



PLANNING AND DEVELOPMENT COMMITTEE

Date: Tuesday, 30 June 2026
Time: 6.30pm,
Location: Council Chamber
Contact: committees@stevenage.gov.uk

Members: Councillors: Claire Parris (Chair), Nigel Williams (Vice-Chair), Julie Ashley-Wren, Forhad Chowdhury, Peter Clark, Lynda Guy, Rob Henry, Ellie Plater, Doug Bainbridge CC, Jody Hanafin, Jackie Hollywell and Peter Wilkins

AGENDA

PART 1

1. APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

2. MINUTES FROM THE PREVIOUS MEETING

To approve as a correct record the Minutes of the previous meeting held on 4 June 2026.
3 – 26

3. 26/00281/FP - 46 BASILS ROAD

To consider the erection of extensions, alterations and associated works to facilitate conversion to 6no. flats.
27 – 52

4. 26/00301/FP - EASTERN SIDE OF STEVENAGE RAILWAY STATION

To consider the proposed installation of a memorial bronze sculpture of Nala the cat.
53 – 62

5. 26/00304/FP - LAND TO THE SOUTH-EAST OF ST NICHOLAS JMI SCHOOL

To consider the installation of a proposed public sculpture of a stag.
63 – 74

6. 26/00305/FP - LAND TO THE NORTH OF FAIRLANDS VALLEY CAR PARK

To consider the installation of a public sculpture.
75 – 86

7. 21/01283/FPM - NORTH CAR PARK

To consider the erection of a 10-storey building comprising of 94 no. flats which consists of 11 no. studios, 36 no. 1 bedroom and 47 no. 2 bedroom units, associated parking, access and ancillary works.

87 – 142

8. INFORMATION REPORT - DELEGATED DECISIONS

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

143 – 154

9. INFORMATION REPORT - APPEALS/CALLED IN APPLICATIONS

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

155 – 166

10. URGENT PART I BUSINESS

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

11. EXCLUSION OF THE PRESS AND PUBLIC

To consider the following motions that:

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

12. URGENT PART II BUSINESS

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

STEVENAGE BOROUGH COUNCIL

PLANNING AND DEVELOPMENT COMMITTEE MINUTES

Date: Thursday, 4 June 2026

Time: 6.30pm

Place: Council Chamber

Present: Councillors: Nigel Williams (Vice-Chair), Julie Ashley-Wren, Forhad Chowdhury, Peter Clark, Lynda Guy, Ellie Plater, Doug Bainbridge CC, Jody Hanafin, Jackie Hollywell and Peter Wilkins

Start / End Time: Start Time: 6.30pm
End Time: 7.45pm

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

Apologies for absence were received from Councillor Claire Parris and Rob Henry.

Councillor John Blackwood was present as a substitute for Councillor Rob Henry.

2 **MINUTES FROM THE PREVIOUS MEETING**

The Minutes of the meeting of the Planning and Development Committee held on 7 April 2026 were agreed as a correct record and signed by the Chair.

3 **TERMS OF REFERENCE - PLANNING AND DEVELOPMENT**

It was **RESOLVED** that the Terms of Reference be noted.

4 **26/00197/FP - 37 CHANCELLORS ROAD**

The Vice-Chair advised the Committee that officers had received a number of detailed submissions since the publication of the report. As these submissions required further examination, it was noted that it would not be appropriate to address these through an addendum report.

It was recommended that the application be withdrawn from the agenda and brought back to a future meeting.

The Monitoring Officer supported this recommendation, advising that the additional representations needed to be fully considered before the Committee could determine the application.

The Vice-Chair moved a motion that the item be withdrawn and deferred to a future meeting, which was seconded by Councillor Peter Clark.

It was **RESOLVED** that the motion was carried, and the item was withdrawn.

5 **26/00216/FP - 33 JULIANS ROAD**

The Committee was advised that, following the publication of the agenda, further information had come to light regarding land ownership. Officers therefore recommended that the item be withdrawn from the agenda.

The Director of Planning and Regulation informed Members that further investigations were required to establish the land ownership position and to ensure that any future decision on the application would be valid.

The Monitoring Officer advised that there was a potential risk of legal challenge if the application was determined before these matters had been clarified. Officers indicated that, subject to the outcome of the investigations, the application was likely to be brought back to a future meeting.

The Monitoring Officer supported this recommendation, advising that the additional representations needed to be fully considered before the Committee could determine the application.

The Vice-Chair moved that the item be withdrawn and deferred to a future meeting which was seconded by Councillor Lynda Guy.

It was **RESOLVED** that the motion was carried, and the item was withdrawn.

6 **25/00907/FPM - MANOR VIEW**

The Committee were presented with the report and were shown images of the site layout, landscaping proposals and cycle and refuse storage facilities. It was noted that the site would provide ten new homes, including affordable housing. This included two-storey semi-detached houses and a three-storey block of eight flats.

The Vice-Chair introduced Sam Lake, a local resident of the proposed site, to address the Committee.

The objector spoke about the proximity of the proposed dwellings to properties in Russell Close, disputing the separation distances referred to in the officer's report.

Concerns were also expressed regarding potential overlooking, loss of privacy, overshadowing, loss of outlook and the absence of a daylight and sunlight assessment. The objector considered that the proposal would have an unacceptable impact on neighbouring residential amenity and was contrary to Policy GD1.

The Vice-Chair introduced Liz Fitzgerald from Barker Parry Town Planning Ltd to address the Committee.

The Committee also heard from the applicant's agent, who supported the proposal and highlighted the benefits of redeveloping the site to provide housing, which included affordable homes.

It was noted that the scheme had been amended during the application process to address concerns raised through consultation. The agent advised that the Design Guide SPD provided guidance rather than policy requirements and that any minor deviation from the guidance would not necessarily justify refusal of the application.

The Vice-Chair thanked both speakers for their contributions and invited the Senior Planning Officer to respond.

The Senior Planning Officer advised that measurements had been taken using the Council's industry standard digital mapping software. It was confirmed that the distances reported had been calculated from the submitted plans. Officers stated that they could not account for the differing measurements referred to by the objector but were satisfied that the proposal met the relevant requirements.

Officers advised that the site was an unallocated windfall site, and that significant weight should be afforded to the redevelopment of a previously developed brownfield site.

The Committee was informed that the proposal would provide affordable housing in accordance with policy requirements, together with contributions towards local training, apprenticeships and secondary education through a Section 106 Agreement.

Officers further advised that the proposal met the required standards for internal accommodation, private amenity space, parking provision and cycle storage.

In response to questions regarding daylight and sunlight impacts, officers advised that there was no requirement for either the applicant or the Council to undertake a daylight and sunlight assessments. It was noted that such assessments would not normally be expected for two-storey residential development within an established urban area where acceptable separation distances had been achieved.

Officers concluded that the benefits of delivering new housing, affordable housing and the redevelopment of a brownfield site significantly outweighed any identified harm and therefore recommended that planning permission be granted.

A recorded vote* was taken on the application and it was **RESOLVED** that planning permission be **GRANTED** subject to the conditions set out below and delegated authority be given to the Director of Planning and Regulation in consultation with the Chair of the Planning and Development Committee, to amend or add to the conditions subject to which the permission would be granted, where such amendments or additions would satisfy the relevant national policy tests and would most effectively deliver the development which the Committee has resolved to approve and also subject to the applicant having first entered into a S106 legal agreement to secure the following:

- The provision of affordable housing;

- Financial contributions for Herts County Council Education provision;
- Local Employment Apprenticeships
- SBC and HCC Section 106 monitoring fees

SUBJECT TO THE FOLLOWING CONDITIONS/REASONS

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

2161-PL01; 2161-PL03; 2161-PL04; 2161-PL05; 2161-PL06A; 2161-PL07A; 2161-PL08A; 2161-PL09A; 2161-PL11; 2161-PL02B; 2161-PL10B; B24063-101B;

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

3 No demolition, construction or maintenance activities audible at the boundary, and no deliveries of construction and demolition materials shall be undertaken outside the hours 07:30 hours to 18:00 hours Monday to Friday and 08:00 hours to 13:00 hours on Saturdays. For the avoidance of doubt, no such activity shall take place on Sundays or Bank Holidays, unless otherwise agreed in writing with the Local Planning Authority.

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

5 The development hereby approved shall be constructed in accordance with the measures to address adaptation and mitigation to climate change as laid out in the Energy Statement by Abbey Consultants dated October 2025, Reference PA-ES-HHA-45MV-24-02. These measures shall then be implemented and permanently maintained in accordance with the approved details.

6 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the first occupation of the building(s) or the completion of the development whichever is the sooner. In regards to hard surfacing, this shall be carried out in accordance with any approved details within three months of the first occupation of the building or the completion of the development, whichever is the sooner.

7 Any trees or plants comprised within the scheme of landscaping, which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless otherwise agreed in writing by the Local Planning Authority.

8 The development hereby permitted shall be carried out in accordance with the

ecological mitigation and enhancement measures as detailed in the Preliminary Ecological Appraisal dated October 2025, reference RT-MME-180733-04A by Middlemarch Environmental Ltd. This document shall be adhered to at all times during construction, including site clearance works, and during occupation of the development.

9 Any external lighting installed at the site shall be angled so as to avoid any spillage beyond the site boundaries unless otherwise agreed in writing by the Local Planning Authority.

10 At least 50% of the residential units shall be Category 2: Accessible and Adaptable dwellings.

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

- a) Construction vehicle numbers, type, routing;
- b) Access arrangements to the site;
- c) Measure to minimise dust, noise machinery and traffic noise impacts during construction;
- d) Screening and hoarding details to protect neighbouring residents;
- e) Traffic management requirements, including the location of routes and from the site, details of their signing monitoring and enforcement measures;
- f) Construction and storage compounds (including areas designated for car parking, loading /unloading and turning areas);
- g) Siting and details of wheel washing facilities;
- h) Cleaning of site entrances, site tracks and the adjacent public highway including end of day tidying procedures to ensure protection of the site out the hours of construction. The construction activities shall be designed and undertake in accordance with the code of best practice set out in BS5228 1997 and the agreed details unless otherwise agreed in writing by the LPA and Highways;
- i) Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times;
- j) Provision of sufficient on-site parking prior to commencement of construction activities;
- k) Post construction restoration/reinstatement of the working areas and temporary access to the public highway;
- l) Where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes, and remaining road width for vehicle movements;

12 HOLD FOR LLFA CONDITION

13 HOLD FOR LLFA CONDITION

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

15 No development shall take place (including site clearance) until the tree protection measures as detailed in the Arboricultural Impact Assessment dated November 2025, Reference RT-MME-180733-02-Rev A by Middlemarch Environmental Ltd have been implemented accordingly. The tree protection measures shall remain in place until the development has been completed. Within the tree protection areas to be fenced off in accordance with the AIA there shall be no alteration to the ground level and they shall be kept clear of vehicles, materials, surplus soil, temporary buildings, plant and machinery. Any trees identified as part of Condition 9 shall not be covered by this condition.

16 The development shall not commence until the Biodiversity Gain Plan has been prepared in accordance with the Biodiversity Net Gain Assessment dated April 2026, Reference RT-MME-180733-06-Rev B prepared by Middlemarch Environmental Ltd.

17 The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the Biodiversity Gain Plan and including:

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

18 Notice in writing shall be given to the Council when the:

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

19 No development shall take place above slab level until a specification of the materials to be used in the construction of the external surfaces development hereby permitted have been submitted to and approved in writing by the Local Planning

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

20 No development shall take place above slab level until details of 6no. integrated swift boxes are submitted to and approved in writing by the local planning authority. These features must be integrated into the brickwork of the development and located in the most appropriate locations to ensure occupation. They shall be fully installed prior to occupation and retained as such thereafter.

21 Prior to the occupation of the dwellinghouses hereby permitted, all the parking spaces shown on the approved plans shall be provided with the underlying infrastructure for connection to the electricity network to enable them to be served by an electric vehicle charging point.

22 Prior to the first occupation of the development hereby permitted, the access, parking, turning and servicing areas shown on the approved plans shall be provided, marked out and hard surfaced ready for use and shall be retained in that form and kept available for those purposes thereafter. The hardstanding areas shall be made of a porous material, or provision shall be made to direct surface water run-off water from the hardstanding to a permeable or porous area or surface within the curtilage of the building.

23 Prior to the first occupation of the dwellings hereby permitted, the cycle storage facilities as shown on approved plan 2161-PL10B shall be installed and be ready for use. The approved facilities shall be maintained and retained for the lifetime of the development.

24 Prior to the first occupation of the dwellings hereby permitted the general waste and recycle stores as shown on approved plan 2161-PL10B shall be installed and made ready for use and retained and maintained accordingly for the lifetime of the development.

25 HOLD FOR LLFA CONDITION

26 a) Prior to the first occupation of the dwellings hereby approved, a written noise mitigation plan for the site shall be submitted in writing to, and approved by, the Local Planning Authority. The plan shall demonstrate that the layout and construction of dwellings and associated external amenity space reflects good acoustic design together with details of appropriate mitigation measures, where required, so that internal and external noise levels specified below will not be exceeded:

- 35dB (LAeq,16hr) during the daytime (07:00 - 23:00) within bedrooms and living rooms;
- 40dB (LAeq, 16hr) during the daytime (07:00 - 23:00) within dining rooms;
- 30dB (LAeq,16hr) during the night (23:00 - 07:00) within bedrooms;
- 45 dB (LAm_{ax}) on more than ten occasions during any typical night (23:00 - 07:00) within bedrooms

Where it is necessary to rely on closed windows to achieve the above internal noise levels then an alternative adequate means of ventilation and cooling, meeting

the requirements of building regulations approved document F and O, shall be provided that do not compromise the performance of the relevant facade noise insulation. Where mechanical ventilation is proposed it should, in normal operation, achieve compliance with NR20 in bedrooms between 23:00 to 07:00 and NR25 in all habitable rooms between 07:00 to 23:00.

Noise levels in external amenity spaces (except balconies) shall not exceed 55dB LAeq,16hr.

b) Prior to the occupation of any dwellings a detailed written compliance report confirming that the agreed mitigation measures have been implemented shall be submitted to, and approved by, the Local Planning Authority.

c) All agreed mitigation measures shall be retained as such for the duration of the residential use.

27 Prior to the first occupation of the development hereby approved, a detailed landscaping strategy shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall include the proposed planting palette, specifications, and ongoing maintenance arrangements/strategy for the site.

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

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

INFORMATIVE

1 Public Information on Planning Applications

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

2 Community Infrastructure Levy

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

This application may be liable for CIL payments and you are advised to contact the CIL Team for clarification with regard to this. If your development is CIL liable, even if you are granted an exemption from the levy, please be advised that it is a requirement under Regulation 67 of The Community Infrastructure Levy Regulations 2010 (as amended) that CIL Form 6 (Commencement Notice) must be completed, returned and acknowledged by Stevenage Borough Council before building works

start. Failure to do so will mean you risk losing the right to payment by instalments and a surcharge will be imposed. NB, please note that a Commencement Notice is not required for residential extensions if relief has been granted.

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

3 Building Regulations

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

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

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

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

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

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

4 Party Wall etc. Act 1996

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

<https://www.gov.uk/government/publications/the-party-wall-etc-act-1996-revised-explanatory-booklet>

5 **Biodiversity Net Gain**

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

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

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

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

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

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

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

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

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

6 **UK Power Networks**

Please note there are LV underground cables on the site running within close proximity to the proposed development. Prior to commencement of work accurate records should be obtained from the Plan Provision Department at UK Power

Networks, Fore Hamlet, Ipswich, IP3 8AA.

All works should be undertaken with due regard to Health & Safety Guidance notes HS(G)47 (Avoiding Danger from Underground services). This document is available from local HSE office. Should any diversion works be necessary as a result of the development then enquiries should be made to our Customer Connections department. The address is UK Power Networks, Metropolitan House, Darkes Lane, Potters Bar, Herts, EN6 1AG.

7 Thames Water

Public sewers are crossing, or close to, your development. Build over agreements are required for any building works within 3 metres of a public sewer or within 1 metre of a public lateral drain. Please refer to Thames Water's guide on working near or diverting pipes: <https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes>. Please ensure to apply to determine if a build over agreement will be granted. Further, permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.

Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk, Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB.

8 Thames Water Wastewater Assets

The proposed development is located within 15 metres of Thames Waters underground assets and as such, the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures. <https://www.thameswater.co.uk/developers/larger-scale-developments/planningyour-development/working-near-our-pipes> Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB.

9 Hertfordshire County Council as Highways Authority

Debris and deposits on the highway: It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made up carriageway, or any or other debris on a highway to the interruption of any highway user. Section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.

10 Hertfordshire County Council as Highways Authority

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

<http://www.hertfordshire.gov.uk/services/transtreets/highways/> or by telephoning 0300 1234047.

11 Hertfordshire County Council as Highways Authority

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

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

12 Hertfordshire County Council as Highways Authority

Construction standards for new vehicle access: Where works are required within the public highway to facilitate the new or amended vehicular access, the Highway Authority require the construction of such works to be undertaken to their satisfaction and specification, and by a contractor who is authorised to work in the public highway. If any of the works associated with the construction of the access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) the applicant will be required to bear the cost of such removal or alteration. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission, requirements and for the work to be carried out on the applicant's behalf. Further information is available via the website

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/dropped-kerbs/dropped-kerbs.aspx> or by telephoning 0300 1234047.

13 Hertfordshire County Council as Highways Authority

Construction Management Plan (CMP): The purpose of the CMP is to help developers minimise construction impacts and relates to all construction activity both on and off site that impacts on the wider environment. It is intended to be a live document whereby different stages will be completed and submitted for application as the development progresses.

A completed and signed CMP must address the way in which any impacts associated with the proposed works, and any cumulative impacts of other nearby

construction sites will be mitigated and managed. The level of detail required in a CMP will depend on the scale and nature of development. The CMP would need to include elements of the Construction Logistics and Community Safety (CLOCS) standards as set out in our Construction Management template, a copy of which is available on the County Council's website at:
<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>

14 Environmental Protection Act 1990

The applicant is advised of the Council's powers under Part III of the Environmental Protection Act 1990 to prohibit nuisances arising from dust, smoke, artificial light, and a range of other pollutants that may arise on construction sites. The applicant is advised of the Council's powers under the Control of Pollution Act 1974 to restrict noise generating construction (including demolition) activity audible beyond
the development site boundary.

*Recorded Vote

For – Councillors Julie Ashley-Wren, Doug Bainbridge, Forhad Chowdhury, Peter Clark, Lynda Guy, Jody Hanafin, Jackie Hollywell, Ellie Plater, Peter Wilkins, Nigel Williams and John Blackwood.

Against – 0

Abstentions – 0

Absent – Councillors Rob Henry and Claire Parris.

7 26/00093/FP - GARAGE SITE BETWEEN 29-31 BROADVIEW

The Committee considered an application for the redevelopment of the former garage site on Broadview to provide seven three-bedroom dwellings.

Members were advised that, following publication of the agenda, prior approval had been granted for the demolition of the garages, and a bat survey had confirmed no evidence of roosting bats, resulting in minor amendments to the proposed conditions.

Members discussed the design, scale and height of the proposed dwellings, together with the relationship of the development to the surrounding area.

Concerns were raised regarding the use of Broxdell as an access point due to its narrow width and existing parking pressures. Officers acknowledged residents' concerns and advised that Hertfordshire Highways, who was the statutory consultee, had raised no objections to the proposal.

Questions were also raised regarding the impact on the Green Link and the potential loss of green space. Officers advised that the development occupied only a small proportion of the designated area and remained compliant with the relevant policies. This was because it would not sever the wildlife corridor or create a substantive break in the Green Link.

Officers concluded that the benefits of delivering additional housing, the reuse of a previously developed site and the significant biodiversity gains outweighed the limited policy harms identified. The application was therefore recommended for approval.

A recorded vote* was taken on the application and it was **RESOLVED** that planning permission be **GRANTED** subject to the conditions set out below and delegated authority be given to the Director of Planning and Regulation in consultation with the Chair of the Planning and Development Committee, to amend or add to the conditions subject to which the permission would be granted, where such amendments or additions would satisfy the relevant national policy tests and would most effectively deliver the development which the Committee has resolved to approve.

SUBJECT TO THE FOLLOWING CONDITIONS/REASONS

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

25016su1.01-B; 25016su1.02-C; 25016su1.03-A; 25016su1.04-C; 25016wd2.01-E; 25016wd2.01-E; 25016wd2.03-B; 25016wd2.04-B; 25016wd2.05; 25016wd2.10-C; 25016wd2.11-C; 25016wd2.12-C; 25016wd2.13-C; LSDP 2482.01-A; ST-3853-801-C; ST-3853-802-C; ST-3853-800-B; 36059-1; 25038-1;

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

3 No demolition, construction or maintenance activities audible at the boundary, and no deliveries of construction and demolition materials shall be undertaken outside the hours 07:30 hours to 18:00 hours Monday to Friday and 08:00 hours to 13:00 hours on Saturdays. For the avoidance of doubt, no such activity shall take place on Sundays or Bank Holidays, unless otherwise agreed in writing with the Local Planning Authority.

4 Any external lighting installed at the site shall be angled so as to avoid any spillage beyond the site boundaries unless otherwise agreed in writing by the Local Planning Authority.

5 In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing immediately to the local planning authority. An investigation and risk assessment must be undertaken and where remediation is necessary, a remediation scheme must be submitted to and approved in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report must be submitted to and approved in writing by the

local planning authority.

6 The development to which this permission relates shall be carried out in accordance with Section 5 (Sustainability Statement) of the Design and Access Statement by Kyle Smart Associates dated January 2026, unless otherwise agreed in writing by the local planning authority.

7 Any trees or plants comprised within the scheme of landscaping, which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless otherwise agreed in writing by the Local Planning Authority.

8 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the first occupation of the building(s) or the completion of the development whichever is the sooner.

9 No development shall take place (including site clearance) until the tree protection measures as detailed in the Arboricultural Impact Assessment Report prepared by Macintyre Trees, dated January 2026, have been implemented accordingly. The tree protection measures shall remain in place until the development has been completed. Within the tree protection areas to be fenced off in accordance with the AIA there shall be no alteration to the ground level and they shall be kept clear of vehicles, materials, surplus soil, temporary buildings, plant and machinery.

10 No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The Plan would need to include details of:

- a. Construction vehicle numbers, type, routing;
- b. Access arrangements to the site;
- c. Traffic management requirements;
- d. Construction and storage compounds (including areas designated for car parking);
- e. Siting and details of wheel washing facilities;
- f. Cleaning of site entrances, site tracks and the adjacent public highway;
- g. Timing of construction activities including delivery times and removal of waste, and to avoid school pick up/drop off times.
- h. Provision of sufficient on-site parking prior to commencement of construction activities;
- i. Post construction restoration/reinstatement of the working areas and temporary access to the public highway;
- j. where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements;

k. Phasing Plan.

11 No development shall take place (including demolition and site clearance) until a bat survey of the site has been undertaken by a qualified ecologist and the local planning authority has been provided with a copy of the licence issued by Natural England pursuant to Regulation 53 of The Conservation of Habitats and Species Regulations 2017 (as amended) authorising the specified activity/development to go ahead.

12 No development shall take place above slab level until there has been submitted to and approved by the Local Planning Authority a scheme of soft and hard landscaping and details of the treatment of all hard surfaces. The scheme shall include details of all existing trees and hedgerows on the land and details showing all trees to be removed, or retained, together with details of all new planting to take place including species, size and method of planting.

13 No development shall take place above slab level until a schedule and samples of the materials to be used in the construction of the external surfaces and hard landscaping of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and permanently retained as such thereafter.

14 No development shall take place above slab level until details of integrated swift bricks and bat boxes to be provided within the development have been submitted to and approved in writing by the local planning authority. The development shall then be carried out in accordance with the approved details.

15 No development shall take place above slab level until the retained trees labelled T2, T3, T4, and T5 on the approved plans, located to the front of Plots 1 to 3 on Broadview, have been crown reduced by no more than 25% by the developers qualified Arborist.

16 Prior to the beneficial occupation of the development to which this permission relates, the refuse stores and cycle storage as shown on the approved plans shall be provided in full. The stores shall be permanently retained as such thereafter unless otherwise agreed in writing by the local planning authority.

17 Prior to the first occupation of the development hereby permitted, the pedestrian and vehicular accesses and visibility splays shall be completed as per the approved plans and thereafter retained in that form for the lifetime of the development.

18 Prior to the first occupation of the development hereby approved, the parking spaces shall be provided and marked out in accordance with the approved plans. Any new areas of hardstanding shall be made of a porous material, or provision shall be made to direct surface water run-off water from the hardstanding to a permeable or porous area or surface within the curtilage of the dwellinghouse.

19 Prior to the first occupation of the dwellinghouses hereby permitted, all parking spaces shall be provided with the underlying infrastructure for connection to

the electricity network to enable them to be served by an electric vehicle charging point.

20 The Biodiversity Gain Plan shall be prepared in accordance with the Biodiversity Net Gain Assessment produced by Arbtech Consulting Ltd on 26 February 2026.

21 The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the approved Biodiversity Gain Plan and including:

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

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

22 Notice in writing shall be given to the Council when the:

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

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

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

INFORMATIVE

1 Public Information on Planning Applications

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

2 Community Infrastructure Levy

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

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

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

3 Building Regulations

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

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

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

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

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

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

4 **Party Wall etc. Act 1996**

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

<https://www.gov.uk/government/publications/the-party-wall-etc-act-1996-revised-explanatory-booklet>

5 **Biodiversity Net Gain**

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

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

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

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

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

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

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

The planning authority can only approve a Biodiversity Gain Plan if satisfied

that the adverse effect of the development on the biodiversity of the irreplaceable habitat is minimised and appropriate arrangements have been made for the purpose of compensating for any impact which do not include the use of biodiversity credits.

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

6 Environmental Protection Act 1990

The applicant is advised of the Council's powers under Part III of the Environmental Protection Act 1990 to prohibit nuisances arising from dust, smoke, artificial light, and a range of other pollutants that may arise on construction sites.

7 Environmental Health

During the demolition and construction phase of the development, the guidance in BS5228-1:2009 (Code of Practice for Noise Control on Construction and Open Sites) should be adhered to.

8 Hertfordshire County Council as Highways Authority

The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/businessanddeveloper-information/development-management/highways-developmentmanagement.aspx> or by telephoning 0300 1234047.

9 Hertfordshire County Council as Highways Authority

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

10 Hertfordshire County Council as Highways Authority

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

<http://www.hertfordshire.gov.uk/services/transtreets/highways/> or by telephoning 0300 1234047.

11 Hertfordshire County Council as Highways Authority

Debris and deposits on the highway: It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made up carriageway, or any or other debris on a highway to the interruption of any highway user. Section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.

12 Hertfordshire County Council as Highways Authority

Public Rights of Way (RoW) should remain unobstructed by vehicles, machinery, materials, tools and any other aspects of the construction during works. The safety of the public using the routes and any other routes to be used by construction traffic should be a paramount concern during works; safe passage past the site should be maintained at all times. The condition of the route should not deteriorate as a result of these works; any adverse effects to the surface from traffic, machinery or materials (especially over spills of cement & concrete) must be made good by the applicant to the satisfaction of this Authority. All materials must be removed at the end of the construction and not left on the Highway or Highway verges. Further details regarding RoW can be obtained from the RoW unit at Hertfordshire County Council. Additionally if the works to the RoW require a temporary closure then the developer should contact Rights of Way to discuss the process and costs involved.

13 Hertfordshire County Council as Highways Authority

Roads to remain private: The applicant is advised that all new roads associated with this development will remain unadopted and the developer should put in place a permanent arrangement for long term maintenance. At the entrance of the new estate the road name plate should indicate that it is a private road to inform purchasers of their future maintenance liabilities. Further information is available via the website www.hertfordshire.gov.uk/services/transtreets/highways/ or by telephoning 0300 1234047.

14 Stevenage Borough Council Engineering Department

The applicant is reminded of their agreement to pay the Council's Engineering Services team a financial contribution of £4,000.00 to create a new Traffic Regulation Order and associated road markings at both access points to create "No Waiting" restrictions to protect highway safety at these points.

*Recorded Vote

For – Councillors Julie Ashley-Wren, Doug Bainbridge, Peter Clark, Lynda Guy, Jody Hanafin, Jackie Hollywell, Ellie Plater, Peter Wilkins, Nigel Williams and John Blackwood.

Against – 0

Abstentions – Councillor Forhad Chowdhury

Absent – Councillors Rob Henry and Claire Parris.

8 **26/00250/FP - NORTH END OF THE FAIRLANDS VALLEY PARK FAIRLANDS WAY**

The Committee considered an application for the installation of a public art structure at the north end of Fairlands Valley Park. The Planning Officer presented to the Committee images of the low-lying concrete Roman soldier sculpture.

Members were advised that five objections had been received, primarily relating to the use of public funding, the suitability of the location, concerns regarding potential vandalism, and the perceived lack of historical links between Stevenage and Roman heritage. Officers advised that these matters were not material planning considerations.

The Committee were informed that the principal planning considerations related to the impact on the nearby heritage asset, Fairlands Farm, and the character of the surrounding area. Officers concluded that, due to the scale, design and location of the sculpture, there would be no significant harm to the heritage asset or the appearance of the area. It was also noted that the proposal would not affect highway safety, pedestrian access or parking provision.

During discussions, Members sought clarification regarding the purpose of the sculpture and were informed that the proposal formed part of a wider Towns Fund regeneration programme. Officers advised that the rationale for the proposal was not a material planning consideration, and that the Committee's role was to determine the planning merits of the application.

A recorded vote* was taken on the application and it was **RESOLVED** that planning permission be **GRANTED** subject to the conditions set out below and delegated authority be given to the Director of Planning and Regulation in consultation with the Chair of the Planning and Development Committee.

SUBJECT TO THE FOLLOWING CONDITIONS/REASONS

1 The development hereby permitted shall be carried out in accordance with the following approved plans:
Site Location Plan; Aerial View; Elevation View; Proposed Site Plan

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

3 The external materials used in the development to which this permission relates shall be those detailed on the approved plans and in the accompanying planning submission documents unless otherwise agreed in writing by the local planning authority.

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

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

*Recorded Vote

For – Councillors Julie Ashley-Wren, Doug Bainbridge, Forhad Chowdhury, Peter Clark, Lynda Guy, Jody Hanafin, Jackie Hollywell, Ellie Plater, Peter Wilkins, Nigel Williams and John Blackwood.

Against – 0

Abstentions – 0

Absent – Councillors Rob Henry and Claire Parris.

9 **INFORMATION REPORT - DELEGATED DECISIONS**

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

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

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

11 **URGENT PART I BUSINESS**

There was no Urgent Part I Business.

