must be suitably lit (particularly after dark) to promote the safe access and egress of customers and to be visible to other users of the public highway.
- Does not impede the passage of emergency vehicles.
- Does not impede the use of underground apparatus such as water valves, stopcocks, Fire Hydrants, and meter chambers.
- Will not cause a disturbance, damage, interference, annoyance, inconvenience (e.g. noise nuisance, litter, odour etc) to residents or other businesses.

6.3.3 Licence holders must ensure that members of the public using the licensed areas, or walking past the licensed area, are adequately protected from encountering hot surfaces (such as cookware or appliances).

6.3.4 Licence holders must ensure that any wires or cabling to the licensed area does not pose a tripping hazard to members of the public.

6.4 Furniture permitted by a pavement licence

6.4.1 Furniture is required to be removeable and related to the serving, sale and consumption of food or drink.

Furniture which may be placed on the pavement includes:

- Counters or stalls selling or serving food or drink
- Tables, counters or shelves on which food or drink can be placed
- Chairs, benches or other forms of seating; and
- Umbrellas, barriers, heaters and other articles used in connection with the outdoor consumption of food or drink

All furniture must be easily moveable and remain non-fixed at all times.

6.4.2 The licence holder must ensure that all furniture is removed from the highway and, securely stored away outside of the licensed operating hours and each night

Umbrellas

- 6.4.3 Applicants wishing to include umbrellas as part of the furniture in their pavement licence application must clearly state the number of umbrellas to be used. In addition, the application must provide full details of the method by which each umbrella will be safely secured to prevent movement or detachment in adverse weather conditions, particularly high winds. This is to ensure public safety and to avoid any hazard to pedestrians or other users of the highway. Failure to maintain umbrellas safely may result in them being removed from the licence.
- 6.4.4 **Permanent fixed structures and furniture which is not removable and used in connection with the outdoor selling or consumption of food or drink are not permitted by a pavement licence.**
- 6.4.5 Advertising boards are not included under the definition of furniture within the pavement licensing regime. Consent for Advertising boards will be required under the Highways Act 1980 and will also require express advertising consent under the Town and Country Planning Regulations 2007.
- 6.4.6 **Applicants wishing to place Advertising boards or non-removeable furniture onto the highway must apply for permission from Hertfordshire County Council, under the Highways Act 1980.**
- 6.5 Licensed Premises – Licensing Act 2003**
- 6.5.1 If an applicant/licence holder intends to carry out a licensable activity, i.e. the sale of alcohol, within the pavement license area, they should contact licensing@stevenage.gov.uk to find out if they need to vary their current premises licence to include the pavement licence area.
- 6.5.2 If using a pavement licence in conjunction with a premises licence under the Licensing Act 2003, licence holders should be aware of their obligations to promote the four licensing objectives;
- The prevention of crime and disorder
 - The prevention of public nuisance
 - The promotion of public safety, and
 - The protection of children from harm

6.6 Public Spaces Protection Order (PSPO)

- 6.6.1 A Public Spaces Protection Order (PSPO) can be used by the Council or the Police to deal with problems with alcohol related anti-social behaviour in public places. Failure to comply with an order is a criminal offence punishable by way of a fine or fixed penalty notice.
- 6.6.2 A PSPO will not apply to an area operating under a premises licence issued under the Licensing Act 2003, or if the area of highway is covered by a pavement licence.

6.7 Planning Permission

- 6.7.1 Once a pavement licence is granted, or deemed to be granted, applicants will also benefit from deemed planning permission to use the land for activities pursuant to the licence, for the duration of that licence.
- 6.7.2 Applicants are strongly encouraged to consult with the Stevenage Planning Authority prior to applying for a pavement licence. This is to determine whether any existing planning restrictions are in place for the premises, such as conditions relating to operating hours, permitted activities or land use that may impact the eligibility for a pavement licence. Failure to consider such restrictions may result in the refusal of the application.

6.8 Smoke Free

- 6.6.1 All tables and chairs provided under a pavement licence must be smoke free. Licence holders who place seating on the highway, for the purpose of the consumption of food and drink, must take reasonable steps to ensure smoking does not take place in the licensed area.

6.9 Public Liability Insurance

- 6.9.1 All applicants/licence holders must hold a valid public liability insurance policy with a minimum cover of £5 million.

6.9.2 It is the sole responsibility of the licence holder to ensure that the Public Liability Insurance remains valid and in force for the entire duration of the pavement licence.

6.9.3 Licence holders must provide copies of the current insurance certificate upon request of an officer of the Licensing Authority.

6.9.4 Any lapse or gap in the Public Liability Insurance coverage may result in enforcement action, including the immediate revocation of the pavement licence.

6.10 Accessibility

6.10.1 The Local Authority recognises that street and café furniture, such as tables, chairs planters, hanging baskets and barriers can contribute positively to the vibrancy and appeal of public spaces, however if these items are overused, poorly positioned or inadequately managed, they can become significant obstacles, particularly for disabled people and others with limited mobility.

6.10.2 A clear, unobstructed footway must be maintained at all times, with particular consideration given to wheelchair users and those with visual impairments.

6.10.3 Furniture must not block tactile paving, dropped kerbs or crossings.

6.10.4 Temporary or seasonal installations must be regularly monitored to ensure continued compliance.

6.10.5 Applicants must ensure the safety and accessibility of the public highway, particularly for those who are visually impaired. The use of tap barriers (also known as tapping rails or detectable barriers) is recommended to meet this requirement.

6.10.6 Businesses and individuals are responsible for maintaining their installations and responding promptly to any concerns raised.

6.10.7 The Council will work collaboratively with stakeholders to support outdoor activity and business growth while safeguarding public access and inclusivity.

6.11 Sustainability

6.11.1 Stevenage Borough Council are committed to battling climate change by setting a target for Stevenage to be net-zero emissions by 2030. Tackling climate change and improving sustainability must be a key foundation for all activities by the Council, local businesses, and residents. The Council encourages licence holders to recycle where possible and reduce the use of single use plastics and polystyrene which includes the following:

- Plastic and polystyrene cups
- Plastic cutlery and coffee stirrers

- Plastic plates
- Plastic drinks bottles
- Plastic bags
- Plastic straws
- Plastic and polystyrene takeaway packaging

6.11.2 For further information regarding Climate Change and Sustainability please click on the following link [Climate Change and Sustainability](#). If you have any questions, please direct them via email to the Climate Change team at climatechange@stevenage.gov.uk.

6.11.3 The licence holder must ensure that outdoor heaters used in the pavement area are infrared and are controlled by the customer, by timer or motion sensors. Gas heaters are not permitted.

6.12 Enforcement

6.12.1 The Legislative and Regulatory Reform Act 2006, Part 2, requires Stevenage Borough Council to have regard to the principles of good regulation when exercising its regulatory functions.

6.12.2 The Licensing Authority is committed to monitoring pavement licences issued under the provisions of the Business and Planning Act 2020. It will ensure that licence holders comply with the terms and conditions of their licence, as well as relevant statutory requirements.

6.12.3 Enforcement action will be undertaken where necessary to protect public safety, maintain accessibility, and uphold the amenity of public spaces.

6.12.4 The Licensing Authority will exercise its enforcement powers fairly, consistently and proportionately, taking into account the individual circumstances of each case.

6.12.5 The Licensing Authority aims to resolve issues through engagement and advice where appropriate but will not hesitate to take formal action where conditions are breached or if it is in the public interest to do so.

Dealing with complaints

6.12.6 All complaints received by the Council in relation to pavement licensing will be fully investigated and in carrying out investigations, the Council will consider the nature of the complaint, the evidence available and the relevant provisions of this policy.

6.12.7 Each case will be assessed on its own merits to determine the most appropriate course of action. The Council will take proportionate steps to resolve any issues

identified, which may include providing advice, issuing a warning, or taking formal enforcement action where necessary.

- 6.12.8 The Council is committed to ensuring transparency, fairness and consistency in how complaints are handled and resolved.

Placing furniture on the highway without a licence

- 6.12.9 Any individual or business that places tables, chairs or any other items of furniture, as defined in section 6.4 of this policy, on the public highway without appropriate authorisation is considered to be in breach of the Business and Planning Act 2020.
- 6.12.10 Where such a breach occurs, the Council will serve a notice to the licence holder under Section 7A of the Business and Planning Act 2020. This notice will require the removal of the unauthorised furniture by a specified date.
- 6.12.11 Upon receipt of the notice, the licence holder must remove the furniture in accordance with the terms of the notice and must refrain from placing any such furniture on the highway unless duly authorised by a valid pavement licence.
- 6.12.12 Failure to comply with the notice may result in further enforcement action, including the removal of the furniture by the Council and the recovery of costs associated with the removal and storage of the furniture.
- 6.12.13 Furniture which has been removed as a result of enforcement action will not be returned to the licence holder until associated costs have been paid.
- 6.12.14 If, within a period of three months, beginning on the day the notice is served, the individual does not pay the associated costs and recover the furniture, the Council may dispose of the furniture by sale or by any other means it considers appropriate.
- 6.12.15 The Council reserves the right to retain the proceeds of any sale and apply them for any purpose it deems appropriate, including but not limited to covering enforcement and administrative costs.

Breaching pavement licence conditions

- 6.12.16 Should a pavement licence holder breach any of the conditions set out in their licence, the Licensing Authority may take enforcement action in accordance with the Business and Planning Act 2020. In response to a breach, the Licensing Authority may:
- Revoke the licence, where the breach is serious, repeated or where the licence holder fails to comply with remedial action; or

- Serve a notice on the licence holder requiring them to take specific steps to remedy the breach. The notice will detail the actions required and the time within which those actions must be completed.

6.12.17 Failure to comply with a notice may result in further enforcement action, including the removal of any unauthorised furniture from the highway.

Revocation of a Pavement Licence

6.12.18 The Licensing Authority reserves the right to revoke a pavement licence in accordance with relevant legislation. A licence may be revoked where the Licensing Authority considers that:

a) Some or all of the part of the relevant highway to which the licence relates has become unsuitable for any purpose in relation to which the licence was granted.

b) The granting of a licence has resulted in:

- i. A risk to public health or safety;
- ii. Anti-social behaviour or public nuisance; or
- iii. Obstruction of the highway i.e. the arrangement of street furniture prevents disabled people, older people or wheelchair users to pass along the highway unimpeded.

c) The licence holder has provided information in their application which was materially false or misleading.

d) The licence-holder has failed to comply with the requirement to display the notice of application as prescribed by the relevant regulations.

6.12.19 Where the Council makes the decision to revoke a pavement licence, the licence holder will be informed of the Council's decision and the reason for that decision within 5 working days.

Enforcement by other agencies

6.12.20 In addition to any action taken by the Licensing Authority, licence-holders are reminded that they are required to comply with all relevant legislation and regulatory requirements enforced by other statutory bodies.

6.12.21 Where a licence holder fails to comply with legislation outside the scope of the Licensing Authority's remit, other enforcement agencies may take appropriate action. This may include, but is not limited to:

- **Trading Standards:** for breaches relating to fair trading, counterfeit goods, pricing, or unsafe products.

- **Highway Authority:** for unlawful obstruction, damage, or unauthorised use of the public highway.
- **Environmental Health:** for public health and safety concerns, including noise nuisance or food hygiene breaches.
- **Police and Community Safety Teams:** for anti-social behaviour, disorder, or breaches of public order.
- **Planning Authority:** for issues relating to unauthorised development or change of use.

6.12.22 Licence holders are expected to ensure full compliance with all relevant legal and regulatory frameworks. Failure to do so may result in enforcement action by the appropriate authority, which may also inform the Licensing Authority's decision on the continued suitability of the licence holder.

6.13 Making an application

6.13.1 A New Pavement Licence

6.13.2 New applicants are advised to read this Pavement Licence Policy before submitting an application to ensure they meet the criteria for the granting of a pavement licence.

6.13.3 Applicants must complete the application form attached at **Appendix 1** and must submit a complete application which includes the following:

- a) A completed application form, which is signed and dated
- b) A plan which must be in line with this policy (see section 6.23)
- c) Colour photographs of the proposed street furniture to be used (including barriers, planters or similar)
- d) A certificate of Public Liability Insurance, which covers the pavement licence activity. The insurance policy must provide cover for third-party and public liability risks arising from the use of the licensed area. The minimum amount of insurance cover shall be £5,000,000.

6.14 Consultation

6.14.1 Once a complete application for a pavement licence has been validated and deemed complete, and before a consent is granted, the Council will consult with the following:

- a) Hertfordshire County Council Highways
- b) The Local Planning Authority
- c) Hertfordshire Constabulary
- d) Environmental Health
- e) Stevenage Borough Council Engineering Services

6.14.2 During the consultation period the Licensing Authority and/or consultees may visit the premises to inspect the proposed licence area.

6.15 Public Notice

6.15.1 In accordance with statutory requirements and to ensure transparency in the decision-making process, applicants are required to notify the public of their pavement licence application.

6.15.2 Applicants must complete the public notice template provided at **Appendix 2** and display it prominently on or near the premises to which the application relates. The notice must:

- Be placed in a clearly visible and accessible location, such as a window or external wall facing the street.
- Be displayed for a continuous period of 14 days, starting from the date the applicant receives written confirmation from the Council that the application has been deemed complete.
- Remain legible and intact throughout the full 14-day consultation period.

6.16. Determination of an application for pavement licence

6.16.1 The Council is committed to ensuring a timely determination of pavement licence applications. Following the completion of the 14-day public consultation period the Council have a further 14-day decision period where it must decide whether to:

- Grant the application as it was applied for.
- Grant the application with conditions or amendments to the proposed area (reduce the size of the area or the number of tables and/or chairs)
- Refuse the application.

6.16.2 If the applicant has not received formal notification of the Council's decision by the end of the 14-day decision period, the licence will be automatically deemed granted, subject to the terms, conditions and layout specified in the original application.

6.16.3 This 'deemed grant' will be valid as if the licence had been formally issued by the Council, and the applicant may operate in accordance with its terms.

6.17 Pavement Licence conditions

6.17.1 All pavement licences granted by the Council will include standard conditions as set out in **Appendix 3** of this policy document. These conditions apply uniformly to all licences and are designed to uphold the Council's responsibilities with respect to public health, safety and the protection of the local amenity.

6.17.2 In addition to the standard conditions, the Council may impose further specific conditions on a case-by-case basis. These may be considered necessary and proportionate for the promotion of one or more of the licensing objective:

- Prevention of Crime and Disorder
- The Prevention of Public Nuisance and
- The promotion of Public Safety

6.17.3 Licence holders are required to comply with all conditions attached to their licence. Failure to do so may result in enforcement action, including modification, suspension or revocation of the licence.

6.18 Variation of conditions

6.18.1 The Council may, at any time with the permission of the licence holder, vary the conditions of a pavement licence. This will happen if some or all of the relevant highway, to which the licence relates, has become unsuitable for any purpose in relation to which the licence was granted or deemed to be granted.

6.19. The Licence

6.19.1 Details on the licence will include:

- a) A unique licence number
- b) The name of the licence holder
- c) The number of tables, chairs, umbrellas etc. permitted by the licence
- d) The days and times permitted by the licence
- e) The plan
- f) The conditions of licence

6.19.2. All licences will remain in force for a period of **2 years**, unless there is good reason for granting a licence for a shorter period i.e. there are plans in place for future changes in the use of the proposed space, or the licence is surrendered or revoked.

6.20 Renewal of a pavement licence

- 6.20.1 All renewal applications for a pavement licence will be reviewed in accordance with the provision of this policy. This requirement applies to all licences including those granted prior to the adoption of this policy.
- 6.20.2. Applicants wishing to renew a pavement licence must complete the application form attached at Appendix 1 and must submit a complete application which includes the following:
- a) A completed application form, which is signed and dated
 - b) A plan which must be in line with this policy (see section 6.23)
 - c) Colour photographs of the proposed street furniture to be used (including barriers, planters or similar)
 - d) A certificate of Public Liability Insurance, which covers the pavement licence activity. The insurance policy must provide cover for third- party and public liability risks arising from the use of the licensed area. The minimum amount of insurance cover shall be £5,000,000.
- 6.20.3. Applications to renew a pavement licence must be submitted two (2) full calendar months before the expiry date of an existing licence. If a valid renewal application is received prior to the licence's expiration, the licence holder will be permitted to continue operating under the existing terms until the application is determined.
- 6.20.4 If a renewal application is not submitted before the expiry date, the licence will lapse, and the licence holder must cease all related operations. In such cases, all tables, chairs and any other associated furniture must be removed from the licensed area until a new licence is granted.

Consultation

- 6.20.5 Applications for the renewal of a pavement licence are subject to the same consultation process as a new application, as explained in section 6.13 of this policy.

Public notice

- 6.20.6. Applications for the renewal of a pavement licence must include the completion and display of a public notice following the same process as a new application, as explained section 6.14.

Determination of an application to renew a pavement licence

6.20.6 Applications for the renewal of a pavement licence will be determined using the same decision-making process as a new application, as explained in section 6.16.

6.21. Applications previously granted under the Highways Act 1980

6.21.1 All pavement licences previously granted under the Highways Act 1980 for activities licensable under the pavement licensing legislation in the Business and Planning Act 2020 must be granted under the Business and Planning Act 2020 (as amended by section 229 and schedule 22 of the levelling Up and Regeneration Act) and should not be granted under the Highways Act 1980.

6.22 Existing Pavement Licences

6.22.1 Existing pavement licences granted after 31 March 2024 and prior to the adoption of this policy, will remain valid until the expiration date on the licence issued by the Licensing Authority. Once this has expired, businesses will be required to submit an application for a new licence and all applications will be assessed in accordance with the criteria set out in this policy and the legislative framework.

6.23 The Plan

6.23.1 All applications for a new or renewal of a pavement licence must be accompanied by an A4 plan clearly showing:

- The location of the premises to which the application relates.
- The precise area of the public highway that is proposed to be used for the placing of furniture. This must be clearly outlined in red to ensure it is easily identifiable.
- Access points, building lines and boundaries.
- The measurements of the area of the public highway that is proposed to be used for the placing of furniture, including measurements from the edge of the proposed seating area to obstacles or roads.
- The precise location/layout of the tables, chairs and any other furniture (including barriers) as defined in section 6.4 of this policy.

6.24. Appealing a decision

6.24.1 There is no statutory right of appeal against decisions made under the Business and Planning Act 2020 in relation to pavement licensing. As such decisions made under this Act and this policy are final.

6.24.2 Persons aggrieved by any decision made under this policy should follow the Council’s formal complaints procedure, details of which can be found using this link [Compliments and Complaints](#).

6.25 Licence fees

6.25.1 The fees payable for the grant or renewal of a pavement licence are:

| | Grant | Renewal |
|-------------------------------------|--------------|----------------|
| Pavement Licence under the BPA 2020 | £500 | £350 |

6.26 Refunding of fees

6.26.1 Fees and charges for pavement licences are set on a cost recovery basis, in accordance with the provisions of the Business and Planning Act 2020 and do not exceed the maximum amount set by government. As such, the Licensing Authority is limited in the circumstances under which it can offer refunds. Refunds **will only** be considered in the following situations:

- Where an application has been withdrawn before the application is determined and before any substantive processing has taken place.
- Where a duplicate payment has been made in error.

6.26.2 Refunds **will not** normally be issued in the following cases:

- Where an application has been processed and has been subsequently refused.
- Where a licence is granted for a shorter period than requested. (see section 6.19.2 of this policy).
- Where a licence is surrendered or revoked before the expiry date.

- Where the applicant no longer wishes to proceed after processing has commenced.

6.26.3 All requests for refunds must be made in writing to licensing@stevenage.gov.uk. Refund requests will be assessed on a case-by-case basis, taking into account the circumstances of each application. The Licensing Authority reserves the right to determine eligibility for a refund, and its decision will be final. Any approved refund will be subject to the deduction of administration fees.

7 Consultation

7.1 The Licensing Authority has consulted informally with the following persons for comment in relation to this policy which includes persons listed in section 6.14 of this policy, these include:

- a) Hertfordshire County Council Highways
- b) The Local Planning Authority
- c) Hertfordshire Constabulary
- d) Environmental Health
- e) Stevenage Borough Council Engineering Services
- f) Stevenage borough Council Town Centre Management Team
- g) Stevenage Borough Council Estates team
- h) Stevenage Borough Council Street Scene and Amenities
- i) All existing holders of a Stevenage Borough Council Pavement Licence

8 Monitoring and Review

8.1 This policy will be reviewed by the relevant Business Unit's Head of Service or Service Manager every 2 years (see page 1 for details of Business Unit) or earlier if there is a change in legislation. Where more than 10% of the policy content is

changed the Assistant Director and appropriate Portfolio Holder will be required to decide if the policy needs to be formally reconsidered by the Executive or appropriate decision-making body.

8.2 Where there is a request for the content of the policy to be reviewed in response to a complaint, the relevant Business Unit’s Assistant Director will be notified. If the Assistant Director agrees that a review of policy is required, this will be discussed with the appropriate Portfolio Holder. The Head of Service or Service Manager will be responsible for implementing a subsequent policy review.

9 References and Resources

- [Pavement licences: guidance - GOV.UK](#)
- [Business and Planning Act 2020](#)
- [Licensing Act 2003](#)
- [Highways Act 1980](#)
- [Climate Change and Sustainability](#)
- [Stevenage Climate Action Plan](#)
- [Climate Change Strategy - September 2020](#)
- [Equality Act 2010](#)
- [Home | Stevenage Town Centre](#)
- [Health Act 2006](#)

10 Abbreviations and Definitions

| | |
|---------|------------------------------------|
| EDI | Equality, Diversity and Inclusion |
| GDPR | General Data Protection Regulation |
| PSED | Public Sector Equality Duty |
| SBC | Stevenage Borough Council |
| BPA2020 | Business and Planning Act 2020 |

Licensed area the area where tables, chairs and other authorised removeable furniture can be placed.

Furniture For the purpose of this policy, furniture refers to moveable items placed on the highway for the purpose of a pavement licence, this may include, tables and chairs, barriers (used for demarcating licensed area), umbrellas or parasols, planters, heaters, waste bins associated with the licensed use) other items intended to be used by customers, such as benches or serving stands.

District the area covered by Stevenage Borough Council.

- Pavement licence** a licence which permits a business to place removeable furniture on the highway adjacent to their premises for the purpose of selling/consuming food and drink.
- Public Highway** refers to public areas such as footpaths or pedestrianised streets, carriage ways excluding trunk roads and motorways.
- Licensing Authority** the Local Authority responsible for carrying out licensing functions under various legislative frameworks including the Business and Planning Act 2020.
- Public Nuisance** An act that affects the reasonable comfort and convenience of the public or section of the community. i.e. excessive noise, obstruction of the highway or rights of way, littering, odours, or antisocial behaviour.
- Appeals** a formal process to review the decision made by the Licensing Authority under the grounds of unfairness, or a disagreement with the outcome.

11 Appendices

Appendix 1 – Application form

Application for the Grant/Renewal of a Pavement Licence

(Section 2 of the Business and Planning Act 2020)

All Applicants are advised to read the Council's [Pavement Licence](#) policy before completing/submitting an application to ensure they meet the criteria for the granting of a pavement licence.

| APPLICATION TYPE (please tick the relevant box) | |
|--|--------------------------|
| Grant of a Pavement Licence | <input type="checkbox"/> |
| Renewal of pavement licence | <input type="checkbox"/> |

| |
|--------------------------|
| Applicant's name: |
| |

| | |
|--------------------------------|--|
| | |
| Address & Postcode: | |
| | |
| Telephone: | |
| E-mail: | |

| | |
|---------------------------------------|--|
| Agent Details (if applicable): | |
| | |
| Address & Postcode: | |
| | |
| Telephone: | |
| E-mail: | |

| | |
|--|--|
| Name & Address of the premises to which this application relates: | |
| | |
| Telephone Number: | |
| | |
| Name of contact at the premises (if this differs from the applicant) | |

Do you, the applicant occupy these premises as:

Freeholder Leaseholder Tenant Other (please specify)

| |
|--|
| |
|--|

| | |
|---|--------------------------|
| Purpose of the application (please tick one or both) | |
| To sell or serve food or drink supplied from, or in connection with relevant use of, the premises. | <input type="checkbox"/> |
| Use of the furniture by other persons for the purpose of consuming food or drink supplied from, or in connection with relevant use of, the premises | <input type="checkbox"/> |

| |
|---|
| Relevant use of the premises (please tick one or both) |
|---|

| | |
|--|--|
| Use as a public house, wine bar or other drinking establishment | |
| Use for the sale of food or drink for consumption on or off the premises | |

| |
|---|
| What is the nature of the business at these premises? (please be specific) |
| |

| | |
|--|----------------------------|
| Location (include photographs if possible): | |
| | |
| Size of area (m), Length: <input type="text"/> | Width <input type="text"/> |

| | |
|--|----------------------|
| Number of tables, chairs and other items of removeable furniture proposed for use in the licensed area: | |
| Number of Tables | <input type="text"/> |
| Number of Chairs | <input type="text"/> |
| Number of Umbrellas | <input type="text"/> |
| Number of Heaters | <input type="text"/> |
| Other (please specify) | <input type="text"/> |

| |
|--|
| Details of furniture and barriers e.g. type, colour, material, size (include photographs/images/brochures where possible) |
| |

Please indicate below the proposed days and times of operation for tables and chairs
(please use 24-hour clock):

| | Monday | Tuesday | Wednesday | Thursday | Friday | Saturday | Sunday |
|--------------|--------|---------|-----------|----------|--------|----------|--------|
| Start | | | | | | | |
| End | | | | | | | |

Checklist:

- Completed Application form.
- A valid Public Liability Insurance Certificate to the sum of at least £5 million
- A scale plan of the area (showing the location of all items to be placed in the licensed area)
- A location plan (showing both the area to be licensed and the premises relating to the application outlined in **RED**)
- A copy of your completed public notice (must be displayed on the premises for 14 days)
- Once your application has been received a member of the licensing team will contact you to make payment.

Your Signature

Date

Please return the completed application form to: licensing@stevenage.gov.uk or post to: Licensing Team, Stevenage Borough Council, Daneshill House, Danestrete, Stevenage, Hertfordshire, SG1 1HN.

Our Privacy Policy has been updated to reflect changes to data protection legislation and can be viewed at the following link <http://www.stevenage.gov.uk/privacy-policy>

Appendix 2 – Public Notice



**NOTICE for display by an applicant for a Pavement Licence.
(Section 2 Business and Planning Act 2020).**

I/We (1), give notice that on (2) I/we applied to Stevenage Borough Council for a ‘Pavement Licence’ at: (3)

known as (4)

The application is for: (5)

Proposed days and times of operation:

| | Monday | Tuesday | Wednesday | Thursday | Friday | Saturday | Sunday |
|--------------|--------|---------|-----------|----------|--------|----------|--------|
| Start | | | | | | | |
| End | | | | | | | |

Any person wishing to make representations regarding this application may do so by writing to:

Stevenage Borough Council, Daneshill House, Danestrete, Stevenage, SG1 1HN or by Email to: licensing@stevenage.gov.uk

by: (6)

The application and information submitted can be viewed at www.stevenage.gov.uk

Signed

Dated (10)

Appendix 3 – Pavement Licence Standard Conditions

These conditions apply to all licences issued under the Business and Planning Act 2020

“**Licence Holder**” – for the purposes of these conditions a licence holder is the person named on the licence or anyone managing or employed at the premises in any capacity that allows them to carry out the benefits of the licence.

1. The Licence Holder shall not cause any unnecessary obstruction of the highway or danger to persons using it. The Licence holder must have particular regard to the needs of disabled people, and the recommended distances required for access by disabled people as set out in guidance issued by the Secretary of State.
2. The Licence Holder shall not permit persons to cause a public nuisance or anti-social behaviour.
3. The Licence Holder shall not use, or permit to be used, any apparatus for the reproduction of sound, including but not limited to musical instruments, radios, televisions, or public address systems, while exercising any of the privileges granted by this licence.

4. The Licence Holder shall not make, or cause to be made, any excavation, indentation, or other alteration of any kind to the surface of the highway. Furthermore, the Licence Holder shall not place, install, or fix any equipment or apparatus of any description into or onto the surface of the highway without the prior written consent of the Highway Authority.
5. The Licence Holder shall not use the highway for any purpose other than that expressly permitted by this Licence, and only during the permitted hours specified herein. At all other times, the Licence Holder shall not make any use of the highway under the terms of this Licence, except for the lawful purpose of passing and repassing over it as a member of the public.
6. The Licence Holder shall ensure that any advertisement is placed strictly within the licensed area as indicated on the approved plan. Any such advertisement must not, under any circumstances, cause obstruction to the highway or interfere with the safe and convenient passage of pedestrians.
7. The Licence Holder shall keep the licensed area, together with the immediately adjacent area, in a clean and tidy condition at all times during the permitted hours. The Licence Holder shall also provide and maintain suitable litter bins or similar receptacles for the proper disposal of waste arising from the licensed activity.
8. The Licence Holder shall ensure the prompt removal of litter, spillages, food waste, cigarette ends, and any other debris arising from the use of the licensed area.
9. The Licence Holder shall also ensure that any accumulation of weeds, dirt, or debris around or within the licensed pavement area is regularly removed and that the area is kept clean and properly maintained at all times
10. Upon the expiry, surrender, or revocation of this Licence, the Licence Holder shall remove all furniture, equipment, litter bins, and any other articles placed on the highway under the authority of this Licence. The Licence Holder shall ensure that the highway is left in a clean, neat, and tidy condition to the satisfaction of the Council.
11. Nothing in this Licence shall be construed as granting, or purporting to grant, any tenancy or right of occupation to the Licence Holder under the Landlord and Tenant Act 1954, or any statutory modification or re-enactment thereof for the time being in force, except as may be expressly provided for under the provisions of the Business and Planning Act 2020
12. In the event of an emergency, and upon request by an authorised officer of the Local Authority, a Police Officer, Fire Officer, Paramedic, or a representative of a statutory undertaker, the Licence Holder shall immediately remove the permitted furniture from the highway to facilitate access or ensure public safety.
13. If requested to do so by the Highway Authority, where the licensed area is required for maintenance, repair, or any other operational purpose, the Licence Holder shall promptly remove all permitted obstructions from the highway as directed.

14. The Council reserves the right to remove, store, or dispose of:
 - (i) any structures or items placed on the highway by the Licence Holder that are not authorised under the terms of this Licence; and
 - (ii) any structures or items authorised by this Licence but placed on the highway by the Licence Holder outside the permitted hours or outside the designated licensed area. The Council shall not be liable to the Licence Holder for the condition, loss, or safe keeping of any such structures or items so removed.
15. The Licence Holder shall display a copy of this Licence, or a Notice of its grant as approved by the Council, in a clear and prominent position at the premises to which the Licence relates, so as to be visible to members of the public at all times during the permitted hours.
16. The Licence Holder shall observe and comply with any reasonable directions relating to the use of the highway given by or on behalf of the Council.
17. The Licence Holder shall provide suitable barriers around the permitted area, subject to prior approval by the Council. Only barriers approved in writing by the Council shall be used.
18. The Licence Holder shall comply with the “no-obstruction condition” as set out in section 5(5) of the Business and Planning Act 2020. This means that any activity carried out by the Licence Holder pursuant to this Licence, or any activity of other persons enabled by this Licence, must not cause any of the effects specified in section 3(6) of this Act. In particular, the Licence Holder must not:
 - (a) prevent traffic, other than vehicular traffic, from:
 - (i) entering the relevant highway at any point where such traffic could otherwise enter it (Disregarding any pedestrian planning order or traffic order applicable to the Highway);
 - (ii) passing along the relevant highway; or
 - (iii) having normal access to premises adjoining the relevant highway.
 - (b) prevent any use of vehicles permitted by a pedestrian planning order or not prohibited by a traffic order.
 - (c) prevent statutory undertakers from having access to any apparatus belonging to them under, in, on, or over the highway; or
 - (d) prevent operators of electronic communications code networks from having access to any electronic communications apparatus installed for the purposes of their network under, in, on, or over the highway.
19. The Licence Holder shall comply with the “smoke-free seating condition” as set out in section 5(6) of the Business and Planning Act 2020. This requires that where seating is placed on the highway for the purpose of the consumption of food or drink, the Licence Holder must make reasonable provision for seating areas where smoking is not permitted.

20. The Licence Holder must ensure that any outdoor heaters used within the licensed area are infrared heaters that can be controlled by the customer, a timer, or motion sensors. The use of gas heaters is strictly prohibited.

Appendix 4 – Equality Impact Assessment (EqIA) May 2025



Pavement Licence Policy
Equality Impact Assessment (EqIA) Form

April 2025

| | |
|---------------------|--|
| Date created | May 2025 |
| Approved by | Assistant Director – Planning & Regulation |

| | |
|-------------------------------|--|
| Owner | Head of Environmental Health & Licensing |
| Version | V1.1 |
| Author | Julie Dwan Acting Licensing Manager |
| Business Unit and Team | Environmental Health & Licensing |

Please [click this link](#) to find the EqlA guidance toolkit for support in completing the following form.

For translations, braille or large print versions of this document please email equalities@stevenage.gov.uk.

First things first:

Does this policy, project, service, or other decision need an EqlA?

| | | |
|---|--------------------------------|---------------|
| Title: | Pavement Licence Policy | |
| Please answer Yes or No to the following questions: | | |
| Does it affect staff, service users or the wider community? | | Yes/No |
| Has it been identified as being important to particular groups of people? | | Yes/No |
| Does it or could it potentially affect different groups of people differently (unequal)? | | Yes/No |
| Does it relate to an area where there are known inequalities or exclusion issues? | | Yes/No |
| Will it have an impact on how other organisations operate? | | Yes/No |
| Is there potential for it to cause controversy or affect the council's reputation as a public service provider? | | Yes/No |

| | |
|--|---------------|
| Where a positive impact is likely, will this help to: | |
| Remove discrimination and harassment? | N/A |
| Promote equal opportunities? | N/A |
| Encourage good relations? | Yes/No |

If you answered 'Yes' to one or more of the above questions you should carry out an EqlA.

Or if you answered '**No**' to all of the questions and decide that your activity doesn't need an EqlA you must explain below why it has no relevance to equality and diversity.

You should reference the information you used to support your decision below and seek approval from your Assistant Director before confirming this by sending this page to equalities@stevenage.gov.uk.

I determine that no EqIA is needed to inform the decision on the .

Name of assessor: Julie Dwan

Decision approved by:

Role: Licensing Manager

Role: Assistant Director

Date: 27 May 2025

Date:

Equality Impact Assessment Form

For a policy, project, strategy, staff or service change, or other decision that is new, changing or under review

| | | | | |
|---|------------|---|-----------------|--|
| What is being assessed? | | Revised Licensing Statement of Principles | | |
| Lead Assessor | Julie Dwan | | Assessment team | |
| Start date | May 2025 | End date | | |
| When will the EqIA be reviewed? (Typically every 2 years) | | Will be reviewed every 2 years, unless there are significant changes to the legislation which would require the Council to review the Pavement Licence Policy sooner. | | |

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| | |
|--|--|
| Who may be affected by the proposed project? | All residents and businesses within Stevenage, in particular pubs, restaurants and cafes who want to place removeable furniture on designated highways adjacent to the premises, enabling them to utilise outdoor areas for customer seating and service. |
| What are the key aims of the proposed project? | To set out the standards, expectations and application procedures associated with the granting, monitoring and enforcement of Pavement Licences within the Borough of Stevenage (excluding the Town Centre). It ensures a consistent, fair and transparent approach in managing the use of public highways for commercial purposes while safeguarding public safety, accessibility and amenity. It also provides guidance to applicants, existing licence holders and authorised Officers of the Council, detailing how compliance will be regulated and what measures will be taken in cases of non-compliance or |

| | |
|--|--|
| | breaches of licence conditions. The Policy does not prevent anyone from making an application, and each application will be considered on its individual merits. |
|--|--|

| What positive measures are in place (if any) to help fulfil our legislative duties to: | | | | | |
|--|-----|-----------------------------|-----|--------------------------|---|
| Remove discrimination & harassment | N/A | Promote equal opportunities | N/A | Encourage good relations | Promotion of better understanding between those persons/businesses providing facilities for a removeable outdoor seating area and those potentially affected by them. |

| | |
|---|--|
| What sources of data / information are you using to inform your assessment? | The legislation, namely the Business and Planning Act 2020 which was made permanent by the Levelling Up and Regeneration Act 2023, on 31 st March 2024. Pavement Licences are only to be granted in respect of highways listed in Highways Act 1980 section 115A (1). Any businesses which apply for a pavement licence will also need to have regard to their own duties under the Equality Act 2010, such as their duty under section 29 of the Act not to discriminate in providing their service and the duty to make reasonable adjustments. |
|---|--|

| | |
|--|--|
| In assessing the potential impact on people, are there any overall comments that you would like to make? | The purpose of the Council's Pavement Licensing Policy is to provide information and guidance on the general approach that the Council will take to the granting of a pavement licence. The Policy does not prevent anyone from making an application, and each application will be considered on its individual merits. The draft policy document has gone out to Stevenage Borough Council Departments and outside agencies for comments and feedback. |
|--|--|

Evidence and Impact Assessment

Explain the potential impact and opportunities it could have for people in terms of the following characteristics, where applicable:

| Age | | | | | |
|--|------------------------|-----------------|--|----------------|--|
| Positive impact | X | Negative impact | | Unequal impact | |
| Please evidence the data and information you used to support this assessment | No differential impact | | | | |
| What opportunities are there to promote equality and inclusion? | N/A | | What do you still need to find out? Include in actions (last page) | N/A | |

| Disability e.g., physical impairment, mental ill health, learning difficulties, long-standing illness | | | | | |
|---|---|-----------------|--|----------------|--|
| Positive impact | X | Negative impact | | Unequal impact | |

| | | | |
|---|--|---|------------|
| <p>Please evidence the data and information you used to support this assessment</p> | <p>Under the Equality Act (2010), the Council has a legal duty to fulfil the requirements of the Public Sector Equality Duty (PSED). Through this duty and in the application of this policy, the Council will carry out its functions in a way that:</p> <ul style="list-style-type: none"> • Removes discrimination, harassment, victimisation and any other conduct that is unlawful under the Equality Act (2010) • Promotes equal opportunities between people who have a protected characteristic(s) and those who don't • Encourages good relations between people who have a protected characteristic(s) and those who don't. <p>Each licence application is assessed on its merits and takes into account the views of all concerned, including those departments and agencies who we consult with following the receipt of every application.</p> <p>The policy promotes the importance of accessibility. Applicants wishing to obtain a pavement licence must ensure safety and accessibility of the public highway, particularly for those with disabilities and those who are visually impaired.</p> <p>There is a licensing condition in place on pavement licences:</p> <p>'The Licence Holder shall not cause any unnecessary obstruction of the highway or danger to persons using it. The Licence holder must have particular regard to the needs of disabled people, and the recommended distances required for access by disabled people as set out in guidance issued by the Secretary of State'</p> <p>Licence holders found not to be complying with their licence and its conditions are in breach of their licence and risk enforcement action which may include the revocation of their licence by the Licensing Authority.</p> | | |
| <p>What opportunities are there to promote equality and inclusion?</p> | <p>N/A</p> | <p>What do you still need to find out? Include in actions (last page)</p> | <p>N/A</p> |

Gender Reassignment

| Positive impact | | Negative impact | | Unequal impact | |
|--|-------------------------|-----------------|--|----------------|--|
| Please evidence the data and information you used to support this assessment | No differential impact. | | | | |
| What opportunities are there to promote equality and inclusion? | N/A | | What do you still need to find out? Include in actions (last page) | N/A | |

| Marriage or Civil Partnership | | | | | |
|--|-------------------------|-----------------|--|----------------|--|
| Positive impact | | Negative impact | | Unequal impact | |
| Please evidence the data and information you used to support this assessment | No differential impact. | | | | |
| What opportunities are there to promote equality and inclusion? | N/A | | What do you still need to find out? Include in actions (last page) | N/A | |

| Pregnancy & Maternity | | | | | |
|--|-------------------------|-----------------|--|----------------|--|
| Positive impact | | Negative impact | | Unequal impact | |
| Please evidence the data and information | No differential impact. | | | | |

| | | | |
|---|-----|--|-----|
| you used to support this assessment | | | |
| What opportunities are there to promote equality and inclusion? | N/A | What do you still need to find out? Include in actions (last page) | N/A |

| Race | | | | |
|--|-------------------------|--|-----|----------------|
| Positive impact | | Negative impact | | Unequal impact |
| Please evidence the data and information you used to support this assessment | No differential impact. | | | |
| What opportunities are there to promote equality and inclusion? | N/A | What do you still need to find out? Include in actions (last page) | N/A | |

| Religion or Belief | | | | |
|--|-------------------------|-----------------|--|----------------|
| Positive impact | | Negative impact | | Unequal impact |
| Please evidence the data and information you used to support this assessment | No differential impact. | | | |

| | | | |
|---|-----|--|-----|
| What opportunities are there to promote equality and inclusion? | N/A | What do you still need to find out? Include in actions (last page) | N/A |
|---|-----|--|-----|

| Sex | | | | |
|--|-------------------------|--|-----|----------------|
| Positive impact | | Negative impact | | Unequal impact |
| Please evidence the data and information you used to support this assessment | No differential impact. | | | |
| What opportunities are there to promote equality and inclusion? | N/A | What do you still need to find out? Include in actions (last page) | N/A | |

| Sexual Orientation e.g., straight, lesbian / gay, bisexual | | | | |
|--|-------------------------|--|-----|----------------|
| Positive impact | | Negative impact | | Unequal impact |
| Please evidence the data and information you used to support this assessment | No differential impact. | | | |
| What opportunities are there to promote equality and inclusion? | N/A | What do you still need to find out? Include in actions (last page) | N/A | |

| Socio-economic¹ e.g., low income, unemployed, homelessness, caring responsibilities, access to internet, public transport users, social value in procurement | | | | | |
|--|-------------------------|-----------------|--|----------------|--|
| Positive impact | | Negative impact | | Unequal impact | |
| Please evidence the data and information you used to support this assessment | No differential impact. | | | | |
| What opportunities are there to promote equality and inclusion? | N/A | | What do you still need to find out? Include in actions (last page) | N/A | |

| Additional Considerations Please outline any other potential impact on people in any other contexts | | | | | |
|---|-----|-----------------|--|----------------|--|
| Positive impact | | Negative impact | | Unequal impact | |
| Please evidence the data and information you used to support this assessment | N/A | | | | |

¹Although non-statutory, the council has chosen to implement the Socio-Economic Duty and so decision-makers should use their discretion to consider the impact on people with a socio-economic disadvantage.

| | | | |
|---|--|--|--|
| What opportunities are there to promote equality and inclusion? | | What do you still need to find out? Include in actions (last page) | |
|---|--|--|--|

Consultation Findings

Document any feedback gained from the following groups of people:

| | | | |
|--------|---|------------|------|
| Staff? | <p>SBC Town Centre Management Team – Wanted Paragraph 6.1.2 of the policy to be more precise to avoid any confusion around the pavement licence regime and the arrangements for outside seating in the Town Centre. She requested additional wording so that it was clear that although businesses wishing to use their outside space did not require a licence under this policy, they would still need to obtain permission from SBC as the landowner, and details of whom people would need to contact in this instance was also requested.</p> <p>-</p> <p>The SBC Engineering Services Manager – Requested that ‘Furniture’ be defined in section 10 of the policy and that it was made explicitly clear that fixed structures are beyond the scope of the pavement licence regime and that these permissions still lie with Herts County Council under s115a of the Highways Act.</p> | Residents? | None |
|--------|---|------------|------|

| | | | |
|--|--|------------------|--|
| | <p>SBC Street Scene and Amenities - Concerns were raised regarding the maintenance and cleanliness of areas in front of shops where traders are permitted to use the paving. It was noted that some café-style trading areas are not being adequately cleaned at the end of each day, with spillages and cigarette ends left behind. Additionally, weeds and debris were reported to accumulate beneath trader trailers. It was suggested that responsibility for maintaining these areas in a clean and tidy condition should rest with the respective traders</p> | | |
| <p>Voluntary & community sector?</p> | <p>None</p> | <p>Partners?</p> | <p>The Assistant Network Manager at Herts County Council - Main comment was around possibly placing a bit more emphasis on licence holders' duties for removing all associated apparatus from the highway outside of licensing hours. ("must remove" etc) Other than that, no significant concerns around the document raised</p> |

| | |
|---------------------|--|
| Other stakeholders? | |
|---------------------|--|

Overall Conclusion & Future Activity

| Explain the overall findings of the assessment and reasons for outcome (please choose one) : | | |
|--|--------------------------------|--|
| <p>1. No inequality, inclusion issues or opportunities to further improve have been identified</p> | | <p>The policy is intended to aid with local decision making in conjunction with the Business and Planning Act 2020 and associated guidance.</p> <p>The Statement supports a culture of openness where appropriate information can be accessed by all parties. Any enforcement will be in line with the principles promoted within the Regulators' Code. Partnership working and exchange of information (within legal constraints) is also supported with a view to promoting better understanding between those providing licensable activities and those potentially affected by them.</p> <p>The policy promotes the importance of accessibility. Applicants wishing to obtain a pavement licence must ensure safety and accessibility of the public highway, particularly for those with disabilities and those who are visually impaired</p> <p>The Council will seek to mediate between applicants and objectors and reach negotiated settlements wherever possible.</p> |
| <p>Negative / unequal impact, barriers to inclusion or improvement opportunities identified</p> | <p>2a. Adjustments made</p> | |
| | <p>2b. Continue as planned</p> | |
| | <p>2c. Stop and remove</p> | |

| Detail the actions that are needed as a result of this assessment and how they will help to remove discrimination & harassment, promote equal opportunities and / or encourage good relations : | | | | |
|--|---|---------------------|----------|---|
| Action | Will this help to remove, promote and / or encourage? | Responsible officer | Deadline | How will this be embedded as business as usual? |
| N/A | | | | |
| | | | | |

Approved by Assistant Director / Strategic Director:

Date:

Please send this EqIA to equalities@stevenage.gov.uk for critical friend feedback and for final submittance with the associated project.

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12 Version History

| Date | Outlined Amendments | Author |
|------------|---|------------|
| April 2025 | First Draft - Version 1 | Julie Dwan |
| June 2025 | Amendments following consultation | Julie Dwan |
| | Paragraph 6.1.2, wording amended from: 'Seating areas that are located on privately owned land, land to the rear of buildings, or in the Town Centre do not require a licence under | |

| | | |
|--|--|--|
| | <p>this Policy. However, you may need permission from the landowner if you do not own the land'. To: Seating areas that are located on privately owned land, land to the rear of buildings, or within the defined boundary of Stevenage Town Centre do not require a licence under this Policy. However, if you do not own the land, you will need to obtain permission from the landowner. Paragraph 6.1.3 added which states: Those persons wishing to apply for outdoor seating within the area defined as Stevenage Town Centre, must contact the Town Centre Management team in the first instance at tcm@stevenage.gov.uk</p> | |
| | <p>Section 10 Abbreviations and Definitions – Definition of furniture added for the purpose of this policy with examples.</p> | |
| | <p>Paragraph 6.4.5 – ‘Applicants wishing to place Advertising boards or non-removeable furniture onto the highway must apply for permission from Hertfordshire County Council, under the Highways Act 1980’. Has been put in bold.</p> | |
| | <p>Paragraph 6.4.3 - ‘Permanent fixed structures and furniture which is not removable and used in connection with the outdoor selling or consumption of food or drink are not permitted by a pavement licence’. Has been put in bold.</p> | |
| | <p>Paragraph 6.4.1 – ‘Furniture must be able to be moved easily and stored away at night’. Amended to ‘All furniture must be easily moveable and remain non-fixed at all times.’ This has been put in bold.</p> | |
| | <p>Paragraph added at 6.4.2 – ‘The licence holder must ensure that all furniture is removed from</p> | |

| | | |
|------------|---|------------|
| | the highway and, securely stored away outside of the licensed operating hours and each night’. | |
| | Standard Pavement Licence Conditions – The addition of two conditions, Condition 7 – ‘The Licence Holder shall keep the licensed area, together with the immediately adjacent area, in a clean and tidy condition at all times during the permitted hours. The Licence Holder shall also provide and maintain suitable litter bins or similar receptacles for the proper disposal of waste arising from the licensed activity’ and Condition 8 – ‘The Licence Holder shall ensure the prompt removal of litter, spillages, food waste, cigarette ends, and any other debris arising from the use of the licensed area’. | |
| 26.09.2025 | Following consultation with Cllr Rob Broom (Portfolio holder) | Julie Dwan |
| | Paragraph 6.26.3 - ‘All requests for refunds must be made in writing to licensing@stevenage.gov.uk and will be considered on a case-by-case basis. The Licensing Authority’s decision on refund eligibility is final’. Amended to: ‘All requests for refunds must be made in writing to licensing@stevenage.gov.uk Refund requests will be assessed on a case-by-case basis, taking into account the circumstances of each application. The Licensing Authority reserves the right to determine eligibility for a refund, and it’s decision will be final. Any approved refund | |

| | | |
|--|--|--|
| | will be subject to the deduction of administration fees’. | |
| | Paragraph 6.26.2 – ‘Refunds will not be issued in the following cases’: Amended to: ‘Refunds will not normally be issued in the following cases’: | |

DRAFT

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Meeting Cabinet
Portfolio Area Environment, Transport and Planning
Date 10th June 2026



CIVIL PENALTIES UNDER THE RENTERS' RIGHTS ACT 2025 & OTHER HOUSING LEGISLATION – REVISED ENFORCEMENT POLICY

NON-KEY DECISION

Authors Geoff Hammond | 2906
Lead Officers Rory Cosgrove| 2888 & Alex Robinson| 2257
Contact Officer Geoff Hammond | 2906

1 PURPOSE

- 1.1 To consider the Council's revised Civil Penalty Policy which sets out the approach to determining the level of a civil penalty in all cases where regulatory breaches or offences are established under the Renters' Rights Act 2025 and other legislation relating to private rented sector housing standards.
- 1.2 To note the recommendation of the Council's General Purposes Committee to adopt the policy at their meeting on 14th April 2026.
- 1.3 The Renters' Rights Act 2025 substantially increases the scope of civil penalties, creating new regulatory breaches and offences related to private rented housing, for which the issuing of a civil penalty by local housing authorities to non-compliant landlords is an available sanction, in some cases as an alternative to prosecution. This is in addition to existing breaches and offences for which a civil penalty can already be issued, under other legislation related to the regulation of the private rented sector. The potential maximum fine levels are also significantly increased as a result of the new legislation. The Civil Penalty Policy is revised to reflect these significant regulatory changes.

2 RECOMMENDATIONS

- 2.1 That Cabinet agrees the Civil Penalty Policy, attached as **Appendix A**.
- 2.2 That Cabinet recommends the Policy to Council for adoption.

3 BACKGROUND

- 3.1 This report presents the Council's revised Civil Penalty Policy under the Renters' Rights Act 2025 and related housing legislation. The policy explains, in a clear and consistent way, how the Council will assess breaches and offences in the private rented sector and determine appropriate financial penalties, having regard to statutory guidance. By setting out a transparent methodology that targets serious non-compliance, removes financial benefit from offending and strengthens deterrence, the Council demonstrates a robust, fair and proportionate approach to protecting residents, supporting compliant landlords and raising standards across Stevenage's housing market.
- 3.2 The Housing Act 2004 (as amended by the Housing and Planning Act 2016) makes provision for local housing authorities to impose civil penalties on landlords of private rented housing, as an alternative to prosecution, where specified offences have occurred. The Renters Rights Act 2025 makes further provision for civil penalties to be issued for regulatory breaches and criminal offences set out in the Act. Civil penalties may also be issued under other housing legislation as summarised in the policy. The applicable legislation sets out the maximum fine that can be imposed under a civil penalty.
- 3.3 Local housing authorities must have regard to revised statutory enforcement guidance which came into force on 1 May 2026 to support Part 1 of the Renters' Rights Act 2025 in determining the level of a civil penalty. The guidance makes clear that authorities should have their own policy in place to set out how civil penalties will be levied in a consistent and transparent manner.
- 3.4 The Civil Penalty Policy updates the Council's "Civil penalties under the Housing and Planning Act 2016 – policy and procedure" which was introduced on 20th September 2017 and revised in 2022. The 2017 Policy is provided as a Background Paper with the key policy changes summarised in **Appendix B**.

4 REASONS FOR RECOMMENDED COURSE OF ACTION

- 4.1 The Council is required to have a policy in place setting out how it will determine civil penalty levels. The existing policy requires substantial amendments commensurate with the changes brought in by the Renters' Rights Act 2025.
- 4.2 While starting points are largely prescribed, the Council has discretion to set minimum fine levels and to determine the range of fines within the limits set by the statutory guidance. The Association of Chief Environmental Health Officers (ACEHO) has published policy recommendations which have been made

available to local authorities nationally, which set out a recommended approach to applying this discretion.

The policy aligns with the ACEHO recommendations, which aim to achieve consistency of approach between authorities. A significant number of landlords operate across local authority boundaries. Consistency of approach can avoid a scenario where one local authority has a policy which results in significantly lower fines being issued than a neighbouring authority and therefore has a less effective deterrent to discourage criminal landlords from operating in its area.

- 4.3 In terms of benchmarking, the majority of Hertfordshire district Councils are known to be adopting an approach based on or consistent with the ACEHO recommendations.
- 4.4 The starting points for fine levels and the methodology for determining the final amount of a civil penalty as set out in the policy reflects the robust approach the Council is taking to enforcement. This reflects the statutory enforcement guidance which states that *'An important part of deterrence is the realisation that the local housing authority is proactive in levying civil penalties where the need to do so exists and the civil penalty will be set at a high enough level such that operating lawfully will be the sensible financial choice'*.
- 4.5 Prior to the Renters' Rights Act 2025 the issuing of civil penalties for housing-related offences as an alternative to prosecution has been an infrequently used sanction, averaging at one per year (over the past three years). This is partly because, while all reports of unauthorised HMOs are investigated, the identification of licensable HMOs (where five or more persons occupy a property and form separate households) being operated without a licence is a relatively infrequent occurrence within the borough. In addition, civil penalties have until now been available only for a limited range of breaches/offences.
- 4.6 Given that the Renters' Rights Act 2025 substantially increases the scope of civil penalties, it is anticipated that this will be a more frequently used sanction, particularly as Phase 2 of implementation of the Act is rolled out, with the introduction of mandatory registration for landlords with a new national Private Rented Sector Database and given that this will effect around 15% of the Council's housing stock. While there is uncertainty around quantifying the impact, a significant increase in the use of civil penalties is expected over the next two to three years as the legislative changes take effect.
- 4.7 Appendix 1 of the policy lists the breaches and offences for which a civil penalty can be issued while Appendix 2 of the policy shows the maximum fine level for each offence. In summary:
- Regulatory breaches, including breach of new tenancy rules inserted into the Housing Act 1988, and breach of rules prohibiting rental bidding and rental discrimination are subject to a maximum civil penalty of £7,000
 - For the following new offences created by the Renters' Rights Act 2025, a maximum civil penalty of £40,000 can be issued:
 - Unlawful eviction and harassment under the Protection from Eviction Act 1977

- Breach of new rules relating to possession of properties inserted into the Housing Act 1988
- Repeated or continuing breaches of new tenancy rules inserted into the Housing Act 1988
- The Renters' Rights Act 2025 increases the maximum civil penalty that can be issued for the following offences under other existing legislation from £30,000 to £40,000:
 - Failure to obtain an HMO licence
 - Failure to comply with HMO licence conditions or HMO management regulations
 - Contravention of an overcrowding notice under Section 139 of the Housing Act 2004
 - Failure to comply with an Improvement Notice under Section 30 of the Housing Act 2004.
 - Breach of a banning order under Section 21 of the Housing and Planning Act 2016

4.8 Application of the methodology as set out in the policy will lead to civil penalties that will be substantially higher than previously. For example, under the 2017 policy the maximum level of fine that would be issued for offences involving low or medium culpability range from £350 to £4,500. Under the revised policy the offence with the lowest starting point is set at £3,000. The most serious offences, such as illegal eviction or breaching a banning order, have a starting point of £35,000, compared to £25,000 until the 2017 policy. This largely reflects the higher prescribed starting points under the revised statutory guidance and that statutory maximum fine levels have been increased by the Renters' Rights Act 2025.

4.9 While the Government has conducted a national campaign targeted at landlords to inform them of what they need to do to prepare for the regulatory changes, steps have also been taken at a local level to engage with landlords, informing them of the key changes that affect their rental businesses and how they can access further information and advice. These steps are set out under the separate report to Cabinet concerning the Renters' Rights Act 2025 Enforcement Policy.

4.10 Internal consultation has taken place within the Environmental Health and Licensing service which is responsible for issuing civil penalties. No policy changes were required.

4.11 A public consultation exercise was not considered necessary as the policy is a revision of an earlier version, much of what the policy covers is prescribed by statute and the policy content aligns with the statutory guidance which prescribes the starting levels for most civil penalties and the factors to consider in making adjustments above or below these starting points.

4.12 The Council's General Purposes Committee considered the Policy at its meeting on 14th April 2026. The Committee agreed to recommend the proposed Stevenage Borough Civil Penalty Policy to Cabinet. No additional points or suggestions were made.

5 IMPLICATIONS

Financial

- 5.1 Civil penalties are recoverable through debt recovery proceedings. The legislation prescribes that income from civil penalties must be used to meet the Council's costs and expenses associated with its private rented sector enforcement functions.
- 5.2 Robust enforcement of the legislation relating to private rented housing together with efficient debt recovery procedures has the potential to bring in a significant amount of income over time.
- 5.3 Financial considerations relating to enforcement capacity within the Environmental Health and Licensing Service are addressed in the separate Cabinet report (dated 10th June 2026) on the Renters' Rights Act 2025 Enforcement Policy.

Legal

- 5.4 The Council has a statutory duty under Section 107 of the Renters' Rights Act 2025 to enforce the 'landlord legislation' as defined under that Act. The use of civil penalties as an enforcement sanction and the policy setting out the approach to their use will be a fundamental element of the Council's regulatory activities in meeting its statutory enforcement duty.
- 5.5 Where a civil penalty is issued by the Council, the recipient has an initial statutory right to make written representations to the Council, which must be considered and responded to in accordance with the legislation, and a further legal right of appeal to the First-tier Tribunal (FTT) and potentially to the Upper Tier Tribunal (UTT). Rulings by the UTT have developed the case law in this area, further necessitating the revised version of the policy to ensure legal compliance.
- 5.6 Given the higher potential fine levels under the policy and that the Renters' Rights Act 2025 has substantially increased the number of regulatory breaches and offences for which a civil penalty may be issued, it is likely that the Council will be required to respond to an increased number of appeals to the FTT in future. Having a robust policy in place which is compliant with the statutory guidance and case law will reduce the likelihood of such appeals succeeding.
- 5.7 An increase in formal complaints made to the Council through its complaints policy and subsequent complaints to the Local Government Ombudsman are anticipated to be received from landlords issued with a civil penalty. While the Council's complaints procedure is available to landlords where their complaint relates to service delivery, the available remedy to landlords seeking to have a civil penalty notice withdrawn, once the Council has responded to any written representations, will be by way of appeal to the FTT.

Equalities

- 5.8 An Equalities Impact Assessment was carried out in March 2026. This concluded that adherence to the policy will ensure that civil penalties are issued in a fair, transparent and consistent manner that does not unfairly discriminate against any disadvantaged group or against those with protected characteristics.
- 5.9 The assessment further concluded that the policy allows for certain relevant factors that may affect such groups to be considered in the Council's decision making, including disability and socio-economic factors. As stated above, those affected have recourse to appeal to an independent tribunal where they consider that the Council has acted unfairly in issuing a civil penalty.
- 5.10 A copy of the Equalities Impact Assessment can be found at **Appendix C** of the policy document.

6 BACKGROUND DOCUMENTS

BD1: *Civil and Financial Penalty Policy – as an alternative to prosecution under the Housing Act 2004 and calculation of financial penalties as prescribed in associated housing legislation (2017, incorporating 2022 amendments)*

BD2: [Civil penalties under the Renters' Rights Act 2025 and other housing legislation - GOV.UK](#)

BD3: [Renters' Rights Act 2025](#)

7 APPENDICES

- A Civil Penalty Policy – Renters Rights Act 2025 & Other Housing Legislation**
- B Summary of Civil Penalty Policy Key Changes**
- C Equalities Impact Assessment**

Civil Penalty Policy

Renters' Rights Act 2025 & Other Housing Legislation

Stevenage Borough Council

2026

| | |
|--|---|
| Date created | March 2026 |
| Approved by | Council |
| Owner | Rory Cosgrove Head of Environmental Health & Licensing |
| Version | 1.0 |
| Author | Geoff Hammond Residential and Animal Control Manager |
| Business Unit and Team | Planning and Regulation Environmental Health & Licensing |
| Policy Review Date | 12 months from date of policy approval |
| Equality Impact Assessment Date | 12 months from date of policy approval |

For translations, braille or large print versions of this document please email equalities@stevenage.gov.uk.

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1 Purpose

- 1.1 The Housing Act 2004 (as amended by the Housing and Planning Act 2016) makes provision for local housing authorities (LHAs) to impose financial penalties (civil penalties) on landlords of private rented housing, as an alternative to prosecution, where specified offences have occurred.
- 1.2 The Renters Rights Act 2025, which gained Royal Assent on 27th October 2025, makes further provision for civil penalties to be issued to landlords by LHAs for new regulatory breaches and criminal offences set out in the Act. There is further provision for civil penalties to be issued to landlords by LHAs under other legislation as summarised below.
- 1.3 The applicable legislation sets out the maximum amounts that a civil penalty can require a landlord to pay, depending on the specific contravention that has occurred. LHAs are required to have their own policy in place to set out how civil penalties will be levied in a consistent and transparent manner.
- 1.4 In setting policy and determining civil penalty amounts, LHAs must have regard to the statutory guidance, *Civil penalties under the Renters' Rights Act 2025 and other housing legislation* (referred to in this policy as 'the statutory guidance'). This policy has been reviewed and updated having regard to that guidance.
- 1.5 While the statutory guidance sets out the factors which LHAs should take into account and the applicable starting points when deciding on the level of a civil penalty, it is for LHAs to determine the civil penalty amount in each case. Stevenage Borough Council ('the Council') therefore has wide discretion in determining the appropriate level of civil penalty in any particular case and seeks to set out further guidance through this policy as to how it will do so.
- 1.6 The Council introduced the "Civil penalties under the Housing and Planning Act 2016 – policy and procedure" on 20th September 2017, which incorporated principles set out in the Sentencing Guidelines for use in the Magistrates' Court published by the Sentencing Council in October 2019. The 2017 version of the policy is now revised to reflect the substantial changes affecting the range of matters for which civil penalties can now be issued, as a result of the Renters' Rights Act 2025, and the updates to the statutory guidance as a result of the Act.
- 1.7 This policy sets out the Council's methodology and mechanism for assessing and setting the level of a civil penalty at all stages where a civil penalty is under consideration, including the preparation of a notice of intent, and where a final decision has been made to impose a civil penalty.
- 1.8 The Council considers the need for transparency and consistency to be of primary importance to ensure fairness in the discharge of its functions. The general objective of this policy is, therefore, to promote both transparency and consistency in the imposition

of financial penalties so that those involved in the letting or management of accommodation (a) know how the Council will generally penalise relevant breaches and offences and (b) are assured that, generally, like cases will be penalised similarly, and different cases penalised differently.

- 1.9 This policy should be read in conjunction with the Council's Private Sector Housing Enforcement Policy (Housing Act 2004) and Renters' Rights Act 2025 Enforcement Policy.
- 1.10 Due to the nature of cases, there may be circumstances that justify departure from the policy and therefore each case will be dealt with on its own merits, having regard to the specific circumstances.
- 1.11 The term 'landlord' in this policy applies to any person who may be issued with a civil penalty for any specified breach of legislation, and as such can apply to both immediate and superior landlords and to persons acting on their behalf, including managing agents.

2 Scope

- 2.1 This policy is specific to the Planning and Regulation Business Unit. Its implementation will be overseen by the Head of Service for Environmental Health and Licensing.
- 2.2 This policy applies after 30th April 2026, when the provisions in the Renters' Right Act 2025 covered by the policy come into effect. The policy is applicable once the Council has made a decision to commence civil penalty proceedings in accordance with the Council's relevant enforcement policies.
- 2.3 The policy will impact primarily on landlords of privately rented properties in Stevenage and on the tenants of such properties. Some of the provisions of the Renters' Rights Act 2025, in particular the abolition of assured and fixed-term tenancies, also affect registered providers of social housing who have housing stock in Stevenage and the tenants of such properties. Accordingly, this policy will also affect landlords and tenants within the social housing sector.

3 Legal Framework

3.1 Schedule 9 of the Housing and Planning Act 2016 ('the 2016 Act') introduced amendments to the Housing Act 2004 ('the 2004 Act') that allow LHAs to impose financial penalties as an alternative to prosecution for the following relevant housing offences under the 2004 Act:

- Section 30 – offence of failing to comply with an improvement notice
- Section 72 – offences in relation to licensing of Houses in Multiple Occupation (HMOs)

- Section 95 – licensing of houses under Part 3
- Section 139(7) – failure to comply with overcrowding notice
- Section 234 – management regulations in respect of HMOs

3.2 Section 14 of the 2016 Act made provision for LHAs to apply to the First-tier Tribunal for a banning order against a landlord following a conviction for a specified offence (a 'banning order offence'). Section 23 of that Act provides for LHAs to issue a financial penalty where a banning order has been contravened, as an alternative to prosecution.

3.3 As stated above, the Renters' Rights Act 2025 introduced new regulatory breaches and offences for which LHAs may issue civil penalties. The Act also brought in changes to the maximum civil penalty amounts for existing housing offences under section 249A of the Housing Act 2004 and section 23 of the Housing and Planning Act 2016.

3.4 The Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020 require landlords to ensure minimum electrical safety standards are met. This includes inspection and testing of the electrical installation in a property every 5 years. Where the Council finds that a landlord is in breach of one or more specified duties under these regulations, it may issue the landlord with a financial penalty and may apply the proceeds to meet the cost and expenses in, or associated with, carrying out any of its enforcement functions in relation to the private rented sector. Financial penalties issued under these regulations will be determined by the Council in accordance with this policy.

3.5 The term 'breach' in this policy is used to refer to non-compliance by landlords where the Council may impose a civil penalty but there is no option to prosecute. The term 'offence' is used to refer to non-compliance by landlords where a local authority may either prosecute or impose a civil penalty.

3.6 The list of breaches and offences covered by this policy is provided in **Appendix 1**.

4 Equalities

4.1 Under the Equality Act (2010) the Council has a legal duty to fulfil the requirements of the Public Sector Equality Duty (PSED). Through this duty and in the application of this policy, the council will carry out its functions in a way that:

- a. Removes discrimination, harassment, victimisation and any other conduct that is unlawful under the Equality Act (2010)
- b. Promotes equal opportunities between people who have a protected characteristic(s) and those who don't
- c. Encourages good relations between people who have a protected characteristic(s) and those who don't

4.2 Further information on the Council's fulfilment of the Equality Act (2010) is set out in the Equality, Diversity and Inclusion (EDI) Policy (2022) and Reasonable Adjustment Policy (2024).

5 Data Protection

5.1 The Council regards respect for the privacy of individuals and the lawful and careful treatment of personal information as very important to delivery of services.

5.2 The Council will ensure that it treats personal information lawfully and proportionately as set out in the General Data Protection Regulation (GDPR) and Data Protection Act (2018). For further information on the Councils approach to handling information please see [Data Protection Act \(stevenage.gov.uk\)](https://www.stevenage.gov.uk/data-protection-act).

5.3 The Council will ensure that it treats personal information lawfully and proportionately as set out in the General Data Protection Regulation (GDPR) and Data Protection Act (2018). For further information on the Councils approach to handling information please see [Data Protection Act \(stevenage.gov.uk\)](https://www.stevenage.gov.uk/data-protection-act).

6 Policy

Determining the level of Civil Penalty

6.1 In accordance with the statutory guidance, the Council has considered the following factors in developing this policy to help ensure that civil penalties are set at an appropriate level in each case:

- **Severity of the breach or offence:** the more serious the breach or offence, the higher the penalty should be.
- **Culpability and track record of the offender:** a higher penalty will be appropriate where the offender has a history of failing to comply with their obligations and/or their actions were deliberate and/or they knew, or ought to have known, that they were in breach of their legal responsibilities.
- **The harm caused to the tenant:** This is a very important factor when determining the level of penalty. The greater the actual harm or the potential for harm, principally to the tenant but also potentially the local community, the higher the penalty should be.
- **Punishment of the offender:** The penalty should, in a way that is fair, both punish the offender and demonstrate the consequences of not complying with their responsibilities.
- **Detering the offender from repeating breaches or offences:** The ultimate goal is to prevent any further offending and help ensure that the offender fully complies

with all of their legal responsibilities in future. The level of the penalty should therefore be set at a level that it is likely to have a very significant deterrent effect.

- **Deter others from committing similar breaches or offences:** While the fact that someone has received a civil penalty may not be in the public domain, the civil penalty policy itself will be and local authorities should consider how their formal enforcement activity can be effectively publicised. An important part of deterrence is the realisation on the part of landlords that the local housing authority is proactive in levying civil penalties where the need to do so exists and the civil penalty will be set at a high enough level such that operating lawfully will be the sensible financial choice.
- **Remove any financial benefit the offender may have obtained as a result of committing the breach or offence:** The principle here is that it should not be in the offender's financial interest to commit a breach or offence rather than comply. The absence of any financial benefit to the landlord does not mean though that the penalty should be reduced.

6.2 In determining the level of a civil penalty, officers will:

1. **Determine the starting point:** based on the seriousness of the breach or offence
2. **Consider the 'landlord type:'** adjust for factors relating to the size and type of portfolio controlled, owned or managed and the experience of the landlord
3. **Consider mitigating and aggravating factors:** including, but not limited to, factors relating to the track record and culpability of the landlord and the actual or potential harm to the occupants.
4. **Take account of financial considerations:** i.e. any information supplied by the landlord about their financial circumstances.
5. **Apply the totality principle:** If a landlord has committed multiple breaches or offences for which separate civil penalties are being issued, consider whether the aggregate amount is just and proportionate.

6.3 In following this process, officers will apply the Civil Penalty Matrix set out in **Appendix 2** of this policy and will have regard to the guidance set out in **Appendix 3**.

6.4 When applying the civil penalties matrix, interim calculations at individual stages may result in figures that exceed the statutory maximum. Where the final amount reached following application of all relevant steps exceeds the statutory maximum, the civil penalty will be reduced to the applicable statutory maximum.

6.5 With regard to multiple breaches:

- If a landlord has committed multiple breaches or offences, a separate civil penalty can, and usually will, be imposed for each breach and offence.
- If multiple landlords have committed the same breach or offence at the same property, a separate civil penalty can, and usually will, be imposed on each offender. In all

cases, the level of civil penalty imposed on each offender will be in accordance with this policy.

- Where there are multiple breaches of a single Management Regulation at a single HMO, a single civil penalty will be imposed which will cover all the breaches of that Management Regulation.
- Where multiple Management Regulations have been breached at a single HMO, a separate civil penalty will be imposed for each Management Regulation that has been breached.
- Where multiple HMO licence conditions have been breached at a single property, a separate civil penalty will be imposed for each licence condition that has been breached.

6.6 The Council has a duty to act fairly, transparently and consistently when assessing civil penalties. To maintain fairness between all landlords, the Council will not give weight to claims advanced as factors that might reduce the amount of a civil penalty unless those claims are supported by evidence that the Council reasonably considers to be relevant, reliable, credible, and sufficient in scope and detail to enable proper assessment of the claim, having regard to the nature of the claim, the information ordinarily available to the landlord, and the need for consistent and fair decision-making. Allowing inadequately evidenced assertions to influence outcomes would risk rewarding those who provide incomplete or misleading information and would create an unfair advantage over landlords who provide a full and properly evidenced account.

6.7 Accordingly, the Council expects landlords against whom a civil penalty is being considered to provide all documents and records that would ordinarily exist if their account were accurate. Where claims are advanced without sufficient supporting evidence, the Council may request specified supporting material before determining whether to issue a final notice or whether any mitigation has been sufficiently evidenced to justify a lower civil penalty. In the absence of such information, or where the Council is not satisfied that it has been given sufficiently reliable information, it will draw the inference that the landlord is able to pay the civil penalty.

Process for imposing a civil penalty

Notice of Intent:

6.8 Before imposing a civil penalty on a landlord, the Council will give the landlord a notice of intent. The notice of intent will set out:

- The amount of the proposed civil penalty
- The reasons for proposing to impose the civil penalty
- Information about their right to make written representations

Representations:

6.9 A landlord who is given a notice of intent may make written representations to the Council about the proposal to impose a civil penalty. Any representations must be made within a

period of 28 days beginning with the day after the date on which the notice of intent was given.

6.10 After the end of the period for representations the Council will:

- Decide whether to impose a civil penalty on the landlord; and
- If it decides to impose a civil penalty, decide the amount of the penalty. This amount can be higher or lower than the amount stated in the notice of intent.

6.11 A landlord's rectification of the identified breach or offence during the representations period will rarely, of itself, lead the Council to conclude that the imposition of a civil penalty is inappropriate. However, compliance at that stage will usually be relevant to the assessment of mitigating factors that may reduce the level of any civil penalty imposed.

6.12 Similarly, an admission of liability will rarely, of itself, lead the Council to conclude that the imposition of a civil penalty is inappropriate. An admission of liability will, however, usually be relevant to the assessment of mitigating factors that may reduce the level of any civil penalty imposed.

Final Notice:

6.13 If, following the receipt of written representations and/or the expiry of the time period to make written representations, the Council decides to impose a civil penalty on the landlord, it will give the landlord a final notice imposing that penalty. The final notice will set out:

- The amount of the civil penalty
- The reasons for imposing the penalty
- Information about how to pay the penalty
- The period for payment of the penalty
- Information about rights of appeal
- The consequences of failure to comply with the notice

Discount for Prompt Payment:

6.14 Where a civil penalty imposed by a final notice is paid in full within the period specified in that notice (normally 28 days beginning with the day after the final notice is given), the Council will apply a discount of 15% to the amount of the civil penalty.

6.15 The availability of the discount is conditional upon full payment being received within the specified period. The discount period will not be extended or suspended by the bringing of an appeal. A landlord who chooses to appeal may still benefit from the discount by paying the civil penalty in full within the specified period; however, where payment is not made within that period, the discount will not apply.

Appeals:

- 6.16 A landlord who is given a final notice may appeal to the First-tier Tribunal (Property Chamber) against the decision to impose a civil penalty and/or the amount of the civil penalty. Any appeal must be made within 28 days beginning with the day after the date on which the final notice was given.
- 6.17 Where an appeal is brought, the final notice is suspended until the appeal is finally determined or withdrawn.
- 6.18 An appeal to the First-tier Tribunal is by way of a re-hearing of the Council's decision. In determining an appeal, the Tribunal may have regard to matters of which the Council was unaware at the time the decision to impose the civil penalty was made. The Tribunal may dismiss an appeal if it is satisfied that the appeal is frivolous, vexatious, an abuse of process, or has no reasonable prospect of success.
- 6.19 The First-tier Tribunal may invite the parties to consider mediation or another form of alternative dispute resolution. The Council will not generally agree to mediation in relation to the level of a civil penalty, as civil penalties are determined by reference to this policy to promote fair, consistent, and proportionate outcomes. Agreeing reductions outside the policy framework would risk undermining consistency and the Council's enforcement objectives.
- 6.20 On determination of an appeal, the Tribunal may:
- Confirm the civil penalty
 - Vary the amount of the civil penalty (whether by increase or reduction)
 - Cancel the civil penalty
- 6.21 Where the Tribunal varies a civil penalty by increasing its amount, it may do so only up to the applicable statutory maximum for the relevant breach or offence.
- 6.22 A party to the appeal may apply for permission to appeal the decision of the First-tier Tribunal to the Upper Tribunal (Lands Chamber).

7 Consultation

- 7.1 In developing this policy, it was not considered necessary to conduct a public consultation exercise. This policy is a revised form of the previous policy relating to civil penalties. Much of what the policy covers relates to matters prescribed by the legislation and statutory guidance. The statutory guidance sets out the starting levels, i.e. the fine amounts, for civil penalties (with the exception of offences relating to HMO licence conditions) depending on the specific breach or contravention that has occurred. The factors to consider in determining a civil penalty and the methodology for doing so are also established, to a large extent by the statutory guidance. LHAs have discretion to set minimum fine levels and determine the range of fines within the limits set by the statutory

guidance. For that purpose, this policy adopts the approach set out by the Association of Chief Environmental Health Officers.

7.2 Consultation has taken place within the Council, with those officers within the Environmental Health and Licensing service who are responsible for enforcing the relevant legislation.

8 Monitoring and Review

8.1 This policy will initially be reviewed by the Head of Service for Environmental Health and Licensing or Service Manager after 12 months, in anticipation of further provisions under the Act coming into effect. If necessary, this review will take place sooner. The policy will then be reviewed every 2 years by the Head of Service for Environmental Health and Licensing or Service Manager, or earlier if there is a change in legislation.

8.2 Minor changes to the policy may be made by the Head of Service for Environmental Health and Licensing or Service Manager in consultation with the relevant Business Unit's Director. Where more than 10% of the policy content is changed the Director and appropriate Portfolio Holder will decide if the policy needs to be formally reconsidered by Cabinet or the appropriate decision-making body.

8.3 Where there is a request for the content of the policy to be reviewed in response to a complaint, the relevant Business Unit's Director will be notified. If the Director agrees that a review of policy is required, this will be discussed with the appropriate Portfolio Holder. The Head of Service or Service Manager will be responsible for implementing a subsequent policy review.

9. References and Resources

- Statutory guidance: *Civil penalties under the Renters' Rights Act 2025 and other housing legislation*. 13th November 2025:
<https://www.gov.uk/government/publications>
- Guide to the Renters' Rights Act
<https://www.gov.uk/government/publications/guide-to-the-renters-rights-act/guide-to-the-renters-rights-act>

10. Abbreviations and Definitions

| | |
|------|------------------------------------|
| CPN | Civil Penalty Notice |
| EDI | Equality, Diversity and Inclusion |
| GDPR | General Data Protection Regulation |

HMO House in Multiple Occupation
 LHA Local Housing Authority
 PSED Public Sector Equality Duty

11. Version History

| Date | Outlined Amendments | Author |
|------------------------------|--|---------------|
| February 2022 Version 1.0 | N/A | Rachel Wells |
| March 2026 Version 2.0 | Revision of the method and guidance for determining the level of civil penalties in light of new legislation and revised statutory enforcement guidance. Updating of references to legislation, policy and guidance. | Geoff Hammond |
| | | |

Appendices

Appendix 1 – List of Breaches and Offences

Breaches:

The following breaches are subject to a civil penalty with a statutory maximum of **£7,000**:

1. Failure to give a written statement of terms and any other prescribed information under section 16D of the Housing Act 1988
2. Attempting to let a property for a fixed term under section 16E of the Housing Act 1988
3. Attempting to end a tenancy by service of a notice to quit under section 16E of the Housing Act 1988
4. Attempting to end a tenancy orally or requiring that it is ended orally under section 16E of the Housing Act 1988
5. Serving an eviction notice that attempts to end a tenancy outside the prescribed section 8 process under section 16E of the Housing Act 1988.
6. Relying on a ground where the landlord does not reasonably believe that the landlord is/will be able to obtain possession under section 16E of the Housing Act 1988.
7. Failing to provide a tenant with prior notice that a ground which requires it may be used under section 16E of the Housing Act 1988.
8. Failure to give an existing tenant prescribed information about changes made by the Renters' Rights Act 2025 in the prescribed form and timeframe under paragraph 7(2) of schedule 6 to the Renters' Rights Act 2025.
9. Discrimination relating to children in the lettings process under section 33 of the Renters' Rights Act 2025.
10. Discrimination relating to benefits in the lettings process under section 34 of the Renters' Rights Act 2025.
11. Failure to specify proposed rent within a written advertisement or offer under section 56 of the Renters' Rights Act 2025.
12. Inviting, encouraging or accepting any offer of rent greater than the stated rate under section 56 of the Renters' Rights Act 2025.

The following breaches are subject to a civil penalty with a statutory maximum of **£40,000**:

1. Breach of duty under Regulation 3, 3B, 3C, and 3D of The Electrical Safety Standards in the Private Rented Sector and Social Rented Sector (England) Regulations 2020.

Offences:

The following offences are subject to a civil penalty with a statutory maximum of **£40,000**:

1. Unlawful eviction and harassment of occupier – section 1 of the Protection from Eviction Act 1977.
2. Continuation of conduct subject to a relevant penalty (under s.16I or s.16K Housing Act 1988) after the 28-day period (or, if appealed, after conclusion of the appeal) where the final notice has not been withdrawn – section 16J of the Housing Act 1988
3. Conduct giving rise to liability (under s.16I), where within the preceding five years the landlord has either (i) had a relevant penalty (under s.16I or s.16K Housing Act 1988) imposed for different conduct and the final notice has not been withdrawn, or (ii) been convicted (under s.16J) for different conduct – section 16(J) of the Housing Act 1988.

4. Relying on a ground knowing the landlord would not be able to obtain possession or being reckless as to whether they would – section 16J of the Housing Act 1988.
5. Breach of restrictions relating to reletting (s16(E)(2) Housing Act 1988) or remarketing (s16(E)(3) Housing Act 1988) a property within the restricted period after using Grounds 1 or 1A of Schedule 2 Housing Act 1988 – section 16J of the Housing Act 1988.
6. Breach of a banning order – section 21 of the Housing and Planning Act 2016.
7. Failure to comply with an Improvement Notice – section 30 of the Housing Act 2004.
8. Contravention of an overcrowding notice – section 139 of the Housing Act 2004.
9. Failure to obtain a selective licence – section 95 of the Housing Act 2004.
10. Failure to obtain an HMO licence – section 72 of the Housing Act 2004.
11. Knowingly permitting over-occupation of an HMO – section 72 of the Housing Act 2004.
12. Failure to comply with management regulations in respect of HMOs – section 234 of the Housing Act 2004.
13. Failure to comply with HMO licence conditions – section 72 of the Housing Act 2004.
14. Failure to comply with selective licence conditions – section 95 of the Housing Act 2004.

Appendix 2 - Civil Penalty Matrix

SECTION A: OFFENCES AND BREACHES – EXCLUDING BREACH OF HMO LICENCE CONDITIONS

| Breach / Offence | Starting point | Statutory maximum civil penalty amount | Landlord Type downward adjustment | No Landlord Type adjustment | Landlord Type upward adjustment | Offence-specific mitigating factors | Offence-specific aggravating factors |
|--|----------------|--|-----------------------------------|-----------------------------|---------------------------------|--|---|
| Protection from Eviction Act 1977 Section 1 Unlawful eviction and harassment of occupier | £35,000 | £40,000 | £28,000 | £35,000 | £42,000 | None | <ul style="list-style-type: none"> - Violence or threats of violence. - Disposal of possessions or threats to dispose of possessions. - Breach or evasion of an injunction or undertaking. - Loss of home |
| Housing Act 1988 Section 16D Failure to give a written statement of terms and any other prescribed information | £4,000 | £7,000 | £3,200 | £4,000 | £4,800 | Provision of some of the required terms and prescribed information within the required period. | None |
| Housing Act 1988 Section 16E(1)(a) Attempting to let a property for a fixed term | £4,000 | £7,000 | £3,200 | £4,000 | £4,800 | None | None |
| Housing Act 1988 Section 16E(1)(b) Attempting to end a tenancy by service of a notice to quit | £6,000 | £7,000 | £4,800 | £6,000 | £7,200 | None | Tenant vacates property within four months of the date of service of the notice |

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| Breach / Offence | Starting point | Statutory maximum civil penalty amount | Landlord Type downward adjustment | No Landlord Type adjustment | Landlord Type upward adjustment | Offence-specific mitigating factors | Offence-specific aggravating factors |
|--|----------------|--|-----------------------------------|-----------------------------|---------------------------------|-------------------------------------|--|
| Housing Act 1988 Section 16E(1)(c) Attempting to end a tenancy orally or requiring that it is ended orally | £6,000 | £7,000 | £4,800 | £6,000 | £7,200 | None | Tenant vacates property within four months of the date of vacation or equivalent specified in the notice to quit |
| Housing Act 1988 Section 16E(1)(d) Serving a possession notice that attempts to end a tenancy outside the prescribed section 8 process | £6,000 | £7,000 | £4,800 | £6,000 | £7,200 | None | Tenant vacates property within four months of the date of vacation or equivalent specified in the notice to quit |
| Housing Act 1988 Section 16E(1)(e) Misuse of grounds for possession | £6,000 | £7,000 | £4,800 | £6,000 | £7,200 | None | None |
| Housing Act 1988 Section 16E(1)(f) Failing to provide a tenant with prior notice that a ground which requires it may be used | £3,000 | £7,000 | £2,400 | £3,000 | £3,600 | None | None |

| Breach / Offence | Starting point | Statutory maximum civil penalty amount | Landlord Type downward adjustment | No Landlord Type adjustment | Landlord Type upward adjustment | Offence-specific mitigating factors | Offence-specific aggravating factors |
|---|---|--|---------------------------------------|---------------------------------------|---------------------------------------|--|--|
| Renter's Rights Act 2025 Sch. 6, 7(2) Failure to give prescribed information | £4,000 | £7,000 | £3,200 | £4,000 | £4,800 | <ul style="list-style-type: none"> - Provision of some of the required information within the prescribed period - Provision of prescribed information but not in the prescribed form | None |
| Housing Act 1988 Section 16J(3) Continuation of conduct subject to a relevant penalty | Double the starting level for the two constituent breaches added together | £40,000 | Dependent on the constituent breaches | Dependent on the constituent breaches | Dependent on the constituent breaches | None | None |
| Housing Act 1988 Section 16(J)(4) Repeat offences (previous CPN or conviction in last five years) | Double the starting level for the two constituent breaches added together | £40,000 | Dependent on the constituent breaches | Dependent on the constituent breaches | Dependent on the constituent breaches | Dependent on the most recent conduct giving rise to liability to a civil penalty under section 16I of the Housing Act 1988 | Dependent on the most recent conduct giving rise to liability to a civil penalty under section 16I of the Housing Act 1988 |
| Housing Act 1988 Section 16J(1) Misuse of grounds for possession resulting in surrender of tenancy within four months | £30,000 | £40,000 | £24,000 | £30,000 | £36,000 | None | None |

| Breach / Offence | Starting point | Statutory maximum civil penalty amount | Landlord Type downward adjustment | No Landlord Type adjustment | Landlord Type upward adjustment | Offence-specific mitigating factors | Offence-specific aggravating factors |
|---|----------------|--|-----------------------------------|-----------------------------|---------------------------------|-------------------------------------|--------------------------------------|
| Housing Act 1988 Section 16J(2) Breach of restrictions relating to reletting or remarketing a property within the restricted period | £25,000 | £40,000 | £20,000 | £25,000 | £30,000 | None | None |
| Housing and Planning Act 2016 Section 21(1) Breach of a banning order | £35,000 | £40,000 | £28,000 | £35,000 | £42,000 | A single, isolated incident | Concealment or evasion |
| Renters' Rights Act 2025 Section 33(1) Discrimination relating to children in the lettings process | £6,000 | £7,000 | £4,800 | £6,000 | £7,200 | None | None |
| Renters' Rights Act 2025 Section 34(1) Discrimination relating to benefits in the lettings process | £6,000 | £7,000 | £4,800 | £6,000 | £7,200 | None | None |
| Renters' Rights Act 2025 Section 56(2) Failure to specify proposed rent within a written advertisement or offer | £3,000 | £7,000 | £2,400 | £3,000 | £3,600 | None | None |

| Breach / Offence | Starting point | Statutory maximum civil penalty amount | Landlord Type downward adjustment | No Landlord Type adjustment | Landlord Type upward adjustment | Offence-specific mitigating factors | Offence-specific aggravating factors |
|--|----------------|--|-----------------------------------|-----------------------------|---------------------------------|---|---|
| Renters' Rights Act 2025 Section 56(3) Inviting, encouraging or accepting any offer of rent greater than the stated rate | £4,000 | £7,000 | £3,200 | £4,000 | £4,800 | None | None |
| The Electrical Safety Standards in the Private Rented Sector and Social Rented Sector (England) Regulations 2020 Breach of duty under Regulation 3: (3)(b), (3)(d), (3)(e), or Regulation 3D: (a), (b), (c), (f) | £5,000 | £40,000 | £4,000 | £5,000 | £6,000 | The report or record evidences that the electrical installations were compliant at all points | The number or nature or severity of the issues observed on the report or record |
| The Electrical Safety Standards in the Private Rented Sector and Social Rented Sector (England) Regulations 2020 Breach of duty under Regulation 3: (1)(a), (1)(b), (1)(c), (3)(a), (3)(c), (3)(ca), (5)(b), (5)(c). or Regulation 3B: (1)(a), (1)(b), (1)(c) or Regulation 3C: (1), (2)(a) or Regulation 3D: (d), (e) | £12,500 | £40,000 | £10,000 | £12,500 | £15,000 | The report or record evidences that the electrical installations were compliant at all points | The number or nature or severity of the issues observed on the report or record |

| Breach / Offence | Starting point | Statutory maximum civil penalty amount | Landlord Type downward adjustment | No Landlord Type adjustment | Landlord Type upward adjustment | Offence-specific mitigating factors | Offence-specific aggravating factors |
|--|----------------|--|-----------------------------------|-----------------------------|---------------------------------|--|--|
| The Electrical Safety Standards in the Private Rented Sector and Social Rented Sector (England) Regulations 2020 Breach of duty under Regulation 3: (4), (5a), (6) or Regulation 3C: (2)(b), (4) | £20,000 | £40,000 | £16,000 | £20,000 | £24,000 | None | The number or nature or severity of the issues observed on the report or record |
| Housing Act 2004 Section 30(1) Failure to comply with an improvement notice | £25,000 | £40,000 | £20,000 | £25,000 | £30,000 | <ul style="list-style-type: none"> - Reduced nature / extent of hazard(s) on expiry of notice - Property vacated by expiry of notice - Access to the property was obstructed by the occupant(s) but the landlord's actions fall short of establishing a reasonable excuse | The nature and extent of hazard(s) that are present once the deadline for compliance has passed |
| Housing Act 2004 Section 139(7) Failure to comply with an overcrowding notice | £20,000 | £40,000 | £16,000 | £20,000 | £24,000 | None | The level of overcrowding present |
| Housing Act 2004 Section 72(1) Failure to obtain an HMO licence | £17,000 | £40,000 | £13,600 | £17,000 | £20,400 | None | <ul style="list-style-type: none"> - The landlord has knowledge or experience of licensing requirements - The condition of the unlicensed property |

| Breach / Offence | Starting point | Statutory maximum civil penalty amount | Landlord Type downward adjustment | No Landlord Type adjustment | Landlord Type upward adjustment | Offence-specific mitigating factors | Offence-specific aggravating factors |
|--|----------------|--|-----------------------------------|-----------------------------|---------------------------------|--|---|
| Housing Act 2004 Section 72(2) Knowingly permitting over-occupation of an HMO | 20,000 | £40,000 | £16,000 | £20,000 | £24,000 | There are suitable amenity and space provisions in the HMO | The level of over-occupation present |
| Housing Act 2004 Section 234(3) Failure to comply with HMO management regulations: Duty of manager to provide information to occupier | £3,000 | £40,000 | £2,400 | £3,000 | £3,600 | The number, nature and extent of offences within the specific regulation | <ul style="list-style-type: none"> - The number, nature and extent of offences within the specific regulation - Failure to comply more than 48 hours after the specified information has been requested by an occupant or on their behalf |
| Housing Act 2004 Section 234(3) Failure to comply with HMO management regulations: Duty of manager to take safety measures | £20,000 | £40,000 | £16,000 | £20,000 | £24,000 | The number, nature and extent of offences within the specific regulation | The number, nature and extent of offences within the specific regulation |
| Housing Act 2004 Section 234(3) Failure to comply with HMO management regulations: Duty of manager to maintain water supply and drainage | £10,000 | £40,000 | £8,000 | £10,000 | £12,000 | The number, nature and extent of offences within the specific regulation | The number, nature and extent of offences within the specific regulation |

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| Breach / Offence | Starting point | Statutory maximum civil penalty amount | Landlord Type downward adjustment | No Landlord Type adjustment | Landlord Type upward adjustment | Offence-specific mitigating factors | Offence-specific aggravating factors |
|--|----------------|--|-----------------------------------|-----------------------------|---------------------------------|--|--|
| Housing Act 2004 Section 234(3) Failure to comply with HMO management regulations: Duty of manager to supply and maintain gas and electricity | £12,000 | £40,000 | £9,600 | £12,000 | £14,400 | The number, nature and extent of offences within the specific regulation | The number, nature and extent of offences within the specific regulation |
| Housing Act 2004 Section 234(3) Failure to comply with HMO management regulations: Duty of manager to maintain common parts, fixtures, fittings and appliances | £7,000 | £40,000 | £5,600 | £7,000 | £8,400 | The number, nature and extent of offences within the specific regulation | The number, nature and extent of offences within the specific regulation |
| Housing Act 2004 Section 234(3) Failure to comply with HMO management regulations: Duty of manager to maintain living accommodation | £7,000 | £40,000 | £5,600 | £7,000 | £8,400 | The number, nature and extent of offences within the specific regulation | The number, nature and extent of offences within the specific regulation |

| Breach / Offence | Starting point | Statutory maximum civil penalty amount | Landlord Type downward adjustment | No Landlord Type adjustment | Landlord Type upward adjustment | Offence-specific mitigating factors | Offence-specific aggravating factors |
|--|----------------|--|-----------------------------------|-----------------------------|---------------------------------|--|---|
| Housing Act 2004 Section 234(3) Failure to comply with HMO management regulations: Duty to provide waste disposal facilities | £7,000 | £40,000 | £5,600 | £7,000 | £8,400 | The nature and extent of offences within the specific regulation | <ul style="list-style-type: none"> - The nature and extent of offences within the specific regulation - Lack of sufficient refuse and/or litter containers either inside and/or outside the property has been previously reported - The refuse and/or litter that requires disposal includes hazardous materials |

SECTION B: BREACH OF HMO LICENCE CONDITIONS

- All granted HMO licences impose a set of conditions on the licence holder. It is important that the licence holder of a licensed property complies with all imposed conditions, but the Council recognises that a failure to comply with certain licence conditions is likely to have a much bigger impact on the safety and comfort of residents than others.
- The starting levels for each different type of licence condition breach is set out below based on the seriousness of the offence.
- Where a licence condition could be interpreted to fall within two different potential starting levels, the higher starting level will be chosen.
- The nature and extent of any licence condition breach may be either a mitigating or aggravating factor in determining the civil penalty amount

| Matters Relating to the Breach | Starting point | Statutory maximum civil penalty amount | Landlord Type downward adjustment | No Landlord Type adjustment | Landlord Type upward adjustment |
|---|----------------|--|-----------------------------------|-----------------------------|---------------------------------|
| - Provision for signage - Provision of information for tenants - Provision of written terms of occupancy - Procedures regarding complaints - Procedures for vetting tenants Deposit protection Recording and provision of information about rent payments Procedures relating to rent collection Provision of information regarding occupancy of the property Provision of information regarding change of managers or licence holder details - Provision of information related to changes in the property - Requirements relating to sale of property - Attending training courses - Requirements to hold insurance - Provision of insurance documentation - Provision/obtaining of suitable references - Provision of keys and alarm codes - Security provisions for access to the property - Provision of suitable means for occupiers to regulate temperature - Non-compliance with items on a schedule of works other than those specified below | £4,000 | £40,000 | £3,200 | £4,000 | £4,800 |

| Matters Relating to the Breach | Starting point | Statutory maximum civil penalty amount | Landlord Type downward adjustment | No Landlord Type adjustment | Landlord Type upward adjustment |
|--|----------------|--|-----------------------------------|-----------------------------|---------------------------------|
| <ul style="list-style-type: none"> - Procedures/actions regarding management inspections - Procedures regarding repairs - Maintenance and use of common parts - Safeguarding occupiers and minimising disruption during works - The provision of information regarding alterations and construction works - Procedures regarding emergency issues - Waste and waste receptacles, pests, minor repairs, alterations or decoration - Giving written notice prior to entry - Allowing access for inspections - Minimising risk of water contamination - The compliance of furnishings or furniture with fire safety regulations - Non-compliance with a schedule of works in relation to provision of mechanical extraction or electrical sockets | £7,000 | £40,000 | £5,600 | £7,000 | £8,400 |
| <ul style="list-style-type: none"> - The provision of documentation regarding energy performance certificates, fire detection and prevention, emergency lighting, carbon monoxide detection, fire risk assessments, gas installations, electric installations and appliances - Notification of legal proceedings, contraventions and other relevant information that may affect a fit and proper person status - Procedures and actions regarding ASB - Non-compliance with a schedule of works in relation to the provision of personal hygiene facilities, kitchen facilities or heating | £12,500 | £40,000 | £10,000 | £12,500 | £15,000 |

| Matters Relating to the Breach | Starting point | Statutory maximum civil penalty amount | Landlord Type downward adjustment | No Landlord Type adjustment | Landlord Type upward adjustment |
|--|----------------|--|-----------------------------------|-----------------------------|---------------------------------|
| <ul style="list-style-type: none"> - Minimum floor areas - Occupancy rates - Occupancy of rooms or areas that are not to be used as sleeping accommodation - Limits on number of households allowed to occupy the property or part of the property | £20,000 | £40,000 | £16,000 | £20,000 | £24,000 |
| <ul style="list-style-type: none"> - The condition or existence of smoke alarms, carbon monoxide alarms, emergency lighting, gas installations, electric installations and appliances, fire detection or other fire safety features or requirements - The provision and maintenance of safe means of escape, including requirements to keep escape routes and exits free from obstruction - Non-compliance with a schedule of works in relation to fire safety or the provision of a carbon monoxide detector | £25,000 | £40,000 | £20,000 | £25,000 | £30,000 |

Appendix 3 – Factors in Determining the Level of Civil Penalty

1. Starting point based of seriousness of the breach or offence

- The government has provided statutory guidance that prescribes starting points for all breaches and offences based on the seriousness of the breach or offence.
- The exception to this prescription is for breaches of HMO licensing conditions under section 72(3) of the Housing Act 2004, where the Council has determined its own starting levels based on the seriousness of the specific licence condition or type of licence condition that has not be complied with.

2. Adjustment for “landlord type”

- Factors relating to the type of landlord include the size and type of portfolio controlled, owned or managed and the experience of the landlord
- While all landlords are expected to comply fully with their legal obligations, the Council considers that a higher standard of professionalism and regulatory awareness is reasonably expected of landlords who operate at greater scale, who have greater experience, or who are involved in more complex forms of letting. Where such landlords fail to comply with their obligations, this will ordinarily justify a higher civil penalty.
- In particular, a higher degree of professionalism is expected of landlords who:
 - Control, own, or manage a significant portfolio of properties
 - Have significant experience in the letting or management of property
 - Are or have been involved in the letting or management of HMOs
 - Are corporate landlords
 - Are or have been directors of corporate landlords.
- **An upward adjustment of 20% of the applicable starting point will be applied where the landlord meets any one or more of the following criteria:**
 1. The landlord has controlled, owned, or managed six or more properties. These properties need not have been held concurrently or at the time civil penalty proceedings are brought
 2. The landlord has controlled, owned, or managed three or more properties that operated as HMOs, whether or not concurrently
 3. The landlord is, or has previously been, a director of a corporate landlord
 4. The landlord is a corporate landlord
 5. The landlord has, in the Council’s assessment and by reference to the available evidence, significant experience in the letting or management of property.
- **A downward adjustment of 20% of the applicable starting point will be applied only where all of the following criteria are met:**

1. The landlord has, at any point in time, controlled, owned, or managed no more than two properties
2. The landlord has controlled, owned, or managed no more than one property that has operated as an HMO, at any point in time.
3. The landlord has, in the Council's assessment and by reference to the available evidence, very limited experience in the letting or management of property.

3. Mitigating and aggravating factors

- Factors that the Council deems significant include, but are not limited to, the track record and culpability of the landlord and the actual or potential harm to the occupants
- To promote fairness and consistency in the administration of civil penalties, the Council will apply a structured framework when determining the extent to which mitigating and aggravating factors affect the quantum of any civil penalty.

General approach

- Each breach or offence may have offence-specific mitigating and/or aggravating factors, which will be considered alongside the generic factors set out below.
- Where multiple civil penalties are issued under this policy against the same landlord at the same time, and except where expressly stated otherwise, mitigating and aggravating factors will be considered and applied separately to each civil penalty when determining the quantum of each penalty.

Mitigating factors

- **The Council may reduce the level of a civil penalty by up to 20% of the applicable starting point to reflect the presence of mitigating factors.**
- Only in exceptional circumstances may the Council depart from the application of this policy in respect of mitigating factors and apply a reduction in excess of 20%. Exceptional circumstances are rare and unusual and are not established merely by the presence of multiple mitigating factors.
- Within the framework of this policy, the Council has not sought to provide an exhaustive list of mitigating factors, recognising that a wide range of circumstances may potentially give rise to mitigation. However, the following generic mitigating factors will be considered in respect of each breach or offence:
 1. **Steps taken to remedy the basis of the breach or offence:** e.g. promptly remedying all (or all significant) elements of the breach or offence after receiving communication from the Council.
 2. **High level of cooperation:** e.g. proactive provision of significant relevant information beyond that required by statutory notice.

3. **Early acceptance of liability:** Accepting liability before or within the period for representations. Where a landlord relies on a reasonable excuse defence or otherwise contests liability, this mitigating factor will not usually apply.
4. **Health circumstances:** e.g. a serious health condition or medical incident experienced by the landlord during, or in the period immediately preceding, the breach or offence, where there is clear and reliable evidence that the condition had a direct and material impact on the landlord's ability to comply with the relevant legal obligation.
5. **Diminished culpability (limited responsibility), for example:**
 - A joint landlord who has evidenced that compliance arrangements for the subject property were directed and controlled by another joint landlord, and not by them.
 - A landlord who became involved only after an unforeseen change in circumstances (such as the death of the previous landlord) and who committed the breach or offence only for a limited period while putting their affairs in order.
 - The instruction of a managing or letting agent, or reliance on an agent's actions or omissions, will not of itself constitute diminished culpability.

Aggravating factors

- **The Council may increase the level of a civil penalty by up to 20% of the applicable starting point to reflect the presence of aggravating factors.**
- Only in exceptional circumstances may the Council depart from the application of this policy in respect of aggravating factors and apply an increase in excess of 20%. Exceptional circumstances are rare and unusual and are not established merely by the presence of multiple aggravating factors.
- The following generic aggravating factors will be considered in respect of each breach or offence:
 1. **Previous history of non-compliance:** e.g. previous successful prosecutions (including relevant spent convictions), previous civil penalties, rent repayment orders, works in default or simple cautions. Concurrent investigations or proceedings will not be treated as previous non-compliance.
 2. **Non-cooperation with the Council:** e.g. –
 - Failing to provide a substantive response to a letter of alleged offence
 - Failing to attend previously agreed meetings.
 - Failure to comply with notices requiring information – i.e. issued under section 16 of the Local Government (Miscellaneous Provisions) Act 1976, section 235 of the Housing Act 2004, or sections 114 or 115 of the Renters' Rights Act 2025 – **except** where the Council is prosecuting for the failure to comply with such a notice (to avoid double counting).

NB: Where multiple civil penalties are imposed against the same landlord at the same time, this aggravating factor will be applied only to the civil penalty with the

highest starting point, unless there is a clear and reasoned basis for applying it differently.

3. Deliberate intent or negligence: e.g. –

- Knowledge that the breach or offence was occurring.
- Continuation of offending after communication from the Council
- Evidence that a breach or offence was premeditated or planned
- Providing false or misleading information to the Council
- Applying pressure to occupants to deter cooperation with the Council
- Any other steps taken to evade detection or impede effective investigation of breaches or offences by the Council

4. The number of occupants affected

5. Duration of non-compliance

6. Vulnerability of occupants: e.g. –

- Persons vulnerable by reason of age, disability or sensory impairment
- Persons with drug or alcohol dependency
- Victims of domestic abuse
- Children in care
- Persons with complex health needs
- Persons who do not speak English as a first language
- Victims of trafficking or sexual exploitation
- Refugees and asylum seekers
- Pregnant women

4. Financial Considerations

- It is essential that, as an absolute minimum, landlords do not financially benefit from their offending behaviour.
- The Council will review the quantum of the civil penalty and consider whether it is sufficient to act as an effective deterrent to future non-compliance.
- Financial circumstances will ordinarily be considered after any written representations have been received and as part of the determination of any final notice.
- Where the Council has evidence that it considers to be sufficiently reliable regarding rental income and/or asset value from the landlord, it may determine that an increase in the level of the penalty is appropriate in order to achieve effective deterrence.
- Where a landlord seeks to rely on a strained or limited financial position as a basis for reducing the level of a civil penalty, that position must be supported by appropriate and verifiable evidence sufficient to enable the Council to assess the landlord's financial position consistently, objectively, and transparently. Unsupported assertions, partial disclosure, or selective provision of information will not be given weight. As a minimum, and where such information exists, the following should be provided as part of any written representations:

- 1) The last three months' bank statements for any account holding a balance in excess of £5,000
 - 2) The last three months' payslips
 - 3) P60 certificate for the most recent full tax year
 - 4) The most recent full tax year's full self-assessment tax return filed with HMRC, including all additional and supplemental pages
 - 5) The most recent full tax year's SA302 document & tax year overview
 - 6) Valuation statements for all ISAs and other savings accounts held (dated within the last three months)
 - 7) The most recent statements (dated within the last three months) for all secured and unsecured loans and credit card accounts
 - 8) A list of all property assets owned or jointly owned (not limited to rental properties), together with corresponding Land Registry title documents
 - 9) A list of all property assets owned, or held on a long lease, by any corporate entity in which the landlord has a beneficial interest, together with corresponding Land Registry documentation
 - 10) The most recent annual mortgage statement for each property to which 8) and 9) apply, or all monthly mortgage statements where the mortgage has been in place for less than twelve months
 - 11) A list of all shareholdings
 - 12) The last twelve months' Universal Credit payment statements
 - 13) Statements (dated within the last twelve months) of other state benefit payments
 - 14) Statements from any crypto asset exchange accounts showing balances and valuations
 - 15) Bankruptcy orders and official notifications of bankruptcy
- Where the Council is not satisfied that it has been provided with sufficiently reliable, complete, and accurate information to assess the landlord's financial position, the Council may draw the inference that the landlord is able to pay the civil penalty as imposed.
 - A claimed inability to pay will not, of itself, outweigh the need to ensure effective deterrence or to remove any financial benefit obtained as a result of the breach or offence.

5. The Totality Principle

- The Council will have regard to the totality principle to ensure that the overall outcome of its enforcement action is just and proportionate.
- In exceptional cases and having regard to the particular circumstances of the case, the Council may take account of totality at an earlier stage by deciding not to pursue a civil penalty in respect of a specific breach or offence where doing so would render the overall outcome disproportionate.
- In general, however, the application of the totality principle will form the final step in the Council's decision-making process, undertaken after any written representations

have been considered and before final notices are issued, once the level of each individual civil penalty has been assessed in accordance with this policy.

- As a final step before issuing final notices, the Council will consider whether multiple civil penalties being imposed under this policy against the same landlord at the same time result in an aggregate amount that is just and proportionate. Where the Council concludes that the aggregate amount would not be just and proportionate, it will consider whether a proportionate reduction of the penalties is appropriate.
- The totality principle does not operate across different legal persons who are separately liable in law, nor does it operate across civil penalties imposed at different times. In general, it applies only to multiple civil penalties imposed under this policy on the same person at the same time. Where, however, legislation provides that an officer of a body corporate, or a person concerned in its management, may be separately liable in relation to the same conduct as the body corporate, and that officer also holds a shareholding interest in the body corporate, the Council will, where civil penalties are imposed at the same time on both the body corporate and the officer arising from that same conduct, consider whether the combined outcome results in punitive duplication and is therefore not just and proportionate.
- Where a reduction is applied under the totality principle, the Council will ordinarily do so by applying a uniform percentage reduction across all relevant civil penalties being issued at the same time, being those civil penalties that form part of the same totality assessment.
- Where, however, the application of the totality principle is required to address punitive duplication arising from a shared economic interest between a body corporate and an officer, the Council may apply a differential adjustment to ensure that the overall outcome is just and proportionate.
- This approach reflects the statutory guidance on the application of the totality principle and is intended to promote consistency, transparency, and proportionality, while avoiding arbitrary or selective adjustment of individual penalties.
- In accordance with the statutory guidance, any rent repayment orders made in respect of the same breach or offence will be disregarded for the purposes of assessing the totality of civil penalties under this policy.

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Appendix B - Summary of Civil Penalty Policy Key Changes

Old Policy – 2017 (with 2022 updates)

Methodology for determining the level of financial penalty:

Starting point established by deciding level of culpability and harm to determine the seriousness of the offence. Adjustment then made taking into account aggravating and mitigating factors.

Scope of offences for which a civil penalty may be issued:

Applies to seven offence categories, primarily under the Housing Act 2004 and Housing and Planning Act 2016.

Potential fine levels:

Majority of starting points set below £5,000.
Most fines likely to be below £10,000.
Maximum fine level of £30,000.

New Policy – 2026

The new statutory guidance prescribes the starting point for fine levels for the majority of regulatory breaches and offences, before adjustments are made for aggravating and mitigating factors. ACEHO recommendations are applied where there is discretion to set the starting points for fine levels (e.g. for HMO licensing breaches).

Applies to 25 offence categories as a result of the Renters' Rights Act 2025 substantially increasing the number of regulatory breaches and offences for which a civil penalty may be issued.

Most starting points for fines set above £5,000.
Many offence categories likely to result in a fine of over £10,000. Maximum fine level for offences of £40,000.

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Equality Impact Assessment – Civil Penalty Policy

Equality Impact Assessment Form

For a policy, project, strategy, staff or service change, or other decision that is new, changing or under review

| | | | |
|--|---|----------------------|---|
| What is being assessed? | | Civil Penalty Policy | |
| Lead Assessor | Geoff Hammond Residential and Animal Control Manager | | Assessment team Environmental Health and Licensing |
| Start date | March 2026 | End date | March 2027 |
| When will the EqIA be reviewed? (Typically every 2 years) | March 2027, unless the policy to which it relates requires review at an earlier date. | | |

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|--|---|
| Who may be affected by the proposed project? | Landlords of private sector rented dwellings in Stevenage and persons acting on their behalf such as managing agents and letting agents, who may be liable to be issued with a civil penalty notice in accordance with this policy. Landlords who are registered providers of social housing may also be subject to civil penalty notices. |
| What are the key aims of the proposed project? | <p>To set out the Council's methodology and mechanism for assessing and setting the level of a civil penalty, as an enforcement sanction against a landlord where a contravention of relevant housing legislation has occurred.</p> <p>To ensure that civil penalties are issued in accordance with the relevant legislation and the statutory enforcement guidance.</p> <p>To ensure that civil penalties are issued in a fair, transparent and consistent manner.</p> |

| What positive measures are in place (if any) to help fulfil our legislative duties to: | | | | | |
|--|--|-----------------------------|--------------------|--------------------------|---|
| Remove discrimination & harassment | See comment below. | Promote equal opportunities | See comment below. | Encourage good relations | The policy will enable landlords and those acting on their behalf to have confidence that the Council will apply the law concerning civil penalties in a fair, consistent and transparent manner. |
| What sources of data / information are you using to inform your assessment? | UK legislation and associated Government guidance. | | | | |

| | |
|--|---|
| In assessing the potential impact on people, are there any overall comments that you would like to make? | <p>The policy sets out a clear and consistent approach to the setting and issuing of civil penalties which is applied equally to landlords or persons acting on their behalf or who have failed to comply with their legal obligations. It is supported by separate housing enforcement policies which set out a consistent approach to investigating contraventions of relevant housing law and the making of enforcement decisions, including decisions to issue a civil penalty where there is sufficient evidence of a breach or offence of the relevant legislation.</p> <p>It is important to note that persons issued with a civil penalty have a legal right of appeal against the Council's decision to take this course of action, or against the amount of the civil penalty. This could include where a recipient of a civil penalty believes that they have been unfairly treated or were subject to discrimination.</p> <p>Appeals are heard by an independent body, the First Tier Tribunal. Landlords would have opportunity to put forward any evidence or argument as to why they believe the Council has acted unfairly or has not acted in accordance with the law or the associated statutory guidance. The First Tier Tribunal would then determine the outcome of the appeal.</p> <p>Persons affected by this policy therefore have clear recourse set out in law where they believe the Council has not acted fairly.</p> |
|--|---|

Evidence and Impact Assessment

Explain the potential impact and opportunities it could have for people in terms of the following characteristics, where applicable:

| Age | | | | | |
|--|---|-----------------|--|----------------|---|
| Positive impact | | Negative impact | | Neutral impact | ✓ |
| Please evidence the data and information you used to support this assessment | <p>No differential impact.</p> <p>The policy sets out a clear, consistent and transparent approach to setting the level of civil penalty fines which is applied in all cases where a decision has been made – in accordance with separate housing enforcement policies – to issue a landlord or person acting on their behalf with a civil penalty.</p> | | | | |
| What opportunities are there to promote equality and inclusion? | N/A | | What do you still need to find out? Include in actions (last page) | N/A | |

| Disability e.g., physical impairment, mental ill health, learning difficulties, long-standing illness | | | | | |
|---|--|-----------------|--|----------------|---|
| Positive impact | | Negative impact | | Neutral impact | ✓ |
| Please evidence the data and information you used to support this assessment | <p>No differential impact.</p> <p>The policy sets out a clear, consistent and transparent approach to setting the level of civil penalty fines which is applied in all cases where a decision has been made – in accordance with separate housing enforcement policies – to issue a landlord or person acting on their behalf with a civil penalty.</p> <p>In setting the level of a civil penalty fine, the policy allows the Council to take account of circumstances that may be a mitigating factor where a contravention of relevant housing legislation has occurred, where satisfactory evidence of such circumstances is provided. This may include evidence that ill health was a contributing factor in the act/omission that led to the breach/offence in question.</p> | | | | |

| | | | |
|---|-----|--|-----|
| What opportunities are there to promote equality and inclusion? | N/A | What do you still need to find out? Include in actions (last page) | N/A |
|---|-----|--|-----|

| Gender Reassignment | | | | | |
|--|--|-----------------|--|----------------|---|
| Positive impact | | Negative impact | | Neutral impact | ✓ |
| Please evidence the data and information you used to support this assessment | <p>No differential impact.</p> <p>The policy sets out a clear, consistent and transparent approach to setting the level of civil penalty fines which is applied in all cases where a decision has been made – in accordance with separate housing enforcement policies – to issue a landlord or person acting on their behalf with a civil penalty.</p> <p>Where known, preferred pronouns of those using the services to which this policy relates will be honoured during all communication.</p> | | | | |
| What opportunities are there to promote equality and inclusion? | N/A | | What do you still need to find out? Include in actions (last page) | N/A | |

| Marriage or Civil Partnership | | | | | |
|--|---|-----------------|--|----------------|---|
| Positive impact | | Negative impact | | Neutral impact | ✓ |
| Please evidence the data and information you used to support this assessment | <p>No differential impact.</p> <p>The policy sets out a clear, consistent and transparent approach to setting the level of civil penalty fines which is applied in all cases where a decision has been made – in accordance with separate housing enforcement policies – to issue a landlord or person acting on their behalf with a civil penalty.</p> | | | | |

| | | | |
|---|-----|--|-----|
| What opportunities are there to promote equality and inclusion? | N/A | What do you still need to find out? Include in actions (last page) | N/A |
|---|-----|--|-----|

| Pregnancy & Maternity | | | | | |
|--|---|--|-----|----------------|---|
| Positive impact | | Negative impact | | Neutral impact | ✓ |
| Please evidence the data and information you used to support this assessment | <p>No differential impact.</p> <p>The policy sets out a clear, consistent and transparent approach to setting the level of civil penalty fines which is applied in all cases where a decision has been made – in accordance with separate housing enforcement policies – to issue a landlord or person acting on their behalf with a civil penalty.</p> | | | | |
| What opportunities are there to promote equality and inclusion? | N/A | What do you still need to find out? Include in actions (last page) | N/A | | |

| Race | | | | | |
|--|---|--|-----|----------------|---|
| Positive impact | | Negative impact | | Neutral impact | ✓ |
| Please evidence the data and information you used to support this assessment | <p>No differential impact.</p> <p>The policy sets out a clear, consistent and transparent approach to setting the level of civil penalty fines which is applied in all cases where a decision has been made – in accordance with separate housing enforcement policies – to issue a landlord or person acting on their behalf with a civil penalty.</p> | | | | |
| What opportunities are there to promote equality and inclusion? | N/A | What do you still need to find out? Include in actions (last page) | N/A | | |

| Religion or Belief | | | | | |
|--------------------|--|-----------------|--|----------------|---|
| Positive impact | | Negative impact | | Neutral impact | ✓ |

| | | | | | |
|--|---|--|-----|----------------|---|
| Please evidence the data and information you used to support this assessment | <p>No differential impact.</p> <p>The policy sets out a clear, consistent and transparent approach to setting the level of civil penalty fines which is applied in all cases where a decision has been made – in accordance with separate housing enforcement policies – to issue a landlord or person acting on their behalf with a civil penalty.</p> | | | | |
| What opportunities are there to promote equality and inclusion? | N/A | What do you still need to find out? Include in actions (last page) | N/A | | |
| Sex | | | | | |
| Positive impact | | Negative impact | | Neutral impact | ✓ |
| Please evidence the data and information you used to support this assessment | <p>No differential impact.</p> <p>The policy sets out a clear, consistent and transparent approach to setting the level of civil penalty fines which is applied in all cases where a decision has been made – in accordance with separate housing enforcement policies – to issue a landlord or person acting on their behalf with a civil penalty.</p> | | | | |
| What opportunities are there to promote equality and inclusion? | N/A | What do you still need to find out? Include in actions (last page) | N/A | | |

| | | | | | |
|---|---|-----------------|--|----------------|---|
| Sexual Orientation e.g., straight, lesbian / gay, bisexual | | | | | |
| Positive impact | | Negative impact | | Neutral impact | ✓ |
| Please evidence the data and information you used to | <p>No differential impact.</p> <p>The policy sets out a clear, consistent and transparent approach to setting the level of civil penalty fines which is applied in all cases where a decision has been made – in accordance with separate housing enforcement policies – to issue a landlord or person acting on their behalf with a civil penalty.</p> | | | | |

| | | | |
|---|-----|--|-----|
| support this assessment | | | |
| What opportunities are there to promote equality and inclusion? | N/A | What do you still need to find out? Include in actions (last page) | N/A |

| Socio-economic¹ e.g., low income, unemployed, homelessness, caring responsibilities, access to internet, public transport users, social value in procurement | | | | | |
|--|--|-----------------|--|----------------|---|
| Positive impact | | Negative impact | | Unequal impact | ✓ |
| Please evidence the data and information you used to support this assessment | <p>No differential impact.</p> <p>The policy sets out a clear, consistent and transparent approach to setting the level of civil penalty fines which is applied in all cases where a decision has been made – in accordance with separate housing enforcement policies – to issue a landlord or person acting on their behalf with a civil penalty.</p> <p>Under this policy, assessment of a landlord’s financial circumstances is a key stage in determining the level of civil penalty fine that should be issued. A landlord or any other person who has been issued with a notice of the Council’s intention to issue a civil penalty (which is a preliminary step in all cases), will have a period as specified in the policy within which to make representations to the Council, which the Council must consider before determining the level of fine to be issued. At the point of making representations, the landlord will be able to submit evidence of their financial circumstances to the Council. The Council will proactively request this information from landlords before determining the final level of civil penalty.</p> | | | | |
| What opportunities are there to promote equality and inclusion? | N/A | | What do you still need to find out? Include in actions (last page) | N/A | |

| Additional Considerations Please outline any other potential impact on people in any other contexts | | | | | |
|--|--|-----------------|--|----------------|---|
| Positive impact | | Negative impact | | Unequal impact | ✓ |
| | | | | | |

¹Although non-statutory, the council has chosen to implement the Socio-Economic Duty and so decision-makers should use their discretion to consider the impact on people with a socio-economic disadvantage.

| | | | |
|--|---|--|-----|
| Please evidence the data and information you used to support this assessment | Those using the services to which this policy relates may not speak English as their first language and may require additional language support services. While the Council is not obliged to translate written communications including statutory notices into other languages, options to facilitate communication in such cases will be considered. This may include the use of the Language Line service to provide an interpreter. Depending on the circumstances, it may also involve officers facilitating meetings with an interpreter present. Where there is sufficient justification for using translation services for written communications in a particular case, this option may also be considered. | | |
| What opportunities are there to promote equality and inclusion? | N/A | What do you still need to find out? Include in actions (last page) | N/A |

Consultation Findings

Document any feedback gained from the following groups of people:

| | | | |
|-------------------------------|-----|------------|-----|
| Staff? | N/A | Residents? | N/A |
| Voluntary & community sector? | N/A | Partners? | N/A |
| Other stakeholders? | N/A | | |

Overall Conclusion & Future Activity

| | |
|--|---|
| Explain the overall findings of the assessment and reasons for outcome (please choose one) : | |
| 1. No inequality, inclusion issues or opportunities to further improve have been identified | Adherence to the policy will ensure that civil penalties are issued in a fair, transparent and consistent manner that does not unfairly discriminate against any disadvantaged group or against those with protected characteristics. The policy allows for certain relevant factors that may affect such groups to be considered in the Council's decision making, including disability and socio-economic factors. Those affected by this policy have recourse to appeal to an independent tribunal where they consider that the Council has acted unfairly in issuing a civil penalty. |

| | | |
|--|-------------------------|-----|
| Negative / unequal impact, barriers to inclusion or improvement opportunities identified | 2a. Adjustments made | N/A |
| | 2b. Continue as planned | N/A |
| | 2c. Stop and remove | N/A |

Detail the **actions that are needed** as a result of this assessment and how they will help to **remove discrimination & harassment, promote equal opportunities** and / or **encourage good relations**:

| Action | Will this help to remove, promote and / or encourage? | Responsible officer | Deadline | How will this be embedded as business as usual? |
|--------|---|---------------------|----------|---|
| N/A | | | | |
| | | | | |

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Meeting Cabinet
Portfolio Area Environment, Transport and Planning
Date 10th June 2026



RENTERS RIGHTS ACT 2025 – ENFORCEMENT POLICY

NON-KEY DECISION

Authors Geoff Hammond | 2906
Lead Officers Rory Cosgrove| 2888 & Alex Robinson| 2257
Contact Officer Geoff Hammond | 2906

1 PURPOSE

- 1.1 To consider the Renters' Rights Act 2025 Enforcement Policy.
- 1.2 To note the recommendation of the Council's General Purposes Committee to adopt the Policy at their meeting on 14th April 2026.
- 1.3 The Renters' Rights Bill was introduced to Parliament on 11 September 2024 and gained Royal Assent on 27th October 2025, becoming the Renters' Rights Act 2025 ('the Act'). The Act makes substantial changes to the law concerning privately rented homes, abolishing fixed term assured tenancies and evictions under Section 21 of the Housing Act 1988, known as 'no fault' evictions, providing increased security for tenants. The Act provides additional rights and protections for tenants, including protection from discrimination in the rental market and the practice of 'rental bidding.'
- 1.4 The Act is being brought into effect in stages and the Government has published an implementation timetable. Part 1 of the Act, which gives effect to the abolishment of fixed-term tenancies and 'no fault' evictions, came into force on 1st May 2026.
- 1.5 Local Housing Authorities have been given new powers and duties to enforce the Act. The Renters' Rights Act 2025 Enforcement Policy sets out how the Council will fulfil its new enforcement duty and take effective regulatory action to address non-compliance.

2 RECOMMENDATIONS

- 2.1 That Cabinet agrees the proposed Renters' Rights Act 2025 Enforcement Policy attached as **Appendix A**.
- 2.2 That Cabinet recommends the Policy to Council for adoption.

3 BACKGROUND

- 3.1 The Act was introduced to strengthen the rights and protections for tenants in the private rented sector. Among the key changes are the abolition of fixed-term tenancies and Section 21 'no fault eviction' notices. Prior to Part 1 of the Act coming into force, tenants in the private rented sector would typically occupy a dwelling on an assured shorthold tenancy lasting either six months or 12 months. Tenants could be asked by their landlord to leave the property on expiry of the fixed-term tenancy or at any time thereafter, with two months' notice, and landlords would not be required to give a reason for seeking possession.
- 3.2 As of the 1st May 2026, new and existing assured tenancies are open-ended and landlords can only seek possession on specified grounds. Tenants can end a tenancy at any point by providing two months' notice. This Act therefore provides increased security of tenure while providing tenants with increased flexibility should their circumstances change.
- 3.3 The Act is also intended to empower tenants to seek redress where property conditions are substandard, without fear of retaliatory eviction. Other provisions of the Act are designed to address unfair property marketing practices, such as discrimination on the grounds that a prospective tenant receives benefits or has children, while still allowing landlords to consider the affordability and suitability of a property. In addition, landlords must now provide written tenancy agreements and provide tenants with prescribed information about their rights.
- 3.4 The Act places a statutory duty on local housing authorities to enforce the 'landlord legislation' as defined under the Act and confers on them new investigatory and enforcement powers.
- 3.5 The policy sets out how Stevenage Borough Council will enforce the new provisions and apply the new regulatory powers under the Act. The aims of this policy are to:
 - Ensure that effective regulatory action is taken where landlords are not complying with their legal obligations.
 - Ensure that enforcement powers are applied in a fair, transparent, proportionate and consistent manner.
 - Provide clarity to tenants, landlords and other interested parties on how the Council will enforce the new legislation.
- 3.6 The policy has been developed having regard to statutory enforcement guidance for regulators which has been published by the Government.
- 3.7 The policy relates to those provisions of the Act which came into effect on 1st May 2026. Provisions still to take effect include a requirement for landlords to register with a new Private Rented Sector Database and redress scheme, in

respect of which secondary legislation and statutory guidance is yet to be published. The policy makes provision for future updates to be made by the Director for Planning and Regulation in consultation with the portfolio holder for Housing and Housing Development.

- 3.8 Appendix B summarises how the Renter’s Rights Act 2025 Enforcement Policy interacts with the revised Civil Penalty Policy and existing related housing enforcement policy.
- 3.9 The private rented sector in Stevenage accounts for 15% of the total housing stock. The impact of the new legislation in Stevenage will therefore be substantial. A summary of the profile of the private rented sector is given in **Appendix C**.

4 REASONS FOR RECOMMENDED COURSE OF ACTION

- 4.1 Section 107 of the Act places a duty on the Council to enforce the defined ‘landlord legislation.’ Implementation of the policy will enable an enforcement approach that is consistent, complies with the statutory enforcement guidance and provides assurance to tenants and those operating rental businesses as to the approach that the Council will take.
- 4.2 A key consideration for local housing authorities in setting enforcement policy is the stage at which enforcement action should be initiated after non-compliance is identified. The statutory enforcement guidance makes clear that the Regulator’s Code does not apply to the Act and a ‘graduated’ approach to enforcement, whereby informal action is taken first, is not required. This is addressed in the policy content (section 6) which, in summary, sets out the position as follows:
- Landlords are expected to conduct their rental business in a professional manner and in full compliance with the law.
 - The statutory enforcement guidance makes clear that local housing authorities:
 - (a) Need not take informal steps to address non-compliance before commencing formal action (issuing a civil penalty notice or prosecuting).
 - (b) Should take account of the need for effective deterrence and punishment and what is in the best interests of tenants.
 - Where non-compliance with the landlord legislation is established, the Council will normally take formal action.
 - Informal action may be taken to achieve compliance in the first instance where there are good reasons for doing so which outweigh the considerations in favour of immediate formal action, having regard to the reasons for non-compliance and the other relevant circumstances of the case.
 - Where a decision is made to take informal action first, clear timescales for compliance will be given to the landlord. The investigating officer will then follow up promptly to determine whether the non-compliance has ceased and will proceed to formal action if necessary.

- 4.3 The approach outlined above is intended to balance the key policy aims of ensuring a fair and consistent approach to enforcement with the protection of tenants and the safeguarding of their rights.
- 4.4 In this regard, steps have been taken to promote the changes under the Act concerning the strengthening of tenants' rights and landlords' new responsibilities and to ensure the availability of timely and up-to-date housing advice and support, as summarised in **Appendix D**. As part of this process, the Housing Options service has reviewed and updated its service plan in relation to assistance and advice for both tenants and landlords and homelessness prevention.
- 4.5 Internal consultation took place within the Environmental Health and Licensing and Housing Options services, which are responsible, respectively, for enforcing the legislation and providing advice and assistance to tenants. No changes to the policy were required as a result of the internal consultation.
- 4.6 A public consultation exercise was not considered necessary as much of the policy content relates to matters prescribed by the legislation and statutory guidance. The Council has a legal duty to enforce the Act. The policy sets out how the Council will fulfil its functions within the framework established by the legislation and statutory guidance.
- 4.7 The Council's General Purposes Committee considered the policy at its meeting on 14th April 2026. The Committee agreed to recommend the proposed Stevenage Borough Council Renters' Rights Act 2025 Enforcement Policy to Cabinet. No additional points or suggestions were made.

5 IMPLICATIONS

Financial

- 5.1 The need to increase the enforcement capacity of the Environmental Health and Licensing Service has been identified, to fulfil the Council's new regulatory functions under the Act, which is estimated to cost £72,780 (1.1 FTE Environmental Health Officers).
- 5.2 New burdens funding of £60,000 was received in 2026/27 to enable all local housing authorities to recruit at least one new dedicated staff member. The government has indicated that new burdens funding will be supported throughout the current funding period, with the ultimate aim of establishing a sustainable funding system for PRS enforcement over the long term based on future Private Rented Sector Database fee revenues.
- 5.3 Based on the 2026/27 level of funding the Cabinet is requested to approve a supplementary estimate for the remaining funding of £12,780 which is within the amount delegated to the Cabinet to approve.
- 5.4 The Council also received £66,760 for the Renters Rights Act included in the Homeless, Rough Sleeping and Domestic Abuse core funding however this is for homeless prevention rather than enforcement.

- 5.5 The Renters' Rights Act 2025 is being implemented in phases as set out in the Government's published implementation timetable. Phase 2 will include the roll out of the Private Rented Sector Database, from Autumn 2026. The impact on regulatory demand and consequent resource need will be reviewed in line with the implementation stage of Phase 2. It is possible that additional resource requiring a growth bid may be needed after 2026/27.

Legal

- 5.6 The Council has a statutory duty under Section 107 of the Act to enforce the landlord legislation and must have regard to the statutory enforcement guidance. The policy has been developed with reference to this guidance.
- 5.7 The changes made by the Act to strengthen rights and protections for tenants have had a high profile, including in national media. There is significant interest among organisations which have campaigned for the changes. The Council's performance in implementing the new legislation is therefore likely to be subject to public scrutiny. The Act includes a statutory requirement for local housing authorities to report to the Government on their housing enforcement activity, on a quarterly and annual basis. Data requests from interested parties under the Freedom of Information Act are likely. Local authorities may face adverse publicity and legal challenges where they are perceived as failing to meet their enforcement duties.

Equalities

- 5.8 An Equalities Impact Assessment, attached as **Appendix E**, was carried out in March 2026 and concluded that the policy supports a consistent and transparent enforcement approach that will apply equally to landlords, rental businesses and other persons acting on a landlord's behalf.
- 5.9 The assessment further concluded that the policy will promote confidence that the Council's approach to enforcement is fair and applied on an equal and impartial basis.
- 5.10 The strengthened rights and protections for tenants within the private rented sector is expected to have an overall positive effect for those in disadvantaged groups or with certain protected characteristics.

6 BACKGROUND DOCUMENTS

[Renters' Rights Act: guidance for local authorities and councils - GOV.UK](#)

[Renters' Rights Act 2025](#)

7 APPENDICES

A Renters' Rights Act 2025 Enforcement Policy

B Interaction of the RRA 2025 Enforcement Policy with Related Policies

C Summary Profile of the Private Rented Sector in Stevenage

D Preparing for Implementation – Housing Advice and Support

E Equalities Impact Assessment

Renters’ Rights Act 2025 Enforcement Policy

Stevenage Borough Council

2026

| | |
|--|--|
| Date created | March 2026 |
| Approved by | For approval by Full Council |
| Owner | Rory Cosgrove Head of Service for Environmental Health and Licensing |
| Version | 1.0 |
| Author | Geoff Hammond Residential and Animal Control Manager |
| Business Unit and Team | Planning and Regulation Environmental Health and Licensing |
| Policy Review Date | 12 months from date of policy approval |
| Equality Impact Assessment Date | 12 months from date of policy approval |

For translations, braille or large print versions of this document please email
equalities@stevenage.gov.uk.

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1 Purpose

- 1.1 The purpose of this policy is to set out the Council's approach to regulation and enforcement of the Renters' Rights Act 2025. The policy details how the Council will apply the legislative provisions concerning the Renters' Rights Act 2025 and how the Council will fulfil its statutory duties under this Act to regulate the private rented sector.
- 1.2 The Renters' Rights Act 2025 brought in significant changes to the law concerning the provision of tenancies and the steps that landlords must follow to lawfully engage in the letting of accommodation, and in seeking possession of accommodation where there are grounds to do so. Local authorities were given new enforcement duties and powers to require that landlords comply with their obligations under the Renters' Rights Act 2025 and to sanction landlords who fail to comply.
- 1.3 The aims of this policy are therefore to:
- Ensure that, where landlords are not complying with their obligations under the Renters' Rights Act 2025 which fall within the remit of local housing authorities, effective regulatory action is taken by the Council using the enforcement powers available.
 - Ensure that enforcement powers are applied in a fair, transparent, proportionate and consistent manner.
 - Provide clarity to tenants, landlords and other interested parties on the approach that the Council will take in the regulation and enforcement of private sector housing standards under the Renters' Rights Act 2025.

2 Scope

- 2.1 The policy is specific to the Planning and Regulation Business Unit. Its implementation will be overseen by the Head of Service for Environmental Health and Licensing.
- 2.2 The policy will impact primarily on private sector landlords and the occupiers of privately rented accommodation. In this policy, the term 'landlord' should be read as including letting agents, managing agents, licensors, property owners, directors of corporate landlords and any other person involved in the letting or management of privately rented accommodation.
- 2.3 In addition, certain provisions of the Renters' Rights Act 2025 also affect social landlords. For example, prior to the Act assured tenancies were used by some landlords in the sector.
- 2.4 While the Act generally applies a wide scope in terms of who can potentially be held responsible for a breach of landlord duties under the legislation, legal representatives acting on behalf of landlords are expressly exempt from the enforcement measures.

3 Legal Framework

- 3.1 The Renters' Rights Act 2025 ('the Act') was enacted on 27th October 2025. The Act brought in substantial changes to the law relating to the private rented sector, aimed at providing tenants of privately rented accommodation with increased security and stability, through reforming private sector tenancies including the grounds for possession, preventing retaliatory evictions and strengthening tenants' rights and protections in a number of other areas.
- 3.2 With effect from 1st May 2026, the Act abolished all fixed-term tenancies, replacing them with statutory assured periodic tenancies, allowing a tenant to give their landlord two months' notice to end their tenancy at any time after their tenancy agreement is entered into. The Act made substantial reforms to the grounds for possession under the Housing Act 1988, meaning that landlords can no longer issue a 'Section 21' notice to obtain possession of their property without giving a reason – formerly known as 'no fault evictions' – and may only seek possession on the grounds specified in the amended Schedule 2 to the Housing Act 1988.
- 3.3 The Act amended the Tenant Fees Act 2019 to prohibit landlords or letting agents from requiring or accepting any payment of rent in advance of a tenancy being entered into and limiting the amount that can be required to be paid in advance once a tenancy agreement has been signed to one month's rent. In addition, the Act prohibits the practice of 'rental bidding' by requiring landlords and letting agents to publish an asking rent for their properties and by prohibiting them from asking for, encouraging, or accepting any offer to pay rent above the specified published amount.
- 3.4 Under the Act, landlords are required to provide tenants with a written statement of terms on which their tenants occupy the property. In addition, the Act brought in new provisions to prohibit landlords or letting agents from discriminating against prospective tenants in receipt of benefits or with children, by preventing or deterring them from viewing or letting properties.
- 3.5 With respect to private sector housing enforcement, Section 107 of the Act places a statutory duty on local housing authorities (LHAs) to enforce the 'landlord legislation,' which is defined as the provisions under:
- Chapters 3 and 6 of Part 1 of the Act
 - Part 2 of the Act
 - Sections 1 and 1A of the Protection from Eviction Act 1977
 - Chapter 1 of Part 1 of the Housing Act 1988
- 3.6 Section 110 of the Act imposes a duty on LHAs to report to the Secretary of State on the exercise of its functions under the landlord legislation.
- 3.7 The Act provides LHAs with new investigative powers to obtain information from relevant persons and powers of entry onto both residential and business premises. In

terms of sanctions for non-compliance with the 'landlord legislation,' the Act provides for LHAs to issue civil penalties (financial penalties) and, for specified offences, to prosecute landlords. The Act also widened the scope and extent of Rent Repayment Orders as set out under the Housing Act 2004 and the Housing and Planning Act 2016, under which LHAs and tenants can apply to a First Tier Tribunal for an order to recover rent or Housing Benefit or the housing element of Universal Credit paid, where a landlord has committed a specified housing offence.

3.8 The Act makes provision for further substantial changes to the regulation of private sector housing which are yet to come into force, including new requirements for all private landlords to register with their local housing authority via a national 'Private Rented Sector Database' and to register with a new 'Private Rented Sector Landlord Ombudsman,' which will provide a means of redress where disputes between private landlords and their tenants arise.

3.9 The Act also makes future provision for a new Decent Homes Standard to apply to the private rented sector, based on the standard which applies to the social housing sector. This will require private landlords to ensure that their properties are free from significant hazards and disrepair, meet adequate standards relating to energy efficiency and have reasonably modern facilities.

4 Equalities

4.1 Under the Equality Act (2010) the Council has a legal duty to fulfil the requirements of the Public Sector Equality Duty (PSED). Through this duty and in the application of this policy, the council will carry out its functions in a way that:

- a. Removes discrimination, harassment, victimisation and any other conduct that is unlawful under the Equality Act (2010)
- b. Promotes equal opportunities between people who have a protected characteristic(s) and those who don't
- c. Encourages good relations between people who have a protected characteristic(s) and those who don't

4.2 Further information on the Council's fulfilment of the Equality Act (2010) is set out in the Equality, Diversity and Inclusion (EDI) Policy (2022) and Reasonable Adjustment Policy (2024).

5 Data Protection

5.1 The Council regards respect for the privacy of individuals and the lawful and careful treatment of personal information as very important to delivery of services.

5.2 The Council will ensure that it treats personal information lawfully and proportionately as set out in the General Data Protection Regulation (GDPR) and Data Protection

Act (2018). For further information on the Councils approach to handling information please see: [Data Protection Act \(stevenage.gov.uk\)](https://www.stevenage.gov.uk).

- 5.3 The Council will ensure that it treats personal information lawfully and proportionately as set out in the General Data Protection Regulation (GDPR) and Data Protection Act (2018). For further information on the Councils approach to handling information please see: [Data Protection Act \(stevenage.gov.uk\)](https://www.stevenage.gov.uk).

6 Policy

Approach to Enforcement

- 6.1 As a local housing authority, the Council is under a duty to enforce the landlord legislation in its area. In doing so, the Council will have regard to the government-produced statutory enforcement guidance relating to the Act. This enforcement policy has been developed taking this enforcement guidance into account.
- 6.2 The Council wants to support responsible landlords to raise housing standards. However, the Council expects landlords to have a good understanding of their obligations under the Act and of the housing and management standards that should be met in privately rented accommodation. The Council considers that landlords, in renting their properties, are running a business, whether they have one property or multiple properties. Landlords are expected to conduct their rental business in a professional manner and in full compliance with the law.
- 6.3 It is noted that the Act and therefore the landlord legislation, as defined by Section 107 of the Act, do not fall within the scope of the Regulators' Code. The statutory enforcement guidance relating to the Act makes clear that LHAs need not take informal steps to address non-compliance first, for example by issuing warning letters, before commencing formal action i.e. issuing a civil penalty notice (CPN) or commencing prosecution proceedings.
- 6.4 The statutory guidance further states, *'In determining what steps to take to address the breach or offence, local housing authorities should take account of the need for effective deterrence and punishment and what is in the best interests of tenants.'*
- 6.5 Having regard to the above considerations, where non-compliance with the landlord legislation is established, the Council will normally take formal action, without recourse first to informal action. However, informal action may be taken to achieve compliance in the first instance where there are considered to be good reasons for doing so which outweigh the considerations in favour of immediate formal action, having regard to the reasons for non-compliance and the other relevant circumstances of the case,

including whether the landlord has a previous record of non-compliance with relevant legislation.

- 6.6 Where a decision is made to take informal action first, clear timescales for compliance will be given to the landlord. The investigating officer will then follow up promptly to determine whether the non-compliance has ceased. Where any steps to end the non-compliance have failed to do so, or where it is not possible to remove the non-compliance e.g. because tenants have already been illegally evicted, and the necessary evidential threshold is reached and proceeding is in the public interest, the Council will either issue a CPN or start prosecution proceedings.
- 6.7 Officers of the Council with responsibility for enforcing the relevant provisions of the Act may become aware of a suspected case of non-compliance in a number of ways, e.g. from complaints received from tenants, from proactive inspections undertaken or from other intelligence. Where non-compliance with the landlord legislation is suspected, officers will consider what steps may be reasonably necessary, within the limits of the Council's statutory powers and officers' delegated authority, to establish that a contravention of the Act has occurred.
- 6.8 Both the Council's Housing Options team and Environmental Health & Licensing team provide a frontline service for private rented sector tenants. In terms of the respective responsibilities between these teams, Housing Options will lead in assisting tenants to prevent homelessness and in advising both tenants and landlords respectively about their rights and responsibilities under the Act. Environmental Health & Licensing will be responsible for enforcing all of the provisions under the Act which fall under Section 107, i.e. the landlord legislation. Where a tenant approaches the Housing Options team and there are grounds to suspect that a contravention of the Act has occurred, the Housing Options team will refer the matter to the Environmental Health & Licensing team for investigation. In relation to cases of suspected illegal eviction or harassment falling under the Protection from Eviction Act 1977, officers should refer to the agreed protocols under *Protection From Eviction, Environmental Health & Housing Options - Joint Procedure*.

Enforcement by Trading Standards

- 6.9 The Act places the statutory duty to enforce the landlord legislation, as defined by Section 107, on LHAs. The Council is therefore the regulator with primary responsibility for investigating suspected contraventions under the Act.
- 6.10 However, Section 107 also provides County Councils with the same powers as LHAs to enforce the landlord legislation. Weights and Measures Authorities have existing enforcement duties and powers relating to the marketing and letting of private rented sector properties, including under the Tenant Fees Act 2019 and the legislation relating to Client Money Protection Schemes and the requirement for Energy Performance Certificates when rental properties are marketed.

- 6.11 Where County Councils choose to exercise their discretionary powers under the Act, they must notify the LHA in whose area the breach or offence occurred. If a County Council receives a report of a suspected contravention of the Act but does not take action, it must notify the LHA.
- 6.12 Where officers receive a report about suspected contraventions of certain provisions under the Act that relate to the marketing stage of a private rented sector property, before a tenancy agreement is signed, the officer may initially refer the matter to Hertfordshire County Council Trading Standards. The officer referring the matter should look to agree with Trading Standards which service will take the lead in investigating the suspected contravention. If Trading Standards agree to lead in the investigation, the officer can inform the tenant or person reporting the matter and need not take further action. If it is not possible for the officer to get timely confirmation that Trading Standards will take on the case, having regard to the urgency of the matter and the need to avoid undue delay in responding to the report, the officer should assume the lead role in investigating the complaint.
- 6.13 The provisions to which paragraph 6.12 applies are as follows (see below under Breaches and Offences for further detail):
- Section 16E(1)(a) of the Housing Act 1988 ('the 1988 Act') – as amended by the Renters' Rights Act 2025: Purporting to let a dwelling-house on the tenancy for a fixed term, at the stage where a fixed-term letting is being advertised.
 - Section 16E(3) of the 1988 Act, where the landlord, having used Ground 1 or 1A to obtain possession (see Appendix 1), markets the dwelling-house for re-letting within the 12-month restricted period.
 - Sections 33 and 34 of the Act relating to discrimination, where this occurs at the marketing stage i.e. before a tenancy agreement is signed.
 - Section 56 of the Act relating to the requirement to specify the proposed rent and not to engage in rental bidding when marketing a property.
- 6.14 In relation to suspected offences under the Tenant Fees Act 2019, the Renters' Rights Act 2025 makes amendments to the 2019 Act, bringing in prohibitions relating to rental payments in advance of a tenancy agreement being entered into. Local Weights and Measures Authorities i.e. Trading Standards continue to have the statutory duty to enforce the provisions of the Tenant Fees Act 2019. The Council, as a local authority, has discretionary powers to enforce these measures. However, complaints will normally be referred to Trading Standards to take the lead in investigating suspected offences.

Breaches and Offences

- 6.15 Enforcement of the new measures relates to two categories of conduct: breaches and offences. The term 'breach' is used to refer to non-compliance by landlords where the council may impose a civil penalty, with no option to prosecute. The term 'offence' is

used to refer to non-compliance by landlords where the council may either impose a civil penalty or initiate prosecution proceedings.

- 6.16 A list of breaches and offences under the Act is provided in Appendix 2. Officers must refer to the Civil Penalty Policy once a decision has been made to issue a CPN for a breach or offence under the Act (or for offences under other housing legislation to which CPNs apply).
- 6.17 Further detail on the investigation of specific breaches and offences under the Act, including factors that officers should take into account in their investigations, is set out below.

Assured Tenancies: Requirements and Prohibitions

- 6.18 Part 1, Chapter 1 of the Act made substantial changes to the law affecting private rented sector tenancies, through amendments to the Housing Act 1988 ('the 1988 Act') and additional provisions under the new Act. These changes took effect on 1st May 2026.
- 6.19 The Act abolished fixed-term tenancies and made new and existing tenancies Assured Tenancies. There are limited exceptions, such as for short-term lets or where the occupiers are lodgers.
- 6.20 The Act abolished evictions under Section 21 of the 1988 Act, known as 'no fault' evictions, which allowed landlords to serve notice of possession with two months' notice (to expire after any fixed-term period had ended) without specifying a reason. Under the new Act as it applies to Assured Tenancies, landlords can only seek possession on the grounds set out in Schedule 2 of the 1988 Act (as amended), as summarised in Appendix 1.
- 6.21 The Act created new regulatory breaches in giving effect to the changes, through amendments to the 1988 Act. In relation to the standard of evidence for taking formal action for these breaches and offences, officers must be satisfied beyond a reasonable doubt that a landlord or person acting on their behalf has committed the breach or offence in question.
- 6.22 Under Section 16D of the 1988 Act, landlords are required to provide a written tenancy agreement. For new tenancies, this applied from 1st May 2026 and for existing tenancies it applied from the 31st May 2026. Under Section 16D of the 1988 Act landlords must also provide prescribed information to new tenants (as specified in the *Assured Tenancies (Private Rented Sector) (Written Statement of Terms etc and Information Sheet) (England) Regulations 2026*). Landlords had to provide prescribed information to existing tenants by 31st May 2026 under Schedule 6, 7(2) of the Renters' Rights Act 2025. Failure to comply with either of these requirements is a regulatory breach.

6.23 Section 16E of the amended 1988 Act provides that landlords must not, in relation to an assured tenancy:

- (a) Purport to let a dwelling-house on the tenancy for a fixed term
- (b) Purport to bring the tenancy to an end by service of a notice to quit
- (c) Purport to bring the tenancy to an end, or require that it is brought to an end, orally
- (d) Serve on the tenant a purported notice of possession
- (e) Rely on a ground for possession in Schedule 2 of the 1988 Act, where the person does not reasonably believe that the landlord is, will or may be able to obtain an order for possession on that ground, or
- (f) Rely on possession grounds 1B, 2ZA to 2ZD, 4, 5 to 5H, 6A or 18 in Schedule 2 of the 1988 Act (see Appendix 1), if no prior statement was given to the tenant under section 16D(3) of the landlord's intention to use the possession ground being relied on.

6.24 In terms of using a 'notice to quit' or a 'purported notice of possession':

- A notice to quit is a written document which, for example, can include texts or WhatsApp messages, and may state that it is a 'notice to quit,' may specify a date when the tenancy will end and that the tenant must vacate the property by this date.
- A purported notice of possession is a written document, which can include various forms of written communication (as for notices to quit), which may wrongly claim to be a valid section 8 notice given before possession proceedings, or may claim to bring a tenancy to an end or require the tenant to leave, but is not a claim form or a document produced for the purpose of court proceedings.
- It should be noted that for possession notices, landlords must use the form prescribed by the government – 'Form 3A.'
- When assessing whether a section 8 notice is valid, regard should be had to any court determination on that matter.

6.25 Offences under Section 16J of the amended 1988 Act concerning the rules on Assured Tenancies include the following:

- Reletting or remarketing a property within the 12 month 'restricted period' after using statutory grounds for possession 1 or 1A (**see Appendix 1**), unless the landlord took all reasonable steps to avoid this, or an exception applies.
- Knowingly using a ground for possession despite knowing that a court would not order possession on this ground, or being reckless about that, resulting in the tenant leaving within 4 months without an order for possession being made.
- Committing a breach within 5 years of a previous offence, or within 5 years of receiving a CPN for a previous breach that has not been withdrawn.
- Continuing to commit a breach for more than 28 days after receiving a CPN that has not been withdrawn and is not the subject of an ongoing appeal.

6.26 In terms of the exceptions to the 12 month 'restricted period' referred to above during which a property cannot be relet or remarketed:

- This does not apply or ends early if:
 - the landlord or a close family member (as defined in ground 1) moves in and uses the property as their only or main home
 - a licence to occupy is entered into where the licensee has agreed to buy the property or lease it for more than 21 years
 - the new lease being marketed or granted will be for more than 21 years
 - the court makes an order for possession of the property on a ground other than ground 1 or 1A

- 'Remarketing' includes:
 - advertising that the property is or may be available to let, for example, posting an advert online (the restrictions do not apply to businesses that host property adverts but aren't themselves involved in lettings agency work)
 - while conducting lettings agency work, telling someone that the property is or may be available to let

Discrimination in the Rental Market

- 6.27 Chapter 3 of the Act sets out the regulatory breaches concerning discrimination by landlords against tenants or prospective tenants in the private rented sector who have children or receive benefits.
- 6.28 The provisions on discrimination apply to landlords who let out properties on assured and regulated tenancies. This includes tenancies offered by or on behalf of the Crown Estate, but not the Parliamentary Estate, nor those of social or supported housing.
- 6.29 Formal action for breaches under the discrimination provisions require evidence to the civil standard. Officers must therefore decide on the balance of probabilities whether a breach has taken place, i.e. that it is more likely to have occurred than not. Officers must have credible, reliable and sufficient documentary or other evidence to determine this.
- 6.30 Sections 33 and 34 of the Act relate respectively to discrimination against those with children living with or visiting them and against those in receipt of benefits, by a landlord applying a provision, criterion or practice in order to make such people less likely to enter into a tenancy of the dwelling. For example, by preventing them from accessing information about a property (including its availability), or viewing a property, or signing a tenancy agreement.
- 6.31 'Children' means anyone under 18 years old who would either visit or live at the property. The term 'benefits' has a wide definition: officers should refer to the statutory guidance and Chapter 3 of the Act for the full definition, which includes:
1. Universal Credit
 2. Jobseeker's Allowance
 3. Personal Independence Payment

4. Employment and Support Allowance
5. Income Support
6. Housing Benefit
7. State Pension or Pension Credit
8. Council Tax Support
9. Tax Credits (Child and Working)
10. Child Benefit
11. Guardian's Allowance
12. Carer's Allowance

6.32 Landlords and anybody acting on their behalf may be found liable for a breach of the provisions under Chapter 3 of the Act, whether formally contracted or where someone (e.g. a family member) is acting for the landlord on an informal basis. A person or firm cannot be liable for discrimination if they only publish adverts for rental properties or provide a means for landlords and prospective tenants to communicate directly. This means that websites which host property adverts only are not caught by the rental discrimination restrictions.

6.33 Discriminatory terms in tenancies and mortgages are invalidated by the Act. Discriminatory terms in insurance contracts that predate 1st May 2026 only have effect until the insurance contract ends or is renewed.

6.34 Discrimination based on a belief that a tenant or prospective tenant has children or receives benefits, even if that belief is false, is still discrimination under the Act. Therefore, in investigating suspected breaches, evidence that the prospective tenant receives benefits or has children is not necessarily required where it is evident that the landlord had such a belief.

6.35 The following are **not** considered discrimination under the Act:

- **Consideration by a landlord of a prospective tenant's income in assessing whether the rent is affordable.** Landlords are not liable for a breach if a set income requirement is not met, regardless of whether the prospective tenant receives benefits, provided that the same income requirement is applied to all prospective tenants. However, in assessing rent affordability, landlords must take into account any income that a prospective tenant receives from state benefits and treat them as being of equal value. Officers investigating a complaint from a tenant should consider if:
 - the prospective tenant has demonstrated that they could meet the set income requirement
 - the landlord has accounted for any income from benefits and treated them as being of equal value as other forms of income
 - the requirement has been raised because the person has children or receives benefits
- **Where preventing children from living in a property is a proportionate means of achieving a legitimate aim.** There is no such exception made for discrimination

against benefits claimants. To be considered legitimate, the limit has to be genuine: someone other than the landlord must benefit and it must not in itself aim to discriminate against families with children. Examples may include where a property would be unsuitable for children e.g. in a HMO with shared facilities, or to comply with HMO licensing conditions limiting occupancy of a property. Further examples are included in annexes A and B of the statutory guidance. When deciding if an aim is proportionate, officers should consider whether there are reasonably alternative ways of achieving the same aim, or whether the restriction could be limited, e.g. whether it is proportionate to ban all children from living in a property rather than those in certain age groups.

Stating the Proposed Rent and Rental Bidding

- 6.36 Section 56(2) of the Act requires that a prospective landlord must not advertise in writing, or otherwise offer in writing, a proposed letting unless the proposed rent is stated in the advertisement or offer. A written advert or offer may include an online property advert, a printed advert, social media post, handwritten advert/offer or digital communication including emails, texts and direct messaging. The requirement does not apply to a sign displayed at the relevant premises which merely advertises that the dwelling is to let.
- 6.37 Section 56(3) of the Act prohibits a prospective landlord from inviting, encouraging or accepting an offer from any person to pay an amount of rent that exceeds the stated rent.
- 6.38 The effect of Section 56 is that there must be a single, specified rent amount. Publishing another advert with a higher advertised price for the same letting, or publishing a price range for the property, is not permitted. The statutory enforcement guidance contains further examples of practices that may amount to breaches under Section 56, and practices that would not amount to breaches.
- 6.39 The above provisions apply to landlords and any person acting on a landlord's behalf, such as a letting agent. This includes tenancies offered by or on behalf of the Crown Estate, but not social or supported housing. Websites that only host rental adverts cannot be found liable for rental bidding breaches.
- 6.40 In terms of the burden of proof, formal action for breaches under Section 56 of the Act requires evidence to the civil standard.

Investigatory Powers

- 6.41 Chapter 3 of the Act provides investigatory powers for authorised officers of LHAs to investigate whether a landlord or an agent letting out private rented housing has broken certain laws. These powers came into effect on 27th December 2025.

6.42 Officers of the Council authorised to use these investigatory powers will use them when it is necessary and proportionate to do so and having regard to the statutory guidance on their use.

6.43 **Appendix 3** provides further detail on the investigatory powers under the Act.

Advice and Guidance for Tenants

6.44 Not all of the new provisions under the Act relating to the duties of landlords and rights of tenants are enforced by local authorities. Instead, tenants have alternative recourse to resolve disputes. These provisions include:

- **Section 6 – Statutory procedure for increases of rent.** This limits rent increases to once per year (and not within the first year of the tenancy). Landlords will need to follow the process under Section 13 of the 1988 Act (as amended), which requires that they give their tenant at least two months' notice of a proposed rent increase, using the form prescribed by the government (Form 4A). Tenants have the right to challenge a rent increase if they think it's above the open market rent, by applying to the First-Tier Tribunal, which will then determine what the rent amount should be.
- **Section 11 – Right to request permission to keep a pet:** this section of the Act inserts implied clauses into all assured tenancy agreements, with the effect that tenants are entitled to make a written request to keep a pet (including a description of the pet they wish to keep), following which the landlord must respond in writing within 28 days. Landlords must not unreasonably refuse such requests. Where a landlord does refuse permission to keep a pet, they must have a fair reason for refusing which takes account of the circumstances. Landlords cannot have a blanket policy of refusing permission. Landlords will be able to ask for more information from their tenant e.g. about the type or size of pet, but must then respond within 7 days of receiving the additional information. If a tenant keeps a pet without permission, they may be breaching the terms of the tenancy agreement. If a landlord doesn't follow the procedure, the tenant can apply to the county court to enforce the implied terms of the tenancy agreement. They may also complain to the Private Rented Sector Landlord Ombudsman – once this service is operational.
- Where tenants contact the Council's Environmental Health & Licensing team about these matters, officers may provide advice directly to tenants about their rights. Officers may also signpost tenants to other sources of information and advice, e.g. Government guidance for tenants, Stevenage Citizens Advice Bureau or Shelter.

7 Consultation

7.1 In developing this policy, it was not considered necessary to conduct a public consultation exercise. Much of what the policy covers relates to matters prescribed by

the legislation and statutory guidance, as opposed to the Council consulting on options for delivering a service. The Council has a statutory duty to enforce the landlord legislation to which this policy relates. This policy sets out how the Council will fulfil its functions under the Act within the framework established by the legislation and the statutory guidance.

7.2 Consultation has taken place within the Council, with those services responsible for providing frontline advice and support to tenants and for enforcing the new legislation. This includes the Housing Options service and enforcement officers within the Environmental Health and Licensing service.

8 Monitoring and Review

8.1 This policy will initially be reviewed by the Head of Service for Environmental Health and Licensing or Service Manager after 12 months, in anticipation of further provisions under the Act coming into effect. If necessary, this review will take place sooner. The policy will then be reviewed every 2 years by the Head of Service for Environmental Health and Licensing or Service Manager, or earlier if there is a change in legislation.

8.2 Minor changes to the policy may be made by the Head of Service for Environmental Health and Licensing or Service Manager in consultation with the relevant Business Unit's Director. Where more than 10% of the policy content is changed the Director and appropriate Portfolio Holder will decide if the policy needs to be formally reconsidered by Cabinet or the appropriate decision-making body.

8.3 Where there is a request for the content of the policy to be reviewed in response to a complaint, the relevant Business Unit's Director will be notified. If the Director agrees that a review of policy is required, this will be discussed with the appropriate Portfolio Holder. The Head of Service or Service Manager will be responsible for implementing a subsequent policy review.