12 **EXCLUSION OF THE PRESS AND PUBLIC**

It was **RESOLVED**:

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

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

13 **HMO REPORT 2025/26 UPDATE**

The Committee noted the Planning report on the legal status of Houses of Multiple Occupation (HMO) in Stevenage.

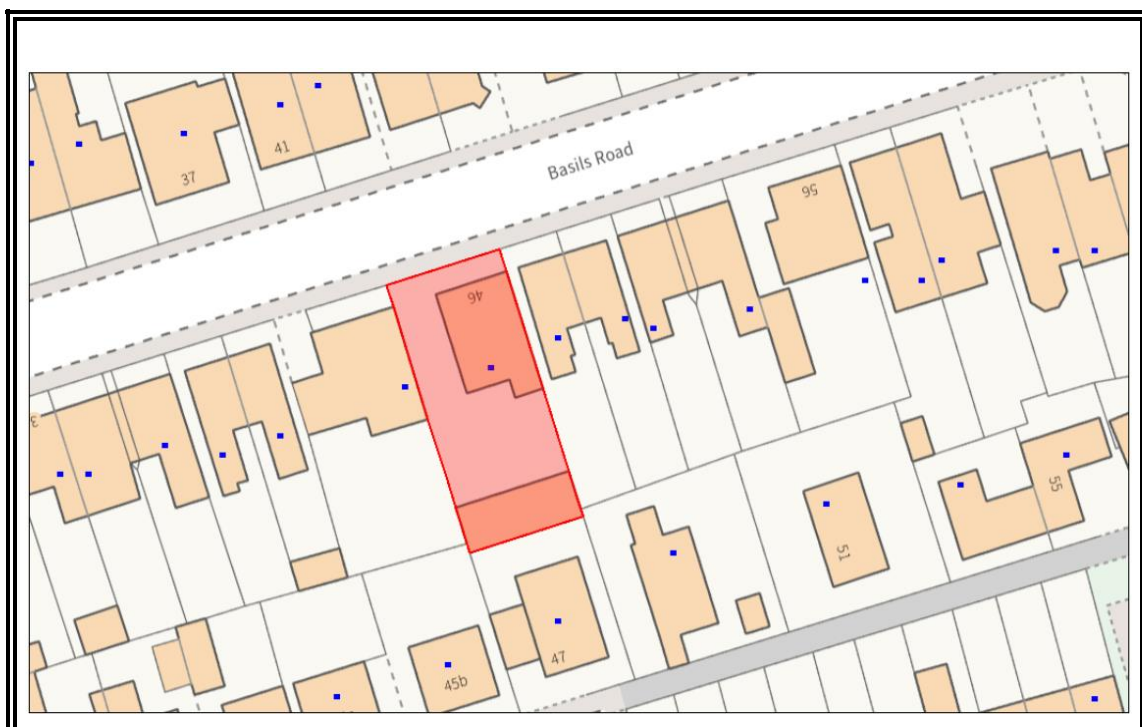
14 **URGENT PART II BUSINESS**

There was no Urgent Part II Business.

CHAIR

Meeting: Planning and Development Committee **Agenda Item:** Committee
Date: 30 June 2026
Author: Ailsa Davis
Lead Officer: Alex Robinson
Contact Officer: Ailsa Davis

Application No : 26/00281/FP
Location : 46 Basils Road, Stevenage
Proposal : Erection of extensions, alterations and associated works to facilitate conversion to 6no. flats
Drawing Nos.: 25115-001; 25115-002; 25115-003; 25115-004; 25115-100 C; 25115-110 B; 25115-120 B; 25115-130 B
Applicant : Skyline Assets Limited
Agent: CROE Architects
Date Valid: 2 April 2026
Recommendation: GRANT PLANNING PERMISSION



1. SITE DESCRIPTION

- 1.1 The application site comprises a detached property within the Old Town area of Stevenage. The property is in mixed use with an office at ground floor (vacant) and a residential flat on the first floor. The site has an outbuilding at the rear, which is currently used as a workshop and as storage. The rear is also used for parking.

2. RELEVANT PLANNING HISTORY

- 2.1 05/00273/FP Change of use of ground floor from offices (B1) to residential use granted planning permission 26.07.2005.
- 2.2 25/00431/FP Erection of single storey rear extension and change of use of ground floor from office (use class E) to create 3no. x 1 bed flats at ground and first floor with associated parking and storage.

3. THE CURRENT APPLICATION

- 3.1 Planning permission is sought for the erection of extensions, alterations and associated works to facilitate the conversion of the property to 6no. one-bedroom flats. The proposal would involve a two-storey side extension and a part one / two storey rear extension, with a double gable end roof extension.
- 3.2 Following objections raised by the Highway Authority over details concerning the access and rear parking area, together with officer concerns over the design of the rear roof extension, window glazing and internal flat sizes, amended plans were received. The application is being assessed based on the proposal shown in the amended plans which have been subject to neighbour and statutory consultee re-consultation.
- 3.3 The application comes before the Planning Committee as it has been called in by a Ward Member.

4. PUBLIC REPRESENTATIONS

Original Plans

- 4.1 The application was publicised by way of letters sent to adjoining owner / occupiers and a site notice. Thirty-six objections were received, together with a petition raising the following concerns. It should be noted that in some cases more than one representation has been submitted by individual neighbours:
- Loss of Residential Amenity (overlooking, overbearing impact, outlook and light)
 - Inconsistent Plans / Adjoining Wall Gap — Contradictions in drawings about a gap between the new structure and the neighbour's wall; objection to any structure being fixed to or placed against the external wall.
 - Ventilation and Damp — The neighbour's property has solid walls with no cavity and existing damp issues; the new structure could worsen ventilation and damp conditions.
 - Access for Maintenance — Requests assurance that access to the side of the property will remain available for maintenance.
 - Misrepresentation of previous planning permission — Claims the application incorrectly states that prior permission was for five flats.
 - Highway safety and inadequate parking leading to congestion and parking problems on Basils Road.

- Flat conversion (density) out of character with area, which is predominantly family housing.
- Design and Scale – The bulk and massing of the proposed extension would appear overbearing and out of character in relation to the surrounding properties and an overdevelopment of the site.
- Noise and light pollution.
- Application fails to address impact on the setting of the Old Town Conservation Area. Proposal is harmful to the significance of the Conservation Area, by reason of its width and massing.
- The applicant's characterisation of local character is unsound.
- Failure to notify neighbouring properties.
- Restrictive Covenants.
- Bin and Cycle Storage – Location and Fire Safety.
- Plans fail to acknowledge an existing window on the adjoining wall of No.44. The right to light is a recognised legal right.
- Increase in housing will impact on water and sewerage infrastructure.
- Support for the reasons behind the Highway Authority's objection to the application.

Plans submitted 8 May 2026 revision A/B

4.2 Amended plans were submitted to address concerns around the design of the roof extension and the objection from the Highway Authority. The application was re-publicised by way of letters sent to adjoining owner / occupiers and all those who had previously submitted a representation. Thirty-six representations were received reiterating the previous objections. It should be noted that in some cases more than one representation has been submitted by individual neighbours. The following new points were raised:

- All concerns raised in previous objections remain outstanding.
- Revised drawings reduce parking provision further.
- This application conflicts with Policies SP5, SP8, SP13 and IT5 of the adopted Stevenage Borough Local Plan 2019, and that these conflicts, taken individually and cumulatively, provide strong and compelling grounds for refusal.
- This will be an HMO, not flats.
- First and second floor rear windows should be obscure glazed to match planning condition at 44 Basils Road for rear extension granted permission in 2015 (ref. 15/00202/FPH).
- Flats do not comply with nationally described space standards.
- Proposal fails to meet minimum back-to-back separation distance with No.47 Grove Road.

4.3 Amended plans were submitted to reduce the bedroom sizes in flats 2 and 3 to comply with the nationally described space standards and to show obscure glazing to the rear first and second floor windows with additional rooflights for flats 4 and 6. The application was re-publicised by way of letters sent to adjoining owner / occupiers and all those who had previously submitted a representation. Thirty representations were received reiterating the previous objections and a petition. It should be noted that in some cases more than one representation has been submitted by individual neighbours. The following new points were raised:

- Amenity concerns (noise and disturbance) associated with location of bin and bike storage adjacent to side wall of No.44.
- Query whether bin and bike storage structures will be fixed to shared boundary wall with No.44 raising concerns over structural impact, vibration, and noise transmission through the wall.
- Poor outlook for flats 4, 5 and 6 due to obscure glazed windows.
- Revised elevation drawings do not include a measurement showing by how much the proposed rear extension will project beyond the rear building lines of the adjoining properties at No. 44 and No. 48 Basils Road.
- Query over fire evacuation procedure and fire escapes.
- Query over how construction traffic would access site.
- No waste management plan and no details on how bin storage area would be managed.
- Bins would attract vermin.
- Query over whether a change of use has been applied for relating to the ground floor commercial use.
- Application fails to address how existing boundary installations will be protected or how security of neighbouring properties will be maintained during and after construction.
- 18m high boundary fence a typographical error?

4.4 The above is a summary of the issues raised. A full copy of the representations are available on the application file on the Council's website.

5. CONSULTATIONS

5.1. HCC Highway Authority (comments dated 27 April 2026)

Notice is given under article 22 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that Hertfordshire County Council as Highway Authority recommends that permission be refused for the following reasons:

5.1.1 There is insufficient information supplied with this application to enable the Highway Authority to reach a recommendation. In the absence of the necessary information, the Highway Authority recommends refusal due to doubt over possible implications for highway safety and convenience.

HCC Highway Authority (comments dated 14 May 2026)

- 5.1.2 Notice is given under article 22 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission subject to conditions.

6. RELEVANT PLANNING POLICIES

6.1 The Development Plan

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

- The Stevenage Borough Council Local Plan 2011-2031 (adopted 2019)
- The Hertfordshire Waste Core Strategy & Development Management Policies Development Plan Document 2011-2026 (adopted 2012)
- The Hertfordshire Waste Site Allocations Development Plan Document 2011-2026 (adopted 2014)
- The Hertfordshire Minerals Local Plan Review 2002-2016 (adopted 2007)

6.2 National Planning Policy Framework

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

6.3 Housing Delivery Test and 5-Year Land Supply

- 6.3.1 Since November 2018, housing delivery has been measured against the Housing Delivery Test (HDT) as set out by the Government planning policy and guidance. The results of the HDT dictate whether a local planning authority should be subject to consequences to help increase their housing delivery. Where an authority's HDT score is less than 95%, the authority should prepare an action plan to assess the causes of under delivery and identify actions to increase delivery in future years. Where an authority's HDT score is less than 85% of its housing requirement, the Council must incorporate a 20% buffer into its housing supply calculations in line with paragraph 79 of the NPPF. This will be in addition to the preparation of an Action Plan. Where an authority's score is below 75%, the Council will be subject to the HDT's most severe penalty and must apply the presumption in favour of sustainable development under paragraph 11d) of the NPPF. The latest HDT results published by the Ministry of Housing, Communities, and Local Government (MHCLG) in December 2024 identifies that Stevenage delivered 38% of its housing requirement.
- 6.3.2 The Council, based on its HDT score is currently subject to the most severe penalty under paragraph 11(d) of the NPPF (2024). For reference, as this policy is now engaged, it means Local Plan policies would be classed as out-of-date. Consequently, Stevenage Borough Council must apply the presumption in favour of sustainable development in its decision making and give great weight towards the need to deliver housing. The Council must also apply a 20% buffer in its 5-year housing supply calculations, and it also has to produce an Action Plan in order to boost housing delivery.
- 6.3.3 On the 21 May 2024, the Council published its 5 Year Land Supply Update May 2024. This identifies that the Council can demonstrate a Housing Supply of **5.59 years** for the period 01 April 2024 to 31 March 2029, using the *Liverpool* methodology (spreads the delivery of historic undersupply of housing equally across the remainder of the Local Plan

period) and guidance from the NPPF and Planning Practice Guidance. The 5-year land supply includes a 20% buffer.

- 6.3.4 However, the Revised Housing Technical Paper (June 2025) identifies that the Council's Housing Supply is at **5.49 years**, but this has yet to be confirmed through an Examination in Public (EiP) and is therefore not formally adopted at this time.

6.4 Planning Practice Guidance

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

6.5 National Design Guide

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

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

- 6.6.1 The Stevenage Borough Local Plan 2011-2031 was adopted in 2019. Weight must be given to the policies it contains according to their degree of consistency with the NPPF (the closer the policies in the plan to the policies in the NPPF, the greater the weight that may be given).

- 6.6.2. In addition, the council is required to regard the local plan policies most relevant to determining the application as out-of-date because the application involves the provision of housing and the delivery of housing in the borough was substantially below the housing requirement over the last three years. Those policies are:

- Policy SP1: Climate Change
- Policy SP2: Sustainable development in Stevenage;
- Policy SP7: High quality homes;
- Policy SP8: Good design;
- Policy IT5: Parking and access;
- Policy HO5: Windfall sites;
- Policy HO9: House types and sizes;
- Policy HO11: Accessible and adaptable housing;
- Policy GD1: High quality design;
- Policy FP7: Pollution;
- Policy FP8: Pollution sensitive uses;
- Policy EC7: Employment development on unallocated sites

- 6.6.3 According to the NPPF, the fact that these policies are regarded as out-of-date means that permission should be granted for the proposed development unless: i. the application of policies in the NPPF that protect areas or assets of particular importance provide a strong reason for refusing the development; or ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

6.7 Local Plan Review and Update (2024)

- 6.7.1 The council concluded a full review of the plan in 2024, as required by regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).
- 6.7.2 In response to the review, the council has proposed a partial update of the local plan. Weight must be given to the emerging policies in the partial update according to: a) the stage of preparation of the emerging plan; b) the extent to which there are unresolved objections to the policies; and c) the degree of consistency between the policies and the most recent revision of the NPPF.
- 6.7.3. At the time of writing, the partial update has been through examination by the Secretary of State, and the major modifications consultation has closed. The partial update is therefore at an advanced stage of preparation and is scheduled to be adopted in July 2026. The council considers the emerging policies within it to have a high degree of consistency with the NPPF. Where relevant, the weight to be given to emerging policies will be set out in the assessment section of this report.

6.8 Supplementary Planning Documents

- 6.8.1 The following supplementary planning documents are relevant to determining the application:
- Parking Provision Supplementary Planning Document (February 2025)
 - Stevenage Design Guide Supplementary Planning Document (February 2025)

6.9 Community Infrastructure Levy

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

7. APPRAISAL

- 7.1 The main issues in the assessment of the application are the principle of development, design and visual impact, standard of accommodation, impact on residential amenity, highway safety and car parking, trees, climate change mitigation, flood risk and drainage and biodiversity net gain.

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

7.2 Principle of Development

New Housing

- 7.2.1 The existing building is in office use at ground floor (currently vacant) with a self-contained one-bedroom flat above. The proposed development would involve the loss of the office use at ground floor and provision of additional housing. The site is not allocated for any particular purpose in the local plan. The proposal is therefore for windfall development for a net increase in five residential units.
- 7.2.2 Policy SP7 of the adopted local plan sets a strategic target of 7,600 homes to be provided within the borough over the plan period from 2011 to 2031. The emerging partial update of

the local plan identifies that 4,956 of these homes remain to be delivered as of 2024. However, the overall target remains unchanged, and the proposed development would make a small but nonetheless positive contribution to meeting this target.

- 7.2.3 The spatial strategy for housing also remains unchanged; the majority of the planned new housing will be delivered on regeneration sites in the town centre and in urban extensions to the north, west and south-east of the town, with a sizeable minority delivered on smaller housing sites spread throughout the borough. An allowance is also made for residential development coming forward on sites not specifically allocated for any purpose in the local plan, referred to as “windfall” sites.
- 7.2.4 Policy HO5 provides that planning permission for residential development on unallocated sites will be granted where the criteria at (a) to (e) are satisfied. In respect of criteria (a) and (b), the site meets the definition of previously developed land set out in Annex 2 of the National Planning Policy Framework and is located close to the High Street with excellent connectivity and access to a wide range of local facilities and services. Both criteria are clearly met.
- 7.2.5 Criterion (c) requires that there be no detrimental impact on the environment and the surrounding properties. The detailed environmental and amenity implications of the proposal are considered later in this report. As a matter of principle, however, the proposal is for residential development within a residential area, such that in land use terms there is no inherent conflict, and no obvious detrimental impact arises. Similarly, criterion (d) requires that the proposal would not prejudice the Council's ability to deliver residential development on allocated sites; given its scale and location, the proposal would not prejudice the delivery of any allocated site. Criterion (e) requires that the development would not overburden existing infrastructure, a matter also examined later in the report. As a matter of principle, the proposal is not of a scale or type that would inherently overburden existing infrastructure and would be liable to CIL. The proposal therefore accords with Policy HO5 as currently adopted, subject to the detailed assessments that follow.
- 7.2.6 Consideration must also be given to the emerging Local Plan Partial Update, which proposes to amend Policy HO5 by removing criteria (b), (c) and (d). The examination of the updated plan has concluded, and the plan is anticipated to be adopted imminently. Having regard to its advanced stage, significant weight can be afforded to Policy HO5 as proposed to be amended. Under the amended policy, the principle of development would fall to be assessed against criteria (a) and (e) alone, both of which are met for the reasons given above. It is material that the proposal therefore complies with Policy HO5 whether in its currently adopted form or as proposed to be amended; the outcome in principle is the same under either version of the policy.
- 7.2.7 Chapter 11 of the NPPF stipulates that decisions should promote the effective use of land, and under paragraph 125(d) it promotes and supports the development of under-utilised land and buildings to meet identified needs. As the proposal would develop an under-utilised brownfield site and would be delivering dwellings where there is an identified need, this weighs in favour of the development and carries great weight. As such, the proposal is considered to comply with this Policy.
- 7.2.8 Updated Policy SP2 (Sustainable Development) carries significant weight in the Local Plan Partial Update and states residential developments must have a good level of access to local facilities. The site is located within walking distance of the shops and amenities on the High Street, along with its public transport connections (bus). As such, the application site is considered to have excellent access to local facilities and alternative forms of travel to the private car and, therefore, deemed to be within a sustainable location.
- 7.2.9 The effect of the proposal on housing choice (in terms of the range of housing types and sizes provided in the borough) is also a relevant consideration. Policy HO9 (House types

and sizes) of the Local Plan (2019) (No change to this policy under the Local Plan Partial Update) states that there is a structural imbalance in the existing housing stock (albeit in a limited manner) whereby there is a lack of smaller properties and larger aspirational homes in the Borough.

7.2.10 The Design Guide SPD (2025) outlines that housing is an area of weakness across the town. One of the main issues is the lack of an appropriate mix of housing sizes, types, and tenures with a high proportion of three-bedroom terraced properties, and a lack of one- and two-bedroom properties. The lack of housing mix is exacerbated by changes in demographics leading to an increase in the number of single person households and couples needing homes.

7.2.11 Due to growth requirements for the town, there is a need to provide a substantial number of additional homes in Stevenage, and in particular, smaller dwellings or larger aspirational homes. Higher density development is set out as a key requirement of national guidance, and, where appropriate, densities will need to be raised to meet these targets for new homes. The proposal seeks to provide 6no. one-bedroom flats. As such the proposal is considered to accord with Policy HO9 as it would provide smaller dwellings which are an identified need.

7.2.12 Paragraph 61 of the NPPF (2024) states that to support the Government's objective of significantly boosting housing supply, it is important that a sufficient amount, and variety, of land comes forward where it is needed, that the needs of groups with specific housing requirements are met, and that land with permission is developed without unnecessary delay. In addition, paragraph 61 of the NPPF states that the overall aim should be to meet as much of an area's identified housing need, including with an appropriate mix of housing types for the local community. As such, the proposed development would contribute to the aim of boosting housing supply without compromising the delivery of housing on allocated sites.

7.2.13 In summary, whilst the Council is currently able to demonstrate a five-year supply of deliverable housing sites, due to the under-delivery of housing as identified in recent HDT scores, paragraph 11(d) of the NPPF is engaged with the consequence that permission should be granted unless the circumstances identified at paragraphs 11(d)(i) or 11(d)(ii) apply.

Loss of Existing Employment Floorspace

7.2.14 Policy EC7 of the Local Plan (2019) seeks to protect existing employment floorspace unless:

- There is sufficient suitable and employment land available elsewhere
- 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.

7.2.15 In the partial update of the local plan, criterion (iii) of policy EC7 has been amended to specify six months for marketing evidence, however there is an extant planning permission for the erection of a single storey rear extension and the change of use of the ground floor from office (use class E) to create 3no. x 1 bed flats at ground and first floor with associated parking and storage under reference 25/00431/FP. Therefore, the loss of the office space has already been established by this permission.

Conclusion

- 7.2.16 The proposed development would contribute to the aim of boosting housing supply as required by the NPPF without compromising the delivery of housing on allocated sites. There would be some economic benefit during the construction phase, and future occupiers would be likely to contribute to local services and facilities. Given the quantum of development (6 units), it is considered that these benefits would be substantial and therefore attract significant weight in favour of the proposal.
- 7.2.17 On balance, having regard to all the policy considerations laid out above, the proposed development is considered to be acceptable in principle.

7.3 Design and visual impact

- 7.3.1 Chapter 12 (Achieving well-designed places) of the NPPF (2024) stipulates that the creation of high quality and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process. Where development is not well designed, permission should be refused.
- 7.3.2 Policies SP8 and GD1 of the Local Plan (2019) and Local Plan Partial Update are deemed to carry significant weight, this is because they generally reflect the good design principles outlined in the NPPF and National Design Guide. Policy GD2 (design certification) is a new policy emerging from the review and states that the Council will support developments that are designed to achieve high levels of certification against nationally and internationally recognised sustainability standards such as BREEAM excellent, Secured by Design Silver or higher or BRE Home Quality Mark.
- 7.3.3 The proposal would involve a two-storey side extension and a part one / two storey rear extension, with a double gable end roof extension. It is also proposed to increase the ridge height by 0.45m to achieve the necessary internal head room, which would bring the height of the property in line with No.44 adjacent.
- 7.3.4 In terms of depth, the rear extension would not project further than the existing single storey projection adjacent to the boundary with No.48, however it would 'square off' the building and extend the side adjacent to No.44 by 2.5m. The extension would incorporate accommodation in the roof and comprise a double gable end roof extension. To the side, the extension would leave a gap of 1m to the boundary with No.44 and the first floor would be constructed over an open sided space supported by brick pillars, with a garage door at the front providing vehicular access to the parking area at the rear.
- 7.3.5 The gable ended roof design would replicate the gable end rear extension approved and constructed in 2015 at No.44 and also the two-storey gable end projection at No.48, which is part of the original Victorian dwelling. Further along Basils Road to the west, a similarly large double gable end rear extension was approved at No.22 in 2019 as part of the part demolition of this property and erection of 2no. two-bedroom dwellings. The proposed increase to the ridge height would bring the height of the property in line with No.44 next door. Therefore, there is precedent within the immediate local area for an extension design as proposed and it is not considered its design or appearance would be out of character.
- 7.3.6 In terms of compliance with the Council's Design Guide on residential extensions, the two-storey side extension would retain a 1m gap to the side boundary and would be set back

from the front elevation of the existing building. Although the ridge height would be level, it is considered the front set back would be sufficient to achieve the required degree of subservience. The depth along the boundary with No.44 would be 2.5m, which is in accordance with the Design Guide. The width of 3.5m would be less than half the width of the existing building. The extension therefore accords with the requirements of the Design Guide in terms of depth and width.

- 7.3.7 Turning to massing and scale, it is acknowledged the extension would significantly increase the size of the building and the existing gap to the side would be lost. This would result in a change to the street scene, however the existing gap between the application property and No.44 is not a common feature in the road which is predominantly characterised by high density terraced or semi-detached Victorian properties many of which have been extended at the rear and into the roof space. As such, it is not considered important to retain this gap, as its loss would not harm the character of the street scene. The proposed extension would sit comfortably in the plot and would not appear out of scale with its surroundings.
- 7.3.8 In terms of materials and external finish, the extension would be constructed in red brick to match the existing building with part white render at third floor at the rear to provide architectural interest and break up the appearance of bulk. The roof tiles would comprise slate to match existing and windows would be white uPVC to match existing. The garage door would be timber automated side hung with a traditional appearance. It is considered the choice of materials and detailing would be high quality and respectful of the original property and surrounding buildings.
- 7.3.9 Comments have been received by neighbours that an assessment should be made on the proposal's impact on the Old Town Conservation Area to the west. The boundary with the Conservation Area lies some 200m away on the western side of Church Lane. It is considered this is a sufficient distance from the application site to ensure any extension at No.46 would not impact on the significance of this designated heritage asset. It is not therefore considered an assessment is required.
- 7.3.10 Having regard to the above, it is considered that the proposed development would be of a high quality and suitably respectful of its surroundings. In these respects, the proposal accords with the relevant policies of the local plan and emerging partial update.

7.4 Standard of Accommodation

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

Internal Living Standards

7.4.3 Policies SP8 and GD1 of the Local Plan (2019) and Local Plan Partial Update relate to high quality and good design and are deemed to carry significant weight, this is because they generally reflect the good design principles outlined in the NPPF and National Design Guide, i.e, that these policies require developments to not adversely impact the amenities of neighbouring occupiers as a good design principle. These policies state that planning permission will be granted where the proposed scheme, under criterion j. meets the nationally described space standards. Appendix C of the Local Plan (2019) sets out the minimum gross internal floor space standards for dwellings which is in line with the Government's nationally described space standards. Through the Local Plan Review, these policies now carry significant weight.

7.4.4 The proposed one-bedroom flats should have a minimum gross internal floor area of 39m² for single occupancy and 50m² for double occupancy. For a bedroom to be considered big enough for a double bed (double occupancy), the standards require it to be a minimum of 11.5m². The following table shows the total floor area of the flats, bedroom sizes and confirms whether they meet the nationally described space standards for single or double occupancy:

Flat Number	Total Size (m²)	Bedroom Size (m²)	NDSS (Y/N)
1	40	10	Y Single
2	40	11	Y Single
3	40	11	Y Single
4	52	12	Y Double
5	50	10	Y Single
6	50	11	Y Single

7.4.5 The flats would either meet or exceed the space standards for the relevant occupancy, and the proposal complies with the nationally described space standards. Beyond the space standards, it appears the development would provide opportunities for passive ventilation, and the dwellings would also receive adequate daylight and sunlight. It is noted flats 4, 5 and 6 would be served by obscure glazed windows and rooflights. An assessment of outlook for future occupiers in terms of an acceptable living environment can be found in the residential amenity section 7.5 below.

Private Amenity Space

7.4.6 In terms of outdoor space, the flats would benefit from a small area of grassed communal amenity space at the rear. The site is also within walking distance of Letchmore Park, which would provide the occupants opportunities for further outdoor space and recreation. On this basis, the proposed amenity space is considered acceptable.

Noise and Light Pollution

7.4.7 Policy FP7 of the Local Plan (2019) and Local Plan Partial Update states that developments should minimise, and where possible, reduce air, water, light and noise pollution. Policy FP8 stipulates that permission for pollution sensitive uses will be granted where they will not be subjected to unacceptably high levels of pollution exposure from either existing, or proposed, pollution generating uses. Given the proposed development would be located within an existing residential area; harm from noise is not considered an issue. There has been no change to these policies within the local plan partial update.

7.4.8 Whilst comments from local residents regarding an increase in the number of residents causing noise and disturbance are noted, any issues arising in this regard would be a matter for Environmental Health. With regards to an increase in light pollution, it is considered the light emitted from the additional windows would still be typical of a large

dwelling in a residential area and therefore would not result in harm to justify a refusal of planning permission. The development is a residential development in a residential area and therefore a suitable and compatible use.

- 7.4.9 Having regard to the above, it is considered that the flats would accord with Policy GD1, FP7 and FP8 of the Local Plan (2019) and Local Plan Partial Update.

7.5 Impact on Residential Amenity

- 7.5.1 Policy GD1 of the local plan (2019) requires that development does not lead to an adverse impact on the amenities of neighbouring occupiers. In the emerging partial update of the local plan, Policy GD1 is amended to refer to “unacceptable adverse impacts” on neighbouring amenities. This change is proposed to reflect the fact that in some instances, impacts on amenities may be deemed to be acceptable despite being adverse. The emerging policy is afforded significant weight.
- 7.5.2 The proposed side and rear extension would project 0.9m beyond the existing rear building lines of the adjoining neighbours at Nos.44 and 48 Basils Road and would not intercept the 45-degree line for daylight and sunlight from their ground floor rear windows closest to the boundary. This would mean the extension would not block light or overshadow these rooms and it is not considered it would appear overbearing or harm the outlook from these dwellings.
- 7.5.3 Comments from a neighbour in terms of the plans failing to acknowledge an existing window on the adjoining wall of No.44 are noted, however this window is small and serves a bathroom which is not classed as a habitable room. The glass is obscure glazed. On this basis, it is not considered the proposed extension would raise any amenity issues with this neighbour in terms of loss of light or outlook from this window, which could justify a refusal of planning permission. The same conclusion can be made for the small existing side window at No.48.
- 7.5.4 Turning to the impact on No.47 Grove Road to the rear, Appendix 1 of the Council’s Design Guide (2025) and Appendix C of the Local Plan (2019) which has also been replicated in the Local Plan Partial Update are relevant. The relevant policies state there should be a minimum back-to-back separation distance of 35m between new dwellings over two storeys in height and existing properties. The separation distance between the proposed extension, which would create a three-storey building and No.47 Grove Road would be 17.5m to the ground floor conservatory and 21m to the first-floor rear elevation, which is significantly less than the required 35m. There is no vegetation or other boundary treatment to provide screening.
- 7.5.5 The two-storey rear extension granted planning permission in 2015 next door at No.44 Basils Road (ref. 15/00202/FPH) also failed to achieve the required minimum back-to-back separation distance with No.45B Grove Road to the rear. In this case, the applicant agreed to a planning condition requiring the first-floor rear windows which were to serve a bedroom to be obscure glazed and fixed shut below a height of 1.7m.
- 7.5.6 The same mitigation could be afforded to this proposal, with a planning condition requiring the rear windows in the first and second floors to be obscure glazed and fixed shut below a height of 1.7m. To maximise daylight and ventilation for the occupiers of flats 4 and 6, rooflights have been provided and the top part of the rear windows would be openable above a height of 1.7m. However, it is acknowledged the outlook to the rear afforded to future occupiers of flats 4, 5 and 6 would be sub-optimal due to either (i) the obscure glazing or (ii) the fact rooflights would only offer a view of the sky above.
- 7.5.7 In the emerging partial update of the local plan, Policy GD1 is amended to refer to “unacceptable adverse impacts” on neighbouring amenities. This change is proposed to reflect the fact that in some instances, impacts on amenities may be deemed to be acceptable despite being adverse. The emerging policy is afforded significant weight, and it is considered the adverse impact on outlook for the occupiers of flats 4, 5 and 6 through the use of obscure glazing / rooflights is acceptable in this instance to protect the privacy

of the occupiers of No.47 Grove Road. The use of rooflights and windows openable above a height of 1.7m would continue to ensure there would be sufficient natural light and ventilation. Flat 4 would also have an outlook to the front from the bedroom.

- 7.5.8 The applicant has agreed to the obscure glazing condition and submitted amended plans to show the obscure glazed windows and rooflights. The proposal is therefore considered to comply with emerging Local Plan Review policy GD1 as the adverse impact on outlook for the occupiers of flats 4, 5 and 6 through the use of obscure glazing / rooflights is considered acceptable to protect the privacy of the occupiers of No.47 Grove Road in this instance, together with the use of the mitigating planning condition as discussed above.
- 7.5.9 It should be noted there was an appeal decision (ref. APP/K1935/C/22/3296469) in January 2024 for a part two storey, part single storey rear extension which had been built without planning permission at No.68 Basils Road, close to the application site. The extension failed to comply with the minimum back-to-back separation distance as laid out in the Council's adopted Design Guide and the Inspector dismissed the appeal on the basis the proposal was harmful to the living conditions of the neighbouring dwelling with regard to outlook and privacy due to the insufficient separation distance. The Inspector also ruled obscure glazing the windows would not be acceptable due to the resultant poor outlook for the occupiers of the dwelling.
- 7.5.10 Officers consider that the updated wording of Policy GD1 in the Local Plan Partial Update, which explicitly recognises that, in some instances, adverse impacts on amenity may be acceptable, is a material consideration in the assessment of this application. The emerging policy carries significant weight as it has been through Examination, was not subject to major modifications and is due to be adopted next month (July 2026).
- 7.5.11 On this basis, the local plan policy context has changed since the appeal decision at No.68 Grove Road, and it is considered the use of obscure glazing to mitigate the privacy of the occupiers of No.47 Grove Road is acceptable. Whilst the outlook at the rear for the future occupiers of flats 4, 5 and 6 would be sub-optimal, it is not considered unacceptable and there would be sufficient access to natural daylight and ventilation.
- 7.5.12 With regards to the representation regarding the rear boundary fence, in particular the fact the plans annotate this as "18m high close boarded fencing", it is acknowledged any fence in a residential area this height would be completely unacceptable. However, this is a typographical error and should read as 1.8m. Notwithstanding this, it is considered prudent to seek details of all boundary treatments (where these are being altered) prior to commencement via a planning condition to ensure these are neighbourly and acceptable in appearance.
- 7.5.13 On this basis the proposal is considered to be acceptable in terms of impact on the amenities of neighbouring dwellings. Whilst it would not comply with adopted Local Plan policy GD1 in terms of the poor outlook for the occupiers of flats 4, 5 and 6, it would comply with the updated policy in the partial update, which carries significant weight.

7.6 Highway Safety and Car Parking

- 7.6.1 Policy IT5 of the local plan requires developments to provide parking in accordance with the council's Parking Provision SPD 2025. The policy has not changed under the local plan partial update. The SPD requires one off street parking space to be provided per flat, and four parking spaces measuring 5m x 2.5m are provided within a proposed parking area at the rear. The site just falls within accessibility zone 3 where 75% to 100% of maximum provision is allowed, however it is on the boundary with zone 2 where a lower 50% to 75% of maximum provision is allowed. Given the site is within a 10-minute walk to the High Street bus stops, shops and other services and is on the boundary of zone 2, it is considered there can be some flexibility over parking provision and 67% provision is considered acceptable here. It is noted the applicant is providing 100% provision for cycle parking which would encourage non-car use.
- 7.6.2 Representations from residents regarding the existing pressure for on street parking on Basils Road are noted. However, given the site's location on the boundary of accessibility

zone 2 where a minimum of 50% provision is allowed, it is considered 4 spaces or 67% provision would not lead to an unacceptable increase in the demand for parking as to create further parking problems or highway safety issues on Basils Road. The layout and size of the parking spaces have been agreed with the Highway Authority and would be subject to a condition requesting final details to be submitted prior to commencement. They have requested the bay parallel to No. 44 should be 2.7m in width as the fence would act as an obstruction.

- 7.6.3 With regards to cycle parking, there is a requirement for one bike space per flat. Secured and covered communal storage is provided for 6 bikes within the rear car park and covered under croft area. The proposed arrangements are considered acceptable. A condition has been requested by the Highway Authority for final details of the cycle stores to be provided prior to commencement.
- 7.6.4 With regards to highway safety and impact, no changes are proposed to the existing access off Basils Road which benefits from a dropped kerb and sufficient sight lines. The Highway Authority have raised no objection and consider this level of development is unlikely to generate any extra movements which would ultimately lead to demonstrable harm to the highway network in terms of free flow and capacity. Planning conditions have been requested to ensure the access visibility complies with highways legislation.
- 7.6.5 In terms of refuse and recycling, the Council's Design Guide requires new developments to make provision for the storage and collection of waste. The submitted plans show two designated bin stores within the covered vehicular access for the proposed flats with space for four bins in each. Residents would be responsible for wheeling the bins to the site frontage on collection day, as per most residential properties.
- 7.6.6 Turning to the comments received from the neighbour at No.44 querying whether the bike and bin stores would be fixed to the shared boundary wall (side wall of No.44) and concerns over noise and disturbance associated with their location here, details have been provided on drawing no.25115-100C. The stores would be constructed of timber and built around the brick pillars and up against the boundary wall. Access to the bike store would be provided by two 1.2m high double doors. It would provide storage for 4 bikes. Access to the two bins stores would be via a single 1.2m high double door.
- 7.6.7 Siting bin and bike stores up against neighbouring dwellings or property boundaries in a high-density residential area is not unusual. Bin collection day would be once a week, where bins would be wheeled out to the front of the building as per the arrangements for every other dwelling on Basils Road. The rest of the time any noise would be associated with opening the timber doors and depositing rubbish in the bins or parking or removing a bike. These activities are not inherently noisy, or unusual for a residential area. It is not considered noise associated with such activity would cause material harm to justify a refusal of planning permission.
- 7.6.8 With regards to the representations raising concerns over the management of the bins, a planning condition has been added requiring the submission of a Waste Management Plan. The Plan would include details of the refuse and recycling stores including the number and type of bins, and details of who would be responsible for managing the bins on waste collection day. This would ensure the refuse stores would be big enough for all of the different types of bin and arrangements would be in place for taking the bins out and back in again on collection day to avoid clutter or obstruction on the pavement.
- 7.6.9 Having regard to the above, the proposed development would provide adequate parking and not raise any highway safety issues. In this respect, the proposal accords with Policy IT5 of the local plan and partial update.

7.7 Trees

- 7.7.1 Policy NH5 of the Local Plan (2019) and Local Plan Partial Update requires development to protect and retain trees, providing new planting where appropriate. The proposal would not impact on any trees within or adjacent to the application site. Having regard to the

above, the proposed development accords with Policy NH5 of the local plan and partial update.

7.8 Climate Change

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

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

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

7.8.3 This policy is further supported by a suite of new climate change policies, CC1 through CC6 which cover a broad range of topics but which, through the partial review and examination in public should be applied flexibly as they may not always be appropriate, and it should be noted that Policy CC1 requires only major planning applications to provide an energy statement.

7.8.4 The Council's Design Guide SPD (2025) sets out additional requirements with respect to climate change. The guide states that all developments are required to make efforts to minimise energy usage and to incorporate methods of using renewable energy.

7.8.5 The application is accompanied by a Design and Access Statement that sets out the ways in which the development would be constructed to meet or exceed the relevant Building Regulations. The following measures would be used:

Resource Recovery: The construction process would utilise prefabricated components to minimise waste generation. The contractor would implement a site waste management plan, prioritising the recycling of materials and aiming to avoid landfill disposal whenever possible.

Water: The residential units would be fitted with low-water-consumption appliances, including dual flush toilets and aerated shower heads. This setup would limit water consumption to less than 105 litres per person per day, aligning with the Code for Sustainable Homes Level 4 criteria.

Buildings and Wildlife: The application site currently holds no ecological value. However, the proposed development would enhance ecological opportunities through new planting and garden spaces.

Form and Orientation: The design of the proposed development would be strategically oriented to maximise sunlight and solar gain.

Ventilation and Lighting: The design maximises glazed openings to provide adequate natural ventilation and daylight. Additionally, low energy light fittings would be installed throughout the development. Proximity and timer controls for lighting in common and external areas would further enhance energy efficiency.

Energy: Each dwelling would be fitted with either an electric or gas-fired condensing boiler for heating and hot water.

Green Travel: The development site benefits from excellent public transport links, which are expected to encourage the use of public transport and reduce car dependency. A

dedicated cycle store is provided at ground floor level to support and promote cycling. Provisions for electric-vehicle charging would be included within the car park area. **Materials:** The development would utilise high quality, durable materials that align with aesthetic and economic considerations. These materials would be selected to have a low environmental impact, in accordance with the BRE's Green Guide to Housing Specification, wherever feasible.

7.8.6 It is considered the above measures are acceptable and could be secured by planning condition should the development be found acceptable in all other respects.

7.9 Flood Risk and Drainage

7.9.1 Policy FP2 of the adopted local plan requires development proposals to be accompanied by a site-specific flood risk assessment, where appropriate. It also requires the use of SuDS to be maximised so as not to increase and where possible, reduce flood risk.

7.9.2 As this is a minor category application for the conversion and extension of a residential property within flood zone 1, the application is not accompanied by a flood risk assessment or drainage strategy. However, the application form advises the building is connected to the existing drainage system and mains sewer and there would be no change to these arrangements.

7.9.3 Having regard to the above, the proposed development would benefit from adequate drainage and would not increase flood risk. In these respects, the proposal accords with Policy FP2 of the local plan.

7.9.4 In the Local Plan Partial Update, Policy FP2 is replaced by Policies FP1 and FP2, which are more comprehensive policies relating to drainage and flood risk respectively. Among other things, they introduce a SuDS hierarchy and a surface water disposal hierarchy to local plan policy. These new policies are considered to have a high degree of consistency with the NPPF and are therefore afforded significant weight. The proposal is considered to accord with the policies.

7.10 Biodiversity Net Gain

7.10.1 With some exceptions, all development in England must now provide for a 10% net gain in biodiversity. At the application stage, proposals for development which would not be exempt must include details of the pre-development biodiversity value of the site, including a plan showing on-site habitats and a completed biodiversity metric. The current application proposal would be exempt from providing a 10% net gain, as the area of the proposed extension would impact less than 25m² habitat and 5m hedgerow due to the site comprising hard surfacing only. Additional planting is proposed through the creation of the grassed communal amenity space; therefore, the site would benefit from ecological enhancement.

7.11 Other Matters

Matters raised in representations not covered in main report

7.11.1 The planning application was publicised in accordance with the Legislation and the Council's adopted Statement of Community Involvement (SCI), that is, letters were sent to adjoining landowners and a site notice was placed outside the site. Accordingly, the Council has fulfilled its legal obligations in this matter.

7.11.2 The following matters raised are not material planning considerations as established by case law:

- Impact on house values
- Legal covenants within property deeds
- Issues regarding damp and access for maintenance to neighbouring property

- Impact on water and sewerage infrastructure (NB the development would be CIL liable and would mitigate its impact on local infrastructure)
- Fire safety and evacuation would be a matter for Building Control
- Vermin associated with refuse and recycling bins would be a matter for the Council's Environmental Health team.
- Construction traffic and the management of the site during construction would be covered by the construction management plan condition should planning permission be granted.
- Matters relating to wiring or lighting attached to shared boundaries would be a matter for the developer and respective neighbour to resolve privately.

7.11.3 Separately, concerns have been raised that the property will be an HMO (house of multiple occupation) and not self-contained flats. The application has been assessed against the submitted plans which show 6no. 1-bedroom self-contained flats. Possible alternative uses are not a material consideration with respect to this application. However, given the adoption of an Article 4 Direction in September 2017, separate planning permission would be required to use the property as an HMO.

Community Infrastructure Levy

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

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

7.11.5 CIL is a non-negotiable charge. The exact charge will be determined by the Council's CIL officer after an application has been granted in accordance with the CIL Charging Schedule and the Community Infrastructure Levy Regulations 2010 (as amended). Opportunities for relief or exemption from the CIL charge exist and will be taken into account in the calculation of the final CIL charge.

7.11.6 CIL replaces the need for S106 agreements to specify financial and/or land contributions for non-site-specific infrastructure projects. This allows infrastructure to be planned on a borough-wide scale rather than on a site-by-site basis as mitigation against the impacts of individual proposals. A CIL Form 1: Additional Information has been submitted along with the application. The development would be CIL liable at £100/m².

7.12 Equality, Diversity and Human Rights

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

- 7.12.5 The Equalities Act 2010 requires the Council to have due regard to the need to (a) eliminate conduct prohibited under the Act; (b) advance equality of opportunity between persons who share a protected characteristic and persons who do not; and (c) foster good relations between persons who share a protected characteristics and persons who do not.
- 7.12.6 In this case, the development would not have any apparent impact on persons with characteristics protected by the Act. Likewise, it would not conflict with the council's Equality Policy or Equality Objectives. It is therefore considered that the Public Sector Equality Duty has been discharged in this case.

8. CONCLUSION

- 8.1 The application proposes the provision of housing and the council's latest Housing Delivery Test score was below 75%. The policies most relevant for determining the application are therefore considered to be out of date and the 'tilted balance' as set out under paragraph 11(d) of the NPPF is engaged.
- 8.2 The development would make a small but nonetheless positive contribution towards meeting the borough's overall housing need and would also help to address a structural imbalance in the existing housing stock. The quality of the proposed accommodation would be acceptable; however, it is acknowledged the rear outlook from flats 4, 5 and 6 would be sub-optimal. Notwithstanding this, all flats would receive good levels of daylight and ventilation and the adverse impact on outlook is considered acceptable in this instance to protect the privacy of the neighbour at the rear.
- 8.3 In these respects, the proposal accords with Policies HO5, HO9 and GD1 of the local plan (except outlook), as well as the emerging versions of these policies within the local plan partial update where relevant and discussed above which carry significant weight. The provision of good quality housing on a suitable site at a time when housing delivery is constrained carries significant weight in favour of the proposal.
- 8.4 In all other respects, including parking provision, impact on the character and appearance of the surrounding area and the impact on the amenities of neighbouring occupiers, the proposal is considered to be acceptable and to accord with relevant policies. These are neutral matters.
- 8.5 Having regard to the above, the proposal is considered to accord with the development plan when read as a whole. The NPPF is a material consideration, but its application does not warrant a decision other than in accordance with the development plan. Accordingly, it is recommended that planning permission be granted.
- 8.6 Taking national and local planning policies into account, and regarding all relevant material considerations, it is recommended that planning permission be granted.

9. RECOMMENDATION

- 9.1 That planning permission be GRANTED subject to the conditions set out below and delegated authority be given to the Director of Planning and Regulation in consultation with the Chair of the Planning and Development Committee, to amend or add to the conditions subject to which the permission would be granted, where such amendments or additions would satisfy the relevant national policy tests and would most effectively deliver the development which the Committee has resolved to approve.

SUBJECT TO THE FOLLOWING CONDITIONS/REASONS

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:
25115-100 C; 25115-110 B; 25115-120 B; 25115-130 B
REASON:- For the avoidance of doubt and in the interests of proper planning

- 2 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON:- To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).
- 3 No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority, including elements of the CLOCS standards as set out in the Highway Authority's Construction Management template. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan: The Construction Management Plan / Statement shall include details of:
- Construction vehicle numbers, type, routing
 - Access arrangements to the site;
 - Traffic management requirements
 - Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas);
 - Siting and details of wheel washing facilities;
 - Cleaning of site entrances, site tracks and the adjacent public highway;
 - Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times;
 - Provision of sufficient on-site parking prior to commencement of construction activities;
 - Post construction restoration/reinstatement of the working areas and temporary access to the public highway;
 - where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements
- REASON:-** In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan (adopted 2018).
- 4 Prior to the commencement of the development hereby permitted, a scheme for the parking of cycles including details of the design as found in Cycle Infrastructure Design Guidance (Department for Transport Local Transport Note July 2020), level and siting shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented before the development is first occupied or brought into use and thereafter retained for this purpose.
REASON:- To ensure the provision of adequate cycle parking that meets the needs of occupiers of the proposed development and in the interests of encouraging the use of sustainable modes of transport in accordance with Policies 1, 5 and 8 of Hertfordshire's Local Transport Plan (adopted 2018)
- 5 Prior to the commencement of the development hereby permitted a plan should be submitted which shows parking details for cars and cycles in accordance with the HCC's Place & Movement Planning Design Guidance (P&MPDG-2023) and in accordance with (Cycle Infrastructure Design) DfT Local Transport Note 1/20 (July 2020) and approved in writing by the Local Planning Authority. Prior to first occupation the approved scheme shall be fully implemented and thereafter retained for this purpose.
REASON:- To ensure the provision of adequate cycle and vehicle parking that meets the needs of occupiers of the proposed development and in the interests of encouraging the use of sustainable modes of transport in accordance with Policies 1, 5 and 8 of Hertfordshire's Local Transport Plan (adopted 2018).
- 6 Prior to the first occupation of the development hereby permitted any access gate(s), shall be installed to open inwards, set back, and thereafter retained (in perpetuity) at a minimum distance of 5.5 metres from the edge of the highway.
REASON:- To enable vehicles to safely draw off the highway before the gate(s) or obstruction is opened and/or closed in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018)

- 7 Prior to the first occupation within the vertical plane, there should be no obstruction to visibility 2m high down to a point 600mm above the carriageway, the latter to ensure that small children can be seen (MfS 7.6.3), passing along the footway.
REASON:- To ensure that the level of visibility for pedestrians, cyclists and vehicles is satisfactory in the interests of highway safety in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).
- 8 The parking space parallel to No 44 Basils Road shown on the approved plans shall be provided with minimum dimensions of 5.0 metres in length and 2.7 metres in width, measured internally, to account for obstruction along one side of the bay.
REASON:- To ensure construction of a satisfactory development and in the interests of highway safety in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).
- 9 No demolition, construction or maintenance activities audible at the boundary, and no deliveries of construction and demolition materials shall be undertaken outside the hours 07:30 hours to 18:00 hours Monday to Friday and 08:00 hours to 13:00 hours on Saturdays. For the avoidance of doubt, no such activity shall take place on Sundays or Bank Holidays, unless otherwise agreed in writing with the Local Planning Authority.
REASON:- In the interests of the living conditions of neighbouring occupiers.
- 10 The external materials used in the development to which this permission relates shall be those detailed on the approved plans and in the accompanying planning submission documents unless otherwise agreed in writing by the local planning authority.
REASON:- To ensure the development has an acceptable appearance.
- 11 Prior to the occupation of the development hereby permitted, a Waste Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall include details of the refuse and recycling stores including the number and type of bins, and details of who would be responsible for managing the bins on waste collection day. The approved Waste Management Plan shall thereafter be adhered to for the lifetime of the development.
REASON:- To ensure the storage and management of refuse and recycling is acceptable.
- 12 Prior to the occupation of the development hereby permitted, measures to ensure adaptability to climate change shall be installed in accordance with details which have been submitted to and approved in writing by the local planning authority. The approved measures shall be permanently retained thereafter unless otherwise agreed in writing by the local planning authority.
REASON:- To ensure that the development is adaptable to climate change.
- 13 The rear first and second floor windows of the extension shall be glazed with obscured glass and shall be fixed so as to be incapable of being opened below a height of 1.7 metres above floor level, and shall be retained in that form thereafter.
REASON:- To safeguard the privacy of the occupiers of No.47 Grove Road.
- 14 Notwithstanding the details shown in this application the treatment of all boundaries including details of any walls, fences, gates or other means of enclosure shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The approved boundary treatments shall be completed before the use hereby permitted is commenced or before the building(s) is occupied.
REASON:- To ensure a satisfactory standard of development in the interests of amenity and that it has an acceptable appearance.

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

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

INFORMATIVE

1 **Community Infrastructure Levy**

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

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

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

2 **Building Regulations**

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

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

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

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

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

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

3 **Party Wall etc. Act 1996**

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

4 **Hertfordshire County Council as Highways Authority**

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

5 **Hertfordshire County Council as Highways Authority**

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

<http://www.hertfordshire.gov.uk/services/transtreets/highways/> or by telephoning 0300 1234047.

6 **Hertfordshire County Council as Highways Authority**

Debris and deposits on the highway: It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made up carriageway, or any or other debris on a highway to the interruption of any highway user. Section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.

7 **Hertfordshire County Council as Highways Authority**

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

8 **Environmental Protection Act 1990**

The applicant is advised of the Council's powers under Part III of the Environmental Protection Act 1990 to prohibit nuisances arising from dust, smoke, artificial light, and a range of other pollutants that may arise on construction sites. The applicant is advised of the Council's powers under the Control of Pollution Act 1974 to restrict noise generating construction (including demolition) activity audible beyond the development site boundary.

9 **Biodiversity Net Gain**

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

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

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

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

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

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

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

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

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

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

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

- 10 **Hertfordshire County Council as Highways Authority**
Construction Management Plan (CMP): The purpose of the CMP is to help developers minimise construction impacts and relates to all construction activity both on and off site that impacts on the wider environment. It is intended to be a live document whereby different stages will be completed and submitted for application as the development progresses. A completed and signed CMP must address the way in which any impacts associated with the proposed works, and any cumulative impacts of other nearby construction sites will be mitigated and managed. The level of detail required in a CMP will depend on the scale and nature of development. The CMP would need to include elements of the Construction Logistics and Community Safety (CLOCS) standards as set out in our Construction Management template, a copy of which is available on the County Council's website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>

10. BACKGROUND DOCUMENTS

- 1 The application file, forms, plans and supporting documents having the reference number relating to this item. Online copies may be obtained at <https://publicaccess.stevenage.gov.uk/online-applications/>
- 2 The Stevenage Borough Local Plan 2011-2031
<https://www.stevenage.gov.uk/planning-and-building-control/planning-policy/local-plan>
- 3 The Stevenage Borough Local Plan Partial Update 2025
<https://www.stevenage.gov.uk/planning-and-building-control/planning-policy/local-plan-partial-update/submission-to-secretary-of-state>
- 4 Stevenage Borough Council Supplementary Planning Documents: Parking Provision SPD 2025; Design Guidance SPD 2025; Developer Contributions SPD 2025.
<https://www.stevenage.gov.uk/planning-and-building-control/planning-policy/planning-library>
- 5 Hertfordshire County Council Local Transport Plan LTP4 2018-2031
<https://www.hertfordshire.gov.uk/media-library/documents/about-the-council/consultations/ltp4-local-transport-plan-4-complete.pdf>
- 5 Government advice contained in the National Planning Policy Framework 2024 and the Planning Practice Guidance.
https://assets.publishing.service.gov.uk/media/67aafe8f3b41f783cca46251/NPPF_December_2024.pdf
<https://www.gov.uk/government/collections/planning-practice-guidance>
- 7 Representations made by statutory consultees and other interested parties referred to in this report. Online copies can be found on Public Access.

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

Date: 30 June 2026

Author: Ailsa Davis

Lead Officer: Alex Robinson

Contact Officer: Ailsa Davis

Application No : 26/00301/FP

Location : Eastern Side of Stevenage Railway Station, Lytton Way, Stevenage

Proposal : Proposed installation of a memorial bronze sculpture of Nala the cat

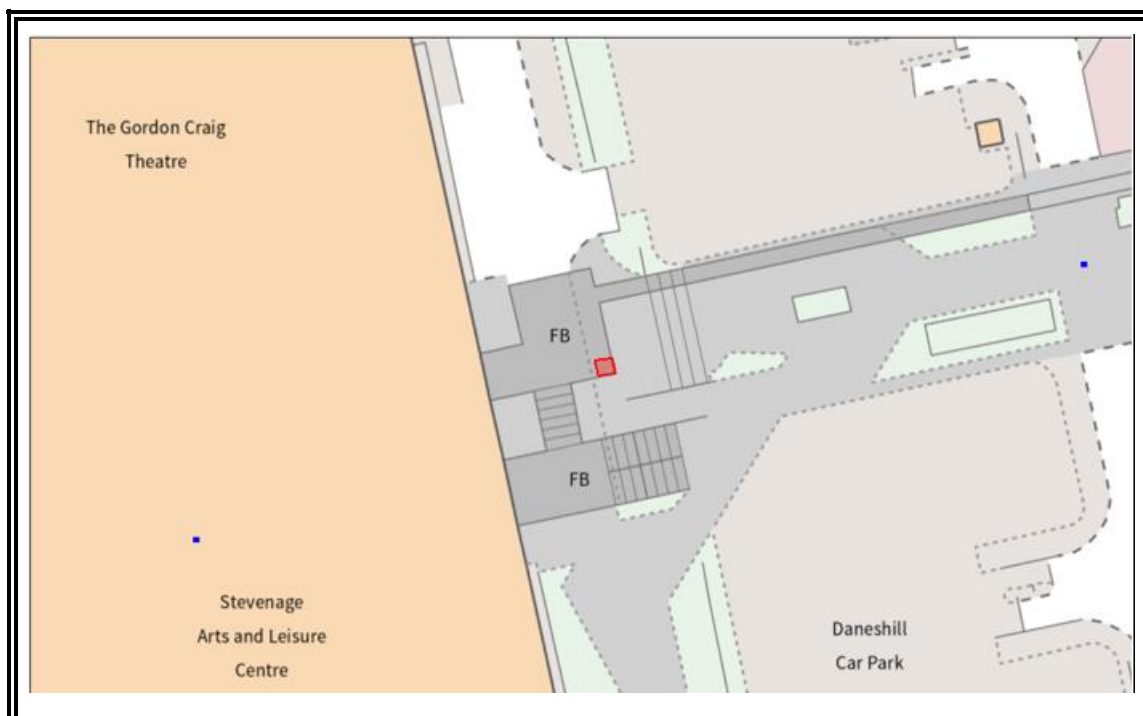
Drawing Nos.: Site Location Plan; Design Proposal

Applicant : Stevenage Borough Council

Agent: N/A

Date Valid: 17 April 2026

Recommendation: GRANT PLANNING PERMISSION



1. SITE DESCRIPTION

- 1.1 The application site comprises a hard surfaced 0.5m² elevated area at the top of the ramp leading to the pedestrian bridge over Lytton Way. The site is enclosed by railings and lies adjacent to the Gordon Craig theatre. It is visible from the railway station to the west and given its elevated position, is also visible from Daneshill carpark, London Road (path) and Danesgate below.

2. RELEVANT PLANNING HISTORY

- 2.1 None.

3. THE CURRENT APPLICATION

- 3.1 This application seeks planning permission for the installation of a memorial bronze sculpture of Nala the cat. Nala frequently visited and spent time at Stevenage railway station and became a firm favourite of travellers passing through and residents alike. Nala became more widely known through social media.
- 3.2 Following her passing in December 2025, it is proposed to erect a memorial sculpture of Nala sitting on a tall stainless-steel pedestal looking down towards the theatre entrance. The pedestal would resemble a station ticket barrier. At the top of the pedestal would be a small, circular bronze plaque with raised polished lettering. Nala herself would be made of two-tone bronze patina to show colour patches to help make it a good likeness. The base of the sculpture would measure 30 x 20cm and would be 1.7m in height.
- 3.3 The application comes before the Planning Committee as the applicant is Stevenage Borough Council.

4. PUBLIC REPRESENTATIONS

- 4.1 Following notification of the application via the erection of a site notice, at the time of writing this report 331no. public representations have been received in support of the statue. Some representations have been received from people living as far away as the US and Australia. One general comment has been received objecting if the sculpture is being publicly funded and questioning why people have commented who do not live in Stevenage.

5. CONSULTATIONS

5.1. SBC Highway Engineers

No comment.

6. RELEVANT PLANNING POLICIES

6.1 The Development Plan

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

- The Stevenage Borough Council Local Plan 2011-2031 (adopted 2019)
- The Hertfordshire Waste Core Strategy & Development Management Policies Development Plan Document 2011-2026 (adopted 2012)
- The Hertfordshire Waste Site Allocations Development Plan Document 2011-2026 (adopted 2014)
- The Hertfordshire Minerals Local Plan Review 2002-2016 (adopted 2007)

6.2 National Planning Policy Framework

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

6.3 Planning Practice Guidance

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

6.4 National Design Guide

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

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

- 6.5.1 The Stevenage Borough Local Plan 2011-2031 was adopted in 2019. Weight must be given to the policies it contains according to their degree of consistency with the NPPF (the closer the policies in the plan to the policies in the NPPF, the greater the weight that may be given).

- 6.5.2 Those policies relevant to the application proposal are:

Policy SP1: Presumption in favour of sustainable development

Policy SP2: Sustainable Development in Stevenage

Policy SP8: Good design

Policy GD1: High quality design

Policy TC1: Town Centre

Policy TC5: Central Core Major Opportunity Area

Policy IT4: Transport Assessments and Travel Plans

- 6.5.3 It is considered they are consistent with the NPPF and carry significant weight.

6.6 Local Plan Review and Update (2024)

- 6.6.1 The council concluded a full review of the plan in 2024, as required by regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).

- 6.6.2 In response to the review, the council has proposed a partial update of the local plan. Weight must be given to the emerging policies in the partial update according to: a) the stage of preparation of the emerging plan; b) the extent to which there are unresolved objections to the policies; and c) the degree of consistency between the policies and the most recent revision of the NPPF.

- 6.6.3. At the time of writing, the partial update has been through examination by the Secretary of State, and the major modifications consultation has closed. The partial update is scheduled to be adopted in July 2026, and is therefore at an advanced stage of preparation. The council considers the emerging policies within it to have a high degree

of consistency with the NPPF. Where relevant, the weight to be given to emerging policies will be set out in the assessment section of this report.

6.7 Supplementary Planning Documents

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

- Stevenage Design Guide Supplementary Planning Document (February 2025)

6.8 Community Infrastructure Levy

6.8.1 Stevenage Borough Council adopted a Community Infrastructure Levy (“CIL”) Charging Schedule in 2020. This allows the Council to collect a levy to fund infrastructure projects based on the type, location, and floor space of a development. This proposal is not CIL liable.

7. APPRAISAL

7.1 The main issues in the assessment of the application are the principle of development, design and visual impact, impact on residential amenity, highway safety and biodiversity net gain.