9 References and Resources

- Renters' Rights Act 2025
<https://www.legislation.gov.uk/ukpga/2025/26/contents/enacted>
- Renters' Rights Act: guidance for local authorities and councils
<https://www.gov.uk/government/collections/renters-rights-act-guidance-for-local-authorities-and-councils>
- Renters' Rights Act: changes for private tenants
https://england.shelter.org.uk/housing_advice/private_renting/renters_rights_act_changes_for_private_renters

- Renting out your property: guidance for landlords and letting agents
<https://www.gov.uk/guidance/renting-out-your-property-guidance-for-landlords-and-letting-agents>
- Guide to the Renters’ Rights Act
<https://www.gov.uk/government/publications/guide-to-the-renters-rights-act/guide-to-the-renters-rights-act>
- Renters’ Rights Act 2025 (Stevenage Borough Council webpage)
<https://www.stevenage.gov.uk/housing/private-sector-housing/renters-rights-act-2025>

10 Abbreviations and Definitions

- CPN: Civil Penalty Notice
- EDI: Equality, Diversity and Inclusion
- GDPR: General Data Protection Regulation
- LHA: Local housing authority
- PSED: Public Sector Equality Duty

11 Version History

| Date | Outlined Amendments | Author |
|------------|------------------------|--|
| March 2026 | Original version – 1.0 | Geoff Hammond Residential and Animal Control Manager |
| | | |

Appendices

Appendix 1 – Grounds for Possession under Schedule 2 of the Housing Act 1988 (as amended by the Renters’ Rights Act 2025)

Grounds for possession are separated below into mandatory grounds (Table 1) and discretionary grounds (Table 2). Refer to the government guidance on possession grounds for further detail.

Where a mandatory ground is proven, the court must grant a possession order. Where evidence is provided in support of a discretionary ground, the court will consider if it is reasonable to grant a possession order.

Table 1 – Mandatory grounds

| Ground | When it Applies | Notice Period |
|------------|---|---------------|
| 1 | Occupation by landlord or family: Where the landlord or a close family member needs to move into the property. Only available after the first 12 months of a new tenancy. | 4 months |
| 1A | Sale of dwelling house: Where the landlord intends to sell the property. Only available after the first 12 months of a new tenancy. | 4 months |
| 1B | Sale of dwelling house that is part of Rent to Buy: where the landlord has offered the tenant the opportunity to buy the property at the end of the scheme but the tenant has declined. | 4 months |
| 2 | Sale by mortgagee: where a lender is taking steps to gain possession of a property due to missed mortgage payments. A court order will determine the date when the tenant must leave. | 4 months |
| 2ZA | Possession when superior lease ends: applies only to landlords who are agricultural landlords, rent out supported accommodation or represent a company that a council owns half of or more. | 4 months |
| 2ZB | Possession when fixed term superior lease ends: Where the immediate landlord is a leaseholder and the lease is not going to be extended and has ended or will end within 12 months. This ground only applies if the lease was for a fixed term of over 21 years. | 4 months |

| | | |
|------------|---|----------|
| 2ZC | Possession by superior landlord: applies only to an agricultural landlord, supported accommodation, a company that the council owns half of or more or a private registered provider of social housing. | 4 months |
| 2ZD | Possession by superior landlord (fixed term): Where a lease ends but remains tenanted, the superior landlord will be able to apply to court for a possession order to evict the tenant. This ground only applies if the lease was for a fixed term of over 21 years and the possession order application is made within six months from reversion of the lease. | 4 months |
| 4 | Student accommodation: applies to universities and colleges only. | 2 weeks |
| 4A | Properties rented to students for occupation by new students: applies only to house of multiple occupation with shared facilities let to full-time students. Available where the property is needed for a new group of students in line with the academic year between 1 June and 30 September. This ground is not available if the tenancy was agreed more than six months before the tenancy started. Landlords must have given advance notice under S.16D Housing Act 1988. | 4 months |
| 5 | Ministers of religion | 2 months |
| 5A | Occupation by agricultural worker | 2 months |
| 5B | Occupation by person who meets employment requirements: Where a property is let to a tenant based on their employment, for example, key workers, and the tenant no longer meets the employment criteria. | 2 months |
| 5C | End of employment by the landlord: where accommodation is tied to the employment. | 2 months |
| 5D | End of employment: social landlords only. | 2 months |
| 5E | Occupation as supported accommodation | 4 weeks |
| 5F | Dwelling-house occupied as supported accommodation: where the support has stopped, funding for the support has ended or the supported accommodation is no longer | 4 weeks |

| | | |
|-----------|--|---|
| | suitable for the tenant because their support needs have changed. | |
| 5G | Tenancy granted for homelessness duty: Where the property was temporary accommodation used to house a tenant when they were statutorily homeless and the council has told the landlord that the housing is no longer needed. | 4 weeks |
| 5H | Occupation as 'stepping stone accommodation' | 2 months |
| 6 | Redevelopment: Where the property needs to be redeveloped or demolished and the tenant cannot live there whilst this takes place. Usually not available within the first six months of the tenancy but the exact requirements can vary. | 4 months |
| 6A | Decant accommodation: applicable to social housing only. | 4 months |
| 6B | Compliance with enforcement action. Under this ground, the court will be able to order the landlord to pay compensation to their tenant. | 4 months |
| 7 | Death of tenant: where a person inherits a tenancy and they were not living at the property immediately before the former tenant's death. | 2 months |
| 7A | Severe antisocial or criminal behaviour: where the tenant or a person living with them or visiting them is convicted of criminal behaviour or breached an order to prevent antisocial behaviour, or the police have applied for a closure order lasting for more than 48 hours. | No notice period applies but the court will not be able to make a possession order for 14 days from the date of the Section 8 notice. |
| 7B | No right to rent: where the landlord receives notification from the Home Office that the tenant has no right to rent under immigration law. | 2 weeks |
| 8 | Rent arrears: Where the tenant owes at least 3 months' rent, if they pay rent monthly or at least 13 weeks' rent, if the rent is paid weekly or fortnightly. The amount must still be owed at the date of the court hearing. | 4 weeks |

Table 2 – Discretionary grounds

| Ground | When it Applies | Notice Period |
|---------------|--|---|
| 9 | Suitable alternative accommodation Where the tenant has been offered accommodation that is suitable for them. | 2 months |
| 10 | Any rent arrears | 4 weeks |
| 11 | Persistent rent arrears | 4 weeks |
| 12 | Breach of tenancy condition(s) | 2 weeks |
| 13 | Deterioration of property | 2 weeks |
| 14 | Antisocial behaviour: where the tenant, a person that lives with them or a person who visits them commits antisocial behaviour or has committed a serious offence near to the property. | No notice period applies but the court will not be able to make a possession order for 14 days from the date of the Section 8 notice. |
| 14A | Domestic abuse: Where the tenant has perpetrated domestic abuse against their partner or a person living with them who has left the property and is unlikely to come back. | 2 weeks |
| 14ZA | Rioting: where the tenant or another adult living with them has been convicted of an offence during a riot. | 2 weeks |
| 15 | Deterioration of furniture | 2 weeks |
| 17 | False statement: Where the tenant or someone acting on their behalf gave false information to get the property. | 2 weeks |
| 18 | Supported accommodation: Where the tenant is in supported accommodation and does not engage with the support. | 4 weeks |

Appendix 2 – List of Breaches and Offences under the Renters’ Rights Act 2025

Breaches:

1. Failure to give a written statement of terms and any other prescribed information under section 16D of the Housing Act 1988
2. Attempting to let a property for a fixed term under section 16E of the Housing Act 1988
3. Attempting to end a tenancy by service of a notice to quit under section 16E of the Housing Act 1988
4. Attempting to end a tenancy orally or requiring that it is ended orally under section 16E of the Housing Act 1988
5. Serving an eviction notice that attempts to end a tenancy outside the prescribed section 8 process under section 16E of the Housing Act 1988.
6. Relying on a ground where the landlord does not reasonably believe that the landlord is/will be able to obtain possession under section 16E of the Housing Act 1988.
7. Failing to provide a tenant with prior notice that a ground which requires it may be used under section 16E of the Housing Act 1988.
8. Failure to give an existing tenant prescribed information about changes made by the Renters’ Rights Act 2025 in the prescribed form and timeframe under paragraph 7(2) of schedule 6 to the Renters’ Rights Act 2025.
9. Discrimination relating to children in the lettings process under section 33 of the Renters’ Rights Act 2025.
10. Discrimination relating to benefits in the lettings process under section 34 of the Renters’ Rights Act 2025.
11. Failure to specify proposed rent within a written advertisement or offer under section 56 of the Renters’ Rights Act 2025.
12. Inviting, encouraging or accepting any offer of rent greater than the stated rate under section 56 of the Renters’ Rights Act 2025.

Offences:

1. Continuation of conduct subject to a relevant penalty (under s.16I or s.16K Housing Act 1988) after the 28-day period (or, if appealed, after conclusion of the appeal) where the final notice has not been withdrawn under section 16J of the Housing Act 1988
2. Conduct giving rise to liability under s.16I, where within the preceding five years the landlord has either (i) had a relevant penalty (under s.16I or s.16K Housing Act 1988) imposed for different conduct and the final notice has not been withdrawn, or (ii) been convicted under s.16J for different conduct under section 16(J) of the Housing Act 1988.
3. Relying on a ground knowing the landlord would not be able to obtain possession or being reckless as to whether they would under section 16J of the Housing Act 1988.
4. Breach of restrictions relating to reletting (s16(E)(2) Housing Act 1988) or remarketing (s16(E)(3) Housing Act 1988) a property within the restricted period after using Grounds 1 or 1A of Schedule 2 Housing Act 1988 under section 16J of the Housing Act 1988.

Appendix 3 – Investigatory Powers under the Renters’ Rights Act 2025

Powers to Require Information

1. Under Chapter 3 of the Act, authorised officers can require information from a ‘relevant person,’ meaning a person who has, in the preceding 12 months:
 - Had an estate or interest in residential accommodation in relation to which the investigatory powers are being exercised (excluding a mortgagee not in possession)
 - Held a licence relating to that accommodation
 - Acted or purported to act on behalf of a person to whom either of the above applies
 - Marketed any relevant accommodation for the purposes of creating a residential tenancy

2. Section 114 of the Act gives an authorised officer power to issue a notice to a relevant person to require that person to provide the specified information. It may be given in regard to any of the LHA’s functions under the following Legislation:
 - Sections 1 and 1A of the Protection from Eviction Act 1977
 - Chapter 1 of Part 1 of the Housing Act 1988
 - Section 83(1) or 84(1) of the Enterprise and Regulatory Reform Act 2013
 - Sections 21 to 23 of the Housing and Planning Act 2016
 - Chapter 3 of Part 1 and Part 2 of the Renters’ Rights Act 2025

3. Section 115 of the Act permits an authorised officer to issue a notice to **any** person requiring them to provide the information specified, when the officer reasonably suspects a breach/offence under the ‘rented accommodation legislation’ or to determine the amount of a CPN. The rented accommodation legislation includes the legislation listed above in relation to S.114 notices and also includes the Housing Act 2004, parts 1 to 4 and 7.

4. Notices served under either S.114 or S.115 of the Act must include information about the possible consequences of not complying with the notice and may specify:
 - The time period for compliance
 - The manner in which the relevant person to must comply e.g. to who the information must be given.
 - The form in which information must be provided. The required information must be provided in legible form.
 - Requirements for the creation of documents of a description specified in the notice and the provision of those documents to an enforcement authority or officer

5. Failure to comply with a S.114 notice without reasonable excuse is an offence under S.131 of the Act, as is intentionally or recklessly making false or misleading statements in response to the notice. Where an individual has not complied with a S.115 notice, S.116 of the Act enables the Council to make an application to the court to enforce the provisions of the notice and seek reimbursement for the costs of the application.

6. There are limitations on the powers to require information under S.114 and S.115:
 - A notice served under S.114 does not require a person to provide information or documents that might incriminate them or which they could refuse to provide in High Court proceedings due to legal professional privilege.
 - If someone provides information in compliance with a notice served under S.115, that information may not be used against the person who provided it in any criminal proceedings.

Powers to Obtain and Seize Documents on Business Premises

7. S.122 allows an authorized officer at any reasonable time to require a relevant person on the premises to produce any documents relating to the business and to take copies. This may only be exercised to ascertain whether there has been a breach of relevant legislation, where an officer reasonably suspects there has been a breach or an offence, or to ascertain whether the documents may be required in evidence for proceedings regarding a breach or offence. Copies of the documents produced can be taken and if a document is electronic, it can be required to be produced in a format that allows it to be taken away e.g. a hard copy.
8. S.123 of the Act enables an authorised officer to seize and detain documents that the officer reasonably suspects may be required as evidence in proceedings relating to a breach/offence under the relevant legislation. Officers must provide evidence of their identity and authority if reasonably practicable and must take reasonable steps to inform the person from whom documents have been seized that they have been seized, and provide that person with a written record of what has been taken.
9. Officers cannot seize documents that are legally confidential, such as communications between a lawyer and their client. Retention periods apply to keeping documents: generally, documents can be kept for up to three months, unless needed for legal proceedings – in which case they can be kept for longer but only for as long as necessary for those proceedings.
10. If there are electronic devices on the premises which it is suspected may hold information that the officer may wish to seize under S.123, the officer can require someone with approved access to access that information if that is reasonably necessary. If such a person does not access the device after being required to do so, the officer can access the device.
11. Where officers reasonably believe that a document is something they are allowed to search for or seize, but it's not reasonably practical to decide this on the premises or to separate it on the premises, officers can take the document using additional powers under Section 50 of the Criminal Justice and Police Act 2001. Where this power is used, officers will then need to assess if the document is relevant as soon as reasonably practicable afterwards and return it promptly if it is determined not to be relevant. In using this power, officers must comply with the prior notice requirements to the occupier under 52 of that Act.
12. Where documents are seized under S.123 of the Act, the person who had possession or control of the document has rights to request access to the documents. There are also rights of appeal to a magistrate's court against the detention of seized documents.

Powers to Enter Business and Residential Premises

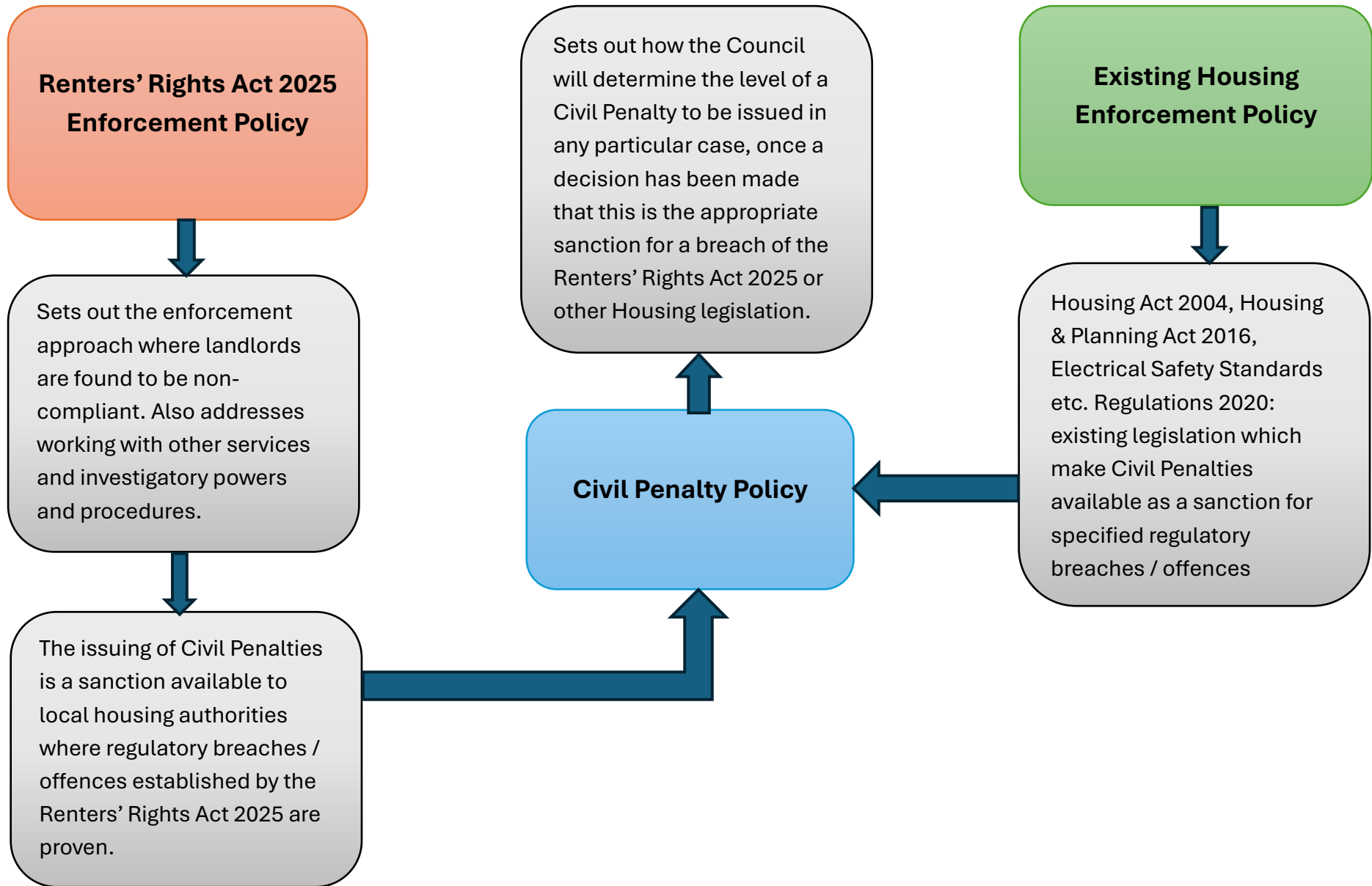
13. Section 118 of the Act permits authorised council officers to enter business premises occupied by a relevant person for the purposes of a rental sector business, at any reasonable time, if there are reasonable grounds to suspect a breach or offence has been committed under the rented accommodation legislation (as defined above) and entry is necessary to require documents to be produced (under S.122) or to seize documents which are on the business premises (under S.123) which could help the investigation. The power under Section 118 is exercised without a warrant. It may not be used where the premises is wholly or mainly used as a residential dwelling.
14. The occupier of the business premises must be given at least 24 hours' written notice of the intended entry (setting out why the entry is necessary and explaining the offences of non-compliance and obstruction under Section 131[1] and [2] of the Act) **unless**:
 - It is not reasonably practical to give notice, or
 - Doing so would defeat the purpose of entry, or
 - At least one occupier has waived their right to be given notice.
15. Where entry to business premises takes place otherwise than in the course of a routine inspection, unless it is not reasonably practicable to do so, the officer must:
 - Provide evidence of their identity and authority to at least one occupier present
 - Provide to at least one occupier present a document that sets out why the entry is necessary and indicates the nature of the offences under Section 131(1) and (2) of the Act.
16. Section 121 of the Act allows an authorised council officer named in a warrant to enter premises used for a rental sector business if there are documents on the premises which the officer could require under S.122 or seize under S.123 of the Act. The warrant permits reasonable force if necessary to enter the premises. For a court to grant a warrant, one of the following conditions must be met:
 - Access to the premises has been or is likely to be refused and the Council has provided notice of their intention to apply for a warrant to the occupier
 - Documents on the premises would likely be concealed or interfered with if notice of entry were to be given
 - No occupier is present and waiting for their return might defeat the purpose of the entry
17. When applying for a warrant, officers must be able to show that there are reasonable grounds to suspect the premises are used by a relevant person for a rental sector business, are not wholly or mainly residential accommodation and that relevant documents to be produced/seized are expected to be on the premises. Once granted, the warrant will be valid for one month starting on the day it is issued.
18. Section 126 of the Act permits specially authorised officers to enter residential premises used for a residential tenancy at any reasonable time where necessary to investigate suspected

offences under Section 1 of the Protection from Eviction Act 1977, or the provisions under the Renters' Rights Act that relate to the Private Rented Sector Database

19. Before exercising the power under Section 126, the Council must give at least 24 hours' written notice to:
 - the occupier of the premises concerned (unless all occupiers waive their right to receive this notice)
 - to persons with an estate or interest in the premises (other than a mortgagee not in possession) who have supplied the council with an address for this purpose – unless any such persons waive their right to receive this notice.
20. **NB:** the requirement for prior notice does **not** extend to residential landlords (as defined by Part 2, S.63 of the Act) but landlords must be informed within a reasonable period after the inspection has taken place.
21. Section 128 of the Act provides for application to the court for a warrant to enter residential premises on specified grounds. A warrant under S.128 authorises the officer named in the warrant to enter the premises at any reasonable time, using reasonable force if necessary. The warrant ceases to have effect when the inspection of the premises has been completed.
22. As with entry to business premises, officers entering residential premises in exercise of their power of entry must produce evidence of their identification and authorisation, unless it is not reasonably practicable to do so.
23. An officer entering residential or business premises (with or without a warrant) may be accompanied by such persons, and may take onto the premises such equipment, as the officer thinks necessary, and may take photographs or make recordings.
24. On entry under warrant to both business and residential premises, the officer must produce the warrant for inspection to at least one of the occupiers present. Where no occupier is present, the officer must:
 - Leave a notice on the premises stating that the premises has been entered under a warrant under the relevant section of the Act, and
 - Leave the premises as effectively secured against trespassers as the officer found them.
25. Under Section 131 of the Act, it is an offence for an individual to obstruct a council officer seeking to exercise their powers, or to fail to give an officer any additional assistance or information which they reasonably require, without reasonable excuse.

Appendix B

Interaction of the Renters' Rights Act 2025 Enforcement Policy, Civil Penalty Policy and Existing Housing Enforcement Policy



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Appendix C – Summary Profile of the Private Rented Sector In Stevenage

A stock condition report, the *Stevenage Private Sector Housing Stock Condition Survey 2024*, was produced by Opinion Research Services on behalf of the Council and published in June 2024.

Key findings from the report include the following:

- Within Stevenage, the private rented sector accounts for 15% of the housing stock, equating to around 5,500 households.
- Of those households, an estimated 5.3% live within properties with category 1 hazards. The private rented stock in Stevenage is modelled to have the highest rate of Category 1 hazards compared to owner-occupied and social rented sector properties.
- An estimated 16.4% of privately rented properties in Stevenage would fail the Decent Homes Standard (as it currently applies to the social rented sector), compared with 8.6% in owner-occupied properties and 3.6% in social housing.
- Privately rented homes are more likely than other tenure types to be poorly insulated.
- Around 11% of dwellings in the private rented sector have heating systems which are considered to be fairly poor or very poor, in terms of energy efficiency and running costs.
- Over 9% of privately rented properties in Stevenage are estimated to be overcrowded.
- 10.5% of households within the private rented sector in Stevenage include at least one person with a limiting long-term illness.
- Rent levels in the private rented sector in Stevenage are high compared to regional and national rent levels. Local Housing Allowance will typically leave a £300 per month shortfall after Housing Benefit and Universal Credit is paid, based on median rents.
- Additionally, Housing Benefit and Universal Credit rates are below private sector rent levels in the lowest quartile, meaning that families dependent on benefits will generally be unable to afford the lowest private rents in the borough.

Appendix C – Summary Profile of the Private Rented Sector In Stevenage

- Between 2019 and 2023, the number of Stevenage households in temporary accommodation doubled to 148. The second most common reason for the Council accepting a homelessness application was a private rented tenancy coming to an end.
- The long-term growth in the private rented sector in Stevenage is consistent with national trends. Growth in the sector seems likely to continue, driven by a combination of demand and supply factors including increasing demand from more households and recent reductions in average household income (in real terms).
- On this basis, in terms of the national picture the number of households renting privately could double again over the next twenty years. A similar increase is possible in Stevenage given that in recent years growth in the sector has been similar to levels seen in the country as a whole.

Appendix D – Preparing for Implementation: Housing Advice and Support

The Renter's Rights Act 2025 places new legal responsibilities on landlords of privately rented properties and provides increased protection for tenants.

In the period leading up to Part 1 of the Act coming into effect on 1st May 2026 and subsequently, the Council's Environmental Health & Licensing and Housing Options services have worked to:

- Promote the Act to landlords, providing them with information on their new responsibilities and where they can get advice to ensure that their rental business are operated in compliance with the legislation
- Promote the Act to tenants to raise awareness of their strengthened rights and protections under the Act, how they can report problems and where they can get further assistance.
- Review and update new processes to ensure that both tenants and landlords can access timely advice and support

Steps that have been taken include:

- Writing to all registered HMO landlords in Stevenage.
- Writing to local letting agents.
- Holding an online landlord forum with relevant presentations and a Q&A session.
- The development of new related webpages on the Council website providing information for both landlords and tenants, with links to further sources of advice and support.
- The publicising of landlord and tenant 'toolkits' and links to other online resources developed by government – e.g. via social media channels.
- Updating of online reporting links on the Council's website, so that tenants have a clear route to report concerns about housing standards, their landlord's conduct or compliance with the new rules applying to tenancies.
- Review of the Advice Aid tool accessed via the Council's Housing Advice website, which allows customers to receive information tailored to their own circumstances, which has now been updated to include information about the Renters' Rights Act.
- Working jointly with the Customer Service Centre management team to agree and implement referral routes where service requests relating to the new legislation are received.

In addition, the Housing Options service has:

- Reviewed the processes in place for monitoring any impact of the Act on homelessness presentations. As a result of this review, a new KPI is to be added which will enable the Housing Options service manager to report on presentations from those that have presented as homeless due to eviction from privately rented accommodation.
- Reviewed and updated the Homeless Prevention Action Plan for 2026/27, which sets out that the Council will:
 - Proactively respond to the implementation of the Renters' Rights Act by adapting prevention and advice services to reflect changes within the private rented sector.
 - Ensure staff are equipped to provide accurate, up-to-date advice.
 - Strengthen early engagement with tenants and landlords to resolve disputes before escalation.
 - Develop clear protocols for responding to revised possession grounds to ensure timely prevention activity.
 - Increase tenancy sustainment work to reflect longer, more secure tenancies and reduce avoidable tenancy breakdown
 - Monitor changes in homelessness presentations linked to new eviction grounds, rent increases or landlord withdrawal from the market. Utilise data trends to adapt prevention strategies and target interventions effectively.

Appendix D – Preparing for Implementation: Housing Advice and Support

- Provide guidance and engagement forums to help landlords understand new legal duties, tenancy reforms, and dispute resolution processes
- Work with enforcement teams to identify and respond to non-compliant landlords, reducing unsafe or unstable tenancies.

Equality Impact Assessment Form

For a policy, project, strategy, staff or service change, or other decision that is new, changing or under review

| | | | | | |
|--|---|---|------------|-----------------|------------------------------------|
| What is being assessed? | | Renters' Rights Act 2025 – Enforcement Policy | | | |
| Lead Assessor | Geoff Hammond Residential and Animal Control Manager | | | Assessment team | Environmental Health and Licensing |
| Start date | March 2026 | End date | March 2027 | | |
| When will the EqIA be reviewed? (Typically every 2 years) | March 2027, unless the policy to which it relates requires review at an earlier date. | | | | |

| | |
|--|---|
| Who may be affected by the proposed project? | Tenants living in private sector rented dwellings in Stevenage. Landlords of private sector rented dwellings in Stevenage. Private rental sector businesses in Stevenage, i.e. managing agents and letting agents. |
| What are the key aims of the proposed project? | To set out the Council's approach to regulation and enforcement of the Renters' Rights Act 2025. To detail how the Council will apply the legislative provisions under the Renters' Rights Act 2025 To set out how the Council will fulfil its statutory duties under this Act to regulate the private rented sector. |

| | | | | | |
|---|---|-----------------------------|--|--------------------------|--|
| What positive measures are in place (if any) to help fulfil our legislative duties to: | | | | | |
| Remove discrimination & harassment | The policy supports the effective enforcement of the legislative provisions | Promote equal opportunities | The policy supports the effective enforcement of legislative provisions that | Encourage good relations | The policy aims to ensure consistency and transparency in enforcement and thereby give |

| | | | | | |
|---|---|--|--|--|--|
| | concerning discrimination against certain groups of residential occupier. | | benefit disadvantaged groups such as low-income tenants. | | confidence to private sector tenants, landlords and rental businesses. |
| What sources of data / information are you using to inform your assessment? | UK legislation and associated Government guidance. | | | | |

| | |
|--|--|
| In assessing the potential impact on people, are there any overall comments that you would like to make? | The policy aims to support the effective enforcement of new legislation which increases rights and protections for private rented sector tenants, which includes disadvantaged groups. Landlords and businesses will benefit from a transparent and consistent approach by the Council to regulation, which the policy aims to set out. The policy is therefore expected to have an overall positive impact in relation to equalities. |
|--|--|

Evidence and Impact Assessment

Explain the potential impact and opportunities it could have for people in terms of the following characteristics, where applicable:

| Age | | | | | |
|--|---|--|--|----------------|--|
| Positive impact | ✓ | Negative impact | | Unequal impact | |
| Please evidence the data and information you used to support this assessment | The legislation to which the policy relates includes provisions prohibiting the discrimination by private rented sector landlords against prospective tenants with children. The policy is therefore expected to have an overall positive impact. | | | | |
| What opportunities are there to promote equality and inclusion? | Engagement with tenants to promote their rights under the legislation and how they can access advice and support. Engagement with landlords about their new duties. | What do you still need to find out? Include in actions (last page) | N/A – engagement with these groups has already begun, e.g. Landlord Forum, website resources for tenants | | |

| Disability e.g., physical impairment, mental ill health, learning difficulties, long-standing illness | | | | | |
|--|---|-----------------|--|---------------------|--|
| Positive impact | ✓ | Negative impact | | Unequal impact | |
| Please evidence the data and information you used to support this assessment | Residents living within the private rented sector include those in disadvantaged groups, including those with disabilities such as mental ill health. The policy is concerned with the effective enforcement of new legislation which strengthens the rights and protections for private rented sector tenants. | | | | |
| What opportunities are there to promote equality and inclusion? | See above under Age | | What do you still need to find out? Include in actions (last page) | See above under Age | |

| Gender Reassignment | | | | | |
|--|---|-----------------|--|----------------|--|
| Positive impact | | Negative impact | | Unequal impact | |
| Please evidence the data and information you used to support this assessment | No differential impact. Where known, preferred pronouns of those using the services to which this policy relates will be honoured during all communication. | | | | |
| What opportunities are there to promote equality and inclusion? | N/A | | What do you still need to find out? Include in actions (last page) | N/A | |

| Marriage or Civil Partnership | | | | | |
|--|-------------------------|-----------------|--|----------------|--|
| Positive impact | | Negative impact | | Unequal impact | |
| Please evidence the data and information you used to support this assessment | No differential impact. | | | | |
| What opportunities are there to promote equality and inclusion? | N/A | | What do you still need to find out? Include in actions (last page) | N/A | |

| Pregnancy & Maternity | | | | | |
|--|---|-----------------|--|-------------------------------|--|
| Positive impact | ✓ | Negative impact | | Unequal impact | |
| Please evidence the data and information you used to support this assessment | The legislation to which the policy relates includes provisions prohibiting the discrimination by private rented sector landlords against prospective tenants with children – or who will have children living with them during their tenancy. The policy is therefore expected to have an overall positive impact. | | | | |
| What opportunities are there to promote equality and inclusion? | See above comments under Age | | What do you still need to find out? Include in actions (last page) | See above comments under Age. | |

| Race | | | | | |
|--|---|-----------------|--|----------------|--|
| Positive impact | | Negative impact | | Unequal impact | |
| Please evidence the data and information you used to support this assessment | No differential impact. The discrimination provisions of the legislation to which this policy relates are concerned specifically with prospective tenants with children or who receive income from state benefits. Other forms of discrimination are not addressed by the Act. | | | | |

| | | | |
|---|-----|--|-----|
| What opportunities are there to promote equality and inclusion? | N/A | What do you still need to find out? Include in actions (last page) | N/A |
|---|-----|--|-----|

Religion or Belief

| Positive impact | | Negative impact | | Unequal impact | |
|--|--|--|-----|----------------|--|
| Please evidence the data and information you used to support this assessment | <p>No differential impact.</p> <p>The discrimination provisions of the legislation to which this policy relates are concerned specifically with prospective tenants with children or who receive income from state benefits. Other forms of discrimination are not addressed by the Act.</p> | | | | |
| What opportunities are there to promote equality and inclusion? | N/A | What do you still need to find out? Include in actions (last page) | N/A | | |

Sex

| Positive impact | | Negative impact | | Unequal impact | |
|--|--|--|-----|----------------|--|
| Please evidence the data and information you used to support this assessment | <p>No differential impact.</p> <p>The discrimination provisions of the legislation to which this policy relates are concerned specifically with prospective tenants with children or who receive income from state benefits. Other forms of discrimination are not addressed by the Act.</p> | | | | |
| What opportunities are there to promote equality and inclusion? | N/A | What do you still need to find out? Include in actions (last page) | N/A | | |

| Sexual Orientation e.g., straight, lesbian / gay, bisexual | | | | | |
|--|---|-----------------|--|----------------|--|
| Positive impact | | Negative impact | | Unequal impact | |
| Please evidence the data and information you used to support this assessment | <p>No differential impact.</p> <p>The discrimination provisions of the legislation to which this policy relates are concerned specifically with prospective tenants with children or who receive income from state benefits. Other forms of discrimination are not addressed by the Act.</p> <p>Property owners' preferred pronouns, where this known, will be honoured during all communication.</p> | | | | |
| What opportunities are there to promote equality and inclusion? | N/A | | What do you still need to find out? Include in actions (last page) | N/A | |

| Socio-economic¹ | | | | | |
|---|--|-----------------|--|----------------------|--|
| e.g., low income, unemployed, homelessness, caring responsibilities, access to internet, public transport users, social value in procurement | | | | | |
| Positive impact | ✓ | Negative impact | | Unequal impact | |
| Please evidence the data and information you used to support this assessment | <p>The legislation to which the policy relates includes provisions prohibiting the discrimination by private rented sector landlords against prospective tenants who receive income from benefits. The policy is therefore expected to have an overall positive impact for low-income tenants (or prospective tenants) within the private rented sector.</p> <p>In addition, the legislation to which the policy relates makes substantial changes to the existing law affecting private rented sector tenancies. This includes making most tenancies Assured Tenancies (with effect from 1st May 2026), which provides increased security of tenure. Landlords can no longer evict tenants without a reason and there are limitations on what grounds for eviction can be used. This is expected to have an overall positive impact in terms of the prevention of homelessness among existing private rented sector tenants.</p> | | | | |
| What opportunities are there to promote equality and inclusion? | See above under Age. | | What do you still need to find out? Include in actions (last page) | See above under Age. | |

¹Although non-statutory, the council has chosen to implement the Socio-Economic Duty and so decision-makers should use their discretion to consider the impact on people with a socio-economic disadvantage.

| Additional Considerations | | | | | |
|--|---|-----------------|--|----------------|--|
| Please outline any other potential impact on people in any other contexts | | | | | |
| Positive impact | | Negative impact | | Unequal impact | |
| Please evidence the data and information you used to support this assessment | Those using the services to which this policy relates may not speak English as their first language and may require additional language support services. While the Council is not obliged to translate written communications including statutory notices into other languages, options to facilitate communication in such cases will be considered. This may include the use of the Language Line service to provide an interpreter. Depending on the circumstances, it may also involve officers facilitating meetings with an interpreter present. Where there is sufficient justification for using translation services for written communications in a particular case, this option may also be considered. | | | | |
| What opportunities are there to promote equality and inclusion? | | | What do you still need to find out? Include in actions (last page) | | |

Consultation Findings

Document any feedback gained from the following groups of people:

| | | | |
|-------------------------------|-----|------------|-----|
| Staff? | N/A | Residents? | N/A |
| Voluntary & community sector? | N/A | Partners? | N/A |
| Other stakeholders? | N/A | | |

Overall Conclusion & Future Activity

| Explain the overall findings of the assessment and reasons for outcome (please choose one) : | |
|--|--|
| 1. No inequality, inclusion issues or opportunities to further improve have been identified | The policy aims to result in a consistent and transparent approach to the enforcement of the Renters' Rights Act 2025. This approach will apply equally to private rented sector landlords, rental businesses and other persons acting on a landlord's behalf in the course of such a business. Having a clear, consistent and transparent |

| | | |
|--|-------------------------|---|
| | | <p>approach to regulation is beneficial to landlords and others in the sector. It helps to ensure confidence that the approach that the Council will take will be fair and applied on an equal and impartial basis to those with duties as landlords under the legislation.</p> <p>As set out above, the strengthened rights and protections for tenants within the private rented sector is expected to have an overall positive effect for those in disadvantaged groups or with certain protected characteristics.</p> |
| Negative / unequal impact, barriers to inclusion or improvement opportunities identified | 2a. Adjustments made | N/A |
| | 2b. Continue as planned | N/A |
| | 2c. Stop and remove | N/A |

Detail the actions that are needed as a result of this assessment and how they will help to remove discrimination & harassment, promote equal opportunities and / or encourage good relations:

| Action | Will this help to remove, promote and / or encourage? | Responsible officer | Deadline | How will this be embedded as business as usual? |
|--------|---|---------------------|----------|---|
| N/A | | | | |
| | | | | |

Meeting Cabinet
Portfolio Area Environment, Transport and Planning
Date 10 June 2026



STEVENAGE BOROUGH LOCAL PLAN PARTIAL UPDATE: ADOPTION

KEY DECISION

Author Lewis Claridge | 2158
Lead Officer Alex Robinson | 2257
Contact Officer Lewis Claridge | 2158

1 PURPOSE

- 1.1 To provide Members with an update on the outcomes of the Main Modifications consultation on the Stevenage Borough Local Plan Partial Update, following the Examination in Public Hearing Sessions.
- 1.2 To inform Members of the Inspector's Report and to report any further changes recommended by the Inspector (over and above the Main Modifications proposed).
- 1.3 To consider the adoption of the Stevenage Borough Local Plan Partial Update.

2 RECOMMENDATIONS

That Cabinet:

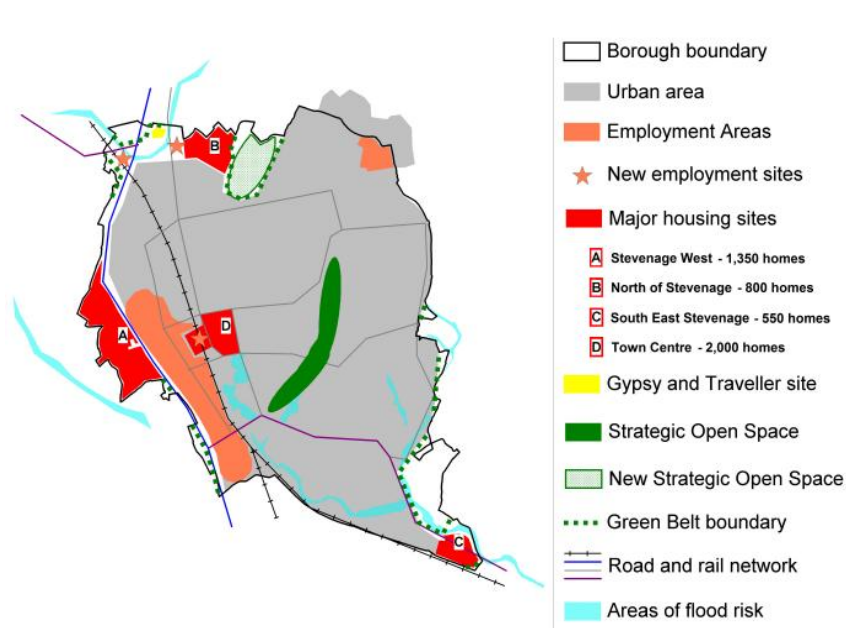
- 2.1 Agrees to adopt the Stevenage Borough Local Plan Partial Update, incorporating Main Modifications (Appendix C to E) and associated Proposals Map (Appendix F).
- 2.2 Recommends the Partial Update to Council for adoption.
- 2.3 Recommends to the Council that minor inconsequential amendments to the Local Plan be delegated to the Director of Planning and Regulation, in consultation with the relevant Cabinet Member / Portfolio Holder, prior to the Local Plan being adopted.
- 2.4 Notes the feedback from the Planning & Development Committee on the content of this Cabinet Report.

3 BACKGROUND

Stevenage Borough Local Plan

- 3.1 The Stevenage Borough Local Plan [BD1] was adopted on 22 May 2019. The Plan sets out a spatial vision for the town to 2031 and contains detailed land use policies for the Borough.
- 3.2 The Local Plan aligns closely with several themes set out in the Council's Making Stevenage Even Better Corporate Plan 2024–2027 [BD2]. Under the priority "Transforming our Town" and the Council's wider regeneration agenda, the Local Plan's objectives and related policies support the regeneration of the Town Centre and other strategic growth areas. This includes delivering benefits for residents and businesses through new homes, enhanced public services, improved local amenities, increased employment opportunities, better transport connections, and greater access to green spaces.
- 3.3 The Government places high importance in having an up-to-date Local Plan in place and in there are implications for the Council if it does not, including severely weakening a local authority's control over its area. It would open the Council to speculative development, results in a loss of power to dictate where and what gets built and hinders the delivery of much-needed affordable housing and infrastructure.
- 3.4 Without an up-to-date Plan in place, Councils struggle to mandate developer contributions (like Section 106 agreements) toward critical community assets like schools, healthcare facilities, green spaces, and transport links. Delays in passing Local Plans consistently lead to a drop in overall housing delivery, which exasperates housing affordability crises. Ultimately, if a Council continually fails to produce an updated plan, the Government can step in and directly intervene, essentially writing and imposing a Local Plan on the local area, taking local decision-making completely out of the Council's hands
- 3.5 Therefore, the adoption of this plan is also important in safeguarding the Council and its communities as well as enabling the delivery of our strategic priorities including Stevenage Even Better.
- 3.6 Under the priority "More Social, Affordable and Good Quality Homes", the Local Plan's objectives and policies promote both the delivery of new, sustainable homes and the maintenance of high-quality existing housing. The following key diagram illustrates the key spatial illustration of the Local Plan (2019).

Figure 1. Local Plan Key Diagram (2019).



Local Plan Review and Partial Update

- 3.7 The requirement to review the plan was triggered in May 2024 as it had reached 5 years since it was adopted; with just under seven years of the plan period remaining.
- 3.8 The Council duly carried out a full review of the Local Plan which revealed a number of areas where policies required updating. In light of the review, the Council considered the following options:
 - a) Carry out a comprehensive update of the plan, with strategic policies looking ahead over the following 20 years (in effect, an entirely new Local Plan).
 - b) Carry out a comprehensive update of the plan, with the plan period unchanged (a full update).
 - c) Carry out a limited update of the plan, including only the changes most immediately necessary to keep the plan up-to-date and with the plan period unchanged (a partial update).
- 3.9 The Council decided to proceed with option (c) – a partial update of the Local Plan, with the changes limited to those most urgently necessary to ensure that the plan remains up-to-date and effective in dealing with the most pressing issues facing the borough.
- 3.10 It was agreed, following legal advice that there should be a two-stage process to reviewing the Stevenage Borough Local Plan, given the position the local authority finds itself regarding the age of the current Local Plan being 5 years since adoption; Stage 1 consisting of a Partial Update with Stage 2 comprising a full New Local Plan.

- 3.11 The scope of the Local Plan Partial Update is limited to new and revised policies of the existing adopted Stevenage Borough Local Plan (2019) and that it was limited to making necessary changes only relating to key drivers of change since the Plan was adopted in 2019. There are no proposed changes to housing or employment targets in the Local Plan Partial Update. More information on the changes proposed to the adopted Local Plan are detailed in the Officer Report to Cabinet in June 2024 [BD3] and November 2024 [BD4] and focus on the continued effort to tackle Climate Change.
- 3.12 There are no proposed changes to housing or employment targets in the Local Plan Partial Update. Housing and employment targets are key pillars of the Local Plan. In Stevenage, housing supply remains a challenge; however, the Council is confident that it can meet the targets of the Plan and that it maintains a healthy housing land supply, as well as meeting employment needs of the borough; in the context of the wider delivery challenges facing the South East region as well as the country. The following table compares key provisions of the 2019 Local Plan with the Partial Update.

Figure 2. Local Plan Status Comparison (2019 to 2026).

| | Adopted Local Plan (2019) | Local Plan Partial Update (2026) |
|-------------------------------------|---|---|
| Relevant NPPF | March 2012 | December 2023 (Transitional Arrangements) |
| Plan Period | 2011 – 2031 | 2011 – 2031 |
| Housing requirement | 7,600 homes 2011 – 2031 | 7,600 homes 2011 – 2031 |
| Employment space requirement | At least 140,000 sq m employment floorspace to be completed 2011 – 2031 | At least 140,000 sq m employment floorspace to be completed 2011 – 2031 |

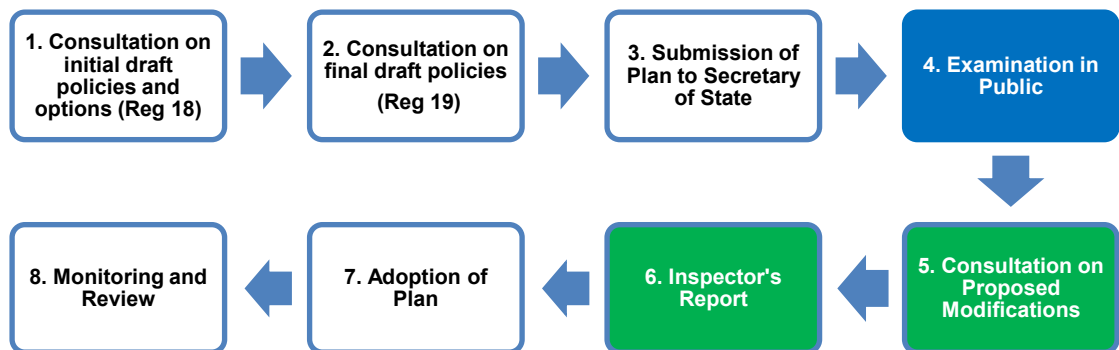
Progress with Local Plan Partial Update

- 3.13 The first consultation on the Local Plan Partial Update was held from 5 July to 15 August 2024 and took place in accordance with Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012).
- 3.14 A second round of public consultation (under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012) was held from 21 November 2024 to 14 February 2025.
- 3.15 The Local Plan Partial Update was submitted to the Secretary of State (MHCLG) on 15 August 2025, ahead of an independent Examination in Public by an appointed Planning Inspector [BD5].
- 3.16 The Stevenage Borough Local Plan Partial Update Examination in Public Hearing sessions were held from 2–10 December 2025 and conducted by an independent Planning Inspector (PINS). Further details regarding the Examination in Public can be viewed at the dedicated Examination website: <https://www.hwa.uk.com/projects/stevenage-local-plan-partial-update/>

Recommendation 2.1: That Cabinet agrees to adopt the Stevenage Borough Local Plan Partial Update, incorporating Main Modifications (Appendix C to E) and associated Proposals Map (Appendix F).

Recommendation 2.2: That Cabinet recommends the Partial Update to Council for adoption.

Recommendation 2.3: That Cabinet recommends to the Council that minor inconsequential amendments to the Local Plan be delegated to the Director of Planning and Regulation, in consultation with the relevant Cabinet Member / Portfolio Holder, prior to the Local Plan being adopted.



Main Modifications Consultation

- 4.1 At the conclusion of the Examination in Public Hearing sessions, the Inspector advised that the Plan was capable of being found sound, but that Main Modifications (MM) would be required. The letter setting out the detail was received on 16 December 2025 and is attached as a supporting document [BD6].
- 4.2 Officers reported to Cabinet in February 2026 [BD8] to seek approval to consult on the Main Modifications to the Local Plan Partial Update, following Examination in Public Hearings.
- 4.3 The full schedule of proposed Main Modifications to the Local Plan Partial Update (MMs) [BD7] provides a schedule of proposed modifications to the submitted Local Plan Partial Update [BD5]. The substantive changes to the Partial Update (as submitted) and the version of the Local Plan that were subject to Main Modifications consultation include:
- *Ensure the new Climate Change Policies are effective, justified by the evidence base and are sufficiently flexible to ensure they do not prejudice the delivery of development in the Borough.*
 - *Partial updates to the housing elements of the adopted Plan to make clear that the housing requirement remains unchanged as a result of the partial update.*

- *Replace the proposed requirement for M4(3)(2)(b) wheelchair accessible dwellings with the requirement for M4(3) wheelchair user dwellings. This is because the specific requirement for M4(3)(2)(b) dwellings is not justified.*
 - *Ensure the updated policies and new policies are consistent with national policy, justified and effective.*
- 4.4 Consultation on the Main Modifications, and associated Sustainability Appraisal (SA), was held between 18 February and 31 March 2026.
- 4.5 A total of 12 representations were received from 9 respondents. Responses were received from the National Grid Electricity Transmissions, Hertfordshire Gardens Trust, Natural England, Historic England, Environment Agency, Hertfordshire County Council, National Highways, NHS and McCarthy & Stone / Churchill Living. A full schedule of responses can be found in Appendix A.
- 4.6 Natural England, Historic England and the Environment Agency responded to the SA and agreed with our conclusions or gave no comment in relation to this specific area. Representations received on the Main Modifications generally agreed with the flexible approach proposed in the modified policies.
- 4.7 Other comments were out of scope for this part of the consultation; however, these have been noted in preparation for a new Local Plan. Officers will work with these respondents going forward to ensure future work can incorporate new approaches or evidence.
- 4.8 Overall, the comments welcomed the flexible approach to the modified comments. The Inspector took them into consideration when preparing his final report, and where required, proposed further changes to the modifications.

Inspector's Report

- 4.9 Following consultation on the Main Modifications of the Plan the Council has received the Inspector's Final Report into the Local Plan on 27 May 2026 (Appendix B).
- 4.10 The Inspector's Report contains his assessment of the Partial Update Plan in terms of Section 20(5) of the Planning and Compulsory Purchase Act 2004 (as amended) and as applied by Regulation 4 and paragraph 2 schedule 1 of the Levelling-up and Regeneration Act 2023 (Commencement No. 11 and Saving and Transitional Provisions) Regulations 2026. It considers whether the Partial Update Plan is compliant with the relevant legal requirements (including in terms of the Town and Country Planning (Local Planning) (England) Regulations 2012, also as applied by Regulation 4 and paragraph 2 schedule 1 of the Levelling-up and Regeneration Act 2023 (Commencement No. 11 and Saving and Transitional Provisions) Regulations 2026) and whether it is sound.
- 4.11 The Inspector's Report concludes that with the Main Modifications proposed the Stevenage Borough Local Plan Partial Update satisfies the requirements referred to in Section 20(5)(a) of the 2004 Planning & Compulsory Purchase Act and is sound and is recommended for adoption.
- 4.12 Upon receipt of the Inspector's Report, the Council can either adopt the Stevenage Borough Local Plan Partial Update, with the recommendations proposed, or it must withdraw the Plan completely.

Local Plan Partial Update Adoption

- 4.13 The final draft version of the Local Plan Partial Update, incorporating the main modifications recommended by the Inspector, as well as any minor modifications, is attached to this report at Appendix C to E and should be read in conjunction with the 2019 Local Plan, as the 2019 Plan is being partially updated. Appendix C provides the updates to the 2019 Plan as submitted to the Government in August 2025; Appendix D provides the final Main Modifications as consulted on from February to March 2026 and agreed by the Planning Inspector; Appendix E provides some minor “Additional Modifications” (AMs) for the purposes of clarity and consistency. This is supported by an updated Local Plan Proposals Map at Appendix F and an Adoption Statement at Appendix G.
- 4.14 If approved by Cabinet, the Stevenage Borough Local Plan, as partially updated, will be adopted on 22 July 2026 following the meeting of Full Council; a mandatory 6-week legal challenge period will then follow.
- 4.15 It is requested that Cabinet agree to delegate powers to the Director for Planning and Regulation to make any required inconsequential final amendments to the Local Plan prior to being published for adoption. This will include producing a clean version of the revised Plan, final wording amendments, graphics, maps, and any final publishing as required.
- 4.16 Once adopted, the Local Plan as partially updated will update the adopted 2019 Stevenage Borough Local Plan.

Recommendation 2.4: That Cabinet notes the feedback from the Planning & Development Committee on the content of this Cabinet Report.

- 4.17 Planning & Development Committee Chair and Vice Chair were briefed in advance of the Cabinet meeting. The views of the Planning & Development Committee Members are of significant value in shaping the future direction the Local Plan takes, as future Committee decisions will be based on revised and new Local Plan policies. Any comments will be reported back orally at the Cabinet meeting.

Post Adoption and New Local Plan

- 4.18 Following adoption of the Stevenage Borough Local Plan Partial Update the Local Plan will have less than five years remaining before the Plan is timed out. As such officers will provide Cabinet with a further report setting out the new Local Plan system, as set out in regulations laid in March 2026 and the implications this has for preparing a new Local Plan for Stevenage.
- 4.19 Whilst the Local Plan as partially updated runs for the remaining 5 years of the 2011–2031 plan period, the National Planning Policy Framework (NPPF) requires Local Plans to be kept up to date and Government legislation is changing; Government issued a new roadmap in May 2026 for a more efficient plan making process. Officers will report back in late Summer / early Autumn on the options.

5 IMPLICATIONS

Financial Implications

- 5.1 There are no financial implications arising from the adoption of the Local Plan Partial Update.
- 5.2 Any potential future schemes or plans that are referenced in the Local Plan Partial Update and subsequently developed would need to be subject to a business case and / or will require developer or potentially Council funding.
- 5.3 A legal challenge(s) to the Local Plan following its adoption would have financial implications for the Borough Council. These costs will be dependent upon the nature of the challenge(s).

Legal Implications

- 5.4 The Local Plan Partial Update has been prepared in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).
- 5.5 Officers have sought legal advice from Counsel on the broad approach and Counsel are content that they are following the most appropriate process.
- 5.6 The Local Plan Partial Update, once adopted on 22 July 2026, is subject to a 6-week legal challenge period.

Risk Implications

- 5.7 Given that the adopted Local Plan is now over 5 years old, there is a risk that, if the Local Plan Partial Update is not adopted, policies will be considered out of date and therefore carry reduced weight in planning decision-making, increasing reliance on national policy and the risk of speculative development being approved.
- 5.8 The Local Plan Partial Update serves to provide greater certainty in the plan making process and therefore reduce elements of risk in the overall process. Further delay to progressing the Local Plan Partial Update could also potentially mean that the new NPPF (currently out for consultation) would be in place by the time the Local Plan reached adoption stage, resulting in further uncertainty, as well as the pressures under the new Local Plan system to prepare a brand new Plan.

Planning and Policy Implications

- 5.9 The Local Plan Partial Update is proposed to revise, develop and update policies in the adopted Stevenage Borough Local Plan (2019).
- 5.10 The Local Plan Partial Update will align with other corporate Council documents such as the Climate Change Strategy (adopted September 2020), Action Plan and Charter as well as Stevenage's Future Town Future Transport Strategy.
- 5.11 The Local Plan Partial Update ensures that the Council's Making Stevenage Even Better key policies and objectives are improved and reflected as far as possible. Officers will work with the Corporate Policy team to ensure the relevant links and references are made.
- 5.12 The Local Plan Partial Update will build upon the adopted Development Plan for Stevenage. It will be a material consideration for planning applications. Future proposals will need to be in accordance with revised and new policies in the Local Plan.
- 5.13 The Local Plan Partial Update will build upon the adopted Development Plan for Stevenage and will form part of the statutory development plan once adopted. In

accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise. As such, future proposals will be expected to accord with the revised and new policies within the Local Plan, ensuring decisions are made against an up-to-date and robust policy framework.

- 5.14 In the absence of adoption, there is a risk that existing policies will increasingly be considered out of date and therefore attract reduced weight in decision-making. This would increase reliance on national policy and could result in less certainty in determining planning applications, including an increased risk of speculative development proposals being approved where the Council's policy framework is afforded limited weight.

Environmental Implications

- 5.15 The Local Plan Partial Update includes revisions to policies on environmental protection and management. These have been informed by internal engagement with the Council's Green Spaces and Environmental Policy and Development teams to ensure the policies are robust, up-to-date and deliverable.

Climate Change Implications

- 5.16 The Local Plan Partial Update includes updates to policies relating to tackling climate change in the borough. This has been informed by internal consultation by officers with officers in the Climate Change team, to ensure the relevant policies created and updates incorporated.
- 5.17 The Local Plan Partial Update includes a comprehensive update to policies relating to Climate Change in the borough. Policies were significantly strengthened as part of the submission to the Secretary of State in August 2025. Following Examination in Public Hearings in December 2025 and the fact that Government have reneged on Climate Change ambitions in recent months, the ambition of new Climate Change policies has been scaled back to provide a degree of flexibility in their application, rather than being a strict requirement. However, this still goes significantly above what is prescribed in the adopted Local Plan.
- 5.18 The Local Plan Partial Update supports the aims and objectives of the Stevenage Climate Change Strategy (September 2020) [BD9] and contributes to the overall climate change aspirations of the Council. In addition to being reflected in the Local Plan Partial Update and Climate Change Strategy, the Council's "Making Stevenage Even Better" Corporate Plan includes a priority "Tackling Climate Change" and is therefore applied across a range of Council functions.
- 5.19 The Government has published the Future Homes and Buildings Standards (Building Circular 01/2026), introducing significant changes to the Building Regulations. These will come into force from 24 March 2027. The new standards amend the Building Regulations 2010 to require low-carbon heating and significantly improved energy efficiency in new homes and buildings. This is intended to ensure that new development achieves high environmental performance and will not require future retrofit to meet net zero as the electricity grid decarbonises.
- 5.20 With respect to wider planning reforms, the proposed reforms to the NPPF seek to strengthen the role of the planning system in supporting the Government's net zero 2050 target, including through enhanced requirements relating to both climate change mitigation and adaptation. The reforms place a greater emphasis on energy-efficient design, sustainable transport and a more "vision-led" approach to development, alongside improved resilience to climate impacts such as overheating and flood risk.

- 5.21 Once the new NPPF is in place, it will enable the Council to embed policies within a future Local Plan with a stronger emphasis on achieving net zero carbon development. Alongside the introduction of National Development Management Policies and updated Building Regulations relating to future homes standards, these would when combined will help support the Council's ambition to become net zero by 2030.
- 5.22 Given the changes to Building Regulations and the revisions to the NPPF, the new Local Plan should consider stronger measures to tackle Climate Change and related challenges.

Equalities and Diversity Implications

- 5.23 There are no significant equalities and diversity risks associated with producing the Local Plan Partial Update.
- 5.24 An Equalities Impact Assessment [BD10] on the Main Modifications to the Local Plan Partial Update was prepared to accompany the Main Modifications consultation in February to March 2026.

Community Safety Implications

- 5.25 There are no significant community safety implications associated with producing the Local Plan Partial Update.

BACKGROUND DOCUMENTS

- BD1 Stevenage Borough Local Plan 2011–2031 (May 2019)
<https://www.stevenage.gov.uk/documents/planning-policy/stevenage-borough-local-plan/stevenage-borough-local-plan.pdf>
- BD2 Making Stevenage Even Better: Corporate Plan 2024–2027 (April 2024)
<https://www.stevenage.gov.uk/documents/corporate-plan/appendix-a-making-stevenage-even-better-2024-2027.pdf>
- BD3 Meeting of the Stevenage Borough Council Cabinet, Item 4: Local Plan Review and Revised Local Development Scheme (5 June 2024)
<https://democracy.stevenage.gov.uk/documents/s36560/4%20Cabinet%20Report%20Local%20Plan%20Review%20LC%20Final%20230524.pdf>
- BD4 Meeting of the Stevenage Borough Council Cabinet, Item 4: Local Plan Partial Review and Update: Regulation 18 Consultation Feedback and Regulation 19 Consultation (13 November 2024)
<https://democracy.stevenage.gov.uk/documents/s37640/4%20Cabinet%20Report%20Local%20Plan%20Review%20LC%20Final%20011124.pdf>
- BD5 Partial Update of the Stevenage Borough Local Plan 2011 – 2031: Schedule of Changes from Adopted Local Plan to Submission Version – Changes since Adoption of Local Plan in May 2019 (August 2025) <https://www.hwa.uk.com/site/wp-content/uploads/2025/07/CD3-Schedule-of-Changes-Adopted-Local-Plan-to-Partial-Update-Submission.pdf>
- BD6 Formal response from the Inspector to the Council, inviting Main Modifications to the Local Plan Partial Update (December 2025) <https://www.hwa.uk.com/site/wp-content/uploads/2025/08/Stevenage-Partial-Update-PHN-161225-.pdf>
- BD7 Full Schedule of MMs for Consultation (February to March 2026)
<https://www.hwa.uk.com/site/wp-content/uploads/2025/08/local-plan-partial-update-mms-schedule-of-changes-final.pdf>
- BD8 Meeting of the Stevenage Borough Council Cabinet, Item 6: Stevenage Borough Local Plan Partial Update: Main Modifications following Examination in Public Hearings (February 2026)
<https://democracy.stevenage.gov.uk/documents/s42518/6%20Cabinet%20Report%20Local%20Plan%20MMs%20FINAL.pdf>
- BD9 Stevenage Climate Change Strategy (September 2020)
<https://www.stevenage.gov.uk/documents/about-the-council/climate-change-strategy/climate-change-strategy-september-2020.pdf>
- BD10 Stevenage Borough Local Plan Partial Update: Main Modifications Equalities Impact Assessment (February 2026) <https://www.hwa.uk.com/site/wp-content/uploads/2025/08/eqia-local-plan-partial-update-mms.pdf>

APPENDICES

- A: Proposed Main Modifications to the Local Plan Partial Update: Consultation Responses (February to March 2026)
- B: Inspector’s Report on the Examination of the Stevenage Local Plan 2011–2031 Partial Update (May 2026)
- C: Stevenage Borough Local Plan Partial Update: Submission to Secretary of State (August 2025)

- D: Stevenage Borough Local Plan Partial Update: Main Modifications to make the Plan Partial Update sound (May 2026)
- E: Stevenage Borough Local Plan Partial Update: Additional Modifications (May 2026)
- F: Stevenage Borough Local Plan Partial Update: Final Draft Policies Map (May 2026)
- G: Stevenage Borough Local Plan Partial Update: Adoption Statement (May 2026)

| Row ID | Respondent ID for Main Mods | SBC_ Comment ID for Main Mods | Date | Respondent ID Name | Theme of Comment | Local Plan Policy No. | Comments for Main Modifications to the Local Plan Partial Update | SBC Response |
|--------|-----------------------------|-------------------------------|-----------|--|--|----------------------------|---|---|
| 1 | SBC_001 | 1 | 26/3/2026 | National Grid Electricity Transmission | Sites in close proximity to power lines. | Sites HO3, EC1/4 and EC1/7 | <p>Policy HO3: North of Stevenage This site has the above listed asset interacting with it through the central part of the allocation. We continue to agree with the inclusion of HO3(o) which makes clear that development proposals must demonstrate that an appropriate buffer around existing power lines is incorporated for development proposals to be permitted. We also agree with provisions at 9.34 which recognises the asset as a constraint and further requires implementation of a suitable buffer. However, we ask that the relevant guidance be referred to within a footnote, as with footnote 68 (previously footnote 57) to ensure consistency in approach to addressing the constraint across numerous sites. The updated link to provide is provided below in relation to Policy EC1.</p> <p>Policy EC1: Allocated sites for employment development (EC1/4 Land west of North Road) and (EC1/7 Land west of Junction 8) Both these sites have the above listed asset interacting with them, to varying degrees. In recognition of this, we support the continued inclusion of the following text, in reference to EC1/4, within Policy EC1: "Development proposals will need to have regard to the constraints on this site and, in particular, ensure appropriate clearances from the</p> | <p>Comments noted and appreciated. These are currently out of scope for this consultation on the Local Plan Partial Update - Main Modifications. Sites within the Local Plan have not changed from the adopted Local Plan (2019). However these will be noted for a new Local Plan, and the Council are keen to collaborate with NGET in all parts of the planning process.</p> <p>Therefore, these comments will be noted because they do not relate to the main modifications the Council are consulting on.</p> <p>Some of the current sites within the plan will have been built out / or are currently underway. The planning permission for EC1/4 is planning application number 21/00529/FPM and Housing site HO3 is 17/00862/OPM. These will show the levels of communication and work regarding the power lines,</p> |

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| | | | | | | <p>overhead lines” but ask that EC1 be adapted to reference both the above sites, not just EC1/4. For additional clarity, a suitable location for this might be within the site discussion at 6.7 of the policy. We also support the direct reference to National Grid guidance. However the link provided in footnote to the plan (footnote 68 – previously 57) is no longer active and should be updated to the most recent version as follows: https://www.nationalgrid.com/document/345326/download Without appropriate acknowledgement of the NGET assets present within the sites, these policies should not be considered effective as they cannot be delivered as proposed; unencumbered by the constraints posed by the presence of NGET infrastructure and we must continue to object on this basis.</p> | <p>which run through the sites. This level of collaboration is essential to ensure development is carried out accordingly, especially for the sites yet to be completed such as EC1/7.</p> <p>Therefore, the Council will note these comments and ensure these are incorporated in to the future work of planning in the Council.</p> |
| 2 | SBC_002 | 2 | 19/03/2026 | Hertfordshire Gardens Trust | General | <p>We have no comment to make on the proposed modifications which are outside of the area of interest and remit of Hertfordshire Gardens Trust.</p> | <p>Comments noted.</p> |

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| 3 | SBC_003 | 3 | 11/3/2026 | Natural England | General | <p>Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.</p> <p>Natural England has no comments to make on the Main Modifications for the Local Plan, Sustainability Appraisal, Habitats Regulations Assessment or Appropriate Assessment for the Stevenage Borough Council. We agree with your conclusions on these screening reports.</p> <p>The lack of comment from Natural England should not be interpreted as a statement that there are no impacts on the natural environment. Other bodies and individuals may wish to make comments that might help the Local Planning Authority (LPA) to fully take account of any environmental risks and opportunities relating to this document.</p> <p>If you disagree with our assessment of this proposal as low risk, or should the proposal be amended in a way which significantly affects its impact on the natural environment, then in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, please consult Natural England again.</p> | Comments noted. |
| 4 | SBC_004 | 4 | 30/3/2026 | Historic England | General | <p>Thank you for inviting us to comment on the Council's Main Modifications, the updated Sustainability Appraisal, and the HRA / Appropriate Assessment. Having reviewed the documents, I can confirm</p> | Comments noted. |

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| | | | | | | | that we have no specific comments on the modifications themselves, and we agree with the conclusions of the SA and the Appropriate Assessment that the previous assessment remains valid. | |
| 5 | SBC_005 | 5 | 31/3/2026 | Environment Agency | MM37 | FP2 | <p>Main Modifications MM37 – Policy FP2 We do not agree with MM37. First, we disagree that the policy language is softened from must to should. It is a requirement to ensure flood risk is appropriately managed and therefore it is not unreasonable to expect that new developments must adhere to the policy. In addition to this, we are particularly concerned with the removal of ‘provide an 8m undeveloped buffer zone from the top of the bank of main rivers’ from the policy wording. We strongly recommend that it is reincorporated into the modified wording. We’ve set out a recommendation for this below: “Provide an undeveloped buffer zone of 8m from the top of the bank of any adjacent main rivers or 3m from the top of the bank of adjacent ordinary watercourses;” We also disagree with the change of wording to an all-encompassing ‘All development proposals will be assessed against national planning policies for flood risk’.</p> <p>We strongly encourage local authorities to have their own local policy requirements for flood risk. We therefore suggest that the original specific policy points (a, b, c, d, g, i and j) are reinstated, to go alongside the modified ‘new’ list of a, b and c. Our concerns about MM37’s alterations to the policy wording for FP2 are further amplified by the fact that the SFRA is out of date and no new SFRA has been submitted in support of the Local</p> | <p>The comments from the Environment Agency are noted and much appreciated with their level of expertise. The changes were made due to lengthy discussions held at the Examination at Public Hearing Sessions in December 2025 with the Planning Inspector.</p> <p>The changes were agreed to bring the wording in line with national guidance, particularly the National Planning Policy Framework (NPPF) and The Flood Risk & Coastal Change Planning Practice Guidance (PPG).</p> <p>Flood risk is an important consideration in planning and these changes were made to be flexible in language with the PPG and NPPF. This is to ensure consistency and avoid duplication at a local level.</p> <p>The Council will work closely with the Environment Agency on our new Local Plan for Stevenage and this policy approach can be reviewed</p> |

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| | | | | | | <p>Plan.</p> <p>Other Main Modifications We have no comments on the rest of the main modifications proposed.</p> | <p>with them to ensure consistency with National Policy.</p> |
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| 6 | SBC_005 | 6 | 31/3/2026 | Environment Agency | Evidence Base - Strategic Flood Risk Assessment | Evidence Base In our response to the Regulation 19 Consultation, we highlighted the need for an updated Strategic Flood Risk Assessment (SFRA). This has not been completed. We expect that if the Local Plan is adopted, you must begin work on an updated SFRA within 6 months. If it is not adopted, an updated SFRA should be produced as part of any revised Local Plan consultation. | <p>Comments are noted on the Council's evidence base. As responded at Regulation 19, flood risk mapping is sent annually to the Council and is uploaded on to our GIS web mapping to ensure we are using the most up to date data and ensure the Council is using the most up to date data.</p> <p>We agree with the age of the SFRA, but due to the Local Plan Partial Update not changing any of its allocated sites or housing numbers, the Sustainability Appraisal, and Appropriate Assessment concluded that an updated SFRA was not necessary for this partial update of the Local Plan.</p> <p>It was agreed that a new Local Plan will need an updated SFRA to ensure flooding is considered and kept up to date and in line with electronic documentation. This will be a priority when we commence work on the new Local Plan and the Council are keen to work collaboratively with the Environment Agency at all stages.</p> |
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| 7 | SBC_006 | 7 | 31/3/2026 | National Highways | General | | Many thanks for consulting National Highways on the proposed Main Modifications for the Local Plan Partial Update. Having reviewed the proposals, National Highways would wish to make no comments on the amendments. | Comments noted. |
| 8 | SBC_007 | 8 | 31/3/2026 | NHS HWE ICB | MM9 | CC1 | <p>Thank you for consulting the NHS HWE ICB on the Local Plan Partial Update Main Modifications. I have reviewed main modification 9 (MM9) relating to the proposed changes to Policy CC1: Energy Efficiency. The HWE ICB raised concerns with Policy CC1 at the Regulation 18 and 19 consultation stages on the grounds that any major development proposals for Stevenage brought forward by the NHS from 2026 onwards would likely to be contrary to Policy CC1, due to the Council's locally set and earlier net zero target dates when compared to the NHS' later set targets . As such the NHS was duly concerned that this will may impact on the delivery of capital projects and the provision of adequate health services and infrastructure to meet housing growth in the borough.</p> <p>The proposed changes to Policy CC1 now allow for the policy to be applied flexibly, recognising that it may not always be appropriate to achieve zero emissions; covering instances where it may not be technically feasible, financially viable, or would otherwise compromise the delivery of sustainable development. This clarity, allowing the Council to apply Policy CC1 to decisions on planning applications flexibly is welcomed and supported by the NHS HWE ICB.</p> | Comments noted and support welcomed. |

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| 9 | SBC_008 | 9 | 31/3/2026 | Hertfordshire County Council | General | SP11, CC3, TC4, HO10, HO11 | <p>Thank you for consulting HCC on the Stevenage Local Plan Partial Update & Review Main Modifications. HCC has the following comments to make.</p> <p><u>MM8 - Policy SP11</u> No comments.</p> <p><u>MM11 – Policy CC3</u> Welcome changes to para 6A.26 and 27</p> <p><u>MM18 – Policy TC4</u> Welcome the requirement for a comprehensive strategic masterplan for the entire allocation. HCC would like to be involved in the creation of this masterplan, particularly consultations associated with this work. HCC welcomes the re-use of the good work produced for the AAP in this replacement masterplan process.</p> <p><u>MM32 - Policy HO10</u> HCC welcomes the support for sheltered and supported housing schemes.</p> <p><u>MM33 - Policy HO11</u> No comments.</p> | Comments noted. |
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| 10 | SBC_008 | 10 | 31/3/2026 | Hertfordshire County Council | Flooding | FP1, FP2 | <p>MM36 – Policy FP1</p> <p>No issues with the changes to the first paragraph</p> <p>We would see the updating of “SuDS proposals must” to “should” as a step backwards. If SuDS proposals do not ensure that peak discharge rates from the site will not increase, then that is likely to increase flood risk, as it not achieving greenfield run-off rates on greenfield sites, etc.</p> <p>We would see the removal of the sentence seeking to refuse the discharge of surface water to foul sewers as a downgrade. Foul sewer networks are not designed to accommodate surface water flows and would never normally accept “clean” surface water runoff. Discharging surface water runoff to foul sewers is likely to increase flood risk, is not in accordance with PPG in which the foul sewer is not listed as a viable discharge location, and is contrary to paragraph 1.10 of the National Standards for SuDS (2025), which states “Surface water runoff from the development shall not discharge to a foul drainage system.” It is understood if the LPA considers the above (regarding PPG and the National Standards for SuDS) as sufficient national guidance, and because it is not included in Table 4 (page 183) of the Local Plan, that it is not necessary to stipulate this in the Local Plan itself – however it does make this aspect less robust.</p> <p>Removal of the paragraph “proposals reliant on underground attenuations... will be refused” is reasonable provided the SuDS hierarchy is shown to be explored and there are no scope to provide SuDS attenuation in above-ground features.</p> | <p>As per SBC's response to the Environment Agency (Row ID 5), the comments from HCC are noted and much appreciated with their level of expertise. The changes were made due to lengthy discussions held at the Examination at Public Hearing Sessions in December 2025 with the Planning Inspector.</p> <p>The changes were agreed to bring the wording in line with national guidance, particularly the National Planning Policy Framework (NPPF) and The Flood Risk & Coastal Change Planning Practice Guidance (PPG).</p> <p>Flood risk, SuDS and watercourses (not limited to) are an important consideration in planning, and these changes were made to be flexible in language with the PPG and NPPF. This is to ensure consistency and avoid duplication at a local level.</p> <p>The Council will always closely with HCC's Lead Local Flood Authority (LLFA) in all areas of planning from applications to policy.</p> |
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| | | | | | | | <p>Removal of the paragraph “At the application stage, development proposals involving SuDS...” is reasonable as this is covered by NPPF / PPG.</p> <p>MM37 – Policy FP2 The updated wording is less robust for flood risk management, however much of what has been removed is covered by national legislation/guidance. FP2 part C regarding watercourses is in accordance with the draft NPPF which includes new policy on re-naturalisation of watercourses where flood risk would not be increased as a result. A 3m undeveloped buffer from ordinary watercourses is a local LLFA requirement that we will be seeking at application stage – this is to ensure that watercourses can be accessed for maintenance by the relevant landowner(s). The removal of “must” in favour of “should” with regards to protecting existing flood defences including allowing space for maintenance access etc is less robust.</p> | |
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| 11 | SBC_009 | 11 | 31/3/2026 | Hertfordshire County Council | Trees | NH5 | <p>MM38 – Policy NH5</p> <p>Part 'b' states "replacement trees or planting are provided which are; i Of equal or better quality than the trees which are lost...". How is quality to be defined. Clarity on this term should be provided (size, condition, suitability of species for location etc). This term is too open for interpretation.</p> | Comments noted. The Council will consider this point closely when embarking on its new Local Plan. |
| 12 | SBC_010 | 12 | 31/3/2026 | McCarthy Stone and Churchill Living | Sheltered housing | HO10 and HO11 | <p>Thank you for the opportunity to comment on the Stevenage Local Plan main modifications consultation.</p> <p>McCarthy Stone (MS) and Churchill Living (CL) are independent housebuilders specialising in specialist housing for older people. Together, they are responsible for delivering approximately 90% of England's specialist owner-occupied retirement housing. Both operators are therefore well placed to provide comment on the policy barriers that may have the potential to restrict supply within the sector.</p> <p>With respect to MM32 and MM33 we support the flexibility introduced by the main modifications.</p> | Comments noted. |

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Report to Stevenage Borough Council

by L Fleming B.Sc. (Hons) MRTPI IHBC

an Inspector appointed by the Secretary of State

Date 27 May 2026

Planning and Compulsory Purchase Act 2004 (as amended and applied by the Levelling-up and Regeneration Act 2023 (Commencement No. 11 and Saving and Transitional Provisions) Regulations 2026)

Report on the Examination of the Stevenage Local Plan 2011-2031 Partial Update

The Plan was submitted for examination on 15 August 2025

The examination hearings were held between 2 December and 9 December 2025

File Ref: PINS/U4230/429/11

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Abbreviations used in this report

| | |
|------|---|
| AAP | Area Action Plan |
| HRA | Habitats Regulations Assessment |
| MM | Main Modification |
| NPPF | National Planning Policy Framework |
| PPG | Planning Practice Guidance |
| SA | Sustainability Appraisal |
| SFRA | Strategic Flood Risk Assessment |
| SHMA | Strategic Housing Market Assessment |
| SoCG | Statement of Common Ground |
| SPA | Special Protection Area |
| SPD | Supplementary Planning Document |
| SuDS | Sustainable Drainage Systems |
| WMS | the Written Ministerial Statement on local energy efficiency standards (December 2023) |

Non-Technical Summary

This report concludes that the Stevenage Local Plan 2011-2031 Partial Update (along with the adopted Stevenage Borough Local Plan 2011-2031) provides an appropriate basis for the planning of the Borough provided that a number of main modifications (MMs) are made to it. Stevenage Borough Council (the Council) has specifically requested that I recommend any MMs necessary to enable the Partial Update Plan to be adopted.

Following the hearings, the Council prepared schedules of the proposed modifications and, where necessary, carried out sustainability appraisal (SA) and habitats regulations assessment (HRA) of them. The MMs were subject to public consultation over a six-week period. I have recommended their inclusion in the Plan after considering the SA, HRA and all the representations made in response to consultation on them.

The MMs can be summarised as follows:

- MMs to ensure the new climate change policies are effective, justified by the evidence base and are sufficiently flexible to ensure they do not prejudice the delivery of development in the Borough and to delete Policy CC5: Carbon Sinks because it is not justified or effective.
- MMs to the partial updates to the housing elements of the adopted Plan to make clear that the housing requirement remains unchanged as a result of the Partial Update Plan.
- MMs to replace the proposed requirement for M4(3)(2)(b) wheelchair accessible dwellings with the requirement for M4(3) wheelchair user dwellings because the specific requirement for M4(3)(2)(b) dwellings is not justified.
- A number of other modifications to ensure that the Partial Update Plan is positively prepared, justified, effective and consistent with national policy.

Introduction

1. The Partial Update of the Stevenage Borough Local Plan 2011-2031 Schedule of Changes from Regulation 18 to Regulation 19 (CD2c) and the Partial Update of the Stevenage Borough Local Plan 2011-2031 Schedule of Changes from Regulation 19 to Pre Submission (CD2b) (combined for ease of referencing into CD3) (referred to together hereafter as the Partial Update Plan) upon adoption will update parts of the adopted Stevenage Borough Local Plan 2011-2031 (CD1) (the adopted Plan).
2. This report contains my assessment of the Partial Update Plan in terms of Section 20(5) of the Planning and Compulsory Purchase Act 2004 (as amended) and as applied by Regulation 4 and paragraph 2 schedule 1 of the Levelling-up and Regeneration Act 2023 (Commencement No. 11 and Saving and Transitional Provisions) Regulations 2026. It considers whether the Partial Update Plan is compliant with the relevant legal requirements (including in terms of the Town and Country Planning (Local Planning) (England) Regulations 2012, also as applied by Regulation 4 and paragraph 2 schedule 1 of the Levelling-up and Regeneration Act 2023 (Commencement No. 11 and Saving and Transitional Provisions) Regulations 2026) and whether it is sound.
3. In December 2024, the revised National Planning Policy Framework (NPPF) alongside other revisions to national policy were published. Paragraph 235 of that document indicates that the Partial Update Plan should be examined against the version of the NPPF published in December 2023 because it was consulted on under Regulation 19 of the 2012 Regulations before 12 March 2025 and includes a draft housing requirement¹ which is more than 80% of local housing need calculated according to the revised standard method published in December 2024. Therefore, when I refer to the NPPF in this report, I am referring to that published in December 2023.
4. The NPPF (paragraph 35) explains that in order to be sound, a local plan should be positively prepared, justified, effective and consistent with national policy. The starting point for the examination is the assumption that the Council have submitted what it considers to be a sound plan. The Partial Update Plan was submitted in August 2025 and is the basis for my examination. The Council undertook two consultations under Regulation 19 of the 2012 Regulations. The document published for consultation in June 2025 included further changes which superseded those detailed in the previous consultation. The document published for consultation under Regulation 19 of the 2012 Regulations in June 2025 is the same as the document that was submitted in August 2025.