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

7.2 Principle of Development

7.2.1 Policy SP2 of the Local Plan provides that planning permission will be granted where proposals demonstrate, how amongst other matters they will:

- Regenerate areas of the town that are under performing
- Make good use of land and maximise opportunities for brownfield redevelopment in the town
- Improve quality of life and make sure that residents share in the benefits of regeneration; Promote journeys by bus
- Make high quality buildings and spaces that respect and improve their surroundings; and Support facilities that encourage people to live, work and spend leisure time in Stevenage

7.2.2 Looking at the site itself in terms of its allocation in the Local Plan, it is located in Stevenage Town Centre as identified under Policy TC1 in the Stevenage Borough Local Plan 2011-2031 (adopted 2019) and Local Plan Partial Update. More specifically, the site is designated as falling within the Central Core MOA under Policy TC5. Neither of these policies have been amended within the partial update. Within the Central Core Major Opportunity Area, as defined on the Policies Map, planning permission will be granted for:

- a. High-density Use Class C3 residential units;
- b. New Use Class E(a), E(b) and sui generis shop, bar, restaurant and cafe uses;
- 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

- 7.2.3 The proposed development would not only act as a memorial sculpture but would help create a signature public space in front of the theatre and the key pedestrian route to the railway station from the town centre. It would also contribute to the wider public realm works which have been delivered as part of the Bus Interchange development to the south and deliver an enhanced arrival experience as you enter the town centre from the station.
- 7.2.4 Given the above, the principle of the sculpture sited in this location is considered acceptable. It would accord with the core planning principles outlined in the NPPF (2024) as well as the policies contained in the Local Plan (2019) and Local Plan Partial Update.

7.3 Design and visual impact

- 7.3.1 Chapter 12. (Achieving well-designed places) of the NPPF (2024) stipulates that the creation of high quality and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process. Where development is not well designed, permission should be refused.
- 7.3.2 Policies SP8 and GD1 of the Local Plan (2019) and Local Plan Partial Update as amended are deemed to carry significant weight, this is because they generally reflect the good design principles outlined in the NPPF and National Design Guide.
- 7.3.3 It is considered the use of stainless steel and bronze for the sculpture would be a high-quality material choice and would appear in keeping with the railings and platform on which it would be sited. The height of 1.7m would not appear overbearing and it is acknowledged has been specifically chosen so Nala would appear to be sitting on top of the railings when viewed from public car park below.
- 7.3.4 There would be space on the platform for people to have a moment with Nala, with good sightlines from all sides. The design drawing shows how Nala would look down at the theatre entrance, which would give the sculpture a dynamic relationship with the wider area.
- 7.3.5 Having regard to the above, it is considered that the proposed development would be of a high quality and suitably respectful of its surroundings. In these respects, the proposal accords with the relevant policies of the local plan and partial update.

7.4 Impact on Residential Amenity

- 7.4.1 Paragraph 96 of the NPPF (2024) requires planning decisions to achieve healthy, inclusive and safe places. Policy GD1 of the Local Plan requires proposals not to adversely affect the amenity of neighbouring uses or the surrounding area. This requirement is also reflected in the Council's Design Guide SPD (2025). In the emerging partial update of the local plan, Policy GD1 is amended to refer to "unacceptable adverse impacts" on neighbouring amenities. This change is proposed to reflect the fact that in some instances, impacts on amenities may be deemed to be acceptable despite being adverse. The emerging policy is afforded significant weight, and the proposal is considered to comply with it.
- 7.4.2 Whilst there are residential properties which lie near the application site, it is not considered the proposal would result in any adverse impacts on residential amenity in accordance with the NPPF (2024), Policy GD1 of the Local Plan (2019) and Local Plan Partial Update as well as the Council's Design Guide SPD (2025).

7.5 Highway Safety

- 7.5.1 Policy IT4(a) of the Local Plan (2019) stipulates that planning permission will be granted where development would not have an adverse impact upon highway safety (including pedestrian safety). This policy now refers to an unacceptable adverse impact upon highway safety within the Local Plan Partial Update to align more closely with the NPPF. Policy GD1(b) seeks to improve the overall ease of movement within an area for all users. There has been no change to criterion b of policy GD1 under the Local Plan Partial Update which still seeks to improve overall ease of movement.
- 7.5.2 The proposed sculpture would be located within the existing elevated public realm area adjacent to the theatre and walkway to the station. The sculpture would be out of the way of the flow of pedestrians and would cause no nuisance or obstruction. It has been positioned so persons using wheelchairs and pushchairs would remain unhindered when using the existing ramp and elevated walkway. In addition, they would also be able to freely pass and re-pass through the wider public open space.
- 7.5.3 With regards to the operation of the wider highway network, the sculpture could only be accessed by foot and would be positioned away from the trafficked highway of Lytton Way and Danesgate. Moreover, the sculpture would also be well screened from view from Lytton Way by the existing theatre building. Given this, the sculpture would not act as a form of distraction to users of the trafficked highway and therefore, would not prejudice the safe operation of the highway network.

7.6 Biodiversity Net Gain

- 7.6.1 Paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 sets out that every planning permission granted for the development of land in England shall be deemed to have been granted subject to the 'biodiversity gain condition' requiring development to achieve a net gain of 10% of biodiversity value. There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not apply in some circumstances.
- 7.6.2 Applicants for planning permission are required to make a statement as to whether the biodiversity gain condition will apply if permission is granted, and, if it does not apply, under which exemption they are applying.
- 7.6.3 Based on the information available this proposal is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because the following statutory exemption or transitional arrangement is considered to apply.
1. Development below the de minimis threshold, meaning development which:
 - a) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and
 - b) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

7.7 Other Matters

Funding and Maintenance

- 7.7.1 The proposed sculpture has been funded by [Fundraiser by Tara Hood : A Memorial Statue for Nala - Our beloved train station cat](#). The funder is independent of the owners of the cat. The artist creating the sculpture is doing it for free and the funds raised are for the materials. The sculpture would be periodically cleaned by the Council.

Community Infrastructure Levy

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

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

7.7.3 CIL is a non-negotiable charge. The exact charge will be determined by the Council's CIL officer after an application has been granted in accordance with the CIL Charging Schedule and the Community Infrastructure Levy Regulations 2010 (as amended). Opportunities for relief or exemption from the CIL charge exist and will be taken into account in the calculation of the final CIL charge.

7.7.4 CIL replaces the need for S106 agreements to specify financial and/or land contributions for non-site-specific infrastructure projects. This allows infrastructure to be planned on a borough-wide scale rather than on a site-by-site basis as mitigation against the impacts of individual proposals. A CIL Form 1: Additional Information has been submitted along with the application. The sculpture would not be CIL liable.

7.8 Equality, Diversity and Human Rights

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

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

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

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

- 7.8.5 In terms of inclusive access, the sculpture could be accessed via the existing ramp leading up to the platform from the town centre and via lift access from the station. It would therefore be fully accessible for wheelchair users and pushchairs.

8. CONCLUSION

- 8.1 The proposed development is considered to be compliant with the relevant national and local policy as it is an appropriate design and scale, would not have an adverse impact upon the character and appearance of the area, amenity of neighbours or the safety and operation of the highway network.
- 8.2 Taking national and local planning policies into account, and regarding all relevant material considerations, it is recommended that planning permission be granted.

9. RECOMMENDATION

- 9.1 That planning permission be GRANTED subject to the conditions set out below and delegated authority be given to the Director of Planning and Regulation in consultation with the Chair of the Planning and Development Committee, to amend or add to the conditions subject to which the permission would be granted, where such amendments or additions would satisfy the relevant national policy tests and would most effectively deliver the development which the Committee has resolved to approve.

SUBJECT TO THE FOLLOWING CONDITIONS/REASONS

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:
Sculpture Design Proposal by Ben Twiston-Davies;
REASON:- For the avoidance of doubt and in the interests of proper planning
- 2 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON:- To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

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

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

INFORMATIVE

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

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

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

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

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

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

2 **Biodiversity Net Gain**

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

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

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

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

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

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

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

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

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

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

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

10. BACKGROUND DOCUMENTS

- 1 The application file, forms, plans and supporting documents having the reference number relating to this item. Online copies may be obtained at <https://publicaccess.stevenage.gov.uk/online-applications/>
- 2 The Stevenage Borough Local Plan 2011-2031
<https://www.stevenage.gov.uk/planning-and-building-control/planning-policy/local-plan>
- 3 The Stevenage Borough Local Plan Partial Update 2025
<https://www.stevenage.gov.uk/planning-and-building-control/planning-policy/local-plan-partial-update/submission-to-secretary-of-state>
- 4 Stevenage Borough Council Supplementary Planning Documents: Parking Provision SPD 2025; Design Guidance SPD 2025; Developer Contributions SPD 2025.
<https://www.stevenage.gov.uk/planning-and-building-control/planning-policy/planning-library>
- 5 Hertfordshire County Council Local Transport Plan LTP4 2018-2031
<https://www.hertfordshire.gov.uk/media-library/documents/about-the-council/consultations/ltp4-local-transport-plan-4-complete.pdf>
- 5 Government advice contained in the National Planning Policy Framework 2024 and the Planning Practice Guidance.
https://assets.publishing.service.gov.uk/media/67aafe8f3b41f783cca46251/NPPF_December_2024.pdf
<https://www.gov.uk/government/collections/planning-practice-guidance>
- 7 Representations made by statutory consultees and other interested parties referred to in this report. Online copies can be found on Public Access.

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

Date: 30th June 2026

Author: Aliya Muskaan Khalil

Lead Officer: Alex Robinson

Contact Officer: Aliya Muskaan Khalil

Application No : 26/00304/FP

Location : Land To The South-East Of St Nicholas JMI School Six Hills Way

Proposal : Installation of public sculpture

Drawing Nos.: Proposed stag sculpture; Site Location Plan; Block Plan;

Applicant : Mr Tom Hill

Agent: Ms Ana Carolina Pinto White

Date Valid: 21 April 2026

Recommendation: GRANT PLANNING PERMISSION



1. SITE DESCRIPTION

- 1.1 The application site, which falls within designated Principle Open Space and Green Link, comprises a 2.6m² area towards the south of Fairlands Valley Park, located to the southeast towards Six Hills Way and to the southeast of St Nicholas Church of England Primary and Nursery School.

2. RELEVANT PLANNING HISORY

- 2.1 There is no relevant planning history on file for this application site directly.

3. THE CURRENT APPLICATION

- 3.1 The application seeks planning permission for the installation of a public structure.
- 3.2 This application has been referred to the Planning and Development Committee for its decision. This is because the agent and landowner is Stevenage Borough Council.

4. PUBLIC REPRESENTATIONS

- 4.1 Following notification of the application via letters and the erection of site notices, no public representations have been received.

5. CONSULTATIONS

- 5.1. Arboriculturist Team – No comments received.
- 5.2. Green Spaces Team – Comments received on the 8th of May 2026. While the application is supported in principle, and the proposal is seen to be a valuable addition to the park, concerns have been raised regarding:
- Durability and Public Interaction – Risk of damage through repeated contact or misuse, concerns with ‘anti-climb’ features with potential climbing and sitting on the sculpture.
 - Maintenance, vandalism and management – mitigation of vandalism and potential for littering within the sculpture.
 - Siting and impact on surrounding ground – Unclear location, increase in footfall leading to slip hazards and lack of reasonable contribution to the enhancement of the Wildlife Sites from an ecological perspective.

6. RELEVANT PLANNING POLICIES

6.1 The Development Plan

- 6.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications be determined in accordance with the development plan unless material considerations indicate otherwise. For Stevenage, the statutory development plan comprises the following documents:
- The Stevenage Borough Council Local Plan 2011-2031 (adopted 2019)
 - The Hertfordshire Waste Core Strategy & Development Management Policies Development Plan Document 2011-2026 (adopted 2012)

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

6.2 National Planning Policy Framework

6.2.1 The latest revision of the NPPF was published in December 2024. The policies it contains are material considerations which will be taken into account in dealing with applications. Due weight will be given to development plan policies according to their degree of consistency with the NPPF. The NPPF should be read as a whole (including its footnotes and annexes).

6.3 Planning Practice Guidance

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

6.4 National Design Guide

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

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

6.5.1 The Stevenage Borough Local Plan 2011-2031 was adopted in 2019. Weight must be given to the policies it contains according to their degree of consistency with the NPPF (the closer the policies in the plan to the policies in the NPPF, the greater the weight that may be given).

6.5.2. In addition, the council is required to regard the local plan policies most relevant to determining the application as out-of-date because the application involves the provision of housing and the delivery of housing in the borough was substantially below the housing requirement over the last three years. Those policies are:

- Policy SP1: Presumption in favour of sustainable development
- Policy SP2: Sustainable Development in Stevenage
- Policy SP6: Sustainable Transport
- Policy SP8: Good Design
- Policy IT5: Parking and access
- Policy GD1: High quality design
- Policy NH1: Principal Open Space
- Policy NH2: Wildlife Sites
- Policy NH4: Green Links.

6.5.3 According to the NPPF, the fact that these policies are regarded as out-of-date means that permission should be granted for the proposed development unless: i. the application of policies in the NPPF that protect areas or assets of particular importance provide a strong reason for refusing the development; or ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land,

securing well-designed places and providing affordable homes, individually or in combination.

6.6 Local Plan Review and Update (2024)

6.6.1 The council concluded a full review of the plan in 2024, as required by regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).

6.6.2. In response to the review, the council has proposed a partial update of the local plan. Weight must be given to the emerging policies in the partial update according to: a) the stage of preparation of the emerging plan; b) the extent to which there are unresolved objections to the policies; and c) the degree of consistency between the policies and the most recent revision of the NPPF.

6.6.3. At the time of writing, the partial update is at an advanced stage of preparation and is scheduled to be adopted July 2026. The council considers the emerging policies within it to have a high degree of consistency with the NPPF. Where relevant, the weight to be given to emerging policies will be set out in the assessment section of this report.

6.7 Supplementary Planning Documents

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

- Parking Provision Supplementary Planning Document (February 2025);
- Stevenage Design Guide Supplementary Planning Document (February 2025);

6.8 Community Infrastructure Levy

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

7. APPRAISAL

7.1 The main issues in the assessment of the application are the visual impact, impact on amenities, parking and highways implications and impact on the environment

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

7.2 Principle of Development

7.2.1 Policy NH1 identifies sites which are designated as Principal Open Spaces. This site is recognised as a Principal Woodland under NH1/32 for Whomerley Woods.

7.2.2 The policy recognises that planning permission will be granted where proposals “Would not result in the loss of any part of a Principal Open Space, Would not have an adverse impact upon any Principal Open Space within, or adjacent to, the application site; and Reasonably provide, or reasonably contribute towards the maintenance or improvement of, Principal Open Spaces and allotments.”

7.2.3 Fairlands Valley Park is recognised as the largest area of open space within Stevenage. The installation of the public sculpture of this size and scale is not considered to result in

the loss of significant part of the Principal Open Space, and nor would it have any adverse impact upon the Principal Open Space.

- 7.2.4 The installation of Public Art within the area would reasonably contribute to the Principal Open Space and the principle of development is considered to be acceptable. Policy NH1 is not amended within the Local Plan Partial Update.

7.3 Design and visual impact

Policy Background

- 7.3.1 Chapter 12. (Achieving well-designed places) of the NPPF (2024) stipulates that the creation of high quality and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process. Where development is not well designed, permission should be refused.
- 7.3.2 Policies SP8 and GD1 of the Local Plan (2019) and Partial Update are deemed to carry significant weight, this is because they generally reflect the good design principles outlined in the NPPF and National Design Guide, i.e., that these policies require developments do not adversely impact the amenities of neighbouring occupiers as a good design principle. Policy GD2 (design certification) is a new policy emerging from the review and states that the Council will support developments that are designed to achieve high levels of certification against nationally and internationally recognised sustainability standards such as BREEAM excellent, Secured by Design Silver or higher or BRE Home Quality Mark.
- 7.3.3 It is acknowledged that the scale as shown on the plans is incorrect, however the dimensions have been written on these plans.
- 7.3.4 The sculpture, which would depict a stag, would have a length of 2.2 metres and a maximum height of 4.5 metres. The stag itself is outlined to be 3.5 metres high but would be placed on top of a steel base which is 1 metre itself. The sculpture would be ground mounted, with three foundations affixed into the ground through a concrete base for security.
- 7.3.5 It would be 4.5 metres away from the Millenium Avenue pathway and would be situated on the existing grass open space and would not block pedestrian views into the wider Whomerley Wood/Monks Wood area when approaching from the nearest parking.
- 7.3.6 Whilst it is large at 4.5 metres in height, 2.2 metres in length, and a maximum width of 1.2 metres, it is an abstract sculpture and would not have an adverse visual impact on the wider Fairlands Valley Park or Monks Wood area given its size and scale.
- 7.3.7 The Design and Access statement acknowledges that the use of corten steel 316 would provide practical resilience. The use of this would also not require any significant or specialist treatment such as painting, and the Risk Assessment outlines that the material itself is durable and would be subject to annual inspections, which is acceptable, which would help to alleviate the concerns raised by the Green Spaces Team.

7.4 Impact on neighbouring amenity

Policy Background

- 7.4.1 Policy GD1 of the local plan requires that development does not lead to an adverse impact on the amenities of neighbouring occupiers. In the emerging partial update of the local plan, Policy GD1 is amended to refer to “unacceptable adverse impacts” on neighbouring amenities. This change is proposed to reflect the fact that in some instances, impacts on amenities may be deemed to be acceptable despite being adverse. The emerging policy is afforded significant weight.
- 7.4.2 Based on the submitted information, in terms of impact on residential amenities, the nearest residential properties are located at least 128 metres from the application site, the closest being towards the northeast at Shephall View, and the St Nicholas Church of England Primary and Nursery School, which is around 107 metres away. Due to the significant separation distance combined with the fact that the sculpture is limited in size and scale, would be affixed to the ground and no external lighting features, does not generate pollution with respect to noise, odour and light, it is not considered the proposal would harm the amenities of the nearest properties.
- 7.4.3 In terms of impact on the surrounding area, the site comprises as part of the Fairlands Valley Park in the Whomerley Wood area, which is fairly quiet and following construction, it is unlikely that any noise would arise directly as a result of the sculpture. Therefore, the proposal would not harm amenities more generally.

7.5 Car Parking and Cycle Provision

National Planning Policy Framework and Planning Practice Guidance

- 7.5.1 Chapter 9. (Promoting Sustainable Transport) of the NPPF (2024) sets out a requirement to consider transport issues, which includes parking, at the earliest stages of a development proposal. Paragraph 116 of the NPPF (2024) states “*Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.*”. Taking this into consideration, paragraph 117 of the NPPF (2024) stipulates that applications for development should:
- a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;
 - b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;
 - c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;
 - d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and
 - e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.
- 7.5.2 Policy IT5 of the local plan requires developments to provide parking in accordance with the council’s Parking Provision SPD (2025). This policy has not been amended under the local plan partial update. Policy SP6 (Sustainable Transport), has been significantly updated in the Local Plan Review and requires, amongst other things, for developments

to demonstrate they are in a sustainable location and will promote active travel by non-car modes of transport by providing appropriate cycle parking and prioritise public transport.

- 7.5.3 The proposed development is for a public sculpture and would not result in the creation of any new floorspace or facilities available at Whomerley Wood within Fairlands Valley Park, and the sculpture is designed as part of the landscape for the users of the Woods. The proposal would not have an impact on or result in the loss of any existing parking which is already being provided on site. The proposal is considered acceptable from a highway and parking point of view, as it would not result in the requirement for any additional parking, alter existing parking provision, would not generate any additional vehicle traffic and would not affect the existing public pedestrian path.

7.6 Impact on the Environment

- 7.6.1 Policy NH4 (Green Links) identifies Fairlands Valley Park as a designated Green Link. This is unchanged within the Local Plan Partial Update. The application site comprises an area of open green space which would be at very low risk of contamination.

- 7.6.2 The Green Spaces Development Manager has reviewed the application and supports the application to introduce public art within Fairlands Valley Park in principle, acknowledging that the proposal has the potential to be a valuable addition to the park. However, concerns have been raised regarding durability and public interactions such as potential visitors climbing the stag sculpture, graffiti and vandalism with scope for litter owing to the open nature of the sculpture, and maintenance of the surrounding ground and grass land.

- 7.6.3 Whilst these matters have been considered, these are primarily not material planning considerations and planning permission cannot be refused on this basis.

- 7.6.4 In relation to the concerns of potential crime in the form of graffiti and vandalism, the submitted details show that the sculpture is to be constructed from durable materials, which are impact resistant and generally would be low maintenance. It is located in a highly visible location and is not secluded, so the site retains the wider visibility it benefits from currently. The stag, which has significance across both Stevenage and the wider Hertfordshire area, can create and encourage a greater sense of local pride with respect to the sculpture. Nonetheless, any additional concerns over vandalism or graffiti in the area arising from the sculpture would be a matter for the Police.

7.7 Development and Flood Risk

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

- 7.7.2 The application site is located within Flood Zone 1 within the Environment Agency's flood risk map. Flood Zone 1 is defined as land having less than 1 in 1000 annual

probability of flooding and is the lowest risk. Therefore, all developments are generally directed to Flood Zone 1.

7.8 Biodiversity, Ecology and Protected Species

- 7.8.1 Paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 sets out that every planning permission granted for the development of land in England shall be deemed to have been granted subject to the 'biodiversity gain condition' requiring development to achieve a net gain of 10% of biodiversity value. There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not apply in some circumstances.
- 7.8.2 Applicants for planning permission are required to make a statement as to whether the biodiversity gain condition will apply if permission is granted, and, if it does not apply, under which exemption they are applying.
- 7.8.3 The sculpture would have foundations on the existing grass but owing to its size (2.64m²), it would fall under the de minimis category and therefore a 10% net gain in biodiversity is not required.
- 7.8.4 It is acknowledged that the proposal is located just outside of the designated Wildlife Site as under Policy NH2/19 (Monks & Whomerley Woods) of the Local Plan. However, considering the proximity of the site to the adjacent Wildlife Site, the proposal would not result in the substantive loss or deterioration of a Wildlife Site, and it would reasonably contribute to the maintenance of the site within the vicinity.

7.9 Other Matters

Community Infrastructure Levy

- 7.9.1 The Council adopted CIL on 1 April 2020 and the CIL Charging Schedule specifies a payment for new floorspace. Due to the nature of the proposed development, there is no CIL liability.

7.10 Equality, Diversity and Human Rights

- 7.10.1 Consideration has been given to Articles 1 and 8 of the First Protocol of the European Convention on Human Rights. It is not considered that the decision would result in a violation of any person's rights under the Convention.
- 7.10.2 When considering proposals placed before Members it is important that they are fully aware of and have themselves rigorously considered the equalities implications of the decision that they are taking.
- 7.10.3 Rigorous consideration will ensure that proper appreciation of any potential impact of that decision on the Council's obligations under the Public Sector Equalities Duty. As a minimum this requires decision makers to read and carefully consider the content of any Equalities Impact Assessment (EqIA) produced by officers.
- 7.10.4 The Equalities Act 2010 requires the Council when exercising its functions to have due regard to the need to (a) eliminate discrimination, harassment, victimisation and other conduct prohibited under the Act; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and (c) foster good relations between persons who share protected characteristics under the Equality Act and persons who do not share it. The protected characteristics under the

Equality Act are: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion and belief; sex and sexual orientation.

- 7.10.5 The proposal does not affect the accessibility into the Fairlands Valley Park, nor would it affect members of the public, including those covered by the Equalities Act. The proposed development is not considered therefore to have any material impact on persons with any of the protected characteristics listed under the Equalities Act.

8. CONCLUSIONS

- 8.1. To conclude, the principle of the proposed development is acceptable as it would support the operation and maintenance of the Fairlands Valley Park. Furthermore, it would preserve the character and appearance of the wider site and would not detract from the visual amenities of area. The proposal would not cause harm to the amenities of the nearest residential properties, nor would it have any impact on the safety and usability of the highway network.

9. RECOMMENDATIONS

- 9.1 That planning permission be GRANTED subject to the conditions set out below and delegated authority be given to the Director of Planning and Regulation in consultation with the Chair of the Planning and Development Committee.

SUBJECT TO THE FOLLOWING CONDITIONS/REASONS

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:
Proposed stag sculpture; Site Location Plan; Block Plan;
REASON:- For the avoidance of doubt and in the interests of proper planning
- 2 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON:- To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).
- 3 The external materials used in the development to which this permission relates shall be those detailed on the approved plans and in the accompanying planning submission documents unless otherwise agreed in writing by the local planning authority.
REASON:- To ensure the development has an acceptable appearance.

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

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

INFORMATIVE

1 **Public Information on Planning Applications**

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

2 **Community Infrastructure Levy**

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

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

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

3 **Building Regulations**

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

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

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

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

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

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

4 Party Wall etc. Act 1996

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

5 Biodiversity Net Gain

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

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

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

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

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

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

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

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

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

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

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

10. BACKGROUND DOCUMENTS

- 1 The application file, forms, plans and supporting documents having the reference number relating to this item. Online copies may be obtained at <https://publicaccess.stevenage.gov.uk/online-applications/>
- 2 The Stevenage Borough Local Plan 2011-2031
<https://www.stevenage.gov.uk/planning-and-building-control/planning-policy/local-plan>
- 3 The Stevenage Borough Local Plan Partial Update 2025
<https://www.stevenage.gov.uk/planning-and-building-control/planning-policy/local-plan-partial-update/submission-to-secretary-of-state>
- 4 Stevenage Borough Council Supplementary Planning Documents: Parking Provision SPD 2025; Design Guidance SPD 2025; Developer Contributions SPD 2025.
<https://www.stevenage.gov.uk/planning-and-building-control/planning-policy/planning-library>
- 5 Hertfordshire County Council Local Transport Plan LTP4 2018-2031
<https://www.hertfordshire.gov.uk/media-library/documents/about-the-council/consultations/ltp4-local-transport-plan-4-complete.pdf>
- 5 Government advice contained in the National Planning Policy Framework 2024 and the Planning Practice Guidance.
https://assets.publishing.service.gov.uk/media/67aafe8f3b41f783cca46251/NPPF_December_2024.pdf
<https://www.gov.uk/government/collections/planning-practice-guidance>
- 7 Representations made by statutory consultees and other interested parties referred to in this report. Online copies can be found on Public Access.

Meeting: Planning and Development Committee **Agenda Item:**
Date: 30th June 2026
Author: Aliya Muskaan Khalil
Lead Officer: Alex Robinson
Contact Officer: Aliya Muskaan Khalil

Application No : 26/00305/FP
Location : Land To The North Of The Fairlands Valley Car Park Fairlands Way
Proposal : Installation of public sculpture
Drawing Nos.: Site Location Plan; 001; 001;
Applicant : Mr James Fox
Agent: Ms Ana Carolina Pinto White
Date Valid: 15 April 2026
Recommendation: GRANT PLANNING PERMISSION



1. SITE DESCRIPTION

- 1.1 The application site, which falls within a designated Principal Open Space and Green Link, comprises a 1.85m² area towards the south of Fairlands Valley Park, located to the northwest of the car park accessed to the north of Broadhall Way.

2. RELEVANT PLANNING HISORY

- 2.1 26/00250/FP - Installation of public sculpture. This was granted planning permission under committee on the 4th of June 2026, with the decision notice issued the following day on the 5th of June 2026.

3. THE CURRENT APPLICATION

- 3.1 This application seeks planning permission for the installation of a public sculpture.
- 3.2 This application has been referred to the Planning and Development Committee for its decision. This is because the agent and landowner is Stevenage Borough Council.

4. PUBLIC REPRESENTATIONS

- 4.1 Following notification of the application via letters and the erection of site notices, no public representations have been received.

5. CONSULTATIONS

- 5.1. Green Spaces Team – Comments received on the 11th of June 2026: No objection.
- 5.2. Arboricultural and Conservation Manager – No comments received.

6. RELEVANT PLANNING POLICIES

6.1 The Development Plan

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

- The Stevenage Borough Council Local Plan 2011-2031 (adopted 2019)
- The Hertfordshire Waste Core Strategy & Development Management Policies Development Plan Document 2011-2026 (adopted 2012)
- The Hertfordshire Waste Site Allocations Development Plan Document 2011-2026 (adopted 2014)
- The Hertfordshire Minerals Local Plan Review 2002-2016 (adopted 2007)

6.2 National Planning Policy Framework

- 6.2.1 The latest revision of the NPPF was published in December 2024. The policies it contains are material considerations which will be taken into account in dealing with applications. Due weight will be given to development plan policies according to their degree of consistency with the NPPF. The NPPF should be read as a whole (including its footnotes and annexes).

6.3 Planning Practice Guidance

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

6.4 National Design Guide

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

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

- 6.5.1 The Stevenage Borough Local Plan 2011-2031 was adopted in 2019. Weight must be given to the policies it contains according to their degree of consistency with the NPPF (the closer the policies in the plan to the policies in the NPPF, the greater the weight that may be given).

- 6.5.2. In addition, the council is required to regard the local plan policies most relevant to determining the application as out-of-date because the application involves the provision of housing and the delivery of housing in the borough was substantially below the housing requirement over the last three years. Those policies are:

Policy SP1: Presumption in favour of sustainable development

Policy SP2: Sustainable Development in Stevenage

Policy SP6: Sustainable Transport

Policy SP8: Good Design

Policy IT5: Parking and access

Policy GD1: High quality design

Policy NH1: Principal Open Space

Policy NH2: Wildlife Sites

Policy NH4: Green Links.

- 6.5.3 According to the NPPF, the fact that these policies are regarded as out-of-date means that permission should be granted for the proposed development unless: i. the application of policies in the NPPF that protect areas or assets of particular importance provide a strong reason for refusing the development; or ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

6.6 Local Plan Review and Update (2024)

- 6.6.1 The council concluded a full review of the plan in 2024, as required by regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).

- 6.6.2. In response to the review, the council has proposed a partial update of the local plan. Weight must be given to the emerging policies in the partial update according to: a) the stage of preparation of the emerging plan; b) the extent to which there are unresolved

objections to the policies; and c) the degree of consistency between the policies and the most recent revision of the NPPF.

- 6.6.3. At the time of writing, the partial update is at an advanced stage of preparation and is scheduled to be adopted July 2026. The council considers the emerging policies within it to have a high degree of consistency with the NPPF. Where relevant, the weight to be given to emerging policies will be set out in the assessment section of this report.