¹ The housing requirement is detailed in the adopted Plan and the Council does not seek to amend it through the Partial Update Plan see Issue 3 for further details.

Main Modifications

5. In accordance with section 20(7C) of the 2004 Act the Council requested that I should recommend any MMs necessary to rectify matters that make the Partial Update Plan unsound and / or not legally compliant and thus incapable of being adopted. My report explains why the recommended MMs are necessary. The MMs are referenced in bold in the report in the form MM1, MM2 etc, and are set out in full in the Appendix.
6. Following the examination hearings, the Council prepared a schedule of proposed MMs and, where necessary, carried out SA and HRA of them as explained below. The MM schedule, SA and HRA were subject to public consultation for six weeks. I have amended the detailed wording of **MM34** from that consulted upon, the reason for this amendment is explained under Issue 3 of the report.

Policies Map

7. The Council must maintain an adopted policies map which illustrates geographically the application of the policies in the adopted development plan. When submitting a local plan for examination, the Council is required to provide a submission policies map showing the changes to the adopted policies map that would result from the proposals in the submitted local plan. In this case, the submission policies map is the plan identified as the Partial Update of the Stevenage Borough Local Plan 2011 – 2031: Submission Draft Policies Map (August 2025) (CD4).
8. The changes detailed in CD4 are limited. They involve the “Correction of an error to the southern boundary of the Old Town High Street Conservation area” which is a matter for the Council and the “Deletion of Policy TC10: Primary and Secondary Shopping Frontages” (CD23) which is discussed under Issue 4 below. No further changes were proposed to the submission policies map alongside the consultation on the MMs.
9. When the Partial Update Plan is adopted, in order to comply with the legislation and give effect to its policies, the Council will need to update the adopted policies map to include the changes proposed in CD4.

Context and Scope of the Partial Update Plan

10. The Council undertook a review of the adopted Plan and concluded that only parts of it required updating at that time and thus only a partial update to the adopted Plan was required. The Council's process for reaching this decision is summarised in a briefing note (CD15 and CD16). Sections of the adopted Plan

which would be unchanged by the Partial Update Plan are outside of the scope of my examination.

11. In 1946 Stevenage was selected as the location for the first 'new town', one of eight in the Greater London area. The new town was developed alongside the historic market town to create a series of distinctive urban neighbourhoods with a pedestrianised commercial centre. Stevenage is well connected to London and the north because it is centred on a railway station on the East Coast Main Line and on the A1(M). However, it has a growing proportion of older residents, some areas of acute deprivation and parts of the new town particularly in and around the town centre are in need of regeneration.
12. The Partial Update Plan, in summary, seeks to update the adopted Plan to reflect the Town and Country Planning (Use Classes) Order 1987 (as amended) (the Use Classes Order) and add a degree of flexibility to its town centre policies intended to assist regeneration. It also introduces new strategic and non-strategic climate change related policies intended to reflect the Council's net zero ambitions. Furthermore, it updates housing policies to address the needs of older people and wheelchair users, adjusts affordable housing requirements and incorporates work undertaken on the Station Gateway Area Action Plan into the adopted Plan.

Public Sector Equality Duty

13. I have had due regard to the aims expressed in S149(1) of the Equality Act 2010. This has included my consideration of several matters during the examination including Policy SP3: A strong, competitive economy, Policy SP5: Infrastructure, Policy SP6: Sustainable Transport, Policy SP7: High quality homes, Policy IT5: Parking and access, Policy HO4: South East of Stevenage, Policy HO11: Accessible and adaptable housing, Policy HO14: Houses in Multiple Occupation, Policy GD1: High quality design, Policy HC3: The Health Campus and Policy HC5: New health, social and community facilities. The Council's Equalities Impact Assessment (CD6) demonstrates that the Partial Update Plan would be unlikely to lead to any adverse impacts or cause discrimination to any particular groups with protected characteristics within the plan area or beyond and I find no reason to disagree with its findings. The Council updated its assessment in light of the MMs (MMC5) and reached the same conclusions which I am also in agreement with.

Assessment of Legal Compliance

14. The Partial Update Plan has been prepared in accordance with the Council's Local Development Scheme (EB3.11).

15. The Council's Consultation Statement (CD8a and CD8b) summarises the consultation and engagement undertaken and explains how the response has informed the Partial Update Plan. Consultation on the Partial Update Plan and the MMs was carried out in compliance with the Council's Statement of Community Involvement (EB3.12) and the 2012 Regulations.
16. The Council have carried out a SA and HRA of the Partial Update Plan. This was contained in a series of combined SA and HRA reports (CD5, CD5a-CD5d) which were published along with the Partial Update Plan and other submission documents under Regulation 19 of the 2012 Regulations. The SA and HRA report was updated to assess the effect of the MMs (MMC4). The Council's SA appropriately assesses all reasonable alternatives including the MMs. The SA is robust and legally compliant.
17. The Council's HRA screening report (CD5) identified that the Partial Update Plan could have a likely significant effect on the Lee Valley Special Protection Area (SPA). This is because the SPA is a habitat for rare birds and most wastewater in Stevenage is currently treated at the Rye Meads sewerage treatment works which is located inside the SPA. Therefore, water quality and volume within the SPA could be affected by the operation of the works within the SPA. The screening report also notes that, if human activities such as recreation are not appropriately managed or if any part of the SPA site is developed, this could also have likely significant effects on the integrity of the SPA.
18. However, the Partial Update Plan does not increase or alter spatially the growth already planned for in the adopted Plan. CD5 concludes that the proposed policy changes within the Partial Update Plan would not be likely to have a significant effect on the SPA. The Council updated its HRA report to assess the MMs and reached the same conclusions (MMC4). Natural England have been consulted and have not objected to the Partial Update Plan or the MMs. Overall, I find there would be no significant adverse effect on the integrity of internationally designated nature conservation sites arising from the adoption of the Partial Update Plan as modified by the MMs.
19. The development plan, taken as a whole, includes policies to address the strategic priorities for the development and use of land in the local planning authority's area.
20. The Partial Update Plan also contains a range of new policies and updates to existing policies which are intended to facilitate climate change mitigation and adaptation in the Borough. These include a new strategic policy, Policy SP1: Climate Change, supported by a new chapter of detailed Climate Change policies (Policies CC1 to CC7) addressing matters including energy efficiency, heating and cooling, water efficiency, energy infrastructure, carbon sinks, green

roofs and the green economy. The Partial Update Plan also introduces a new sustainable drainage policy (Policy FP1: Sustainable drainage), updates the existing flood risk policy through Policy FP2: Flood risk management, and updates the adopted trees policy as Policy NH5a: Trees and woodland, alongside a new policy on tree-lined streets (Policy NH5b). Together with related revisions to design and transport policies, these changes require development to address flood risk mitigation and adaptation, promote sustainable travel, and secure high-quality design, all of which are responsive to climate change. The legal requirement to include policies designed to secure that the development and use of land in the plan area contributes to the mitigation of, and adaptation to, climate change is therefore met.

21. Regulation 8 (5) of the 2012 Regulations sets out that where plans contain policies that are intended to supersede other policies in the adopted development plan, this fact should be stated, and the superseded policies must be identified. The Plan does not clearly do this and is therefore not legally compliant in this respect. **MM1** addresses this by adding details to the Partial Update Plan which make it explicit which policies of the adopted Plan are to be updated / replaced by each of the policies in the Partial Update Plan upon its adoption. The Council have also proposed to incorporate an additional modification to amend the contents pages of the adopted Plan to add further clarity as detailed in AM1 of Additional Modifications to the Local Plan Partial Update (MMC3).
22. The Plan complies with all other relevant legal requirements, including in the 2004 Act (as amended) and the 2012 Regulations.

Assessment of Soundness

Main Issues

23. Taking account of all the representations, the written evidence and the discussions that took place at the examination hearings, I have identified six main issues upon which the soundness of the Partial Update Plan depends. This report deals with these main issues. It does not respond to every point or issue raised by representors. Nor does it refer to every policy or policy criterion in the Partial Update Plan.

Issue 1 – Whether the plan period ,approach to cooperation and the scope and are justified, effective and consistent with national policy

24. The adopted Plan covers the period between 2011 and 2031. This means that the new and updated policies in the Partial Update Plan will only have a lifespan of around 5 years on the assumption that it is adopted in 2026. Whilst the new

strategic policies would not meet the NPPF requirement for fifteen years from adoption, the Partial Update Plan has a limited scope with the majority of the adopted Plan unchanged. The level of growth in the adopted Plan is not within the scope of the examination. The apparent inconsistency with the NPPF in this regard is unavoidable within the limited scope of the examination.

25. The Council has clearly maintained effective cooperation through on-going joint working in a way that accords with the expectations of paragraphs 24 to 27 of the NPPF. Details are set out in the Council's summary of cooperation CD11 and the Council's hearing statements. These documents set out where, when, with whom and on what basis cooperation has taken place over all relevant strategic matters. CD11 demonstrates that throughout the plan-making process the Council have worked closely and cooperated on relevant strategic matters with relevant bodies.
26. However, the scope and purpose of the Partial Update Plan is not clearly explained. Thus, upon adoption it will not be clear in the adopted Plan which policies are new, have been updated or are unchanged. Consequently, it will not be entirely clear how decision makers or developers should react to different components of the adopted Plan as amended by the Partial Update Plan. MMs are therefore necessary to have the effect of amending the introductory sections of the adopted Plan to explain the five-year review trigger, why a partial update was chosen over a full update and explain how and which specific components of the adopted Plan have been updated. **MM1** achieves all this and is therefore needed for effectiveness.

Conclusion

27. Subject to the MMs discussed above the Council's approach to cooperation, the scope and the plan period are justified, effective and consistent with national policy.

Issue 2 – Whether new and updated policies on climate change, sustainable development and design are justified, effective and consistent with national policy

28. The adopted Plan includes only general aims for sustainable development and climate change mitigation. However, in 2019, the Council declared a climate change emergency, committing to be net zero by 2030 (CD29a). The Council subsequently prepared a Climate Change Strategy, supported by an Action Plan (CD29b) which includes a wide range of measures and interventions which the Council have been implementing and monitoring following the declaration (CD29). The commitment to responding to climate change is also an integral part of the Stevenage Borough Council Corporate Plan 2024-2027. Thus, since the adoption of the adopted Plan, responding to climate change has become a clear strategic priority for the Council.

29. The Council's Climate Change Technical Paper (EB3.2) explains that emissions from buildings constitute a significant proportion of Borough-wide emissions and that relying solely on existing Building Regulations would not deliver reductions at the scale or pace considered necessary to realise the net zero by 2030 ambition or the Government's commitment to achieving net zero greenhouse gas emissions by 2050.
30. The Partial Update Plan therefore introduces a new chapter on climate change into the adopted Plan. The Council's overall approach and strategic priority is detailed in a new Strategic Policy SP1: Climate Change. This sets out the Council's commitment to net zero and how new development in the Borough will be expected to contribute towards achieving it through mitigation and adaptation with detailed requirements set out in development management policies underpinning each strategic climate change related theme.
31. However, MMs are needed for effectiveness to Policy SP1 to explicitly make clear that development proposals are expected to mitigate and adapt to climate change and that applications that do not make an appropriate contribution may be refused. It is also necessary to adjust the wording of the policy for effectiveness to ensure it is consistent with the wording of new policies relating to emission reduction, water efficiency, carbon sequestration, sustainable transport and green/renewable energy which are discussed below (**MM3**).

Energy efficiency

32. Policy CC1: Energy efficiency introduces local energy efficiency standards for major development. It requires all major development to achieve net zero regulated operational emissions and also requires "large scale major development" outside Stevenage Town Centre to be whole-life carbon net zero. Compliance with these requirements is expected to be demonstrated through the submission of Energy Statements and, where relevant, whole-life carbon assessments.
33. However, the Written Ministerial Statement on local energy efficiency standards (December 2023) (the WMS) makes clear that "the Government do not expect plan-makers to set local energy efficiency standards for buildings that go beyond current or planned Building Regulations", and further states that any such policies "should be rejected at examination if they do not have a well reasoned and robustly costed rationale".
34. Current Building Regulations Part L (2021), together with the anticipated Future Homes and Buildings Standards, are intended to ensure that new development is "net-zero ready", rather than to require net zero regulated operational emissions to be achieved at the point of construction. The additional requirements in Policy CC1 for net zero regulated operational emissions and whole-life carbon net zero therefore set higher standards that go beyond current or planned Building Regulations. Furthermore, as submitted, Policy CC1 does

not explicitly define “net zero regulated operational emissions”, nor does it refer to a percentage uplift against the Target Emissions Rate. As a result, it is unclear what evidence would be necessary to demonstrate or assess compliance, rendering the policy ineffective.

35. The Council relies on its whole-plan viability assessment, together with the Climate Change Technical Paper (EB3.2), to provide the “well-reasoned and robustly costed rationale” required by the WMS. However, the viability testing includes only a generic allowance or buffer intended to reflect the cumulative impact of policy requirements, including Policy CC1. While EB3.2 explains in broad terms the estimated additional costs associated with achieving net zero operational emissions and whole-life carbon, this evidence is not specific to the types of development expected to come forward in Stevenage during the remainder of the plan period. The evidence also does not include a sufficiently detailed assessment of how and why these standards are necessary to address circumstances particular to the Borough as opposed to anywhere else in the country.
36. Consequently, while the evidence indicates that development meeting the requirements of Policy CC1 could, in general terms, be delivered, the absolute requirement through the use of the word “must”, for all major development to meet these standards is not justified. In addition, the submitted policy lacks the flexibility necessary to address circumstances where achieving net zero would not be technically or financially feasible. This approach risks prejudicing the delivery of development in the Borough and is not therefore effective or consistent with national policy.
37. MMs are therefore necessary to define “net zero regulated operational emissions” as “a 100% improvement on the Target Emissions Rate determined using the Standard Assessment Procedure 10.2” to align it with the WMS but clarify this not an absolute requirement and instead is encouraged. It is also necessary for effectiveness to clarify that minor and householder development are not expected to meet the requirements of Policy CC1, clarify what information is necessary to demonstrate compliance, and, most importantly, make clear that “the Council will apply Policy CC1 to decisions on planning applications flexibly” where achieving net zero would not be technically feasible, financially viable or compatible with sustainable development. This will mean that any schemes which are able to meet these requirements along with all other development plan requirements can be viewed favourably without making them mandatory. **MM9** achieves all this having the effect of making the standards measurable and clear, but crucially not mandatory and subject to it, Policy CC1 is justified, effective and consistent with national policy.

Heating and cooling

38. EB3.2 notes rising temperatures and the urban heat island effect associated with higher density and taller buildings which is particularly relevant to buildings in the new town. Policy CC2: Heating and cooling seeks to address this by

requiring development proposals to minimise reliance on energy dependent air conditioning systems through passive design measures. It requires major development proposals to demonstrate through an Energy Statement how heating and cooling demands will be managed over time.

39. However, Part O of the Building Regulations (2021), seeks to reduce the risk of indoor overheating through design-based measures but does not restrict the use of mechanical or energy-dependent cooling systems. Policy CC2 goes further than Part O because it expects reliance on such systems should be minimised and states that planning permission may be refused where proposals rely on energy dependent cooling unless it is demonstrated that their use is essential. This goes beyond Part O without a clear locally costed rationale and as such in this regard Policy CC2 is not justified.
40. MM is therefore needed to the policy wording and justification text to clarify that the policy applies to all development, whilst limiting the requirement for detailed evidence to support major development proposals only. It is also necessary to clarify that permission will only be refused for proposals relying on energy dependent cooling systems where it is not demonstrated that their use is essential. Furthermore, MM is necessary to make clear “the council will apply Policy CC2 to decisions on planning applications flexibly”, including where alternatives are not technically feasible, would not be financially viable or would otherwise compromise the delivery of sustainable development. MM is also necessary to clarify the circumstances in which mechanical cooling may be justified in the justification text. **MM10** addresses these issues in the interests of justification, effectiveness and consistency with national policy.

Water efficiency

41. Stevenage lies within an area of serious water stress (EB3.2). Policy CC3: Water Efficiency therefore seeks to reduce water consumption and improve water efficiency in new development requiring new residential development to consume no more than 110 litres per person per day. It also requires the incorporation of rainwater harvesting in residential schemes and grey water recycling in non-residential development.
42. The adopted Plan already requires consumption of no more than 110 litres per person per day, is fully accounted for in the Council's viability evidence and in principle is justified. However, Part G of the Building Regulations (2015 incorporating the 2020 amendments) does not require rainwater harvesting or grey water recycling and the detailed costs associated with achieving them can vary wildly from scheme to scheme particularly for grey water recycling. Again, the Council's viability evidence has not considered the detailed cost implications of these standards relevant to the types of development expected in the Borough over the remainder of the plan period.
43. MMs are therefore necessary to clarify that the 110 litres per person per day requirement aligns explicitly with the optional standard in Building Regulations

Part G. It is also necessary to provide a more accurate definition of water neutrality and provide clearer justification text explaining the purpose and practical application of rainwater harvesting and grey water recycling. Furthermore, it is also necessary to make clear that Policy CC3 will be applied flexibly where measures are demonstrated to be technically unfeasible or unviable. **MM11** achieves all this and ensures Policy CC3 is justified, effective and consistent with national policy.

Carbon sinks

44. Policy CC5: Carbon Sinks seeks to protect significant carbon sinks and to support proposals that deliver net gains in carbon sequestration. However, there is no definition of what constitutes a carbon sink or a significant carbon sink and they are not defined on the policies map or in the local plan evidence base. It is also unclear how deterioration should be assessed. Thus, this policy is not justified or effective. **MM13** addresses this by deleting the proposed new policy and the associated justification to ensure the Partial Update Plan is justified and effective.

Energy infrastructure, green roofs and the green economy

45. The remainder of the new climate change chapter to be added to the adopted Plan through the Partial Update Plan comprises Policies CC4: Energy infrastructure, CC6: Green roofs and CC7: The green economy. I deal with these policies together because they do not seek to impose development standards, instead, they are supportive or protective of matters which the Council will use to attribute positive or negative weight in determining planning applications.
46. Policy CC4 supports development proposals that incorporate decentralised energy networks, district heat networks, intelligent energy systems and on-site renewable or low-carbon energy generation. However, **MM12** is necessary to make clear that the measures referred to are not mandatory but schemes incorporating them will be strongly supported for effectiveness.
47. Policy CC6 (as amended to CC5) supports the incorporation of green roofs, blue-green roofs, bio solar roofs and green walls, while Policy CC7 (as amended to CC6) promotes circular economy principles, green jobs and local food production. However, as submitted, both policies contain ambiguous wording, creating uncertainty as to when proposals would be supported and how compliance would be assessed. **MM14** is therefore necessary to clarify that green roofs and walls will be strongly supported where appropriate to the building and site context and where they represent an effective means of achieving environmental benefits avoiding inappropriate provision. **MM15** provides clearer definitions and justification text for the green economy policy which explains how circular economy principles, green jobs and food production will be assessed. Thus, **MM14** and **MM15** are both needed for effectiveness.

Design certification

48. Policy GD2: Design certification seeks to encourage high-quality and safe design by supporting development proposals that achieve recognised sustainability and safety certifications, including BREEAM, Secured by Design and the BRE Home Quality Mark. The Council explained at the hearing that proposals which voluntarily achieve such certification will be afforded positive weight in decision-making without making any particular design certification regime mandatory. However, **MM35** is necessary to make it explicit that certification is encouraged rather than required in the interests of effectiveness.

Conclusion

49. Subject to the MMs discussed above the new and updated policies on climate change, sustainable development and design are justified, effective and consistent with national policy.

Issue 3 – Whether new and updated housing policies are positively prepared, justified, effective and consistent with national policy

50. The Partial Update Plan does not seek to alter the housing requirement, spatial strategy or allocate any new sites for housing. Insofar as it relates to housing, it aims to update the adopted Plan to simply reflect housing delivery to date and new evidence on the type of homes needed in the Borough to meet housing needs, particularly substantively updating policies relating to affordable housing and specialist accommodation and introduces a new policy on houses in multiple occupation.

Housing requirement and spatial strategy

51. The adopted Plan, through Strategic Policy SP7: High Quality Homes requires 7,600 dwellings over the period 2011–2031, supported by a spatial strategy and a range of housing allocations.
52. However, the updated wording of Policy SP7 in the Partial Update Plan removes the housing distribution figures previously included in the adopted policy without justification or explanation. Furthermore, the residual requirements should be informed by the latest evidence on completions. **MM7**, **MM28** and **MM29** necessarily address these issues by incorporating into the Partial Update Plan the latest housing completion figures, clearly stating the residual housing requirement to 2031, and confirming that the sites identified in the adopted Plan continue to provide the planned housing supply over the remainder of the plan period. Subject to **MM7**, **MM28** and **MM29**, Policy SP7 and the approach to the housing requirements in the Partial Update Plan is justified, effective and consistent with national policy.

Affordable Housing

53. Policy HO7: Affordable Housing Targets sets out the proportion of affordable housing expected to be delivered as part of residential development within the Borough. The Partial Update Plan proposes to increase the affordable housing requirement on greenfield sites from 30% to 40%, while retaining the existing 25% requirement on previously developed land.
54. The Council's Revised Housing Technical Paper (ED3.1) explains that this change is intended to respond to updated evidence of need in the Strategic Housing Market Assessment Part II Update (EB3.7), which identifies a substantial shortfall in affordable housing provision, equivalent to a requirement for approximately 2,114 affordable dwellings over the remainder of the plan period. The increase to 40% was tested in the Council's viability assessment which clearly shows that even with other policy requirements and community infrastructure levy, the increase would not prejudice the delivery of development on greenfield sites in the Borough.
55. However, **MM7** is necessary to amend Policy HO7 and the justification text to more clearly articulate the need for the increase with reference to the evidence. Furthermore, it is also necessary to amend the policy wording to add flexibility accounting for circumstances where it is demonstrated to be technically or viably unfeasible to meet the requirement.
56. In addition, a number of allocated sites already have the benefit of planning permission but have not been built out, specifically allocations known as, Policy HO2: Stevenage West and Policy HO3: North of Stevenage. **MM30** (Policy HO2: Stevenage West) and **MM31** (Policy HO3: North of Stevenage) are necessary to explain that these allocations retain the 30% affordable housing requirement because applying the uplift would risk compromising their deliverability or other development requirements.
57. A MM is also necessary to clarify the interaction between affordable housing requirements and the delivery of sheltered and supported housing under Policy HO10 and recognise the need for flexibility as demonstrated by the Council's viability assessment which shows it to be less viable than other forms of housing as explained in more detail below. **MM32** is therefore necessary to introduce flexibility to ensure that the application of Policy HO7 does not constrain the delivery of specialist accommodation required to meet identified needs. Subject to **MM7**, **MM30**, **MM31** and **MM32** Policy HO7 as updated by the Partial Update Plan would be justified, effective and consistent with national policy.

Sheltered and Supported Housing

58. Policy HO10: Sheltered and Supported Housing of the adopted Plan seeks to support the provision of accommodation for older people and those requiring supported living.

59. The Revised Housing Technical Paper (ED3.1) and the Strategic Housing Market Assessment Part II Update (EB3.7) identify a significant projected increase in the older people in Stevenage and a corresponding need for a range of specialist housing types, including sheltered housing, extra-care housing and residential care. In response the Partial Update Plan, would replace detailed criteria which repeat other design related provisions in the adopted Plan with criteria which positively support proposals for sheltered and supported housing provided they comply with other relevant development plan policies. This means that there are no separate duplicative tests which effectively add a layer of unnecessary restriction which may prevent this type of housing from coming forward.
60. However, as discussed above, the Council's viability evidence identifies specific viability and delivery characteristics of sheltered and affordable housing schemes which differ from general market housing which could negatively affect scheme viability. **MM32** is therefore necessary to clarify the purpose and operation of the policy by confirming that proposals for sheltered and supported housing are expected to comply with relevant development plan policies, while also making clear that flexibility in meeting other development plan requirements may be necessary where it can be demonstrated that the viability of this form of development would prejudice development of this type from taking place in the Borough. Thus, subject to **MM32**, Policy HO10 as amended by the Partial Update Plan would be justified, effective and consistent with national policy.

Accessible and adaptable housing

61. Policy HO11: Accessible and Adaptable Housing of the adopted Plan seeks a proportion of new homes designed to meet the needs of people with mobility impairments or can be easily adapted to do so. As submitted, the Partial Update Plan would amend the policy to require 10% of dwellings within major residential developments to comply with Building Regulations optional requirement M4(3)(2)(b) for wheelchair-accessible dwellings, with a further 40% required to comply with optional standard M4(2) for accessible and adaptable dwellings.
62. The Council's evidence (EB3.1 and EB3.7) identifies a growing need for wheelchair user housing and accessible homes over the remainder of the plan period in part due to a lack of provision over the plan period to date. However, the Housing: optional technical standards Planning Practice Guidance (PPG) distinguishes between wheelchair-accessible dwellings (M4(3)(2)(b)) and wheelchair-adaptable dwellings (M4(3)(2)(a)) with wheelchair user dwellings being much more expensive to deliver.
63. Whilst the Council's Note on Accessible and Adaptable Housing (CD30) provides detailed evidence of need for wheelchair user housing generally, it does not demonstrate that the Council would operate an appropriate

allocation-based system consistent with the PPG² or the needs of any specific individual which might require this type of housing in the Borough. Overall, the requirement for M4(3)(2)(b) is not justified.

64. **MM33** is therefore necessary to remove the requirement for M4(3)(2)(b) dwellings and ensure that Policy HO11 instead applies the M4(3) wheelchair-user standard flexibly, in accordance with national guidance and local circumstances. **MM33** also necessarily confirms that the policy will be applied flexibly where compliance has been demonstrated to be technically or viably unfeasible. **MM33** is therefore needed to ensure Policy HO11 as updated by the Partial Update Plan is justified, effective and consistent with national policy.

Homes in multiple occupation

65. Policy HO14: Houses in Multiple Occupation is a new policy which establishes criteria for applications involving the creation of new HMOs. It seeks to ensure noise and disturbance, parking, cycle storage are appropriately managed to mitigate adverse impacts whilst recognising the value of HMOs in meeting housing needs in Stevenage.
66. However, references to the need to avoid an “unacceptable impact on housing supply” without an explanation of how such impact should be assessed or what would constitute harm is ambiguous. Because of this the policy is also not positively prepared because it assumes harmful impacts when in fact such proposals can contribute positively to meeting housing needs without always giving rise to harm.
67. **MM34** is therefore necessary to amend Policy HO14 to avoid conflicts with the aims of other relevant policies by making clear that impacts, such as noise, parking and residential amenity, will be assessed through reference to other relevant development plan policies. **MM34** is therefore needed to ensure Policy HO14 is positively prepared, justified and effective. **MM34** has been adjusted post consultation to clarify that regard should be had to non-development plan guidance rather than accord with it. This is a factual clarification because Supplementary Planning Document and other guidance are not part of the development plan. There is no prejudice to anyone arising from this change.

Conclusion

68. Subject to the MMs discussed above the new and updated housing policies are positively prepared, justified, effective and consistent with national policy.

² Paragraph: 009 Reference ID: 56-009-20150327 Revision date: 27 03 2015

Issue 4 – Whether updated Employment, Town Centres and Opportunity Areas policies are positively prepared, justified, effective and consistent with national policy

69. The adopted Plan establishes a strategy to support economic growth, protect employment land, maintain the vitality and viability of town centres, and deliver regeneration through a series of defined Opportunity Areas. The Partial Update Plan does not seek to alter the overall economic or town centre strategy or make any new relevant allocations. Instead, it focuses on updating specific policies and supporting text to reflect national policy and legislative changes and incorporating progress made with regeneration proposals into the adopted Plan.

Employment

70. Strategic Policy SP3: A strong and competitive economy would be updated through the Partial Update Plan to reflect changes to the Use Classes Order. This includes aligning the use classes specified in the policy wording and adding wording seeking to define what constitutes an employment use. Policies EC1 to EC7 of the adopted Plan would be amended by the Partial Update Plan in the same way.

71. However, whilst the approach is sound in principle, all references to employment uses and employment land are not entirely consistent which creates ambiguity and uncertainty for decision makers and developers. **MM4** is therefore necessary to insert an explicit definition of “employment uses” within the justification text confirming employment uses as B2, B8 and E(g)(i-ii) use classes. **MM4** is therefore needed for effectiveness.

72. Policy EC1: Allocated Sites for Employment sets out indicative targets for employment floorspace to be delivered on allocated sites. Through the Partial Update Plan, Policy EC1 would be amended to reflect updated evidence on employment need, as set out in the Council's Employment Technical Paper (EB3.3), and to address long standing delivery issues on specific sites, most notably site EC1/2 (South of Bessemer Drive, Gunnels Wood). EB3.3 demonstrates a surplus of office floorspace, a broadly balanced position in relation to research and development uses, and a deficit in industrial and warehousing floorspace. The Partial Update Plan therefore amends Policy EC1 to remove the office element from allocation EC1/2 and allow E(g)(iii), B2 and B8 uses to reflect known demand. This is justified by the evidence and sound.

Town Centres and Retail

73. Policy SP4 of the adopted Plan sets the strategic framework for town centres and retail development.

74. However, the Retail Study Update 2024 (EB3.5 and EB3.6) identifies that since 2014 there has been a significant net loss of comparison goods floorspace within the Town Centre, modest residual capacity for additional convenience

goods floorspace, and increased competition from retail provision outside of town centres.

75. The Partial Update Plan retains the retail strategy established in the adopted Plan, but seeks to bring the town centre related policies into line with national policy for development management purposes.
76. However, as submitted the Partial Update Plan does not fully reflect the conclusions of EB3.5 and EB3.6 or national policy. MMs are therefore necessary to Policy SP4 and the justification text to clarify that the retail floorspace figures are indicative and not requirements, to reinforce the town centre first and impact assessment approach and tighten the policy wording with regard to additional comparison retail development outside of town centres. It is also necessary to make clear in the justification text that matters relating to retail capacity, new allocations and potential boundary changes will be addressed through a future new local plan. **MM5** is therefore necessary to ensure Policy SP4 as amended by the Partial Update Plan is justified, effective and consistent with national policy.
77. Policy TC8: Town Centre Shopping Area through its geographical application on the policies map defines the town centre shopping areas where a range of main town centre uses are supported. EB3.5 and EB3.6 identify changes in retailing patterns, including a decline in traditional comparison retail floorspace and the growing importance of mixed-use town centres that support leisure, cultural and service uses alongside retail. The Partial Update Plan seeks to amend Policy TC8 to reflect this evidence. However, **MM22** is necessary to Policy TC8 to ensure consistency with national policy and allow a broader range of appropriate town centre uses in line with the definition of main town centre uses given in the NPPF. Furthermore, for effectiveness **MM22** also clarifies the approach with regard to heritage assets in town centres.
78. Policy TC9: High Street Shopping Area provides more detail for the High Street within the wider town centre, while Policy TC10 High Street and Secondary Frontages seeks to manage development in primary and secondary shopping frontages. However, EB3.5 and EB3.6 highlight that rigid frontage controls can act as a barrier to adaptation and regeneration. The Partial Update Plan therefore seeks to amend Policies TC8 and TC9, and to delete TC10, to reflect this evidence and to ensure that the town centre and High Street are able to adapt to changing patterns of demand in a manner consistent with national policy.
79. The deletion of TC10 is sound because it will improve the adaptability of Stevenage's town centres assisting their vitality and viability. The geographical application of this policy would also be removed from the Council's policies map upon adoption as detailed on the submission policies map (CD4).
80. However, **MM22** is necessary to Policy TC8 and the justification text to ensure consistency with national policy by allowing a broader range of appropriate town

centre uses in line with the definition of main town centre uses in the NPPF, while also clarifying the approach to the consideration of heritage assets within town centres for effectiveness. **MM23** is also required to Policy TC9 to update the policy to reflect the current Use Classes Order and to remove unnecessary rigidity that would otherwise constrain the ability of the High Street to diversify and respond to change. Subject to **MM22** and **MM23** Policies TC8 and TC9 as amended by the Partial Update Plan would be justified, effective and consistent with national policy.

81. Policies TC11: Graveley Road Major Retail Development, TC12: Out-of-Centre Retail Development and TC13: Town Centre Uses Impact Assessments provide a framework for managing retail development outside defined centres and for protecting town centre vitality and viability. EB3.5 and EB3.6 identify that while there may be residual capacity for additional retail floorspace outside of centres, this would put at risk the regeneration of Stevenage Town Centre and need to be considered as part of a comprehensive review of the spatial strategy for the Borough. The Partial Update Plan updates these policies to reflect the changes to the Use Classes Order and note the findings of EB3.5 and EB3.6 and explain the future role of the Graveley Road site will be reconsidered through a future new Local Plan. This approach is sound in principle.
82. However, Policies TC11, TC12 and TC13 as amended by the Partial Update Plan do not clearly explain the risks associated with further out of centre retail floorspace at Graveley Road and the associated need to undertake the sequential and impact tests. It is also unclear how the amended policies should be applied to proposals seeking to vary conditions on existing permissions. **MM24** and **MM25** are therefore necessary for effectiveness to amend Policies TC11 and TC12 and their justification text to clarify that there is no identified need for additional out of centre retail floorspace at this time and need for such will be assessed through the development of a new local plan. **MM19** is also necessary to Policy TC13 to align the thresholds for impact assessments in the NPPF, and confirm that the policy applies both to new development and to proposals seeking to vary existing permissions. Thus, subject to **MM24**, **MM25** and **MM19** Policies TC11, TC12, and TC13 as updated by the Partial Update Plan are justified, effective and consistent with national policy.

Station Gateway Major Opportunity Area

83. Policy TC4: Station Gateway Major Opportunity Area is an existing policy in the adopted Plan which identifies the area around Stevenage Railway Station as a key regeneration opportunity capable of delivering a regenerated and extended station, high-density residential development, offices, a hotel, supporting town centre uses, and significant improvements to public realm, connectivity and sustainable transport.
84. To date the Council have been working on an Area Action Plan (AAP) for the opportunity area. The Station Gateway AAP Preferred Options (EB2.15) identifies severe functional and environmental shortcomings in the area but also

exceptional potential for comprehensive, mixed-use regeneration. However, the Council no longer wish to proceed with a separate AAP and instead the Partial Update Plan seeks to incorporate the work to date into the development plan and set out requirements for a masterplan for the area to be developed. The land within the opportunity area has complex land ownerships, infrastructure dependencies not least requiring redevelopment of the railway station. This means an AAP would be at risk either becoming quickly out of date or could even constrain delivery if circumstances changed relating to what is a very complex regeneration proposal. As such this approach in principle is soundly based.

85. However, Policy TC4 as amended by the Partial Update Plan does not provide sufficient clarity or certainty as to how the ambitions identified in EB2.15 would be translated into an effective decision making framework in the absence of an adopted AAP. In particular, the policy does not clearly define the requirements of the proposed strategic masterplan, does not include criteria to secure comprehensive and phased delivery across the whole Opportunity Area guarding against piecemeal development that could prejudice the future delivery of a new or enhanced station. It also doesn't specify the need for improved east-west connectivity, or a high-quality public realm. This creates uncertainty for both applicants and decision makers rendering the policy ineffective. **MM18** is therefore necessary to adjust the policy wording and justification text for Policy TC4 in the interests of effectiveness.

Other Opportunity Areas

86. Policies TC2: Southgate Park Major Opportunity Area, TC3: Centre West Major Opportunity Area, TC5: Central Core Major Opportunity Area, TC6: Northgate Major Opportunity Area and TC7: Marshgate Major Opportunity Area are all existing policies in the adopted Plan, forming a coordinated framework for the regeneration of Stevenage. The Partial Update Plan amends these policies to reflect changes to the Use Classes Order, updated national policy terminology, and the Council's continued emphasis on flexibility and mixed-use regeneration.
87. However, **MM16**, **MM17**, **MM19**, **MM20** and **MM21** are necessary to clarify the range of appropriate town centre uses, and reinforce the expectation for comprehensive, high-quality mixed-use redevelopment within each Opportunity Area. Subject to these MMs Policies TC2, TC3, TC5, TC6 and TC7 as amended by the Partial Update Plan are soundly based.

Conclusion

88. Subject to the MMs outlined above the updated Employment, Town Centres and Opportunity Areas policies are positively prepared, justified, effective and consistent with national policy.

Issue 5 – Whether new and updated Transport, Flood Risk, Drainage and Trees policies are positively prepared, justified, effective and consistent with national policy

89. I now deal with the remaining policies which are within the scope of my examination which comprise new and updated policies relating to transport, flood risk, drainage and trees.

Transport

90. Policy SP6: Sustainable Transport, Policy IT1: Strategic Development Access Points and Policy IT4: Transport Assessments and Travel Plans together provide the strategic and development management framework for addressing transport impacts arising from development and direct development to the most accessible locations. Through the Partial Update Plan, these policies are updated to reflect changes in national policy and the Council's increased emphasis on active travel and public transport use.
91. However, Policy SP6 as amended by the Partial Update Plan does not distinguish between strategic principles and detailed development requirements making it unclear how decision makers or developers should respond. Policy IT1 as amended identifies preferred access points for strategic sites without explanation how alternative solutions would be considered. Policy IT4, as amended includes thresholds for assessment which do not reflect the most up to date highway authority guidance which creates uncertainty for applicants and decision makers.
92. **MM6** revises Policy SP6 to provide clearer, more structured criteria for assessing sustainable transport impacts. **MM26** amends Policy IT1 to clarify the role of preferred strategic access points and confirm that alternatives may be acceptable where they are demonstrably preferable in transport terms. **MM27** updates Policy IT4 to align transport assessment and travel plan requirements with current local highway authority guidance. These MMs are therefore all needed for effectiveness.

Flood risk and drainage

93. The Council prepared a Strategic Flood Risk Assessment and related flood risk and drainage evidence to support the adopted Plan. Whilst this evidence is now of some age, any review or updating of it is more appropriately a matter for the preparation of a future new local plan where new allocations would be made and the spatial strategy reviewed.
94. The Partial Update Plan introduces Policy FP1: Sustainable Drainage as a new policy, and updates Policy FP2: Flood Risk Management, seeking to strengthen the adopted Plan's approach to surface water management, flood risk and climate change adaptation, and to bring the policy framework into line with national policy and guidance.

95. However, Policy FP1 states that new development “must” incorporate sustainable drainage systems and sets out what SuDS proposals “must” include whereas, paragraph 173(c) of the NPPF states that “development should only be allowed in areas at risk of flooding where it incorporates SuDS, unless there is clear evidence that this would be inappropriate.” Policy FP1 as drafted is therefore more prescriptive than national policy. This level of prescription creates a risk that the most technically appropriate and evidenced drainage and / or SuDS solutions may not be achieved in all cases. As such, Policy FP1 of the Partial Update Plan is not consistent with national policy and is not effective.
96. Policy FP2, as amended by the Partial Update Plan, retains detailed requirements in relation to matters such as buffers to watercourses, the treatment of culverted watercourses, and the application of flood risk considerations to site layout. However, it does not reflect the national requirements for a sequential, risk-based approach to flood risk, nor does it clearly link these matters to the need for site-specific flood risk assessment or the application of the sequential and exception tests, as set out in paragraph 173 of the NPPF and reinforced by the Flood Risk and Coastal Change PPG. Furthermore, criteria f and g specify that development should include an undeveloped buffer zone of 8m from the top of the bank of any adjacent main rivers or 3m from the top of the bank of adjacent ordinary watercourses. These metrics are not specified in national policy and again such prescription limits the ability of a scheme to respond most effectively to site and development specific circumstances appropriately.
97. **MM36** is therefore necessary to amend Policy FP1 to clarify that decisions will be taken in accordance with national flood risk policy and guidance, and clarify that sustainable drainage systems should be provided unless demonstrably impracticable. Furthermore, **MM37** is necessary to amend Policy FP2 to remove unnecessary prescription and to align the policy with the NPPF sequential, risk-based approach, clarifying the role of flood risk buffers, climate change considerations, re-naturalisation of watercourses and site layout without duplicating detailed technical controls that are more appropriately applied through site-specific assessment. Taken together, **MM36** and **MM37** are necessary to ensure that Policies FP1 and FP2 are effective and consistent with national policy.

Trees and woodland

98. The adopted Plan trees and woodland related policies focus on protecting existing trees and woodland, with limited detail on replacement, long-term management or delivery through new development. However, the Tree and Woodland Strategy for Stevenage 2025–2035 (CD31) identifies the exceptional extent and importance of Stevenage’s treescape, including an unusually high proportion of ancient woodland within an urban area, significant variation in canopy cover between wards, and clear threats arising from development pressure, climate change, pests and disease. It also sets out quantified data on

canopy cover, carbon storage, flood mitigation and biodiversity value, together with clear long-term objectives and delivery actions.

99. The Partial Update Plan updates Policy NH5a: Trees and Woodland and introduces a new policy, NH5b: Tree-lined Streets which both seek to address issues and opportunities identified in CD31. However, Policies NH5a as amended by the Partial Update Plan and new policy NH5b do not clearly distinguish between different categories of trees and woodland, do not sufficiently explain how replacement ratios and management expectations should be applied in practice, and do not adequately set out where flexibility may be appropriate. **MM38** addresses this by refining the policy wording and justification text for both policies and adding in flexibility where compliance is demonstrably unfeasible. Subject to **MM38** Policies NH5a and NH5b (as amended to Policy NH5) are soundly based. The requirement for replacement trees or planting of equal or better quality than the trees which are lost is sufficiently precise to reflect the need for an assessment proportionate to the development proposed particularly as consultation at the applications stage will take place with tree and woodland experts as necessary.

Conclusion

100. Subject to the MMs outlined above the Council's new and updated Transport, Flood Risk, Drainage and Trees policies are positively prepared, justified, effective and consistent with national policy.

Issue 6 – Whether the approach to monitoring and the glossary are effective

101. The adopted Plan includes a Monitoring Framework intended to assess the effectiveness of policies and the delivery of the spatial strategy over the plan period. Through the Partial Update Plan, the Council introduces a number of new policies and significantly updates existing policies. However, the Monitoring Framework as updated by the Partial Update Plan does not identify monitoring indicators for a number of new and updated policies. **MM39** is therefore necessary to ensure that appropriate indicators are identified to monitor the implementation and effectiveness of new and amended policies, including those relating to transport, flood risk and drainage, trees and woodland, and regeneration. Subject to **MM39** the monitoring framework as amended by the Partial Update Plan is effective.
102. The adopted Plan as updated by the Partial Update Plan includes a glossary. However, in light of the MMs discussed above and to deal with omissions **MM40** is necessary to make consequential amendments to the glossary to ensure that key terms used throughout the adopted Plan as updated by the Partial Update Plan and as modified are clearly and consistently defined. Subject to **MM40** the glossary at Appendix D is effective.

Conclusion

103. Subject to the MMs outlined above the Council's approach to monitoring and the glossary are effective.

Overall Conclusion and Recommendation

104. The Partial Update Plan has a number of deficiencies in respect of soundness for the reasons set out above, which means that I recommend non-adoption of it as submitted, in accordance with Section 20(7A) of the 2004 Act. These deficiencies have been explained above.

105. The Council have requested that I recommend MMs to make the Partial Update Plan sound and / or legally compliant and capable of adoption. I conclude that with the recommended MMs set out in the Appendix, the Partial Update Plan satisfies the requirements referred to in Section 20(5)(a) of the 2004 Act and is sound.

L Fleming

Inspector

This report is accompanied by an Appendix containing the Main Modifications.

Partial Update of the Stevenage Borough Local Plan 2011-2031

Schedule of Changes from Adopted Local Plan to Submission Version – Changes since Adoption of Local Plan in May 2019

| ID | Position | Text |
|-----|------------|--|
| 001 | After 1.7 | <p data-bbox="488 384 1391 416"><u>Why have we carried out a partial review and update of the plan?</u></p> <p data-bbox="488 451 1966 547"><u>1.7A Local planning authorities are required to review their planning policies every five years to ensure that they remain fit for purpose. The Local Plan was adopted in May 2019 and the five-year period therefore elapsed in May 2024.</u></p> <p data-bbox="488 587 2029 651"><u>1.7B The review identified that the spatial strategy remains fit for purpose but a number of individual policies required updating. Consequently, a partial update was carried out to address those issues. The key changes are as follows:</u></p> <ul data-bbox="546 691 2022 1002" style="list-style-type: none"> • <u>Climate Change:</u> The updated plan takes a stronger approach to climate change, with a new strategic climate change policy, a new chapter of detailed climate change policies, and revised policies relating to sustainable drainage and flood risk. • <u>Station Gateway:</u> The detailed policy for the Station Gateway Major Opportunity Area has been updated to reflect the Station Gateway Area Action Plan. • <u>Housing:</u> The requirements for accessible and adaptable housing have been updated to reflect the latest evidence of need. • <u>Use Classes:</u> Changes have been made throughout the plan to reflect the changes to the Use Classes Order, which came into effect in 2020. |
| 002 | After 2.13 | <p data-bbox="488 1038 837 1070"><u>Geography and population</u></p> <ul data-bbox="537 1110 2018 1350" style="list-style-type: none"> • Stevenage Borough is ‘underbounded’ and surrounded by Green Belt. The urban area already extends beyond the local authority boundary. • There are not the types or amount of brownfield land to build on that you might find in other areas. This is because most of the town was built in the last 50 years. • <u>Stevenage population projections show an increase in the older population during the plan period.</u> • Stevenage is the most deprived local authority area in Hertfordshire. There are some areas of serious deprivation, particularly in the Bedwell neighbourhood. |

| 003 | 3.14 | 3.14 Our evidence shows that the whole of Stevenage is located within a single functional HMA. This stretches from Welwyn Garden City in the south to Sandy in the north and broadly follows the A1(M) / A1 corridor. It ranges from the edges of Luton in the west to Royston in the east. The HMA covers the significant majority of North Hertfordshire's administrative area, smaller parts of Welwyn Hatfield, Central Bedfordshire and East Hertfordshire and a miminal minimal area within South Cambridgeshire. This functional HMA has a population of around 350,000. This area is shown green in the map on the previous page. | | | | | | | | | | | | | | | |
|--|-------------------------------------|--|-----------------|---------------------|----------------|---------------------------------------|-------------------------------------|-------------------------------|-----------------------------------|----------------------------|-----------------------|-----------------------------------|--|------------------------------------|--|--|--|
| 004 | Before 3.30 | <table border="1" data-bbox="488 467 1688 778"> <thead> <tr> <th data-bbox="488 467 891 504">Healthy Economy</th> <th data-bbox="891 467 1290 504">Healthy Communities</th> <th data-bbox="1290 467 1688 504">Healthy People</th> </tr> </thead> <tbody> <tr> <td data-bbox="488 504 891 571">Improve the local economy and housing</td> <td data-bbox="891 504 1290 571">Encourage healthy lifestyle choices</td> <td data-bbox="1290 504 1688 571">Ensure clean and green spaces</td> </tr> <tr> <td data-bbox="488 571 891 638">Increase skills and employability</td> <td data-bbox="891 571 1290 638">Support good mental health</td> <td data-bbox="1290 571 1688 638">Help people feel safe</td> </tr> <tr> <td data-bbox="488 638 891 705">Help residents manage their money</td> <td data-bbox="891 638 1290 705"></td> <td data-bbox="1290 638 1688 705">Support and encourage volunteering</td> </tr> <tr> <td data-bbox="488 705 891 778">Understand and address child proverty poverty</td> <td data-bbox="891 705 1290 778"></td> <td data-bbox="1290 705 1688 778">Support healthy ageing</td> </tr> </tbody> </table> | Healthy Economy | Healthy Communities | Healthy People | Improve the local economy and housing | Encourage healthy lifestyle choices | Ensure clean and green spaces | Increase skills and employability | Support good mental health | Help people feel safe | Help residents manage their money | | Support and encourage volunteering | Understand and address child proverty poverty | | Support healthy ageing |
| Healthy Economy | Healthy Communities | Healthy People | | | | | | | | | | | | | | | |
| Improve the local economy and housing | Encourage healthy lifestyle choices | Ensure clean and green spaces | | | | | | | | | | | | | | | |
| Increase skills and employability | Support good mental health | Help people feel safe | | | | | | | | | | | | | | | |
| Help residents manage their money | | Support and encourage volunteering | | | | | | | | | | | | | | | |
| Understand and address child proverty poverty | | Support healthy ageing | | | | | | | | | | | | | | | |
| 005 | 3.37 | 3.37 As set out above, the North Hertfordshire Local Plan and East Hertfordshire District Plan will be of particular relevance due the to the 'underbounded' nature of the Borough and the potential for these authorities to include proposals around the edge of the existing town. | | | | | | | | | | | | | | | |
| 006 | 3.40 | 3.40 Finally, relevant European directives and requirements need to be incorporated. Of particular relevance to this Plan is the Water Framework Directive , which seeks to improve the quality of all water bodies as well as those directives relating the to the protection of key species and the environmental assessment of relevant plans and strategies. | | | | | | | | | | | | | | | |
| 007 | 4.6 | 4.6 Our strategy sets out how 7,600 homes will be built in and around Stevenage between 2011 and 2031 (4,956 homes between 2024 and 2031). This will mean that we can meet our objectively assessed housing needs within our own administrative boundaries, although we maintain an on-going dialogue with our neighbours on this topic. | | | | | | | | | | | | | | | |
| 008 | Policy SP1 | <p>Sustainable development</p> <p>Policy SP1: Presumption in favour of sustainable development</p> | | | | | | | | | | | | | | | |

~~When considering development proposals, we will take a positive approach that reflects a presumption in favour of sustainable development.~~

~~We will work proactively with applicants to find solutions that will allow proposals to be approved where possible. We will secure development that improves social, environmental and economic conditions in the area.~~

~~We will permit planning applications that accord with the policies in this Local Plan and, where relevant, any Neighbourhood Plans unless material considerations indicate otherwise.~~

~~Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision, we will grant permission unless material considerations indicate otherwise. In these cases we will take into account whether:~~

- ~~a. Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF, or any other relevant planning guidance issued by the Government, taken as a whole; or~~
- ~~b. Specific policies in that guidance indicate that permission should be refused or development should be restricted.~~

Climate Change

Policy SP1: Climate Change

We will require development to contribute to both mitigating and adapting to climate change. The extent to which developments reduce greenhouse gas emissions, sequester and store carbon, prevent overheating and flooding and its negative effects, use water and other resources efficiently, produce clean energy, and contribute to a green local economy will be considered in the assessment of each planning application. Developments which demonstrate positive consideration of these issues will be supported.

We will:

- a. apply emission reduction targets to developments according to their scale, supporting developments that achieve these targets by reducing overall energy demand, supplying energy efficiently, and generating ultra-low and zero carbon energy;

| | | |
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| | | <ul style="list-style-type: none"> b. <u>require developments to prioritise active travel and public transport by providing the infrastructure necessary to maximise their use;</u> c. <u>ensure that any on-site shortfall against emission reduction targets is offset by an alternative off-site proposal;</u> d. <u>apply water usage targets to developments, seek rainwater harvesting and grey water recycling, and encourage water neutrality;</u> e. <u>encourage the sustainable use of all other resources throughout the development life-cycle;</u> f. <u>support the use of decentralised energy networks, district heat networks, and intelligent energy systems in developments;</u> g. <u>support the use of ultra-low and zero carbon combined heat and power systems in developments;</u> h. <u>strongly support development proposals whose primary purpose is to generate ultra-low and zero carbon energy with a surplus to be injected into the national grid;</u> i. <u>protect the borough's significant carbon sinks, support the creation of new carbon sinks, and encourage developments to deliver net gains in carbon sequestration;</u> j. <u>encourage urban greening, particularly through the use of green roofs and walls;</u> k. <u>promote a green economy through the provision of local green jobs, local food production, and supporting the principles of a circular economy;</u> l. <u>ensure site waste is disposed of as sustainably as possible; and</u> m. <u>work collaboratively with neighbouring authorities to exploit cross-boundary opportunities to mitigate and adapt to climate change.</u> |
| 009 | 5.1 to 5.4 | <p>5.1 'Sustainable Development' is a phrase that has been widely used since the 1980s. It means making economic progress while also looking after our social and environmental needs. It also means not using, or permanently removing, too many of the resources that future generations may need.</p> <p>5.2 The Government wants to make sure that the planning system helps the country as a whole to achieve sustainable development. Planning has a vital role to play. It determines how many homes will be built, the types of employment opportunities that are provided and which open spaces and habitats are protected from development.</p> <p>5.3 We have a legal duty to contribute towards sustainable development through our plans¹². This means getting the balance right between:</p> <ul style="list-style-type: none"> • Our economic role in supporting a strong economy; • Our social role in providing necessary housing and services; and • Our environmental role in protecting and enhancing the natural, built and historic environment. |

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| | | <p>5.4 The Borough Council fully supports the concept of Sustainable Development. Policy SP1 is a 'model policy' previously published by The Planning Inspectorate that is included as standard in all Local Plans. It shows how we will work to meet the requirements of Government policy. We will take a positive approach that ensures we continue to permit the significant majority of planning applications for new development.</p> |
| 010 | After Policy SP1 | <p><u>5.1A Climate change refers to long-term changes in temperatures and weather patterns. Such changes occur naturally but for the last 200 years, human activity has been the main driver of climate change, primarily due to the burning of fossil fuels.</u></p> <p><u>5.1B The average temperature of Earth's surface is now roughly 1.2°C warmer than it was before the industrial revolution, which is warmer than at any time in the last 100,000 years. 2011 to 2020 was the warmest decade on record and each of the last four decades has been warmer than any previous decade since 1850¹².</u></p> <p><u>5.1C The UK has warmed by at least 1°C since the 1950s. Temperatures reached 34°C seven times between 2011 and 2020, which is as many times as in the preceding 50 years between 1961 and 2010. A new record high temperature of 40.3°C was reached in the summer of 2023, beating the previous record set only three years before that in 2019. Six of the ten wettest years on record have occurred since 1998¹³.</u></p> <p><u>5.1D Climate change is placed at the forefront of this plan in recognition of the serious and immediate challenge it presents. Policy SP1 sets out the council's strategic approach to mitigating and adapting to climate change.</u></p> <p><u>5.1E Mitigating climate change means reducing the flow of greenhouse gasses into the atmosphere in order to limit further warming. Under the Paris Agreement, the UK has committed to reducing greenhouse gas emissions in an effort to limit global warming to 1.5°C above pre-industrial levels. Locally-driven action will be crucial to meeting this target. Accordingly, the council has committed to ensuring that Stevenage has net-zero emissions by 2030 and has developed a climate change strategy¹⁴ and action plan.</u></p> <p><u>5.1F The planning system can aid these efforts by ensuring that places are designed to reduce greenhouse gas emissions. To this end, Policy SP1 promotes the sustainable use of resources, sustainable travel, green energy production, energy efficiency and carbon sequestration, as well as outright emission reduction targets.</u></p> <p><u>5.1G Adapting to climate change means altering our behaviour to protect ourselves from the effects of climate change. For planning purposes, this means making developments more resilient to extreme weather events, such as intense heat and rainfall, and periods of drought. Policy SP1 therefore promotes the sustainable use of water</u></p> |

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| | | <p>resources, urban greening, and the balancing of solar gain and solar shading. Flooding is also related to climate change but this issue is covered by a separate policy.</p> <p>5.1H Development proposals will be expected to contribute positively to mitigating and adapting to climate change. Planning applications will be assessed against the detailed policies in the new climate change chapter of this plan and applications which fail to make an acceptable contribution will be refused.</p> |
| 011 | Policy SP2 | <p>Policy SP2: Sustainable development in Stevenage</p> <p>We will work within the principles of sustainable development and reduce the impact of development on climate change. We will support the New Town ideal of a balanced community.</p> <p>Planning permission will be granted where proposals demonstrate (as applicable), how they will:</p> <ol style="list-style-type: none"> a. Deliver homes or jobs that make a positive contribution towards the targets in this plan; b. Supply a mix of uses, make good use of land and maximise opportunities for brownfield redevelopment within the town; c. Regenerate areas of the town that are under-performing; d. Reduce deprivation, improve quality of life and make sure that residents share in the benefits of regeneration and growth; e. Raise the aspirations, earnings, education level or life expectancy of residents; f. Provide a mix of homes and, jobs and facilities for all sectors of the community, including those necessary to meet the needs of an ageing population; g. Promote journeys by bus, train, bike and foot and reduce the need to travel; h. Work within the limits of infrastructure and increase capacity where this is necessary to support development; i. Make high-quality buildings and spaces that respect and improve their surroundings, reduce crime and the fear of crime; j. Support facilities and services that encourage people to live, work and spend leisure time in Stevenage; k. Produce places and spaces that enable people to live a healthy lifestyle; l. Take a proactive approach towards energy use, including renewable energy and energy efficiency measures where practicable and appropriate; m. Avoid or prevent harm from flood risk, contamination and pollution; n. Protect and improve important open spaces, wildlife sites and habitats; o. Preserve or enhance areas and buildings of historical and archaeological interest; and p. Increase community awareness and involvement so that residents are involved in, and proud of, their town. |

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| 012 | Policy SP3 | <p>Policy SP3: A strong, competitive economy</p> <p>This Plan provides sites and land that will allow employment growth and contribute to a balanced planning strategy across the market area. We will:</p> <ol style="list-style-type: none"> a. Provide at least 140,000 m² of new B-class employment floorspace over the plan period from Allocated Sites for Employment Development; b. Permit high intensity B-class employment uses in the most accessible locations. This includes high-density offices to the west of the railway station as part of a comprehensive and co-ordinated mixed-use development. c. Continue to remodel Gunnels Wood to meet modern requirements and provide a high quality and attractive business destination. This will include the continued development of the Stevenage GSK and Bioscience Catalyst Campus at the south of the employment area. d. Protect an employment area at Pin Green and retain a range of B-class employment accommodation premises in suitable locations elsewhere in the town. e. Work with Central Bedfordshire Council and North Hertfordshire District Council to ensure an appropriate level of employment provision within the wider A1(M) / A1 corridor over the plan period. The Borough Council will support, as required: <ol style="list-style-type: none"> i. A new, strategic employment allocation at Baldock to be delivered through North Hertfordshire's local plan; and/or ii. The continued development of the Stratton Business Park at Biggleswade through Central Bedfordshire's local plan. f. Recognise the important role played by the town's retail, health and other non-B-Class land uses in providing employment. |
| 013 | 5.14 | <p>5.14 In planning, employment land usually refers to 'B-class' uses¹³ and includes:</p> <ul style="list-style-type: none"> • B1(a) offices • B1(b) research and development • B1(c) light industry • B2 general industry; and • B8 storage and distribution. |

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| | | The definition of “employment uses” is provided in appendix D to this plan. |
| 014 | 5.15 | 5.15 The NPPF requires local authorities to plan proactively to meet the needs of businesses and support a successful economy. It is estimated that just under half of all jobs in the town are in B-class employment uses. Employment projections for Stevenage have varied significantly over time and are sensitive to changes in the wider economy. Through our evidence base, we recognise that it would be prudent to plan for at least 30 hectares of new employment land to meet locally derived needs over the plan period. In doing so, it is acknowledged that higher levels of provision could be required: |
| 015 | 5.19 | 5.19 Beyond the Leisure Park, Gunnels Wood is the town's largest employment area and a key driver of the local economy. Large parts of the employment area have been remodelled over the last twenty years as large-scale occupiers have downsized premises and regenerated their sites. However, the relatively relaxed policy approach taken in the 2004 District Plan means there is no clear distribution of land-uses and few high-quality or landmark buildings. A number of non-B-class employment uses have been introduced in prominent locations. |
| 016 | 5.27 | 5.27 In particular, the following schemes will be supported where they help to 'make good' shortfalls arising from Stevenage and ensure an appropriate level of provision across the FEMA and other areas with strong connections to Stevenage: <ul style="list-style-type: none"> • A new strategic allocation at Royston Road, Baldock in North Hertfordshire. This is a key opportunity to provide new employment land close to the Borough. This site falls within the Stevenage and Letchworth sub-area where it would be appropriate to make a full range of B-class employment provision to meet any unmet needs; and • The continued development of Stratton Business Park, Biggleswade. This lies beyond Stevenage's immediate sub-market but within the wider FEMA in both commercial property and labour market terms. This is considered suitable to assist in accommodating unmet industrial and distribution (B1(e) E(q)(iii), B2 and B8) requirements. |
| 017 | 5.29 | 5.29 There are also many jobs provided outside of our main employment areas and B-class employment uses in general. The town's biggest single employer is the Lister Hospital. Thousands of people are employed in retail, leisure and other services. This plan recognises the importance of these sectors to jobs and growth and contains appropriate policies to protect and enhance their contribution in this regard. |
| 018 | Policy SP4 | Policy SP4: A vital Town Centre |

We will make provision for the type and range of retail facilities that are required to support Stevenage's role, following the sequential test and the Borough's retail hierarchy. We will:

- a. Maintain the current retail hierarchy:
 - i. Stevenage Town Centre;
 - ii. High Street, Major Centre;
 - iii. Poplars, District Centre;
 - iv. Seven Local Centres; and
 - v. Seven Neighbourhood Centres
- b. Promote the comprehensive and co-ordinated regeneration of Stevenage Central (Town Centre plus adjoining sites). This will provide for in the order of 4,700m² of additional comparison retail floorspace, 3,000 new homes and an improved range of shopping, bars, restaurants, leisure, community, civic and cultural facilities. An extended and regenerated train station will be the focus of an enlarged Stevenage Central area, within which six Major Opportunity Areas will be designated to promote distinct mixed-use redevelopment schemes.
- c. Retain the primary retail frontages in both the Town Centre Shopping Area and the High Street Shopping Area as the focus of major comparison shopping.
- d. Support the provision of up to 7,600 m² net of additional convenience floorspace within the Borough boundary by 2031 to meet the needs of the expanded town. This will include:
 - i. 1,500m² for extensions to existing centres in the retail hierarchy, then other stores in accordance with the sequential test;
 - ii. A Local Centre in the west of Stevenage development in the order of 500m² to meet the day-to-day needs of the residents of the new neighbourhood;
 - iii. A Local Centre in the north of Stevenage development in the order of 500m² to meet the day-to-day needs of the residents of the new neighbourhood;
 - iv. A Neighbourhood Centre in the south-east of Stevenage development of no more than 500m² with a convenience store and other related small-scale Use Class A1 [E\(a\)](#) shops sufficient to meet the day-to-day needs of the residents of the new neighbourhood;
 - v. A new allocation for a large new store, in the order of 4,600m² net convenience goods floorspace and 920m² net comparison goods floorspace, at Graveley Road to meet identified needs post-2023.
- e. Tightly regulate new out-of-centre comparison goods floorspace and refuse the relaxation or removal of conditions on the type of goods that can be sold from existing out-of-centre comparison retail units.

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| 019 | 5.35 | <p>5.35 Our evidence studies show that there is a projected need for 4,700m² of additional comparison retail floorspace during the lifetime of this plan. In accordance with the retail hierarchy, and to support the regeneration of the Town Centre, this floorspace will be directed to the Town Centre. The projected significant increase in the resident population in and around the Town Centre may support some further growth in comparison floorspace: in which case, this will be directed towards the creation of additional floorspace in appropriate locations within the Stevenage Central area. In order to avoid potential adverse impacts upon the town centre, this area will be re-examined at a Full Review to ensure existing and future need for comparison has been updated to reflect changes since the Plan was adopted.</p> |
| 020 | 5.36 | <p>5.36 In order to protect the Town Centre from adverse competition from the extensive amount of out-of-centre comparison floorspace in the Borough, it is our intention not to permit any additional comparison floorspace in out-of-centre locations nor to permit existing out-of-centre retail units to benefit from any relaxation or removal of existing conditions on the type and nature of the goods that can be sold (i.e. that might permit them to compete more directly with the Town Centre). Applications must satisfy the sequential test or will be refused if they are likely to have an impact on one or more considerations in paragraph 94 of the NPPF.</p> |
| 021 | 5.38 | <p>5.38 Provision is made for a major new convenience store on Graveley Road in the north of the Borough (on the existing garden centre site) to help to meet identified needs towards the middle of the plan period. This store should not be trading until 2023, in In order to avoid potential adverse impacts upon the existing retail hierarchy, this site will be re-examined at a full review to ensure existing and future need for convenience has been updated to reflect changes since the plan was adopted.</p> |
| 022 | Policy SP5 | <p>Policy SP5: Infrastructure</p> <p>This plan will ensure the infrastructure required to support its targets and proposals is provided. New development will be required to contribute fairly towards the demands it creates. We will:</p> <ul style="list-style-type: none"> a. Permit permission where new development <ul style="list-style-type: none"> i. Makes reasonable on-site provision, off-site provision or contributions towards (but not limited to) the following where relevant: <p>affordable housing; biodiversity; childcare and youth facilities; community facilities; community safety and crime prevention; cultural facilities; cycling and walking; education; flood prevention measures; Gypsy and Traveller accommodation; health care facilities; leisure facilities; open spaces; passenger transport; play areas; policing; public</p> |

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| | | <p>realm enhancement; road and rail transport; sheltered <u>adaptable and specialist</u> housing; skills and lifelong learning; sports; supported housing; travel plans; utilities and waste and recycling.</p> <ul style="list-style-type: none"> ii. Includes measures to mitigate against any adverse impact on amenity or the local environment where this is appropriate and necessary; or iii. Meets any specific requirements relating to individual sites or schemes set out elsewhere in this plan; <ul style="list-style-type: none"> b. Use developer contributions, legal agreements, levies or other relevant mechanisms to make sure that the criteria in (a) are met; c. Deliver a major reconfiguration of the road network in and around the Town Centre to catalyse regeneration; d. Work with Hertfordshire County Council, Highways England, the NHS, the Local Enterprise Partnership and other relevant service providers and agencies to deliver additional highway, education and health capacity as well as new and enhanced open spaces and community and leisure facilities; and e. Co-operate with other utilities and service providers to ensure that appropriate capacity is available to serve new development. f. Ensure new development does not have an adverse effect on the Lee Valley Special Protection Area (SPA). New development post 2026 will only be permitted if the required capacity is available at Rye Meads STW, including any associated sewer connections. |
| 023 | 5.47 | <p>5.47 Further road schemes have been identified to mitigate other effects of the development proposed in this plan²³. These will provide additional capacity on local roads which are predicted to come under stress as a result of future development. This includes improvements <u>for all users</u>, to a number of key junctions in the town as well as on the approaches to, and at, the motorway junctions at the south-west and north-west of the Borough.</p> |
| 024 | Policy SP6 | <p>Policy SP6: Sustainable transport</p> <p>We will create the conditions for a significant increase in passenger transport, walking and cycling. We will require new development to provide an appropriate level of car parking. We will:</p> <ul style="list-style-type: none"> a. Support the provision of new town centre sustainable transport facilities, including: <ul style="list-style-type: none"> i. New bus termini and waiting facilities; ii. New pedestrian and cycle links, with particular emphasis on connections between the Town Centre and the Gunnels Wood employment area and Old Town; and |

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| | | <p>iii. A remodelled railway station that reflects Stevenage's position on the network and wider regeneration ambitions;</p> <p>b. Direct high density residential and commercial uses, and other developments that generate significant demand for travel, to the most accessible locations;</p> <p>c. Support the provision of sustainable transport schemes as identified in local transport plans and other relevant plans and strategies;</p> <p>d. Refuse permission where development proposals fail to provide any relevant plans or assessments relating to transport;</p> <p>e. Assess proposals against the car and cycle parking standards set out in the Supplementary Planning Documents; and</p> <p>f. Require new development to make reasonable on-site, off-site or financial contributions in accordance with Policy SP5 including (but not limited to):</p> <p>i. The creation or improvement of routes to, from or in the vicinity of the site;</p> <p>ii. The provision of crossings, underpasses, bridges or other appropriate means of traversing significant barriers for pedestrians and cyclists;</p> <p>iii. The implementation of parking control measures within or in the vicinity of the development site; and / or</p> <p>iv. The implementation of other transport schemes identified in our delivery plans.</p> <p><u>We will create the conditions for a significant increase in active travel and the use of public transport. We will:</u></p> <p>a. <u>reduce the need to travel by directing new development to the most accessible locations;</u></p> <p>b. <u>require developments to first prioritise active travel in the layout of sites and by providing connections to surrounding pedestrian and cycle networks;</u></p> <p>c. <u>require developments to provide appropriate cycle parking and supporting facilities, having regard to the supplementary planning documents and relevant Hertfordshire County Council guidance;</u></p> <p>d. <u>require developments to then prioritise accessibility to public transport with layouts that maximise the catchment area for public transport services and infrastructure that encourages their use;</u></p> <p>e. <u>support the provision of new high-quality sustainable transport facilities, including:</u></p> <p>i. <u>schemes identified in local transport plans and other relevant plans and strategies;</u></p> <p>ii. <u>new pedestrian and cycle links, particularly between the town centre, the Gunnels Wood employment area, and Old Town;</u></p> <p>iii. <u>a new borough-wide cycle hire scheme;</u></p> |
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| | | <ul style="list-style-type: none"> iv. <u>new bus termini and waiting facilities; and</u> v. <u>a remodelled railway station that reflects Stevenage's position on the network and wider regeneration ambitions;</u> f. <u>reduce car dependency by limiting the provision of car parking according to site accessibility;</u> g. <u>refuse permission where development proposals fail to provide any relevant plans or assessments relating to transport;</u> h. <u>seek any necessary developer contributions, in accordance with Policy SP5, to achieve all of the above.</u> |
| 025 | 5.62 | <p>5.62 — However, although we need to encourage people to use cleaner and greener modes of transport, we also need to recognise the important role played by the car in modern life. People may be able to cycle or catch the train to work during the week, but will still have a car to visit friends and relatives at weekends. Early parts of the New Town were built on the assumption that only one in every eight homes would need a parking space. Some of these areas now suffer from significant traffic problems as cars park on street. Small, but important, green spaces and verges are being lost to make additional parking provision. We need to make sure that our approach is not too restrictive or unrealistic. Repeating the mistakes of the past would yet again create problems for future generations.</p> <p><u>5.62 Whilst promoting active and public transport, we recognise that cars will continue to play a role in people's lives. We will assess development proposals against parking standards, which will limit car parking in areas with good access to public transport and local services, whilst ensuring that appropriate cycle parking and disabled persons' parking is provided borough-wide. We will also support the transition to electric vehicles, albeit electric vehicle charging provision is now determined by the Building Regulations.</u></p> |
| 026 | 5.63 | <p>5.63 — We will use parking standards to assess development proposals. These will require less parking to be provided in locations near passenger transport and local facilities. However, these will also reflect the levels of car ownership that we expect from new development.</p> |
| 027 | Policy SP7 | <p>Policy SP7: High quality homes</p> <p>This Local Plan supports significant growth in and around Stevenage to help meet needs across the market area. We will:</p> <ul style="list-style-type: none"> a. Provide at least 7,600 new homes within Stevenage Borough between 2011 and 2031, <u>of which no fewer than 4,956 will be provided between 2024 and 2031.</u> b. Deliver these through the sites and broad locations identified in this plan that allow for at least: |

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| | | <ul style="list-style-type: none"> i. 2,950 new homes in and around the Town Centre; ii. 1,350 new homes in a new neighbourhood on undeveloped land to the west of the town within the Borough boundary; iii. 1,350 new homes to the north and south-east of the town on land removed from the Green Belt; iv. 1,950 new homes elsewhere in the Borough; and v. 11 new, permanent Gypsy and Traveller pitches on a new site close to Junction 8 of the A1(M). <p>c. Ensure at least 60% of new homes completed within the Borough boundary between 2011 and 2031 are on previously developed land.</p> <p>d. Make sure there is always enough land to build homes for the next five years.</p> <p>e. Support applications for housing development on unallocated sites where they are in suitable locations and will not exceed our environmental capacity.</p> <p>f. Build a full range of homes in terms of tenure, type and size. This plan positively addresses housing needs and existing imbalances in the housing stock by setting targets for:</p> <ul style="list-style-type: none"> i. At least 20% of all new homes over the plan period to be Affordable Housing with an aspiration to deliver up to 40% affordable housing where viability permits; ii. An appropriate mix of housing sizes, in line with the most up-to-date evidence of need; and iii. At least 3% of new homes over the plan period to be 'aspirational' to deliver a more balanced housing stock; and iv. At least 1% of new homes on the urban extensions to be self-build. <p>g. Supplement these homes through the provision of up to 200 bed spaces in supported accommodation subject to up-to-date evidence of need; <u>and</u></p> <p>h. Work with North Hertfordshire District Council and, if necessary, East Hertfordshire District Council to ensure any homes provided on the edge of Stevenage but outside the Borough boundary are successfully integrated into the urban fabric of the town.</p> |
| 028 | 5.67 | <p>5.67 The NPPF says that plans should normally meet the full, objectively assessed needs (OAN) for market and affordable housing in the housing market area. Our <u>When the local plan was originally adopted in 2019, our</u> evidence identifies <u>identified</u> a requirement for Stevenage of 7,300 homes over the period 2011-2031. This takes <u>took</u> into account migration trends over a 10-year period and also includes <u>included</u> adjustments in response to market signals in line with Government guidance²⁹.</p> |

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| 029 | 5.68 | <p>5.68 — This plan sets a target slightly above the identified level of OAN. This variously takes into account:</p> <ul style="list-style-type: none"> • The acute need for affordable housing in the town. A modest increase in the target allows more homes in response to this pressure and particularly reflects the Council's emerging housebuilding programme which will deliver up to 100% affordable homes on sites in the Borough³⁰; • The fact that as people live for longer, and live in their own homes for longer, it may be appropriate to assume that more of their needs will be met in the normal housing stock; • Official Government household projections for the Borough³⁴; • The need to ensure development viability and set a challenging target that provides a clear signal that we are serious about delivering regeneration and change in the Borough; and • What we consider to be a reasonable and achievable rate of housing delivery. <p><u>5.68 The partial review and update of the local plan identifies a requirement for 4,956 homes to be delivered over the remainder of the plan period (to 2031). This figure represents the overall plan period target of 7,600 homes minus the net housing completions from 2011 to 2024.</u></p> |
| 030 | 5.71 | <p>5.71 Taking into account completions and permissions since 2011, this target will require development to accelerate to a rate of around 450 <u>708</u> homes per year over the remainder of the plan period³³. This is above long-term development rates since the Development Corporation was wound up. However, the development industry supports our belief that this level of delivery can be achieved³⁴.</p> |
| 031 | 5.73 to 5.76 | <p>5.73 <u>The sites within allocated in the Borough 2019 version of the plan remain sufficient</u> to meet our housing requirement to 2031. In trying to meet these needs, whilst ensuring sustainable development, we have chosen sites for development in the order shown below:</p> <ul style="list-style-type: none"> • Previously developed sites • Greenfield sites within the existing urban area • Greenfield sites outside of the existing urban area • Green Belt sites <p>5.74 A technical paper³⁵ has been produced to explain how we have decided which <u>these sites from will continue to meet</u> the land availability assessment to take forward and allocate within this plan. Since 2011, 593 homes have been completed, and a further 1,758³⁶ are already in the planning process. This means that land for a further 5,249 homes borough's needs up to be identified 2031.</p> |

| | | | | <table border="1"> <thead> <tr> <th>Locations</th> <th>Minimum target 2011-2031</th> <th>Already completed or permitted</th> <th>Minimum still to be planned for to 2031</th> </tr> </thead> <tbody> <tr> <td>In and around the town centre</td> <td>2,950</td> <td>950</td> <td>2,000</td> </tr> <tr> <td>New neighbourhood to the west of the town</td> <td>1,350</td> <td>0</td> <td>1,350</td> </tr> <tr> <td>New neighbourhoods to the north and south-east on land removed from the Green Belt</td> <td>1,350</td> <td>0</td> <td>1,350</td> </tr> <tr> <td>Elsewhere within the Borough</td> <td>1,950</td> <td>1,401</td> <td>549</td> </tr> </tbody> </table> | Locations | Minimum target 2011-2031 | Already completed or permitted | Minimum still to be planned for to 2031 | In and around the town centre | 2,950 | 950 | 2,000 | New neighbourhood to the west of the town | 1,350 | 0 | 1,350 | New neighbourhoods to the north and south-east on land removed from the Green Belt | 1,350 | 0 | 1,350 | Elsewhere within the Borough | 1,950 | 1,401 | 549 |
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| Elsewhere within the Borough | 1,950 | 1,401 | 549 | | | | | | | | | | | | | | | | | | | | | |
| | | <p>5.76 National guidance encourages the reuse of land that has been previously developed (brownfield land). Since the start of the plan period around 85% of new homes and planning permissions (including prior approvals) have been on previously developed land (PDL). We also We plan to redevelop a number of large PDL sites in the future, including the Town Centre and some of the Neighbourhood Centres. However, Stevenage has a limited supply of these sites, so we will also require a number of greenfield sites to be developed. Our evidence³⁷ suggests that just over 45 <u>43</u>% of future housing could be built on PDL. Overall, we expect that approximately 60 <u>43</u>% of all housing completions over the period 2011-2031 will be on PDL.</p> | | | | | | | | | | | | | | | | | | | | | | |
| 032 | 5.81 | <p>5.81 As well as ensuring we meet the overall housing target, national guidance also requires us to maintain a rolling five-year housing land supply. As we are reliant on a number of large schemes, and relatively few small sites, many of our new homes are likely to <u>will</u> be delivered towards the end of the plan period. As such, we will not phase development, so that sites can be delivered whenever the market decides. We will actively encourage development to come forward towards the front end of the plan period.⁴³</p> | | | | | | | | | | | | | | | | | | | | | | |
| 033 | 5.86 | <p>5.86 The provision of affordable homes is a key priority for the Council. Over the plan period, at least 1 in 5 of the new homes provided should be affordable homes. This target should be viewed in the context of the Council's aspiration to harness increasing values and viability and deliver up to 40% of all homes as affordable in later years of the plan. This will be pursued through targeted reviews of relevant policies and evidence. The partial review and update of the local plan introduces an uplift to the proportion of affordable homes required on greenfield sites, from 30% to 40%, in line with aspirations when the plan was originally adopted in 2019⁴⁶. The provision of affordable units on private developments, in line with our policy requirements, will be supplemented by the Council's own housebuilding programme. This will deliver schemes containing up to 100% affordable housing on public land.</p> | | | | | | | | | | | | | | | | | | | | | | |

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| 034 | Policy SP8 | <p>Policy SP8: Good design</p> <p>We will require new development to achieve the highest standards of design and sustainability. We will:</p> <ul style="list-style-type: none"> a. preserve and enhance the most important areas and characteristics of Stevenage whilst delivering substantial improvement to the image and quality of the town's built fabric; b. require significant developments to be masterplanned to ensure the delivery of high-quality schemes; c. set out detailed design criteria and require applicants to have regard to supplementary planning documents and other relevant guidance; and d. Implement the Government's optional Technical Standards <u>implement the government's nationally described space standard and Building Regulations optional requirements</u> to ensure schemes deliver the space, accessibility and water efficiency expected of modern developments; e. <u>require developments to be safe and secure, reducing crime and the fear of crime; and</u> f. <u>support developments that are designed to achieve high levels of certification against nationally and internationally recognised sustainability standards.</u> |
| 035 | 5.100 | <p>5.100 Policies mainly relate <u>This policy broadly relates</u> to A1, C2, D4 <u>E, F.1</u> and D2 <u>F.2</u> Use Classes and include <u>includes</u> facilities such as local shops, meeting places, sports venues, cultural buildings, healthcare facilities, public houses and places of worship.</p> |
| 036 | Policy SP11 | <p>Climate change, flooding and pollution</p> <p>Policy SP11: Climate change, flooding and pollution</p> <p>We will work to limit, mitigate and adapt to the negative impacts of climate change, flood risk and all forms of pollution. We will:</p> <ul style="list-style-type: none"> a. ensure new development minimises and mitigates its impact on the environment and climate change by considering matters relating (but not necessarily limited) to the provision of green space, renewable energy, energy efficiency, water consumption, drainage, waste, pollution, contamination and sustainable construction techniques; b. ensure new development reduces or mitigates against flood risk and pollution; c. take a sequential approach to development in all areas of flood risk; and d. protect existing flood storage reservoirs and require new flood storage reservoirs to be provided where appropriate. |