6.7 Supplementary Planning Documents

- 6.7.1 The following supplementary planning documents are relevant to determining the application:
- Parking Provision Supplementary Planning Document (February 2025);
 - Stevenage Design Guide Supplementary Planning Document (February 2025);

6.8 Community Infrastructure Levy

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

7. APPRAISAL

- 7.1.1 The main issues in the assessment of the application are the impact visual amenities, impact on amenities, parking and highways implications and impact on the environment.
- 7.1.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that all planning applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

7.2 Principle of Development

- 7.2.1 Policy NH1 identifies sites which are designated as Principal Open Spaces. This site is recognised as a Principal Woodland under NH1/33 for Monks Woods. This is unchanged within the Local Plan Partial Update.
- 7.2.2 The policy recognises that planning permission will be granted where proposals “Would not result in the loss of any part of a Principal Open Space, would not have an adverse impact upon any Principal Open Space within, or adjacent to, the application site; and Reasonably provide, or reasonably contribute towards the maintenance or improvement of, Principal Open Spaces and allotments.”
- 7.2.3 Fairlands Valley Park is recognised as the largest area of open space within Stevenage. The installation of the public sculpture of this size and scale is not considered to result in the loss of significant part of the Principal Open Space, and nor would it have any adverse impact upon the Principal Open Space.
- 7.2.4 The installation of Public Art within the area would reasonably contribute to the Principal Open Space and the principle of development is considered to be acceptable.

7.3 Design and visual impact

Policy Background

- 7.3.1 Chapter 12. (Achieving well-designed places) of the NPPF (2024) stipulates that the creation of high quality, sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process. Where development is not well designed, permission should be refused.
- 7.3.2 Policies SP8 and GD1 of the Local Plan (2019) and Local Plan Partial Update are deemed to carry significant weight, this is because they generally reflect the good design principles outlined in the NPPF and National Design Guide, i.e., that these policies require developments do not adversely impact the amenities of neighbouring occupiers as a good design principle. Policy GD2 (design certification) is a new policy emerging from the review and states that the Council will support developments that are designed to achieve high levels of certification against nationally and internationally recognised sustainability standards such as BREEAM excellent, Secured by Design Silver or higher or BRE Home Quality Mark.
- 7.3.3 The sculpture, which would feature Flight Trace, which is derived from bird flight data, and would have a length of 3.74 metres and a maximum height of 2.3 metre and would be 1.5 metres at its lowest height. The sculpture would be low-level and ground mounted, with three foundations affixed into the soil for security by 0.45 metres.
- 7.3.4 It would be situated on the existing grass open space and would not block pedestrian views into the wider Monks Wood area when approaching from the nearest parking. It would be 2.7 metres away from the Millenium Path.
- 7.3.5 Whilst it is large at 3.7 metres in length and 2.3 metres in height, it is an abstract sculpture and would not have an adverse visual impact on the wider Fairlands Valley Park or Monks Wood area given its size and scale.
- 7.3.6 The Design and Access statement acknowledges that the use of marine-grade, stainless steel 316 with a brushed or bead-blasted surface would reflect off the sky and landscape and would integrate the work into the landscape across the changing light and season. The use of this would also not require any significant or specialist treatment, with routine cleaning 2-4 times a year alongside annual structural inspections, which is acceptable. This also relates well to the designing out of crime, as the materials proposed in the sculpture are durable and resistant materials. The proposal would allow for the wider area to retain its high visibility and surveillance across the site, and there is no blind-spots that shall arise from development.

7.4 Impact on Neighbouring residential amenity

Policy Background

- 7.4.1 Policy GD1 of the local plan requires that development does not lead to an adverse impact on the amenities of neighbouring occupiers. In the emerging partial update of the local plan, Policy GD1 is amended to refer to “unacceptable adverse impacts” on neighbouring amenities. This change is proposed to reflect the fact that in some

instances, impacts on amenities may be deemed to be acceptable despite being adverse. The emerging policy is afforded significant weight.

7.4.2 Based on the submitted information, in terms of impact on residential amenities, the nearest residential properties are located at least 227.9m from the application site, the closest being towards the northwest at Wildwood Lane. Due to the significant separation distance combined with the fact that the sculpture would be ground mounted and would not result in any noise or odour emissions, it is not considered the proposal would harm the amenities of the nearest residential properties.

7.4.3 In terms of impact on the surrounding area, the site falls within the Fairlands Valley Park in the Monks Wood area, which is fairly quiet and following construction, it is unlikely that any noise would arise directly as a result of the sculpture. Therefore, the proposal would not harm amenities more generally.

7.5 Car Parking and Cycle Provision

National Planning Policy Framework and Planning Practice Guidance

7.5.1 Chapter 9. (Promoting Sustainable Transport) of the NPPF (2024) sets out a requirement to consider transport issues, which includes parking, at the earliest stages of a development proposal. Paragraph 116 of the NPPF (2024) states “*Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.*”. Taking this into consideration, paragraph 117 of the NPPF (2024) stipulates that applications for development should:

- a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;
- b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;
- c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;
- d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and
- e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

7.5.1 Policy IT5 of the local plan requires developments to provide parking in accordance with the council’s Parking Provision SPD (2025). This policy remains unchanged within the Local Plan Partial Update. Policy SP6 (Sustainable Transport), has been significantly updated in the Local Plan Review and requires, amongst other things, for developments to demonstrate they are in a sustainable location and will promote active travel by non-car modes of transport by providing appropriate cycle parking and prioritise public transport.

7.5.2 The proposed development is for a public sculpture and will not result in the creation of any new floorspace or facilities available at Monks Wood within Fairlands Valley Park, and the sculpture is designed as part of the landscape for the users of the Woods. The proposal would not have an impact on or result in the loss of any existing parking which is already being provided on site. The proposal is considered acceptable from a

highway and parking point of view, as it would not result in the requirement for any additional parking, alter existing parking provision, would not generate any additional vehicle traffic and would not affect the existing public pedestrian path.

7.6 Impact on the Environment

- 7.6.1 The sculpture has the potential to be an interesting and valuable addition to the park, contributing positively to the visitor experience and overall character of the space. The interactive nature of the proposal is welcomed, subject to appropriate durability and longevity considerations.
- 7.6.2 No objections have been received from the Green Spaces Team, but they have raised concerns that the supporting legs may be vulnerable to acidity which may compromise future structural integrity. This is not a material planning consideration and cannot be assessed further.
- 7.6.3 The proposal is outlined to be constructed from durable materials which will be resistant to impact and will generally be low maintenance. There will be sufficient surveillance that will remain following installation of the sculpture, and the design of the sculpture does not encourage littering within the Green Space. It is located in a highly visible location and is not secluded, so the site retains the wider visibility it benefits from currently and complies with designing out crime.
- 7.6.4 The proposal would not create a substantive visual break in the Green Link and would not have an otherwise material adverse effect on the recreational, structural, amenity or wildlife value of a green link. It is therefore considered to be in accordance with Local Plan policy NH4. This policy remains unchanged within the Local Plan Partial Update.
- 7.6.5 It is acknowledged that the proposal is located just outside of the designated Wildlife Site as under Policy NH2/19 (Monks & Whomerley Woods) of the Local Plan. The proposal would be an appropriate addition to the wider surrounding area and would also not result in substantive loss or deterioration of a Wildlife Site, and is therefore considered to be acceptable. It would not affect the ecological integrity of the wider site, and nor is there any external lighting that is proposed to be installed or generate any harmful impacts which would have an adverse impact on the surrounding environment such as foraging bats or disturb any other seasonal wildlife.

7.7 Development and Flood Risk

- 7.7.1 In the emerging Local Plan Partial Review and update, flood risk and drainage policies are significantly revised. The existing policy FP1 is replaced by a new sustainable drainage policy, which places an emphasis on the use of the most sustainable SuDS features and methods of surface water discharge and now requires all major and minor applications to incorporate SuDS unless there are clear and convincing reasons for not doing so. Meanwhile, existing policies FP2 and FP3 are combined into a new, more comprehensive flood risk policy, which largely reflects national flood risk policies but also seeks to protect watercourses and flood defences. Policy SP11 encourages direction of development to low-risk areas, where possible to utilise SuDS features and to overall protect watercourses and ensure developments do not result in acceptable harm to human health or the natural environment as a result of pollution.
- 7.7.2 The application site is located within Flood Zone 1 within the Environment Agency's flood risk map. Flood Zone 1 is defined as land having less than 1 in 1000 annual

probability of flooding and is the lowest risk. Therefore, all developments are generally directed to Flood Zone 1.

7.8 Biodiversity, Ecology and Protected Species

- 7.8.1 Paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 sets out that every planning permission granted for the development of land in England shall be deemed to have been granted subject to the 'biodiversity gain condition' requiring development to achieve a net gain of 10% of biodiversity value. There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not apply in some circumstances.
- 7.8.2 Applicants for planning permission are required to make a statement as to whether the biodiversity gain condition will apply if permission is granted, and, if it does not apply, under which exemption they are applying.
- 7.8.3 The sculpture would have foundations on the existing grass but owing to its size (1.85m²), it would fall under the de minimis category and therefore a 10% net gain in biodiversity is not required.
- 7.8.4 It is acknowledged that the proposal is located just outside of the designated Wildlife Site as under Policy NH2/19 (Monks & Whomerley Woods) of the Local Plan. However, considering the proximity of the site to the adjacent Wildlife Site, the proposal would not result in the substantive loss or deterioration of a Wildlife Site and it would reasonably contribute to the maintenance of the site within the vicinity.

7.9 Other Matters

Community Infrastructure Levy

- 7.9.1 The Council adopted CIL on 1 April 2020 and the CIL Charging Schedule specifies a payment for new floorspace. Due to the nature of the proposed development, there is no CIL liability

7.10 Equality, Diversity and Human Rights

- 7.10.1 Consideration has been given to Articles 1 and 8 of the First Protocol of the European Convention on Human Rights. It is not considered that the decision would result in a violation of any person's rights under the Convention.
- 7.10.2 When considering proposals placed before Members it is important that they are fully aware of and have themselves rigorously considered the equalities implications of the decision that they are taking.
- 7.10.3 Rigorous consideration will ensure that proper appreciation of any potential impact of that decision on the Council's obligations under the Public Sector Equalities Duty. As a minimum this requires decision makers to read and carefully consider the content of any Equalities Impact Assessment (EqIA) produced by officers.
- 7.10.4 The Equalities Act 2010 requires the Council when exercising its functions to have due regard to the need to (a) eliminate discrimination, harassment, victimisation and other conduct prohibited under the Act; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and (c) foster good relations between persons who share protected characteristics under the Equality Act and persons who do not share it. The protected characteristics under the

Equality Act are: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion and belief; sex and sexual orientation.

7.10.5 The proposal does not affect the accessibility into the Monks Wood area of Fairlands Valley Park, nor would it affect members of the public, including those covered by the Equalities Act. The proposed development is not considered therefore to have any material impact on persons with any of the protected characteristics listed under the Equalities Act.

8. CONCLUSIONS

8.1. To conclude, the principle of the proposed development is acceptable as it would support the operation and maintenance of the Monks Wood area within Fairlands Valley Park. Furthermore, it would preserve the character and appearance of the wider site and would not detract from the visual amenities of the area. The proposal would not cause harm to the amenities of the nearest residential properties, nor would it have any impact on the safety and usability of the highway network.

8.2. Given the aforementioned, the proposed development is considered to be acceptable in line with the Council adopted Local Plan (2019), emerging Partial Update, Planning and Design Guide SPD (2025), the NPPF (2024) and Planning Practice Guide.

9. RECOMMENDATIONS

9.1 That planning permission be GRANTED subject to the conditions set out below and delegated authority be given to the Director of Planning and Regulation in consultation with the Chair of the Planning and Development Committee.

SUBJECT TO THE FOLLOWING CONDITIONS/REASONS

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

Site Location Plan; 001 Block Plan; 001 Design Dimensions;

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

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

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

3 The external materials used in the development to which this permission relates shall be those detailed on the approved plans and in the accompanying planning submission documents unless otherwise agreed in writing by the local planning authority.

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

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

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

INFORMATIVE

1 **Public Information on Planning Applications**

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

2 **Community Infrastructure Levy**

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

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

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

3 **Building Regulations**

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

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

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

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

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

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

4 Party Wall etc. Act 1996

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

5 Biodiversity Net Gain

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

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

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

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

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

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

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

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

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

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

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

10. BACKGROUND DOCUMENTS

- 1 The application file, forms, plans and supporting documents having the reference number relating to this item. Online copies may be obtained at <https://publicaccess.stevenage.gov.uk/online-applications/>
- 2 The Stevenage Borough Local Plan 2011-2031
<https://www.stevenage.gov.uk/planning-and-building-control/planning-policy/local-plan>
- 3 The Stevenage Borough Local Plan Partial Update 2025
<https://www.stevenage.gov.uk/planning-and-building-control/planning-policy/local-plan-partial-update/submission-to-secretary-of-state>
- 4 Stevenage Borough Council Supplementary Planning Documents: Parking Provision SPD 2025; Design Guidance SPD 2025; Developer Contributions SPD 2025.
<https://www.stevenage.gov.uk/planning-and-building-control/planning-policy/planning-library>
- 5 Hertfordshire County Council Local Transport Plan LTP4 2018-2031
<https://www.hertfordshire.gov.uk/media-library/documents/about-the-council/consultations/ltp4-local-transport-plan-4-complete.pdf>
- 5 Government advice contained in the National Planning Policy Framework 2024 and the Planning Practice Guidance.
https://assets.publishing.service.gov.uk/media/67aafe8f3b41f783cca46251/NPPF_December_2024.pdf
<https://www.gov.uk/government/collections/planning-practice-guidance>
- 7 Representations made by statutory consultees and other interested parties referred to in this report. Online copies can be found on Public Access.

Meeting: Planning and Development Committee

Agenda Item:

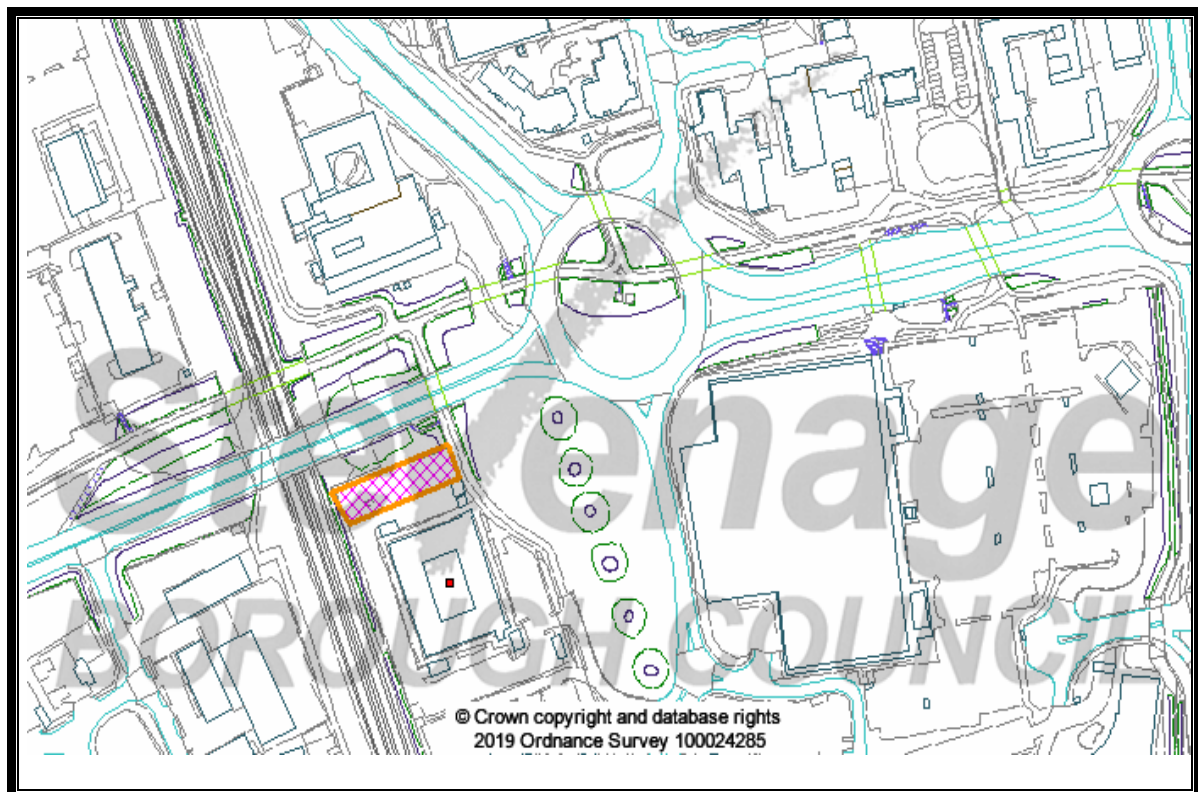
Date: 4 June 2026

Author: Linda Sparrow

Lead Officer: Alex Robinson

Contact Officer: Linda Sparrow

Application No :	21/01283/FPM
Location :	North Car Park, Six Hills House, Six Hills Way
Proposal :	Erection of a 10-storey building comprising of 94 no. flats which consists of 11 no. studios, 36 no. 1 bedroom and 47 no. 2 bedroom units, associated parking, access and ancillary works
Drawing Nos.:	119-3EX-00; 119-3GA-00C; 119-3GA-01D; 119-3GA-02D; 119-3GA-03D; 119-3GA-04D; 119-3GA-05D; 119-3GA-06A; 119-3GA-09D; 119-3GA-10B; 119-3GA-11D; 119-3GA-12E; 119-3GA-07C; 119-3GA-08B.
Applicant :	Westgold Developments Ltd
Date Valid:	6 December 2021
Recommendation :	GRANT PLANNING PERMISSION



1. SITE DESCRIPTION

- 1.1 The application site is located at the northern end of the Six Hills House site and was previously occupied by surface car parking, although construction works have been undertaken in relation to the previously approved planning permission (reference number 16/00482/FPM) and is now enclosed with hoarding.

- 1.2 To the south of the application site is Six Hills House which is an existing part four storey, part eight storey building converted into residential apartments. The plant rooms associated with the old office building have also been converted to residential accommodation. The existing building is surrounded by surface car parking which is punctuated by trees with new cycle and bin stores.
- 1.3 To the north of the application site is Six Hills Way, beyond which is Stevenage Police Station. To the east of the application site is the Six Hills Common which is an established Wildlife Site and comprises the Six Hills Barrows which is classed as a Scheduled Ancient Monument. Beyond the common is Asda supermarket and the North Hertfordshire College Campus. To the south of the application site is Kings Court which is a five-storey office building with residential properties to the east of this office block which front London Road. To the west of the application site is the East Coast railway line with Gunnels Wood Employment Area beyond.

2. RELEVANT PLANNING HISORY

- 2.1 14/00328/CPA Prior approval for the change of use of office building (Use Class B1(a)) to Residential Dwellings (Use Class C3), comprising of 52no one bedroom and 80no two bedroom flats. Prior approval Not Required, 04.08.2014.
- 2.2 15/00078/FP 4no. new bin and bicycle stores, 1no. substation and 1no. pumping station. Permission Granted, 02.04.2015.
- 2.3 15/00225/CPA Change of use from commercial roof top plant enclosures (Class B1) to 15no. residential apartments (Class C3). Prior Approval Not Required, 16.06.2015.
- 2.4 15/00293/FP Construction of 4 storey lift enclosure alongside existing stair tower and external alterations to existing building. Permission Granted 13.07.2015.
- 2.5 15/00483/CPA Prior approval for the change of use of office building (Use Class B1(a)) to Residential Dwellings (Use Class C3), comprising of 128no. one, two and three bed apartments. Prior Approval Not Required, 05.10.2015.
- 2.6 15/00708/COND Partial discharge of Condition 3 (Archaeology) attached to planning permission reference number 15/00078/FP. Discharged, 07.01.2016.
- 2.7 16/00250/NMA Non material amendment to planning permission 15/00078/FP to relocate and increase the size of substation, amend the size and adjust positions of the bin store, increase in size and relocation of pumping station and amendment to the cycle canopy design. Agreed, 04.05.2016.
- 2.8 16/00252/COND Discharge of Condition 7 (Tree Protection) attached to planning permission reference number 15/00078/FP. Discharged, 01.06.2016.
- 2.9 16/00482/FPM Erection of an 8-storey residential building comprising of No. 17 one-bedroom residential units, No. 35 two-bedroom units, No. 12 three-bedroom units, and associated access. Permission Granted, 06.12.2017.

- 2.10 18/00243/COND Discharge of Conditions 3 (Materials), 4 (Landscaping), 11 (Construction Method) and 18 (Site Waste Management) attached to planning permission reference number 16/00482/FPM. Refused 05.07.2018.
- 2.11 18/00515/S106 Variation of Section 106 Agreement dated (06.12.2017) approved under the planning permission reference number 16/00482/FPM. Delegated Authority to Approve 16.05.2019.
- 2.12 20/00359/COND Discharge of condition 3 (Samples of Materials) and 4 (Hard and soft landscaping) attached to planning permission reference number 16/00482/FPM 05.08.2020 DISCHARGED
- 2.13 20/00624/FPM Variation of condition 1 (Approved Drawings) and condition 6 (Car Parking) attached to planning permission 16/00482/FPM. Permission Granted 12.10.2021.
- 2.14 20/00625/FP Installation of fire new escape route has to be created from one of the two stair cores of the adjacent development approved under planning application 16/00482/FPM. The escape route is necessary as the stair core cannot discharge directly into the proposed car park. Permission Granted 07.01.2021.
- 2.15 20/00627/NMA Non-material amendment to planning approval 16/00482/FPM to increase the overall height of the building by 682mm. Agreed 03.11.2021.
- 2.16 21/00367/COND Discharge of condition 11 (Construction Method Statement) and 18 (Site Waste Management) attached to planning permission reference 16/00482/FPM. Discharged 26.11.2021.
- 2.17 21/00564/NMA Non-material amendment to planning approval 16/00482/FPM to re-position brickwork from the second floor to the first floor at the front of the development. Agreed 09.06.2021.

3. THE CURRENT APPLICATION

- 3.1 This application seeks planning permission for the proposed erection of a ten-storey residential block of apartments, comprising 11no. studio units, 36no. one-bedroom units and 47no. two-bedroom units. The proposed development would measure approximately 15.5m in depth and would span approximately 59m in width with a height of approximately 30.5m.
- 3.2 The proposed development would comprise an area of undercroft car parking with 18no. spaces and a basement area comprising 30no. parking spaces over two levels. The development would also comprise 145 long term and 3 short term cycle spaces.
- 3.3 In respect of the finished appearance of the development, the materials which would be used in the construction of the development would be a light grey render with dark grey sections to the north elevation; whilst the south, east and west elevations have a combination of grey render, and Belgravia Gault brickwork with white painted concrete block work to the car park.
- 3.4 Serving the individual flats is a balcony area which comprises metal railings with frosted glazing and timber decking. On the northern elevation of the building, the proposed development would be constructed in a mid-grey cladding. The fenestration of the proposed building comprises

metal framed fully glazed windows and doors. The top floor levels have been recessed and comprise full height glazing to the habitable room areas in order to break up the visual bulk of the development and provide variance to the built form.

- 3.5 This application comes before the Council's Planning and Development Committee as the application is for major residential development. Members are advised that this application was presented at the Planning Committee on 8th December 2022 where it was resolved to grant planning permission subject to the applicant entering into a Section 106 Legal Agreement.
- 3.6 The application is referred back to the Planning Committee as the legal agreement has not been finalised and due to the passage of time officers received legal advice that the application should be re-assessed against the current policy framework and statutory consultations re-sought.

4. PUBLIC REPRESENTATIONS

4.1 Following notification of the application via letters to adjoining landowners, the erection of a site notice and a press notice in the local newspaper, 56 public representations have been received.

4.2 A summary of the objections raised are set out as follows:

- Construction noise and disruption.
- Overlooking/loss of privacy
- Loss of daylight and sunlight
- Lack of car parking to existing East & West Terrace developments; the application site should be used for additional car parking
- Lack of car parking for proposed dwellings
- Previous permission not built due to safety concerns of construction and moving of construction vehicles around the site
- Additional 2 floors above previous permission is unacceptable and will result in an eye sore
- Private garden in centre of existing development will be overlooked by upper floors of new development
- Over development of the site
- Value of properties will go down
- No visitor parking spaces
- Car lifts will create excessive noise
- Land should be used as a recreation park, public building, arts centre, electric bike transport hub/facility or an extension of existing car park.

4.3 The aforementioned is not a verbatim copy of the objections which have been raised. Full copies are available for inspection on the Council's website.

5. CONSULTATIONS

5.1 SBC Engineers

The on-site car parking provision appears adequate in line with SBC's policies, though I suspect residents may have reservations about the proposed use of car lifts. Should this cause reluctance to park in the basement, this may have an impact on local roads. The council will

have to monitor this and may find it necessary to make new parking regulations. A developer contribution should therefore be sought towards the costs this will impose on the council. I would estimate this as being up to £12,000. The proposed two-tier cycle parking is not suitable for non-standard cycles such as recumbents or tricycles. Such cycles are frequently used as mobility aids. In the interests of accessibility and enabling cycling by any resident, cycle parking suitable for non-standard cycles such as these should be provided.

2026 Update: We have no additional comments to make, and we can confirm that the S106 contribution is still required.

5.2 Herts Fire & Rescue Water Officer

This will require a condition for the provision and installation of a fire hydrant, at no cost to the county, or fire and rescue service. This is to ensure adequate water is available for in the event of an emergency.

2026 Update: We have no new comments to make.

5.2 HCC Highways

Hertfordshire County Council as Highway Authority considers that the development is unlikely to result in a significant material increase or change in character of traffic in the vicinity of the site and therefore has no objection subject to the implementation of the agreed construction management plan. A Section 106 agreement will be required to secure £6,000 towards an approved Travel Plan.

2026 Update: We have reviewed the application and associated documents and can confirm that there are no significant changes to the proposed access or parking arrangements. We are satisfied with our previous comments and the Travel Plan option, and we do not wish to make any further observations.

5.3 Historic England

Any development or changes at the application site have potential to affect the setting of the monument and cause harm to its significance. The proposals will result in a significant increase in built form in the vicinity of the scheduled monument. We consider the proposal could result in harm to the significance of the heritage assets. We have previously advised the need for a heritage impact assessment to be prepared. This assessment is not undertaken in the archaeological desk-based assessment that has been submitted with the application (RPS Group, January 2022). We consider that the scheme has the potential to cause less than substantial harm, moderate in scale to the significance of the designated heritage assets. With regards to the case for public benefit for the historic environment, we consider this could be delivered by the provision of an interpretation panel in a suitable, publicly accessible location to improve public perception and understanding of the adjacent scheduled monument of 'The Six Hills Roman barrows'. We would recommend this is secured by a condition attached to any planning permission or via s.106. The Planning Authority should take this representation into account and seek amendments, safeguards or further information as set out in our advice.

2026 Update: Having reviewed the current submission, we note that the scheme remains unchanged, and no heritage assessment has been submitted. The proposal would result in a high level of less than substantial harm to the significance of the Scheduled Monument. We advise the application cannot be adequately assessed in its current form.

5.4 Herts & Middlesex Wildlife Trust

To conserve and enhance the biodiversity of Stevenage and in accordance with NPPF, this development should incorporate integrated swift nesting bricks. Swifts are a focus species for Stevenage and have recently slipped onto the red list of birds of conservation concern. They are entirely dependent on human habitation for their nesting. Simple features built into new development are vital for this species if it is to survive. The boxes should be positioned as high as possible and orientated predominantly to the north.

5.5 Network Rail

Network Rail own, operate and develop Britain's railway infrastructure. Our role is to deliver a safe and reliable railway. All consultations are assessed with the safety of the operational railway in mind and responded to on this basis. Following assessment of the details provided to support the above application, Network Rail has no objection in principle to the development, but there are some requirements which must be met, especially with the proximity of the development to high voltage overhead line equipment on the adjacent East Coast Main Line. These can be secured via conditions.

2026 Update: No further comments received.

5.6 HCC Growth & Infrastructure Unit

Based on the information to date for the development of 94 dwellings we would seek financial contributions towards the following projects - Primary Education towards the new 2FE primary school in Stevenage town centre (£242,215 (240,884 build costs + £1,331 land costs) index linked to BCIS 1Q2020). Monitoring Fees - these will be based on the number of triggers within each legal agreement with each distinct trigger point attracting a charge of £340 (adjusted for inflation against RPI 1Q2021). For further information on monitoring fees please see section 5.5 of the Guide to Developer Infrastructure Contributions.

Following a viability appraisal assessment identifying that financial contributions could not be provided, HCC GIU confirmed they were okay to proceed, however they suggested that a viability review mechanism is included in the S106 legal agreement should this application be granted permission to secure contributions towards education and request to be a party to any S106 legal agreement that is drawn up for this application, this is to ensure that HCC are part of the conversation on how any chargeback on increased values and therefore profits are apportioned and spent. HCC acknowledges that SBC is minded to prioritise S106 contributions to affordable housing and therefore as HCC is no longer able to seek the primary education contribution of £242,215 (index linked to BCIS 1Q2020) then HCC may need to seek the outstanding contribution amount towards the new primary school as part of a future CIL bid.

2026 Update: for 94 dwellings we would seek primary education contribution of £372,269 and secondary education contribution of £305,327 and we reserve the right to apply for CIL contributions for infrastructure through the appropriate channels.

Following a review of the viability assessment, Officers advised HCC GIU that the application remains unviable for financial contributions, and we are awaiting their response.

5.7 SBC Parks and Amenities

We want to draw attention to the close vicinity of the development site to Six Hills Common, which is protected under law. This site is also designated as a local wildlife site, is home to an ancient scheduled monument (Six Hills Roman Barrows) and is rigorously guarded by

residents. While the development envelope does not fall directly onto this site, care shall be taken not to encroach or impact the site directly or indirectly.

2026 Update: no further comments received.

5.8 B.E.A.M.S

Six Hills House is located to the west of a group of six Roman burial mounds known as 'The Six Hills', they give their name to the adjacent Six Hills House and Six Hills Way. The Six Hills have been designated a Scheduled Ancient Monument, and their significance was formally recognised as early as 1923, they are of national importance and under the NPPF are a 'designated heritage asset'. They are of particular significance as the largest surviving group of Roman burial mounds (barrows) in England. The construction of a new residential development to the north of Six Hills House has previously been approved, the current application proposes an increase in height of the development to 10 storeys, its footprint will remain as previously approved. The application does not assess the latest planning application in relation to their setting or any resulting impact upon their significance. It is recommended a heritage impact assessment be submitted as part of the current planning as required by NPPF.

2026 Update: No further comments received.

5.9 SBC Environmental Health

It is noted that the total overall transport noise exposure at location 1 contained in the 2016 report is significantly higher at measurement location 1 than either the road traffic or rail noise exposure identified in the 2022 report. Nevertheless, it is further noted that the 2022 Report contains detailed external fabric specifications at section 5.0 and this includes a relatively high specification for the required glazing.

2026 Update: We do not recommend any additional conditions or offer alternate advice that previously provided.

5.10 Hertfordshire Fire & Rescue Service

We will make further comment when the building regulations application is received.