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| | | <p><u>Flooding and pollution</u></p> <p><u>Policy SP11: Flooding and pollution</u></p> <p><u>We will work to minimise flood risk and all forms of pollution. We will:</u></p> <ol style="list-style-type: none"> a. <u>direct development to areas at the lowest risk of flooding through the application of a sequential approach;</u> b. <u>determine planning applications in accordance with national flood risk planning policies;</u> c. <u>ensure development utilises sustainable drainage systems wherever possible, with a preference for the most sustainable, surface SuDS features;</u> d. <u>recognise the multifunctional benefits of SuDS;</u> i. <u>protect existing flood storage reservoirs and require new flood storage reservoirs to be provided where appropriate;</u> j. <u>protect existing watercourses, including requiring their re-naturalisation, where appropriate; and</u> k. <u>ensure that development does not result in unacceptable harm to human health or the natural environment as a result of pollution.</u> |
| 037 | 5.136 | <p>5.136—Climate change continues to be a subject that features prominently on the World Stage. As part of our commitment to limiting the Borough’s negative impacts on the environment, we will ensure that all new developments</p> <ul style="list-style-type: none"> • are energy efficient; • have low water consumption; • incorporate appropriate drainage (SuDS); • incorporate waste recycling; • minimise pollution; • remediate contamination; and • seek to adopt sustainable construction techniques. |
| 038 | After 5.162 | <p><u>6A Climate change</u></p> <p><u>Efficiency</u></p> <p><u>Policy CC1: Energy efficiency</u></p> |

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| | | <p><u>Development proposals must demonstrate how they will maximise reductions in greenhouse gas emissions, with consideration for the following:</u></p> <ul style="list-style-type: none">a. <u>The provision of demand-side energy efficiency measures;</u>b. <u>The provision of supply-side energy efficiency measures; and</u>c. <u>The adoption of ultra-low and zero carbon energy generation.</u> <p><u>Major development</u></p> <p><u>Major development proposals (including large scale major development proposals⁵³) must achieve net zero regulated operational emissions.</u></p> <p><u>At the application stage, an energy statement must be submitted to demonstrate how the proposal will meet the net zero target.</u></p> <p><u>Post-permission, planning conditions will be used to ensure that the net zero target is met in practice.</u></p> <p><u>Large scale major development</u></p> <p><u>Outside of the town centre⁵⁴, large scale major development proposals must also achieve net zero emissions during construction and demolition i.e. be whole-life carbon net zero⁵⁵.</u></p> <p><u>At the application stage, an energy statement, which includes a whole life-cycle carbon (WLC) assessment, must be submitted to demonstrate how the target will be met.</u></p> <p><u>Post-permission, planning conditions will be used to secure an updated WLC assessment, using actual emissions figures.</u></p> <p><u>Carbon offsetting</u></p> <p><u>Where it is clearly demonstrated that a development proposal cannot fully meet the relevant target on-site, the shortfall may be offset by an alternative off-site proposal but only where the proposal has already been identified and delivery is certain.</u></p> |
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| 039 | After New Policy CC1 | <p><u>6A.1 The council is committed to ensuring that Stevenage is net-zero carbon by 2030. Homes and workplaces account for a significant proportion of the borough's emissions and minimising these will be essential to meeting the 2030 target. For this reason, new development must meet the emissions targets set by Policy CC1.</u></p> <p><u>6A.2 The design, construction and operation of new buildings should be informed by the principles set out at the start of the policy. The priority is to implement demand-side efficiency measures before addressing supply-side efficiency measures and the production of clean energy.</u></p> <p><u>6A.3 Demand-side energy efficiency measures reduce the overall amount of energy required to operate and maintain a development. This includes energy conservation, monitoring, and the adoption of efficient design principles (e.g. those relating to the form, fabric and orientation of buildings).</u></p> <p><u>6A.4 Supply-side energy efficiency measures aim to provide the energy required by a development in a way that minimises emissions. Such measures include combined energy production (e.g. combined heat and power), efficient energy distribution (e.g. heat networks), and energy waste recovery.</u></p> <p><u>6A.5 For the majority of developments, the production of clean energy is likely to involve the installation of solar panels but in some instances, there may be feasible alternatives. Where solar panels are considered, developers should be mindful of the benefits of combining them with green roofs to create bio-solar roofs.</u></p> <p><u>6A.6 Applicants will be expected to include details of how their proposal will comply with Policy CC1 as part of their submission. Major development proposals will be required to provide an energy statement which shows how the overall target will be met and the contribution made by each of the measures listed under points (a) to (c) of the policy. Large-scale major development proposals will additionally be required to include a WLC assessment⁵⁶ as part of their energy statement. Householder and minor development are excluded from the policy.</u></p> <p><u>6A.7 In practice, ensuring that the policy is effective will require the reporting of energy demand and emissions post-construction. This should be done once for each development (or phase of development, where appropriate) at the earliest practicable opportunity following completion.</u></p> <p><u>6A.8 Where the targets set by Policy CC1 cannot be wholly met on-site, the calculated shortfall may be offset on a different site. However, the council will only consider this where the offsetting scheme has already been identified and its delivery can, for all intents and purposes, be guaranteed.</u></p> |
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| | | <u>6A.9 If permission is granted for a proposal, planning conditions and/or a legal agreement will be used to secure any measures agreed at the application stage.</u> |
| 040 | After New Para 6A.9 | <p><u>Policy CC2: Heating and cooling</u></p> <p><u>Development proposals should minimise demand for energy dependent cooling systems, with consideration for the following:</u></p> <ul style="list-style-type: none"> a. <u>Balancing solar gain and solar shading</u> b. <u>Minimising internal heat generation</u> c. <u>Managing the heat within the building</u> d. <u>Providing passive ventilation</u> e. <u>Providing mechanical ventilation</u> <p><u>Major development proposals must demonstrate how buildings will be heated and cooled as part of an energy statement. Permission will be refused for proposals which rely on energy dependent cooling systems unless it is demonstrated that their use is essential.</u></p> |
| 041 | After New Policy CC2 | <p><u>6A.11 Climate change means Stevenage is already experiencing higher temperatures compared to the long-term average and more frequent severe heat events. For the majority of people, the impact of this is feeling uncomfortable or being unable to sleep but for vulnerable people, the impacts can be much more serious. It is important that new development is designed to mitigate this risk.</u></p> <p><u>6A.12 Active cooling systems, such as air conditioning, have significant energy requirements and also require maintenance. For these reasons, they are not a sustainable solution. Instead, the risk of overheating should, first and foremost, be mitigated through building design.</u></p> <p><u>6A.13 The impacts of excessive cold can be just as serious as those of excessive heat and it is therefore important that buildings are suitably warm during periods of colder temperatures. Designing buildings to be cool during the summer only to require additional energy for heating during the winter would be counterproductive.</u></p> <p><u>6A.14 Therefore, the challenge is to ensure that buildings remain comfortable and safe throughout the year, including during periods of extreme temperatures, without increasing energy demand. Policy CC2 explains how new development should approach this challenge.</u></p> |

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| | | <p><u>6A.15 The priority should be to balance the warming effects of the sun (i.e. solar gain) and the cooling effects of shade (i.e. solar shading). This can be done through careful consideration of building orientation, building fabric, and fenestration. High-albedo materials can be used to reflect sunlight where necessary, while green infrastructure, such as green roofs and walls, can also be used to great effect, acting as insulation during winter and providing cooling through evapotranspiration during summer.</u></p> <p><u>6A.16 Following this, consideration should be given to minimising internal heat generation. This can be achieved through energy efficiency, which will limit the amount of waste energy being lost as heat.</u></p> <p><u>6A.17 The heat within buildings can be managed effectively through the use of high ceilings and exposed internal thermal mass. Both of these measures make buildings take longer to heat up, making them less susceptible to sudden temperature shocks.</u></p> <p><u>6A.18 For ventilation, passive or mechanical methods may be appropriate, depending on the approach to building design and site context. In any case, single-aspect dwellings should still be avoided as far as possible.</u></p> <p><u>6A.19 Policy CC2 recognises that in some instances, the use of active cooling systems may be unavoidable. This may include healthcare and laboratory settings, where precise temperature control is essential to the use. In these circumstances, the cooling systems should ideally be designed to reuse the waste heat that they produce.</u></p> <p><u>6A.20 For major development proposals, applicants will be expected to include details of how Policy CC2 will be complied with as part of an energy statement at the point of application submission. Applicants for householder and minor development proposals will not need to submit an energy statement but will still be expected to comply with the policy by taking account of heating and cooling in the design of developments and avoiding reliance on energy-dependent cooling systems.</u></p> |
| 042 | After New Para 6A.20 | <p><u>Policy CC3: Water efficiency</u></p> <p><u>Development proposals involving the creation of new dwellings must ensure that water consumption does not exceed 110 litres per person per day, including external water use.</u></p> <p><u>Development proposals involving the creation of new dwellings must additionally incorporate rainwater harvesting schemes unless there are clear and convincing reasons for not doing so.</u></p> <p><u>All non-residential development must provide for the recycling of grey water unless there are clear and convincing reasons for not doing so.</u></p> |

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| | | <u>Development proposals which demonstrate water neutrality will be strongly supported.</u> |
| 043 | After New Policy CC3 | <p><u>6A.21 Stevenage lies in an area of severe water stress and water consumption is above the national average. With a growing population, it is therefore essential that we use our limited water resources more efficiently. For this reason, new development must comply with Policy CC3.</u></p> <p><u>6A.22 Proposals for new dwellings must ensure that wholesome water consumption does not exceed 110 litres per person per day. This aligns with the Building Regulations optional requirement G2(2)(b). Where planning permission is granted, planning conditions will be used to ensure that this target is met.</u></p> <p><u>6A.23 Proposals for new dwellings must also incorporate rainwater harvesting schemes unless there are clear and convincing reasons for not doing so. This may include instances where it would be exceptionally difficult to install or impractical to maintain.</u></p> <p><u>6A.24 All non-residential development must provide for the recycling of grey water unless there are clear and convincing reasons for not doing so. The council will consider this in the same way as rainwater harvesting for residential developments.</u></p> <p><u>6A.25 For the avoidance of doubt, financial cost will not, in and of itself, be accepted as a reason for failing to install rainwater harvesting or grey water recycling schemes. However, where the cost of installing these systems would demonstrably compromise other objectives in this plan (i.e. where a fully policy-compliant development is not viable), the council will seek to take a flexible and balanced approach to the requirements of Policy CC3.</u></p> <p><u>6A.26 Notwithstanding the mandatory requirements of the policy, all types of development are encouraged to limit water consumption and incorporate both rainwater harvesting and greywater recycling as far as possible. Where a proposal can demonstrate water neutrality (i.e. not increasing demand for water abstraction above existing levels), the council will strongly support it by attributing weight in favour of granting permission.</u></p> <p><u>6A.27 Where planning permission is granted, planning conditions will be used to secure any rainwater harvesting or greywater recycling measures agreed at the application stage.</u></p> |
| 044 | After New para 6A.27 | <p><u>Sustainable infrastructure</u></p> <p><u>Policy CC4: Energy infrastructure</u></p> |

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| | | <p><u>Development proposals which create, utilise, or facilitate connection to decentralised energy networks (DENs) or district heat networks (DHNs) will be strongly supported.</u></p> <p><u>The use of ultra-low and zero carbon combined heat and power (CHP) systems will also be strongly supported.</u></p> <p><u>Developments that produce local ultra-low and zero carbon renewable energy with surplus injected into the grid will be strongly supported.</u></p> <p><u>The implementation of Intelligent Energy Systems (IES) is strongly encouraged.</u></p> |
| 045 | After New Policy CC4 | <p><u>6A.28 Almost all of Stevenage's energy needs are currently met from outside of the borough, with electricity imported via the National Grid and pipelines supplying natural gas for heating. Work is underway to decarbonise the National Grid but this is not expected to be completed until 2035 and at present, only about 40% of UK electricity comes from renewable sources. It will be impossible to decarbonise heating without moving away from natural gas.</u></p> <p><u>6A.29 For these reasons, the council will strongly support development proposals that incorporate sustainable energy infrastructure. This includes DENs, DHNs, ultra-low and zero carbon CHPs, and renewable energy production which generates a surplus. Where these are proposed, the council will apply weight in favour of granting planning permission.</u></p> <p><u>6A.30 It is recognised that any large-scale proposals for renewable energy generation are likely to be located beyond the borough boundary. The council will, in principle, be supportive of such schemes and will seek to work with neighbouring authorities, energy companies and developers to implement any necessary supporting infrastructure within the borough boundary.</u></p> <p><u>6A.31 The council also strongly encourages developers to incorporate IES in their proposals. These are combinations of technologies which allow for the monitoring and management of energy usage, similar to smart meters but with a far greater level of detail. IES therefore acts as a tool to help understand and then reduce energy usage.</u></p> |
| 046 | After New Para 6A.31 | <p><u>Policy CC5: Carbon sinks</u></p> <p><u>Development proposals should not result in the loss or deterioration of significant carbon sinks. Development proposals which deliver net gains in carbon sequestration and storage through the enhancement of existing carbon sinks or the provision of new carbon sinks will be strongly supported.</u></p> |

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| 047 | After New Policy CC5 | <p><u>6A.32 A carbon sink is anything which absorbs more carbon dioxide from the atmosphere than it releases. In Stevenage, grasslands, wetlands and woodlands are significant carbon sinks.</u></p> <p><u>6A.33 Some carbon sinks are already afforded a degree of protection by other policies in this plan. The council is also in the process of identifying specific carbon sinks within the borough and may, in the longer term, provide these with specific protection. In the interim, the contribution made by all significant carbon sinks to mitigating climate change will be recognised and proposals resulting in their loss or deterioration will be resisted on this basis.</u></p> <p><u>6A.34 In contrast, proposals resulting in net gains in carbon sequestration and storage through the enhancement of existing carbon sinks or the provision of new carbon sinks will be strongly supported.</u></p> |
| 048 | After New Para 6A.34 | <p><u>Policy CC6: Green roofs</u></p> <p><u>Development proposals which incorporate green roofs, blue-green roofs, bio-solar roofs or green walls will be strongly supported.</u></p> |
| 049 | After New Policy CC6 | <p><u>6A.35 Green roofs, also referred to as living roofs or sedum roofs, are rooftops covered by vegetation in a multi-layered system comprising a waterproof membrane, a substrate or growing medium and (usually) a drainage layer. Green roofs have a wide variety of benefits, including:</u></p> <ul style="list-style-type: none"> • <u>sequestering carbon dioxide from the atmosphere;</u> • <u>delaying or reducing surface water run-off;</u> • <u>naturally treating surface water run-off before it is discharged;</u> • <u>increasing biodiversity by acting as a habitat;</u> • <u>insulating buildings during colder months;</u> • <u>cooling buildings through evapotranspiration during warmer months;</u> • <u>reducing the heat island effect in built-up areas; and</u> • <u>acting as a form of sound insulation.</u> <p><u>6A.36 In recognition of these benefits, Policy CC6 provides strong support for developments incorporating green roofs. This includes green roofs which have been combined with other technologies to deliver additional benefits.</u></p> <p><u>6A.37 Blue roofs are roofs which store rainwater where it falls and then gradually release it through flow restrictor outlets. Although green roofs also naturally store rainwater, their effectiveness as a SuDS feature is limited by the fact that once the substrate is saturated, there is no control over the rate of discharge. Blue-green roofs, as the name</u></p> |

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| | | <p><u>suggests, combine the benefits of blue and green roofs by providing an additional attenuation layer below the substrate and planted surface of the roof, with discharge rates then controlled by flow restrictor outlets.</u></p> <p><u>6A.38 Green roofs and blue-green roofs are also compatible with solar panels. When designed properly, so-called bio-solar roofs can actually improve the effectiveness of both the green roof (by providing shade) and the solar panels (by providing cooling).</u></p> <p><u>6A.39 Given the wide array of potential benefits in providing green roofs, the council will take a flexible approach to visual considerations when proposals incorporating green roofs are assessed. Buildings which incorporate green roofs are currently the exception rather than the rule and to facilitate more widespread adoption, some degree of divergence from established character is likely to be necessary. However, applicants should note that this does not necessarily entail greater acceptance of flat roof designs, since solutions for pitched green roofs are now widely available.</u></p> <p><u>6A.39 Visual considerations will be of greater importance where a site is located in an especially sensitive location or where there would be additional related impacts, for example on heritage assets. It is expected that proposals involving listed buildings or within conservation areas will generally not utilise green roofs but the council will support them where they are incorporated sensitively.</u></p> |
| 050 | After New Para 6A.39 | <p><u>A green economy</u></p> <p><u>Policy CC7: The green economy</u></p> <p><u>Development proposals which demonstrate consistency with the principles of a circular economy will be strongly supported.</u></p> <p><u>Development proposals involving the provision of new local green jobs during the construction or operational phases will be strongly supported.</u></p> <p><u>Development proposals involving the loss of existing allotments, orchards, gardens and food markets will be refused unless there is clear and convincing justification. Where appropriate, development proposals involving their provision or enhancement will be strongly supported.</u></p> |
| 051 | After New Policy CC7 | <p><u>6A.56 A circular economy is one where materials are retained in use at their highest value for as long as possible, with minimal residual waste. A move to a more circular economy will save resources, increase the resource efficiency of businesses and help to drive down greenhouse gas emissions. For these reasons, the council will support</u></p> |

| | | <p>development proposals which demonstrate consistency with the principles of a circular economy by applying weight in favour of granting permission.</p> <p>6A.57 In practice, the adoption of circular economy principles in development will mean designing buildings to be adapted, reconstructed and deconstructed. This is to extend the life of buildings and allow for their materials to be salvaged for reuse or recycling. How site waste is dealt with during demolition and construction will also be a key consideration. To this end, it is expected that applications for major development will be accompanied by a site waste management plan.</p> <p>6A.58 The definition of “local green jobs” is provided in appendix D to this plan. Development proposals resulting in the provision of new local green jobs will be strongly supported by the council, particularly where the positions would be filled by Stevenage residents.</p> <p>6A.59 Producing food sustainably will also be an important component of the transition to a green economy. Producing food locally will reduce the greenhouse gas emissions associated with its transportation and processing, as well as reducing food waste and generally providing better nutrition. For these reasons, proposals that would reduce the borough’s ability to produce its own food will be refused unless there is clear and convincing justification. This is likely to be limited to instances where it would deliver overriding benefits when assessed against the objectives of this plan as a whole. Conversely, proposals that would increase local food production in appropriate locations through the provision or enhancement of allotments, orchards and gardens will be strongly supported.</p> <p>6A.60 Food that is grown locally also requires space to be sold locally. For this reason, the council will apply similar protections to food markets and will strongly support the provision or enhancement of food markets in appropriate locations.</p> | | | | |
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| 052 | Policy EC1 | <p>Policy EC1: Allocated sites for employment development</p> <p>The following sites and areas, as defined on the Policies Map, are allocated for employment development. Planning permission will be granted where proposals fall within the specified use classes and, individually or cumulatively, meet or exceed the target floorspace provision.</p> <table border="1" data-bbox="584 1246 1787 1315"> <thead> <tr> <th data-bbox="584 1246 775 1315">Reference</th> <th data-bbox="775 1246 1169 1315">Site</th> <th data-bbox="1169 1246 1518 1315">Use Classes</th> <th data-bbox="1518 1246 1787 1315">Target floorspace provision</th> </tr> </thead> </table> | Reference | Site | Use Classes | Target floorspace provision |
| Reference | Site | Use Classes | Target floorspace provision | | | |

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| | | | <table border="1"> <tr> <td>EC1/1</td> <td>Stevenage GSK and Bioscience Catalyst Campus</td> <td>B1(b), B1(e) <u>E(g)(ii), E(g)(iii)</u> with ancillary uses</td> <td>50,000m²</td> </tr> <tr> <td>EC1/2</td> <td>South of Bessemer Drive, Gunnels Wood</td> <td>B1(a), B1(b) <u>E(g)(ii), E(g)(iii), B8</u></td> <td>12,000 <u>10,000</u>m²</td> </tr> <tr> <td>EC1/3</td> <td>West of Gunnels Wood Road</td> <td>B1(b), B1(e) <u>E(g)(ii), E(g)(iii)</u></td> <td>4,000m²</td> </tr> <tr> <td>EC1/4</td> <td>Land west of North Road</td> <td>B1(e) <u>E(g)(iii)</u>, B2 and / or B8</td> <td>20,000m²</td> </tr> <tr> <td>EC1/5</td> <td>Stevenage Central</td> <td>B1(a) <u>E(g)(i)</u></td> <td>35,000m²</td> </tr> <tr> <td>EC1/6</td> <td>West of Stevenage</td> <td>B1(a)*, B1(b), B1(c) <u>E(g)(i)*, E(g)(ii), E(g)(iii)</u></td> <td>10,000m²</td> </tr> <tr> <td>EC1/7</td> <td>Land west of Junction 8</td> <td>B8 and ancillary uses</td> <td>12,500m²</td> </tr> </table> | EC1/1 | Stevenage GSK and Bioscience Catalyst Campus | B1(b), B1(e) <u>E(g)(ii), E(g)(iii)</u> with ancillary uses | 50,000m ² | EC1/2 | South of Bessemer Drive, Gunnels Wood | B1(a), B1(b) <u>E(g)(ii), E(g)(iii), B8</u> | 12,000 <u>10,000</u> m ² | EC1/3 | West of Gunnels Wood Road | B1(b), B1(e) <u>E(g)(ii), E(g)(iii)</u> | 4,000m ² | EC1/4 | Land west of North Road | B1(e) <u>E(g)(iii)</u> , B2 and / or B8 | 20,000m ² | EC1/5 | Stevenage Central | B1(a) <u>E(g)(i)</u> | 35,000m ² | EC1/6 | West of Stevenage | B1(a)*, B1(b), B1(c) <u>E(g)(i)*, E(g)(ii), E(g)(iii)</u> | 10,000m ² | EC1/7 | Land west of Junction 8 | B8 and ancillary uses | 12,500m ² |
| EC1/1 | Stevenage GSK and Bioscience Catalyst Campus | B1(b), B1(e) <u>E(g)(ii), E(g)(iii)</u> with ancillary uses | 50,000m ² | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| EC1/2 | South of Bessemer Drive, Gunnels Wood | B1(a), B1(b) <u>E(g)(ii), E(g)(iii), B8</u> | 12,000 <u>10,000</u> m ² | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| EC1/3 | West of Gunnels Wood Road | B1(b), B1(e) <u>E(g)(ii), E(g)(iii)</u> | 4,000m ² | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| EC1/4 | Land west of North Road | B1(e) <u>E(g)(iii)</u> , B2 and / or B8 | 20,000m ² | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| EC1/5 | Stevenage Central | B1(a) <u>E(g)(i)</u> | 35,000m ² | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| EC1/6 | West of Stevenage | B1(a)*, B1(b), B1(c) <u>E(g)(i)*, E(g)(ii), E(g)(iii)</u> | 10,000m ² | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| EC1/7 | Land west of Junction 8 | B8 and ancillary uses | 12,500m ² | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | *Small business use only | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 053 | 6.2 | <p>6.2 In relation to the Stevenage GSK and Bioscience Catalyst Campus, initial master planning undertaken by GSK suggests that this site may have capacity for a significantly greater level of B1(b) <u>E(g)(ii)</u> and B1(e) <u>E(g)(iii)</u> floorspace than has previously been consented on the site. Any floorspace beyond the previously consented floorspace would need to be the subject of a fresh planning application. Other uses will be allowed where they are ancillary to these uses and help to nurture the continued growth of this international facility.</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 054 | Policy EC2b | <p>Policy EC2b: Gunnels Wood Edge-of-Centre Zone Within the Edge-of-Centre Zone, as shown on the policies map, planning permission will be granted where:</p> <ol style="list-style-type: none"> Development (including changes of use) is for use classes B1(a) <u>E(g)(i)</u> offices or B1(b) <u>E(g)(ii)</u> research and development; The scheme makes efficient use of the site in terms of floorspace and job provision; and Proposals interact positively with the 'Stevenage Central' area. <p>Planning permission will only be granted as an exception to these criteria where the proposed development is ancillary to B1(a) <u>E(g)(i)</u> or B1(b) <u>E(g)(ii)</u> uses or essential to the continued operation of an established B-class <u>employment</u> use.</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

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| 055 | Policy EC3 | <p>Policy EC3: Gunnels Wood Industrial Zones</p> <p>The areas around Leyden Road and Crompton Road, as shown on the policies map, are designated as Industrial Zones. In these areas, planning permission will be granted where:</p> <ol style="list-style-type: none"> a. Development (including changes of use) is for use classes B1(e) E(g)(iii) light industry, B2 general industry and / or B8 storage and distribution; and b. Any new, individual unit or building is of an appropriate size and generally does not exceed 300m² within Leyden Road Industrial Zone or 500m² within Crompton Road Industrial Zone. <p>Planning permission will only be granted as an exception to these criteria where the development is ancillary, or essential to the continued operation of, an established B-class employment use.</p> |
| 056 | Policy EC4 | <p>Policy EC4: Remainder of Gunnels Wood</p> <p>Outside of the Edge-of-Centre and Industrial Zones and allocated sites for employment development, planning permission will be granted within the Gunnels Wood Employment Area where:</p> <ol style="list-style-type: none"> a. Development (including changes of use) is for use classes B1(b) E(g)(ii) research and development, B1(e) E(g)(iii) light industry, B2 general industry and / or B8 storage and distribution; b. (Re-)Development of the site would not prejudice the provision of an appropriate number and range of jobs across the Employment Area as a whole; and c. On sites over two hectares in size, any proposals for B8 development are either part of a mixed-use scheme providing a range of acceptable uses or essential to the continued operation of an existing use. <p>Planning permission for B1(a) E(g)(i) offices will only be granted as an exception to criterion (a) where:</p> <ol style="list-style-type: none"> i. it is ancillary to a B1(b), B1(c) E(g)(ii), E(g)(iii), B2 or B8 use; ii. essential to the continued operation of an established B1(a) E(g)(i) use; or iii. a sequential test clearly demonstrates that no suitable sites are available in more accessible locations. |
| 057 | 6.25 | <p>6.25 In some instances, set-backs setbacks and / or less active frontages will be required for operational or other reasons. Where required, privacy can be maintained through the use of obscured or mirrored glazing. Where setbacks are required, strong definition can still be achieved through the use of high-quality boundaries and/or landscaping as well as clear signage at the entrance point.</p> |

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| 058 | Policy EC6 | <p>Policy EC6: Pin Green Employment Area</p> <p>The spatial extent of the Pin Green Employment Area is shown on the policies map. Planning permission within this area will be granted where:</p> <p>a. Development (including changes of use) is for use classes:</p> <ul style="list-style-type: none"> • B1(b) <u>E(g)(ii)</u> research and development; B1(e) <u>E(g)(iii)</u> light industry; • B2 general industry; and / or • B8 storage and distribution; and <p>b. Any individual, new unit(s) maintain an appropriate range of premises across the employment area and do not exceed 3,000m² in size.</p> <p>Planning permission for B1(a) <u>E(g)(i)</u> offices will only be granted where i. it is ancillary to an acceptable B1(b), B1(e) <u>E(g)(ii), E(g)(iii)</u>, B2 or B8 use;</p> <p>i. essential to the continued operation of an established B1(a) <u>E(g)(i)</u> use; or</p> <p>ii. a sequential test clearly demonstrates that no suitable sites are available in more accessible locations.</p> |
| 059 | 6.28 | <p>6.28 New development at Pin Green must be for B-class <u>employment</u> uses. A range of B-class <u>employment</u> uses will be allowed. However, office uses are better located near to the Town Centre and main transport hub and will not normally be permitted⁶³. Notwithstanding this point, established office premises will continue to be supported.</p> |
| 060 | Policy EC7 | <p>Policy EC7: Employment development on unallocated sites</p> <p>New major employment development will not be permitted outside of allocated areas and centres. Planning permission for B-class use <u>employment uses</u> on sites not allocated for any specific purpose will be granted where proposals:</p> <p>a. Are on previously developed land; <u>and</u></p> <p>b. For offices, are accompanied by a sequential test;</p> <p>c. Are of an appropriate size and scale; and</p> <p>d. Do, and will, not have an unacceptable adverse impact on the local environment and residential amenity</p> |

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| | | <p>Planning permission for the loss of employment land on sites not allocated for any specific purpose will be granted where;</p> <ol style="list-style-type: none"> i. There is sufficient suitable and employment land available elsewhere; ii. The proposals provide overriding benefits against other objectives or policies in the plan; or iii. It can be demonstrated that a unit has been unsuccessfully marketed for its existing use, or has remained vacant, over a considerable period of time <u>for at least six months</u>. |
| 061 | 6.31 | <p>6.31 The significant majority of existing and future employment supply lies within the sites, areas and centres allocated in this plan. These areas rightly provide the focus for the provision of B-class <u>employment</u> uses in Stevenage. As a planned new town, major new employment proposals should be sited here.</p> |
| 062 | 6.34 | <p>6.34 At the same time, this plan recognises that future opportunities in the Borough are likely to be insufficient to meet identified requirements. These requirements already incorporate some allowance for the loss of existing premises. However, it is important to ensure that this situation is not unnecessarily exacerbated. The loss of existing premises outside of designated areas will be permitted where this has been taken into account. The Council will normally expect a site to have remained vacant and been actively marketed for a period of at least six months to satisfy criterion iii.</p> |
| 063 | Policy TC2 | <p>Policy TC2: Southgate Park Major Opportunity Area</p> <p>Within the Southgate Park Major Opportunity Area, as defined on the Policies Map, planning permission will be granted for:</p> <ol style="list-style-type: none"> a. High-density Use Class C3 residential units; b. New multi-storey or basement car parking; c. New Use Class-D4 <u>F.1/F.2</u> civic hub; d. A linear park running east-west parallel to Six Hills Way; and e. A new primary school on the Eastgate car park <p>Applications should address the following design and land use principles:</p> <ol style="list-style-type: none"> i. Landmark buildings should be created in prominent locations; ii. New residential development on the south side of Southgate Park should have habitable rooms orientated to face southwards over the new linear park. |

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| | | <ul style="list-style-type: none"> iii. Pedestrian linkages southwards to North Hertfordshire College should be improved; iv. Southgate should be re-opened as a trafficked street in the form of a shared surface; v. Danesgate should be widened along its length from Lytton Way to Danestrete, and the corner with Danestrete eased to allow buses to negotiate the corner more easily; vi. Tower Road should be removed; vii. The Plaza site should be redeveloped into the new public sector hub, fronting onto Town Square; and viii. Heritage assessment and design work to preserve and enhance the significance of the Town Square Conservation Area and the contribution made by its setting. |
| 064 | Policy TC3 | <p>Policy TC3: Centre West Major Opportunity Area</p> <p>Within the Centre West Major Opportunity Area, as defined on the Policies Map, planning permission will be granted for:</p> <ul style="list-style-type: none"> a. High-density Use Class C3 residential units; b. Replacement Use Class D1, D2 leisure and Use Class A3 and A4 bar, E(b) restaurant and cafe, E(d) indoor sport and recreation, and sui generis leisure, bar and entertainment uses; c. New multi-storey or basement car parking; d. New Use Class B4 E(g)(i) office premises; e. New de minimis (by volume) Use Class A1 E(a) shop units sufficient to serve the day-to-day convenience retail needs of the residents of Centre West; f. A new Use Class C1 hotel, with ancillary conference facilities, close to the train station; g. A taxi rank; and h. A series of interlinked public squares and open spaces; <p>Applications should address the following design and land use principles:</p> <ul style="list-style-type: none"> i. Redevelopment of the large surface-level car park and the creation in its place of a new urban street form; ii. High quality place-defining buildings should be located in appropriate, prominent locations; iii. The creation of an attractive new east-west pedestrian link from a significant new public square in the heart of the site through the train station precinct towards Town Square; iv. Commercial and leisure uses to be focused to the east of the site, close to the train station; v. Residential uses to the east of the site will only be permitted above first floor level and will require appropriate noise mitigation due to its proximity to the East Coast Main Line; |

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| | | <ul style="list-style-type: none"> vi. Provision for a taxi rank in proximity to the train station; vii. Traffic calmed car/pedestrian shared surfaces; and viii. Reservation for additional pedestrian/cycle routes in the longer term to allow greater, and more direct, access through to Gunnels Wood Road and the wider Gunnels Wood Employment Area. |
| 065 | 7.30 | <p>7.30 Centre West is currently the site of the Stevenage Leisure Park, which comprises a large surface car park and a mixture of Use Class D1, D2 assembly <u>E</u> and <u>sui generis food, drink, leisure</u>; Use Class A3 restaurants and cafes; and Use Class A4 bar units <u>entertainment uses</u>. To ensure that such facilities continue to meet local shopping needs we will consider removing Permitted Development rights and / or using legal agreements under Policy SP4 to retain any new units in A4 <u>E(a)</u> use.</p> |
| 066 | Policy TC4 | <p>Policy TC4: Station Gateway Major Opportunity Area</p> <p>Within the Station Gateway Major Opportunity Area, as defined on the Policies Map, planning permission will be granted for:</p> <ul style="list-style-type: none"> a. An extended and regenerated train station; b. New bus station; c. High-density Use Class C3 residential units; d. New multi-storey or basement car parking; e. New Use Class B1 office premises; f. A new Use Class C1 hotel; and g. New Use Class A1 and Use Class A3 restaurant and cafe uses. <ul style="list-style-type: none"> a. <u>A regenerated train station;</u> b. <u>High-density Use Class C3 residential units;</u> c. <u>New Use Class E(g)(i) office premises;</u> d. <u>A new Use Class C1 hotel;</u> e. <u>New Use Class E(a) and Use Class E(b) restaurant and cafe uses; and</u> f. <u>New Use Class E(g)(ii) research and development.</u> <p>Applications should address the following design and land use principles:</p> <ul style="list-style-type: none"> i. Major reconfiguration of Lytton Way between Fairlands Way and Six Hills Way; |

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| | | <p>ii. Demolition of the Arts & Leisure Centre to facilitate better east-west integration and create new development sites in the environs of the train station</p> <p>iii. The provision of replacement sports and theatre facilities elsewhere within Stevenage Central</p> <p>iv. A significantly regenerated and enlarged dual-frontage train station of high quality, with associated facilities</p> <p>v. New public squares on the eastern and western frontages of the train station</p> <p>vi. High quality office buildings within a short walking distance of the train station</p> <p>vii. At least one multi-storey car park and cycle parking plus drop-off space to specifically serve train customers</p> <p>viii. Establishment of an attractive east-west pedestrian route across the East Coast Main Line</p> <p>ix. High quality landmark gateway environment to create a positive image of Stevenage for all rail visitors</p> <p>i. <u>Major reconfiguration of Lytton Way between Fairlands Way and Six Hills Way to incorporate sustainable travel and improved connectivity in all forms of travel;</u></p> <p>ii. <u>Creating an exemplar, low carbon “urban village” with climate change consideration in all developments;</u></p> <p>iii. <u>Demolition of the Arts & Leisure Centre to facilitate better east-west integration and create new development sites in the environs of the train station;</u></p> <p>iv. <u>The provision of replacement sports and theatre facilities elsewhere within Stevenage Central;</u></p> <p>v. <u>A significantly regenerated and enlarged high quality dual-frontage train station with associated facilities;</u></p> <p>vi. <u>New public squares and the inclusion of green infrastructure on the eastern and western frontages of the train station;</u></p> <p>vii. <u>High-quality, mixed-use developments within a short walking distance of the train station to unlock economic and employment opportunities;</u></p> <p>viii. <u>Improved cycle connectivity and parking plus drop-off space to specifically serve train customers;</u></p> <p>ix. <u>Celebrate the heritage of the town in the fabric, layout and design of the Station Gateway;</u></p> <p>x. <u>Establishment of an attractive east - west pedestrian route across the East Coast Main Line; and</u></p> <p>xi. <u>High-quality gateway and arrival experience to create a positive image of Stevenage for all rail visitors.</u></p> |
| 067 | 7.36 | <p>7.36 The Station Gateway area currently comprises the 1970s train station, the Arts and Leisure Centre (including the Gordon Craig Theatre), a series of surface level car parks and the southern section of Lytton Way. The train station is one of the top three busiest stations in Hertfordshire, alongside St Albans and Watford Junction. To ensure that such facilities continue to meet local shopping needs we will consider removing Permitted Development rights and / or using legal agreements under Policy SP4 to retain any new units in A4 <u>E(a)</u> use.</p> |

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| 068 | 7.38 | <p>7.38 Stevenage train station, whilst relatively modern (1973), is struggling to cope with the volumes of users that it experiences. There are issues over the width of the concourse, the gate line, the platform capacity and the stairs. The booking hall is cramped and waiting facilities are quite basic. The small-scale nature of the retail offer makes the station a relatively unattractive place to wait. Car <u>Connectivity to the station from all forms of travel needs to comply with modern standards</u> and cycle parking are inadequate, drop-off and taxi facilities are cramped and bus interchange is sub-optimal <u>not designed for the current capacity</u>.</p> |
| 069 | After 7.38 | <p><u>7.38A Redevelopment in the Opportunity Area since the adoption of the 2019 Local Plan includes the opening of a fifth platform at the railway station in 2020, a new bus interchange located on Lytton Way and a multi storey car park located north of the train station with secure cycle parking.</u></p> <p><u>7.38B Since 2019, ongoing work has been commissioned to review the needs of the area. The Stevenage Station Gateway Area Action Plan (AAP) resulted from a holding direction placed on the Stevenage Borough Local Plan in 2017. This led to two rounds of consultation in 2021 and 2023 to review the vision and proposals for the area.</u></p> <p><u>7.38C Within this policy context, high-level policy objectives were developed which align with the Local Plan and national policy direction for the AAP to respond to. These include:</u></p> <ul style="list-style-type: none"> • <u>A new gateway and arrival experience;</u> • <u>Creating an exemplar, low carbon “urban village”;</u> • <u>Sustainable travel considered throughout;</u> • <u>Mixed-use development to unlock economic opportunity;</u> • <u>Blue-green infrastructure in the public realm;</u> • <u>Climate change consideration in all development decisions;</u> • <u>Design of the highest architectural standards;</u> • <u>Celebrating the heritage of the town; and</u> • <u>Making the most of digital connectivity and high-speed broadband.</u> <p><u>7.38D Climate change is one of the most important objectives for the AAP to respond to. The Council declared a climate emergency in June 2019 and reconfirmed a commitment to tackling climate change and its impacts by setting a target to ensure that Stevenage has net zero carbon emissions by 2030. Added to this, the Government has strategic targets to have net zero emissions by 2050. The Council has been proactive in producing a Climate Change Strategy and outlined a Climate Change Action Plan. Both the Strategy and Action Plan are being updated to ensure that the Council’s commitment to battling climate change is kept at the top of its priorities.</u></p> |

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| | | <p><u>7.38E The high level, strategic options proposed for the area included within the AAP will be strongly influenced by the masterplan for the SG1 development, which lies to the east and within the town centre. Connections to this development and connections through into the town square and central area will form the emerging physical context within which the AAP sits.</u></p> <p><u>7.38F The Station Gateway area of Stevenage is a key location for economic competitiveness. Other locations which are a similar time distance away from London terminals are seeing considerable commercial growth, for example Reading, Slough, Milton Keynes and Croydon. Stevenage is perfectly placed in terms of mobility, and already hosts major international companies in the Gunnels Wood Industrial Area as well as GlaxoSmithKline (GSK) to the south, a major pharmaceutical company.</u></p> |
| 070 | 7.39 | <p>7.39 A high quality major mixed-use redevelopment of <u>around</u> the train station that addresses these concerns is necessary to meet the growing expectations of a rising population and the international business community located in the Borough. Such a scheme <u>schemes</u> will enable the station to have better <u>an improved</u> concourse and booking facilities, build a new fifth platform on the west side of the station, free the pedestrian over bridge from clutter <u>easy</u> and other uses <u>improved accessibility for all pedestrians</u>, introduce a customer-focused retail offer of an appropriate scale, create two passenger-friendly faces (to the Central Core and to Centre West MOAs) and to have active ground floor frontages. Taxi and drop-off facilities should move to be designed with the <u>west of proposals set out in</u> the station; a relocated AAP and provide connectivity with the bus station will allow easy inter-modal transfer and be located to the east of the station. Multi and multi-storey car parking facilities can be provided to the east and/or west of the train station <u>park</u> to meet the growing needs of train passengers.</p> |
| 071 | After 7.39 | <p><u>7.39A The AAP, through two rounds of consultation, has set out 4 “high-level” options or scenarios for the area adjacent to Stevenage Railway Station incorporating the section of Lytton Way, between Swingate and Danesgate:</u></p> <ul style="list-style-type: none"> • <u>Option 0 – Do nothing.</u> • <u>Option 1 – All traffic modes: reduces the central area of Lytton Way between Swingate and Danesgate to a single carriageway suitable for all modes of traffic.</u> • <u>Option 2 – Bus and Taxi only: reduces the central area of Lytton Way between Swingate and Danesgate to a single carriageway and restricts movement to buses and taxis only.</u> • <u>Option 3 – Pedestrianised Plaza: removes regular vehicle movement from the front of the station and Lytton Way ceases to be a through-route. An access through-route is retained for emergency vehicles needing to access and egress the station and immediate environs.</u> |

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| | | <p><u>7.39B There were two proposed cycle path options in the AAP. Potential Layout 1 retains the existing cycle route, running alongside the railway line and at the extreme western edge of the AAP site boundary and adds a cycle route alongside Lytton Way. Potential Layout 2 removes the existing cycle route and replaces it with a cycle route alongside Lytton Way.</u></p> <p><u>7.39C The proposed reconfiguration of Lytton Way is a bold idea but the options look to flexibility. The Preferred Options AAP presented the preferred approach as Option 2, but with flexibility to progress to Option 1 or Option 3 as and when circumstances developed. Potential Layout 1 for the cycle path option was taken forward in the Preferred Options AAP, as the preferred cycle layout.</u></p> <p><u>7.39D All proposed options for the reconfiguration of Lytton Way have a set of core enhancements, primarily in the northern and southern zones of the AAP area, north of Swingate and south of Danesgate. Further details can be viewed within the Stevenage Station Gateway Area Action Plan: Preferred Options Report (2023)⁶⁶.</u></p> <p><u>7.39E Creating an attractive, healthy, memorable and enjoyable place in the Station Gateway area will provide the seeds for high quality mixed-use development to come forward and make the most of the station area and contribute widely across the town.</u></p> |
| 072 | 7.40 to 7.42 | <p>7.40 — Station Gateway is the key area necessary to stimulate market demand for new office space in Stevenage. The office market outside London remains weak. Stevenage must provide both sites and a general environment that can compare with competing locations, such as Reading and Milton Keynes. Fortunately, Stevenage offers a competitive advantage over both these locations, with quicker journey times into Central London. The fastest services take only 18 minutes to Kings Cross, where Google's new European headquarters are located.</p> <p>7.41 — The proposed reconfiguration of Lytton Way is a bold and irreversible step. Traffic will be re-directed onto the nearby parallel routes of Gunnels Wood Road and St George's Way. Only through the reconfiguration of Lytton Way will sufficient land be created to allow a new frontage to be inserted onto the eastern side of the train station. This step will also create new office and residential development sites close to the train station. The removal of the Arts and Leisure Centre will enable easy ground-level access from the train station to Town Square and the retail streets. Detailed studies are currently underway to confirm the best locations for the sports and theatrical facilities elsewhere within Stevenage Central.</p> <p>7.42 — The three keys to unlocking this site are the regeneration of the train station, the reconfiguration of Lytton Way and the removal of the Arts and Leisure Centre.</p> |

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| 073 | Policy TC5 | <p>Policy TC5: Central Core Major Opportunity Area</p> <p>Within the Central Core Major Opportunity Area, as defined on the Policies Map, planning permission will be granted for:</p> <ol style="list-style-type: none"> a. High-density Use Class C3 residential units; b. New Use Class A1, A3 E(a), E(b) and A4 sui generis shop, bar, restaurant and cafe uses; c. New multi-storey or basement car parking; d. New Use Class B4 E(g)(i) office premises; e. New Use Class D4 F.1 and D2 E(d) leisure, cultural and civic uses, including a replacement theatre and museum; and f. Signature public spaces <p>Applications should address the following design and land use principles:</p> <ol style="list-style-type: none"> i. A replacement bus station, closer to the train station; ii. A southern extension to the Westgate Centre, containing in the order of 4,700m² additional comparison floorspace, facing onto an enlarged Town Square; iii. A continuation of the east - west pedestrian route linking Town Square with the train station; iv. Continuing preservation and enhancement of the Town Square Conservation Area; v. Provision will be made for new green space within an enlarged Town Square; vi. A new municipal theatre and art gallery on the north-eastern edge of the enlarged Town Square; vii. New development should include active ground floor frontages to principal streets; viii. The layout of new streets and squares should facilitate east-west pedestrian access and create sequential views and vistas between the train station and Town Square; ix. High quality development with landmark buildings in appropriate locations, including fronting onto Town Square; x. High-rise buildings; and xi. Heritage assessment and design work to preserve and enhance the significance of the Town Square Conservation Area and the contribution made by its setting. |
| 074 | 7.43 | <p>7.43 The Central Core currently comprises the buildings surrounding Town Square, the Borough Council's Danestrete and Swingate offices, Mecca bingo, the magistrates courts, surface car parking and Use Class A1 E(a) shops and A2, E(c)(i) financial services and E(c)(ii) professional services uses. To ensure that such facilities continue to</p> |

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| | | meet local shopping needs we will consider removing Permitted Development rights and / or using legal agreements under Policy SP4 to retain any new units in A4 E(a) use. |
| 075 | Policy TC6 | <p>Policy TC6: Northgate Major Opportunity Area</p> <p>Within the Northgate Major Opportunity Area, as defined on the Policies Map, planning permission will be granted for:</p> <ol style="list-style-type: none"> a. High-density Use Class C3 residential units; b. New Use Class B1(a) E(g)(i) office premises; c. New Use Class A1, A3 E(a), E(b) and A4 sui generis shop, bar, restaurant and cafe uses; d. Replacement Use Class A4 E(a) major foodstore; e. New multi-storey or basement car parking; f. Replacement cycle and pedestrian footbridge between Ditchmore Lane and Swingate; and g. Signature public spaces. <p>Applications should address the following design and land use principles:</p> <ol style="list-style-type: none"> i. A continuation of the north - south pedestrian route linking old North Road with Ditchmore Lane; ii. New development should include active ground floor frontages; iii. New landmark buildings on the Lytton Way/Fairlands Way junction; iv. The layout of new streets and squares should facilitate both north-south and east-west pedestrian access and create sequential views and vistas between the old North Road and Swingate; v. Pedestrian priority at an at-grade crossing on Swingate. |
| 076 | 7.50 | 7.50 Northgate currently includes the Tesco Extra store and its associated large surface car park, servicing and filling station, together with the Saffron Ground office building. To ensure that such facilities continue to meet local shopping needs we will consider removing Permitted Development rights and / or using legal agreements under Policy SP4 to retain any new units in A4 E(a) use. |
| 077 | Policy TC7 | <p>Policy TC7: Marshgate Major Opportunity Area</p> <p>Within the Marshgate Major Opportunity Area, as defined on the Policies Map, planning permission will be granted for:</p> <ol style="list-style-type: none"> a. High-density Use Class C3 residential units; b. New Use Class D4 F.1 and D2 E(d) leisure, cultural and civic uses; |

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| | | <p>c. New Use Class A1, A3 E(a), E(b) and A4 sui generis shop, bar, restaurant and cafe uses; and</p> <p>d. New multi-storey or basement car parking.</p> <p>Applications should address the following design and land use principles:</p> <ol style="list-style-type: none"> i. Rejuvenation through new retail units and public realm improvements, including the northern underpass to Town Centre Gardens; ii. Replacement retail units at the eastern end of The Forum connecting to a new surface-level pedestrian crossing of St George's Way to link with the new leisure complex and Town Centre Gardens; iii. Active retail frontages along St George's Way to redefine the eastern edge of the Town Centre; iv. Centre; v. New high-density residential development along St George's Way, orientated to have views over Town Centre Gardens; vi. A new sports/swimming complex with an interactive frontage onto Town Centre Gardens; vii. Creation of a critical mass of uses and activities to stimulate greater day-to-day and event use of Town Centre Gardens; and viii. Heritage assessment and design work to preserve and enhance the significance of the Town Square Conservation Area and the contribution made by its setting. |
| 078 | 7.54 | <p>7.54 This Major Opportunity Area currently includes the parkland of Town Centre Gardens, the Borough Council's Marshgate car park, Park Place shop units, Hertfordshire County Council's Bowes-Lyon House youth centre and the Borough Council's Swimming Centre. To ensure that such facilities continue to meet local shopping needs we will consider removing Permitted Development rights and / or using legal agreements under Policy SP4 to retain any new units in A1 E(a) use.</p> |
| 079 | Policy TC8 | <p>Policy TC8: Town Centre Shopping Area</p> <p>The spatial extent of the Town Centre Shopping Area (TCSA) is defined on the policies map. Within the TCSA, uses appropriate to a town centre will be permitted at ground floor level, including Use Classes A1, A2, A3, A4, C1, D1 and/or D2 E and C1, as well as some other sui generis uses.</p> <p>Within the TCSA, the following premises and areas are identified as Primary Frontages at ground floor level:</p> <p>27–29 (odd) Town Square;</p> <p>40–50 and 66–96 (even) Queensway;</p> |

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| | | <p>41–73 and 79–101 (odd) Queensway; 6–22 (even) The Forum; 1–11 (odd) The Forum; and Westgate Centre.</p> <p>Within the Primary Frontages, planning permission will be granted only for Use Class A1 (shops). Planning permission will be granted for other uses within the Primary Frontages where:</p> <p>a. The proposal is for use class A3 (restaurants & cafes) at the following locations:</p> <ul style="list-style-type: none"> • 50–56, 60–64 & 75 Queensway • 2–6 & 20–22 The Forum and 98 & 103 Queensway; <p>b. In other locations, 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 in the equivalent location. This will be considered having regard to whether:</p> <ul style="list-style-type: none"> • 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. <p>Subject to the above criteria, the redevelopment of existing premises will be permitted within the TCSA where this would not cause harm to the Town Square Conservation Area.</p> |
| 080 | 7.59 | <p>7.59 The Major Opportunity Areas and the Town Centre Shopping Area are largely mutually exclusive, with the exception of a small area on the north side of the bus station (which lies within the Central Core MOA), Park Place (which lies in the Marshgate MOA) and the Tesco Extra store (which lies in the Northgate MOA). Within the existing shopping streets, the Council intends to protect the principal comparison shopping areas, whilst allowing greater freedom and flexibility in secondary and tertiary areas. Consequently, the retail streets are broadly protected by the Town Centre Shopping Area designation, whilst the best ground floor retail frontages are given extra protection through the Primary Frontages designation. The Council is keen to offer the opportunity for the Town Centre to become an all-day destination - by permitting cafes, bars, restaurants and public houses in appropriate locations.</p> |

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| 081 | Policy TC9 | <p>Policy TC9: High Street Shopping Area</p> <p>The spatial extent of the High Street Shopping Area (HSSA) is defined on the policies map.</p> <p>Within the HSSA, planning permission for development of a scale appropriate to the High Street's location in the retail hierarchy and which falls into Use Classes A1, A2, A3, A4 <u>E</u>, C1, C3, D1 <u>F.1</u> or D2 <u>F.2</u> will be granted where it:</p> <ul style="list-style-type: none"> a. Would not take land or premises allocated or identified for other, specific uses; <u>and</u> b. Would not cause harm to the significance of any designated heritage asset(s) including through harm to their setting; b. Does not propose Class-A uses outside of the High Street Primary Shopping Area. <p><u>Within the HSSA, further hot food takeaway uses will not be permitted.</u></p> <p><u>The amalgamation of existing premises to create larger units or the conversion of upper floors to provide additional floorspace in the same use class will not be permitted.</u></p> |
| 082 | Policy TC10 | <p>Policy TC10: High Street Primary and Secondary Frontages</p> <p>Within the High Street Shopping Area are defined Primary and Secondary Frontages, as shown on the policies map.</p> <p>The following premises and areas are identified as Primary Frontages at ground floor level:</p> <ul style="list-style-type: none"> ● 70 - 92a High Street ● 35 - 75 High Street ● Middle Row <p>The following premises and areas are identified as Secondary Frontages at ground floor level:</p> <ul style="list-style-type: none"> ● 26 - 68 and 94 - 132 High Street ● 15 - 23, 29 - 33 and 77 - 129 High Street <p>Within the High Street Shopping Area, planning permission will be granted for Use Classes A1, A2, A3 or A4 where:</p> |

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| | | <p>a. At least 60% of the Primary Frontages, as measured by both units and floorspace, will remain in Class A1 use should the proposal be implemented;</p> <p>b. The main ground floor shopping frontage will face onto either High Street or Middle Row; and</p> <p>c. Any additional Use Class A3 or A4 uses will not adversely affect the character of the centre or otherwise result in a detrimental over-concentration of such uses in the vicinity of the application site.</p> <p>Planning permission will be granted as an exception to these criteria where there are overriding benefits to the overall vitality and viability of the High Street, having regard to whether:</p> <ul style="list-style-type: none"> • The proposal will retain an active frontage; • The proposal will generate footfall equivalent to, or greater than, a normally acceptable • A class use in the equivalent location; and • The unit has been unsuccessfully marketed for normally acceptable A class uses or has remained vacant for a considerable amount of time. <p>The amalgamation of existing premises to create larger units or the conversion of upper floors to provide additional floorspace in the same use class will not be permitted.</p> <p>Within the High Street Shopping Area, further Class A5 uses will not be permitted.</p> |
| 083 | 7.65 to 7.66 | <p>7.65 — Whilst the High Street fulfils a number of different retail roles, including making an important contribution to the Borough's leisure offer and providing opportunities for more specialist shopping and services not catered for in the Town Centre Shopping Area, one role that is particularly valued is its ability to meet a range of local convenience shopping needs for people in the immediate locality. For this reason, this plan identifies a Primary Frontage in the High Street where Class A1 uses are protected.</p> <p>7.66 — The integrity of the small area of Primary Frontage, as the focus of convenience and comparison retailing in the High Street, is paramount. The Secondary Frontages offer opportunities for a broader mix of uses.</p> |
| 084 | 7.67 | <p>7.67 Given the already strong mix of cafes, sandwich shops, supermarkets, newsagents and take-aways (often offering food of limited nutritional value), coupled with the location of two large secondary schools at the northern end of the High Street, the Borough Council has determined not to permit any further A5 hot food takeaway uses within the High Street Shopping Area as a part of its commitment to providing opportunities for healthy lifestyles, especially amongst young people.</p> |

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| 085 | Policy TC11 | <p>Policy TC11: New convenience retail provision</p> <p>New Class A1 E(a) convenience retail floorspace provision will be expected to follow the sequential test and the Borough's retail hierarchy.</p> <p>1,500m² floorspace is reserved to be provided as extensions to existing stores in the retail hierarchy, then other stores in accordance with the sequential test.</p> <p>New convenience retail floorspace provision, of an appropriate scale and in an appropriate accessible location, will be made in the new neighbourhoods at Stevenage West, North of Stevenage and South East Stevenage.</p> <p>New Local Centres will be permitted in each of the Stevenage West and North of Stevenage new neighbourhoods, each in the order of 500m², to meet the day-to-day needs of the residents of the respective new developments.</p> <p>A Neighbourhood Centre will be permitted in the South-East of Stevenage development of no more than 500m² with a convenience store and other related small-scale Use Class A1 E(a) shops, sufficient to meet the day-to-day needs of the residents of the new neighbourhood.</p> <p>These new Local Centres and the Neighbourhood Centre will become a part of the Borough's retail hierarchy. They should, wherever possible, be co-located with other community uses such as schools and/or health or community facilities, where such facilities are being provided.</p> <p>A site for a major new feedstore food store of up to 4,600m² net convenience goods floorspace and 920m² net comparison goods floorspace to serve Borough-wide needs post-2023 is identified on the policies map at Graveley Road. A retail impact assessment will be required, particularly focusing upon the impact on Local Centres and Neighbourhood Centres.</p> |
| 086 | 7.70 to 7.71 | <p>7.70 A site on Graveley Road, currently already in Class A1 E(a) use as a garden centre, is identified to accommodate such a large store. The northern tip of the garden centre site lies in North Hertfordshire District: as it is outside of the Borough, this local plan cannot allocate that part of the site. Given the fact that there is no immediate need for additional floorspace, and allowing for construction and trading establishment, we will entertain a planning application for this store from 2018 onwards. This new store should not be trading before 2023. Although on the northern edge of the Borough, this store will be well located in respect of the new neighbourhood North of Stevenage (see Policy HO3). Also, there are no alternative sites capable of accommodating a store of the required size. In order to</p> |

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| | | <p>avoid potential adverse impacts upon the existing retail demand, this site will be re-examined at a full review to ensure existing and future need for convenience has been updated to reflect changes since the plan was adopted.</p> <p>7.71 The impact of this new store, given that it will essentially draw its trade from existing stores, will need to be assessed by the applicants and included with any planning application. To ensure that such facilities continue to meet local shopping needs we will consider removing Permitted Development rights and / or using legal agreements under Policy SP4 to retain any new units in A1 E(a) use.</p> |
| 087 | 7.75 | <p>7.75 Because of the very significant quantum of out-of-centre comparison floorspace, and its adverse impact upon the vitality and viability of the Town Centre Shopping Area, the Borough Council will also resist any proposals to relax or remove conditions controlling the type of goods that can be sold from existing out-of-centre comparison units. In order to avoid potential adverse impacts upon the existing retail demand, this policy will be re-examined at a full review to ensure existing and future need for convenience has been updated to reflect changes since the plan was adopted.</p> |
| 088 | Policy TC13 | <p>Policy TC13: Retail Town centre retail impact assessments</p> <p>Applications for main town centre uses should be located in the Town Centre, then in edge-of-centre locations and only if suitable sites are not available will out-of-centre sites be considered. When considering edge-of-centre and out-of-centre sites, preference will be given to accessible sites that are well connected (preferably by multi-modal means) to the Town Centre.</p> <p>An impact assessment will be required for any all proposals in excess of 300m² gross floorspace for main town centre uses outside the Town Centre. This should include an assessment of:</p> <ol style="list-style-type: none"> i. The impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal; and ii. The impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the Town Centre and wider area, up to five years from the time that the application is made. For major schemes, where the full impact will not be realised in five years, the impact should also be assessed up to ten years from the time that the application is made. town centre and the wider retail catchment (as applicable to the scale and nature of the scheme). <p>Proposals will be permitted unless they fail the sequential test, or are likely to have a significant adverse impact on one or both of the above factors.</p> |

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| 089 | 7.76 to 7.77 | <p>7.76 We will follow the guidance in the NPPF (paragraphs 24 - 26) that we should apply a sequential test to planning applications for Town Centre uses (as defined in Annex 2 to the NPPF) that are outside of the Town Centre. We have set a local threshold for for an impact assessment for proposals outside the Town Centre, as the alternative would be that applications are assessed against the national threshold (of 2,500m²), which our evidence suggests could be potentially harmful to centres. All proposals in excess of 300m² gross of floorspace for main town centre uses outside the Town Centre are required to produce an impact assessment as per the recommendation of the 2014 Retail Study.</p> <p>7.77 This also applies to planning applications which seek to vary the type of goods which can be sold from existing premises. This is important given the effects that these types of Section 73 applications outside of defined centres are having on the vitality and viability of the Town Centre. Applications for main town centre uses should be located in the Town Centre (as defined above), then in edge-of-centre locations and only if suitable sites are not available will out-of-centre sites be considered. When considering edge-of-centre and out-of-centre sites, preference will be given to accessible sites that are well connected (by multi-modal means) to the Town Centre. Applicants should, in such circumstances, show flexibility on issues such as format and scale.</p> |
| 090 | Policy IT1 | <p>Policy IT1: Strategic development access points</p> <p>The preferred vehicular access points to strategic development sites from the existing road network are shown on the policies map:</p> <ul style="list-style-type: none"> • To land west of Stevenage via the existing road network at Bessemer Drive and Meadway; To land north of Stevenage from B197 North Road approximately 250 metres north of the junction with Granby Road; • To land south-east of Stevenage from a new roundabout on the A602 approximately 200 metres east of the junction with Bragbury Lane; • To Stevenage Leisure Park from Argyle Way and Six Hills Way; and • To Stevenage town centre from reconfigured junctions between: <ul style="list-style-type: none"> ○ Fairlands Way and Lytton Way; and ○ Six Hills Way, Lytton Way and London Road <p>Planning permission will be granted where proposals demonstrate:</p> <ol style="list-style-type: none"> a. That these preferred access points have been incorporated into the scheme design; and b. That new junctions adequately consider the needs of all users, including bus priority; and |

| | | <p>c. For the development areas to the north and west of Stevenage, how they would integrate with any future phases of development beyond the Borough boundary.</p> <p>Alternative access points and solutions will be permitted where they are demonstrably preferable in highway terms.</p> | | | | | | | | | |
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| 091 | 8.2 | <p>8.2 A scheme of approximately 1,350 homes plus supporting uses to the west of Stevenage within the Borough boundary can be delivered using the existing access points underneath the A1(M) at Bessemer Drive and Meadway. The entrance to the site at Meadway will require enhancements to provide alternating one-way access. In the long-term, it is our intention that this access point will be superceded <u>superseded</u> for motorised traffic by a new route across the A1(M) to the north of the existing tunnel (see Policy IT2).</p> | | | | | | | | | |
| 092 | 8.10 | <p>8.10 It is expected that these access points will <u>be sustainable and will</u> form the basis of any submitted schemes. Alternative proposals will be considered where they are robustly demonstrated to be preferable in terms of:</p> <ul style="list-style-type: none"> • Traffic flows to / from the development; • Traffic flows across the wider highway network; • Emergency access; and / or • Highway safety. | | | | | | | | | |
| 093 | Policy IT4 | <p>Policy IT4: Transport assessments and travel plans</p> <p>Planning permission will be granted where:</p> <ol style="list-style-type: none"> a. Development would not have an adverse <u>unacceptable</u> impact upon highway safety; b. Development reflects the principles of the Stevenage Mobility Strategy; c. Schemes exceeding the relevant thresholds are accompanied by a satisfactory Transport Statement or Assessment, which demonstrates that the residual cumulative impacts of development are not severe; and d. Developments exceeding the Transport Assessment threshold <u>relevant thresholds</u> are accompanied by an acceptable (green) travel plan. | | | | | | | | | |
| 094 | After 8.26 | <table border="1"> <thead> <tr> <th></th> <th>Transport Statement</th> <th>Transport Assessment</th> </tr> </thead> <tbody> <tr> <td>Residential</td> <td>More than 50 dwellings</td> <td>More than 80 dwellings</td> </tr> <tr> <td>Business (Use Class B1 <u>E(a)</u>)</td> <td>More than 1,500m² Gross Floor Area (GFA)</td> <td>More than 2,500m² GFA</td> </tr> </tbody> </table> | | Transport Statement | Transport Assessment | Residential | More than 50 dwellings | More than 80 dwellings | Business (Use Class B1 <u>E(a)</u>) | More than 1,500m ² Gross Floor Area (GFA) | More than 2,500m ² GFA |
| | Transport Statement | Transport Assessment | | | | | | | | | |
| Residential | More than 50 dwellings | More than 80 dwellings | | | | | | | | | |
| Business (Use Class B1 <u>E(a)</u>) | More than 1,500m ² Gross Floor Area (GFA) | More than 2,500m ² GFA | | | | | | | | | |

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| | | Industrial (B2) | More than 2,500m ² GFA | More than 4,000m ² GFA |
| | | Warehousing (B8) | More than 3,000m ² GFA | More than 5,000m ² GFA |
| | | Non-food retail | More than 800m ² GFA | More than 1,500m ² GFA |
| 095 | Policy IT5 | <p>Policy IT5: Parking and access</p> <p>Planning permission will be granted where proposals comply with the requirements of the Parking Provision Supplementary Planning Document. SPD. Major development proposals, including redevelopments and changes of use, must additionally:</p> <ol style="list-style-type: none"> a. Demonstrate how the development will be served by passenger transport. Planning obligations will be sought to provide services and facilities where appropriate; and b. Make the following provisions for pedestrians and cyclists: <ol style="list-style-type: none"> i. Safe, direct and convenient routes within the development; ii. Links to existing cycleway and pedestrian networks; iii. Appropriate means of crossing vehicle roads within, or adjacent to, the site; iv. Adequate landscaping and lighting of routes both within the development and on any new external links; v. Contributions towards improving cycleways and pedestrian routes serving the development site, where appropriate; vi. Secure bicycle parking provision; and vii. Ancillary facilities such as changing rooms, showers and lockers, where appropriate. <p>Planning permission for development proposals which result in the loss of off-street parking spaces (excluding public car parks) or formally defined on-street bays will be granted where:</p> <ol style="list-style-type: none"> c. The parking lost is replaced as near as possible to the existing provision in an accessible location; or d. It can be demonstrated that the provision is not suitable or required. | | |
| 096 | 8.44 | <p>8.44 However, the role of walking and cycling in the town has declined. The proportion of journeys to work by these modes in Stevenage has fallen by more than 60% over the last forty years. This is reflected in the state of the network with some stretches showing signs of poor maintenance and under-investment. However, cycling in particular is experiencing a renaissance in many towns and cities. It is important that Stevenage capitalises on this and promotes it's its ground-breaking heritage in this regards regard. This will deliver wider benefits in terms of health and wellbeing</p> | | |

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| | | and also helps prevent a self-fulfilling prophecy whereby a lack of suitable provision results in a (perceived) lack of demand. |
| 097 | 9.1 to 9.2 | <p>9.1 Identifying sites and locations for new housing is one of the main roles of the Local Plan. Our <u>When the plan was originally adopted in 2019, our</u> target is <u>was</u> for at least 7,600 homes to be built within the area covered by this <u>the</u> plan between 2011-2031.</p> <p>9.2 We have <u>At that time, we had</u> already made significant progress towards this <u>that</u> target. At 1 October 2015, around 2,350 homes had been completed or granted planning permission. This leaves <u>left</u> us with a residual requirement of 5,429 new homes to be developed.</p> |
| 098 | After 9.2 | <u>9.2A The partial review and update of the local plan identifies a requirement for 4,956 homes to be built from 2024 to the end of the plan period in 2031. This figure represents the overall plan period target of 7,600 homes minus the net housing completions from 2011 to 2024.</u> |
| 099 | 9.3 | 9.3 Policy HO1 includes <u>continues to include</u> sufficient sites to meet the target, whilst also allowing for some flexibility if any of these sites do not come forward. Sites have been allocated where we think at least five homes can be built. A technical paper explains why this is this case⁷⁹. |
| 100 | Policy HO2 | <p>Policy HO2: Stevenage West</p> <p>Land to the west of Stevenage, as defined by the policies map, is allocated for the development of approximately 1,350 dwellings.</p> <p>A Masterplan for the whole site will be required as part of any planning application. The Masterplan must be approved prior to the submission of detailed development proposals for the site.</p> <p>Development proposals will be permitted where the following criteria are met:</p> <ol style="list-style-type: none"> The applicant can demonstrate that development can be expanded beyond the Borough boundary in the future, into safeguarded land within North Hertfordshire; The development incorporates employment floorspace of 10,000m², in accordance with Policy EC1; Improvements to existing access routes across the A1(M), via Bessemer Drive and Meadway, are provided, which link effectively into the existing road, cycleway and pedestrian networks; The scheme is designed to encourage the use of sustainable modes of transport; |

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| | | <ul style="list-style-type: none"> e. An appropriate buffer to mitigate against noise impacts from A1(M) is included; f. At least 5% aspirational homes are provided in line with Policy HO9; g. Plots to accommodate at least 1% new homes are made available for self-build purposes; h. 30% affordable housing is provided in line with Policy HO7; i. Provision for supported or sheltered housing is made in line with Policy HO10; j. A primary school is provided in line with the most up-to-date evidence of need; k. Local facilities to serve the community are incorporated, including a GP surgery, subject to demand; l. Sports facilities are provided on-site, in line with Policy HC8, including, but not limited to: <ul style="list-style-type: none"> i. A skate park or MUGA for children; and ii. Land to accommodate a new cricket facility; m. A full archaeological assessment is undertaken; n. A full flood risk assessment is undertaken; o. The scheme incorporates a network of green infrastructure, with an emphasis on high quality landscaping within and around the development to reduce the impact of the development on the surrounding greenfield / Green Belt land; p. Existing Public Rights of Way retained and incorporated, where possible; q. The impact of noise pollution from London Luton Airport is mitigated; and r. Electric car charging points are provided at an easily accessible location within the site. <p>It is recognised that the site may be delivered by a number of different developers. In this case, any phase of development would be required to demonstrate that it would enable the delivery of the policy objectives for the development as a whole and those relevant to that phase, and enable an expanded scheme within North Hertfordshire District Council. Community facilities should be provided in a location that allows them to be expanded to meet the needs of the site as a whole.</p> |
| 101 | After 9.21 | <u>9.21A The partial review and update of the local plan introduces an uplift in the proportion of affordable houses required on greenfield sites. However, planning permission has already been granted for the Stevenage West site. For this reason, the affordable housing requirement for the Stevenage West site remains at the level set in the 2019 version of the plan i.e. 30%.</u> |
| 102 | Policy HO3 | Policy HO3: North of Stevenage |

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| | | <p>Land to the North of Stevenage, as defined by the policies map, is allocated for the development of approximately 800 dwellings.</p> <p>A Masterplan for the whole site will need to be submitted as part of an outline planning application. The Masterplan must be approved prior to the submission of detailed development proposals for the site.</p> <p>Development proposals will be permitted where the following criteria are met:</p> <ol style="list-style-type: none"> a. The applicant can demonstrate that development can be expanded beyond the Borough boundary, and fully integrated with a wider, cross-boundary scheme; b. Satisfactory vehicular access is provided. At least two access points to and from the site will be required, which link effectively into the existing road, cycleway and pedestrian networks; c. The scheme is designed to encourage the use of sustainable modes of transport; d. At least 5% aspirational homes are provided in line with Policy HO9; e. Plots to accommodate at least 1% new homes are made available for self-build purposes; f. 30% affordable housing is provided in line with policy HO7; g. Provision for supported or sheltered housing is made in line with Policy HO10; h. Local facilities to serve the community are incorporated, including a GP surgery, subject to demand; i. A primary school is provided in line with the most up-to-date evidence of need; j. A skate park or MUGA for children is provided on-site; k. A full archaeological assessment is undertaken; l. A full flood risk assessment is undertaken; m. The proposal seeks to preserve or enhance the conservation area, including the setting of adjacent listed buildings. The following mitigation measures should be incorporated; <ol style="list-style-type: none"> i. As much of the requirement for aspirational homes (criteria d) as possible should be met on the part of the site that lies within the conservation area. Development within this area should also be heavily landscaped to reduce the visual impact of development; ii. Existing hedgerows should be maintained and additional screening implemented to reduce the visual impact of the development; iii. Tall buildings will not be permitted. Building heights will be a maximum of two storeys within the eastern part of the site; iv. No vehicular access to the site will be permitted from the east of the site, across the open fields; v. Existing Public Rights of Way are retained and designed into the development, where possible, and diverted where necessary; and |
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| | | <p>vi. Building styles and layout within the conservation area to the east of the site should reflect the key features of the conservation area.</p> <p>n. The scheme incorporates a network of green infrastructure, with an emphasis on high quality landscaping within and around the development to reduce the impact of the development on the surrounding greenfield / Green Belt land;</p> <p>o. An appropriate buffer around existing power lines is incorporated; and</p> <p>p. Electric car charging points are provided at an easily accessible location within the site</p> <p>As part of any development proposal, we will require the open space to the east of the boundary to be retained as such, either via a Legal Agreement or through the transfer of land to the Borough Council.</p> |
| 103 | 9.32 | 9.32 The site is also adjacent to an Area of Archaeological Significance. A full archeological archaeological assessment will be required and guidance should be sought from Hertfordshire County Council. |
| 104 | After 9.34 | 9.34A The partial review and update of the local plan introduces an uplift in the proportion of affordable houses required on greenfield sites. However, planning permission has already been granted for the North of Stevenage site. For this reason, the affordable housing requirement for the North of Stevenage site remains at the level set in the 2019 version of the plan i.e. 30%. |
| 105 | Policy HO4 | <p>Policy HO4: South East of Stevenage</p> <p>Land to the South East of Stevenage, as defined by the policies map, is allocated for the development of approximately 550 dwellings. The site will be developed as two separate parcels:</p> <ul style="list-style-type: none"> • North of the A602 (150 dwellings) • South of the A602 (400 dwellings) <p>Development proposals will be permitted where the following criteria are met:</p> <ol style="list-style-type: none"> a. Satisfactory vehicular access to both sites is provided from a single point of access off the A602, in line with Highways Authority requirements; b. The schemes are designed to encourage the use of sustainable modes of transport; c. At least 5% aspirational homes are provided in line with Policy HO9; d. Plots to accommodate at least 1% new homes are made available for self-build purposes; |

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| | | <p>e. 3040% affordable housing is provided in line with policy HO7;</p> <p>f. Provision for supported or sheltered housing is made in line with Policy HO10;</p> <p>g. Existing Public Rights of Way are incorporated, where possible;</p> <p>h. The Ancient Lane along Aston Lane will be preserved or enhanced;</p> <p>i. A full archaeological assessment is undertaken;</p> <p>j. A full flood risk assessment is undertaken;</p> <p>k. The proposals seek to preserve or enhance the setting of adjacent listed buildings;</p> <p>l. The schemes incorporate a network of green infrastructure, with an emphasis on high quality landscaping within and around the development to reduce the impact of the development on the surrounding greenfield / Green Belt land;</p> <p>m. The tree boundary on the site to the North of the A602 is retained as far as possible; and</p> <p>n. Electric car charging points are provided at an easily accessible location within the site.</p> <p>The following will also be required to be provided within the parcel south of A602, unless demonstrated that these facilities are more satisfactorily accommodated on the northern part of the site:</p> <p>i. Local facilities to serve the community, including a GP surgery, subject to demand; and</p> <p>ii. On-site sports facilities in line with Policy HC8, including, but not limited to, the provision of a MUGA or Skate Park for children.</p> |
| 106 | Policy HO5 | <p>Policy HO5: Windfall sites</p> <p>Windfall sites</p> <p>Planning permission for residential development on unallocated sites will be granted where:</p> <p>a. The site is on previously developed land or is a small, <u>an</u> underused urban site; <u>and</u></p> <p>b. There is good access to local facilities;</p> <p>c. There will be no detrimental impact on the environment and the surrounding properties;</p> <p>b. Proposals will not prejudice our ability to deliver residential development on allocated sites; and</p> <p>e. The proposed development would not overburden existing infrastructure.</p> |
| 107 | Policy HO6 | <p>Policy HO6: Redevelopment of existing homes</p> |

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| | | <p>Planning permission for schemes resulting in the change of use or redevelopment of existing homes for non-residential purposes will be granted where:</p> <ul style="list-style-type: none"> a. It would provide a small-scale social, health, community or leisure facility or a small-scale extension to an existing business use in the same building; and b. It would not adversely affect the surrounding or adjoining properties; and b. A suitable, alternative non-residential site is not available for the proposed use. <p>Planning permission for residential schemes resulting in a net loss of housing will be granted where it provides demonstrable benefits against the relevant housing policies of this plan.</p> |
| 108 | Policy HO7 | <p>Policy HO7: Affordable housing targets</p> <p>Planning permission will be granted for residential developments that maximise affordable housing provision. The following target levels of affordable housing provision will apply to schemes that meet the thresholds set out in national guidance the NPPF:</p> <ul style="list-style-type: none"> • 25% of new homes on previously developed sites; and • 30 40% of new homes elsewhere. <p>Planning permission will only be granted where these targets are not at least achieved if:</p> <ul style="list-style-type: none"> a. Developers robustly demonstrate that the target cannot be achieved due to site-specific constraints resulting in higher than normal costs, which affect its viability; or b. Meeting the requirements would demonstrably and significantly compromise other policy objectives. <p>Where a development is phased or a site is either divided into separate parts or otherwise regarded as part of a larger development, it will be considered as a whole and the appropriate target will apply.</p> <p>Residential or mixed-use schemes that are not compliant with the above targets, or fail to meet other Local Plan policies, must be accompanied by a financial appraisal based on agreed costs and development values at the time of the application. Where an appraisal shows that affordable housing provision in excess of the relevant target level can be supported, a higher level of provision will be encouraged.</p> |

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| 109 | After 9.52 | <p>9.52A The partial review and update of the local plan introduces an uplift to the proportion of affordable housing required on greenfield sites, from 30% to 40%. This revised target has been subject to further viability testing, which shows that it is broadly achievable in combination with the other policies in the revised plan and the CIL rates proposed in the concurrent CIL review.⁹⁴</p> |
| 110 | 9.72 | <p>9.72 These are generally considered to be minimum criteria. It may be appropriate to exceed these guidelines. On suitable sites of 0.5ha or more, around 10% of dwellings can be delivered as aspirational homes without prejudicing the efficient use of land. We will use this figure as a starting point for negotiation recognising that:</p> <ul style="list-style-type: none"> • On large sites this could require a significant number of aspirational homes that might not be desireable desirable in a single location. A lower proportion of homes will be acceptable in these instances; • On some smaller, windfall sites it may be appropriate to permit up to 100% aspirational homes. These would be an exception to general guidance and will only be allowed where they meet other relevant policy requirements and complement the prevailing character, diversify existing stock or otherwise lead to the best solution for the site; while • In accessible locations where purely flatted developments are proposed, the proportion of aspirational homes that can be achieved will largely be determined by the proposed building height(s) and footprint(s). |
| 111 | Policy HO10 | <p>Policy HO10: Sheltered and supported housing</p> <p>Planning permission for sheltered and supported housing schemes will be granted where: they comply with other relevant policies in this plan.</p> <p>a. The site is well served by passenger transport; b. There is good access to local services and facilities such as neighbourhood centres; c. Appropriate levels of amenity space and car parking for residents, visitors and staff are provided; and d. The proposal is appropriate to its locality.</p> <p>On large developments in excess of 200 units, an element of sheltered and/ or supported accommodation within use classes C3 should be provided where practicable and consistent with the above criteria as part of the general housing mix requirements of Policy HO9. The new neighbourhoods to the north and west of Stevenage should additionally include an element of accommodation in use class C2 as part of a comprehensive offer.</p> <p>Schemes that would result in a net loss of sheltered or supported housing will not normally be permitted.</p> |

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| 112 | 9.74 | <p>9.74 Over the lifetime of this plan, there will be a significant increase in the number and proportion of older residents in Stevenage. This is consistent with national trends as the 'baby boom' generation reach retirement age and beyond. The housing needs of this age group will vary considerably depending on circumstances. Many will be able to continue living in their own homes with minimal, or no, adaptation or support. Others will require some degree of care or assistance.</p> |
| 113 | Policy HO11 | <p>Policy HO11: Accessible and adaptable housing</p> <p>Planning permission for major residential schemes will generally be conditioned to ensure that at least 50% of all new dwellings are Category 2: accessible and adaptable dwellings. Where practicable, applications for minor schemes should seek to incorporate this standard.</p> <p><u>At least 10% of dwellings within major residential developments to which Part M of the Building Regulations applies should comply with optional standard M4(3)(2)(b) for wheelchair user dwellings, with a further 40% complying with optional standard M4(2) for accessible and adaptable dwellings. Minor residential developments which meet these standards will be strongly supported.</u></p> |
| 114 | 9.86 to 9.87 | <p>9.86 Over the lifetime of this plan, there will be a significant increase in the aged population. The and the national trend however is for more and more <u>a greater proportion of</u> elderly and disabled residents to stay in their own home, rather than live in a residential institution or retirement home. As a result, there needs to be an increase in the overall percentage of new homes built over the plan period that will be required to the meet accessible and adaptable dwellings standards.</p> <p>9.87 The Government's revised approach to technical standards requirements for new development identifies the access to and use of dwellings are set out in Part M4 of Schedule 1 to the Building Regulations 2010 (as amended), which contains three categories of accessibility for new development:</p> <ul style="list-style-type: none"> • M4(1) - visitable dwellings • M4(2) - accessible and adaptable dwellings • M4(3) - wheelchair user dwellings⁹³ |
| 115 | After 9.87 | <p><u>9.87A Regulation M4(1) is mandatory for all new dwellings unless a planning condition requires compliance with one of the optional requirements M4(2) or M4(3). Where requirement M4(3) applies, a dwelling may either be designed to be readily adapted to the needs of a wheelchair user or designed to meet the needs of a wheelchair user from the outset. The former is known as a 'wheelchair adaptable' dwelling and conforms to requirement M4(3)(2)(a), while the latter is known as a 'wheelchair accessible' dwelling and conforms to requirement M4(3)(2)(b).</u></p> |

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| | | <p><u>9.87B Our most up-to-date evidence¹⁰⁰ shows a need for approximately 5% of new market dwellings and 20% of new affordable dwellings in Stevenage to be wheelchair accessible. However, the need for accessible and adaptable dwellings was not assessed because of Government plans to make this a mandatory standard for all new homes¹⁰¹. These plans have yet to come forward.</u></p> <p><u>9.87C In contrast, our previous evidence¹⁰² showed a need for 50% of new dwellings in Stevenage to be accessible and adaptable. A need for 12% of dwellings to be wheelchair adaptable was included in this figure.</u></p> <p><u>9.87D Taking all of this evidence into account, Policy HO11 requires at least 10% of new dwellings within major residential developments to comply with optional requirement M4(3)(2)(b) and a further 40% to comply with optional requirement M4(2). This applies to major developments which are entirely residential and major mixed-use developments which include a residential component.</u></p> <p><u>9.87E All such developments should ensure the targets set by Policy HO11 are met unless there are clear and convincing reasons as to why it would be inappropriate. This may include practical difficulties, for example in converting existing buildings, or instances where compliance with the targets would compromise other Local Plan objectives, for example the delivery of affordable housing. In these circumstances, a revised requirement will be negotiated having regard to site-specific circumstances.</u></p> |
| 116 | 9.88 | 9.88—Our evidence demonstrates that setting a requirement for half of new homes to be accessible and adaptable will make a positive contribution to the anticipated requirements⁹⁴. All major schemes should ensure this target is met unless there are specific extenuating circumstances. It is recognised that this requirement may not be practicable for some smaller schemes, for example in conversions of existing stock. In these instances, a revised requirement will be negotiated having regard to site specific circumstances. |
| 117 | 9.89 | 9.89 Compliance with the standard will <u>ultimately</u> be assessed through the Building Regulations process. However, any preceding planning application should ensure that schemes have been designed so as to enable this requirement to be met <u>clearly set out the extent of intended compliance.</u> |
| 118 | 9.95 | 9.95 It is considered that the site allocated by Policy HO12 is sufficient to meet all permanent Gypsy and Traveller needs arising within the plan period. However, circumstances do change and unforeseen <u>unforeseen</u> applications for Gypsy and Traveller provision in alternate locations may arise over the plan period. |
| 119 | After 9.98 | <u>Houses in multiple occupation</u> |

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| | (New Policy HO14) | <p><u>Policy HO14: Houses in Multiple Occupation</u></p> <p><u>Planning permission will be granted for new smaller (use class C4) and larger (sui generis) houses in multiple occupation where the proposed scheme would have an acceptable impact on housing supply and comply with other relevant policies in this plan.</u></p> |
| 120 | Cont'd. (Subtext to New Policy HO14) | <p><u>9.98A A house in multiple occupation (HMO) is a house occupied by two or more separate households who share basic amenities such as cooking and washing facilities. For planning purposes, there are two types of HMO: 'smaller HMOs', which house up to and including six residents and fall within use class C4; and 'larger HMOs', which house more than six residents and are sui generis.</u></p> <p><u>9.98B Ordinarily, the conversion of a single family dwellinghouse to a smaller HMO would constitute permitted development. However, the Council issued a direction in 2017 to remove these rights. Since that time, all new HMOs in Stevenage have required an application for planning permission to be made to the Council and approximately 50 such applications have been received to date.</u></p> <p><u>9.98C Under the Housing Act 2004, HMOs which house more than five people also usually require a licence. There are currently 228 HMOs licenced by the Council, a number which broadly corresponds with the 183 households living in HMOs reported by the 2021 census. HMOs therefore make up a relatively small proportion of the roughly 37,000 total households in Stevenage.</u></p> <p><u>9.98D HMOs can serve an important purpose within the housing market, fulfilling a need for low-cost accommodation when self-contained affordable houses or flats are unavailable. However, widespread conversion of other forms of accommodation to HMOs (whether across the borough as a whole or concentrated within a particular area) could conflict with the council's strategic objective of providing an appropriate mix of homes.</u></p> <p><u>9.98E Policy HO14 reflects these considerations by supporting the creation of new HMOs where the impact on housing supply would be acceptable. This applies to both entirely new buildings and conversions of existing buildings.</u></p> <p><u>9.98F It is recognised that HMOs can sometimes have a disproportionate impact on issues such as noise, parking availability and antisocial behaviour. These and other potential material considerations are covered by policies elsewhere in this plan. Proposals for HMOs will be expected to comply with those policies in the same way that proposals for other forms of accommodation would.</u></p> |

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| 121 | Policy GD1 | <p>Policy GD1: High quality design</p> <p>Planning permission will be granted where the proposed scheme (as applicable):</p> <ul style="list-style-type: none"> a. Respects and makes a positive contribution to its location and surrounds; b. Improves the overall ease of movement within an area for all users; c. Creates a safe environment that designs out crime; d. Creates, enhances, or improves access to, areas of public open space, green infrastructure, biodiversity and other public realm assets; e. Does not lead to an unacceptable adverse impact on the amenity of future occupiers, neighbouring uses or the surrounding area; f. Complies with the separation distances for dwellings set out in this plan; g. Minimises the impact of light pollution on local amenity, intrinsically dark landscapes and nature conservation; h. Incorporates high quality boundary treatments when located on the street frontage; i. Complies with other relevant policies and has regard to guidance which may influence site layout and design, including (but not necessarily limited to): <ul style="list-style-type: none"> i. Requirements relating to active frontages in Policy EC5; ii. The parking and access standards in Policy IT5 and the Parking Provision SPD; iii. Site-specific considerations identified in Policies HO1, HO2, HO3 and HO4; iv. Housing mix requirements in Policies HO8, HO9 and H10; v. Accessibility requirements in Policy HO11; vi. SuDs and flood risk considerations in policies FP1 and FP2 vii. Open space standards in Policy NH7; and viii. Conservation area guidance in Policy NH10; j. Meets the nationally described space standards; k. Makes adequate provision for the collection of waste; and l. Has regard to the Stevenage Design Guide Supplementary Planning Document and any other appropriate guidance. |
| 122 | After 10.3 | <p>10.3A In particular, the council will expect the highest density development, including tall buildings, to be located in the most accessible areas of the town centre (as defined by Policy TC1). Proposals of this nature should pay close attention to the advice set out in the latest design guide SPD for the borough.</p> |

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| 123 | 10.5 | <p>10.5 The design guide for Stevenage was <u>first</u> adopted as an SPD in 2009 <u>and has remained under constant review since that time.</u> Proposals <u>All proposals</u> should have regard to the advice it contains and the <u>quantitative standards suggested latest version of the document contains.</u> The standards will be kept under review over the lifetime plan. The Council may <u>Going forward, the council will</u> consider the introduction and use of other appropriate guidance, such as design codes and supplementary plans as a long-term replacement for this guidance. Where adopted, these will be a material consideration.</p> |
| 124 | <p>After 10.5</p> <p>(New Policy GD2)</p> | <p><u>Policy GD2: Design certification</u></p> <p><u>Development proposals which demonstrate that they have been designed to achieve a rating of excellent or higher against the relevant BREEAM standard will be strongly supported.</u></p> <p><u>Development proposals which demonstrate that they have been designed to achieve the Secured by Design silver award or higher will be strongly supported.</u></p> <p><u>Residential development proposals which demonstrate that they have been designed to achieve the BRE Home Quality Mark will also be strongly supported.</u></p> |
| 125 | <p>Cont'd.</p> <p>(Subtext to New Policy GD2)</p> | <p><u>10.5A The Building Research Establishment Environmental Assessment Method (BREEAM) is a method of specifying and measuring the sustainability performance of buildings and development projects. Ratings are independently assessed, which allows for reliable comparison of schemes.</u></p> <p><u>10.5B There are six BREEAM technical standards, which cater to different sorts of projects and different stages of the built environment lifecycle. Four of these standards are likely to be applicable to proposals submitted to the council:</u></p> <ul style="list-style-type: none"> • <u>BREEAM Communities, which considers the masterplanning of new communities;</u> • <u>BREEAM New construction, which considers new-build development;</u> • <u>Home Quality Mark, which considers residential developments; and</u> • <u>BREEAM Refurbishment and fit-out, which considers refurbishment projects.</u> <p><u>10.5C Against the relevant standard, projects are assessed for their sustainability performance in the following categories:</u></p> <ul style="list-style-type: none"> • <u>Management</u> • <u>Water</u> |

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| | | <ul style="list-style-type: none"> • Energy • Transport • Health and wellbeing • Resources • Resilience • Land use and ecology • Pollution • Materials • Waste • Innovation <p>10.5D Once independently assessed, the project will be given a rating. “Excellent” is the second highest rating and “Outstanding” is the highest rating.</p> <p>10.5E Policy GD2 does not make BREEAM certification mandatory for development proposals within the borough. This is in recognition of the fact that it is a very rigorous method of assessment covering a broad range of issues and achieving the highest ratings will often demand more than is required to make a development acceptable in planning terms. However, if a proposal is designed to achieve either an excellent or outstanding rating, this will carry weight in favour of granting permission.</p> <p>10.5F At the application stage, applicants can demonstrate how their proposal is likely to perform by using the BREEAM pre-assessment tools. Where these are accepted and planning permission is granted for the development, planning conditions will be used to ensure that the proposed rating is achieved following construction.</p> |
| 126 | Policy HC1 | <p>Policy HC1: District, local and neighbourhood centres</p> <p>The following site, as shown on the policies map, is identified as a District Centre:</p> <p>HC1/1 Poplars</p> <p>The following sites, as shown on the policies map, are identified as Local Centres:</p> <p>HC1/2 Bedwell Crescent HC1/3 The Glebe</p> |

HC1/4 The Hyde
 HC1/5 Marymead
 HC1/6 Oaks Cross
 HC1/7 The Oval
 HC1/8 Roebuck

The following sites, as shown on the policies map, are identified as Neighbourhood Centres:

HC1/9 Canterbury Way
 HC1/10 Chells Manor
 HC1/11 Filey Close
 HC1/12 Hydean Way
 HC1/13 Mobbsbury Way
 HC1/14 Popple Way
 HC1/15 Rockingham Way

Planning permission for development proposals in these centres will be granted where:

- a. The proposal is in keeping with the size and role of the centre;
- b. District and Local Centres would continue to provide a range of retail, light industrial (use class ~~B1(b)~~ [E\(g\)\(ii\)](#)), health, social, community, leisure, cultural and / or residential uses and retain at least 50% of ground-floor units and floorspace in the main retail area as Class [A1 E\(a\)](#) (shops) use;
- c. Neighbourhood centres would continue to provide a range of small-scale retail, health, social, community, leisure, cultural and / or residential uses and maintain at least one unit in Class [A1 E\(a\)](#) (shops) use;
- d. The proposal does not prejudice our ability to deliver a comprehensive redevelopment scheme; and
- e. An impact assessment has been provided, where required by Policy TC13, and it has been demonstrated that there will be no significant adverse impact.

Planning permission will be granted as an exception to the above criteria only where:

- i. Satisfactory on- or off-site provision is made to replace a loss of use(s) relevant to the status of the centre;
- ii. It can be demonstrated that there is no longer a need for a particular facility;
- iii. The particular facility, or any reasonable replacement is not, and will not, be viable on that site;
- iv. The proposals provide overriding benefits against other objectives or policies in the plan; or

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| | | v. It can be demonstrated that a unit has been unsuccessfully marketed for its existing use, or has remained vacant, over a considerable period of time <u>for at least six months</u> . |
| 127 | 11.10 | <p>11.10 Elsewhere in the town, larger centres provide a wider range of shops, services and community facilities. Examples include The Oval and The Hyde. These are "local centres" in accordance with Government advice. In determining planning permissions within local centres, we will expect them to operate within the following broad parameters:</p> <ul style="list-style-type: none"> • Between 500 and 4,000m² of Class A1 <u>E(a)</u>-led floorspace in a parade or centre containing at least six units; • Unit sizes of between 50 and 1,250m²; • Residential accommodation in flats above the shops and / or additional free-standing residential blocks; and • Two or more of the following: <ul style="list-style-type: none"> a. Church or other place of worship; b. Small employment workshops; c. Pub; d. Community Centre |
| 128 | 11.11 | <p>11.11 Within the proposed local centres, at least 50% of floorspace and units in the main retail parade are currently in Class A1 <u>E(a)</u> (shops) use¹⁰⁹. We will seek to maintain this share. Our baseline monitoring shows that only Marymead does not meet this figure¹¹⁰. In this local centre, we will allow applications where there would be no further fall in the percentage of units.</p> |
| 129 | 11.12 | <p>11.12 Permissions will only be granted as an exception to this where A1 <u>E(a)</u> units have been actively marketed as such but remained vacant for a period of at least six months.</p> |
| 130 | 11.13 | <p>11.13 There are also a number of smaller centres. These do not necessarily meet the criteria above, but they provide valuable facilities for local residents. Examples include Canterbury Way and Rockingham Way. These are "neighbourhood centres" and will typically provide:</p> <ul style="list-style-type: none"> • Between 250 and 1,000m² of Class A1 <u>E(a)</u> (shops) - led floorspace in a parade containing between two and six units; • Unit sizes of between 50 and 500m²; • Residential accommodation in flats above the shops; and |

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| | | <ul style="list-style-type: none"> • May include a pub and / or community centre. |
| 131 | Policy HC2 | <p>Policy HC2: Local shops</p> <p>Freestanding shops and small parades will generally be retained. Planning permission for the redevelopment of existing sites to alternate uses or for the change of use of individual units from Class A4 E(a) (shops) will be granted where:</p> <ol style="list-style-type: none"> Satisfactory on- or off-site provision is made to replace a loss of use(s); It can be demonstrated that there is no longer a need for a particular facility or that alternate facilities are available locally; The particular facility, or any reasonable replacement is not, and will not, be viable on that site; The proposals provide overriding benefits against other objectives or policies in the plan; or It can be demonstrated that a unit has been unsuccessfully marketed for its existing use, or has remained vacant, over a considerable period of time <u>for at least six months</u>. |
| 132 | Policy HC3 | <p>Policy HC3: The Health Campus</p> <p>The Health Campus is identified on the policies map.</p> <p>Planning permission will be granted for appropriate Class D4 E(e) or C2 healthcare uses. Other use classes will be permitted where they provide ancillary facilities which support the site's principal function.</p> <p>Other uses will not be permitted unless it can be satisfactorily demonstrated that the land is no longer required to meet long-term healthcare needs.</p> |
| 133 | Policy HC5 | <p>Policy HC5: New health, social and community facilities</p> <p>The following site, as shown on the policies map, is designated for new healthcare facilities:</p> <p>HC5/1: Land at Ridlins Playing Fields</p> <p>Planning permission will be granted for appropriate D4 E(e) healthcare uses. Other uses will only be accepted where they are required for ancillary facilities.</p> |

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| | | <p>Planning permission for new health, social or community facilities, or to modernise, extend or re-provide existing facilities, on an unallocated site will be granted where:</p> <ol style="list-style-type: none"> A need for the facility has been identified; The site is appropriate in terms of its location and accessibility; and The facility is integrated with existing health, social or community facilities, where appropriate. <p>Planning permission for play group provision within existing and proposed district, local and neighbourhood centres will be granted where it is integrated with other leisure and community uses, where practicable.</p> |
| 134 | 11.24 | <p>11.24 These policies refer to The definition of “health, social and community facilities”, as covered by the following Use Classes: is provided in appendix D to this plan.</p> <ul style="list-style-type: none"> • C2 • D1¹⁰⁴ • D2 - community centres only. |
| 135 | 11.31 | <p>11.31 These policies refer to The definition of “leisure and cultural facilities”, as covered by the following Use Classes: is provided in appendix D to this plan.</p> <ul style="list-style-type: none"> • D1¹⁰⁵ • D2 - excluding community centres • Sui Generis - the theatre only. |
| 136 | After 12.6 | <p>13 Flooding and pollution</p> <p>Climate change</p> <p>Water management and flood risk</p> |
| 137 | Policy FP1 | <p>Policy FP1 Climate change</p> <p>Planning permission will be granted for developments that can incorporate measures to address adaptation to climate change. New development, including building extensions, refurbishments and conversions will be encouraged to include measures such as:</p> |

- ~~Ways to ensure development is resilient to likely future 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.~~

Policy FP1: Sustainable drainage

All major and minor development proposals must incorporate sustainable drainage systems (SuDS) unless there are clear and convincing reasons for not doing so.

SuDS proposals must:

- a. be designed to ensure that peak discharge rates from the site will not increase;
- b. on greenfield sites, achieve greenfield run-off rates;
- c. on brownfield sites, aim to achieve greenfield run-off rates;
- d. be designed in accordance with the surface water disposal hierarchy, as shown in Table 4; and
- e. be designed in accordance with the SuDS hierarchy, as shown in Table 5 below.

Proposals reliant on surface water discharge to the foul network will be refused unless it can be shown to be unavoidable.

Proposals reliant on underground attenuation features or impervious hard surfaces will be refused unless their use can be shown to be unavoidable.

At the application stage, development proposals involving SuDS must, as a minimum, be supported by a SuDS strategy which demonstrates how the above principles will be complied with. Where relevant, this must include evidence of agreement to the proposed discharge rates by the appropriate statutory undertaker.

Post-permission, conditions will be used to secure the final detailed design of the drainage system and measures for management and maintenance.

Most preferable

Rainwater use as a resource

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| ↑ | Infiltration to ground at or close to source |
| | Attenuation in green infrastructure for gradual release |
| | Discharge direct to a watercourse |
| ↓ | Discharge to a surface water sewer or drain |
| Least preferable | Discharge to a combined sewer |

Table 4 – surface water disposal hierarchy

| <i>Most Sustainable</i> | <i>SUDS technique</i> | <i>Flood Reduction</i> | <i>Pollution Reduction</i> | <i>Landscape & Wildlife Benefit</i> |
|-------------------------|---|------------------------|----------------------------|---|
| | Living roofs | ✓ | ✓ | ✓ |
| | Basins and ponds - Constructed wetlands - Balancing ponds - Detention basins - Retention ponds | ✓ | ✓ | ✓ |
| | Filter strips and swales | ✓ | ✓ | ✓ |
| | Infiltration devices - soakaways - infiltration trenches and basins | ✓ | ✓ | ✓ |
| | Permeable surfaces and filter drains - gravelled areas - solid paving blocks - porous paviers | ✓ | ✓ | |
| | Tanked systems - over-sized pipes/tanks - storms cells | ✓ | | |
| | <i>Least Sustainable</i> | | | |

Table 5 – SuDS hierarchy

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13.1 to 13.6

13.1—Climate change has been reported to represent 'by far' the greatest threat to our natural environment, social wellbeing and economic future⁴¹³.

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| | | <p>13.2 — Climate change is a strategic cross-cutting theme that relates to many aspects of the environmental, economic and social issues that we address in this document, with many policy areas in this Local Plan relating to it.</p> <p>13.3 — Developments can address temperature fluctuations by ensuring that buildings are well insulated and are ventilated with natural air movement. They should also take full advantage of natural light and heat from the sun to help minimise the need for additional energy for lighting and heating.</p> <p>13.4 — The Environment Agency have identified that Stevenage lies within an area of 'Water Stress'¹⁴⁴. Therefore, the more stringent target of 110 litres per person per day has been adopted for all new developments in Stevenage in line with NPPG. All new development should ensure that stringent water management systems are incorporated into their design.</p> <p>13.5 — In order to improve the energy performance of buildings, both new and existing, developers should adopt more energy efficient measures in order to contribute to the overall energy performance of the development. This could include, for example:</p> <ul style="list-style-type: none"> ● The use of photo-voltaic panels; ● Micro-wind generators; and ● The installation of ground source heat pumps. <p>13.6 — At a strategic level, developments should incorporate SuDS in order to help reduce flood risk. The most sustainable SuDS contribute to reducing flood risk and pollution, and provide landscape and wildlife benefits. These would include, for example:</p> <ul style="list-style-type: none"> ● Living roofs and walls; Basins and ponds; ● Filter strips and swales; and ● Infiltration devices, such as soakaways. |
| 139 | After Policy FP1 | <p><u>13.1A A site can accommodate a wide range of different SuDS techniques. These can range from individual properties incorporating permeable paving in driveways, to larger developments incorporating ponds, wetlands and green roofs and/or walls. SuDS can also improve water quality and enhance the amenity and biodiversity value of the surrounding area.</u></p> |

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| | | <u>13.1B Proposals should be informed by the surface water disposal hierarchy and the SuDS hierarchy. In instances where proposals do not comply, they will be refused unless it is demonstrated by the developer that there is no other possible alternative.</u> |
| 140 | After 13.1B | Flood risk |
| 141 | Policy FP2 | <p>Policy FP2: Flood risk in Flood Zone 1</p> <p>Planning permission for all major development sites will be granted where:</p> <p>a. An appropriate surface water Flood Risk Assessment is submitted. The Flood Risk Assessment must demonstrate, as a minimum:</p> <p> i. An estimate of how much surface water runoff the development will generate;</p> <p> ii. Details of existing methods for managing surface water runoff, e.g. drainage to a sewer; and</p> <p> iii. Plans for managing surface water and for making sure there is no increase in the volume of surface water and rate of surface water runoff.</p> <p>b. The use of SuDS has been maximised on site so as not to increase flood risk, and to reduce flood risk wherever possible; and</p> <p>c. It can be demonstrated that flood resilience and flood resistance construction can be designed into the proposed development scheme.</p> <p><u>Policy FP2: Flood risk management</u></p> <p><u>All development proposals must:</u></p> <p>a. <u>Ensure that flood risk, whether on-site or elsewhere, is not increased and is reduced where appropriate, taking into account the future impacts of climate change;</u></p> <p>b. <u>Where appropriate¹¹⁹, be supported by a site-specific flood risk assessment at the application stage;</u></p> <p>c. <u>Pass the sequential and exception tests, as required¹²⁰, and then apply the sequential approach to site layout;</u></p> <p>d. <u>Preserve the functional floodplain, also known as Flood Zone 3b;</u></p> <p>e. <u>Protect the integrity of adjacent flood defences and allow sufficient space for access, maintenance, future upgrades and new flood defence schemes;</u></p> <p>f. <u>Provide an 8m undeveloped buffer zone from the top of the bank of any adjacent main rivers;</u></p> |

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| | | <p>g. Provide a 3m undeveloped buffer zone from the top of the bank of any adjacent ordinary watercourses;</p> <p>h. Provide for the re-naturalisation of any on-site culverted watercourses;</p> <p>i. Where appropriate, provide flood warning and evacuation plans; and</p> <p>j. Be appropriately flood resistant and resilient.</p> |
| 142 | After Policy FP2 | <p>13.7— Flooding is a natural process, which helps to shape the natural environment. However, it can also have significant negative impacts, causing damage to property and even loss of life. Flooding events are likely to increase in the future, both in number and in magnitude. This is in part due to climate change and we need to ensure that we can adapt to these changes and protect the town, as far as is reasonably practicable. It is important, therefore, that our planning policies take into account present and future flood risk.</p> <p>13.8— National guidance requires us to preclude development in areas of flood risk and reduce the risk of flooding overall¹⁴⁵. The Environment Agency has a statutory responsibility for flood management and flood defence in England and provides an advisory service to this end. Hertfordshire County Council, as the Lead Local Flood Authority, will be consulted on proposals in a flood risk area and for all sites over one hectare.</p> <p>13.9— Groundwater flooding is not considered to pose a significant problem to Stevenage but any development should be mindful of the effects of deep foundations on shallow groundwater flows in fluvial sands and gravels in valley bottoms.</p> <p>13.10— Our evidence¹⁴⁶ identifies different areas of flood risk in the town, categorised as:</p> <ul style="list-style-type: none"> ● Flood Zone 3, which is further subdivided into <ul style="list-style-type: none"> ○ Flood Zone 3b—functional floodplain ○ Flood Zone 3a—high probability ● Flood Zone 2—medium probability ● Flood Zone 1—low probability <p>13.11— The latest flood risk maps should be referred to for detailed zone locations.</p> <p>13.12— We will steer new development to areas of the lowest probability of flooding by applying the sequential approach identified in our Strategic Flood Risk Assessment. Preference will be given to development located in Flood Zone 1 (the area with the lowest risk of flooding).</p> |

~~13.13 – Proposals should avoid adding to the causes of flooding, both fluvial and surface water. The increase in impermeable surfaces through large scale development, such as that on sites over one hectare, can result in an increase in surface water runoff.~~

~~13.14 – Proposals should maximise the use of SuDS to reduce the risk of flooding and minimise any negative impacts on buildings and land uses that may suffer from flooding. SuDS direct surface water run off from increased rainfall, back into suitable ground locations, mimicking natural drainage systems. In doing so, they help reduce the risk of flooding by easing the pressure on the storm water drainage network.~~

~~13.15 – A site can accommodate a wide range of different SuDS techniques. These can range from individual properties incorporating permeable paving in driveways, to larger developments incorporating ponds, wetlands and green roofs and/or walls. SuDS can also improve water quality and enhance the amenity and biodiversity value of the surrounding area.~~

~~13.16 – The need for SuDS is likely to increase to meet environmental challenges such as climate change and population growth.~~

~~13.17 – Proposals should adopt the SuDS hierarchy. In instances where proposals are unable to maximise SuDS on site, evidence will be required to demonstrate how and why this might not be viable or practicable to implement. The developer will also be required to provide alternative mitigation either on site, or elsewhere in the Borough.~~

~~[[IMAGE OF SUDS HIERARCHY]]~~

~~**SuDS Hierarchy**~~

~~13.18 – The Local Flood Risk Management Strategy (LFRMS) and its associated SuDS Policy Statement should be consulted when considering the drainage system.~~

13.7 Flooding is a natural process, which helps to shape the natural environment. However, it can also have significant negative impacts, causing damage to property and even loss of life. Flooding events are likely to increase in the future, both in number and in magnitude. This is in part due to climate change and we need to ensure that we can adapt to these changes and protect the town, as far as is reasonably practicable. It is important, therefore, that our planning policies take into account present and future flood risk.

13.8 National guidance requires us to preclude development in areas of flood risk and reduce the risk of flooding overall¹²¹. The Environment Agency has a statutory responsibility for flood management and flood defence in England and provides an advisory service to this end. Hertfordshire County Council, as the Lead Local Flood Authority, will be consulted on proposals in a flood risk area and for all sites over one hectare.

13.9 Groundwater flooding is not considered to pose a significant problem to Stevenage but any development should be mindful of the effects of deep foundations on shallow groundwater flows in fluvial sands and gravels in valley bottoms.

13.10 Our evidence¹²² identifies different areas of flood risk in the town, categorised as:

- Flood Zone 3, which is further subdivided into
 - Flood Zone 3b - functional floodplain
 - Flood Zone 3a - high probability
- Flood Zone 2 - medium probability
- Flood Zone 1 - low probability

13.11 The latest flood risk maps should be referred to for detailed zone locations.

13.12 We will steer new development to areas of the lowest probability of flooding by applying the sequential approach identified in our Strategic Flood Risk Assessment. Preference will be given to development located in Flood Zone 1 (the area with the lowest risk of flooding).

13.12A Flood Zones 2 and 3 are not extensive in the town. Broadly speaking, they run along the Stevenage and Aston End Brook but only through the southern end of the town. Proposals for Flood Zone 2 or 3 will have to demonstrate that there is no other reasonably available site in a lower flood risk category in the Borough.

13.13 Proposals should avoid adding to the causes of flooding from all sources. The increase in impermeable surfaces through large scale development, such as that on sites over one hectare, can result in an increase in surface water runoff. A site-specific flood risk assessment will be required for proposals meeting the criteria set out in the NPPF.

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| | | <p><u>13.13A Proposals must also ensure adequate buffers to watercourses. A developer wishing to build within eight metres of the top of the bank of a main river will require consent from the Environment Agency, while developers wishing to build within three metres of the bank of an ordinary watercourse will require consent from Hertfordshire County Council. This consent may not necessarily be granted.</u></p> <p><u>13.23 Development proposals which do not involve deculverting or, indeed, propose culverting of watercourses, will have an adverse impact on the town's river corridors and water meadows. Such proposals will be refused. Opening up river corridors can help to improve the chemical and biological quality of a watercourse. This, in turn, improves habitats for biodiversity and also contributes to open space and health and wellbeing in the town.</u></p> <p><u>13.24 River corridors and flood storage reservoirs (FSRs) play an important role in controlling the surface water runoff from the town, as they allow excess run off during storms to be temporarily stored. Protecting river corridors and FSRs from inappropriate development and culverting is therefore important so as not to increase flood risk in the town.</u></p> |
| 143 | Policy FP3 | <p>Policy FP3: Flood risk in Flood Zones 2 and 3</p> <p>Planning permission will be granted where:</p> <ul style="list-style-type: none"> a. It can be demonstrated that the functional floodplain, also known as Flood Zone 3b, is protected; b. It can be demonstrated that a sequential approach is taken at site level; c. An appropriate fluvial flood risk assessment is submitted which demonstrates: <ul style="list-style-type: none"> i. Whether a proposed development is likely to be affected by current or future flooding from any source; ii. That the development will not increase flood risk elsewhere; iii. That the measures proposed to deal with these effects and risks are appropriate; iv. The evidence for us, as the local planning authority, to apply (if necessary) the Sequential Test; and v. That the development will be safe and pass the Exception Test, if applicable. d. The use of SuDS has been maximised on site so as not to increase flood risk, and to reduce flood risk wherever possible; e. A natural buffer zone adjacent to any watercourse is included as part of the development. The buffer zone should be a minimum of eight metres wide from the top of the bank of the watercourse along the entire length of the watercourse on site; f. Any culverted watercourse present on site can be re-naturalised; and |

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| | | <p>g. It can be demonstrated that flood resilient and flood resistant construction can be designed into the proposed development scheme.</p> |
| 144 | After Policy FP3 | <p>13.19 Flood Zones 2 and 3 are not extensive in the town. Broadly speaking, they run along the Stevenage and Aston End Brook but only through the southern end of the town. Proposals for Flood Zone 2 or 3 will have to demonstrate that there is no other reasonably available site in a lower flood risk category in the Borough.</p> <p>13.20 As well as the measures identified above (for proposals in Flood Zone 1), additional measures will be required to ensure flood risk is minimised.</p> <p>13.21 A fluvial Flood Risk Assessment will be required to demonstrate how the proposal meets the Policy criteria.</p> <p>13.22 On occasions where the developer is unable to maximise the natural buffer zone adjacent to the watercourse, the developer must provide mitigation elsewhere on site, or elsewhere in the Borough. A developer wishing to build within eight metres of the top of the bank of a watercourse will require Flood Defence Consent from the Environment Agency. This consent may not necessarily be granted.</p> <p>13.23 Development proposals which do not involve deculverting or, indeed, propose culverting of watercourses, will have an adverse impact on the town's river corridors and water meadows. Opening up river corridors can help to improve the chemical and biological quality of a watercourse. This, in turn, improves habitats for biodiversity and also contributes to open space and health and wellbeing in the town. The developer will need to provide mitigation elsewhere in the Borough. This may involve the deculverting of an alternative length of watercourse.</p> <p>13.24 River corridors and flood storage reservoirs (FSRs) play an important role in controlling the surface water run off from the town, as they allow excess run off during storms to be temporarily stored. Protecting river corridors and FSRs from inappropriate development and culverting is therefore important so as not to increase flood risk in the town.</p> |
| 145 | Policy NH1 | <p>Policy NH1: Principal Open Spaces</p> <p>The following sites, as defined on the policies map, are designated as Principal Open Spaces:</p> <p><u>Principal Parks</u></p> <p>NH1/1 Fairlands Valley Park*</p> <p>NH1/2 Town Centre Gardens*</p> |

NH1/3 King George V*
NH1/4 Hampson Park*
NH1/5 Shephalbury Park*
NH1/6 Peartree Park*
NH1/7 Ridlins Park*
NH1/8 St. Nicholas Park*
NH1/9 Millennium Gardens
NH1/10 The Bowling Green

Principal Amenity Greenspaces

H1/11 Chells District Park*
NH1/12 Canterbury Way*
NH1/13 Meadway*
NH1/14 Bandley Hill*
NH1/15 Burymead*
NH1/16 Campshill Park*
NH1/17 Blenheim Way / Pembridge Gardens
NH1/18 York Road B & C*
NH1/19 Letchmore Road*
NH1/20 Trent Close
NH1/21 Bedwell Park*
NH1/22 Archer Road*
NH1/23 The Noke*
NH1/24 Ramsdell
NH1/25 Clovelly Way A
NH1/26 Chester Road / Canterbury Way
NH1/27 Caernarvon Close / Balmoral Close*
NH1/28 Chepstow Close*
NH1/29 Shephall Green
NH1/30 Blenheim Way / Stirling Close*
NH1/31 Holly Copse

Principal Woodlands

NH1/32 ~~Whomeley~~ Whomerley Wood
NH1/33 Monks Wood
NH1/34 Ridlins Wood
NH1/35 Lanterns Wood
NH1/36 Ashtree Wood
NH1/37 Wellfield Wood
NH1/38 Martins Wood*
NH1/39 Great Collens Wood
NH1/40 South Pestcotts Wood
NH1/41 Loves Wood
NH1/42 Abbot's Grove
NH1/43 Mobbsbury Park
NH1/44 Sishes Wood
NH1/45 Shackleton Spring Woodland
NH1/46 Sinks Spring
NH1/47 Hanginghill Wood
NH1/48 Wiltshire Spring Wood (west)
NH1/49 Hertford Road Wood
NH1/50 Almond Spring
NH1/51 Blacknells Spring Wood
NH1/52 Whitney Drive Wood

Planning permission will be granted where proposals:

- a. Would not result in the loss of any part of a Principal Open Space;
- b. Would not have an adverse impact upon any Principal Open Space within, or adjacent to, the application site;
and
- c. Reasonably provide, or reasonably contribute towards the maintenance or improvement of, Principal Open Spaces and allotments.

Planning permission will be granted for small scale leisure and recreation developments within a Principal Open Space where they support its continued use and maintenance. New or replacement facilities that meet the general definitions of Principal Open Spaces will be afforded the same protections as the sites identified in this policy.

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| 146 | Policy NH2 | <p>Policy NH2: Wildlife Sites</p> <p>The following sites, as defined on the policies map, are designated as wildlife sites:</p> <ul style="list-style-type: none">NH2/1 Abbot's GroveNH2/2 Almond SpringNH2/3 Ashtree WoodNH2/4 Barnwell School and RectoryNH2/5 Blacknells SpringNH2/6 Broadwater Marsh WestNH2/7 Elder Way Flood MeadowNH2/8 Elm Green PasturesNH2/9 Exeter CloseNH2/10 Fishers Green WoodNH2/11 Garston MeadowNH2/12 Great Collens WoodNH2/13 Hanginghill WoodNH2/14 Kitching Green LaneNH2/15 Loves WoodNH2/16 Margaret's Wood & Spoil Bank WoodNH2/17 Martins WayNH2/18 Martins WoodNH2/19 Monks & Whomerley WoodsNH2/20 Monks Wood WestNH2/21 Pestcotts Spring & WoodNH2/22 Poplars Meadow and Pond SouthNH2/23 Ridlins MireNH2/24 Ridlins WoodNH2/25 Shackledell Grassland (2 sites)NH2/26 Sishes WoodNH2/27 Six Hills CommonNH2/28 St Nicholas ChurchyardNH2/29 Stevenage Brook MarshNH2/30 Symonds GreenNH2/31 Valley Way Wood |
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| | | <p>NH2/32 Warren Springs NH2/33 Wellfield Wood NH2/34 Whitney Drive Wood NH2/35 Whitney Wood NH2/36 Whomerley Woods Road Verge NH2/37 Wiltshire's Spring</p> <p>Planning permission will be granted where proposals:</p> <ul style="list-style-type: none"> a. Would not result in substantive <u>substantial</u> loss or deterioration of a Wildlife Site; and b. Reasonably contribute towards the maintenance or enhancement of Wildlife Sites in the vicinity of the application site. <p>Any wildlife sites or Regionally Important Geological Site (RIGS) that are ratified by the Herts & Middlesex Wildlife Trust (HMWT)¹²⁹ following adoption of this plan will be afforded the same protections as the sites identified in this policy. Any Wildlife Sites or RIGS (or parts thereof) which are subsequently deselected by HMWT will no longer be subject to the provisions of this policy.</p> |
| 147 | Policy NH3 | <p>Policy NH3: Green Corridors</p> <p>The following routes, as defined on the policies map, are designated as Green Corridors:</p> <p><u>Ancient Lanes</u></p> <p>NH3/1 Aston Lane NH3/2 The Avenue NH3/3 Botany Bay Lane NH3/4 Bragbury Lane NH3/5 Broadwater Lane NH3/6 Chells Lane NH3/7 Dene Lane NH3/8 Fishers Green Lane NH3/9 Lanterns Lane NH3/10 Meadway NH3/11 Narrowbox Lane</p> |

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| | | <p>NH3/12 Old Walkern Road NH3/13 Sheafgreen Lane NH3/14 Shephall Lane NH3/15 Shephall Green Lane NH3/16 Shephards Lane NH3/17 Watton Lane NH3/18 Weston Lane</p> <p><u>Structurally Important Routes</u></p> <p>NH3/19 Broadhall Way NH3/20 Fairlands Way NH3/21 Grace Way NH3/22 Gunnels Wood Road NH3/23 Martins Way (Grace Way to Gresley Way) NH3/24 Monkswood Way</p> <p><u>Other Green Corridors</u></p> <p>NH3/25 Gresley Way NH3/26 Martins Way (Hitchin Road to Grace Way) NH3/27 Six Hills Way</p> <p>Planning permission will be granted where proposals:</p> <ol style="list-style-type: none"> a. Would not have a substantive <u>substantial</u> adverse effect upon a Green Corridor; b. Retain and sensitively integrate any Green Corridor which must be crossed or incorporated into the site layout; c. Provide replacement planting, preferably using locally native species, where hedgerow removal is unavoidable; and d. Reasonably contribute towards the improvement of Green Corridors in the vicinity of the application site |
| 148 | 14.25 | <p>14.25 This includes those footpaths and bridleways which link to the Stevenage Outer Orbital Path (StOOP). This is a 27-mile route which circles Stevenage using foothpaths <u>footpaths</u> and other routes that are open to the public. All of StOOP lies outside of the Borough boundary. However, it is connected to Stevenage by eight 'link paths' which use public rights of way within our administrative area.</p> |

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| <p>149</p> | <p>Policy NH5</p> | <p>Policy NH5a: Trees and woodland</p> <p>Proposals which affect, or are likely to affect, existing trees, will require an arboricultural report. Existing trees must be protected and retained where possible, and sensitively incorporated into developments.</p> <p>Planning permission for proposals where the loss of trees is demonstrated to be unavoidable will be granted where:</p> <ul style="list-style-type: none"> a. Sufficient land is reserved for appropriate replacement planting and landscaping; b. Replacement trees or planting are provided which are: <ul style="list-style-type: none"> i. Of equal or better quality than the trees which are lost; ii. Sensitively incorporated into the development; and iii. Where appropriate, locally native species of similar maturity; and c. In the case of a loss of woodland: <ul style="list-style-type: none"> i. It can be demonstrated that any adverse affects can be satisfactorily mitigated; ii. The need for the use of the site outweighs the amenity of the woodland; or iii. It can be demonstrated that there would be a net gain in the quality of any remaining woodland through the enhancement of the recreational, amenity, landscape and/or nature conservation value of the remaining woodland and that there would be provision for its improved long term management. <p><u>All development proposals which involve works to, or within the vicinity of, existing trees or woodland must be accompanied by an arboricultural impact assessment (AIA) at the application stage.</u></p> <p><u>Individual trees</u></p> <p><u>Development proposals resulting in harm to the health or longevity of existing individual trees which are worthy of retention¹³¹ will be refused unless:</u></p> <ul style="list-style-type: none"> <u>a. The harm is demonstrated to be unavoidable;</u> <u>b. Replacement trees would be planted in accordance with Table 6 below; and</u> <u>c. Any replacement trees would be of an appropriate size and species, and planted in an appropriate location.</u> |
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Post-permission, conditions will be used to secure any replacement planting and safeguard any retained trees.

| <u>Trees Felled</u> | | <u>Replacements</u> |
|---------------------|---|---------------------|
| <u>Category</u> | <u>Diameter at Breast Height</u> | |
| <u>Small</u> | <u>Less than or equal to 30cm</u> | <u>2</u> |
| <u>Medium</u> | <u>Greater than 30cm and less than or equal to 60cm</u> | <u>5</u> |
| <u>Large</u> | <u>Greater than 60cm and less than or equal to 90cm</u> | <u>10</u> |
| <u>Very Large</u> | <u>Greater than 90cm</u> | <u>21</u> |

Table 6 – Individual tree replacement standard

Woodland

Development proposals resulting in the loss or deterioration of existing woodland¹³² will be refused unless:

- a. There are exceptional reasons which justify the loss or deterioration;
- b. Replacement habitat would be provided in accordance with the statutory biodiversity metric;
- c. Following replacement, there would be no net-loss of woodland by area; and
- d. Appropriate measures are proposed for the long-term management of any replacement woodland.

Post-permission, the planting and management of any replacement woodland will be secured by conditions or legal agreement.

Ancient and veteran trees

Development proposals resulting in the loss or deterioration of ancient or veteran trees will be refused unless:

- a. There are wholly exceptional reasons which justify the loss or deterioration; and
- b. A suitable compensation strategy exists.

Post-permission, any compensation will be secured by conditions or legal agreement.

Arboricultural offsetting

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| | | <p><u>Replacement trees or woodland must be provided on-site unless there are clear and convincing reasons for not doing so. Where it is satisfactorily demonstrated that a development proposal cannot fully provide the necessary replacement planting on-site, any shortfall must be offset by either:</u></p> <p>a. <u>A cash in lieu contribution to the Council; or</u> b. <u>An alternative off-site proposal, where this has already been identified and delivery is certain.</u></p> <p><u>The acceptability of option (b) will be subject to agreement with the Council and will be considered on a case-by-case basis.</u></p> |
| 150 | After Policy NH5 | <p><u>Policy NH5b: Tree-lined streets</u></p> <p><u>Development proposals involving the creation of new streets must ensure that those streets are tree-lined unless there are clear, justifiable and compelling reasons why this would be inappropriate.</u></p> |
| 151 | 14.32 | <p>14.32 However, it is important that all woodlands and trees of amenity value are retained where this is practicable and desirable. An arboricultural report <u>method statement</u> will be required where trees are to be affected. This should provide details about the location and characteristics of existing trees and clearly indicate which are to be removed or retained.</p> |
| 152 | After 14.32 | <p><u>14.32A Where it is proposed to fell individual trees, they should be replaced in accordance with Table 6. This tree replacement standard has been informed by the statutory biodiversity net gain (BNG) provisions insofar as the value of the existing tree is determined by its diameter at breast height (1.3 metres above ground level) and the number of replacements is equal to the number of small replacement trees required to achieve a 10% net gain according to the statutory metric.</u></p> <p><u>14.32B For applications subject to the statutory BNG provisions, Policy NH5a will effectively act as an additional trading rule, requiring that individual trees be replaced by individual trees. In all other cases, the policy will operate as an independent standard.</u></p> <p><u>14.32C Where replacement planting takes place, trees may not mature and achieve a similar canopy, ground cover or ecological value if inappropriate species or techniques are used. For these reasons, the acceptability of the size, species and location of replacement trees will be assessed on a case-by-case basis.</u></p> |

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| | | <p><u>14.32D The loss or deterioration of existing woodland should only take place where it is justified by exceptional reasons. In this context, “exceptional reasons” should be understood to mean instances where the proposed development is of an unusual nature, where the public benefits of the proposal would outweigh the harm caused by the loss of woodland, and where there is no reasonable and viable alternative to the loss or deterioration. Most residential development¹³³ will fail these tests and the council expects that the loss or deterioration of woodland will usually only be justified by proposals for public service infrastructure.</u></p> <p><u>14.32E The loss or deterioration of ancient or veteran trees should only take place where it is justified by wholly exceptional reasons. Here, “wholly exceptional reasons” should be understood to mean instances where refusal of the application would be very obviously contrary to the objectives of this plan when read as a whole.</u></p> |
| 153 | 14.33 | <p>14.33 Without sensitive planning, mature trees can be permanently damaged during construction or create long-term problems for the occupiers of new developments such as shade, storm damage and subsidence. Where new planting takes place, trees may not mature and achieve a similar canopy, ground cover or ecological value if inappropriate species or techniques are used.</p> |
| 154 | 14.34 | <p>14.34 Tree Preservation Orders (TPOs) are used to protect important specimens. Consent is required to fell or carry out any tree surgery work on a TPO'd TPO tree. Where individual trees, groups of trees or woodlands of particular value are under threat, the Council will consider making new TPOs. In considering TPO applications, the Council will have regard to expert advice, relevant British Standards and any other appropriate information.</p> |
| 155 | After 14.34 | <p><u>14.34A The NPPF requires new streets to be tree-lined unless there are clear, justifiable and compelling reasons why this would be inappropriate. This is reflected in Policy NH5b.</u></p> <p><u>14.34B In applying Policy NH5b, the council will be particularly mindful of the need to ensure that new trees are of an appropriate species and planted using appropriate techniques. When implemented poorly, tree-lined streets can discourage active travel and their other benefits (air quality, shelter, biodiversity, among others) can be significantly diminished.</u></p> <p><u>14.34C For these reasons, tree planting for new streets should be designed with regard to the width of the adjacent foot and cycleways, and the need to provide adequate cover whilst allowing pollution to disperse through the canopy. Trees that are fast growing, thorny, or with destructive root systems or delicate leaves should be avoided. In some instances, it may also be necessary to provide separate lighting for pedestrians and cyclists.</u></p> |

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| 156 | 14.36 | 14.36 The general presumption is that only those spaces which are of a poor or very poor quality will be considered for disposal. A number of sites of this nature are detailed in the evidence base. However, the circumstances around any site may change over time time and all schemes that seek to utilise unallocated open space will be scrutinised. | | | | |
| 157 | 15.2 | 15.2 It is a key test of local plans that they are deliverable. The Local Plan is supported by a wide-ranging evidence base which demonstrates how and when the sites and proposals in this plan can be brought forward. Our Strategic Land Availability Assessments (SLAA) for both housing and employment demonstrate commitment from relevant landowners to ensure their sites are delivered. The IDP examines the cumulative impacts of providing 7,600 homes over the plan period (4,956 homes between 2024 and 2031) and identifies a series of interventions ¹³⁹ . | | | | |
| 158 | 15.3 | <p>15.3 Partnership working is key to successful delivery. The Duty to Co-operate places a legal duty on the Council to interact with other authorities, agencies, service providers and regulators. This is supplemented by positive engagement with other bodies that are not prescribed by the regulations. In developing the local plan and its evidence base, Stevenage Borough Council has engaged on a pro-active and ongoing basis with numerous organisations, whose assistance or approval will be required to deliver the plan. This includes (but is not limited to):</p> <ul style="list-style-type: none"> • North Hertfordshire District Council and East Hertfordshire District Council as the authorities directly adjoining Stevenage Borough to ensure emerging proposals are considered on a consistent and holistic basis and that the cumulative impacts of our plans are properly understood; • Hertfordshire County Council as (variously) waste and minerals planning authority, highway authority and authority responsible for education. Our plan and policies map, where relevant and necessary, reflect proposals in those parts of the statutory Development Plan for which the county council retain responsibility responsibility. Mitigation schemes to ensure appropriate capacity on the local highway network and in the education system have been included; • Highways England as the body responsible for the trunk road network, including the A1(M) which is the key strategic road link to and from Stevenage; • Hertfordshire Local Enterprise Partnership (LEP) as the partnership between businesses and local authorities that covers Stevenage and sets priorities for investment through its Growth Plan; • Stevenage First Town Centre Task Force as the partnership between the Borough Council, LEP and other agencies formed to unlock the development opportunities in and around the town centre; and • The Environment Agency whose position as statutory regulator of the water environment has required positive interaction, particularly around issues relating to water and wastewater infrastructure. | | | | |
| 159 | After 15.10 | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%; text-align: center;">Objective</td> <td style="width: 25%; text-align: center;">Policy</td> <td style="width: 25%; text-align: center;">Target</td> <td style="width: 25%; text-align: center;">Indicator(s)</td> </tr> </table> | Objective | Policy | Target | Indicator(s) |
| Objective | Policy | Target | Indicator(s) | | | |

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|---------------------|---|---|--|---|---------------------------------------|
| | | Climate change | Carbon emissions | Operational / WLC net zero | Energy statements |
| | | Heating and cooling | | No new energy-dependent cooling systems | Energy statements |
| | | Water efficiency | | For residential water consumption to not exceed 110L per person per day | Planning permissions |
| | Sustainable development | Reduce deprivation and improve quality of life | | - | Index of multiple deprivation |
| | | | | For average earnings to increase over the plan period | Average weekly earnings for residents |
| | | | | - | Housing affordability |
| | | | - | Resident satisfaction | |
| | | Support facilities and services that encourage people to live, work and spend leisure time in Stevenage | To reduce the distance travelled to work | Distance travelled to work | |
| | A strong, competitive economy | Provide sites for new B-Class employment floorspace | | At least 140,000m ² employment floorspace to be completed 2011-2031 | Employment floorspace completions |
| | | | | | Employment land supply |
| | | | | - | Claimant count |
| | | | | - | Number of jobs |
| | | | | - | New business start ups |
| | Protection of the Employment Areas | To protect the Gunnels Wood and Pin Green Employment Areas | Employment land up-take | | |
| A vital town centre | Preserve the viability and vitality of the retail hierarchy | | - | Retail vacancy rates | |

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| | | | Support the type and range of retail required to meet identified need | 7,600m ² of additional convenience retail floorspace by 2031 | Retail, office and leisure completions |
| | | | Reserve the Primary Frontage for A1 Use | For at least 80% Primary Frontage to be in A1 Use | A1 Retail |
| | Infrastructure | | Require new development to meet the demand it creates | - | Developer contributions |
| | Sustainable transport | | Create conditions for significant increase in passenger transport | To increase the use of passenger transport | Mode of travel to work |
| | | | Direct high density development to the most sustainable locations | For 100% of residential completions to be within 30 minutes of key services | Accessibility of services |
| | | | Require new development to provide relevant plans and assessments | For all major applications to include a Travel Plan | Travel Plans |
| | High quality homes | | Provide sites for new residential development | At least 7,600 new homes to be completed 2011-2031 (4,956 homes between 2024 and 2031) | Housing completions |
| | | | 45% of new homes to be on Previously Developed Land | 45% of new homes to be on Previously Developed Land | Housing completions on PDL |
| | | | Maintain at least a five-year supply of land for housing | - | Housing supply |
| | | | To deliver up to 40% affordable homes, where viability permits | For at least 20% of all new homes to be affordable | Affordable housing completions Affordable housing supply |

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| | | | To re-balance the housing stock by delivering a mix of housing types and sizes | For all major sites to comply with the mix identified in the SHMA | Housing Mix |
| | | | | - | Aspirational homes |
| | | | Provide sites for new Gypsy and Traveller provision | At least 11 new Gypsy and Traveller sites to be provided | Gypsy and Traveller provision |
| | Good design | | New development developments are effective in designing out crime | For the overall crime rate in Stevenage to be reduced | Crime rates |
| | | | New development to meet water usage standards | The design achieves a maximum of 110 litres per person per day including external water use | None – Building Regulation Approval will not be granted unless this is complied with |
| | Healthy communities | | Avoid the loss of any health, social or community facilities | To see no decrease in D1, D2, C2 Uses health, social and community uses across the town | Retail, office and leisure completions |
| | | | For new health, social and community facilities to be located within identified centres, in accordance with the sequential test | - | |
| | Climate change, flooding Flooding and pollution | | Reduce or mitigate against flood risk | For all Flood Storage Reservoirs to be retained | Number of Flood Storage Reservoirs |
| | | | | To grant no permissions against Environment Agency advice | Environment Agency advice |
| | | | | For all schemes to incorporate SUDS | Sustainable Urban Drainage Systems |

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|--|---|---|--|-------------------------------------|--|-----------------------|------------------------------|--|----------------|-------------------------------|--|-----------------|---------------------------|--|-------------|--------------------------|---|---|--------------------|---------------------------------------|---|------------------|
| | | <table border="1"> <tr> <td rowspan="4">Green infrastructure and the natural environment</td> <td>Protection of Principal Open Spaces</td> <td>No reduction in the total area of Principal Open Space</td> <td>Principal Open Spaces</td> </tr> <tr> <td>Protection of wildlife sites</td> <td>No reduction in the number or area of designated sites through development</td> <td>Wildlife Sites</td> </tr> <tr> <td>Protection of Green Corridors</td> <td>No reduction in the total area of designated sites through development</td> <td>Green corridors</td> </tr> <tr> <td>Protection of Green Links</td> <td>No reduction in the total area of designated sites through development</td> <td>Green Links</td> </tr> <tr> <td rowspan="2">The historic environment</td> <td>Preserve and enhance conservation areas</td> <td>For no conservation areas to be 'at risk'</td> <td>Conservation areas</td> </tr> <tr> <td>Preserve and enhance listed buildings</td> <td>For no listed buildings to be 'at risk'</td> <td>Listed Buildings</td> </tr> </table> | Green infrastructure and the natural environment | Protection of Principal Open Spaces | No reduction in the total area of Principal Open Space | Principal Open Spaces | Protection of wildlife sites | No reduction in the number or area of designated sites through development | Wildlife Sites | Protection of Green Corridors | No reduction in the total area of designated sites through development | Green corridors | Protection of Green Links | No reduction in the total area of designated sites through development | Green Links | The historic environment | Preserve and enhance conservation areas | For no conservation areas to be 'at risk' | Conservation areas | Preserve and enhance listed buildings | For no listed buildings to be 'at risk' | Listed Buildings |
| Green infrastructure and the natural environment | Protection of Principal Open Spaces | No reduction in the total area of Principal Open Space | | Principal Open Spaces | | | | | | | | | | | | | | | | | | |
| | Protection of wildlife sites | No reduction in the number or area of designated sites through development | | Wildlife Sites | | | | | | | | | | | | | | | | | | |
| | Protection of Green Corridors | No reduction in the total area of designated sites through development | | Green corridors | | | | | | | | | | | | | | | | | | |
| | Protection of Green Links | No reduction in the total area of designated sites through development | Green Links | | | | | | | | | | | | | | | | | | | |
| The historic environment | Preserve and enhance conservation areas | For no conservation areas to be 'at risk' | Conservation areas | | | | | | | | | | | | | | | | | | | |
| | Preserve and enhance listed buildings | For no listed buildings to be 'at risk' | Listed Buildings | | | | | | | | | | | | | | | | | | | |
| 160 | After Appendix C | <p><u>D Glossary</u></p> <p><u>Accessible and adaptable dwelling:</u> A dwelling complying with requirements M4(2) of the Building Regulations.</p> <p><u>Aspirational home:</u> A dwelling that complies with one of the following definitions:</p> <p><u>Aspirational house:</u> A house which meets all of the following criteria: (a) built as part of a small group in suburban or edge-of-town location; (b) low density, typically between 8 and 15 dwellings per hectare; (c) detached with at least four bedrooms and two bathrooms; (d) sited on a large plot with a footprint in excess of 100m² and a rear garden of at least 200m²; and (e) set back from the road and provided with at least two off-street parking spaces.</p> <p><u>Aspirational flat:</u> A flat which meets all of the following criteria: (a) located close to the town centre and railway station; (b) on the upper floor(s) of a multi-storey development; (c) provides significantly larger than average accommodation¹⁴³; and (e) internally finished to a high specification.</p> | | | | | | | | | | | | | | | | | | | | |

Assisted living housing: Housing regulated by the Care Quality Commission comprising self-contained flats where care is available 24 hours per day.

Employment uses: Uses falling within classes B2, B8 and E(g).

Extra care housing: See Assisted living housing.

Health, social and community facilities: Uses falling within classes C2, E(e), E(f) and F.2(b).

Larger HMO: Use as a sui generis house in multiple occupation by more than six residents not forming a single household.

Leisure and cultural uses: Uses falling within E(d), F.1(b), F.1(c), F.1(d), F.1(e), F.2(c) and F.2(d).

Local green jobs: Employment positions which contribute directly or indirectly towards meeting the UK's net zero emissions target and other environmental goals, such as nature restoration and mitigation against climate risks.

Permitted development: Development which has planning permission by reason of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Regulated operational emissions: The CO2 emission rate for the building(s) determined using the Standard Assessment Procedure 10.2.

Smaller HMO: Use as a house in multiple occupation falling within class C4.

Sheltered housing: Housing with a resident warden.

Supported housing: Housing where care, support or supervision is provided to enable residents to live as independently as possible in the community.

Sui generis: A use of land not falling within any of the classes defined by the Town and Country Planning (Use Classes) Order 1987 (as amended).

Wheelchair accessible dwelling: A dwelling complying with requirements M4(3)(2)(b) of the Building Regulations.

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| | Wheelchair adaptable dwelling: A dwelling complying with requirements M4(3)(2)(a) of the Building Regulations. |
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Footnotes

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| 1 | Stevenage District Plan Second Review (Stevenage Borough Council (SBC), 2004) |
| 2 | Stevenage Local Plan Sustainability Appraisal Scoping Report (Stevenage Borough Council (SBC), 2013); Sustainability Appraisal Report (SBC, 2015) |
| 3 | Appropriate Assessment Screening Opinion (SBC, 2015) |
| 4 | As well as Stevenage, the first wave of New Towns around London included Basildon, Bracknell, Crawley, Harlow, Hatfield and Hemel Hempstead. |
| 5 | These figures include homes in North Hertfordshire District at Great Ashby. These form part of the urban area but they are outside of the Borough Council's administrative control. |
| 6 | NVQ Level 4 is equivalent to a HNC qualification. |
| 7 | NPPF paragraphs 47, 159 and 160 |
| 8 | Housing Market Areas in Bedfordshire and surrounding areas (ORS, 2015) |
| 9 | West Essex and East Hertfordshire Strategic Housing Market Assessment (ORS, 2015) |
| 10 | Functional Economic Market Area Study (Nathaniel Lichfield & Partners (NLP), 2015) |
| 11 | Case Law establishes that the Duty to Co-operate runs until the point a plan is submitted. Paragraph 181 of the NPPF expects local authorities to demonstrate evidence of effective co-operation when the Local Plan is submitted for examination. A Duty to Co-operate statement will be prepared following the completion of this consultation and prior to submission of the plan to reflect these requirements, the outcomes and any relevant agreements. The submission version of the plan will suggest a minor amendment to this paragraph and footnote to reflect this. |

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| 12 | <p>Section 39(2) of the Planning and Compulsory Act 2004</p> <p>United Nations, 2024.</p> |
| 13 | <p>Different land uses are categorised into classes by Government. These are defined by the Town and Country Planning (Use Classes) Order (1987) (as amended).</p> <p>Met Office, 2020.</p> |
| 14 | <p>Stevenage Employment & Economy Baseline Study (NLP, 2013); Functional Economic Market Area Study (NLP, 2015); Employment Technical Paper (SBC, 2015)</p> <p>https://www.stevenage.gov.uk/about-the-council/climate-change</p> |
| 15 | <p>NPPF paragraph 34.</p> <p>Stevenage Employment & Economy Baseline Study (NLP, 2013); Functional Economic Market Area Study (NLP, 2015); Employment Technical Paper (SBC, 2015)</p> |
| 16 | <p>Employment and Economy Baseline Study (NLP, 2013)</p> <p>NPPF paragraph 34.</p> |
| 17 | <p>Stevenage Central Town Centre Framework (DLA, 2015)</p> <p>Employment and Economy Baseline Study (NLP, 2013)</p> |
| 18 | <p>Employment Technical Paper (SBC, 2016)</p> <p>Stevenage Central Town Centre Framework (DLA, 2015)</p> |
| 19 | <p>NPPF Paragraph 160, PPG: Housing and economic development needs assessments: Scope of assessments, paragraphs 008 and 012 (Reference ID: 2a-008-20140306 and 2a-012-20140306)</p> <p>Employment Technical Paper (SBC, 2016)</p> |

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| 20 | <p>Functional Economic Market Area Study (NLP, 2015)</p> <p>NPPF Paragraph 160, PPG: Housing and economic development needs assessments: Scope of assessments, paragraphs 008 and 012 (Reference ID: 2a-008-20140306 and 2a-012-20140306)</p> |
| 21 | <p>Infrastructure Delivery Plan (SBC, 2016)</p> <p>Functional Economic Market Area Study (NLP, 2015)</p> |
| 22 | <p>Whole Plan Viability Study including Community Infrastructure Levy (HDH Planning & Development, 2015)</p> <p>Infrastructure Delivery Plan (SBC, 2016)</p> |
| 23 | <p>Stevenage Borough Council Preferred Option Housing Assessment – Transport Modelling Report (AECOM, 2015)</p> <p>Whole Plan Viability Study including Community Infrastructure Levy (HDH Planning & Development, 2015)</p> |
| 24 | <p>Rye Meads Water Cycle Strategy Review (SBC, 2015)</p> <p>Stevenage Borough Council Preferred Option Housing Assessment - Transport Modelling Report (AECOM, 2015)</p> |
| 25 | <p>Appropriate Assessment Screening Opinion (SBC, 2015).</p> <p>Rye Meads Water Cycle Strategy Review (SBC, 2015)</p> |
| 26 | <p>NPPF Paragraph 29</p> <p>Appropriate Assessment Screening Opinion (SBC, 2015).</p> |
| 27 | <p>Town Centre Framework (David Lock Associates (DLA), 2015)</p> <p>NPPF Paragraph 29</p> |
| 28 | <p>Population Estimates for UK, England and Wales, Scotland and Northern Ireland, Mid-2014 (Office for National Statistics, 2015)</p> |

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| | Town Centre Framework (David Lock Associates (DLA), 2015) |
| 29 | Stevenage and North Hertfordshire Strategic Housing Market Assessment Update 2015 (ORS, 2015) Population Estimates for UK, England and Wales, Scotland and Northern Ireland, Mid-2014 (Office for National Statistics, 2015) |
| 30 | Our previous SHMA (DCA, 2013) said 575 affordable homes were required each year. The latest SHMA suggests that our Objectively Assessed Needs should contain a 10% uplift in response to market signals and affordable housing needs. These extra homes would equate to a 14% uplift. Stevenage and North Hertfordshire Strategic Housing Market Assessment Update 2015 (ORS, 2015) |
| 31 | The 2012 based household projections (DCLG, 2015) suggest 7,700 households will form over the plan period. Although the evidence suggests our housing requirements should be calculated in a slightly different way, we think it is also important to aim towards this higher number. Housing Market Areas in Bedfordshire and surrounding areas (ORS, 2015) |
| 32 | Housing Market Areas in Bedfordshire and surrounding areas (ORS, 2015) Paragraph 47 of the NPPF requires local plans to ensure that the full, objectively assessed needs for market and affordable housing in the housing market area are met, insofar as this would be consistent with the policies of the Framework. The Housing Technical Paper (SBC, 2015) considers provision across this wider area. |
| 33 | Paragraph 47 of the NPPF requires local plans to ensure that the full, objectively assessed needs for market and affordable housing in the housing market area are met, insofar as this would be consistent with the policies of the Framework. The Housing Technical Paper (SBC, 2015) considers provision across this wider area. To reflect the current outcome of the standard method for assessing housing need |
| 34 | Housing completions in the 20- and 30-year periods to 2011 averaged 300 per year. The required rate represents an uplift of around 235% |
| 35 | Strategic Land Availability Assessment: Housing. Update 2015 |

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| | Housing Technical Paper (SBC, 2024) |
| 36 | Housing Technical Paper (SBC, 2015) |
| 37 | Excludes some schemes that we know are unlikely to come forward in their current form, to avoid double-counting. Housing Technical Paper, Appendix B (SBC, 2024) |
| 38 | Housing Technical Paper (SBC, 2015) In accordance with Government advice in Planning policy for traveller sites (DCLG, 2015) |
| 39 | In accordance with Government advice in Planning policy for traveller sites (DCLG, 2015) Stevenage Borough Council Gypsy and Traveller Accommodation Study (David Couttie Associates (DCA), 2013); Housing Technical Paper (SBC, 2015) |
| 40 | Stevenage Borough Council Gypsy and Traveller Accommodation Study (David Couttie Associates (DCA), 2013); Housing Technical Paper (SBC, 2015) Strategic Housing Market Assessment (Opinion Research Services, 2023) and Local Plan & CIL Review Viability Assessment (Aspinall Verdi, 2024) |
| 41 | Stevenage and North Hertfordshire Strategic Housing Market Assessment Update 2015 (ORS, 2015). This suggests a requirement for almost 200 additional institutional bedspaces over the period to 2031. These would normally be classified as a class C2 use, compared to dwellings which are C3 and are excluded from the OAN. It is standard statistical practise to assume that the proportion of older persons requiring this form of accommodation will remain constant. |
| 42 | Stevenage Health Profile (Public Health England, 2015); Hertfordshire Health Profile (Public Health England, 2015) |
| 43 | Sports Facility Assessment and Strategy 2014-2031 (SBC, 2015) |
| 44 | Stevenage District Plan Second Review, 1991-2011 (As amended 2004) |

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| 45 | Review of the Green Belt around Stevenage: Part 1 - Survey against Green Belt Purpose (AMEC, 2013); Review of the Green Belt around Stevenage: Part 2 - Site Assessment and Capacity Testing (AMEC, 2015) |
| 46 | Calverton Parish Council v Nottingham City Council & Ors [2015] EWHC 1078 (Admin) (21 April 2015) |
| 47 | Green Belt Technical Paper (SBC, 2015) |
| 48 | Review of the Green Belt around Stevenage: Part 2 - Site Assessment and Capacity Testing (AMEC, 2015) |
| 49 | Strategic Flood Risk Assessment (SFRA) (Faber Maunsell, 2009); SFRA Update (SBC, 2013) |
| 50 | Para 120 (NPPF 2012) |
| 51 | Policies 73, 109 and 114 of the NPPF |
| 52 | The Planning (Listed Buildings and Conservation Areas) (Amendment No.2) (England) Regulations 2009 |
| 53 | http://www2.nationalgrid.com/UK/Services/Land-and-Development/A-sense-of-place/provides-advice <u>Defined as proposals involving the creation of more than 150 dwellings or 15,000m2 of non-residential floor space.</u> |
| 54 | Stevenage Employment and Economy Baseline Study (NLP, 2013) <u>As defined by Policy TC1.</u> |
| 55 | Employment Technical Paper (SBC, 2015) <u>Defined as the total greenhouse gas emissions resulting from the construction and use of a building over its entire life.</u> |
| 56 | As a guide, plot ratios (the relationship between site area and floorspace) of 50-100% will normally be expected. <u>Produced in accordance with a nationally recognised standard (e.g. the RICS WLCA Standard).</u> |
| 57 | As set out in the definition of Main Town Centre uses in Annex 2 of the NPPF |

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| | http://www2.nationalgrid.com/UK/Services/Land-and-Development/A-sense-of-place/ provides advice |
| 58 | The slip roads to the roundabout between Gunnels Wood Road and Six Hills Way fall within the definition of this policy Stevenage Employment and Economy Baseline Study (NLP, 2013) |
| 59 | The National Planning Policy Framework defines offices as a main town centre use and requires a sequential test for proposals outside of designated centres and not in accordance with an up-to-date plan. Employment Technical Paper (SBC, 2015) |
| 60 | Stevenage Retail and Leisure Capacity Study (CACI, March 2013) As a guide, plot ratios (the relationship between site area and floorspace) of 50-100% will normally be expected. |
| 61 | Stevenage Central Town Centre Framework (David Lock Associates – July 2015): which includes a Heritage Delivery Plan, which considers development within all of the MOAs. As set out in the definition of Main Town Centre uses in Annex 2 of the NPPF |
| 62 | This is the maximum that the Highway Authority will permit from a single point of access. Roads in Hertfordshire: Highway Design Guide 3rd edition (HCC, 2011) The slip roads to the roundabout between Gunnels Wood Road and Six Hills Way fall within the definition of this policy |
| 63 | Infrastructure Delivery Plan (SBC, 2015) The National Planning Policy Framework defines offices as a main town centre use and requires a sequential test for proposals outside of designated centres and not in accordance with an up-to-date plan. |
| 64 | Including smaller developments being brought forward in phases that will cumulatively exceed this threshold Stevenage Retail and Leisure Capacity Study (CACI, March 2013) |
| 65 | Infrastructure Delivery Plan (SBC, 2017) |

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| | Stevenage Central Town Centre Framework (David Lock Associates - July 2015): which includes a Heritage Delivery Plan, which considers development within all of the MOAs. |
| 66 | Appropriate Assessment Screening Opinion (SBC, 2015). https://www.stevenage.gov.uk/documents/planning-policy/consultation-documents/stevenage-station-gateway-aap-preferred-options-report.pdf |
| 67 | Roads in Hertfordshire – A Guide for New Development (HCC, 2011) This is the maximum that the Highway Authority will permit from a single point of access. Roads in Hertfordshire: Highway Design Guide 3rd edition (HCC, 2011) |
| 68 | Parking Provision SPD (SBC, 2012) Infrastructure Delivery Plan (SBC, 2015) |
| 69 | Network Specification: London North Eastern and East Midlands (Network Rail, 2015) Including smaller developments being brought forward in phases that will cumulatively exceed this threshold |
| 70 | http://www.eastwestrail.org.uk/ Infrastructure Delivery Plan (SBC, 2017) |
| 71 | Stevenage Central Town Centre Framework (DLA, 2015) Appropriate Assessment Screening Opinion (SBC, 2015). |
| 72 | Perfectly Placed for Business: Hertfordshire's Strategic Economic Plan (Hertfordshire LEP, 2014) Roads in Hertfordshire – A Guide for New Development (HCC, 2011) |
| 73 | Such as the Public Transport Accessibility Level (PTAL) method employed for Transport for London |

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| | Parking Provision SPD (SBC, 2012) |
| 74 | Housing Technical Paper (SBC, 2015) Network Specification: London North Eastern and East Midlands (Network Rail, 2015) |
| 75 | District Plan Second Review, 1991–2011 (as amended) http://www.eastwestrail.org.uk/ |
| 76 | As set out in Paragraph 17 'Core Planning Principles'. Stevenage Central Town Centre Framework (DLA, 2015) |
| 77 | Aspirational Housing Research (SBC, 2010) Perfectly Placed for Business: Hertfordshire's Strategic Economic Plan (Hertfordshire LEP, 2014) |
| 78 | Strategic Housing Market Assessment (SBC, 2015) Such as the Public Transport Accessibility Level (PTAL) method employed for Transport for London |
| 79 | Aspirational Housing Research (SBC, 2010) Housing Technical Paper (SBC, 2024) |
| 80 | Heritage Impact Assessment - North Stevenage (SBC, 2015) Housing Technical Paper (SBC, 2015) |
| 81 | Open Space Strategy (SBC, 2015) District Plan Second Review, 1991 - 2011 (as amended) |

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| 82 | <p>Infrastructure Delivery Plan (SBC, 2015)</p> <p><u>As set out in Paragraph 17 'Core Planning Principles'.</u></p> |
| 83 | <p>Stevenage Sports and Facilities Strategy (Nortoft, 2015)</p> <p><u>Aspirational Housing Research (SBC, 2010)</u></p> |
| 84 | <p>Aspirational Housing Research (SBC, 2010)</p> <p><u>Strategic Housing Market Assessment (SBC, 2015)</u></p> |
| 85 | <p>Housing Technical Paper (SBC, 2015)</p> <p><u>Aspirational Housing Research (SBC, 2010)</u></p> |
| 86 | <p>NPPF Paragraph 173</p> <p><u>Heritage Impact Assessment - North Stevenage (SBC, 2015)</u></p> |
| 87 | <p>Whole Plan Viability Study including Community Infrastructure Levy (HDH Planning & Development, 2015)</p> <p><u>Open Space Strategy (SBC, 2015)</u></p> |
| 88 | <p>Only four of the 326 local planning authorities (LPAs) in England have a higher proportion of terraced housing stock. Almost nine in ten LPAs have a lower proportion of three bed homes (Census 2011, Tables KS401EW & LC1402EW / SBC analysis)</p> <p><u>Infrastructure Delivery Plan (SBC, 2015)</u></p> |
| 89 | <p>Properties in Council Tax Bands G and H. Data from Valuation Office website, http://cti.voa.gov.uk/cti/, October 2015.</p> <p><u>Stevenage Sports and Facilities Strategy (Nortoft, 2015)</u></p> |
| 90 | <p>Average market 2 bed flats provide around 55-75m². Aspirational flats should provide in excess of 85m² of accommodation. Units in excess of 100m² will be considered acceptable in penthouse style accommodation.</p> |

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| | Aspirational Housing Research (SBC, 2010) |
| 91 | Aspirational Housing Research (SBC, 2010) Housing Technical Paper (SBC, 2015) |
| 92 | This is a standard statistical assumption derived from the approach used in Government forecasts. Stevenage and North Hertfordshire Housing Market Assessment Update (ORS, 2015) NPPF Paragraph 173 |
| 93 | The Building Regulations 2010, Approved Document M: Access to and use of buildings, 2015 edition. Whole Plan Viability Study including Community Infrastructure Levy (HDH Planning & Development, 2015) |
| 94 | Housing Technical Paper (SBC, 2015) Local Plan & CIL Review Viability Assessment (Aspinall Verdi, 2024) |
| 95 | Stevenage Borough Council Gypsy and Traveller Accommodation Study (DCA, 2013) Only four of the 326 local planning authorities (LPAs) in England have a higher proportion of terraced housing stock. Almost nine in ten LPAs have a lower proportion of three-bed homes (Census 2011, Tables KS401EW & LC1402EW / SBC analysis) |
| 96 | Gypsy and Traveller Site Search (SBC, 2014) Properties in Council Tax Bands G and H. Data from Valuation Office website, http://cti.voa.gov.uk/cti/, October 2015. |
| 97 | Housing Technical Paper (SBC, 2015) Average market 2-bed flats provide around 55-75m². Aspirational flats should provide in excess of 85m² of accommodation. Units in excess of 100m² will be considered acceptable in penthouse-style accommodation. |
| 98 | Recognising our site search concluded that, in relative terms, sites around the town will generally be quite close to key services |

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| | Aspirational Housing Research (SBC, 2010) |
| 99 | <p>https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/421515/150324_-_Nationally_Described_Space_StandardFinal_Web_version.pdf</p> <p>This is a standard statistical assumption derived from the approach used in Government forecasts. Stevenage and North Hertfordshire Housing Market Assessment Update (ORS, 2015)</p> |
| 100 | <p>Policy 23 of the NPPF</p> <p>Strategic Housing Market Assessment (Opinion Research Services, 2023)</p> |
| 101 | <p>Stevenage Retail Study (Applied Planning, 2014)</p> <p>Raising accessibility standards for new homes: summary of consultation responses and government response (DLUHC, 2022)</p> |
| 102 | <p>This is in terms of the number of units only: Five out of eleven (45%) units are in A1 use. The proportion of floorspace in A1 use exceeds the minimum threshold.</p> <p>Housing Technical Paper (SBC, 2015)</p> |
| 103 | <p>This includes, but is not necessarily limited to, the facilities at Archer Road, Austen Paths, Burwell Road, Fairview Road, Kenilworth Close, Lonsdale Road and Whitesmead Road which were all designated as centres in the 2004 District Plan.</p> <p>Stevenage Borough Council Gypsy and Traveller Accommodation Study (DCA, 2013)</p> |
| 104 | <p>Insofar as this use class reasonably relates to this type of facility. Facilities including (but not necessarily limited to) art galleries, museums, libraries, halls and church halls are not considered to be health, social or community facilities, in this context, and so are not covered by Policy HC4 and Policy HC5.</p> <p>Gypsy and Traveller Site Search (SBC, 2014)</p> |

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| 105 | <p>Insofar as this use class reasonably relates to this type of facility. Facilities including (but not necessarily limited to) churches, clinics, health centres, day nurseries and non residential education centres are not considered to be leisure or cultural facilities in this context, and so are not covered by Policy HC6 and Policy HC7</p> <p>Housing Technical Paper (SBC, 2015)</p> |
| 106 | <p>Sports Facility Assessment and Strategy 2014-2031 (Nortoft, 2015)</p> <p>Recognising our site search concluded that, in relative terms, sites around the town will generally be quite close to key services</p> |
| 107 | <p>Sports Facility Assessment and Strategy 2014-2031 (Nortoft, 2015)</p> <p>https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/421515/150324 - _Nationally Described Space StandardFinal Web version.pdf</p> |
| 108 | <p>As established in the Sports Facility Assessment and Strategy 2014-2031 (Nortoft, 2015)</p> <p>Policy 23 of the NPPF</p> |
| 109 | <p>Sports Facility Assessment and Strategy 2014-2031 (SBC, 2015)</p> <p>Stevenage Retail Study (Applied Planning, 2014)</p> |
| 110 | <p>Open Space Strategy (SBC, 2015)</p> <p>This is in terms of the number of units only: Five out of eleven (45%) units are in E(a) use. The proportion of floorspace in E(a) use exceeds the minimum threshold.</p> |
| 111 | <p>Strategic Housing Market Assessment, 2014</p> <p>This includes, but is not necessarily limited to, the facilities at Archer Road, Austen Paths, Burwell Road, Fairview Road, Kenilworth Close, Lonsdale Road and Whitesmead Road which were all designated as centres in the 2004 District Plan.</p> |
| 112 | <p>Aspirational Homes Research, SBC, 2010</p> |

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| | Sports Facility Assessment and Strategy 2014-2031 (Nortoft, 2015) |
| 113 | Town and Country Planning Association 2009. Planning and Climate Change Coalition: Position Statement – October 2009 Sports Facility Assessment and Strategy 2014-2031 (Nortoft, 2015) |
| 114 | As identified in the Rye Meads Water Cycle Study Review Adopted September 2015 As established in the Sports Facility Assessment and Strategy 2014-2031 (Nortoft, 2015) |
| 115 | NPPF (2012) Sports Facility Assessment and Strategy 2014-2031 (SBC, 2015) |
| 116 | Strategic Flood Risk Assessment (AECOM, 2016) Open Space Strategy (SBC, 2015) |
| 117 | Strategic Flood Risk Assessment (AECOM, 2016) Strategic Housing Market Assessment, 2014 |
| 118 | NPPF: Technical Guidance (2012) Aspirational Homes Research, SBC, 2010 |
| 119 | NPPF: Technical Guidance (2012) – Table 2: Flood Risk vulnerability classification In accordance with NPPF footnote 59. |
| 120 | Water Cycle Strategy (Hyder, 2009) In accordance with NPPF paragraph 174 and footnotes 59 and 60. |
| 121 | Sites in Policy NH1 denoted by an asterisk (*) contain childrens' play areas which are also protected under this policy |

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| | NPPF (2012) |
| 122 | The Council owns all allotment sites within the Borough. Legislation relating to the provision, safeguarding and disposal of allotments is set in a variety of acts Strategic Flood Risk Assessment (AECOM, 2016) |
| 123 | Including any successor body Strategic Flood Risk Assessment (AECOM, 2016) |
| 124 | Stevenage Wildlife Sites Review (Herts & Middlesex Wildlife Trust, 2013) NPPF: Technical Guidance (2012) |
| 125 | As established in the Green Space Strategy (SBC, 2015) NPPF: Technical Guidance (2012) - Table 2: Flood Risk vulnerability classification |
| 126 | The minimum threshold for provision is generally set at 75% of the average recorded site size within each typology. Children's provision is required from the point where the standard demands 0.75 of a site. Requirements for children and young peoples' provision will be rounded to the nearest whole number. Water Cycle Strategy (Hyder, 2009) |
| 127 | Source: 2011 Census, Table DC4405EW / SBC analysis Sites in Policy NH1 denoted by an asterisk (*) contain childrens' play areas which are also protected under this policy |
| 128 | Now known as 'Howards' The Council owns all allotment sites within the Borough. Legislation relating to the provision, safeguarding and disposal of allotments is set in a variety of acts |

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| 129 | Understanding Place: Conservation Area Designation, Appraisal and management, Historic England, 2011 Including any successor body |
| 130 | Infrastructure Delivery Plan (SBC, 2015) Stevenage Wildlife Sites Review (Herts & Middlesex Wildlife Trust, 2013) |
| 131 | Defined as category C or above according to BS 5837:2012 or equivalent. |
| 132 | Defined as a contiguous area of 0.5 hectares or more under stands of trees with, or with the potential to achieve, tree crown cover of more than 20% of the ground. |
| 133 | With the exception of residential development falling within use classes C2 and C2A. |
| 134 | As established in the Green Space Strategy (SBC, 2015) |
| 135 | The minimum threshold for provision is generally set at 75% of the average recorded site size within each typology. Children's provision is required from the point where the standard demands 0.75 of a site. Requirements for children and young peoples' provision will be rounded to the nearest whole number. |
| 136 | Source: 2011 Census, Table DC4405EW / SBC analysis |
| 137 | Now known as 'Howards' |
| 138 | Understanding Place: Conservation Area Designation, Appraisal and management, Historic England, 2011 |
| 139 | Infrastructure Delivery Plan (SBC, 2015) |
| 140 | National Travel Survey Table NTSS0502 Trip Start Time by Trip Purpose (Monday to Friday) England |
| 141 | DfT Modeshift STARS; NICE Guidance "What can local authorities achieve by encouraging walking and cycling"; Living Streets "Making the Case for Investment in the Walking Environment, A Review of the Evidence" |
| 142 | https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/421515/150324 - _Nationally_Described_Space_Standard_Final_Web_version.pdf |

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| | |
| 143 | <u>In excess of 100m² GIA for penthouse-style accommodation and in excess of 85m² GIA in all other cases.</u> |

Partial Update of the Stevenage Borough Local Plan 2011–2031

Main Modifications proposed by the Council to make the Local Plan sound

Stevenage Borough Council (the Council) undertook a formal review of the adopted Plan, as required by Regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) (the Regulations) and concluded that only parts of the adopted Plan required updating at that time and thus only a partial update to the adopted Plan was required.