2026 Update: Not required to consult.

5.11 HCC Archaeology

I can confirm that the previous comments still stand. (from the discharge of conditions app).

For completeness, those comments are as follows:

A Written Scheme of Investigation should be submitted which would include proposals for some test pitting and/or archaeological trenches so that we can have some information regarding any archaeological remains which may be present and determine the likely impact of the proposal on them. Depending on the results we would then be able to amend the plans to protect the archaeology, mitigate the damage or carry on as per the submitted plans.

2026 Update: No further comments received.

5.12 SBC Arboricultural and Conservation Manager

I have no objections to this application.

2026 Update: No further comments received.

5.13 Health and Safety Executive (under Gateway One)

It is noted that the revised plan drawings propose a new approach for the development, specifically, to contain a single building of 10 storeys served by two staircases, each provided with a dry riser fire main. This design resolves the concerns HSE previously raised. The revised plan drawings illustrate that the inlet location for the dry fire main is inside the protected stair. Whilst this may be a drawing mistake, it should be noted that the inlet location should be on the face of the building, close to the entrance point leading to the firefighting shaft, with the inlet visible from the fire appliance. This issue will be picked up at a later regulatory stage.

2026 Update: There are no new design changes since our previous response and as such we have no further comments to make.

5.14 HCC as LLFA

The proposal does not have significant concerns regarding the existing flood risk on site. There is not obvious potential for the proposed development on the site to reduce existing flood risk in the surrounding area. These proposals would not increase the flood risk on site or off site, provided national and local SuDS/surface water drainage requirements are considered in the site design.

2026 Update: No further comments received.

5.15 Woods Plc Drainage Consultant

Whilst the proposals include a number of positives with respect to drainage, notably the aim of providing betterment through the attenuation of run-off rates to a low discharge rate of 2l/s, we object on the basis that the Drainage Strategy does not appear to have considered all options to maximise the sustainability of the development, nor addressed all of the constraints identified in the 2016 application. The drainage strategy was amended to reflect the comments raised by our drainage consultant who confirmed that the amended strategy was acceptable subject to the imposition of conditions.

2026 Update: No longer a consultee as the LLFA are providing their statutory service.

5.16 Herts County Council Waste and Minerals

May 2026: No objections or concerns raised subject to a pre-commencement condition requiring the submission of a Site Waste Management Plan.

5.17 UK Power Networks

May 2026: All works should be undertaken with due regard to health and safety guidance noted HS(G)47. Any diversions work will require our consent.

6. RELEVANT PLANNING POLICIES

6.1 The Development Plan

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

- The Stevenage Borough Council Local Plan 2011-2031 (adopted 2019)
- The Hertfordshire Waste Core Strategy & Development Management Policies Development Plan Document 2011-2026 (adopted 2012)
- The Hertfordshire Waste Site Allocations Development Plan Document 2011-2026 (adopted 2014)
- The Hertfordshire Minerals Local Plan Review 2002-2016 (adopted 2007)

6.2 National Planning Policy Framework

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

6.3 Housing Delivery Test and 5-Year Land Supply

6.3.1 Since November 2018, housing delivery has been measured against the Housing Delivery Test (HDT) as set out by the Government planning policy and guidance. The results of the HDT dictate whether a local planning authority should be subject to consequences to help increase their housing delivery. Where an authority's score is below 75%, the Council must apply the presumption in favour of sustainable development under paragraph 11(d) of the NPPF, incorporate a 20% buffer into its housing supply calculations, and prepare an action plan to assess the causes of under delivery and identify actions to increase delivery in future years. The latest HDT results published by the Ministry of Housing, Communities, and Local Government (MHCLG) in December 2024 identifies that Stevenage delivered 38% of its housing requirement.

6.3.2 On the 21st May 2024, the Council published its 5 Year Land Supply Update May 2024. This identifies that the Council can demonstrate a Housing Supply of **5.59 years** for the period 01 April 2024 to 31 March 2029. This includes a 20% buffer.

6.4 Planning Practice Guidance

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

6.5 National Design Guide

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

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

6.6.1 The Stevenage Borough Local Plan 2011-2031 was adopted in 2019. Weight must be given to the policies it contains according to their degree of consistency with the NPPF (the closer the policies in the plan to the policies in the NPPF, the greater the weight that may be given).

6.6.2 In addition, the council is required to regard the local plan policies most relevant to determining the application as out-of-date because the application involves the provision of housing and

the delivery of housing in the borough was substantially below the housing requirement over the last three years. The policies used in the assessment of this application are:

Policy SP1: Presumption in favour of sustainable development;
Policy SP2: Sustainable development in Stevenage;
Policy SP5: Infrastructure;
Policy SP6: Sustainable transport;
Policy SP7: High quality homes;
Policy SP8: Good design;
Policy SP11: Climate change, flooding and pollution;
Policy SP12: Green infrastructure and the natural environment;
Policy SP13: The historic environment;
Policy IT4: Transport assessments and travel plans;
Policy IT5: Parking and access;
Policy IT6: Sustainable transport;
Policy IT7: New and improved links for pedestrians and cyclists;
Policy HO5: Windfall sites;
Policy HO7: Affordable housing targets;
Policy HO8: Affordable housing tenure, mix and design;
Policy HO9: House types and sizes;
Policy HO11: Accessible and adaptable housing;
Policy GD1: High quality design;
Policy FP1: Climate change;
Policy FP2: Flood risk in Flood Zone 1;
Policy FP5: Contaminated land;
Policy FP7: Pollution;
Policy FP8: Pollution sensitive uses;
Policy NH2 - Wildlife Sites;
Policy NH5: Trees and woodland;
Policy NH6: General protection for open space;
Policy NH9: Areas of Archaeological significance.

- 6.6.3 According to the NPPF, the fact that these policies are regarded as out-of-date means that permission should be granted for the proposed development unless: i. the application of policies in the NPPF that protect areas or assets of particular importance provide a strong reason for refusing the development; or ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

6.7 Local Plan Review and Update (2024)

- 6.7.1 The council concluded a full review of the plan in 2024, as required by regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).
- 6.7.2 In response to the review, the council has proposed a partial update of the local plan. Weight must be given to the emerging policies in the partial update according to: a) the stage of preparation of the emerging plan; b) the extent to which there are unresolved objections to the policies; and c) the degree of consistency between the policies and the most recent revision of the NPPF.

6.7.3 At the time of writing, the partial update examination by the Secretary of State has now concluded and the updated Local Plan is due to be adopted in July 2026. The partial update is therefore at an advanced stage of preparation. Where relevant, the weight to be given to emerging policies will be set out in the assessment section of this report. The policies used in the assessment of this application are:

Policy SP1: Climate Change
Policy SP2: Sustainable development in Stevenage;
Policy SP5: Infrastructure;
Policy SP6: Sustainable transport;
Policy SP7: High quality homes;
Policy SP8: Good design;
Policy SP11: Flooding and pollution;
Policy SP12: Green infrastructure and the natural environment;
Policy SP13: The historic environment;
Policy IT4: Transport assessments and travel plans;
Policy IT5: Parking and access;
Policy IT6: Sustainable transport;
Policy HO5: Windfall sites;
Policy HO7: Affordable housing targets;
Policy HO8: Affordable housing tenure, mix and design;
Policy HO9: House types and sizes;
Policy HO11: Accessible and adaptable housing;
Policy GD1: High quality design;
Policy FP1: Sustainable drainage
Policy FP2: Flood risk management
Policy FP7: Pollution;
Policy FP8: Pollution sensitive uses;
Policy NH2 - Wildlife Sites; (NH2/27)
Policy NH5: Trees and woodland;
Policy NH6: General protection for open space;
Policy NH9: Areas of Archaeological significance.

6.8 Supplementary Planning Documents

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

- Parking Provision Supplementary Planning Document (February 2025);
- Design Guidance Supplementary Planning Document (February 2025);
- Developer Contributions Supplementary Planning Document (February 2025);

6.9 Community Infrastructure Levy

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

7. APPRAISAL

- 7.1.1 The main issues for consideration in the determination of this application are the principle of development, housing mix and tenure, planning obligations, design and visual impact, impact on residential amenities, flood risk and drainage, biodiversity, landscaping and ecology, car parking and highway safety, and the impact on designated heritage assets.
- 7.1.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that all planning applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

7.2 Principle of Development

- 7.2.1 The application site is not allocated for any specific purpose in the adopted Local Plan, and the proposal therefore falls to be considered as windfall residential development. The acceptability of the principle of residential use on the site is assessed against Policy SP7, the Council's strategic policy for housing, and Policy HO5, the associated detailed policy for windfall sites.
- 7.2.2 Policy SP7 seeks to deliver at least 7,600 new homes within the Borough between 2011 and 2031 and, at criterion (e), expressly supports applications for housing development on unallocated sites where they occupy suitable locations and would not exceed the Borough's environmental capacity. The proposal, which would provide 94 dwellings, would make a meaningful contribution towards meeting that housing requirement. As set out below, the scheme would also be delivered on previously developed land and would accordingly assist in meeting the Policy SP7 objective of securing at least 60% of new homes on such land.
- 7.2.3 Policy HO5 provides that planning permission for residential development on unallocated sites will be granted where the criteria at (a) to (e) are satisfied. In respect of criteria (a) and (b), the site meets the definition of previously developed land set out in Annex 2 of the National Planning Policy Framework and is located on the edge of the town centre with excellent connectivity and access to a wide range of local facilities and services. Both criteria are clearly met.
- 7.2.4 Criterion (c) requires that there be no detrimental impact on the environment and the surrounding properties. The detailed environmental and amenity implications of the proposal are considered later in this report. As a matter of principle, however, the proposal is for residential development within an area characterised by a mix of uses, including residential, such that in land use terms there is no inherent conflict, and no obvious detrimental impact arises. Similarly, criterion (d) requires that the proposal would not prejudice the Council's ability to deliver residential development on allocated sites; given its scale and location, the proposal would not prejudice the delivery of any allocated site. Criterion (e) requires that the development would not overburden existing infrastructure, a matter also examined in greater detail later in the report. As a matter of principle, the proposal is not of a scale or type that would inherently overburden existing infrastructure. The proposal therefore accords with Policy HO5 as currently adopted, subject to the detailed assessments that follow.
- 7.2.5 Consideration must also be given to the emerging Local Plan Partial Update, which proposes to amend Policy HO5 by removing criteria (b), (c) and (d). The examination of the updated plan has concluded, and the plan is anticipated to be adopted imminently. Having regard to its advanced stage, significant weight can be afforded to Policy HO5 as proposed to be amended.

Under the amended policy, the principle of development would fall to be assessed against criteria (a) and (e) alone, both of which are met for the reasons given above. It is material that the proposal therefore complies with Policy HO5 whether in its currently adopted form or as proposed to be amended; the outcome in principle is the same under either version of the policy.

Housing Mix

- 7.2.6 The proposed development would provide 94 dwellings, comprising 11 studios (treated as one-bedroom units), 36 one-bedroom units and 47 two-bedroom units. No units with three or more bedrooms are proposed. The acceptability of this mix falls to be assessed against Policy HO9, which requires, amongst other things, that an appropriate range of market housing types and sizes be provided, having regard to the four considerations set out at criterion (a)(i) to (iv). When the proposal is assessed against those considerations, factors are found to pull in different directions.
- 7.2.7 The first consideration, at (a)(i), concerns structural imbalances in the existing housing stock. The evidence indicates that the Borough's stock contains a very high proportion of terraced houses and three-bedroom homes, coupled with a shortage of larger, aspirational homes. By not providing three-bedroom units, the proposal would not add to the existing over-representation of that house type, and in providing many smaller units, it would be positive in relation to this particular imbalance.
- 7.2.8 The second consideration, at (a)(ii), concerns the housing needs of the Borough as informed by up-to-date evidence. The most recent evidence is the Strategic Housing Market Assessment Part II Update (2024), which identifies that 57.6% of the total market sale housing requirement is for three-bedroom units. The proposal would provide no three-bedroom units and in this respect, the proposed mix would not accord with the most up-to-date evidence of need. That said, there remains an acute need for dwellings of all sizes and the development would make a meaningful contribution towards meeting the need for smaller units.
- 7.2.9 The third consideration, at (a)(iii), concerns the location and accessibility of the site. The site lies on the periphery of the town centre, is physically constrained, and is highly accessible. Such a location lends itself well to the high-density flatted development proposed and considerably less well to the delivery of larger family homes. This consideration weighs in favour of the proposal and of the smaller unit mix it would deliver.
- 7.2.10 The fourth consideration, at (a)(iv), concerns recent completions, existing permissions and sites within the five-year land supply. These comprise a combination of higher-density flatted development providing smaller units and lower-density housing development including larger units. Taken overall, the pipeline reflects a reasonable mix of types and sizes, and this consideration is therefore regarded as neutral for the proposal.
- 7.2.11 In addition to the matters at criterion (a), Policy HO9(b) requires that the resulting scheme provide a density and character of development appropriate to its location and surroundings, and states expressly that significantly higher densities should be achieved in easily accessible locations. The site occupies a highly accessible location on the edge of the town centre, of precisely the kind to which that part of the policy is directed. The high-density form of development proposed is considered appropriate to, and is positively encouraged by, the

policy in this location, and the proposed density is therefore acceptable for the purposes of Policy HO9.

- 7.2.12 Policy HO9(c) seeks the provision of aspirational homes in appropriate locations, a list which includes the town centre and other highly accessible locations such as the application site. Aspirational homes are however, defined in the Local Plan as detached dwellings with large gardens. Homes of that kind are by their very nature incapable of being delivered within a high-rise flatted development on a physically constrained site such as this. The absence of aspirational homes is therefore an inevitable consequence of the form of development proposed rather than a shortcoming of the scheme and criterion (c) is not a consideration that can fairly be weighed against the proposal in these circumstances.
- 7.2.13 Drawing these matters together, the proposal represents windfall residential development on previously developed land in a sustainable, edge-of-centre location. It would make a significant contribution towards the Borough's housing requirement and accords with the strategic support for unallocated housing sites in Policy SP7 and with the criteria in Policy HO5, whether as currently adopted or as proposed to be amended. The scheme is for high-rise flatted development on a physically constrained and highly accessible site, which lends itself well to the provision of smaller units.
- 7.2.14 Whilst the assessed need for three-bedroom homes weighs against the proposed absence of larger units, none of the considerations under Policy HO9, taken individually or together, provides an irresistible justification for insisting that larger units be provided in this location and in this form of development. The proposed mix is therefore considered to accord with Policy HO9 which remains unchanged in the Local Plan Review (2024). The principle of development is accordingly considered to be acceptable.

7.3 Affordable housing

- 7.3.1 Policy HO7 seeks to maximise affordable housing provision and applies a target of 25% to schemes above the applicable national thresholds on previously developed sites. The application site comprises previously developed land and the 25% target therefore applies, which in the case of this 94-dwelling scheme, equates to a target of 24 affordable homes once rounded up.
- 7.3.2 The application proposes no affordable housing and therefore would not achieve the target. In these circumstances, Policy HO7 provides that permission will only be granted where one of two exceptions is engaged: where it is robustly demonstrated that the target cannot be achieved owing to site-specific constraints resulting in higher than normal costs that affect viability (criterion (a)); or where meeting the requirements would demonstrably and significantly compromise other policy objectives (criterion (b)). In this case, the applicant relies on criterion (a) and has accordingly provided a financial viability assessment.
- 7.3.3 The application as originally submitted, included a viability appraisal that concluded that if the applicant was to provide the full quota of affordable housing, then they would be left with a deficit of circa £5.4m. Further, the assessment also concluded that the scheme would be left with a £4.1m deficit if financial contributions were provided instead, which is only marginally smaller than the fixed profit target of £4.16m and would therefore result in the scheme generating no developers profit in real terms.

- 7.3.4 That assessment has been independently appraised by the Council's financial viability consultants as originally submitted and a further assessment was undertaken in 2026. The most recent independent appraisal concludes that, even on the basis of nil affordable housing provision, the development now generates a financial deficit of £9.08m. The scheme is therefore demonstrably unviable even before any affordable housing is brought into account, and there is consequently no scope for affordable housing to be delivered on the site at the present time.
- 7.3.5 Whilst the viability evidence demonstrates that affordable housing cannot be supported on the basis of current costs and values, viability is not fixed and may improve as the development is built out and sold. To address this, a review mechanism has been agreed with the applicant and would be secured through a section 106 legal agreement. The review would be triggered at 80% occupancy of the development and would therefore operate as a late-stage review, enabling any improvement in the scheme's viability towards the end of its delivery to be reassessed and any resulting capacity for affordable housing, or an equivalent financial contribution, to be captured. This provides an appropriate safeguard against the risk that the development proves more profitable in practice than the current appraisal indicates.
- 7.3.6 On the basis of this independently verified evidence, and with the protection afforded by the late-stage review mechanism, it is considered that the applicant has robustly demonstrated, in accordance with criterion (a) of Policy HO7, that the affordable housing target cannot be achieved for viability reasons. The proposal is therefore considered to accord with Policy HO7 of the Local Plan (2019) and Local Plan Review (2024) to which there has been no change to this policy in terms of required percentage of affordable homes on previously developed sites.

7.4 Impact on the appearance of the area

- 7.4.1 Policies SP8 and GD1 of the Local Plan (2019) and Local Plan Review (2024) as amended are deemed to carry significant weight. This is because they generally reflect the good design principles outlined in the NPPF and National Design Guide.
- 7.4.2 The application proposes the redevelopment of the existing surface car park for residential development which forms a key gateway site. The site lies adjacent to the existing Six Hills House which is a part four storey, part eight storey building which has been converted into residential apartments. The external elevations of the building have been finished in white coloured render and strategically placed colour panels utilising a simple palette of materials to provide contemporary design. Additionally, well-proportioned windows and door openings have been installed on the main building. There are also Juliette balconies which are finished in either timber or tinted glass balustrades. The roof areas have been finished with single ply painted copper effect roof membrane with a décor profile. The existing building is surrounded by surface car parking which is punctuated by trees with new cycle and bin stores being erected.
- 7.4.3 The proposed development comprises the erection of a ten-storey building with an undercroft and basement car parking area and comprising 94 residential units. The building would measure approximately 15.5m in depth and would span approximately 59m in width. In terms of height, the proposed development would have an overall height of approximately 30.5m.
- 7.4.4 The proposed building would be located on the periphery of the town centre. To compare the scale and height of the proposal with buildings close to the application site and similarly within

and on the periphery of the town centre, the development would be taller than Six Hills House by two storeys. Furthermore, in context with the application proposal, there are a number of tall buildings in the wider area of the Town Centre and its periphery, including Vista Towers (formerly Southgate House) which is a 13-storey building, Pine Tree Court which is a 6-storey building, The Towers which is 13 storeys and the Holiday Inn which is 7 storeys. Therefore, the proposed development would not be out of character with the wider area due to the range of building of heights.

- 7.4.5 Further, there are a number of approved planning permissions in the outer Town Centre area for tall buildings, such as the former Matalan site, former BHS site, The Forum, the former Icon site and the SG1 re-development proposals for the Town Centre. In the appeal statement for the Icon site (planning ref. 19/00474/FPM, appeal ref. APP/K1935/W/20/3255692), paragraphs 30-33, the Inspector concludes that tall buildings around the periphery of the Town Centre are not harmful *per se*, where they are close to other existing and proposed tall buildings within and outside the Town Centre.
- 7.4.6 In respect of the finished appearance of the development, the materials which would be used in the construction of the development would be a light grey render with dark grey sections to the north elevation; whilst the south, east and west elevations have a combination of grey render, and Belgravia Gault brickwork with white painted concrete block work to the car park. These materials are distinctive to the proposal development but the use of modern and contemporary materials are welcomed.
- 7.4.7 Serving the individual flats is a balcony area which comprises metal railings with frosted glazing and timber decking. On the northern elevation of the building, the proposed development would be constructed in a mid-grey cladding. The fenestration of the proposed building comprises metal framed fully glazed windows and doors. The top floor levels have been recessed and comprises full height glazing to the habitable room areas in order to break up the visual bulk of the development and provide variance to the built form.
- 7.4.8 Taking into consideration the aforementioned, the proposed development has a well-defined top, middle and bottom with distinctive window patterns through the building. The use of balconies combined with the brick projection on the southern elevation of the building also helps to add more modulation to the built form. The design and position of the windows combined with the balconies also helps to add architectural merit to the overall character and appearance of the building.
- 7.4.9 In regard to spatial layout, the building would run parallel with Six Hills Way with the eastern elevation fronting onto the cycleway and the western elevation fronting onto the railway line. The proposed development has been positioned approximately 16m from Six Hills House and 16m from Six Hills Way respectively. Given this, the development has been positioned in a way to allow sufficient views across the site and ensure that it does not appear cramped or overbearing. Furthermore, the visual gap also ensures that the building can be fully appreciated in its full architectural form given its distinctive style.
- 7.4.10 The development has also been designed to address both the site by creating a dual active frontage overlooking the surface car park and the cycle path to the east of the site. The site also has the main lobby entrance on the eastern elevation of the building with full height glazed area in order to create a focal point when viewed from the cycle path.

- 7.4.11 Taking into consideration of the above, the submitted proposal has been designed to create a high-quality development with the use of contemporary architecture in order to address this tightly constrained site. This is achieved through the introduction of a strong relief to the built form with a clearly defined top, middle and bottom with distinctive window patterns running through the building. The use of balconies and the brick projection helps to modulate the built form which is further broken up by the use of contrasting materials and along with the usage of glazing and climbing planters.
- 7.4.12 With respect to the ground floor car park, this would be well screened from the public realm due to the presence of a mature hedge which runs along the eastern edge of the site. The site is also set down from Six Hills Way due to the sloping nature of the site and there is a tree belt between the building and the highway. This would further screen the proposed ground floor parking area. Therefore, it would only be readily visible from the surface car park in the grounds of Six Hills House. The rear elevation provides articulation through the use of windows to create a vertical emphasis.
- 7.4.13 In summary, the proposed development would comprise a high-quality design to all elevations and would help to improve the visual amenities of the area. Nevertheless, it is recommended that if planning permission was to be granted, a condition would be imposed requiring samples of the materials to be submitted to the Council for approval. This would ensure that the development would have a high-quality appearance which enhances the overall character and appearance of the area on this important gateway site.
- 7.4.14 Subject to this, the proposal would comply with Local Plan (2019) policies SP8 and GD1 and as amended within the Local Plan Review (2024).

7.5 Impact upon residential amenities

- 7.5.1 Policy GD1 of the local plan requires that development does not lead to an adverse impact on the amenities of neighbouring occupiers. In the emerging partial update of the local plan, Policy GD1 is amended to refer to “unacceptable adverse impacts” on neighbouring amenities. This change is proposed to reflect the fact that in some instances, impacts on amenities may be deemed to be acceptable despite being adverse. The emerging policy is afforded significant weight. Policy HO5 additionally requires windfall development to have an acceptable impact on the surrounding environment.

Outlook and privacy

- 7.5.2 In regard to outlook, the separation distance between Six Hills and the proposed development, which would be approximately 16m, would not appear overbearing to the future owner/occupiers of the properties within Six Hills House and vice versa. Turning to privacy, the Council’s Design Guide SPD does not have standards on separation distances for front to side elevations. However, there is still the potential for direct overlooking into private amenity areas of properties within Six Hills House and vice versa. Therefore, to overcome this issue, the applicant has angled the main habitable room windows which have been orientated east and west. This is to ensure that there is no direct overlooking of main windows of both the existing and proposed developments.

- 7.5.3 Turning to the proposed balcony areas, these have been carefully positioned to be screened by the projecting brickwork on the southern elevation of the development. This ensures that persons standing out on the balconies cannot directly look on to the habitable room areas of properties in Six Hills House. Turning to the terraces on the 9th floor of the development, at this point there would be no habitable windows within Six Hills House which would be directly affected.
- 7.5.4 Given the above, it is considered that the outlook and privacy of the existing and proposed developments would be acceptable.

Sunlight and daylight

- 7.5.5 An independent sunlight and daylight assessment by a suitably qualified person has been undertaken in line with the guidance set out in the Building Research Establishment (BRE) (2011) "Site Layout Planning for Daylight and Sunlight". After the submission of the application, this guidance was superseded with "Site Layout and Planning for Daylight and Sunlight June 2022" which includes updated methodologies for assessing the provision of daylight and sunlight to habitable rooms within proposed developments but does not make fundamental changes to the way in which impacts on existing residential properties are assessed.
- 7.5.6 Accordingly, the applicant was asked to provide an updated daylight and sunlight assessment for this application. A response was received on 30 November 2022 whereby the applicant's professional advisor on such matters, Herrington Consulting Limited, advised that a full updated report is not necessary. They have advised the following:

"The Guidelines are not just used as a tool to assess the adequacy of daylight and sunlight provision to new development. They are in fact used to inform the design process and as is very often the case, there are numerous design iterations before a compliant scheme is achieved. These design iterations are informed by the analysis we undertake during the design process. Therefore, in the case of the Six Hill development, the design was informed and shaped by the 2011 version of the BRE Guidelines.

Based on the assessment that was carried out at that time, it was possible to demonstrate that the habitable rooms within the proposed development met the requirements for the provision of good levels of natural daylight and sunlight. Whilst the assessment methodologies adopted in the updated version of the BRE Guidelines have changed during the period over which the application has been determined, the principle of providing adequate natural daylight to habitable spaces has not. In my professional opinion, I therefore believe that the aspirational targets set out within the original and updated versions of the BRE Guidelines will be met".

- 7.5.7 In this regard, it is not considered that the updated guidance from the BRE would result in fundamental changes to the assessment that follows.
- 7.5.8 The extant 2016 planning permission is a material consideration in the determination of this application as an accepted fall-back position. This extant permission determined that any harm identified in relation to the daylight and sunlight of the existing Six Hills development was within acceptable levels. Any additional harm identified by new reporting measures would be considered limited over and above that already identified.

- 7.5.9 Given that the proposed development would be located due north of the existing Six Hills House, there is the potential for the development to impact upon the level of daylight received on Six Hills House and vice versa. Dealing with daylight, the BRE guidelines operate on the principle that where the retained Vertical Sky Component (VSC) is 27% or greater, or where the VSC is below 27% but is not reduced to less than 0.8 times its former value, then the reduction in daylight would not generally be noticeable to the owner/occupiers and therefore, the level of impact is not sufficient to warrant refusal.
- 7.5.10 The assessment submitted with this application identified that the lower floors of Six Hills House would experience a notable change in the level of daylight received. However, the windows of the properties located on the northern elevation of Six Hills House have an open aspect and therefore, receive a greater level of daylighting than a typical window. Following a more detailed Average Daylight Factor (ADF) test, it has been demonstrated that all but 2 of the rooms on the northern elevation of Six Hills House would exceed the recommended values set out in the BRE guidelines.
- 7.5.11 The two rooms which failed were living/kitchen/dining rooms and only failed to reach the target ADF value by 0.5%. The BRE guidelines require flexibility of judgment when interpreting results. This is particularly relevant when rooms are open plan living/kitchen/dining rooms in urban developments. In this instance, the two affected rooms are approximately 7.7m deep with the living area situated nearest the windows and kitchens at the rear of the room.
- 7.5.12 Given this, the northern facing rooms within Six Hills House would still retain acceptable levels of natural daylight if the proposed development is implemented.
- 7.5.13 Turning to sunlight and overshadowing, the BRE guide states that sunlight is only relevant to neighbouring residential windows which have a view of a proposed development and face within 90 degrees of south. The necessary sunlight test has been undertaken, and this assessment has identified that the existing development (Six Hills House) would not have a detrimental impact on the level of sunlight which would be received by the development, or generate an unacceptable level of overshadowing of the proposed development. Furthermore, as the development is located due north of Six Hills House, it would not impact on the level of sunlight or generate an unacceptable level of overshadowing to the existing development

Private amenity space

- 7.5.14 The Council's Design Guide SPD (2025) states that in flatted developments, the Council will aim to achieve a minimum useable communal area of 50sqm, and for those over 5 units the area should equate to 10sqm per unit. However, it does note that flats may be excluded from the provision of amenity space where centrally located and public open space is easily accessible, for those developments where communal space is not provided, then balconies or terraces are an acceptable alternative.
- 7.5.15 The proposed development does not include communal amenity space due to the constrained nature of the site. However, the Council's Design Guide does state that upper floor flat dwellers rarely have access to garden space, therefore, where there is no communal space there should be a provision of balconies or roof gardens for the occupants of the development.
- 7.5.16 Taking into consideration of the above, the proposed development would comprise of approximately 500sqm of private balconies and terrace areas which would serve the individual

properties rather than the provision of communal open space. Furthermore, the application site is within walking distance to the Town Centre Gardens and King George V Playing Fields. Taking this into consideration, the site is accessible to areas of public open space which can be utilised by the residents of the development. Accordingly, the proposal complies with the requirements of the Design Guide SPD (2025) and therefore Policy GD1.

- 7.5.17 Given the aforementioned, it is considered that the proposed development would have an adequate provision of private amenity space to serve the future occupiers of the development and is highly accessible to public open space

Gross internal floor area

- 7.5.18 Policies SP8 and GD1 of the Local Plan Partial Review (2024) relate to high quality and good design and are deemed to carry significant weight, this is because they generally reflect the good design principles outlined in the NPPF and National Design Guide, i.e., that these policies require developments do not adversely impact the amenities of neighbouring occupiers as a good design principle. These policies state that planning permission will be granted where the proposed scheme, under criterion j. meets the nationally described space standards. Appendix C of the Local Plan (2019) sets out the minimum gross internal floor space standards for dwellings which is in line with the Government's nationally described space standards. Through the Local Plan Review, these policies now carry significant weight.

- 7.5.19 Following an assessment of the proposed floor plans, all apartments would meet the minimum space standards as set out in the NDSS adopted into the Local Plan. Given this, there would be adequate living space standards for any future occupiers of these properties.

Noise

- 7.5.20 Policy FP7 of the Local Plan Partial Review (2024), states that developments should minimise, and where possible, reduce air, water, light and noise pollution. Policy FP8 stipulates that permission for pollution sensitive uses will be granted where they will not be subjected to unacceptably high levels of pollution exposure from either existing, or proposed, pollution generating uses.

- 7.5.21 Taking the above policy into consideration, due to the location of the proposed development in close proximity to the railway line and Six Hills Way which is a busy dual carriageway, the applicant has submitted a Noise Impact Assessment. It is set out in this assessment that the proposed development would be constructed with insulated render, 120mm Rockwool insulation on 150mm Metsec Frames fully filled with Rockwool insulation. In regard to the glazed areas, these would have specially designed double glazed windows and doors in line with British Standard BS8233:2014 (Guidance on sound insulation and noise reduction for buildings).