The Council's process for reaching this decision is summarised in a briefing note available on the Examination Website (CD16). The Council therefore undertook a consultation under Regulation 19 of the Regulations in November 2024 on a schedule of changes it proposed to make to update the adopted Plan (Partial Update of the Stevenage Borough Local Plan 2011–2031 Schedule of Changes from Regulation 18 to Regulation 19) (CD2c), in other words the Council's proposed partial update.

However, the Council undertook a further consultation under Regulation 19 of the Regulations in August 2025 on an addendum which effectively set out a small number of further changes, superseding some of the changes detailed in CD2c (Partial Update of the Stevenage Borough Local Plan 2011–2031 Schedule of Changes from Regulation 19 to Pre Submission) (CD2b).

For the avoidance of any doubt, the Inspector appointed to examine the partial update to the adopted Plan, is examining the changes proposed in CD2c except where they have been superseded by the changes proposed in CD2b. He is not examining any elements of the adopted Plan which are not being updated or in other words sections of the partial update to the Stevenage Borough Local Plan 2011–2031 of the adopted Plan which are not identified in CD2c or CD2b as subject to changes.

Sections of the adopted Plan which would be unchanged by the partial update are outside of the scope of the Examination. The Council has produced a consolidated document (Partial Update of the Stevenage Borough Local Plan 2011–2031 Schedule of Changes from Adopted Local Plan to Submission Version – Changes since Adoption of Local Plan in May 2019) (CD3) which simply combines CD2c and CD2b and is intended to assist the Examination. Thus, the schedule of main modifications proposed below, following the Examination hearings must be read alongside CD3.

The changes below are expressed either in the conventional form of a ~~strikethrough~~ for deletions and underlining for additions of text, or by specifying the change in *italics*.

There are no further changes proposed to the Submission Policies Map (CD4).

This document should be read alongside:

- Additional Modifications (AMs) to the Local Plan Partial Update;
- Sustainability Appraisal to the Local Plan Partial Update Main Modifications (including Habitats Regulation Assessment);
- Equalities Impact Assessment of the Local Plan Partial Update Main Modifications.

| MM Ref | CD3 Ref | Policy / Paragraph of the Adopted Plan | Proposed Main Modification to the changes proposed in CD3 |
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| MM1 | 001 | Introduction Paragraph 1.7 | <p>Why have we carried out a <u>partial</u> review and <u>partial</u> update of the plan?</p> <p>1.7A <u>Local planning authorities are required to review their planning policies every five years to ensure that they remain fit for purpose. The Local Plan was adopted in May 2019 and the five-year period therefore elapsed in May 2024. The requirement to review the plan was therefore triggered in May 2024 i.e. with just under seven years of the plan period remaining.</u></p> <p>1.7B <u>The Council carried out a full review of the plan, which revealed a number of areas where policies would benefit from updating. In light of the review, the following options were considered by the Council:</u></p> <ul style="list-style-type: none"> a) <u>Carry out a comprehensive update of the plan, with strategic policies looking ahead over the following 20 years (in effect, an entirely new Local Plan). Carry out a comprehensive update of the plan, with the plan period unchanged (a full update).</u> b) <u>Carry out a limited update of the plan, including only the changes most immediately necessary to keep the plan up-to-date and with the plan period unchanged (a partial update).</u> <p>1.7C <u>The Council considered that immediately proceeding to introduce a new 15-to-20-year strategic horizon was not realistic given the timetable and progress of its neighbouring authorities with their Local Plans and would have risked producing a strategy that was neither effective nor deliverable. On that basis, option (a) was discounted.</u></p> <p>1.7D <u>Whilst the picture of cross-boundary growth is largely settled for the remainder of the existing plan period up to 2031, a comprehensive update of the Local Plan as envisioned by option (b) would still have required a commensurate review of the Council's evidence base. In the Council's view, this would have amounted to an additional one to two years' worth of preparation and by the point of adoption, with so little time remaining in the plan period, the updated plan would be of limited benefit.</u></p> |

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| | | | <p><u>1.7E</u> In any case, this option would have been subject to the same constraints in terms of updates to strategic policies as a more limited update of the plan. For these reasons, option (b) was discounted.</p> <p><u>1.7F</u> The Council therefore decided to proceed with option (c) – a partial update of the Local Plan, with the changes limited to those most urgently necessary to ensure that the plan remains up-to-date and effective in dealing with the most pressing issues facing the borough. At the same time, the Council also committed to producing an entirely new Local Plan immediately upon the conclusion of the update process.</p> <p><u>1.7G</u> This approach ensures that the most important elements of the current plan are kept up to date now, avoiding an extended period during which key policies would otherwise be out of date. It also enables the Council to align a new plan with the timetables of its neighbours and the emerging work on a joint strategic plan for the region.</p> <p><u>1.7HB</u> The review identified that the spatial strategy remains fit for purpose but a number of individual policies required updating. Consequently, a partial update was carried out to address those issues. The key changes are as follows:</p> <ul style="list-style-type: none"> • Climate Change: The updated plan takes a stronger approach to climate change, with a new strategic climate change policy, a new chapter of detailed climate change policies, and revised policies relating to sustainable drainage and flood risk. • Station Gateway: The detailed policy for the Station Gateway Major Opportunity Area has been updated to reflect the Station Gateway Area Action Plan. • Housing: The requirements for accessible and adaptable housing have been updated to reflect the latest evidence of need. • Use Classes: Changes have been made throughout the plan to reflect the changes to the Use Classes Order, which came into effect in 2020. |

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| MM2 | 007 | Paragraph 4.6 | 4.6 Our strategy sets out how 7,600 homes will be built in and around Stevenage between 2011 and 2031 (4,956 homes between 2024 and 2031). This will mean that we can meet our objectively assessed housing needs within our own administrative boundaries, although we maintain an on-going dialogue with our neighbours on this topic. |
| MM3 | 008 010 | Policy SP1 Paragraphs 5.1F and 5.1H | <p>Policy SP1: Climate Change</p> <p>We will require development to contribute to both mitigating and adapting to climate change. The extent to which developments reduce greenhouse gas emissions, sequester and store <u>carbon</u>, <u>consider the carbon stock and value on existing land</u>, prevent overheating and flooding and its negative effects, use water and other resources efficiently, produce clean energy, and contribute to a green local economy will be considered in the assessment of each planning application. Developments which demonstrate positive consideration of these issues will be supported.</p> <p>We will:</p> <ul style="list-style-type: none"> a. apply emission reduction targets to <u>major</u> developments according to their scale, supporting developments that achieve these targets by reducing overall energy demand, supplying energy efficiently, and generating ultra-low and zero carbon energy; b. require developments to prioritise active travel and public transport by providing the infrastructure necessary to maximise their use; c. ensure that any on-site shortfall against emission reduction targets is offset by an alternative off-site proposal; d. c. apply water usage targets to developments, seek rainwater harvesting and grey water recycling, and encourage water neutrality; e. d. encourage the sustainable use of all other resources throughout the development life-cycle; |

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| | | | <p> f. e. support the use of decentralised energy networks, district heat networks, and intelligent energy systems in developments; g. f. support the use of ultra-low and zero carbon combined heat and power systems in developments; h. g. strongly support development proposals whose primary purpose is to generate ultra-low and zero carbon energy with a surplus to be injected into the national grid; i. protect the borough's significant carbon sinks, support the creation of new carbon sinks, and encourage developments to deliver net gains in carbon sequestration; j. h. encourage urban greening, particularly through the use of green roofs and walls; k. i. promote a green economy through the provision of local green jobs, local food production, and supporting the principles of a circular economy; l. j. ensure site waste is disposed of as sustainably as possible; and m. k. work collaboratively with neighbouring authorities to exploit cross-boundary opportunities to mitigate and adapt to climate change. </p> <p>5.1F The planning system can aid these efforts by ensuring that places are designed to reduce greenhouse gas emissions. To this end, Policy SP1 promotes the sustainable use of resources, sustainable travel, green energy production, <u>and</u> energy efficiency and carbon sequestration, as well as outright emission reduction targets.</p> <p>5.1H Development proposals will be expected to contribute positively to mitigating and adapting to climate change. Planning applications will be assessed against the detailed policies in the new climate change chapter of this plan and applications which fail to make an acceptable <u>appropriate</u> contribution will be refused supported.</p> |

| MM Ref | CD3 Ref | Policy / Paragraph of the Adopted Plan | Proposed Main Modification to the changes proposed in CD3 |
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| MM4 | 013 | Paragraph 5.14 | <p>5.14 The definition of “employment uses” is provided in appendix D to this plan.</p> <p><u>In planning, employment land usually refers to the following uses and is provided in appendix D:</u></p> <ul style="list-style-type: none"> • <u>Class E(g)(i) - offices</u> • <u>Class E(g)(ii) - research and development</u> • <u>Class E(g)(iii) - light industry</u> • <u>B2 - general industry; and</u> • <u>B8 - storage and distribution.</u> |
| MM5 | 018 019 021 | Policy SP4 Paragraph 5.35 Paragraph 5.38 | <p>Policy SP4: A vital Town Centre</p> <p>We will make provision for the type and range of retail facilities that are required to support Stevenage’s role, following the sequential test and the Borough’s retail hierarchy. We will:</p> <ol style="list-style-type: none"> a. Maintain the current retail hierarchy: <ol style="list-style-type: none"> i. Stevenage Town Centre; ii. High Street, Major Centre; iii. Poplars, District Centre; iv. Seven Local Centres; and v. Seven Neighbourhood Centres b. Promote the comprehensive and co-ordinated regeneration of Stevenage Central (Town Centre plus adjoining sites). This will provide for in the order of 4,700m² of additional comparison retail floorspace, 3,000 new homes and an improved range of shopping, bars, restaurants, leisure, community, civic and cultural facilities. A n extended and regenerated train station will be the focus of an enlarged Stevenage Central area, within which six Major Opportunity Areas will be designated to promote distinct mixed-use redevelopment schemes. |

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| | | | <p>c. Retain the primary retail frontages in both the Town Centre Shopping Area and the High Street Shopping Area as the focus of major comparison shopping.</p> <p>c. d-Support the provision of up to 7,600 m² net of additional convenience floorspace within the Borough boundary by 2031 to meet the needs of the expanded town. This will include:</p> <ul style="list-style-type: none"> i. 1,500m² for extensions to existing centres in the retail hierarchy, then other stores in accordance with the sequential test; ii. A Local Centre in the west of Stevenage development in the order of 500m² to meet the day-to-day needs of the residents of the new neighbourhood; iii. A Local Centre in the north of Stevenage development in the order of 500m² to meet the day-to-day needs of the residents of the new neighbourhood; iv. A Neighbourhood Centre in the south-east of Stevenage development of no more than 500m² with a convenience store and other related small-scale Use Class E(a) shops sufficient to meet the day-to-day needs of the residents of the new neighbourhood; v. A new allocation for a large new store, in the order of 4,600m² net convenience goods floorspace and 920m² net comparison goods floorspace, at Graveley Road to meet identified needs post-2023. <p>d. e-Tightly regulate new out-of-centre comparison goods floorspace and refuse the relaxation or removal of conditions on the type of goods that can be sold from existing out-of-centre comparison retail units.</p> <p>5.35 Our evidence studies show that there is a projected need for 4,700m² of additional comparison retail floorspace during the lifetime of this plan. In accordance with the retail hierarchy, and to support the regeneration of the Town Centre, this floorspace will be directed to the Town Centre. The projected significant increase in the resident population in and around the Town Centre may support some further growth in comparison floorspace: in which case, this will be directed towards the creation of additional floorspace in appropriate locations within the Stevenage Central area. In order to avoid potential adverse</p> |

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| | | | <p>impacts upon the town centre, this area will be re-examined at a Full Review to ensure existing and future need for comparison has been updated to reflect changes since the Plan was adopted.</p> <p>5.38 Provision is made for a major new convenience store on Graveley Road in the north of the Borough (on the existing garden centre site) to help to meet identified needs towards the middle of the plan period. In order to avoid potential adverse impacts upon the existing retail hierarchy, this site will be re-examined at a full review to ensure existing and future need for convenience has been updated to reflect changes since the Plan was adopted.</p> |
| MM6 | 024 | Policy SP6 New Paragraph 5.56A | <p>Policy SP6: Sustainable transport</p> <p>We will create the conditions for a significant increase in active travel and the use of public transport <u>and reduce the need to travel by directing new development to the most accessible locations</u>. We will <u>achieve this by:</u></p> <ul style="list-style-type: none"> a. <u>reducing</u> the need to travel by directing new development to the most accessible locations; a. <u>requiring</u> developments to first prioritise active travel in the layout of sites <u>and by</u>; b. <u>providing</u> connections to surrounding pedestrian and cycle networks <u>and requiring developments to prioritise accessibility to public transport with layouts that maximise the catchment area for public transport services and infrastructure that encourages their use</u>; c. <u>requiring</u> developments to provide appropriate cycle parking and supporting facilities, having regard to the supplementary planning documents and relevant Hertfordshire County Council guidance; d. <u>requiring</u> developments to <u>then</u> prioritise accessibility to public transport with layouts that maximise the catchment area for public transport services and infrastructure that encourages their use; |

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| | | | <p>e. <u>supporting</u> the provision of new high-quality sustainable transport facilities <u>identified in the Infrastructure Delivery Plan</u>, including:</p> <ul style="list-style-type: none"> i. schemes identified in local transport plans and other relevant plans and strategies; ii. new pedestrian and cycle links, particularly between the town centre, the Gunnels Wood employment area, and Old Town; iii. a new borough-wide cycle hire scheme; a new bus termini and waiting facilities; and iv. a remodelled railway station that reflects Stevenage's position on the network and wider regeneration ambitions; <p>f. <u>reducing</u> car dependency by limiting the provision of car parking according to site accessibility;</p> <p>g. refuse permission where development proposals fail to provide any relevant plans or assessments relating to transport;</p> <p>h. seek any necessary developer contributions, in accordance with Policy SP5, to achieve all of the above.</p> <p><u>Development proposals should provide any relevant plans or assessments relating to transport necessary to the determination of the application.</u></p> <p><u>The Council will seek and to seek where required, any necessary developer contributions, in accordance with Policy SP5, to achieve all of the above.</u></p> <p><u>5.56A Active Travel comprises everyday journeys made by walking, wheeling (wheelchairs, scooters, adapted cycles), or cycling, aiming to make these low-carbon, healthy, and efficient transport choices for shorter trips, reducing car use and improving public health, air quality, and street life. Active travel is about creating communities where walking, wheeling, and cycling are safe, easy, and attractive alternatives to driving for everyday trips.</u></p> |

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| MM7 | 027 028 029 031 | Policy SP7 Paragraph 5.67 Paragraph 5.68 Paragraph 5.68A Paragraphs 5.73 to 5.76 | <p>Policy SP7: High quality homes</p> <p>This Local Plan supports significant growth in and around Stevenage to help meet needs across the market area. We will:</p> <ul style="list-style-type: none"> a. Provide at least 7,600 new homes within Stevenage Borough between 2011 and 2031, of which no fewer than 4,956 will be provided between 2024 and 2031. b. Deliver these through the sites and broad locations identified in this plan that allow for: <ul style="list-style-type: none"> i. <u>2,950</u> new homes in and around the Town Centre; ii. <u>1,350</u> new homes in a new neighbourhood on undeveloped land to the west of the town within the Borough boundary; iii. <u>1,350</u> new homes to the north and south-east of the town on land removed from the Green Belt; iv. <u>1,950</u> new homes elsewhere in the Borough; and v. 11 new, permanent Gypsy and Traveller pitches on a new site close to Junction 8 of the A1(M). c. Ensure at least 60% of new homes completed within the Borough boundary between 2011 and 2031 are on previously developed land. d. Make sure there is always enough land to build homes for the next five years. e. Support applications for housing development on unallocated sites where they are in suitable locations and will not exceed our environmental capacity. f. Build a full range of homes in terms of tenure, type and size. This plan positively addresses housing needs and existing imbalances in the housing stock by setting targets for: <ul style="list-style-type: none"> i. At least 20% of all new homes over the plan period to be Affordable Housing with an aspiration to deliver up to 40% affordable housing where viability permits; |

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| | | | <p>ii. An appropriate mix of housing sizes, in line with the most up-to-date evidence of need; and</p> <p>iii. At least 3% of new homes over the plan period to be 'aspirational' to deliver a more balanced housing stock; and</p> <p>iv. At least 1% of new homes on the urban extensions to be self-build.</p> <p>g. Supplement these homes through the provision of up to 200 bed spaces in supported accommodation subject to up-to-date evidence of need; and</p> <p>h. Work with North Hertfordshire District Council and, if necessary, East Hertfordshire District Council to ensure any homes provided on the edge of Stevenage but outside the Borough boundary are successfully integrated into the urban fabric of the town.</p> <p>5.67 The NPPF says that plans should normally meet the full, objectively assessed needs (OAN) for market and affordable housing in the housing market area. When the local plan was originally adopted in 2019, our evidence identifies a requirement for Stevenage of 7,300 homes over the period 2011-2031. This took <u>takes</u> into account migration trends over a 10-year period and also includes and adjustments in response to market signals in line with Government guidance.</p> <p>5.68 <u>This plan sets a target slightly above the identified level of OAN. This variously takes into account:</u></p> <ul style="list-style-type: none"> • <u>The acute need for affordable housing in the town. A modest increase in the target allows more homes in response to this pressure and particularly reflects the Council's emerging housebuilding programme which will deliver up to 100% affordable homes on sites in the Borough;</u> • <u>The fact that as people live for longer, and live in their own homes for longer, it may be appropriate to assume that more of their needs will be met in the normal housing stock;</u> • <u>Official Government household projections for the Borough;</u> • <u>The need to ensure development viability and set a challenging target that provides a clear signal that we are serious about delivering regeneration and change in the Borough; and</u> • <u>What we consider to be a reasonable and achievable rate of housing delivery.</u> |

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| | | | <ul style="list-style-type: none"> • <u>The partial review and update of the local plan identifies a requirement for 4,956 homes to be delivered over the remainder of the plan period (to 2031). This figure represents the overall plan period target of 7,600 homes minus the net housing completions from 2011 to 2024.</u> <p>5.68A <u>The housing requirement of the Plan is significantly above what would be required, using the National Planning Policy Framework’s standard housing methodology calculation.</u></p> <p>5.73 <u>Our most recent housing land study identifies sufficient sites within the Borough to meet our housing requirement to 2031. In trying to meet these needs, whilst ensuring sustainable development, we have chosen sites for development in the order shown below. The sites allocated in the 2019 version of the plan remain sufficient to meet our housing requirement to 2031. In trying to meet these needs, whilst ensuring sustainable development, we have chosen sites for development in the order shown below:</u></p> <ul style="list-style-type: none"> • Previously developed sites • Greenfield sites within the existing urban area • Greenfield sites outside of the existing urban area • Green Belt sites <p>5.74 <u>A technical paper has been produced to explain how we have decided which sites from the land availability assessment to take forward and allocate within this plan. how these sites will continue to meet the borough’s needs up to 2031.</u></p> <p>5.75 <u>Since 2011, 593 homes have been completed, and a further 1,758 are already in the planning process. This means that land for a further 5,249 homes need to be identified.</u></p> |

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| | | | <u>Locations</u> | <u>Minimum target 2011-2031</u> | <u>Already completed or permitted</u> | <u>Minimum still to be planned for to 2031</u> |
| | | | <u>In and around the town centre</u> | <u>2,950</u> | <u>950</u> | <u>2,000</u> |
| | | | <u>New neighbourhood to the west of the town</u> | <u>1,350</u> | <u>0</u> | <u>1,350</u> |
| | | | <u>New neighbourhoods to the north and south-east on land removed from the Green Belt</u> | <u>1,350</u> | <u>0</u> | <u>1,350</u> |
| | | | <u>Elsewhere within the Borough</u> | <u>1,950</u> | <u>1,401</u> | <u>549</u> |
| | | | <p>5.76 <u>National guidance encourages the reuse of land that has been previously developed (brownfield land). Since the start of the plan period around 85% of new homes and planning permissions (including prior approvals) have been on previously developed land (PDL). We also plan to redevelop a number of large PDL sites in the future, including the Town Centre and some of the Neighbourhood Centres. However, Stevenage has a limited supply of these sites, so we will also require a number of greenfield sites to be developed. Our evidence suggests that just over 45% of future housing could be built on PDL. Overall, we expect that approximately 60% of all housing completions over the period 2011-2031 will be on PDL. National guidance encourages the reuse of land that has been previously developed (brownfield land). We plan to redevelop a number of large PDL sites in the future, including the Town Centre and some of the Neighbourhood Centres. However, Stevenage has a limited supply of these sites, so we will also require a number of greenfield sites to be developed. Our evidence suggests that just over 43% of</u></p> | | | |

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| | | | <u>future housing could be built on PDL. Overall, we expect that approximately 43% of all housing completions over the period 2011 – 2031 will be on PDL.</u> |
| MM8 | 036 | Policy SP11 | <p>Policy SP11: Flooding, <u>drainage</u> and pollution</p> <p>We will work to minimise flood risk, <u>surface water run-off</u> and all forms of pollution. We will:</p> <ul style="list-style-type: none"> a. direct development to areas at the lowest risk of flooding through the application of a sequential approach; b. determine planning applications in accordance with national flood risk planning policies; c. ensure development utilises sustainable drainage systems wherever possible, with a preference for the most sustainable, surface SuDS features; d. recognise the multifunctional benefits of SuDS; i. protect existing flood storage reservoirs and require new flood storage reservoirs to be provided where appropriate; j. protect existing watercourses, including requiring their re-naturalisation, where appropriate; and k. ensure that development does not result in unacceptable harm to human health or the natural environment as a result of pollution. |

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| MM9 | 038 039 | Policy CC1 Paragraphs 6A.1 to 6A.11 | <p>6A Climate change</p> <p>Efficiency</p> <p>Policy CC1: Energy efficiency</p> <p>Development proposals must demonstrate how they will maximise reductions in greenhouse gas emissions, with consideration for the following:</p> <p><u>Where appropriate, major development proposals should aim to achieve net zero regulated operational emissions, with consideration for the following:</u></p> <ul style="list-style-type: none"> a. <u>The provision of demand-side energy efficiency measures;</u> b. <u>The provision of supply-side energy efficiency measures; and</u> c. <u>The adoption of ultra-low and zero carbon energy generation.</u> <p><u>The council will apply Policy CC1 to decisions on planning applications flexibly, in recognition of the fact that it may not always be appropriate to achieve net zero emissions.</u></p> <p><u>Any development proposal designed to be whole-life carbon net zero will be strongly supported.</u></p> <p>∴</p> <p><u>Major development</u></p> <p>Major development proposals (including large scale major development proposals) must achieve net zero regulated operational emissions.</p> |

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| | | | <p>At the application stage, an energy statement must be submitted to demonstrate how the proposal will meet the net zero target.</p> <p>Post permission, planning conditions will be used to ensure that the net zero target is met in practice.</p> <p><u>Large scale major development</u></p> <p>Outside of the town centre large scale major development proposals must also achieve net zero emissions during construction and demolition i.e be whole life carbon net zero.</p> <p>At the application stage, an energy statement, which includes a whole life cycle carbon (WLC) assessment, must be submitted to demonstrate how the target will be met.</p> <p>Post permission, planning conditions will be used to secure an updated WLC assessment, using actual emissions figures.</p> <p><u>Carbon offsetting</u></p> <p>Where it is clearly demonstrated that a development proposal cannot fully meet the relevant target on site, the shortfall may be offset by an alternative off site proposal but only where the proposal has already been identified and delivery is certain.</p> <p><u>6A.1</u> The council is committed to ensuring that Stevenage is net-zero carbon by 2030. Homes and workplaces account for a significant proportion of the borough's emissions and minimising these will be essential to meeting the 2030 target. For this reason, <u>new major developments must should aim to meet the emissions targets set by Policy CG1 achieve net zero regulated operational emissions where it is appropriate to do so.</u></p> |

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| | | | <p><u>6A.2 For the purposes of Policy CC1, “major development” has the meaning given in Annex 2 to the NPPF December 2023. Householder and minor development are excluded from the policy.</u></p> <p>The design, construction and operation of new buildings should be informed by the principles set out at the start of the policy. The priority is to implement demand-side efficiency measures before addressing supply-side efficiency measures and the production of clean energy.</p> <p><u>6A.3 “Net zero regulated operational emissions” will be achieved when the CO₂ emission rate for the development is equivalent to a 100% improvement on the Target Emission Rate determined using the Standard Assessment Procedure 10.2.</u></p> <p>Demand-side energy efficiency measures reduce the overall amount of energy required to operate and maintain a development. This includes energy conservation, monitoring, and the adoption of efficient design principles (e.g. those relating to the form, fabric and orientation of buildings).</p> <p><u>6A.4 The design, construction and operation of new buildings should be informed by the principles set out at the start of the policy. In achieving net zero regulated operational emissions, the priority is <u>should be</u> to implement demand-side efficiency measures before addressing supply-side efficiency measures and <u>finally</u>, the production of clean energy.</u></p> <p><u>6A.7 For the majority of developments, the production of clean energy is likely to involve the installation of solar panels but in some instances, there may be feasible alternatives. Where solar panels are considered, developers should be mindful of the benefits of combining them with green roofs to create bio-solar roofs.</u></p> <p>In practice, ensuring that the policy is effective will require the reporting of energy demand and emissions post construction. This should be done once for each development (or phase of development, where appropriate) at the earliest practicable opportunity following completion.</p> |

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| | | | <p><u>6A.8 Applicants for major development proposals will be expected to include details of how their proposal will comply with Policy CC1 as part of their submission. Major development proposals will be required to provide an energy statement which shows how the overall target net zero regulated operational emissions or a justified lower standard of operational emissions will be met achieved and the contribution made by each of the measures considerations listed under points (a) to (c) of the policy.</u></p> <p>Where the targets set by Policy CC1 cannot be wholly met on site, the calculated shortfall may be offset on a different site. However, the council will only consider this where the offsetting scheme has already been identified and its delivery can, for all intents and purposes, be guaranteed.</p> <p><u>6A.9 The council will apply Policy CC1 to decisions on planning applications flexibly, in recognition of the fact that it may not always be appropriate to achieve net zero emissions. This will include instances where doing so would not be technically feasible, would not be financially viable, or would otherwise compromise the delivery of sustainable development.</u></p> <p>If permission is granted for a proposal, planning conditions and/or a legal agreement will be used to secure any measures agreed at the application stage.</p> <p><u>6A.10 The council will also support any development which is designed to be whole life carbon net zero. This is achieved when a development results in net zero greenhouse gas emissions over its entire life and includes operational emissions as well as the emissions arising from construction and demolition.</u></p> <p><u>6A.11 Applicants who wish to demonstrate that a development will be whole life carbon net zero should do so by submitting a whole life carbon assessment produced in accordance with a nationally recognised standard (e.g. the RICS WLCA Standard).</u></p> |

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| MM10 | 040 041 | Policy CC2 Paragraphs 6A.11 to 6A.20 | <p>Policy CC2: Heating and cooling</p> <p><u>Where appropriate, all development proposals should minimise demand for energy dependent air conditioning systems, with consideration for the following:</u></p> <ol style="list-style-type: none"> a. Balancing solar gain and solar shading b. Minimising internal heat generation c. Managing the heat within the building d. Providing passive ventilation e. Providing mechanical ventilaton <p>Major development proposals must demonstrate how buildings will be heated and cooled as part of an energy statement. Permission will be refused for proposals which rely on energy dependent cooling systems unless it is demonstrated that their use is essential.</p> <p><u>The council will apply Policy CC2 to decisions on planning applications flexibly, in recognition of the fact that it may not always be appropriate to minimise demand for active cooling systems. This will include instances where alternatives are not technically feasible, would not be financially viable, or would otherwise compromise the delivery of sustainable development.</u></p> <p>6A.1214 Climate change means Stevenage is already experiencing higher temperatures compared to the long-term average and more frequent severe heat events. For the majority of people, the impact of this is feeling uncomfortable or being unable to sleep but for vulnerable people, the impacts can be much more serious. <u>These impacts are often compounded by the urban heat island effect, where concentrations of buildings, hard surfacing and waste heat lead to increased local temperatures.</u> It is important that new development is designed to mitigate this <u>these</u> risks.</p> <p>6A.1312 Active Air conditioning systems have significant energy requirements and also require maintenance <u>typically require significant amounts of energy to operate and thereby contribute to</u></p> |

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| | | | <p><u>greenhouse gas emissions. They also usually expel waste heat to the external environment, which exacerbates the urban heat island effect. In this way, use of mechanical cooling systems can create a feedback loop, whereby higher temperatures drive greater cooling demand, further increasing emissions and local heat stress. In addition, mechanical cooling systems require regular maintenance and replacement over the life of a building, resulting in ongoing resource use.</u></p> <p>6A.14²⁹ For these reasons, <u>they air conditioning systems are usually not the most sustainable cooling solution. Instead, the risk of overheating should, first and foremost, be mitigated through building design. The most sustainable approach to managing overheating is usually to reduce cooling demand at source through passive design measures.</u></p> <p>6A.15¹³ The impacts of excessive cold can be just as serious as those of excessive heat and it is therefore important that buildings are suitably warm during periods of colder temperatures. Designing buildings to be cool during the summer only to require additional energy for heating during the winter would be counterproductive.</p> <p>6A.16¹⁴ Therefore, the challenge is to ensure that buildings remain comfortable and safe throughout the year, including during periods of extreme temperatures, <u>without increasing whilst minimising energy demand for energy and other resources.</u> Policy CC2 explains how new development should approach this challenge.</p> <p>6A.17¹⁵ The priority should be to balance the warming effects of the sun (i.e. solar gain) and the cooling effects of shade (i.e. solar shading). This can be done through careful consideration of building orientation, building fabric, and fenestration. High-albedo materials can be used to reflect sunlight where necessary, while green infrastructure, such as green roofs and walls, can also be used to great effect, acting as insulation during winter and providing cooling through evapotranspiration during summer.</p> |

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| | | | <p>6A.18 ¹⁶Following this, consideration should be given to minimising internal heat generation. This can be achieved through energy efficiency, which will limit the amount of waste energy being lost as heat.</p> <p>6A.19 ¹⁷The heat within buildings can be managed effectively through the use of high ceilings and exposed internal thermal mass. Both of these measures make buildings take longer to heat up, making them less susceptible to sudden temperature shocks.</p> <p>6A.20 ¹⁸For ventilation, passive or mechanical methods may be appropriate, depending on the approach to building design and site context. In any case, single-aspect dwellings should still be avoided as far as possible.</p> <p>6A.19 Policy CC2 recognises that in some instances, the use of active cooling systems may be unavoidable. This may include healthcare and laboratory settings, where precise temperature control is essential to the use. In these circumstances, the cooling systems should ideally be designed to reuse the waste heat that they produce.</p> <p>6A.21 The council also recognises that many of the borough's existing buildings were constructed at a time when the risk of overheating was not a significant design consideration and as a result, may be vulnerable to higher summer temperatures. In these circumstances, Policy CC2 seeks to ensure that passive alternatives, such as shutters or improved glazing, are considered ahead of mechanical cooling systems. However, it is not intended as a prohibition of such systems where they are genuinely necessary to maintain safe and comfortable living conditions.</p> <p>6A.22 ¹⁹In all cases where mechanical cooling systems are installed, these circumstances, the cooling systems <u>they</u> should ideally be designed to reuse <u>any</u> waste heat that they produce.</p> <p>6A.23 ²⁰ For major development proposals, applicants will be expected <u>should</u> include details of how Policy CC2 will be complied with as part of an energy statement at the point of application submission.</p> |

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| | | | <p>Applicants f For householder and minor development proposals, <u>a shorter technical note is likely to be more appropriate, and applicants need only provide this information if the proposals involve mechanical cooling.</u> will not need to submit an energy statement but will still be expected to comply with the policy by taking account of heating and cooling in the design of developments and avoiding reliance on energy dependent cooling systems.</p> |
| MM11 | 042 043 | Policy CC3 Paragraphs 6A.23 to 6A.27 | <p>Policy CC3: Water efficiency</p> <p>Development proposals involving the creation of new dwellings must ensure that water consumption does not exceed 110 litres per person per day, including external water use.</p> <p><u>Where appropriate, development proposals involving the creation of new dwellings must additionally incorporate should also provide</u> for rainwater harvesting schemes unless there is a clear and convincing reasons for not doing so.</p> <p><u>Where appropriate, all non-residential development must should</u> provide for the recycling of grey water unless there are clear and convincing reasons for not doing so.</p> <p><u>The Council will apply Policy CC3, insofar as it relates to rainwater harvesting and grey water recycling, to decisions on planning applications flexibly, in recognition of the fact that it may not always be appropriate for development to provide for such systems.</u></p> <p><u>Where appropriate,</u> development proposals which demonstrate water neutrality will be strongly supported.</p> |

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| | | | <p><u>6A.24</u> 6A.21 Stevenage lies in an area of severe water stress and water consumption is above the national average. With a growing population, it is therefore essential that we use our limited water resources more efficiently. For this reason, new development must comply with Policy CC3.</p> <p><u>6A.25</u> 6A.22 Proposals for new dwellings must ensure that wholesome water consumption does not exceed 110 litres per person per day. This aligns with the Building Regulations optional requirement G2(2)(b). Where planning permission is granted, planning conditions will be used to ensure that this target is met.</p> <p><u>6A.26</u> 6A.23 <u>Where appropriate, proposals for new dwellings must also incorporate should provide for rainwater harvesting, which is typically achieved by storing the water captured by gutters in a water butt schemes unless there are clear and convincing reasons for not doing so. This may include instances where it exceptionally difficult to install or impractical to maintain. Rainwater harvesting reduces demand on mains water supplies by substituting potable water with collected rainfall for appropriate non-potable uses, helping to conserve water resources and improve resilience to drought. By capturing water at source, it also reduces surface water runoff, easing pressure on drainage networks and lowering the risk of flooding.</u></p> <p><u>6A.27</u> 6A.24 <u>Where appropriate, all non-residential development must should provide for the recycling of grey water, which means treating the relatively clean wastewater from sources like basins, showers and laundry and re-using it for non-potable uses. Grey water recycling reduces demand on mains water supplies by reusing water that would otherwise be discharged to the sewer, helping to conserve water resources and improve resilience to water scarcity. It can significantly lower potable water consumption in buildings with high water use, reducing pressure on water infrastructure and associated energy use for water treatment and pumping. By decreasing wastewater volumes, grey water recycling can also reduce loads on sewerage networks unless there are clear and convincing reasons for not doing so. The council will consider this in the same way as rainwater harvesting for residential developments.</u></p> |

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| | | | <p>6A.28 6A.25 <u>The council will apply Policy CC3, insofar as it relates to rainwater harvesting and grey water recycling, to decisions on planning applications flexibly, in recognition of the fact that it may not always be appropriate for development to provide for such systems. This will include instances where it is not technically feasible, would not be financially viable, or would otherwise compromise the delivery of sustainable development. For the avoidance of doubt, financial cost will not, in and of itself, be accepted as a reason for failing to install rainwater harvesting or grey water recycling schemes. However, where the cost of installing these systems would demonstrably compromise other objectives in this plan (i.e. where a fully policy-compliant development is not viable), the council will seek to take a flexible and balanced approach to the requirements of Policy CC3.</u></p> <p>6A.29 6A.26 <u>Notwithstanding the mandatory requirements of the policy, all types of development are encouraged to limit water consumption and incorporate both rainwater harvesting and greywater recycling as far as possible. Water neutrality is achieved when the total water demand arising from new development is equal to or less than savings delivered by offsetting measures within the same water resource zone. The entirety of Stevenage Borough falls within the same water resource zone: WRZ 3 Lee in the South-East Region. Where a proposal can demonstrate water neutrality (i.e. not increasing demand for water abstraction above existing levels), the council will strongly support it by attributing weight in favour of granting permission.</u></p> <p>6A.27 <u>Where planning permission is granted, planning conditions will be used to secure any rainwater harvesting or greywater recycling measures agreed at the application stage.</u></p> |

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| MM12 | 044 045 | Policy CC4 Paragraphs 6A.28 to 6A.31 | <p>Policy CC4: Energy infrastructure</p> <p><u>Where appropriate</u>, development proposals which create, utilise, or facilitate connection to decentralised energy networks (DENs) or district heat networks (DHNs) will be strongly supported.</p> <p><u>Where appropriate, development proposals which incorporate</u> The use of ultra-low and <u>or</u> zero-carbon combined heat and power (CHP) systems, <u>or Intelligent Energy Systems (IES)</u> will also be strongly supported.</p> <p><u>Where appropriate</u>, developments that <u>which</u> produce local ultra-low and <u>or</u> zero-carbon renewable energy with surplus injected into the grid will <u>also</u> be strongly supported.</p> <p>The implementation of Intelligent Energy Systems (IES) is strongly encouraged.</p> <p><u>6A.30</u> 6A.28 Almost all of Stevenage's energy needs are currently met from outside of the borough, with electricity imported via the National Grid and pipelines supplying natural gas for heating. Work is underway to decarbonise the National Grid but this is not expected to be completed until 2035 and at present, only about 40% of UK electricity comes from renewable sources. It will be impossible to decarbonise heating without moving away from natural gas.</p> <p><u>6A.31</u> 6A.29 For these reasons, the council will strongly support development proposals that incorporate sustainable energy infrastructure. This includes DENs, DHNs, ultra-low and zero carbon CHPs, and renewable energy production which generates a surplus. Where these are proposed, the council will apply weight in favour of granting planning permission.</p> <p><u>6A.32</u> 6A.30 It is recognised that any large-scale proposals for renewable energy generation are likely to be located beyond the borough boundary. The council will, in principle, be supportive of such schemes</p> |

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| | | | <p>and will seek to work with neighbouring authorities, energy companies and developers to implement any necessary supporting infrastructure within the borough boundary.</p> <p><u>6A.33</u> 6A.34 The council also strongly encourages developers to incorporate IES in their proposals. These are combinations of technologies which allow for the monitoring and management of energy usage, similar to smart meters but with a far greater level of detail. IES therefore acts as a tool to help understand and then reduce energy usage.</p> |
| MM13 | 046 047 | Policy CC5 Paragraphs 6A.32 to 6A.34 | <p>Policy CC5: Carbon sinks</p> <p>Development proposals should not result in the loss or deterioration of significant carbon sinks. Development proposals which deliver net gains in carbon sequestration and storage through the enhancement of existing carbon sinks or the provision of new carbon sinks will be strongly supported.</p> <p>6A.32 A carbon sink is anything which absorbs more carbon dioxide from the atmosphere than it releases. In Stevenage, grasslands, wetlands and woodlands are significant carbon sinks.</p> <p>6A.33 Some carbon sinks are already afforded a degree of protection by other policies in this plan. The council is also in the process of identifying specific carbon sinks within the borough and may, in the longer term, provide these with specific protection. In the interim, the contribution made by all significant carbon sinks to mitigating climate change will be recognised and proposals resulting in their loss or deterioration will be resisted on this basis.</p> <p>6A.34 In contrast, proposals resulting in net gains in carbon sequestration and storage through the enhancement of existing carbon sinks or the provision of new carbon sinks will be strongly supported.</p> |

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| MM14 | 048 049 | Policy CC6 Paragraphs 6A.35 to 6A.39 (two paragraphs marked as 6A.39 in error) | <p>Policy CC6-CC5: Green roofs</p> <p><u>Where appropriate</u>, development proposals which incorporate green roofs, blue-green roofs, bio-solar roofs or green walls will be strongly supported.</p> <p><u>6A.34 In Stevenage, the majority of land is already developed, which means that opportunities to provide new green space at ground level are often limited, especially in the town centre. As a result, roofs and vertical surfaces can play an important role in delivering green space and associated environmental benefits without placing additional pressure on scarce land resources.</u></p> <p>6A.35 Green roofs, also referred to as living roofs or sedum roofs, are rooftops covered by vegetation in a multi-layered system comprising a waterproof membrane, a substrate or growing medium and (usually) a drainage layer. Green roofs have a wide variety of benefits, including:</p> <ul style="list-style-type: none"> • sequestering carbon dioxide from the atmosphere; • delaying or reducing surface water run-off; • naturally treating surface water run-off before it is discharged; • increasing biodiversity by acting as a habitat; • insulating buildings during colder months; • cooling buildings through evapotranspiration during warmer months; • reducing the heat island effect in built-up areas; and • acting as a form of sound insulation <p>6A.36 In recognition of these benefits, Policy CC6 provides strong support for developments incorporating green roofs. This includes green roofs which have been combined with other technologies to deliver additional benefits.</p> <p><u>6A.36 6A.37</u>Blue roofs are roofs which store rainwater where it falls and then gradually release it through <u>flow restrictor outlets. Although green roofs also naturally store rainwater, their effectiveness as a SuDS feature is limited by the fact that once the substrate is saturated, there is no control over the rate of</u></p> |

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| | | | <p><u>discharge. Blue-green roofs, as the name suggests, combine the benefits of blue and green roofs by providing an additional attenuation layer below the substrate and planted surface of the roof, with discharge rates then controlled by flow restrictor outlets.</u></p> <p><u>6A.37 6A.38 Green roofs and blue-green roofs are also compatible with solar panels. When designed properly, so-called biosolar roofs can actually improve the effectiveness of both the green roof (by providing shade) and the solar panels (by providing cooling).</u></p> <p><u>6A.38 Green walls are vegetated vertical building surfaces, typically consisting of climbing plants grown directly against a wall or supported by trellises, cables or mesh systems, or modular living wall systems in which plants are rooted in panels fixed to the building and supplied with water and nutrients. Green walls share many of the benefits of green roofs, although they are typically more difficult to install and maintain.</u></p> <p><u>6A.39 In recognition of the benefits provided by these systems, Policy CC5 provides strong support for developments incorporating green roofs, blue-green roofs, bio-solar roofs or green walls, where it is appropriate to do so. Appropriateness will vary between development proposals and will depend on a number of factors, most importantly whether green roofs or walls will be an effective means of achieving environmental benefits given the nature of the proposal and site context. They are most likely to be suitable on larger roof areas and developments in town centre or other highly constrained locations where opportunities for ground-level landscaping are limited.</u></p> <p><u>6A.40 6A.39 Given the wide array of potential benefits in providing green roofs, the council will take a flexible approach to visual considerations when proposals incorporating green roofs are assessed. Buildings which incorporate green roofs are currently the exception rather than the rule and to facilitate more widespread adoption, some degree of divergence from established character is likely to be necessary. However, applicants should note that this does not necessarily entail greater acceptance of flat roof designs, since solutions for pitched green roofs are now widely available.</u></p> |

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| | | | <p><u>6A.41</u> 6A.39 Visual considerations will be of greater importance where a site is located in an especially sensitive location or where there would be additional related impacts, for example on heritage assets. It is expected that proposals involving listed buildings or within conservation areas will generally not utilise green roofs but the council will support them where they are incorporated sensitively.</p> |
| MM15 | 050 051 | Policy CC7 Paragraphs 6A.56 to 6A.60 | <p>Policy CC7 CC6: The green economy</p> <p><u>Where appropriate</u>, development proposals which demonstrate consistency with the principles of a circular economy will be strongly supported.</p> <p><u>Where appropriate</u>, development proposals involving the provision of new local green jobs during the construction or operational phases will be strongly supported.</p> <p>Development proposals involving the loss of existing allotments, orchards, gardens and food markets will be refused unless there is clear and convincing justification. Where appropriate, development proposals involving their the provision or enhancement of existing allotments, orchards, gardens and food markets will be strongly supported.</p> <p><u>6A.42</u> 6A.56 A circular economy is one where materials are retained in use at their highest value for as long as possible, with minimal residual waste. A move to a more circular economy will save resources, increase the resource efficiency of businesses and help to drive down greenhouse gas emissions. For these reasons, the council will support development proposals which demonstrate consistency with the principles of a circular economy by applying weight in favour of granting permission.</p> <p><u>6A.43</u> 6A.57 In practice, the adoption of circular economy principles in development will mean designing buildings to be adapted, reconstructed and deconstructed. This is to extend the life of buildings and allow for their materials to be salvaged for reuse or recycling. How site waste is dealt with during demolition and construction will also be a key consideration. To this end, it is expected that applications for major</p> |

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| | | | <p>development will be accompanied by a site waste management plan. <u>Stevenage is a densely developed, growth-focused New Town with limited land availability and rising pressures on infrastructure, materials, energy and waste services. Supporting the provision of green jobs through development aligns with both Local Plan objectives and the Council’s wider corporate commitments.</u></p> <p><u>6A.44 6A.58</u> The definition of “local green jobs” is provided in appendix D to this plan. Development proposals resulting in the provision of new local green jobs will be strongly supported by the council, particularly where the positions would be filled by Stevenage residents. <u>In Stevenage it is estimated that 899 green jobs will be required by 2030, rising to 1,552 by 2050. These jobs include low carbon electricity, low carbon heat, alternative fuels, energy efficiency, low carbon services, and low emission vehicles and infrastructure.</u></p> <p><u>6A.45 6A.59</u> Producing food sustainably will also be an important component of the transition to a green economy. Producing food locally will reduce the greenhouse gas emissions associated with its transportation and processing, as well as reducing food waste and generally providing better nutrition. For these reasons, proposals that would reduce the borough’s ability to produce its own food will be refused unless there is clear and convincing justification. This is likely to be limited to instances where it would deliver overriding benefits when assessed against the objectives of this plan as a whole. Conversely, proposals that would increase local food production in appropriate locations through the provision or enhancement of allotments, orchards and gardens will be strongly supported.</p> <p><u>6A.46 6A.60</u> Food that is grown locally also requires space to be sold locally. For this reason, the council will apply similar protections to food markets and will strongly support the provision or enhancement of food markets in appropriate locations.</p> |

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| MM16 | 063 | Policy TC2 | <p>Policy TC2: Southgate Park Major Opportunity Area</p> <p>Within the Southgate Park Major Opportunity Area, as defined on the Policies Map, planning permission will be granted for:</p> <ul style="list-style-type: none"> a. High-density Use Class C3 residential units; b. New multi-storey or basement car parking; c. New Use F.1/F.2 <u>public services</u> civic-hub; d. A linear park running east-west parallel to Six Hills Way; and e. A new primary school on the Eastgate car park <p>7.23 Stevenage's original police station, The Towers residential block and its associated car parking, the Southgate Health Centre, NHS Southgate West, the central library, the Borough Council's Southgate surface car park, Matalan and The Plaza are the current principal uses in this area. <u>The planning application for the SG1 development references a public services hub.</u></p> |
| MM17 | 064 065 | Policy TC3 Paragraph 7.30 | <p>Policy TC3: Centre West Major Opportunity Area</p> <p>Within the Centre West Major Opportunity Area, as defined on the Policies Map, planning permission will be granted for:</p> <ul style="list-style-type: none"> a. High-density Use Class C3 residential units; b. <u>Appropriate uses for main town centres as defined in Annex 2 of the NPPF</u> b. Replacement Use Class E(b) restaurant and cafe, E(d) indoor sport and recreation, and sui generis leisure, bar and entertainment uses; c. New multi-storey or basement car parking; 95 d. New Use Class E(g)(i) office premises; |

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| | | | <p>e. New de minimis (by volume) Use Class E(a) shop units sufficient to serve the day-to-day convenience retail needs of the residents of Centre West;</p> <p>f. A new Use Class C1 hotel, with ancillary conference facilities, close to the train station;</p> <p>c. A taxi rank; and</p> <p>d. A series of interlinked public squares and open spaces;</p> <p><u>7.30A For the purposes of Policy TC3, “Main Town Centre Uses” has the meaning given in Annex 2 to the NPPF December 2023.</u></p> |
| MM18 | 066 067 068 069 070 071 | Policy TC4 Paragraph 7.36 Paragraph 7.38 Paragraphs 7.38A to 7.38F Paragraph 7.39 Paragraphs 7.39A to 7.39E | <p>Policy TC4: Station Gateway Major Opportunity Area</p> <p>Within the Station Gateway Major Opportunity Area, as defined on the Policies Map, planning permission will be granted for:</p> <p>a. A regenerated train station;</p> <p>b. High-density Use Class C3 residential units;</p> <p>c. New Use Class E(g)(i) office premises;</p> <p>d. A new Use Class C1 hotel;</p> <p>e. New Use Class E(a) <u>retail</u> and Use Class E(b) restaurant and cafe uses; and</p> <p>f. New Use Class E(g)(ii) research and development.</p> <p>g. <u>Appropriate uses for a main town centre (as referenced in Annex 2 of the NPPF December 2023), including and not limited to, F1 Use Class.</u></p> <p><u>A comprehensive and deliverable developer led Strategic Masterplan for the entire allocation is to be prepared and agreed between the landowner/developer and the Council which should address the following design and land use principles</u> Applications should address the following design and land use principles:</p> |

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| | | | <ul style="list-style-type: none"> i. <u>High-quality gateway and arrival experience to create a positive image of Stevenage for all visitors.</u> ii. Major reconfiguration of Lytton Way between Fairlands Way and Six Hills Way to incorporate sustainable travel and improved connectivity in all forms of travel; iii. <u>The creation of Greeting</u>-an exemplar, low carbon “urban village” with climate change consideration in all developments; iv. Demolition of the Arts & Leisure Centre to facilitate better east-west integration and create new development sites in the environs of the train station; v. The provision of replacement sports and theatre facilities elsewhere within Stevenage Central; vi. A significantly regenerated and enlarged high quality dual-frontage train station with associated facilities; vii. New public squares and the inclusion of green infrastructure on the eastern and western frontages of the train station; viii. High-quality, mixed-use developments within close to short walking distance of the train station to unlock economic and employment opportunities; ix. Improved cycle connectivity and <u>short stay parking plus drop-off space</u> to specifically serve train customers; x. Celebrate the heritage of the town in the fabric, layout and design of the Station Gateway; xi. Establishment of an attractive east - west pedestrian route across the East Coast Main Line; <p><u>7.36A Any application as part of the site will be assessed against its contribution to the Strategic Masterplan and must not prejudice the implementation of the site as a whole.</u></p> <p><u>7.36B For clarity, the following terms are defined as they are used in this policy:</u></p> |

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| | | | <ul style="list-style-type: none"> • <u>Urban Village: “Urban village” refers to creating a mixed-use neighbourhood around the railway station — combining homes, workspaces, shops, leisure, and public spaces in a walkable, community focused environment.</u> • <u>Stevenage Central: Is defined as the <i>primary town centre area</i> — the shopping precincts, civic buildings, and surrounding public spaces.</u> • <u>Dual Frontage: A dual frontage train station means a station that has two main entrances or “front doors”, each facing different sides of the surrounding urban area. In the context of Policy TC4, this principle is about ensuring the station is not just enlarged and modernised, but also designed to connect both the town centre side and the opposite side of the railway tracks.</u> • <u>New Public Square: This term is used to describe an open, accessible urban space designed for people to gather, move through, and enjoy in terms of the station and beyond. Its purpose acts as a focal point for community life, events, and social interaction; examples include (and are not limited to) paved areas, seating, lighting, landscaping, and sometimes fountains or public art; the function in the Station Gateway is to create welcoming entrances on both sides of the station; provide space for people to meet, wait, or host community activities; and improve the station’s identity as a civic landmark, not just a transport hub.</u> <p><u>7.36C Creating an attractive, healthy and memorable Station Gateway area will lay the foundation for high-quality mixed-use development that maximises the station’s potential and benefits the wider town.</u></p> <p>7.36 The Station Gateway area currently comprises the 1970s train station, the Arts and Leisure Centre (including the Gordon Craig Theatre), a series of surface level car parks and the southern section of Lytton Way. The train station is one of the top three busiest stations in Hertfordshire, alongside St Albans and Watford Junction. To ensure that such facilities continue to meet local shopping needs we will consider removing Permitted Development rights and / or using legal agreements under Policy SP4 to retain any new units in E(a) <u>retail</u> use.</p> |

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| | | | <p>7.38B Since 2019, ongoing work has been commissioned to review the needs of the area. The Stevenage Station Gateway Area Action Plan (AAP) resulted from a holding direction placed on the Stevenage Borough Local Plan in 2017. This led to two rounds of consultation in 2021 and 2023 to review the vision and proposals for the area. <u>Work is ongoing to prepare a masterplan for the opportunity area. This will provide a clear, long-term vision that guides regeneration, sets development principles, and coordinates investment in housing, jobs, infrastructure, and public spaces. It will act as both a design framework and a delivery tool, ensuring that growth is sustainable, inclusive, and well-integrated. The AAP will no longer be pursued; the masterplan will utilise the work undertaken to date.</u></p> <p>7.38C Within this policy context, high-level policy <u>principles</u> objectives were developed which align with the Local Plan and national policy direction for the AAP to respond to. These include:</p> <ul style="list-style-type: none"> • A new gateway and arrival experience; • Creating an exemplar, low carbon “urban village”; • Sustainable travel considered throughout; • Mixed-use development to unlock economic opportunity; • Blue-green infrastructure in the public realm; • Climate change consideration in all development decisions; • Design of the highest architectural standards; • Celebrating the heritage of the town; and • Making the most of digital connectivity and high-speed broadband. <p>7.38D Climate change is one of the most important objectives for the AAP to respond to. The Council declared a climate emergency in June 2019 and reconfirmed a commitment to tackling climate change and its impacts by setting a target to ensure that Stevenage has net zero carbon emissions by 2030. Added to this, the Government has strategic targets to have net zero emissions by 2050. The Council has been proactive in producing a Climate Change Strategy and outlined a Climate Change Action Plan. Both</p> |

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| | | | <p>the Strategy and Action Plan are being updated to ensure that the Council’s commitment to battling climate change is kept at the top of its priorities.</p> <p>7.38E The high level, strategic options proposed for the area included within the AAP will be strongly influenced by the masterplan for the SG1 development, which lies to the east and within the town centre. Connections to this development and connections through into the town square and central area will form the emerging physical context within which the AAP sits.</p> <p><u>7.38E 7.38F</u> The Station Gateway area of Stevenage is a key location for economic competitiveness. Other locations which are a similar time distance away from London terminals are seeing considerable commercial growth, for example Reading, Slough, Milton Keynes and Croydon. Stevenage is perfectly placed in terms of mobility, and already hosts major international companies in the Gunnel Wood Industrial Area as well as GlaxoSmithKline (GSK) to the south, a major pharmaceutical company</p> <p>7.39 A high quality major mixed-use redevelopment around the train station that addresses these concerns is necessary to meet the growing expectations of a rising population and the international business community located in the Borough. Such schemes will enable the station to have an improved concourse and booking facilities, easy and improved accessibility for all pedestrians, introduce a customer-focused retail offer of an appropriate scale, create two passenger-friendly faces (to the Central Core and to Centre West MOAs) and to have active ground floor frontages. Taxi and <u>short stay parking drop-off facilities</u> should be <u>considered</u> designed with the proposals set out in the AAP and provide connectivity with the bus station and multi-storey car park to meet the growing needs of train passengers.</p> <p><u>7.39A The Station Gateway Major Opportunity Area will serve as a catalyst for the transformation of Stevenage, delivering a modern, dual frontage station, high quality public realm, and a balanced mix of homes, jobs, and cultural facilities. Development proposals should demonstrate how they contribute to an exemplar low carbon “urban village,” integrate sustainable travel, and celebrate the heritage of the town. By aligning with the Council’s Strategies, schemes brought forward under this policy will not only meet the</u></p> |

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| | | | <p><u>immediate needs of rail users and residents but also secure long-term economic competitiveness, resilience, and a renewed identity for Stevenage as a thriving regional centre.</u></p> <p>The AAP, through two rounds of consultation, has set out 4 “high-level” options or scenarios for the area adjacent to Stevenage Railway Station incorporating the section of Lytton Way, between Swingate and Danesgate:</p> <ul style="list-style-type: none"> • Option 0 – Do nothing. • Option 1 – All traffic modes: reduces the central area of Lytton Way between Swingate and Danesgate to a single carriageway suitable for all modes of traffic. • Option 2 – Bus and Taxi only: reduces the central area of Lytton Way between Swingate and Danesgate to a single carriageway and restricts movement to buses and taxis only. • Option 3 – Pedestrianised Plaza: removes regular vehicle movement from the front of the station and Lytton Way ceases to be a through-route. An access through-route is retained for emergency vehicles needing to access and egress the station and immediate environs. <p>7.39B There were two proposed cycle path options in the AAP. Potential Layout 1 retains the existing cycle route, running alongside the railway line and at the extreme western edge of the AAP site boundary and adds a cycle route alongside Lytton Way. Potential Layout 2 removes the existing cycle route and replaces it with a cycle route alongside Lytton Way.</p> <p>7.39C The proposed reconfiguration of Lytton Way is a bold idea but the options look to flexibility. The Preferred Options AAP presented the preferred approach as Option 2, but with flexibility to progress to Option 1 or Option 3 as and when circumstances developed. Potential Layout 1 for the cycle path option was taken forward in the Preferred Options AAP, as the preferred cycle layout.</p> <p>7.39D All proposed options for the reconfiguration of Lytton Way have a set of core enhancements, primarily in the northern and southern zones of the AAP area, north of Swingate and south of Danesgate. Further details can be viewed within the Stevenage Station Gateway Area Action Plan: Preferred Options</p> |

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| | | | <p>Report (2023)⁶⁶.</p> <p>7.39E Creating an attractive, healthy, memorable and enjoyable place in the Station Gateway area will provide the seeds for high quality mixed-use development to come forward and make the most of the station area and contribute widely across the town.</p> |
| MM19 | 073 074 | Policy TC5 Paragraph 7.43 | <p>Policy TC5: Central Core Major Opportunity Area Within the Central Core Major Opportunity Area, as defined on the Policies Map, planning permission will be granted for:</p> <ul style="list-style-type: none"> a. High-density Use Class C3 residential units; b. New Use Class E(a), E(b) <u>as within Main Town Centres Uses as defined by the NPPF; and sui generis which will be assessed on a case-by-case for their impact on vitality, amenity, and sustainability shop, bar, restaurant and café uses.</u> c. New multi-storey or basement car parking; d. New Use Class E(g)(i) office premises; e. New Use Class F.1 and E(d) leisure, cultural and civic uses, including a replacement theatre and museum; and f. Signature public spaces <p>Applications should address the following design and land use principles:</p> <ul style="list-style-type: none"> i. A replacement bus station, closer to the train station; ii. A southern extension to the Westgate Centre, containing in the order of 4,700m² additional comparison floorspace, facing onto an enlarged Town Square; iii. A continuation of the east - west pedestrian route linking Town Square with the train station; iv. Continuing preservation and enhancement of the Town Square Conservation Area; |

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| | | | <ul style="list-style-type: none"> v. Provision will be made for new green space within an enlarged Town Square; vi. A new municipal theatre and art gallery on the north-eastern edge of the enlarged Town Square; vii. New development should include active ground floor frontages to principal streets; viii. The layout of new streets and squares should facilitate east-west pedestrian access and create sequential views and vistas between the train station and Town Square; ix. High quality development with landmark buildings in appropriate locations, including fronting onto Town Square; x. High-rise buildings; and xi. Heritage assessment and design work to preserve and enhance the significance of the Town Square Conservation Area and the contribution made by its setting. <p><u>7.43A For the purposes of Policy TC5, “Main Town Centre Uses” has the meaning given in Annex 2 to the NPPF December 2023.</u></p> <p>7.43 The Central Core currently comprises the buildings surrounding Town Square, the Borough Council's Danestrete and Swingate offices, Mecca bingo, the magistrates courts, surface car parking and Use Class E(a) <u>retail shops</u>, E(c)(i) financial services and E(c)(ii) professional services uses. To ensure that such facilities continue to meet local shopping needs we will consider removing Permitted Development rights and / or using legal agreements under Policy SP4 to retain any new units in E(a) use.</p> |

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| MM20 | 075 076 | Policy TC6 Paragraph 7.50 | <p>Policy TC6: Northgate Major Opportunity Area</p> <p>Within the Northgate Major Opportunity Area, as defined on the Policies Map, planning permission will be granted for:</p> <ul style="list-style-type: none"> a. High-density Use Class C3 residential units; b. New Use Class E(g)(i) office premises; c. New Use Class E(a), E(b) <u>as within Main Town Centres Uses as defined by the NPPF and sui generis which will be assessed on a case-by-case for their impact on vitality, amenity, and sustainability shop, bar, restaurant and café uses.</u> d. Replacement Use Class E(a) major foodstore; e. New multi-storey or basement car parking; f. Replacement cycle and pedestrian footbridge between Ditchmore Lane and Swingate; and g. Signature public spaces. <p><u>7.50A For the purposes of Policy TC6, “Main Town Centre Uses” has the meaning given in Annex 2 to the NPPF December 2023.</u></p> <p>7.50 Northgate currently includes the Tesco Extra store and its associated large surface car park, servicing and filling station, together with the Saffron Ground office building. To ensure that such facilities continue to meet local shopping needs we will consider removing Permitted Development rights and / or using legal agreements under Policy SP4 to retain any new units in E(a) <u>retail</u> use.</p> |

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| MM21 | 077 078 | Policy TC7 Paragraph 7.54 | <p>Policy TC7: Marshgate Major Opportunity Area</p> <p>Within the Marshgate Major Opportunity Area, as defined on the Policies Map, planning permission will be granted for:</p> <ul style="list-style-type: none"> a. High-density Use Class C3 residential units; b. New Use Class F.1 and E(d) leisure, cultural and civic uses; c. New Use Class E(a), E(b) <u>as within Main Town Centres Uses as defined by the NPPF and sui generis which will be assessed on a case-by-case for their impact on vitality, amenity, and sustainability shops, bar, restaurant and café uses.</u> d. New multi-storey or basement car parking. <p>Applications should address the following design and land use principles:</p> <ul style="list-style-type: none"> i. Rejuvenation through new retail units and public realm improvements, including the northern underpass to Town Centre Gardens; ii. Replacement retail units at the eastern end of The Forum connecting to a new surface-level pedestrian crossing of St George's Way to link with the new leisure complex and Town Centre Gardens; iii. Active retail frontages along St George's Way to redefine the eastern edge of the Town iv. Centre; v. New high-density residential development along St George's Way, orientated to have views over Town Centre Gardens; vi. A new sports/swimming complex with an interactive frontage onto Town Centre Gardens; vii. Creation of a critical mass of uses and activities to stimulate greater day-to-day and event use of Town Centre Gardens; and viii. Heritage assessment and design work to preserve and enhance the significance of the Town Square Conservation Area and the contribution made by its setting. |

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| | | | <p><u>7.54A For the purposes of Policy TC7, “Main Town Centre Uses” has the meaning given in Annex 2 to the NPPF December 2023.</u></p> |
| MM22 | 079 | Policy TC8 New Paragraph 7.61A | <p>Policy TC8: Town Centre Shopping Area</p> <p>The spatial extent of the Town Centre Shopping Area (TCSA) is defined on the policies map. Within the TCSA, uses appropriate to a town centre <u>falling with the definition of ‘main town centre uses’ in NPPF Annex 2 glossary will be permitted</u> will be permitted at ground floor level, including Use Classes E and C1, as well as some other sui generis uses.</p> <p><u>7.61A The Town Square Conservation Area, which falls within Stevenage’s Town Centre Shopping Area (TCSA) — is located around the Clock Tower and Town Square. Heritage assets are worthy of protection in all cases where they would be affected by development, regardless of their location or the nature of the proposal. This is reflected in national policy and in Local Plan policies SP13 and (specifically for Conservation Areas) Policy NH10.</u></p> |
| MM23 | 081 | Policy TC9 | <p>Policy TC9: High Street Shopping Area</p> <p>The spatial extent of the High Street Shopping Area (HSSA) is defined on the policies map.</p> <p>Within the HSSA, planning permission for development of a scale appropriate to the High Street's location in the retail hierarchy and <u>falling within the definition of ‘main town centre use’ in the NPPF Annex 2 except for hot food takeaway uses which falls into Use Classes E, C1, C3, F.1 or F.2 will be granted where it:</u></p> |

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| MM24 | 086 | Paragraph 7.70 | 7.70 A site on Graveley Road, currently already in Class E(a) use as a garden centre, is identified to accommodate such a large store. The northern tip of the garden centre site lies in North Hertfordshire District: as it is outside of the Borough, this local plan cannot allocate that part of the site. Given the fact that there is no immediate need for additional floorspace, and allowing for construction and trading establishment, we will entertain a planning application for this store from 2018 onwards. This new store should not be trading before 2023. Although on the northern edge of the Borough, this store will be well located in respect of the new neighbourhood North of Stevenage (see Policy HO3). Also, there are no alternative sites capable of accommodating a store of the required size. In order to avoid potential adverse impacts upon the existing retail demand, this site will be re-examined at a full review to ensure existing and future need for convenience has been updated to reflect changes since the plan was adopted. |
| MM25 | 087 | Paragraph 7.75 | 7.75 Because of the very significant quantum of out-of-centre comparison floorspace, and its adverse impact upon the vitality and viability of the Town Centre Shopping Area, the Borough Council will also resist any proposals to relax or remove conditions controlling the type of goods that can be sold from existing out-of-centre comparison units. In order to avoid potential adverse impacts upon the existing retail demand, this policy will be re-examined at a full review to ensure existing and future need for convenience has been updated to reflect changes since the plan was adopted. |
| MM26 | 090 | Policy IT1 | <p>Policy IT1: Strategic development access points</p> <p>The preferred vehicular access points to strategic development sites from the existing road network are shown on the policies map:</p> <ul style="list-style-type: none"> To land west of Stevenage via the existing road network at Bessemer Drive and Meadway; To land north of Stevenage from B197 North Road approximately 250 metres north of the junction with Granby Road; |

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| | | | <ul style="list-style-type: none"> • To land south-east of Stevenage from a new roundabout on the A602 approximately 200 metres east of the junction with Bragbury Lane; • To Stevenage Leisure Park from Argyle Way and Six Hills Way; and • To Stevenage town centre from reconfigured junctions between: <ul style="list-style-type: none"> ○ Fairlands Way and Lytton Way; and ○ Six Hills Way, Lytton Way and London Road <p>Planning permission will be granted where proposals demonstrate:</p> <ol style="list-style-type: none"> a. That these preferred access points have been incorporated into the scheme design; b. That new junctions adequately consider the needs of all users, including bus priority, and. <u>This includes, but is not limited to, pedestrians, cyclists, horse riders, mobility scooter users, wheelchair users, and other groups requiring safe and accessible movement. Development proposals should ensure that infrastructure improvements and design standards support inclusivity across this broad spectrum of users;</u> and c. For the development areas to the north and west of Stevenage, how they would integrate with any future phases of development beyond the Borough boundary. <p>Alternative access points and solutions will be permitted where they are demonstrably preferable in highway terms.</p> |

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| MM27 | 093 094 | Policy IT4 Paragraph 8.26 | <p>Policy IT4: Transport assessments and travel plans</p> <p>Planning permission will be granted where:</p> <ol style="list-style-type: none"> a. Development would not have an unacceptable <u>adverse</u> impact upon highway safety; b. Development reflects the principles of the Stevenage Mobility Strategy; c. Schemes exceeding the relevant thresholds are accompanied by a satisfactory Transport Statement or Assessment, which demonstrates that the residual cumulative impacts of development are not severe; and d. Developments exceeding the relevant thresholds are accompanied by an acceptable (green) travel plan. <p>8.26 The County Council, as highway authority, support the use of Transport Statements and Transport Assessments to assess the impact of new development upon the wider network as well as being a means to ascertain internal infrastructure needs. Guidance sets out the thresholds at which these are presently required <u>Highways Place and Movement Planning Design Guidance for Hertfordshire(HCC, 2024)</u>. Site-specific circumstances might result in an assessment or statement being requested for developments below these:</p> |
| MM28 | 098 | Paragraph 9.2A | <p>9.2A The partial review and update of the local plan identifies a requirement for 4,956 homes to be built from 2024 to the end of the plan period in 2031. This figure represents the overall plan period target of 7,600 homes minus the net housing completions from 2011 to 2024.</p> |
| MM29 | 099 | Paragraph 9.3 | <p>9.3 Policy HO1 <u>includes</u> continues to include sufficient sites to meet the target, whilst also allowing for some flexibility if any of these sites do not come forward. Sites have been allocated where we think at least five homes can be built. A technical paper explains why this is the case.</p> |

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| MM30 | 100 101 | Policy HO2 Paragraph 9.21A | <p>Policy HO2: Stevenage West</p> <p>Land to the west of Stevenage, as defined by the policies map, is allocated for the development of approximately 1,350 dwellings.</p> <p>A Masterplan for the whole site will be required as part of any planning application. The Masterplan must be approved prior to the submission of detailed development proposals for the site.</p> <p>Development proposals will be permitted where the following criteria are met:</p> <ol style="list-style-type: none"> a. The applicant can demonstrate that development can be expanded beyond the Borough boundary in the future, into safeguarded land within North Hertfordshire; b. The development incorporates employment floorspace of 10,000m², in accordance with Policy EC1; c. Improvements to existing access routes across the A1(M), via Bessemer Drive and Meadway, are provided, which link effectively into the existing road, cycleway and pedestrian networks; d. The scheme is designed to encourage the use of sustainable modes of transport; e. An appropriate buffer to mitigate against noise impacts from A1(M) is included; f. At least 5% aspirational homes are provided in line with Policy HO9; g. Plots to accommodate at least 1% new homes are made available for self-build purposes; h. <u>30-40% affordable housing is provided in accordance with Policy HO7;</u> i. Provision for supported or sheltered housing is made in line with Policy HO10; j. A primary school is provided in line with the most up-to-date evidence of need; k. Local facilities to serve the community are incorporated, including a GP surgery, subject to demand; l. Sports facilities are provided on-site, in line with Policy HC8, including, but not limited to: <ol style="list-style-type: none"> i. A skate park or MUGA for children; and |

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| | | | <ul style="list-style-type: none"> ii. Land to accommodate a new cricket facility; m. A full archaeological assessment is undertaken; n. A full flood risk assessment is undertaken; o. The scheme incorporates a network of green infrastructure, with an emphasis on high quality landscaping within and around the development to reduce the impact of the development on the surrounding greenfield / Green Belt land; p. Existing Public Rights of Way retained and incorporated, where possible; q. The impact of noise pollution from London Luton Airport is mitigated; and <p>9.21A The partial review and update of the local plan introduces an uplift in the proportion of affordable houses required on greenfield sites. However, planning permission has already been granted for the Stevenage West site. For this reason, the affordable housing requirement for the Stevenage West site remains at the level set in the 2019 version of the plan i.e. 30%.</p> |
| MM31 | 102 104 | Policy HO3 Paragraph 9.34A | <p>Policy HO3: North of Stevenage</p> <p>Land to the North of Stevenage, as defined by the policies map, is allocated for the development of approximately 800 dwellings.</p> <p>A Masterplan for the whole site will need to be submitted as part of an outline planning application. The Masterplan must be approved prior to the submission of detailed development proposals for the site.</p> <p>Development proposals will be permitted where the following criteria are met:</p> <ul style="list-style-type: none"> a. The applicant can demonstrate that development can be expanded beyond the Borough boundary, and fully integrated with a wider, cross-boundary scheme; |

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| | | | <ul style="list-style-type: none"> b. Satisfactory vehicular access is provided. At least two access points to and from the site will be required, which link effectively into the existing road, cycleway and pedestrian networks; c. The scheme is designed to encourage the use of sustainable modes of transport; d. At least 5% aspirational homes are provided in line with Policy HO9; e. Plots to accommodate at least 1% new homes are made available for self-build purposes; f. 30-40% affordable housing is provided <u>in accordance with Policy HO7</u>; g. Provision for supported or sheltered housing is made in line with Policy HO10; h. Local facilities to serve the community are incorporated, including a GP surgery, subject to demand; i. A primary school is provided in line with the most up-to-date evidence of need; j. A skate park or MUGA for children is provided on-site; k. A full archaeological assessment is undertaken; l. A full flood risk assessment is undertaken; m. The proposal seeks to preserve or enhance the conservation area, including the setting of adjacent listed buildings. The following mitigation measures should be incorporated; <ul style="list-style-type: none"> i. As much of the requirement for aspirational homes (criteria d) as possible should be met on the part of the site that lies within the conservation area. Development within this area should also be heavily landscaped to reduce the visual impact of development; ii. Existing hedgerows should be maintained and additional screening implemented to reduce the visual impact of the development; iii. Tall buildings will not be permitted. Building heights will be a maximum of two storeys within the eastern part of the site; iv. No vehicular access to the site will be permitted from the east of the site, across the open fields; v. Existing Public Rights of Way are retained and designed into the development, where possible, and diverted where necessary; and |

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| | | | <p>vi. Building styles and layout within the conservation area to the east of the site should reflect the key features of the conservation area.</p> <p>n. The scheme incorporates a network of green infrastructure, with an emphasis on high quality landscaping within and around the development to reduce the impact of the development on the surrounding greenfield / Green Belt land;</p> <p>o. An appropriate buffer around existing power lines is incorporated; and</p> <p>p. Electric car charging points are provided at an easily accessible location within the site</p> <p>As part of any development proposal, we will require the open space to the east of the boundary to be retained as such, either via a Legal Agreement or through the transfer of land to the Borough Council.</p> <p>9.34A The partial review and update of the local plan introduces an uplift in the proportion of affordable houses required on greenfield sites. However, planning permission has already been granted for the North of Stevenage site. For this reason, the affordable housing requirement for the North of Stevenage site remains at the level set in the 2019 version of the plan i.e. 30%.</p> |
| MM32 | 111 | <p>Policy HO10</p> <p>New Paragraph 9.85A</p> | <p>Policy HO10: Sheltered and supported housing</p> <p>Planning permission for sheltered and supported housing schemes will be <u>supported</u> granted where they comply with other relevant policies in this plan.</p> <p>On large developments in excess of 200 units, an element of sheltered or supported accommodation within use classes C3 should be provided where practicable as part of the general housing mix requirements of Policy HO9. The new neighbourhoods to the north and west of Stevenage should additionally include an element of accommodation in use class C2 as part of a comprehensive offer.</p> |

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| | | | <p>Schemes that would result in a net loss of sheltered or supported housing will not normally be permitted.</p> <p><u>9.85A The council will apply Policy HO10 to decisions on planning applications flexibly. This will include instances where doing so would not be technically feasible, would not be financially viable, or would otherwise compromise the delivery of sustainable development.</u></p> |
| MM33 | 113 115 117 | Policy HO11 Paragraph 9.87A to 9.87E Paragraph 9.89 | <p>Policy HO11: Accessible and adaptable housing</p> <p>At least 10% of dwellings within major residential developments to which Part M of the Building Regulations applies should comply with optional standard M4(3)(2)(b) for wheelchair user dwellings, with a further 40% complying with optional standard M4(2) for accessible and adaptable dwellings.</p> <p><u>The Council will apply Policy HO11 to decisions on planning applications flexibly, in recognition of the fact that it may not always be appropriate to provide M4(2) or M4(3) dwellings.</u></p> <p>Minor residential developments which meet these standards will be strongly supported.</p> <p>9.87A <u>Building Regulation M4(1) is mandatory for all new dwellings unless a planning condition requires compliance with one of the optional requirements M4(2) or M4(3). Where requirement M4(3) applies, a dwelling may either be designed to be readily adapted to the needs of a wheelchair user or designed to meet the needs of a wheelchair user from the outset. The former is known as a ‘wheelchair adaptable’ dwelling and conforms to requirement M4(3)(2)(a), while the latter is known as a ‘wheelchair accessible’ dwelling and conforms to requirement M4(3)(2)(b). Where no specific requirement is specified, the requirement defaults to a M4(3)(2)(a) wheelchair adaptable dwelling.</u></p> <p>9.87D Taking all of this evidence into account, Policy HO11 requires at least 10% of new dwellings within major residential developments to comply with optional requirement M4(3)(2)(b) and a further 40% to</p> |

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| | | | <p>comply with optional requirement M4(2), <u>where appropriate</u>. This applies to major developments which are entirely residential and major mixed-use developments which include a residential component.</p> <p>9.87E <u>The council will apply Policy HO11 to decisions on planning applications flexibly, in recognition of the fact that it may not always be appropriate to provide M4(2) or M4(3) dwellings. This will include instances where providing step-free access would not be technically feasible, would not be financially viable, or would otherwise compromise the delivery of sustainable development. All such developments should ensure the targets set by Policy HO11 are met unless there are clear and convincing reasons as to why it would be inappropriate. This may include practical difficulties, for example in converting existing buildings, or instances where compliance with the targets would compromise other Local Plan objectives, for example the delivery of affordable housing. In these circumstances, a revised requirement will be negotiated having regard to site-specific circumstances.</u></p> <p>9.89 <u>Compliance with the standard will ultimately be assessed through the Building Regulations process. However, any preceding planning application should clearly set out the extent of intended compliance.</u></p> |
| MM34 | 119 120 | Policy HO14 Paragraph 9.98A | <p>Policy HO14: Houses in Multiple Occupation</p> <p><u>Proposals for new HMOs and extensions to existing HMOs that require planning permission (C4 or sui generis) will be supported where effective measures are proposed to mitigate any significant adverse effect on the living or working conditions of those living or working nearby or on highway safety. To achieve this, developers are expected to ensure:</u></p> <p>a. <u>Off street parking and manoeuvring space is provided having regard to meet the Council's Standards or, if on-street parking is necessary, it would not result in unacceptable congestion in the surrounding area, would not prejudice highway safety; and does not materially reduce the availability of existing on-street parking.</u></p> |