- 7.5.22 Following consultation with the Council's Environmental Health Department, it is considered that the proposed mitigation set out in the Noise Impact Assessment is acceptable. Their comments on the application remain unchanged when re-consulted in March 2026. Given this, if members were minded to grant planning permission, a condition could be imposed to ensure that the proposed development is constructed in accordance with the mitigation measures as set out in the submitted Noise Impact Assessment to ensure the development can adequately mitigate any noise impacts.

External lighting

7.5.23 In regard to external lighting, the applicant has not submitted any details about any lighting which would be installed on the building or around the application site. However, to ensure that any external lighting does not affect the amenities of the neighbouring residential properties within Six Hills House or the adjacent highways and railway line, it is recommended to add a condition to any grant of planning permission in order to deal with external lighting.

Conclusion

7.5.24 In conclusion, it is considered the proposed development would provide an acceptable living environment for future occupiers and would not harm the amenities of the neighbouring buildings in accordance with policies GD1, FP7 and FP8 of the Local Plan (2019) and as amended (where relevant) under the Local Plan Review (2024).

7.6 Means of access and traffic issues

7.6.1 The site is served by a single vehicle access road from Kings Road, which itself is a spur road off London Road connected via a mini roundabout. London Road, which is a two-way carriageway, is a designated secondary distributor road subject to a speed limit of 30 mph. The existing access road off Kings Road would be utilised as an access/egress point to serve both the proposed development and existing Six Hills House development. This access would not be altered as it is of a sufficient width for two-way traffic to safely enter and exit the site.

7.6.2 Turning to primary pedestrian access, this will be taken from the shared pedestrian and cycle track located adjacent to Kings Road. Pedestrian access into the proposed building will be taken from the ground floor level on the eastern side of the building. The proposal comprises a new footpath connection between the existing cycle track/footway located to the east of the application site and the proposed development. Additionally, a new footpath will run along the northern elevation of the building to allow for egress from the fire exits. This footpath has been assessed by Herts County Council as Highways Authority to be acceptable.

7.6.3 In respect of visibility splays, the existing access points on both Kings Road and London Road have adequate vehicle to vehicle and pedestrian inter-visibility splays in line with the Hertfordshire County Council's guidance. Therefore, vehicles entering and exiting should not prejudice the safety and operation of pedestrians, cyclists, and vehicles utilising the highway network, including the adjacent cycle track off Kings Road.

7.6.4 In regard to the internal road layout, the proposed car parking aisles would, as set out in the submitted Transport Statement, be between 4.31m to 6.85m in width. Given this, the internal road layout for the surface car park would be of a sufficient size to accommodate single-vehicle traffic as identified in the swept path analysis. However, the layout of the car park is such that there is no conflict between vehicles egressing and entering the site.

7.6.5 In assessing traffic generation, the applicant's transport consultant has produced a transport assessment which incorporates details of proposed traffic generation for weekdays. The traffic generation figures for motor vehicles identify that on a Weekday AM peak hour (08:00 to 09:00) there would be 27 two-way trips and in the Weekday PM peak hour (17:00 to 18:00) there would be 32 two-way trips. Given this, Hertfordshire County Council as the Highways Authority

considers that the low levels of trip generation to and from the site would be acceptable in that it would not prejudice highway safety.

- 7.6.6 In relation to proposed pedestrian and cycle access into the application site, this has been designed in a way to ensure that the existing footpath and cycle path link to the town centre is not detrimentally affected. Furthermore, this new connection ensures the development allows for a modal shift from the use of a motor vehicle where an individual can easily walk into the town centre or utilise the extensive cycle network. HCC Highways have assessed the application and have raised no objections in this regard. Therefore, it is considered that the proposed pedestrian and cycle access would be acceptable in this instance.
- 7.6.7 Under planning application reference number 21/00637/COND, the applicant sought to discharge conditions attached to planning application reference number 16/00482/FPM, relating to construction management and site waste management. Following consultation with HCC Highways, HCC Archaeology and Historic England amongst others, the temporary access for construction traffic from the cycleway on the eastern side of the site was agreed as acceptable in terms of highway safety and impacts on the adjacent Six Hills Barrows. The current application does not include details of the construction management, however, the Highways Authority are satisfied that this can be dealt with through a pre-commencement condition, as was successfully undertaken for the 2016 application.
- 7.6.8 Having assessed the application, HCC Highways are satisfied with the layout of the site in terms of motor vehicle, emergency vehicle and service vehicle access and the parking areas have ample turning aisles to enable vehicles to enter and egress in forward gear. It is noted that there are 2no. disabled spaces on the ground floor – which is undercroft style parking and open-sided. These spaces are measured on the plans to be approximately 4.8m long and 3.6m wide which HCC Highways acknowledged in their original comments as being acceptable although they do not appear to meet current standards. Notwithstanding this, disabled spaces are not a policy requirement for the application as no wheelchair user dwellings are being provided. It is noted that the disabled spaces are located at the edge of the car park and would benefit from additional space around them unencumbered by other spaces. HCC Highways' comments remain unchanged following a re-consultation in March 2026.
- 7.6.9 An approved Travel Plan, with £6,000.00 towards monitoring costs, in accordance with the HCC Travel Plan Guidance for Business and Residential Development has been requested by HCC Highways. As discussed in the developer contributions section of this report, the financial contribution would not be secured due to scheme viability, but the Travel Plan itself can be secured via a suitably worded condition.

7.7 Car Parking and Cycle Storage

Car parking

- 7.7.1 Policy IT5 of the local plan requires developments to provide parking in accordance with the council's Parking Provision SPD (2025). Policy SP6 (Sustainable Transport), has been significantly updated in the Local Plan Review and requires, amongst other things, for developments to demonstrate they are in a sustainable location and will promote active travel by non-car modes of transport by providing appropriate cycle parking and prioritise public transport.

- 7.7.2 The Council's Parking Provision SPD (2025) requires studios and 1-bedroom units to have 1 space and 2-bedroom units to have 1.5 spaces. In this regard, there is a requirement for a total of 118 spaces.
- 7.7.3 The application site is within residential accessibility zone 2 which allows for a provision of between 50% and 75% of the maximum baseline requirement. This would equate to a requirement of between 59 spaces at 50% provision and 89 spaces once rounded up at 75% provision.
- 7.7.4 The proposed development would comprise 18 parking spaces at ground level and a further 30 spaces over two basement levels (total provision of 48 spaces) which, even accounting for the 50% reduction available, is still a deficit of 11 spaces. In addition, since the application received a resolution to grant planning permission in 2022, the Council has updated its Parking Provision SPD which now requires parking spaces to measure 2.5m x 5m. The spaces as previously approved are now technically undersized.
- 7.7.5 Despite the above, the application site is in a highly sustainable location as it is located in close proximity to a number of local services and amenities located within Stevenage Town Centre along with the Asda Superstore, Nine Yards Retail Park and the Leisure Park. The site is also highly accessible via public footpath and cycle path connections which are located immediately adjacent to the eastern boundary of the site. The site is also in close proximity to a number of bus services and within walking distance to Stevenage Train Station and the re-located Bus Interchange.
- 7.7.6 Regarding the existing development at Six Hills House (East Terrace and West Terrace), the proposal would result in the loss of 42 car parking spaces on the site whilst leaving 114 spaces available. This existing development has a requirement for a maximum of 90 spaces which is below the 114 spaces that would remain available and therefore the loss of 42 spaces is considered acceptable in policy terms.
- 7.7.7 The basement car parks would be accessed via car lifts on the northern side of the building. The lifts would be centrally placed on the ground floor which would equate to the far western side of the basements. The submitted plans include swept path analyses which show that cars can enter and exit the car lifts and the car parks. HCC Highways as highways authority have assessed the plans and confirmed they have no concerns over the car lifts or basement parking in general. Their comments remain unchanged following a re-consultation in March 2026. Herts Fire and Rescue Service do not engage with planning applications and will assess the plans once submitted to Building Control.
- 7.7.8 Following concerns raised by Officers in relation to the original open plan nature of the car lifts, the plans were amended to relocate them in order that they could be enclosed with floor to ceiling walls on three sides and a roller shutter on the front. This will ensure that they are safely closed off from members of the public.
- 7.7.9 The Council's Parking and Enforcement Manager raised concerns that, whilst a reduction in parking provision would be in line with the Parking Provision SPD, and therefore policy compliant, there could potentially be over-spill parking into surrounding areas as a result, or through residents not wanting to use the car lifts to access the lower basement levels. Accordingly, they have requested a financial contribution, to be secured via a S.106 Legal Agreement, to carry out monitoring of the site and implement suitable parking restrictions

should it be determined to be necessary. This contribution is discussed later in this report in the developer contributions section.

- 7.7.10 Given the above and taking account of the highly sustainable location with excellent access to non-car modes of transport, on balance, it is considered that the proposed parking provision would be acceptable in this regard.

Disabled Parking Spaces

- 7.7.11 In line with the Parking Provision SPD that was in force at the time of submission (which has now been revoked), the applicant included 2no. disabled spaces. Based on the current Parking provision SPD (2025) that is now in force, there is no requirement for any disabled spaces to be provided because the development does not include any wheelchair user dwellings (Category M4(3) dwellings).

Visitor Parking Spaces

- 7.7.12 The Parking Provision SPD (2025) requires visitor spaces to be provided at a standard of 0.25 spaces per dwelling. If parking is to be allocated then these spaces will be required in addition to the parking spaces; where a significant portion of parking is unallocated, additional visitor spaces are not necessary. The number of visitor spaces may be reduced in line with accessibility zones. The parking on site is not allocated and therefore additional spaces for visitors are not required in this instance.

Cycle parking

- 7.7.13 The Council's Car Parking Standards stipulate that there should be 1 long-term secure cycle parking space per bedroom and 1 short term visitor space per 40 units. The number of bedrooms on site is 141 so that requires 141 long term spaces; 94 units would require 3 short term spaces once rounded up.
- 7.7.14 The proposed development would comprise of 145 long term spaces in a secure cycle storage area on the western side of the development and 3 short term spaces located in the main lobby foyer on the eastern side of the building. These spaces are in close proximity to the internal stairwells as well as the lifts which ensures that the store is easily accessible.
- 7.7.15 The originally submitted plans had the cycle storage in two-tiers and the Council's Parking and Enforcement Manager raised concerns about the accessibility of these two-tier cycle units in that the upper tier may be difficult for shorter or less able-bodied persons to reach and pull down. The plans were amended to have 120 spaces on two-tier racking and 25 spaces on Sheffield stands. Due to space constraints on the site the use of two-tier racking is still required to ensure that the total number of spaces can still be provided. Neither the Parking Provision SPD nor HCC's Design Guidance state that cycle storage *must* be in single tier racking, only that it is the preferred option. As such, the provision of cycle storage is still considered to be policy compliant.
- 7.7.16 It is noted that the Parking Provision SPD requires residential developments to provide at least 5% of the on-site cycle storage for adapted cycles. The developer has opted not to provide this, and as mentioned above, the site constraints would prevent this from being provided. It is noted that this would amount to a policy contravention of policy IT5.

7.7.17 Given the above, it is considered that there would be acceptable secure cycle parking provided within the development.

7.8 Tall Buildings and Fire Safety

7.8.1 Following the Grenfell Tower fire in June 2017, the Government commissioned an Independent Review of Building Regulations and Fire Safety. Following this, the Government introduced Planning Gateway One (introduced under the Town and Country Planning (Development Management Procedure and Section 62A Applications) (England) (Amendment) Order 2021) which has two key elements:

- The submission of a fire statement for relevant planning applications to set out fire safety considerations specific to the development; and
- To establish the Health and Safety Executive (HSE) as a statutory consultee for relevant planning applications.

7.8.2 Relevant buildings are those containing two or more dwellings or educational developments which are 18m tall or higher, or 7 storeys or more.

7.8.3 Accordingly, this application has provided the required fire statement and the HSE were consulted. As a result of initial concerns raised by the HSE, the internal layout, staircases and fire escape routes were amended in line with the HSE's recommendations. The HSE have confirmed that the proposed development is now acceptable, and they have no objections or concerns. The detailed design of the fire safety measures would be dealt with at Building Regulations stage.

7.9 Development and Flood Risk

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

7.9.2 The application site is located within Flood Zone 1 within the Environment Agency's flood risk map. Flood Zone 1 is defined as land that has less than 1 in 100 annual probability of flooding. Therefore, all developments are generally directed to Flood Zone 1. Notwithstanding this, the application which has been submitted to the Council is classified as a Major, and the applicant has provided a drainage strategy.

7.9.3 The drainage strategy for this scheme proposes to discharge surface water to an existing Thames Water surface water sewer, with attenuation provided in an underground tank located beneath the building. The underground tank would comprise cellular storage crates located beneath the ground floor in the western half of the site. The tank is indicated as having a

footprint of 47.5m², 1.5m deep, and a total volume of 71.25m³, having been sized for the 1 in 100 plus 40% allowance for climate change rainfall event. The flow rate would be restricted to 2 l/s using an orifice flow device. The invert level of the storage crates is indicated as 88.09m AOD, connecting to the Thames Water surface water sewer at an invert level of 85.26m AOD. The Drainage Strategy assumes that the existing site discharges to the Thames Water surface water sewer and thus concludes that the proposed attenuation would result in betterment compared to the existing situation.

- 7.9.4 At the time the application was submitted, Herts County as Lead Local Flood Authority (LLFA) was not able to provide responses to planning consultations and as such, the Council engaged the services of an independent Drainage Consultant, WSP. The consultant raised concerns that the proposal did not consider all options to maximise the sustainability of the development and failed to address concerns from Network Rail in regard to proximity to the railway line, particularly their requirement of a 20m offset from the boundary.
- 7.9.5 The LLFA subsequently advised that there is no obvious potential for the proposed development to reduce existing flood risk in the surrounding area, and the proposed development would not increase the flood risk on or off the site, provided that national and local SuDS/surface water drainage requirements are considered. However, they would support the Council using third-party drainage consultants to review the proposals in more depth and provide site specific advice.
- 7.9.6 Amendments were made to the drainage strategy to avoid locating storage tanks within 20m of the site boundary as per Network Rail's requirements; in order to achieve this, blue roofs have been included and confirmation was provided by email that the building structure, specifically the basement design, would be capable of sustaining the additional weight of the blue roofs. Thames Water have agreed in principle to the connections to their sewers. Further, due to site constraints, Network Rail requirements and Building Regulations requirements, it is not possible to utilise ground infiltration methods.
- 7.9.7 It is important to note that the site is currently completely covered in hardstanding, contains no SuDS features, and discharges straight to the surface water sewer. The proposed development would not add any new impermeable surfaces and would add some surface level SuDS and some attenuation underground. Therefore, the drainage is an improvement on the existing situation and flood risk is reduced.
- 7.9.8 The Council's Drainage Consultant advised that the revised drainage strategy was acceptable subject to conditions.

7.10 Trees and Landscaping

- 7.10.1 Policy NH5 of the adopted Local Plan (2019) states that development proposals will be expected to protect and retain individual trees within the development site and should include new planting where appropriate.
- 7.10.2 There are no trees on the application site; there are trees located around the perimeter of the site which are outside of the application site and as such they cannot be removed without the consent of the landowner. However, the applicant will need to undertake some works to these trees to ensure that there is no conflict with the proposed development. These works would need to be undertaken at the expense of the developer before works start on-site. Furthermore,

they would require the consent of the landowner to undertake the necessary works to these trees. The Council's Arboricultural Manager has assessed the application and raised no objections. Their comments remain unchanged following a re-consultation in March 2026.

7.10.3 Turning to landscaping, the applicant has not provided any plans relating to landscaping. As such, it is recommended that if members were minded to grant planning permission, a condition could be attached to any permission issued requiring the submission of a landscaping scheme which is to be approved by the Council. This will ensure that an acceptable landscaping scheme is implemented which strikes a balance between softening the appearance of the development and at the same time enhancing the visual amenities of the area.

7.11 Biodiversity, Ecology and Protected Species

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

7.11.2 This Legislation came into force after the application was submitted and as such cannot be retrospectively applied. Notwithstanding this, the application site comprises only hard surfaces and therefore even if the Legislation could be applied, the site would be exempt under the *De Minimis* exemption as less than 25sqm of habitat being impacted.

7.11.3 The application site is located adjacent to Six Hills Barrows which is a designated wildlife site as identified under Policy NH2 of the Local Plan (2019). The application site and the adjacent Six Hills apartment site are generally built up with buildings and surface car parking and are separated from the Six Hills Barrows Wildlife site by the existing cycle way and footpath. The applicant has undertaken a Phase 1 Environmental Survey to determine whether or not the proposed development would have an impact on the wildlife site.

7.11.4 The report submitted by the applicant did not identify any impacts which the development would generate given that the built form is located on previously developed land. Furthermore, due to the built-up nature of the site where there is no vegetation or water bodies, there would not be any protected species such as birds, flora, invertebrates, mammals and reptiles within the application site. Neither the Herts and Middlesex Wildlife Trust nor the Council's Green Spaces department have raised objections to the proposed development.

7.11.5 Herts and Middlesex Wildlife Trust have assessed the application and raised no concerns. However, to conserve and enhance the biodiversity of Stevenage, they have requested that the development incorporates integrated swift nesting bricks. The boxes need to be as high as possible and orientated facing north where possible. This can be secured via the imposition of a condition for boxes to be installed prior to occupation.

7.11.6 Given the above, it is considered that the proposed development would not have a detrimental impact on any protected species. Furthermore, the proposal would not have a detrimental impact on the nearby wildlife site and there is no requirement to provide a biodiversity net gain.

Further, a condition can be imposed on any decision issued that as part of the Construction Management Plan, measures are taken to protect the wildlife site during construction.

7.12 Impact on the Environment

7.12.1 The application site was previously used as a trackway and embankment over the railway line at the end of the 19th century which is likely to have involved limited importation of potentially contaminated materials. Over the last 30 years, the site has been utilised as a surface car park and as such there is the potential presence of hydrocarbons.

7.12.2 Regarding the surrounding area, the applicants Phase 1 Environmental Survey identified the following potential contaminative activities: -

- Railway lines with a single above ground storage tank;
- Factory 137m north-west of the site;
- Clay pits and brick fields which was 240m to the southwest of the site and infilled in 1898 and then partially replaced by terraced properties;
- Gasometer (245m to the southwest) which is now inactive;
- Various large industrial type buildings (unspecified use) 260m to the west.

7.12.3 Given the above, and as set out in the aforementioned survey, there would be potential for contamination to migrate beneath the site. However, the survey does not identify any significant contaminants on the site. Nevertheless, there is always the potential and as such the survey recommends that a watching brief is undertaken during initial site preparation to identify any potentially contaminated materials such as hydrocarbons.

7.12.4 Following consultation with the Council's Environmental Health Officer, it is considered that the recommendations set out in the report are acceptable. Therefore, they recommend a condition be imposed if permission were to be granted requiring the applicant to undertake a watching brief during the initial site preparation stage of the development. It is also recommended that if any unsuspected contamination is identified during the construction of the development, conditions can be imposed to require to applicant to assess the level of these contaminants and set out the necessary mitigation measures as required. These mitigation measures would have to be approved by the Council.

Air Quality

7.12.5 Policy FP7 of the adopted Local Plan (2019) states that all development proposals should minimise, and where possible, reduce air, water, light and noise pollution. Looking at air quality and air pollution specifically, The Air Quality Annual Status Report (ASR) 2019 by Stevenage Borough Council identifies that the development site is not located within, or near, an Air Quality Management Area (AQMA).

7.12.6 In order to mitigate the construction phase, it is recommended a condition is imposed on any permission issued. This condition would require the applicant to adhere to the CMP which details measures on controlling levels of dust and air pollutants which are generated during the construction phase of development.

7.12.7 With regards to the operational aspect of the development, due to its limited scale, the proposed development would give rise to a very small increase in NO₂ emissions which, in

accordance with IAQM/EPUK guidance, is identified as having a negligible impact at all receptors in the area. As such, the need for additional mitigation has not been identified as being required. As such, the Council's Environmental Health Section has not raised any concerns with respect to the operational impact the development would have on air quality.

Noise Pollution

- 7.12.8 With respect to noise, Policy FP7: Pollution, requires all development proposals should minimise, and where possible, reduce air, water, light and noise pollution.
- 7.12.9 Dealing firstly with the impact of noise from the construction phase of the development, detailed measures will be required in the Construction Management Plan (CMP). Through the CMP, the hours in which noisy activities take place can be controlled along with the imposition of relevant mitigation measures being put in place to minimise the impact of noise from construction activities. Consequently, the imposition of such a condition is supported by the Council's Environmental Health Section.
- 7.12.10 With regards to noise which could arise during the operational phase of development, if any complaints arose regarding tenants who would be housed within the development, these could be dealt with by Environmental Health.
- 7.12.11 Concerns from local residents relating to noise that arose during the construction of the neighbouring flatted development are noted, however, permission should not be refused for developments on the basis of construction noise. As mentioned above, a construction management plan will be required which can limit the hours of construction.
- 7.12.12 Turning to noise impacts on future occupiers of the development, the application has been accompanied by a Noise Impact Assessment (NIA). This NIA confirms that that the environmental noise impacts would be within acceptable limits within the proposed dwellings. In order to mitigate any potential noise impacts, the NIA recommends that the building is constructed with suitable sound insulation (wall, glazing, ventilation and roof) to meet British Standards. Environmental Health have assessed the application and has raised no concerns. Their comments remain unchanged following re-consultation in March 2026. However, it is considered appropriate to impose a condition on any decision issued should planning permission be granted that requires the development to be constructed in accordance with the NIA.

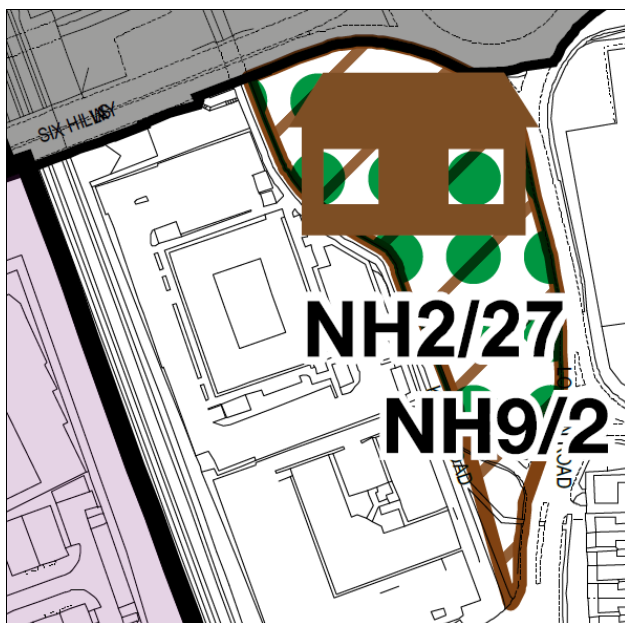
Light Pollution

- 7.12.13 In terms of light pollution, Policy FP7: Pollution of the adopted Local Plan (2019) requires all development proposals should minimise, where possible, light pollution. This policy remains unchanged within the Local Plan Review (2024). Applications for development where pollution is suspected must contain sufficient information for the application to make a full assessment on impacts. Planning permission will be granted where it can be demonstrated that the development will not have unacceptable impacts on:
- a) the natural environment, general amenity and the tranquillity of the wider area which includes light pollution;
 - b) health and safety of the public; and
 - c) The compliance with statutory environmental quality standards.

- 7.12.14 Turning to the operational side of the development, the applicant has not submitted a detailed lighting strategy. However, to ensure that any external lighting does not prejudice highway safety, railway safety or cause a substantive nuisance to neighbouring residential properties, a condition should be imposed on any permission issued.
- 7.12.15 In terms of lighting associated with the construction aspect of the proposed development, this is dealt with as part of a Construction Management Plan.

7.13 Impact on the site of archaeological importance

- 7.13.1 Policy NH9: Areas of Archaeological Significance of the adopted Local Plan (2019) states that The Six Hills (NH9/2) is an area identified as being of archaeological significance. As such, where a development proposal affects such areas, or has the *potential* to affect important archaeological remains on adjoining sites, developers will be required to submit the results of an archaeological field evaluation. The policy goes onto state that if in situ preservation of important archaeological remains is considered preferable, development proposals would be required to demonstrate how those remains will be preserved and incorporated into the layout of that development.
- 7.13.2 Policy NH9 then goes on to state, where in situ preservation of important archaeological remains is not feasible, planning conditions or obligations will ensure that appropriate and satisfactory provision is made for the investigation and recording of archaeological remains that will be damaged or lost before development commences and for the subsequent analysis and publication of results and, where appropriate, excavation. Where appropriate the management, enhancement and public presentation of archaeological remains and their setting will be sought.
- 7.13.3 The image below shows the extent of the policy area and Members will note that the application site itself is not within this policy area but adjacent to it:



- 7.13.4 Whilst outside of the application site, the Six Hills Barrows on the eastern side of the site are also a Scheduled Ancient Monument. Therefore, this scheme has potential to impact on the setting of this heritage asset. In support of this application, the applicant has submitted an

Archaeological Report. The report sets out that an Archaeological Desk Based Assessment was undertaken. In addition, as part of the overall methodology, data from the British Geological Survey (2021) as well as evidence from an archaeological evaluation undertaken in 2016 have been utilised to inform the mitigation measures detailed within the accompanying Archaeological Report.

- 7.13.5 However, before going into the mitigation measures, it is important to understand the history of the site which would further help to inform the mitigation measures which would be used. The Archaeological Report details that the earliest evidence recorded on the Hertfordshire Historic Environment Record (HHER) within the study area relates to vague accounts of surface finds of Palaeolithic hand axes within the vicinity of the study area (1758, TL 240 240), although one hand axe was detailed as being discovered immediately to the east of Danestrete, c.650m to the north of the site (418, TL 2370 2430). From around 4000 BC the mobile hunter-gatherer economy of the Mesolithic period gradually gave way to a more settled agriculture-based subsistence. The pace of woodland clearance to create arable and pasture-based agricultural land varied regionally and locally, depending on a wide variety of climatic, topographic, social and other factors. The trend was one of a slow but gradually increasing pace of forest clearance.
- 7.13.6 Aerial photographic analysis, as set out in the Archaeological Report, has identified a possible Late Neolithic or Early Bronze Age ring ditch in close proximity to the A1(M) corridor (6645, TL 2288 2343) located approximately 750m to the west of the site. Two isolated Neolithic artefacts have been recovered c150m to the northwest of the site, consisting of a polished flint axe head (612, TL 2352 2376) and non-descript flint tool (2239, TL 2350 2375). By the 1st millennium, i.e. 1000 BC, the landscape was probably a mix of extensive tracts of open farmland, punctuated by earthwork burial and ceremonial monuments from distant generations, with settlements, ritual areas and defended locations reflecting an increasingly hierarchical society.
- 7.13.7 The HHER lists four Iron Age coins which have been found by metal detecting within the general vicinity of the study area (22434, 22853, 23361, 23555, TL 23 24). Turning to the Roman Period, evidence for Roman activity within the Study Area relates to the Scheduled Monument of Six Hills Roman Barrows (1577, TL 2375 2370) located c.50m to the east of the site. The monument consists of six large round barrows aligned approximately north-south (36, 4291, 4292, 4293, 4294, 4295). They are assumed to be Roman burial mounds constructed about AD 100, although the scant records of their exploration during the 18th and 19th century are inconclusive. The barrows are assumed to be located along the eastern edge of a former road. The actual date for the road and barrows is uncertain; the road likely forms part of the Roman route between Welwyn and Baldock (Niblett 1995; 10565, TL 2378 2394). Evidence for drainage ditches, agricultural activity, settlement activity and burials are commonly associated with the course of Roman roads. Due to the relationship of the barrows with the alignment of the Roman road, it is likely that any below ground remains associated with the Scheduled Monument are restricted to the eastern side of the road alignment.
- 7.13.8 The Six Hills Roman Barrows form the largest surviving group of Roman burial mounds in England, with Roman Barrow monuments in general being a rare monument form. Originally, the Six Hills Barrows would have had a close relationship with the Roman road, designed to be highly visible in a rural environment to any travellers on the road. The monuments are now located within the urban expanse of Stevenage, surrounded on all sides by modern buildings severely limiting the surviving setting of the monument, containing the setting to the grassy area within which the monuments lay.

- 7.13.9 A Roman coin, recovered from surface deposits, has been found in association with the Six Hills Roman Barrows (433, TL 2374 2375). Further isolated Roman artefacts, consisting of coins and pottery, have been recovered at a distance to the north and east of the site (431, TL 2365 2414; 434, TL 2390 2449; 438, TL 2430 2423; 450, TL 2413 2359). No evidence for Roman activity was identified during the archaeological investigations immediately to the south of the site (Archaeological Solutions 2016), or during the evaluation stage (AOC 2016). Roman finds from the area are dispersed and limited in quantity. Apart from the presence of the Six Hills Barrows and alignment of the Roman road, recent archaeological investigations have yet to identify any contemporary features. As a consequence, the potential for encountering Roman activity within the study site is considered to be low to moderate.
- 7.13.10 Turning to the Medieval period, the Archaeological Report details that no finds of Anglo-Saxon date have been identified within a 1km radius of the study site. The historic village of Woolwicks, located approximately 1.1km to the northwest of the site, is recorded in the Domesday Book of 1086 as a small settlement containing 9 households. The larger settlement recorded at Stevenage is thought to lie approximately 2km to the north (Open Domesday 2016). During the later medieval period, documentary evidence suggests the land surrounding the Six Hills Barrows was designated as common land, and characterised as open pasture (12550, TL 2375 2362). During the majority of the post-medieval period the site is likely to have remained within common land.
- 7.13.11 Turning to post-medieval to modern times, Andrew and Drury's map of 1766 (not replicated) as detailed in the Archaeological Report shows the study site located to the west of Six Hills Barrows and associated road alignment, in an area of localised high ground open in character. The general character of the site remains unaltered between 1810 and 1822. The 1839 Stevenage Tithe map (not replicated) and associated Award record the site located in a narrow strip field listed as pasture.
- 7.13.12 The Ordnance Survey map of 1880 (not replicated), as detailed in the report, indicates that the site is now located within a larger field. The western boundary is now formed by the Stevenage to London railway, with the southern boundary defined by a raised causeway for a bridge over the railway (5101, TL 23603 23688). The layout of the site remains unaltered between 1898 and 1974. By 1986 the bridge causeway has been removed with the site now lying within the hardstanding car park associated with the newly constructed Six Hills House immediately to the south. A cycle path now forms the eastern boundary. The layout of the site remains unaltered up to the present.
- 7.13.13 With regards to past archaeological investigations, one of which was undertaken as part of planning application 16/00482/FPM, **no archaeology was observed**, and it was established that the site had been subjected to significant truncation with the removal of almost all subsoil, likely during the construction of the present Six Hills House in the late 1970s/early 1980s.
- 7.13.14 Notwithstanding this, there is still the potential presence of archaeological remains in the area which could be disturbed as part of the construction of the temporary access road. However, the current application does not include details of any mitigation measures as these would be dealt with via condition. Additionally, an Archaeological Watching Brief can be requested to be carried out during any works near to the Six Hills Barrows.
- 7.13.15 If extensive archaeological remains are uncovered, a meeting would be set up on site with the Archaeological Curator, Historic England, the Archaeological Contractor/supervising

archaeologist, the Archaeological Consultant, the Attendance Contractor and the developer. This will allow for a programme of investigation to be established and recording of the remains.