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| | | | <p>b. <u>Appropriate provision for secure cycle parking is made in accordance having regard to the Council's Standards;</u></p> <p>c. <u>Sufficient space is made available for storage provision for waste / recycling appropriate to the number of occupants in a suitable enclosure within the curtilage of the property.</u></p> <p>d. <u>Any external alterations or physical extensions to HMO's meet the requirements of Policy GD1 and having regard to the Council's Design Standards as contained within the Stevenage Design Guide Supplementary Planning Document.</u></p> <p>e. Planning permission will be granted for new similar (use class C4) and larger (sui generis) houses in multiple occupation where the proposed scheme would have an acceptable impact on housing supply and comply with other relevant policies in the plan.</p> <p>9.98A <u>Houses in Multiple Occupation (HMOs) can serve an important purpose within the housing market, fulfilling a need for low-cost accommodation when self-contained affordable houses or flats are unavailable.</u> A house in multiple occupation (HMO) is a house occupied by two or more separate households who share basic amenities such as cooking and washing facilities. For planning purposes, there are two types of HMO: 'smaller HMOs', which house up to and including six residents and fall within use class C4; and 'larger HMOs', which house more than six residents and are sui generis.</p> |
| MM35 | 124 | Policy GD2 | <p>Policy GD2: Design certification</p> <p><u>The Council will support developments that are designed to achieve high levels of certification against nationally and internationally recognised sustainability standards. This includes but is not limited to:</u></p> <p>Development proposals which demonstrate that they have been designed to achieve a rating of excellent or higher against the a relevant BREEAM standard;</p> <p>Development proposals which demonstrate that they have been designed to achieve the Secured by Design silver award or higher;</p> |

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| | | | And Residential development proposals which demonstrate that they have been designed to achieve the BRE Home Quality Mark will also be strongly supported. |
| MM36 | 137 | Policy FP1 | <p>13 Flooding, <u>drainage</u> and pollution</p> <p>Water management and flood risk</p> <p>Policy FP1: Sustainable drainage</p> <p>All major and minor development proposals <u>should utilise</u> sustainable drainage systems (SuDS) <u>unless it is demonstrated that their use would be impracticable unless there are clear and convincing reasons for not doing so. Development proposals involving SuDS should be supported by an appropriate SuDS strategy which demonstrates how principles a to e below will be complied with. Where relevant, this should include evidence of agreement to the proposed discharge rates with the appropriate statutory undertaker.</u></p> <p>SuDS proposals <u>should</u> must:</p> <ol style="list-style-type: none"> be designed to ensure that peak discharge rates from the site will not increase; on greenfield sites, achieve greenfield run-off rates; on brownfield sites, aim to achieve greenfield run-off rates; be designed in accordance with the surface water disposal hierarchy, as shown in Table 4; and be designed in accordance with the SuDS hierarchy, as shown in Table 5 below. <p>Proposals reliant on surface water discharge to the foul network will be refused unless it can be shown to be unavoidable.</p> |

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| | | | <p>Proposals reliant on underground attenuation features or impervious hard surfaces will be refused unless their use can be shown to be unavoidable.</p> <p>At the application stage, development proposals involving SuDS must, as a minimum, be supported by a SuDS strategy which demonstrates how the above principles will be complied with. Where relevant, this must include evidence of agreement to the proposed discharge rates by the appropriate statutory undertaker.</p> <p>Post-permission, conditions will be used to secure the final detailed design of the drainage system and measures for management and maintenance.</p> |
| MM37 | 141 | Policy FP2 | <p>Policy FP2: Flood risk management</p> <p>All development proposals will be assessed <u>against national planning policies for flood risk and should must:</u></p> <ul style="list-style-type: none"> a. <u>Appropriately protect the integrity of adjacent flood defences and allow sufficient space for access, maintenance, future upgrades and new flood defence schemes;</u> b. <u>Provide an appropriate undeveloped buffer zone from the top of the bank of any adjacent main rivers or ordinary watercourses; and</u> c. <u>Unless impracticable, provide for the re-naturalisation of any on-site culverted watercourses;</u> <ul style="list-style-type: none"> a. Ensure that flood risk, whether on-site or elsewhere, is not increased and is reduced where appropriate, taking into account the future impacts of climate change; b. Where appropriate¹¹⁹, be supported by a site-specific flood risk assessment at the application stage; c. Pass the sequential and exception tests, as required¹²⁰, and then apply the sequential approach to site layout; d. Preserve the functional floodplain, also known as Flood Zone 3b; |

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| | | | <p>e. Protect the integrity of adjacent flood defences and allow sufficient space for access, maintenance, future upgrades and new flood defence schemes;</p> <p>f. Provide an 8m undeveloped buffer zone from the top of the bank of any adjacent main rivers;</p> <p>g. Provide a 3m undeveloped buffer zone from the top of the bank of any adjacent ordinary watercourses;</p> <p>h. Provide for the re-naturalisation of any on-site culverted watercourses;</p> <p>i. Where appropriate, provide flood warning and evacuation plans; and</p> <p>j. Be appropriately flood resistant and resilient.</p> |
| MM38 | 149 150 151 152 153 154 | Policy NH5a Policy NH5b Paragraph 14.32 Paragraphs 14.32A to 14.32E Paragraph 14.33 Paragraph 14.34 | <p>Policy NH5a: Trees and woodland</p> <p><u>Proposals which affect, or are likely to affect, existing trees, will require an arboricultural report. Existing trees must be protected and retained where possible, and sensitively incorporated into developments.</u></p> <p><u>Planning permission for proposals where the loss of trees is demonstrated to be unavoidable will be granted where:</u></p> <p>a. <u>Sufficient land is reserved for appropriate replacement planting and landscaping;</u></p> <p>b. <u>Replacement trees or planting are provided which are:</u></p> <p><u>i. Of equal or better quality than the trees which are lost</u></p> <p><u>ii. Sensitively incorporated into the development; and</u></p> <p><u>iii. Where appropriate, locally native species of similar maturity; and</u></p> <p>c. <u>In the case of a loss of woodland:</u></p> <p><u>i. It can be demonstrated that any adverse affects can be satisfactorily mitigated;</u></p> <p><u>ii. The need for the use of the site outweighs the amenity of the woodland; or</u></p> |

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| | 155 | Paragraphs 14.34A to 14.34C | <p>iii. <u>It can be demonstrated that there would be a net gain in the quality of any remaining woodland through the enhancement of the recreational, amenity, landscape and/or nature conservation value of the remaining woodland and that there would be provision for its improved long-term management.</u></p> <p>All development proposals which involve works to, or within the vicinity of, existing trees or woodland must be accompanied by an arboricultural impact assessment (AIA) at the application stage.</p> <p><u>Individual trees</u> Development proposals resulting in harm to the health or longevity of existing individual trees which are worthy of retention will be refused unless:</p> <p>a. The harm is demonstrated to be unavoidable;</p> <p>b. Replacement trees would be planted in accordance with Table 6 below; and</p> <p>c. Any replacement trees would be of an appropriate size and species, and planted in an appropriate location.</p> <p>Post-permission, conditions will be used to secure any replacement planting and safeguard any retained trees.</p> <table border="1" data-bbox="752 1050 1953 1273"> <thead> <tr> <th colspan="2" data-bbox="752 1050 1693 1090">Trees Felled</th> <th data-bbox="1693 1050 1953 1090">Replacements</th> </tr> <tr> <th data-bbox="752 1090 981 1126">Category</th> <th data-bbox="981 1090 1693 1126">Diameter at Breast Height</th> <th data-bbox="1693 1090 1953 1126"></th> </tr> </thead> <tbody> <tr> <td data-bbox="752 1126 981 1163">Small</td> <td data-bbox="981 1126 1693 1163">Less than or equal to 30cm</td> <td data-bbox="1693 1126 1953 1163">2</td> </tr> <tr> <td data-bbox="752 1163 981 1200">Medium</td> <td data-bbox="981 1163 1693 1200">Greater than 30cm and less than or equal to 60cm</td> <td data-bbox="1693 1163 1953 1200">5</td> </tr> <tr> <td data-bbox="752 1200 981 1236">Large</td> <td data-bbox="981 1200 1693 1236">Greater than 60cm and less than or equal to 90cm</td> <td data-bbox="1693 1200 1953 1236">10</td> </tr> <tr> <td data-bbox="752 1236 981 1273">Very Large</td> <td data-bbox="981 1236 1693 1273">Greater than 90cm</td> <td data-bbox="1693 1236 1953 1273">21</td> </tr> </tbody> </table> <p style="text-align: center;">Table 6 – Individual tree replacement standard</p> | Trees Felled | | Replacements | Category | Diameter at Breast Height | | Small | Less than or equal to 30cm | 2 | Medium | Greater than 30cm and less than or equal to 60cm | 5 | Large | Greater than 60cm and less than or equal to 90cm | 10 | Very Large | Greater than 90cm | 21 |
| Trees Felled | | Replacements | | | | | | | | | | | | | | | | | | | |
| Category | Diameter at Breast Height | | | | | | | | | | | | | | | | | | | | |
| Small | Less than or equal to 30cm | 2 | | | | | | | | | | | | | | | | | | | |
| Medium | Greater than 30cm and less than or equal to 60cm | 5 | | | | | | | | | | | | | | | | | | | |
| Large | Greater than 60cm and less than or equal to 90cm | 10 | | | | | | | | | | | | | | | | | | | |
| Very Large | Greater than 90cm | 21 | | | | | | | | | | | | | | | | | | | |

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| | | | <p><u>Woodland</u> Development proposals resulting in the loss or deterioration of existing woodland will be refused unless:</p> <ul style="list-style-type: none"> a. There are exceptional reasons which justify the loss or deterioration; b. Replacement habitat would be provided in accordance with the statutory biodiversity metric; c. Following replacement, there would be no net-loss of woodland by area; and d. Appropriate measures are proposed for the long-term management of any replacement woodland. <p>Post-permission, the planting and management of any replacement woodland will be secured by conditions or legal agreement.</p> <p><u>Ancient and veteran trees</u> Development proposals resulting in the loss or deterioration of ancient or veteran trees will be refused unless:</p> <ul style="list-style-type: none"> a. There are wholly exceptional reasons which justify the loss or deterioration; and b. A suitable compensation strategy exists. <p>Post-permission, any compensation will be secured by conditions or legal agreement.</p> <p><u>Arboricultural offsetting</u> Replacement trees or woodland must be provided on-site unless there are clear and convincing reasons for not doing so. Where it is satisfactorily demonstrated that a development proposal cannot fully provide the necessary replacement planting on-site, any shortfall must be offset by either:</p> <ul style="list-style-type: none"> a. A cash in lieu contribution to the Council; or b. An alternative off-site proposal, where this has already been identified and delivery is certain. <p>The acceptability of option (b) will be subject to agreement with the Council and will be considered on a case-by-case basis.</p> |

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| | | | <p><u>14.31 Significant areas of woodland were retained by the masterplans for the New Town to help create an attractive environment within Stevenage. Many of these areas are protected, either in their own right as Principal Open Spaces and wildlife sites (see Policies NH1 and NH2) or as part of the network of Green Links and Green Corridors identified across the town (see Policies NH3 and NH4).</u></p> <p><u>14.32 However, it is important that all woodlands and trees of amenity value are retained where this is practicable and desirable. An arboricultural report will be required where trees are to be affected. This should provide details about the location and characteristics of existing trees and clearly indicate which are to be removed or retained.</u></p> <p><u>14.33 Without sensitive planning, mature trees can be permanently damaged during construction or create long-term problems for the occupiers of new developments such as shade, storm damage and subsidence. Where new planting takes place, trees may not mature and achieve a similar canopy, ground cover or ecological value if inappropriate species or techniques are used.</u></p> <p><u>14.34 Tree Preservation Orders (TPOs) are used to protect important specimens. Consent is required to fell or carry out any tree surgery work on a TPO'd tree. Where individual trees, groups of trees or woodlands of particular value are under threat, the Council will consider making new TPOs. In considering TPO applications, the Council will have regard to expert advice, relevant British Standards and any other appropriate information.</u></p> <p>Policy NH5b: Tree-lined streets</p> <p>Development proposals involving the creation of new streets must ensure that those streets are tree-lined unless there are clear, justifiable and compelling reasons why this would be inappropriate.</p> |

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| | | | <p>14.31—Significant areas of woodland were retained by the masterplans for the New Town to help create an attractive environment within Stevenage. Many of these areas are protected, either in their own right as Principal Open Spaces and wildlife sites (see Policies NH1 and NH2) or as part of the network of Green Links and Green Corridors identified across the town (see Policies NH3 and NH4).</p> <p>14.32—However, it is important that all woodlands and trees of amenity value are retained where this is practicable and desirable. An arboricultural method statement will be required where trees are to be affected. This should provide details about the location and characteristics of existing trees and clearly indicate which are to be removed or retained.</p> <p>14.32A Where it is proposed to fell individual trees, they should be replaced in accordance with Table 6. This tree replacement standard has been informed by the statutory biodiversity net gain (BNG) provisions insofar as the value of the existing tree is determined by its diameter at breast height (1.3 metres above ground level) and the number of replacements is equal to the number of small replacement trees required to achieve a 10% net gain according to the statutory metric.</p> <p>14.32B For applications subject to the statutory BNG provisions, Policy NH5a will effectively act as an additional trading rule, requiring that individual trees be replaced by individual trees. In all other cases, the policy will operate as an independent standard.</p> <p>14.32C Where replacement planting takes place, trees may not mature and achieve a similar canopy, ground cover or ecological value if inappropriate species or techniques are used. For these reasons, the acceptability of the size, species and location of replacement trees will be assessed on a case-by-case basis.</p> <p>14.32D The loss or deterioration of existing woodland should only take place where it is justified by exceptional reasons. In this context, “exceptional reasons” should be understood to mean instances where the proposed development is of an unusual nature, where the public benefits of the proposal would</p> |

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| | | | <p>outweigh the harm caused by the loss of woodland, and where there is no reasonable and viable alternative to the loss or deterioration. Most residential development¹ will fail these tests and the council expects that the loss or deterioration of woodland will usually only be justified by proposals for public service infrastructure.</p> <p>14.32E The loss or deterioration of ancient or veteran trees should only take place where it is justified by wholly exceptional reasons. Here, “wholly exceptional reasons” should be understood to mean instances where refusal of the application would be very obviously contrary to the objectives of this plan when read as a whole.</p> <p>14.34 Tree Preservation Orders (TPOs) are used to protect important specimens. Consent is required to fell or carry out any tree surgery work on a TPO tree. Where individual trees, groups of trees or woodlands of particular value are under threat, the Council will consider making new TPOs. In considering TPO applications, the Council will have regard to expert advice, relevant British Standards and any other appropriate information.</p> <p>14.34A The NPPF requires new streets to be tree-lined unless there are clear, justifiable and compelling reasons why this would be inappropriate. This is reflected in Policy NH5b.</p> <p>14.34B In applying Policy NH5b, the council will be particularly mindful of the need to ensure that new trees are of an appropriate species and planted using appropriate techniques. When implemented poorly, tree-lined streets can discourage active travel and their other benefits (air quality, shelter, biodiversity, among others) can be significantly diminished.</p> <p>14.34C For these reasons, tree planting for new streets should be designed with regard to the width of the adjacent foot and cycleways, and the need to provide adequate cover whilst allowing pollution to disperse</p> |

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| | | | through the canopy. Trees that are fast growing, thorny, or with destructive root systems or delicate leaves should be avoided. In some instances, it may also be necessary to provide separate lighting for pedestrians and cyclists. |
| MM39 | 157 159 | Paragraph 15.2 Paragraph 15.10 (table) | <p>15.2 It is a key test of local plans that they are deliverable. The Local Plan is supported by a wide-ranging evidence base which demonstrates how and when the sites and proposals in this plan can be brought forward. Our Strategic Land Availability Assessments (SLAA) for both housing and employment demonstrate commitment from relevant landowners to ensure their sites are delivered. The IDP examines the cumulative impacts of providing 7,600 homes over the plan period (4,956 homes between 2024 and 2031) and identifies a series of interventions.</p> <p>At least 7,600 new homes to be completed 2011-2031 (4,956 homes between 2024 and 2031)</p> |
| MM40 | 160 | Appendix D: Glossary | <p>Active travel: <u>Everyday journeys made by walking, wheeling (wheelchairs, scooters, adapted cycles), or cycling, aiming to make these low-carbon, healthy, and efficient transport choices for shorter trips, reducing car use and improving public health, air quality, and street life.</u></p> <p>Major Development: <u>Major development has the meaning given in Annex 2 to the NPPF December 2023. Householder and minor development are excluded from this definition.</u></p> <p>Whole Life Carbon: <u>Whole life carbon refers to the carbon impacts over the entire cycle of a built asset, from its construction through to its end of life. A whole life carbon assessment (WLCA) is the calculation and reporting of the quantity of carbon impacts expected throughout all life cycle stages of a project. It also includes an assessment of the potential benefits and loads occurring beyond the system boundary.</u> https://www.rics.org/content/dam/ricsglobal/documents/standards/%20Whole life carbon assessment PS_Sept23.pdf</p> |

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| Footnotes | | | |
| MM7 | 029 | Paragraph 5.68 | (Footnote 30) Our previous SHMA (DCA, 2013) said 575 affordable homes were required each year. The latest SHMA suggests that our Objectively Assessed Needs should contain a 10% uplift in response to market signals and affordable housing needs. These extra homes would equate to a 14% uplift. |
| MM7 | 029 | Paragraph 5.68 | (Footnote 31) The 2012-based household projections (DCLG, 2015) suggest 7,700 households will form over the plan period. Although the evidence suggests our housing requirements should be calculated in a slightly different way, we think it is also important to aim towards this higher number. |
| MM7 | 031 | Paragraphs 5.73 to 5.76 | (Footnote 35) Strategic Land Availability Assessment: Housing. Update 2015 |
| MM7 | 031 | Paragraphs 5.73 to 5.76 | (Footnote 37) Excludes some schemes that we know are unlikely to come forward in their current form, to avoid double-counting. |
| MM7 | 031 | Paragraphs 5.73 to 5.76 | (Footnote 38) Housing Technical Paper (SBC, 2015) |

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| MM15 | 051 | Paragraphs 6A.56 to 6A.60 | (New Footnote) The Council's wider corporate commitments sit under its "transforming our town" priority regarding enterprise and skills (link: https://www.stevenage.gov.uk/about-the-council/plans-and-performance/corporate-plan-making-stevenage-even-better-2024-2027). |
| MM15 | 051 | Paragraphs 6A.56 to 6A.60 | (New Footnote) These figures are modelled estimates provided through the Local Government Inform Service (https://lginform.local.gov.uk/reports/view/lga-research/estimated-total-number-of-direct-jobs-in-low-carbon-and-renewable-energy-sector?mod-area=E07000243&mod-group=AllDistrictInRegion_East&mod-type=namedComparisonGroup) |
| MM27 | 094 | Paragraph 8.26 | (New Footnote) https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx#designguide |

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Partial Update of the Stevenage Borough Local Plan 2011–2031

Additional Modifications to the Local Plan Partial Update

The additional modifications table displays only minor changes to the Local Plan Partial Update.

The changes below are expressed either in the conventional form of a ~~strikethrough~~ for deletions and underlining for additions of text, or by specifying the change in *italics*.

| AM Ref | Policy / Paragraph of the Adopted Plan | Additional Modifications (AM) to the changes proposed in CD3 |
|--------|--|---|
| AM1 | Contents Page* | <p>1 Introduction 2</p> <p> What is planning and the local plan? 3</p> <p> Why have we prepared a new plan? 3</p> <p> <u>Why have we carried out a review and partial update of the plan?</u> 4</p> <p> What is the National Planning Policy Framework and why is it important? 5</p> <p> What is neighbourhood planning? 5</p> <p> What is environmental assessment? 6</p> <p>5 Strategic Policies 29</p> <p> Climate Change 30</p> <p> Partial Update: New SP1 Policy on Climate Change</p> <p> Partial Update: Deletion of Policy SP1 Presumption in favour of sustainable development.</p> <p> Partial Update: Updates to Policies SP3, SP4, SP5, SP6, SP7 and SP11</p> <p> Sustainable development 31</p> <p> A strong, competitive economy 33</p> <p> <u>Partial Update: Update to Use Class definitions</u></p> <p> • A vital Town Centre 37</p> <p> <u>Partial Update: Update to Use Class definitions</u></p> <p> Infrastructure and transport 40</p> <p> High quality homes 47</p> <p> Good design 53</p> |

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| | | <p>Healthy communities 54</p> <p>Green Belt 58</p> <p>Flooding, <u>Drainage</u> and pollution 61</p> <p>The natural and historic environments 63</p> <p>6A Climate change 68</p> <p><u>New Chapter - Partial Update: New detailed policies CC1 to CC6</u></p> <p><u>Efficiency</u> 69</p> <p><u>Sustainable infrastructure</u> 73</p> <p><u>A green economy</u> 76</p> <p>6 A strong, competitive economy 77</p> <p>New employment land 78</p> <p>Gunnels Wood 79</p> <p>Pin Green 84</p> <p>Employment development on unallocated sites 86</p> <p><u>Partial Update: Update to Use Cass definitions and amendment to employment site EC1/2</u></p> <p>7 A vital Town Centre 87</p> <p>Stevenage Town Centre 88</p> <p><u>Partial Update: Update to Use Cass definitions</u></p> <p>Old Town High Street 103</p> <ul style="list-style-type: none"> • <u>Partial Update: Update to Use Class definitions</u> |

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| | | <p>Generic retail policies 104</p> <ul style="list-style-type: none"> • <u>Partial Update: Update to Use Class definitions within Policies TC2 to TC7</u> <u>Partial Update: Update to Policy TC4</u> <u>Partial Update: Update to Policy TC8</u> <u>Partial Update: Update to Policy TC9</u> <u>Partial Update: Deletion of Policy TC10</u> <p>8 Infrastructure and transport..... 108</p> <p>Infrastructure and developer requirements 109</p> <ul style="list-style-type: none"> • <u>Partial Update: Update to Policy IT1</u> <u>Partial Update: Update to Policy IT4</u> <p>Sustainable travel 112</p> <p>9 High quality homes 120</p> <p>Housing allocations 121</p> <p>Partial Update: Update to Policy HO1 to HO4</p> <p>Windfall sites 133</p> <p><u>Partial Update: Update to Policy HO7</u></p> <p>Homes for all 135</p> <p>Partial Update: Update to Policy HO10</p> <p>Partial Update: Update to Policy HO11</p> <p>Gypsies and Travellers 144</p> <p>Houses in multiple occupation 148</p> <p><u>Partial Update: New Policy HO14 House of Multiple Occupation (HMOs)</u></p> |

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| | | <p>10 Good design..... 149</p> <p>Design..... 150</p> <p><u>Partial Update: New Policy GD2</u></p> <p>13 Flooding, <u>drainage</u> and pollution..... 166</p> <p>Water management and flood risk167</p> <p><u>Partial Update: Update to Policy FP1</u></p> <p><u>Partial Update: Update to Policy FP2</u></p> <p><u>Partial Update: Deletion of Policy FP3</u></p> <p>Pollution.....171</p> <p>*This shows the changes and additions to the Contents page, relating to changes and MMs to the Local Plan proposed in the context of the relevant chapters of the Plan they sit within. Page numbers will be fully updated for the final version of the Plan for adoption.</p> |
| AM2 | 5.86 | <p>5.86 The provision of affordable homes is a key priority for the Council. Over the plan period, at least 1 in 5 of the new homes provided should be affordable homes. The partial review and update of the local plan introduces an uplift to the proportion of affordable homes required on greenfield sites, from 30% to 40%, in line with aspirations when the plan was originally adopted in 2019¹. The provision of affordable units on private developments, in line with our policy requirements, will be supplemented by the Council's own housebuilding programme. This will deliver schemes containing up to 100% affordable housing on public land.</p> |

| AM Ref | Policy / Paragraph of the Adopted Plan | Additional Modifications (AM) to the changes proposed in CD3 |
|--------|--|---|
| AM3 | 9.52A | 9.52A The partial review and update of the local plan introduces an uplift to the proportion of affordable housing required on greenfield sites, from 30% to 40%. This revised target has been subject to further viability testing, which shows that it is broadly achievable in combination with the other policies in the revised plan and the CIL rates proposed in the concurrent CIL review. |
| AM4 | Policy HC1 | <p>Policy HC1: District, local and neighbourhood centres</p> <p>b. District and Local Centres would continue to provide a range of retail, light industrial (use class E(g)(ii)), health, social, community, leisure, cultural and / or residential uses and retain at least 50% of ground-floor units and floorspace in the main retail area as Class E(a) (<u>retail shops</u>) use;</p> <p>c. Neighbourhood centres would continue to provide a range of small-scale retail, health, social, community, leisure, cultural and / or residential uses and maintain at least one unit in Class E(a) (<u>retail shops</u>) use;</p> <p>11.11 Within the proposed local centres, at least 50% of floorspace and units in the main retail parade are currently in Class E(a) (<u>retail shops</u>) use². We will seek to maintain this share. Our baseline monitoring shows that only Marymead does not meet this figure³. In this local centre, we will allow applications where there would be no further fall in the percentage of units.</p> <p>11.12 Permissions will only be granted as an exception to this where E(a) <u>retail shop</u> units have been actively marketed as such but remained vacant for a period of at least six months.</p> |

² Stevenage Retail Study (Applied Planning, 2014)

³ This is in terms of the number of units only: Five out of eleven (45%) units are in E(a) use. The proportion of floorspace in E(a) use exceeds the minimum threshold.

| AM Ref | Policy / Paragraph of the Adopted Plan | Additional Modifications (AM) to the changes proposed in CD3 |
|--------|--|---|
| | | <p>11.13 There are also a number of smaller centres. These do not necessarily meet the criteria above, but they provide valuable facilities for local residents. Examples include Canterbury Way and Rockingham Way. These are "neighbourhood centres" and will typically provide:</p> <ul style="list-style-type: none"> • Between 250 and 1,000m² of Class E(a) (<u>retail shops</u>) - led floorspace in a parade containing between two and six units; • Unit sizes of between 50 and 500m²; • Residential accommodation in flats above the shops; and • May include a pub and / or community centre. |
| AM5 | | <p>Policy HC2: Local shops</p> <p>Freestanding shops and small parades will generally be retained. Planning permission for the redevelopment of existing sites to alternate uses or for the change of use of individual units from Class E(a) (<u>retail shops</u>) will be granted where:</p> <ol style="list-style-type: none"> a. Satisfactory on- or off-site provision is made to replace a loss of use(s); b. It can be demonstrated that there is no longer a need for a particular facility or that alternate facilities are available locally; c. The particular facility, or any reasonable replacement is not, and will not, be viable on that site; d. The proposals provide overriding benefits against other objectives or policies in the plan; or e. It can be demonstrated that a unit has been unsuccessfully marketed for its existing use, or has remained vacant, for at least six months. |

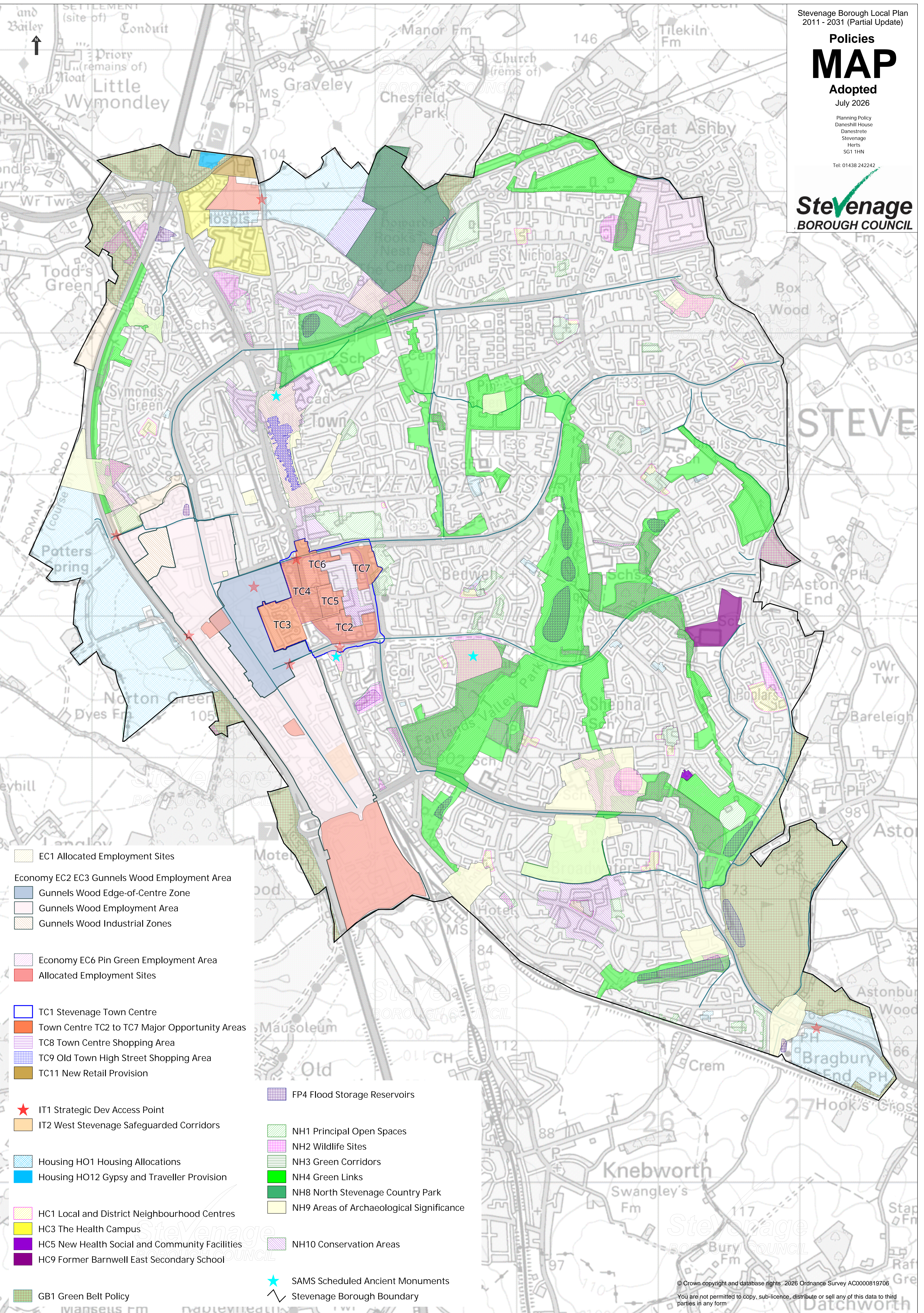
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Policies MAP

Adopted July 2026

Planning Policy
Daneshill House
Danestrete
Stevenage
Herts
SG1 1HN

Tel: 01438 242242



- EC1 Allocated Employment Sites
- Economy EC2 EC3 Gunnels Wood Employment Area
- Gunnels Wood Edge-of-Centre Zone
- Gunnels Wood Employment Area
- Gunnels Wood Industrial Zones
- Economy EC6 Pin Green Employment Area
- Allocated Employment Sites
- TC1 Stevenage Town Centre
- Town Centre TC2 to TC7 Major Opportunity Areas
- TC8 Town Centre Shopping Area
- TC9 Old Town High Street Shopping Area
- TC11 New Retail Provision
- IT1 Strategic Dev Access Point
- IT2 West Stevenage Safeguarded Corridors
- Housing HO1 Housing Allocations
- Housing HO12 Gypsy and Traveller Provision
- HC1 Local and District Neighbourhood Centres
- HC3 The Health Campus
- HC5 New Health Social and Community Facilities
- HC9 Former Barnwell East Secondary School
- GB1 Green Belt Policy
- FP4 Flood Storage Reservoirs
- NH1 Principal Open Spaces
- NH2 Wildlife Sites
- NH3 Green Corridors
- NH4 Green Links
- NH8 North Stevenage Country Park
- NH9 Areas of Archaeological Significance
- NH10 Conservation Areas
- SAMS Scheduled Ancient Monuments
- Stevenage Borough Boundary

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Stevenage Borough Local Plan 2011 – 2031

Partial Update

Adoption Statement

In accordance with Regulation 26 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) this Adoption Statement hereby gives notice that on 22 July 2026, Stevenage Borough Council adopted the Stevenage Borough Local Plan 2011–2031 Partial Update as a development plan document.

The Stevenage Borough Local Plan Partial Update was submitted to the Planning Inspectorate for Examination in August 2025 and was the subject of an independent examination conducted by L Fleming B.Sc. (Hons) MRTPI IHBC. The Inspector’s Report was published on 27 May 2026, which confirmed that the Plan Partial Update was sound, subject to a number of main modifications, and recommended its adoption. The recommended main modifications, along with additional minor modifications, now form part of the adopted Stevenage Borough Local Plan Partial Update. They can be viewed separately via the following link: (link to be provided)

In accordance with Regulations 26 and 35 of the 2012 Regulations, the following documents have been made available:

- (i) The Stevenage Borough Local Plan 2011–2031 Partial Update
- (ii) This Adoption Statement
- (iii) The Sustainability Appraisal Report

These documents can be viewed on the Council’s website at: (link to be provided) and are available for inspection (free of charge) during normal opening hours at the following locations:

- Stevenage Borough Council Offices, Danestrete
- Stevenage Central Library, Southgate
- Old Town Library, 38 High Street

Any person aggrieved by the Stevenage Borough Local Plan 2011–2031 Partial Update may make an application to the High Court under Section 113(3) of the Planning and Compulsory Purchase Act 2004 on the grounds that:

- (i) the document is not within the power (as defined in section 113(9) of the Planning and Compulsory Purchase Act 2004); or
- (ii) a procedural requirement has not been complied with.

Any such application must be made promptly and in any event not later than the end of the period of six weeks beginning with the day after the Stevenage Borough Local Plan Partial Update was adopted (i.e. six weeks beginning on 22 July 2026).

For further information please contact the Planning Policy Team on 01438 242158 or by email at: Planning.Policy_SBC@stevenage.gov.uk.

A copy of this statement will be sent to the Secretary of State for Housing, Communities and Local Government.

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Meeting Cabinet
Portfolio Area Environment, Transport and Planning
Date 10 June 2026



STEVENAGE BOROUGH REVISED COMMUNITY INFRASTRUCTURE LEVY: ADOPTION

KEY DECISION

Author Lewis Claridge | 2158
Lead Officer Alex Robinson | 2257
Contact Officer Sarah Martins | 2280

1 PURPOSE

- 1.1 To provide Members with an update on the progress of the Stevenage Borough Revised Community Infrastructure Levy, now it has progressed through Examination in Public stage.
- 1.2 To inform Members of the Inspector's Report and to report any further changes recommended by the Inspector.
- 1.3 To consider the adoption of the Stevenage Borough Revised Community Infrastructure Levy.

2 RECOMMENDATIONS

That Cabinet:

- 2.1 Notes the contents of the Inspector's Report (Appendix A), following the Examination in Public Hearing Session and agrees to adopt the Stevenage Borough Revised Community Infrastructure Levy Charging Schedule (Appendix B).
- 2.2 Recommends to Council that the Stevenage Borough Revised Community Infrastructure Levy Charging Schedule (Appendix B) be adopted.
- 2.3 Notes the feedback from the Planning & Development Committee on the content of this Cabinet Report.

3 BACKGROUND

Community Infrastructure Levy

- 3.1 The Community Infrastructure Levy (CIL) is a planning charge introduced by the Planning Act 2008, as a tool for local authorities to help deliver infrastructure to support the development of their area. It allows local authorities to raise funds from developers undertaking new building projects. The money can be used to fund a wide range of infrastructure, such as transport schemes, schools, community facilities, parks and leisure facilities, which are needed as a result of development taking place.
- 3.2 CIL is a non-negotiable tariff on most forms of new development. It is expressed in pounds per square metre (£/m²) and is levied on the net additional floorspace created by most new development
- 3.3 CIL is fairer, faster, and more certain and transparent than the system of planning obligations (S106), which causes delay as a result of lengthy negotiations and is subject to viability.
- 3.4 S106 is still used for site specific mitigation, particularly for the larger schemes i.e. where a whole school is required as part of a specific development or where road / cycleway improvements are required within or in close proximity to the development.
- 3.5 Unlike contributions made via S106 Agreements, CIL receipts are not earmarked for particular infrastructure related to the development from which they are raised. Instead, CIL monies are pooled into a fund which can be used for any infrastructure needed to support the development of the borough, or for strategic infrastructure needs elsewhere.

Stevenage Community Infrastructure Levy

- 3.6 The Council adopted a Community Infrastructure Levy (CIL) Charging Schedule at Full Council on 29 January 2020. CIL was implemented from 1 April 2020.
- 3.7 Details of the current CIL charges for different types and locations of development in Stevenage can be found in the adopted CIL Charging Schedule [BD1].
- 3.8 The Council is now 6 years on from the initial adoption of CIL. Having reviewed the latest Viability Assessment [BD2] and Addendum [BD3] which covers the period 2017 to 2024 and takes into account policy changes in the Local Plan Partial Update, it is considered that now is a prudent time to review the existing CIL levy rates.

Figure 1. Existing Stevenage Borough Community Infrastructure Levy Rates.

| Development Type | CIL rate (per square metre) | |
|--------------------------------------|--|-------------------------|
| | Zone 1: Stevenage Central, Stevenage West urban extension and North of Stevenage Extension | Zone 2: Everywhere else |
| Residential | | |
| Market Housing | £40/m ² | £100/m ² |
| Sheltered housing ⁽¹⁾ | £100/m ² | |
| Extracare housing ⁽²⁾ | £40/m ² | |
| Retail development | £60/m ² | |
| All other development ⁽³⁾ | £0/m ² | |

- 3.9 In accordance with the Community Infrastructure Levy Regulations 2010, consultation on a Preliminary Draft Charging Schedule was held from 14 October to 24 November 2024 [BD4]. This was followed by consultation on a Draft Charging Schedule, from 22 January to 18 February 2025 [BD5].
- 3.10 Following public consultations in 2024 and 2025, the finalised Draft Charging Schedule was submitted to the Secretary of State on 15 August 2025 [BD6].
- 3.11 A CIL Charging Schedule Examination is an independent public assessment to ensure a local authority's proposed development tax is legally compliant and economically viable. The appointed examiner tests the schedule against two primary criteria: legal and procedural compliance, and economic viability.
- 3.12 An independently appointed Planning Inspector will assess whether the CIL Schedule complies with Section 212 of the Planning Act 2008 and the Community Infrastructure Levy Regulations 2010 (as amended) (the CIL regulations), with particular regard to:
- Regulation 14 – which sets out how a charging authority must determine the CIL rates in its charging schedule;
 - Regulation 16 – which governs the formal publication requirements before a draft charging schedule can proceed to examination; and
 - Regulation 34 – applies where CIL liability must be divided between different material interests in the relevant land.
- 3.13 The Revised CIL Charging Schedule proposes to include a new charge for industrial development in line with evidence presented in the Viability Assessment 2024 (and 2025 Addendum. Even with a new proposed charge for industrial development, the Council's estimated CIL income (based on the CIL rates we are proposing) will not reach the level required to fund all of the infrastructure we need.
- 3.14 Whilst it is important that the rates proposed follow the evidence and that rates set must not threaten the ability to develop viably the sites and scale of development

identified in the Local Plan. The Viability Assessment 2024 and 2025 evidence demonstrates that an increase in CIL rates is viable in principle.

- 3.15 Initial calculations show that from the Council's strategic sites delivery, the CIL income will bring in c. £14 million over the next 5 years, with c. £17 million to 2031 and c. £20 million to 2035. The funding gap identified as of October 2025 was £222m.
- 3.16 Cabinet has previously committed funding to the Sports and Leisure Hub redevelopment. In January 2026, £225,000 of CIL monies was committed to fund other neighbourhood schemes in the borough.
- 3.17 Looking ahead, more details on how the Council proposes to allocate future CIL funds and a spending protocol to guide future CIL spending decisions will be forthcoming. This will ensure that they align with Council priorities, as expressed in the Infrastructure Delivery Plan.

4 REASONS FOR RECOMMENDED COURSE OF ACTION AND OTHER OPTIONS

4.1 Following submission of the Draft Charging Schedule to the Secretary of State on 15 August 2025, an independent Planning Inspector was appointed to examine the Charging Schedule.

4.2 The proposed levy rates, as submitted [BD6] to the Secretary of State, were as follows:

Figure 2. Proposed Revised Stevenage Borough Community Infrastructure Levy Rates.

| Development Type | CIL Rate | |
|------------------------|---------------------------|-------------------------|
| | Zone 1: Stevenage Central | Zone 2: Everywhere else |
| Residential | | |
| Market Housing | £50 per m2 | £120 per m2 |
| Sheltered Housing | £120 per m2 | |
| Extracare Housing | £50 per m2 | |
| | | |
| Retail Development | £75 per m2 | |
| | | |
| Industrial Development | £40 per m2 | |
| All other Development | £0 per m2 | |

Examination in Public Hearing Session

4.3 The Stevenage Borough Revised Community Infrastructure Levy Charging Schedule Examination in Public Hearing Session was held on 18 March 2026 and conducted by an independent Planning Inspector (PINS). Further details regarding the Examination in Public can be viewed at the dedicated Examination website: <https://www.hwa.uk.com/projects/stevenage-revised-cil-examination/>

4.4 The Inspector duly scrutinised the Revised CIL Charging Schedule, to assess whether the CIL Schedule complies with Section 212 of the Planning Act 2008 and the Community Infrastructure Levy Regulations 2010 (as amended) (the CIL regulations), with particular regard to:

- Regulation 14 – which sets out how a charging authority must determine the CIL rates in its charging schedule;
- Regulation 16 – which governs the formal publication requirements before a draft charging schedule can proceed to examination; and
- Regulation 34 – applies where CIL liability must be divided between different material interests in the relevant land.

4.5 A series of “Matters, Issues and Questions” (MIQs) were addressed in turn by the Inspector, in order to scrutinise our submitted Revised CIL Charging Schedule to assess the CIL against the CIL Regulations. The MIQs addressed were as follows:

- *MIQ1: Scope, legal and procedural requirements*
- *MIQ2: Infrastructure Evidence*
- *MIQ3: Viability Evidence*
- *MIQ4: Charging Rates and Evidence*
- *MIQ5: Modifications*

- 4.6 The Hearing Session invited those who had objections or significant representations to appear at the Hearing. No invitations to attend were received and the Hearing Session was duly conducted between the Inspector and officers from the Council, with officers from Hertfordshire County Council in attendance as observers.
- 4.7 Prior to the Hearing Session, the Council prepared a statement that responded to each of the MIQs posed [BD7].
- 4.8 At the Hearing Session, apart from some matters of clarification relating to the Council's MIQ responses, no major concerns were raised regarding the Draft Charging Schedule and the Inspector was broadly satisfied with the Council's Statement responding to his MIQs.

Inspector's Report

- 4.9 At the end of the Hearing Session, the Inspector advised that he would be preparing a legally binding Report which would recommend adoption of the Revised CIL Charging Schedule.
- 4.10 Following the receipt of the Inspector's Report, Cabinet is requested to recommend to Council that it adopt the CIL Charging Schedule with effect from 22 July 2026.
- 4.11 The Inspector's Report provides assessment of the Charging Schedule in respect of Section 212 of the Planning Act 2008. It considers whether the schedule is compliant in legal terms and whether it is economically viable as well as reasonable, realistic and consistent with national guidance.
- 4.12 The Council has received the Inspector's Final Report into the Revised CIL Charging Schedule on 27 May 2026.
- 4.13 The Inspector's Report (Appendix A) concludes that the Revised Community Infrastructure Charging Schedule can be considered sound and is recommended for adoption.
- 4.14 The Inspector noted that in setting the CIL charging rate, the Council has had regard to detailed evidence on infrastructure planning and the economic viability evidence of the development market in its viability assessment. The Council has been realistic in achieving a reasonable level of income to address an acknowledged gap in infrastructure funding, while ensuring that a range of development remains viable across the authority area.
- 4.15 The Inspector noted that the requirements of the 2008 Planning Act and 2010 CIL Regulations (as amended) had been complied with, including the statutory processes and public consultation, financial appraisal, and consistency with the development plan and the charging schedule is consistent with national policy and guidance.
- 4.16 The Inspector concluded that the CIL Charging Schedule has satisfied the requirements of Section 212 of the 2008 Act and meets the criteria for viability in the 2010 Regulations (as amended), recommending that the Charging Schedule be approved.
- 4.17 Upon receipt of the Inspector's Report, the Council can either adopt the Stevenage Borough Revised Community Infrastructure Levy Charging Schedule, with the recommendations proposed, or it must withdraw the Schedule completely.
- 4.18 The final draft version of the Stevenage Borough Revised Community Infrastructure Levy Charging Schedule, incorporating the any

recommendations by the Inspector, as well as any minor modifications, is attached to this report at Appendix B.

- 4.19 If approved by Cabinet, the Revised Community Infrastructure Levy Charging Schedule will be adopted on 22 July 2026 following the meeting of Full Council.
- 4.20 The Council will seek to revisit CIL charging rates, in accordance with development of a new Local Plan which will plan beyond the current plan period of 2031.

CONSULTATION

- 4.21 Planning & Development Committee Chair and Vice Chair were briefed in advance of the Cabinet meeting. The views of the Planning & Development Committee Members are of significant value in shaping the future direction the Local Plan takes, as future Committee decisions will be based on revised and new Local Plan policies. Any comments will be reported back orally at the Cabinet meeting.
- 4.22 Planning & Development Committee Members have been briefed on CIL and the process as it has developed since the first CIL was developed in 2018–19.

5 IMPLICATIONS

Financial Implications

- 5.1 The costs of implementing CIL are met from 5% CIL income available for administration purposes, a further 15% for local initiatives.
- 5.2 The General Fund Capital Strategy 2025/26 to 2029/30 [BD8] highlights that to date, a significant portion of Strategic CIL has been committed to the Sports and Leisure Hub and, where applicable, the Public Sector Hub.
- 5.3 Officers will continue to work closely with Members to prioritise and progress future investments and expect to provide further update on spending in a subsequent General Fund Report.
- 5.4 Financial implications for the Council as landowner are examined further under 'Other Corporate Implications', paragraphs 5.15 to 5.17.
- 5.5 Following the adoption and publication of the CIL Charging Schedule on 22 July 2026, officers will review the CIL Instalments Policy [BD9] in accordance with best practice.

Legal Implications

- 5.6 The preparation of Community Infrastructure Levy is given effect by the 2008 Planning Act.
- 5.7 Detailed statutory requirements for the preparation of CIL, including consultation requirements, are set out in The Community Infrastructure Levy Regulations 2010 (as amended 2019).

Risk Implications

- 5.8 As an additional cost to developers, CIL has the potential to make individual development schemes financially unviable which could impact the delivery of housing and associated necessary infrastructure across the Borough. However, the risks are minimised by proposing CIL rates that align with the viability evidence used to inform the Local Plan and subsequent updates.
- 5.9 The Inspector confirmed that the proposed CIL rates are set at an appropriate level that does not put the viability of schemes at risk.

Planning and Policy Implications

- 5.10 The Revised CIL has been prepared in accordance with the Council's adopted Stevenage Borough Local Plan (2019) and soon to be adopted Local Plan Partial Update (2026) and supported by robust and up to date viability evidence.
- 5.11 The Council will seek to revisit CIL charging rates, in accordance with development of a new Local Plan which will plan beyond the current plan period of 2031.

Environmental Implications

- 5.12 CIL has a positive impact on the environment, as monies can be used towards improving, maintaining and providing new environmental infrastructure.

Staffing and Accommodation Implications

- 5.13 The Planning Policy Team currently includes one full-time professional employee, specialising in planning contributions including CIL.
- 5.14 As CIL contributions and income increase in time, the Council has begun to start to spend and allocate CIL. This is very likely to require further resources to manage the function for the Council.

Other Corporate Implications

- 5.15 CIL will continue to be payable for all qualifying development; therefore, it has the potential to impact on council-owned land, in terms of being a consideration in sales negotiations and in being levied when developing the Council's own schemes. This includes smaller residential sites (10 or less dwellings), which were previously exempt from making developer contributions (S106). This is an additional cost and has the potential to depress land values for the council's small sites. This is the same for larger sites, and there is a risk that developers will try to use this additional expense to negotiate down land values.
- 5.16 However, the viability evidence undertaken to inform the CIL charging rates, shows that the levy being proposed will be viable for both small and large-scale development. This considers land values at an appropriate market rate.
- 5.17 Officers report to Cabinet on CIL Governance. This informs Members of the amounts of Community Infrastructure Levy (CIL) secured and projected.

BACKGROUND DOCUMENTS

- BD1 Stevenage Borough Community Infrastructure Levy (January 2020) <https://www.stevenage.gov.uk/documents/planning-policy/community-infrastructure-levy-cil/cil-21042020/cil-charging-schedule.pdf>
- BD2 Stevenage Borough Council Local Plan & CIL Review Viability Assessment, Main Report (October 2024) <https://www.hwa.uk.com/site/wp-content/uploads/2025/09/cilsd3-whole-plan-viability-assessment-2024.pdf>
- BD3 Stevenage Borough Council Local Plan & CIL Review Viability Assessment, Main Report Addendum (November 2025) https://www.hwa.uk.com/site/wp-content/uploads/2025/09/251121-Stevenage-WPV-Affordable-Housing-Policy-Addendum-Report_Stevenage-Borough-Council_v1_Redacted.pdf
- BD4 Stevenage Borough Preliminary Draft CIL Charging Schedule 2024 (October 2024) <https://www.hwa.uk.com/site/wp-content/uploads/2025/09/cilsd4-preliminary-draft-charging-schedule-2024.pdf>
- BD5 Stevenage Borough Draft CIL Charging Schedule (January 2025) <https://www.hwa.uk.com/site/wp-content/uploads/2025/09/SBC-Draft-Charging-Schedule-DCS-January-2025.pdf>
- BD6 Stevenage Borough CIL Charging Schedule: Submission to Secretary of State (August 2025) <https://www.hwa.uk.com/site/wp-content/uploads/2025/07/CIL1-Draft-Charging-Schedule-DCS-2025-for-Submission.pdf>
- BD7 Stevenage Borough Revised Community Infrastructure Levy Examination in Public Matters, Issues and Questions: Council Response (March 2026) <https://www.hwa.uk.com/site/wp-content/uploads/2025/09/MIQ-response-FINAL.pdf>
- BD8 Meeting of the Stevenage Borough Council Cabinet: Item 5: The General Fund Capital Strategy 2025/26 to 2029/30 (11 February 2026) <https://democracy.stevenage.gov.uk/documents/s42545/5%20General%20Fund%20Capital%20Strategy%202025-26%20to%202029-30.pdf>
- BD9 CIL Instalments Policy <https://www.stevenage.gov.uk/documents/planning-policy/community-infrastructure-levy-cil/cil-21042020/cil-instalment-policy.pdf>

APPENDICES

- A Inspector's Report on the Examination of the Stevenage Revised Community Infrastructure Levy Charging Schedule, Submission Draft August 2025 (May 2026)
- B Stevenage Borough Revised Community Infrastructure Levy Charging Schedule (May 2026)



Report to Stevenage Borough Council

by L Fleming BSc (Hons) MRTPI IHBC

an Examiner appointed by the Council

Date 27 May 2026

Planning Act 2008 (as amended)

Section 212(2)

Report on the Examination of the Stevenage Revised Community Infrastructure Levy Charging Schedule, Submission Draft August 2025

Charging Schedule submitted for examination on 15 August 2026

The examination hearings were held on 18 March 2026

File Ref: PINS/U4230/429/12

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Abbreviations used in this report

| | |
|----------------|--|
| BLV | Benchmark Land Value |
| CIL | Community Infrastructure Levy |
| CS Schedule | the Stevenage Revised CIL Charging Schedule Charging |
| DCS | Draft Charging Schedule |
| EUV+ | Existing Use Value + |
| GDV | Gross Development Value |
| IDP | Infrastructure Delivery Plan |
| LP | Local Plan |
| PPG | Planning Practice Guidance |
| UCO | Use Classes Order |
| VA | Viability Assessment |

Non-Technical Summary

This report concludes that the Stevenage Revised Community Infrastructure Levy Charging Schedule Submission Draft August 2025 (the CS) (CID1) provides an appropriate basis for the collection of the levy in Stevenage Borough. Stevenage Borough Council (the Council) has sufficient evidence to support the schedule and can show that the levy is set at a level that will not put the overall development of the area at risk. The CS supersedes the Stevenage Community Infrastructure Levy Charging Schedule January 2020 (the adopted CS).

I have recommended that the schedule should be approved in its published form, without changes.

Introduction

1. This report contains my assessment of the CS in terms of Section 212 of the Planning Act 2008. It considers whether the schedule is compliant in legal terms and whether it is economically viable as well as reasonable, realistic and consistent with national guidance.
2. To comply with the relevant legislation the Council as the local charging authority, has to submit a charging schedule which sets an appropriate balance between helping to fund necessary new infrastructure and the potential effects on the economic viability of development across the Borough and is prepared in accordance with relevant regulations.
3. The Council consulted on a Preliminary Draft Charging Schedule (Regulation 15) between 14 October and 24 November 2024 (CID8) in accordance with Regulation 15 of the Community Infrastructure Levy Regulations 2010 (as amended). Thereafter, the Council consulted on a Draft Charging Schedule (under Regulation 16 of the Community Infrastructure Levy Regulations 2010 (as amended) between 22 January and 18 February 2025 (CID16). Other than in title, date and formatting, the content of CID16 was unchanged as a result of the public consultation. The CIL CS was submitted by the Council on 15 August 2025. It is the same as CID16 and is the basis for the examination.
4. The adopted CS came into effect on 1 April 2020. The CS updates the adopted CS. Both the adopted CS and the CS divide the Borough into the same two charging zones. Zone 1 covers lands in and around Stevenage Town Centre (Stevenage Central), whereas Zone 2 covers everywhere in the Borough outside of Zone 1 (everywhere outside Stevenage Central). The CS proposes a new levy rate for industrial development and an increase in the existing levy rates for market housing, sheltered housing, extra care housing and retail development as explained below.

Is the charging schedule supported by background documents containing appropriate available evidence?

Infrastructure planning evidence

5. The Stevenage Borough Local Plan 2011-2031 was adopted in 2019 (the adopted Plan) (EX3). The Council subsequently prepared and adopted the CIL Charging Schedule which came into effect in 2020.
6. The CS subject to my examination was submitted alongside the partial update to the Stevenage Borough Local Plan 2011-2031 (EX3). The Partial Update comprises the Stevenage Borough Local Plan 2011-2031 Schedule of Changes from Regulation 18 to Regulation 19 (EX1) and the Partial Update of the

Stevenage Borough Local Plan 2011-2031 Schedule of Changes from Regulation 19 to Pre Submission) (EX2) (referred to together hereafter as the Partial Update Plan). The Partial Update Plan will when adopted update parts of the adopted Plan (EX3). I have examined the Partial Update Plan alongside the updated CIL CS.

7. The adopted Plan aims to facilitate some 140,000 square metres of employment floorspace, 4,700 square metres of comparison retail floorspace, 7,600 square metres of convenience retail floorspace and 7,600 new homes between 2011 and 2031. As at 1 September 2025, the Council has delivered 3,287 new net homes and approximately 102,000 square metres of employment floorspace leaving approximately 4,313 homes and around 38,000 square metres of employment floorspace to be delivered over the remainder of the plan period together with appropriate retail floorspace, in line with the adopted Plan as amended by the Partial Update Plan (SBC4).
8. Supporting the growth proposed in the adopted Plan and the Partial Update Plan is the Council's Infrastructure Delivery Plan, September 2024 (CID5). This was updated in October 2025 (CID14). CID5 and CID14 provide the main sources of infrastructure planning evidence necessary to justify the CS levy rates and support the delivery of the growth proposed in the adopted Plan up to 2031 as amended by the Partial Update Plan.
9. The Partial Update Plan does not alter the overall quantum or spatial distribution of development required or the plan period. The development that remains to be delivered up to 2031 will need to be supported by investment in infrastructure within the Borough. However, the Partial Update Plan does update a number of existing policies and introduce new policies which have implications for the viability of different forms of development in the Borough. These implications have been assessed by the Council and are considered in the economic viability evidence section of my report below.
10. Planned growth in Stevenage Borough gives rise to substantial community and infrastructure requirements. The Council's Infrastructure Delivery Plan (CID5 and CID14) identifies needs relating to transport and mobility (including public transport, cycling, walking and highway capacity), education (primary and secondary provision), healthcare (including primary care and acute services), green and blue infrastructure, community and leisure facilities, utilities, and emergency services.
11. Based on the growth proposed in the adopted Plan and Partial Update Plan, the Infrastructure Delivery Plan (CID14) identifies a substantial requirement for new and improved infrastructure. It indicates that the total cost of infrastructure required exceeds £200 million to deliver in full the growth proposed over the plan period. A range of funding sources have been identified, including

Government funding, capital investment by infrastructure providers and developer contributions secured through Section 106 agreements and the Community Infrastructure Levy. However, it demonstrates that these sources will only meet part of the overall infrastructure requirement. As such, a funding gap of over £200 million has been identified, representing the difference between total infrastructure costs and funding reasonably expected to be available. A projected income from CIL of between £15 million and £20 million for the remainder of the adopted Plan period up to 2031 has been identified (CID14).

12. The adopted CIL CS was brought into effect on 1 April 2020, applying to planning permissions granted on or after that date. The Council's latest Infrastructure Funding Statement for 2023/24 (CID6) shows that £992,661.67 was collected between 1 April 2023 and 31 March 2024, and that a further £390,403.61 had been collected in earlier years since the levy was first implemented. Taken together, this indicates that £1,383,065.28 of CIL has been collected between 1 April 2020 and 31 March 2024. Although the Infrastructure Funding Statement notes that additional sums may have been collected after the end of the reporting period and are not reflected in those figures.
13. As such, the Council's CIL receipts are not expected to be large enough to fully fund any significant infrastructure projects, and the Council will look to use its CIL receipts to "top up" the funding gaps for individual infrastructure schemes once Section 106 contributions and other potential funding streams have been secured or explored.
14. The CS makes clear that infrastructure provision is therefore expected to be funded principally through a combination of Section 106 obligations, central and local government capital funding, transport grants, NHS and education funding, and other public and private investment, with CIL operating as a complementary funding source to help address residual gaps rather than as the primary means of delivery. Section 106 receipts in 2023/24 were £1.37 million, demonstrating the importance of the contribution made from site-specific obligations alongside the levy.
15. In light of the information provided, the proposed charge would therefore make only a modest, but significant contribution towards filling the likely funding gap. The figures demonstrate the need to levy CIL.
16. The Infrastructure Delivery Plan (CID5 and CID14) identifies the infrastructure required to support development in Stevenage. The Infrastructure Funding Statement (CID6 and CID17) identifies a funding gap between the cost of required infrastructure and committed funding. Overall, I am satisfied that the CS is supported by appropriate available infrastructure planning evidence.

Economic viability evidence

17. The CIL CS is supported by comprehensive economic viability evidence, comprising the Local Plan & CIL Review Viability Assessment October 2024 (CID7) and the Affordable Housing Policy Addendum November 2025 (CID15) (referred to together hereafter as the viability evidence).
18. The viability evidence appraises a range of residential, non-residential and mixed-use typologies reflecting differences in location, value zone, scale and land type, with strategic sites appraised individually where these are critical to plan delivery. This approach is consistent with the relevant sections of the Viability Planning Practice Guidance (PPG)¹ and reflects the type and location of development expected in the Borough up to 2031.
19. The appraisals are based on a residual land value approach. They compare the residual value generated by policy compliant development against a benchmark land value. Benchmark land values are derived using an existing use value plus premium approach. The benchmark values are informed by local land value evidence and applied consistently across the typologies tested. I am satisfied that the benchmark land values adopted reasonably balance the requirement to incentivise land to come forward with the need to secure infrastructure funding.
20. In relation to gross development value, the Viability PPG (paragraph 011) confirms that area average figures may be used, provided they are adjusted to reflect differences in land use, form, scale and location, and are applied having regard to outliers in the data. The residential values used are informed by local market evidence and applied by value zone. The non-residential values are informed by much more limited available local transactional data but are supplemented by wider generic market evidence and professional judgement. I am satisfied that this approach is consistent with the Viability PPG and proportionate to the level of evidence reasonably available and its intended purpose.
21. The development costs accounted for in the viability evidence appraisals are informed by BCIS construction cost data, with appropriate allowances for external works, fees, contingency and finance, and they reflect the cumulative impact of affordable housing, sustainability standards, accessibility requirements, biodiversity net gain and residual Section 106 obligations. This accords with paragraph 012 of the Viability PPG. I am satisfied that the assumptions used are reasonable for the purposes of setting CIL rates.
22. For residential development, the Viability PPG indicates a developer return of around 15-20% of gross development value may be appropriate, with a lower

¹ Viability Planning Practice Guidance -Paragraph: 004 Reference ID: 10-004-20190509 Revision date: 09 05 2019 & Paragraph: 005 Reference ID: 10-005-20180724 Revision date: 24 07 2018

return potentially justified for affordable housing where risk is reduced. The Council's viability evidence cautiously assumes 17.5% for market housing and adopts a 6% return on GDV for affordable housing, which it describes as "broadly accepted as an industry-standard level". These figures are reasonable in this case and accord with the Viability PPG.

23. The non-residential development appraisals in the viability evidence are based on developer return of 15% of gross development value for all non-residential uses. This is the bottom end of the range suggested by the PPG, reflects the lower returns achieved compared to residential and overall is justified. The evidence shows that some forms of development are capable of supporting a levy while others are not and as reflected in the differential rates discussed below.
24. Overall, I conclude that the Council's viability evidence accords with Viability PPG and provides a robust and proportionate economic viability evidence base for the CIL CS.

Are the charging rates informed by and consistent with the evidence?

Market housing

25. The CIL CS proposes market housing levy rates of £50 per square metre within Zone 1 (Stevenage Central) and £120 per square metre within Zone 2 (everywhere else). This would be an increase of £10 per square metre from that required by the adopted CIL CS in Zone 1 and an increase of £20 per square metre in Zone 2.
26. The viability evidence shows higher sales values for market housing in Zone 2 than Zone 1. Even when taking full account of affordable housing provision, Section 106 obligations, and other requirements of the development plan, the appraisals indicate a clear surplus in excess of the proposed CIL rate. The increase to £120 per square metre leaves sufficient headroom to accommodate reasonable variations in costs and values which may be identified when considering real development proposals with bespoke development circumstances.
27. In Zone 1 the viability evidence notes higher build costs, more brownfield sites, and more complex site development conditions. However, the tested residential typologies generally show a surplus once the costs of development plan policy compliance are taken into account. The increase to £50 per square metre remains within the level of surplus identified in the majority of tested scenarios.

Sheltered housing

28. The CS proposes a rate of £120 per square metre for sheltered housing as a flat rate across the Borough. This is an increase of £20 per square metre from the £100 per square metre rate in the adopted CIL CS.
29. The Council's viability evidence recognises the unit values, cost structure and delivery model differ from that of market housing. The tested typologies assume lower sales values than market housing and apply lower allowances for development plan requirements than market housing. On this basis, the viability evidence indicates that after allowing for affordable housing where applicable, residual Section 106 obligations and other development plan requirements, sheltered housing schemes anywhere in the Borough are capable of generating a surplus. The viability evidence demonstrates that sheltered housing can viably support the proposed levy rate.

Extra care housing

30. The CIL CS proposes a rate of £50 per square metre for extra care housing, representing an increase of £10 per square metre from the £40 per square metre rate in the adopted CIL CS. Extra care housing differs from sheltered housing in that it typically provides self-contained homes alongside more comprehensive on-site care and support facilities, often including communal spaces, staff accommodation and care services. The viability evidence recognises these differences through higher build costs and demonstrates that, while extra care housing has less headroom than sheltered housing, the proposed CIL rate of £50 per square metre remains well below the maximum level indicated by the appraisals. I am satisfied that the proposed CIL rate for extra care housing is justified by the viability evidence and would not prejudice the delivery of this form of development.

Retail development

31. A rate of £75 per square metre for retail development is proposed, representing an increase of £15 per square metre from the £60 per square metre rate in the adopted CIL CS. The Council's viability evidence includes specific testing of retail development typologies, reflecting the fact that viability within the retail sector varies considerably by scale, format and performance. The assessment focuses on forms of retail development that are most likely to come forward in the Borough over the plan period. The viability evidence demonstrates that the proposed increase to £75 per square metre does not move the levy towards the margins of viability. The tested retail typologies continue to show adequate headroom above the proposed CIL rate, even when allowing for conservative assumptions on construction costs and developer returns. In this context, the revised rate leaves scope to accommodate reasonable fluctuations in costs and values which may arise in practice, while still securing a meaningful contribution towards infrastructure provision.

32. The proposed rate therefore strikes an appropriate balance between securing additional infrastructure funding and maintaining the viability of retail development in the Borough. The rate of £75 per square metre for retail development is supported by the evidence and represents a proportionate and justified increase from the adopted rate.

Industrial Development

33. It is proposed to introduce a new levy rate of £40 per square metre for industrial development.
34. The Council's viability evidence includes specific testing of industrial development typologies, reflecting the distinct costs, values and market considerations associated with this form of development. It acknowledges that industrial uses generally generate lower development values than residential or certain forms of retail development but usually have lower costs in terms of meeting development plan requirements. The viability evidence demonstrates that industrial development can generate a modest positive surplus after taking account of build costs, developer return, finance costs and residual Section 106 obligations, sufficient to accommodate the proposed CIL charge in most cases. I am satisfied that the introduction of a £40 per square metre CIL rate for industrial development is informed by and consistent with the evidence.

Does the evidence demonstrate that the proposed charge rate would not put the overall development of the area at serious risk?

35. Regulation 34 requires the charging authority to strike an appropriate balance between the desirability of funding infrastructure and the potential effects of CIL on development viability. Having regard to the evidence discussed above, I am satisfied that the proposed CIL rates would not put the overall development of Stevenage at serious risk.

Conclusion and Legal Requirements

36. In setting the CIL charging rate, the Council has had regard to detailed evidence on infrastructure planning and the economic viability evidence of the development market in its viability assessment. The Council has been realistic in terms of achieving a reasonable level of income to address an acknowledged gap in infrastructure funding, while ensuring that a range of development remains viable across the authority area.
37. The requirements of the 2008 Planning Act and 2010 CIL Regulations (as amended), including in respect of the statutory processes and public consultation, financial appraisal, and consistency with the development plan,

have been complied with, and the draft charging schedule is consistent with national policy and guidance.

38. I conclude that the CIL CS has satisfied the requirements of Section 212 of the 2008 Act and meets the criteria for viability in the 2010 Regulations (as amended). I therefore recommend that the Charging Schedule be approved.

L Fleming

Examiner

The Charging Authority

The Charging Authority is Stevenage Borough Council

Date of Approval

This Charging Schedule was approved by the Cabinet on 10 June 2026 and Council on 22 July 2026

Date of Effect

This Charging Schedule will come into effect on 22 July 2026

CIL Rates

The rate at which CIL is charged

What is the Community Infrastructure levy?

The Community Infrastructure Levy (CIL) was introduced under the Planning Act 2008. It is a tool local authorities can use to help deliver infrastructure to support the development of the area. CIL is a non-negotiable tariff on most forms of new development. It is expressed in pounds per square metre (£/m²) and is levied on the net additional floorspace created by most new development.

Stevenage Borough Council is the Charging Authority and Collecting Authority, and the charging area is within the local authority boundary.

The Council first adopted a Community Infrastructure Levy (CIL) Charging Schedule on 29 January 2020. CIL was implemented from 1 April 2020. A revised Community Infrastructure Levy (SCIL2) was approved at Cabinet on 10 June 2026 and by Full Council on 22 July 2026. This updates the adopted 2020 CIL charging schedule and is implemented from 22 July 2026.

Who is liable?

CIL is payable on development that creates net additional floorspace (based on gross internal area) of 100m² or more, or development of any size that results in a new house or flat. Some developments may be eligible for relief or exemption from the CIL. The following do not pay the levy:

- Development of less than 100m² – unless this is a whole house, in which case the levy is payable
- The creation of mezzanine floors within existing buildings (unless it forms part of a wider planning application that seeks to provide other works as well)
- Dwellings built by ‘self builders’
- Social housing that meets the relief criteria set out in the regulations (subject to an application for relief being submitted)
- Charitable development that meets the relief criteria set out in the regulations (subject to an application for relief being submitted)
- Buildings which people do not normally go into, or go into intermittently for the purpose of inspecting or maintaining fixed plant or machinery
- Structures which are not buildings, such as pylons and wind turbines
- Specified types of development which local authorities have decided should be subject to a ‘zero’ rate and specified as such in their charging schedules
- Vacant buildings brought back into the same use.

Please note that strict requirements apply with regard to the timing of the exemption process and you should refer to the regulations for details. In most cases a Commencement Notice must also be served prior to the commencement of development, in order for the exemption to apply.

Proposed levy rates

The rate at which CIL will be charged within Stevenage is as follows. The extent of each Charging Zone is set out in the maps on the following pages.

Table 1: SCIL2 charging rates for all development in Stevenage

| Development Type | CIL Rate (£ per square metre) | |
|-------------------------------|-------------------------------|----------------------------|
| | Zone 1: Stevenage Central | Zone 2: Everywhere else |
| Residential | | |
| Market Housing | £50 | £120 |
| Sheltered Housing | £120 | |
| Extracare Housing | £50 | |
| Retail Development | £75 | |
| Industrial Development | £40 | |
| All Other Development | £0 | |

Figure 1
CIL charging zones

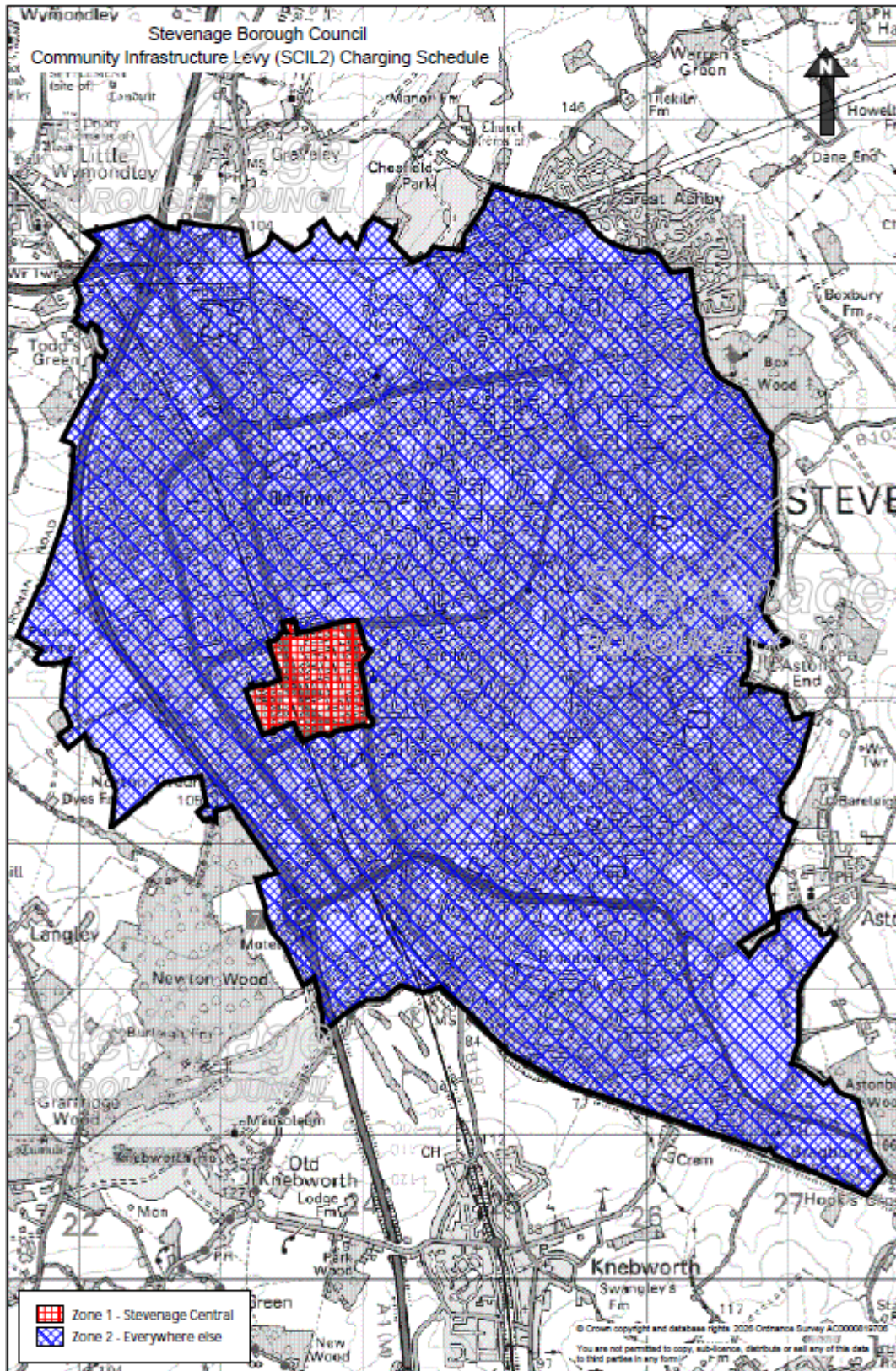
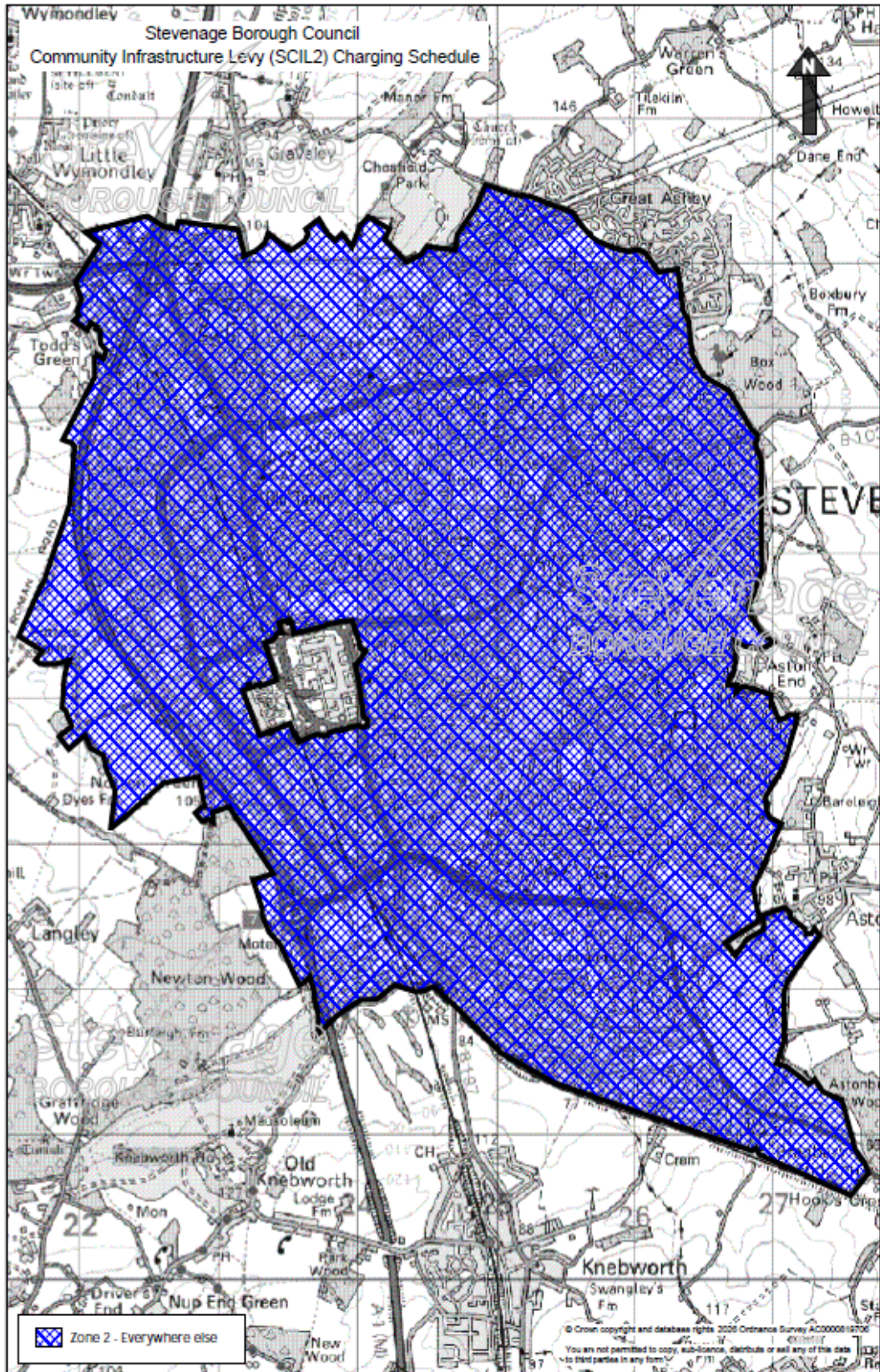


Figure 3
Zone 2: Everywhere else



Collection of CIL monies

The responsibility to pay CIL rests with the owner of the land on which the development will be situated. However, others involved in the development can take on the liability for CIL for the development by submitting an Assumption of Liability Notice. Applicants should include this notice Then submitting applications, along with a copy of a CIL Additional Information Form.

In line with the CIL regulations, the Council will issue a 'liability notice' as soon as practicable after the day on which a planning permission first permits development. The liability notice informs the applicant/landowner of the amount of CIL that they are required to pay, taking into account any relief or exemption for which the development qualifies.

Liability to pay CIL is triggered by the commencement of a development. The developer is required to submit a commencement notice at least 24 hours before development is due to start. The Council will then send out a demand notice, which sets out the payment due dates in line with the payment procedure. If a commencement notice is not submitted, further charges may apply and any exemptions to CIL will no longer apply.

By default the levy must be paid within 60 days, but for schemes with phased outline permission payment will be triggered separately for each phase. The Council has chosen to adopt an Instalments Policy, which allows developers to pay their CIL charges in phased stages, in line with the Regulations.

4Where development commences and a liability notice has not been provided; the CIL liability defers to the landowner. If the landowner then fails to pay, the council will issue a default liability notice. If there is persistent non-compliance, the Council can take direct action to recover the amount.

The relationship between CIL and S106

Currently, financial contributions are collected through Section 106 legal agreements. CIL does not fully replace S106 obligations, they work alongside one another. CIL is intended to provide infrastructure to support new development more generally and contributions are not tied to the location in which the development takes place, whereas S106 obligations are specifically required to make an individual planning application acceptable.

Unlike contributions made via S106 Agreements, CIL receipts are not earmarked for particular infrastructure related to the development from which they are raised. Instead, CIL monies are pooled into a fund which can be used for any infrastructure needed to support the development of the borough, or for strategic infrastructure needs elsewhere. The Council is responsible for allocating the money raised through CIL towards infrastructure required to support the development of the borough.

Appendix A – Evidence base

Authorities wishing to implement CIL must produce a charging schedule setting out the levy rates for their area(s). The rates set must not threaten the ability to develop viably the sites and scale of development identified in the Local Plan. Our evidence on infrastructure that underpins the Local Plan, and a subsequent viability assessment update, demonstrates that the rates we are proposing are appropriate.

Government guidance recommends that the evidence on infrastructure needs should be drawn directly from the infrastructure planning that underpins the Development Plan. The following documents, which were produced to support and inform the Local Plan, provide the evidence base for CIL:

- Stevenage Borough Infrastructure Funding Strategy, Aecom, September 2015
- Infrastructure Delivery Plan (IDP), SBC (most recent version is October 2025)
- Stevenage Borough Council Local Plan & CIL Review Viability Assessment, Main Report (October 2024) and Main Report Addendum (November 2025)

It is important to note, based on our growth proposed in the adopted Local Plan Partial Update, the Council has identified a funding gap of over £200 million, representing the difference between total infrastructure costs and funding reasonably expected to be available. Calculations show a projected income from CIL of between £15 million and £20 million for the remainder of the adopted Plan period. CIL income will therefore make only a modest contribution towards filling the funding gap.

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