- 7.13.16 A key material consideration in the determination of this current application is the planning application 16/00482/FPM for an 8-storey building on the exact same site and an application to discharge the condition relating to construction management – 21/00367/COND. As part of the 2021 application, extensive consultations and discussions were carried out between the developer, HCC Archaeology and Historic England. As a result of these discussions, the construction management condition was satisfactorily discharged, with Historic England and HCC Archaeology being satisfied that the development would not harm the Six Hills Barrows or any potential archaeological deposits.
- 7.13.17 With regards to the County Council Archaeologist, they were formally consulted on the Archaeological Report and have confirmed that their comments remain unchanged from the 2021 discharge of conditions application and do not wish to object to the proposal.

7.14 Impact on the Scheduled Ancient Monument

- 7.14.1 Whilst outside of the application site, the Six Hills Barrows on the eastern side of the site are a Scheduled Ancient Monument. Therefore, this scheme will have an impact on the setting of this heritage asset. Scheduled monuments are protected under the Ancient Monuments and Archaeological Areas Act 1979 (as amended).
- 7.14.2 Chapter 16 of the NPPF (2024) requires Local Planning Authorities to place great weight on preserving historic assets and their significance. Paragraph 213 states: 'Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.
- 7.14.3 Additional to the above, Policy SP13 of the Adopted Local Plan relates to the historic environment. This states that the council will preserve and enhance the most important area and characteristics of Stevenage. This policy remains unchanged within the Local Plan Review (2024).
- 7.14.4 The Six Hills Barrows are a Scheduled Monument which was listed in 1923 and amended in 1996. The reason for the designation is because, as set out in Historic England's Records, the earthen barrows are the most visually spectacular survivals of a wide variety of funerary monuments in Britain dating to the Roman period. Constructed as steep sided conical mounds, usually of considerable size and occasionally with an encircling bank or ditch, they covered one or more burials, generally believed to be those of high-ranking individuals. The burials were mainly cremations, although inhumations have been recorded, and were often deposited with accompanying grave goods in chambers or cists constructed of wood, tile or stone sealed beneath the barrow mound. Occasionally, the mound appears to have been built directly over a funeral pyre.
- 7.14.5 The barrows usually occur singly, although they can be grouped into "cemeteries" of up to ten examples. They are sited in a variety of locations but often occur near Roman roads. A small number of barrows were of particularly elaborate construction, with masonry revetment walls or radical internal walls. Roman barrows are rare nationally, with less than 150 recorded examples, and are generally restricted to lowland England with the majority in East Anglia. The earliest examples date to the first decades of the Roman occupation and occur mainly within

East Anglian concentration. It has been suggested that they are the graves of native British aristocrats who chose to perpetuate aspects of Iron Age burial practice.

- 7.14.6 The majority of the barrows were constructed in the early second century AD but by the end of that century the fashion for barrow building appears to have ended. Occasionally the barrows were re-used when secondary Anglo-Saxon burials were dug into the mound. Many barrows were subjected to cursory investigation by antiquarians in the 19th century and, as little investigation to modern standards has taken place, they remain generally poorly understood. As a rare monument type which exhibits a wide diversity of burial tradition, all Roman barrows, unless significantly damaged, are identified as nationally important.
- 7.14.7 The Six Hills, therefore, according to the listing, form the largest surviving group of burial mounds dating to the Roman period in England. Whilst a degree of the landscaping has infilled the quarry ditches and levelled the outer banks, evidence for these will survive beneath the present ground surface. Previous excavations have disturbed five of the six mounds, but this disturbance is limited and significant archaeological deposits, including human remains with funerary assemblages, will survive providing valuable evidence for the dates of the mounds, the method of construction and the religious beliefs of the builders. The fills of the buried ditches are the old ground surfaces beneath the mounds will likely retain environmental information which will illustrate the nature of the landscape in which the mounds are set.
- 7.14.8 The Six Hills stand within an area of common land and are easily accessible to members of the public and visible from the adjacent highway, providing a striking and valued recreational and educational amenity value in Stevenage. Given the significance of the Six Hills Barrows as a Scheduled Monument, the proposed development is likely to have an impact on the historic setting of these Barrows.
- 7.14.9 In order to construct the development, the applicant requires a temporary access to be formed on the eastern side of the site, utilising the adjacent cycleway. In this regard, the temporary access has potential to impact the Barrows and their setting. Concerns from local residents regarding the permanent loss of the cycleway and surrounding trees are noted but are entirely unfounded. This construction access is temporary, and the land will be put back to its original condition post construction.
- 7.14.10 An assessment needs to be made as to whether a 10-storey building would impact the setting of the Barrows. The final details of this access would be for determination later via conditions; however, it is pertinent to determine the principle of the access at this stage. It is important to note that in 2021 (21/00367/COND) an application to discharge a condition relating to this access attached to the previously approved 2016 application was approved by members of the Planning and Development Committee after extensive negotiations with a number of Statutory Consultees to ensure that suitable mitigation measures were put in place to protect the heritage asset and undertake any necessary remediation works following completion of construction. Conditions can be imposed on any decision issued to ensure this is undertaken again for this current application.
- 7.14.11 Historic England and the Council's Conservation and Historic Advisor have assessed the current application and have raised concerns that the application does not include a Heritage Impact Statement as per the requirement of the NPPF and that the construction of the temporary access is likely to cause significant harm to the overall setting of the Six Hills

Barrows. Although this harm is less than substantial, it is at the higher end of the scale. Their comments remain unchanged following re-consultation in March 2026.

- 7.14.12 The Barrows are approximately 45m at their closest to the site boundary and separated by boundary hedgerows, a foot path, cycleway and grass verge. This separation distance is considered acceptable such that the 10-storey building would not appear over dominant from the site of the Barrows, especially given the presence of the existing Six Hills House, Kings Court and Asda Supermarket which already dominate the surrounding landscape. The boundary hedgerow and existing trees around the Barrows would provide a softening of the views to mitigate some of the impact. Further, the setting of the Barrows has already been undermined with the development of the New Town in the intervening years with developments such as Kings Court, the existing Six Hills House and neighbouring Asda Supermarket.
- 7.14.13 Given this assessment, and the impact that the development would have, Council's Conservation and Heritage Advisor and Historic England consider the impact of 'less than substantial harm'. However, whilst the scheme does result in 'less than substantial harm', the harm as advised, is at the higher end of the scale. Notwithstanding, and as set out in this report, the setting of the Barrows has drastically changed due to the introduction of the surrounding developments. In addition, the scheme would not entail any direct physical alteration to the heritage asset or its immediate plot.
- 7.14.14 Notwithstanding this, there are two relevant planning applications which are material considerations to the determination of this application. The first is the 2016 planning application (16/00482/FPM) for the erection of an 8-storey building which was granted planning permission. The second is a discharge of conditions attached to the 2016 application relating to construction management (21/00367/COND) approved in 2021. As part of these applications, Historic England entered negotiations with the developer to amend the temporary access such that they were satisfied the temporary access would not harm the Six Hills Barrows.
- 7.14.15 As a level of harm has been established, the Council should balance the 'less than substantial harm' identified against any 'public benefits' the proposal may result. Case law has determined that 'preserve' is taken to mean 'to do no harm'. The NPPF requires great weight to be given to conserving the significance of designated heritage assets (para 212). This is regardless of whether any harm may be 'substantial harm' or 'less than substantial harm' (para 212). Any harm should require clear and convincing justification (para 213). If a development proposal would lead to less than substantial harm, this harm should be weighed against the public benefits of the proposal (para 214).
- 7.14.16 In undertaking that balancing, case law has confirmed that the presumption to preserve in the 1990 Act is a strong one and must be given 'considerable importance and weight'. For instance, less than substantial harm is not a less than substantial planning issue. However, that presumption is not irrefutable and can be outweighed by circumstances important enough to justify it. A decision maker that has followed the processes set out in the NPPF can be considered to have discharged their duties under the 1990 Act. The balancing, however, is not 'equal', the presumption to preserve must come first.
- 7.14.17 Case law (South Lakeland, 1992) has determined that 'preserve' means 'to do no harm'. However, if harm is identified, the NPPF provides a means of weighing either 'substantial harm' or 'less than substantial harm' to the significance of a designated heritage asset against the

public benefits of the proposal. In doing so, case law has emphasised the need to give “considerable importance and weight” to preserving listed buildings or the character and appearance of conservation areas (Barnwell Manor, Case No: C1/2013/0843). However, the presumption ‘to preserve’ is not irrebuttable and “can be outweighed by material considerations powerful enough to do so” (Forge Field (Case Nos: CO/735/2013; CO/16932/2013) and a decision maker that has followed the process set out in the NPPF, in respect to weighing harm and benefits, can reasonably be expected to have complied with the ‘statutory duties’ of the 1990 Act (Mordue, Case No. C1/2015/1067).

- 7.14.18 The proposed development would provide 94 dwellings, making a significant contribution to the aim of boosting housing supply through the redevelopment of sustainable brownfield sites. Whilst the Council can demonstrate a five-year land supply, the failure of the HDT score weighs in favour of the development. Given the weight attached to housing delivery under the presumption in favour of sustainable development, officers consider that the benefits of redeveloping a sustainably located brownfield site for much needed smaller homes outweigh the harm to the setting of the ancient barrows.
- 7.14.19 In terms of an additional benefit, the development would generate a number of construction jobs as well as support positions in the supply chain. In terms of the construction jobs themselves, a number of these jobs will be drawn from the local market which would be secured as part of any S.106 agreement in line with the Council’s Developer Contributions SPD (2025).
- 7.14.20 It is acknowledged that the proposed development would not entail any direct physical alteration to the heritage asset or its immediate plot. In addition to this, the setting of the heritage asset has drastically changed due to the introduction of commercial and residential buildings in the immediate area.
- 7.14.21 Historic England advised that they request the applicant should provide a public information / interpretation board at the site of the Six Hills Barrows which would be publicly accessible. This would provide a public benefit to the scheme by way of improving public perception and knowledge of the Barrows. This can be secured through the imposition of a condition.
- 7.14.22 Through planning application reference 21/00367/COND to discharge conditions relating to Construction Management and Site Waste Management, the developer successfully negotiated amendments to their original design with Historic England, the Council’s Heritage and Conservation Advisor, Herts County Council as highways authority and Archaeologists to ensure that the developer would mitigate any harm to the heritage asset and wildlife site and make good the land for the temporary access once construction is completed. With suitably worded conditions imposed on this current application, the Council is confident that this can be achieved again.
- 7.14.23 Taking the aforementioned into account, officers have considered the advice of Historic England and the Council’s heritage consultant and assessed the impact of the development on the significance of the designated heritage asset. Officers consider the public benefits associated with the development as detailed above would outweigh the identified harm to the setting of the ancient barrows. Furthermore, officers are satisfied that any impacts on the Six Hills Barrows can be mitigated and dealt with via condition as was successfully achieved in 2021 for the extant planning permission on the site. Officers have therefore followed the

processes set out in the NPPF and have discharged their duties under the 1990 Act in relation to assessment of impact.

7.15 Impact on the Common

7.15.1 In accordance with Section 16 of the Commons Act 2006, the owner of any land registered as common land may apply to the appropriate national authority for the land (“the release land”) to cease to be so registered. Section 38 of the Commons Act 2006 states that restricted works on common land are prohibited without consent. In determining an application for works under Section 38. The criteria for determining an application for works are set out in Section 39 of the Commons Act 2006. These criteria include public interest in:

(2b) the conservation of the landscape

(2c) the protection of archaeological remains and features of historic interest.

7.15.2 Under the previous application to discharge conditions relating to the temporary construction access, it was determined that the proposed works would only fall on a part of the designated common land. Where the proposal falls on land which is designated Common, the Planning Inspectorate (the body which determines consents for work on a Common) has advised that consent is not required for the resurfacing of a common with loose material (e.g. gravel, shingle, crushed stone) so long as it does not impede or prevent public access or does not interfere with rights over the common, e.g. commoners’ rights to graze livestock.

7.15.3 It is understood that the temporary construction access for this current application would be the same as that which was previously approved in 2021 given the footprint of the application is the same as previously approved. Previously, the temporary access was permitted to be constructed from materials such as crushed stone/gravel along with the use of a EuroMat (ground protection mat for heavy goods vehicles) as recommended by Historic England. In addition, the temporary access was designed, through negotiations with Historic England, to ensure that there are no restrictions in place which would restrict the ability of the local community in being able to gain access to the common.

7.15.4 Notwithstanding this, conditions can be imposed on this application should members be minded to grant permission that will require these details to be submitted and approved again to ensure that the Common remains protected and remediation works are undertaken once construction is completed.

7.16 Sustainable construction and climate change

7.16.1 Under the Local Plan Review, Policy FP1 has been revised to cover sustainable drainage and Policy SP1: climate change, is the new relevant policy in this regard. The fundamental objective of Policy SP1 remains the same as previous policy FP1, however, it sets out in more detail the objectives to adapting to climate change. This policy requires, amongst other things off setting of emissions targets if not met on site, water usage targets, rainwater harvesting, grey water recycling, use of sustainable materials and practices on site, ultra-low and zero carbon combined heat and power systems and urban greening (green roofs and walls). This policy is further supported by a suite of new climate change polices, CC1 through CC6 which cover a broad range of topics but which, through the partial review and examination in public should be applied flexibly as they may not always be appropriate, and it should be noted that Policy CC1 requires only major planning applications to provide an energy statement.

7.16.2 The applicant as part of the application has submitted a Sustainability and Energy Statement. The proposed development has been orientated southwards to ensure that the residential properties receive the maximum level of sunlight and daylight. This helps to provide higher level of natural light as well as reduce the level of heating required during certain periods of the day/year. The building would also be constructed in accordance with current Part L of the Building Regulations to ensure that the building is thermally efficient. In this regard, new homes are much more energy efficient than previously. The proposed development would also incorporate water saving measures to meet 105 litres per person per day. Furthermore, use of recycled materials would be utilised in the construction of the development and at least 50% of constructed waste will be diverted from landfill. This would be achieved through the implementation of Site Waste Management Plan (SWMP).

7.16.3 Further to the above, the development would comprise of advanced heating controls in order to regulate internal thermal comfort conditions according to room use. This would help to reduce energy wastage. All internal lighting would use a low energy system in order to reduce the energy footprint of the building. Blue roofs will be incorporated as part of the sustainable construction which will also meet the requirements of the sustainable drainage strategy.

7.16.4 Given the above, it is considered that the development has been carefully designed to ensure that it is energy efficient, has a low level of water consumption and is constructed in a sustainable manner with a high usage of recycled materials where possible and to limit the amount of construction waste being sent to landfill. These measures are all considered acceptable and can be secured via the imposition of a compliance condition should permission be granted. The application is therefore considered to be policy compliant in this regard.

7.17 Waste and Recycling

7.17.1 Policy GD1 and the Design Guide (2025) state that provision should be made within new developments for the storage and collection of waste. The submitted plans indicate that there is sufficient provision for general waste and recycling for this site. In addition, the bin stores are located within acceptable drag distances for future occupiers as well as refuse collectors. As such, a condition would be imposed to ensure the stores are provided prior to first occupation of the development.

7.18 Community Infrastructure Levy

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

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

7.18.2 CIL is a non-negotiable charge. The rate applicable to this type of development would be £100/sqm and the final charge will be determined by the Council's CIL officer after an application has been granted in accordance with the CIL Charging Schedule and the Community Infrastructure Levy Regulations 2010 (as amended). Opportunities for relief or exemption from the CIL charge exist and will be taken into account in the calculation of the final CIL charge.

7.18.3 CIL replaces the need for S106 agreements to specify financial and/or land contributions for non-site-specific infrastructure projects. This allows infrastructure to be planned on a borough-wide scale rather than on a site-by-site basis as mitigation against the impacts of individual proposals. A CIL Form 1: Additional Information has been submitted along with the application.

7.19 Developer Contributions

7.19.1 Developer contributions are the means by which new development is required to contribute towards the infrastructure and other measures needed to mitigate its impacts. They take two principal forms: planning obligations, secured by way of a legal agreement under section 106 of the Town and Country Planning Act 1990; and the Community Infrastructure Levy (CIL), a charge levied on new floorspace under the Community Infrastructure Levy Regulations 2010. Please refer to the above section 7.18 for full details of CIL.

7.19.2 Planning obligations secured under a section 106 agreement are the second form of contribution. Where an obligation does not arise from a specific policy requirement elsewhere in the development plan, they are secured under Policy SP5, the Council's strategic infrastructure policy. This requires new development to contribute fairly towards the demands it creates and lists a broad range of infrastructure and measures towards which contributions may be sought.

7.19.3 However, for any obligation to be taken into account, it must also satisfy the three statutory tests in Regulation 122 of the Community Infrastructure Levy Regulations 2010: it must be (a) necessary to make the development acceptable in planning terms; (b) directly related to the development; and (c) fairly and reasonably related in scale and kind to the development.

7.19.4 A number of candidate obligations have been identified in connection with this scheme:

- Affordable housing (addressed in full in the affordable housing section above);
- An employment and skills plan, setting targets for the proportion of construction-phase employment to be filled by Borough residents and for the provision of apprenticeships, with financial penalties where reasonable endeavours to meet those targets are not made;
- A contribution of £372,269 towards primary education, requested by Hertfordshire County Council;
- A contribution of £305,327 towards secondary education, requested by Hertfordshire County Council;
- A contribution of £6,000 towards travel plan monitoring, requested by Hertfordshire County Council;
- A contribution of £12,000 towards the introduction of new traffic regulation orders on the surrounding road network, requested by the Council's engineers; and
- A contribution of £10,000 towards the Council's cycle hire scheme, as suggested by the Council's Developer Contributions Supplementary Planning Document.

- 7.19.5 Affordable housing is itself a planning obligation and is recorded here for completeness. As set out in the affordable housing section above, the independently verified viability evidence demonstrates that no affordable housing can be supported at the present time, but a late-stage review mechanism would be secured through the section 106 agreement to capture any improvement in viability over the course of the development.
- 7.19.6 Of the remaining candidate obligations, only the employment and skills plan would be secured through the section 106 agreement. The employment and skills obligations are capable of being secured notwithstanding the viability position because they operate on a reasonable-endeavours basis rather than requiring a fixed financial contribution that the scheme cannot support.
- 7.19.7 The requested contribution of £12,000 towards traffic regulation orders is considered to fail the first of the Regulation 122 tests. The request is made on the basis that future residents would be reluctant to use the proposed on-site parking, which would be accessed by means of a car lift, and would instead park on the surrounding streets. However, the proposed car lift does not conflict with adopted policy or guidance, and the parking provision is assessed to be acceptable. It follows that the requested contribution is not necessary to make the development acceptable in planning terms. As the parking is acceptable, the contribution is not necessary, it therefore fails the first Regulation 122 test and cannot be required.
- 7.19.8 The remaining obligations (i.e. the primary and secondary education contributions, the travel plan monitoring contribution and the cycle hire contribution) are each assessed to be compliant with Regulation 122. They are necessary, directly related to the development, and fairly and reasonably related in scale and kind to it, and would ordinarily be sought under Policy SP5. However, the independently verified viability evidence demonstrates that the development cannot support these contributions, and they therefore cannot be secured. The consequence is that the development would not contribute towards the infrastructure demands it creates to the extent that Policy SP5 requires, and the proposal accordingly conflicts with Policy SP5 in this respect. The weight to be attributed to that conflict is considered in the conclusion to this report.
- 7.19.9 The updated appraisal in April 2026 by Aspinall Verdi (AV) concluded that even in a scenario where the developer provides 100% market sale housing, the scheme provides a significant deficit of circa -£9.08m when taking account of the financial contributions sought. This deficit is clearly significantly in excess of the S.106 obligations of £706,000 sought, meaning no contributions can be viably supported.
- 7.19.10 AV further advised that although one could argue that obligations should still be sought to mitigate development impacts, the applicant's viability appraisal had not factored them in, yet still showed the scheme to be unviable. In these circumstances, seeking any financial contributions would be unreasonable and could undermine deliverability.

7.20 Planning History

- 7.20.1 The planning history of the site is a material consideration. The most relevant feature of this site's planning history is a permission granted in 2017 (16/00482/FPM) for the erection of an eight-storey building comprising 64 flats (referred to throughout this report as the 2016 application). A material start has been made on that permission, with the consequence that it

remains extant and the development authorised by it is capable of being completed at any time. The 2017 permission therefore represents a "fallback" position: a development that the applicant could lawfully carry out irrespective of the outcome of the present application.

7.20.2 The weight to be attached to a fallback position is not fixed but instead depends upon the likelihood of it actually being carried out. The established legal position is that there need only be a real prospect of the fallback being implemented, a prospect that is more than merely theoretical. It does not have to be shown to be probable or likely, and the Council is not required to have firm evidence that the fallback will be implemented.

7.20.3 In the present case, the likelihood of the fallback being carried out points in two directions. On the one hand, the viability evidence indicates that the 2016 scheme would itself be significantly unviable, which might suggest that its implementation is not a realistic prospect. On the other hand, the scheme now proposed is also highly unviable, and yet the applicant is actively pursuing it. The applicant's evident willingness to progress an unviable scheme demonstrates that unviability is not, of itself, an impediment to building out development on this site, and it cannot therefore safely be assumed that the unviability of the 2016 scheme would prevent its implementation. Weighing these considerations, it is considered that there remains a real prospect of the fallback being carried out, and that it should be afforded weight in the assessment of the current application.

7.20.4 It is also relevant to note the form that the fallback would take if implemented. The 2016 scheme would deliver 64 flats and would be accompanied by some £110,000 of contributions towards affordable housing and primary education. A section 106 legal agreement has been signed and completed on this previous application. In contrast to the scheme currently proposed, the fallback would therefore mitigate a proportion of its own infrastructure impacts, with the result that its impact on infrastructure could be lower than that of the current proposal, albeit delivering fewer homes in the process. This is a notable feature of the comparison between the two schemes, which is considered further in the conclusion of this report.

7.21 Equality, Diversity and Human Rights

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

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

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

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

- 7.21.5 In terms of inclusive access, in accordance with adopted Policy HO11: Accessible and Adaptable Housing of the adopted Local Plan (2019), as this is a major scheme at least 50% of all new dwellings will need to be category 2: accessible and adaptable dwellings. Additionally, the building will have level access and lifts to all floors. It is noted that the emerging Policy HO11 now requires 10% of dwellings on major applications to be wheelchair user dwellings and 40% to be accessible and adaptable. No wheelchair dwellings are to be provided which is compliant with the policy as currently adopted.
- 7.21.6 The scheme also seeks to deliver disabled parking provision which has been located in an appropriate location in close proximity to the entrance of the main residential building.
- 7.21.7 It is accepted that the application only provides around 17% of the total cycle storage provision as single tier which could be prejudicial to disabled users or those unable to lift a cycle into a two-tier racking system; further, no adapted cycle spaces are provided. This is weighed up in the final planning balance.

8. CONCLUSION

- 8.1 The principle of residential development has been established on this application site through planning permission reference 16/00482/FPM, which has been deemed to have been legally implemented; as such there remains a real prospect of this fallback being carried out. This weighs in favour of the application.
- 8.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the application be determined in accordance with the development plan unless material considerations indicate otherwise. In this case, the Council's most recent Housing Delivery Test result means that the policies most important for determining the application are to be treated as out-of-date. The presumption in favour of sustainable development at paragraph 11(d) of the National Planning Policy Framework is therefore engaged, with the consequence that permission should be granted unless the circumstances identified at paragraphs 11(d)(i) or 11(d)(ii) apply.
- 8.3 The proposed development would provide 94 residential units which makes a meaningful contribution towards meeting the borough's housing requirements, on a suitable, well-connected brownfield site, at a time when housing supply in the Borough is significantly constrained. Having regard to paragraph 73(d) of the Framework, this benefit attracts great weight in favour of granting permission. The application has demonstrated that the scheme would be capable of providing a good standard of accommodation.
- 8.4 It has been established that the proposed development accords with Policy HO5 as the site would be located on land which meets the definition of previously developed land as stated within the NPPF. Paragraph 125(c) of the NPPF places great weight on reusing brownfield sites and states that proposals should be supported unless substantial harm would be caused.
- 8.5 There would be some economic benefit during the construction phase, and future occupiers would be likely to contribute to local services and facilities. These economic benefits attract moderate weight in favour of the application.
- 8.6 Subject to the imposition of an appropriate condition, the development would deliver a modest heritage benefit through the provision of a heritage interpretation board, improving public understanding of the area's heritage assets, a benefit which attracts limited weight in favour of granting permission.

- 8.7 The development has been assessed to be acceptable in appearance and would not harm the visual amenities of the area. The car parking and cycle parking are considered acceptable given the site's sustainable location which is a neutral matter. Additionally, HCC Highways have determined that the development would not harm highway safety.
- 8.8 The proposed development would have an acceptable impact on the amenities of neighbouring occupiers, would be acceptable in terms of private amenity space, and the collection of waste and recycling is likely to be acceptable, all accordance with the adopted Design Guide SPD and Policy GD1 of the Local Plan (2019); these are neutral matters.
- 8.9 The development is of a high-quality design which creates a landmark feature on an important gateway into Stevenage Town Centre. Furthermore, the proposed development would not have a detrimental impact on nearby trees or ecology. Moreover, the proposed development would be a sustainable form of development where it would be energy efficient and adaptable to climate change.
- 8.10 The development would cause harm to the significance of the scheduled monument known as the Six Hills Roman Barrows, through development within its setting. That harm is less than substantial but at the higher end of that scale. In accordance with paragraph 212 of the Framework, great weight is afforded to the conservation of this designated heritage asset, with additional weight applied to reflect the particularly high level of its significance. The harm requires clear and convincing justification and must be weighed against the public benefits of the proposal.
- 8.11 It is considered that the harm is clearly and convincingly justified by the pressing need to deliver additional housing and to make effective use of well-connected previously developed land. Weighing the high level of less than substantial harm against the very significant public benefits of housing delivery on a suitable brownfield site, together with the moderate economic benefits and the limited benefit of the heritage interpretation board, it is concluded that the public benefits of the development outweigh the harm to the heritage asset. It follows that the heritage policies of the Framework do not provide a clear reason for refusing the application, and the presumption is not disengaged by paragraph 11(d)(i).
- 8.12 Officers are satisfied that any impacts on the Six Hills Barrows can be mitigated and dealt with via condition as was successfully achieved in 2021 for the extant planning permission on the site. Officers have therefore followed the processes set out in the NPPF and have discharged their duties under the 1990 Act in relation to assessment of impact.
- 8.13 The development has been identified as being unviable for the provision of affordable housing, but the applicant has robustly justified this position in compliance with Policy HO7.
- 8.14 By reason of its viability, the development would not contribute towards mitigating the pressures it would place upon primary and secondary education provision, contrary to Policy SP5. The weight attributed to this harm is limited, given that the development would comprise exclusively smaller units, the majority of them studios and one-bedroom flats, which are less likely to be occupied by families with children of school age.
- 8.15 A number of other harms nonetheless weigh against the proposal. By reason of its viability, the development would not contribute towards mitigating the pressures it would place upon primary and secondary education provision, contrary to Policy SP5. The weight attributed to this harm is limited, given that the development would comprise exclusively smaller units, the majority of

them studios and one-bedroom flats, which are less likely to be occupied by families with children of school age.

- 8.16 For the same reason of viability, the development would not contribute towards the Council's cycle hire scheme, which represents a further conflict with Policy SP5. That harm is compounded by the failure to provide adequate cycle parking within the development, contrary to Policy IT5. Given the highly accessible location of the site and the limited car parking the development would provide, these failures to promote sustainable transport are notable missed opportunities and together attract significant weight against the proposal.
- 8.17 The development would also fail to provide car parking in accordance with the Council's standards, the level of provision falling below the recommended range, which represents a further conflict with Policy IT5. In the absence of compensatory sustainable transport provision, the harm arising from this conflict attracts moderate weight against the proposal.
- 8.18 In addition, the proposal conflicts with a number of policies in the emerging Local Plan Partial Update, notably Policy HO11 (in respect of wheelchair user dwellings) and Policy CC1 (in respect of energy efficiency). By reason of the advanced stage of preparation of the emerging plan and the consistency of these policies with the Framework, they are afforded significant weight, and the harms arising from the conflicts with them attract moderate weight against the proposal.
- 8.19 In all other respects, including the viability-tested affordable housing position, the proposal is considered to be acceptable and in accordance with the relevant policies. These matters are neutral in the balance.
- 8.20 Drawing all of these matters together, the benefits of delivering 94 good quality dwellings on a well-connected brownfield site, at a time when housing supply in the Borough is significantly constrained, are considered to outweigh the harms that have been identified. It is therefore concluded that the proposal accords with the development plan when read as a whole. Having regard to the policies of the Framework taken as a whole and, particularly noting the emphasis it places on making effective use of land in sustainable locations, the adverse impacts of granting permission would not significantly and demonstrably outweigh its benefits. It follows that planning permission should be granted.

9 RECOMMENDATIONS

- 9.1 That planning permission be GRANTED subject to the conditions set out below and delegated authority be given to the Director of Planning and Regulation in consultation with the Chair of the Planning and Development Committee, to amend or add to the conditions subject to which the permission would be granted, where such amendments or additions would satisfy the relevant national policy tests and would most effectively deliver the development which the Committee has resolved to approve and also subject to the applicant having first entered into a S106 legal agreement to secure the following:-
- A clawback mechanism to secure financial contributions in lieu of affordable housing;
 - Apprenticeships and construction jobs;
 - An appropriate trigger for the associated Section 278 Highway Works;

SUBJECT TO THE FOLLOWING CONDITIONS/REASONS

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:
119-3GA-00C; 119-3GA-07C; 119-3GA-11D; 119-3GA-12E; 119-3GA-08B; 119-3GA-10B; 119-3GA-06A; 119-3GA-04D; 119-3GA-01C; 119-3GA-02D; 119-3GA-03D; 119-3GA-05D; 119-3GA-09D; 119-3EX-00;
REASON:- For the avoidance of doubt and in the interests of proper planning
- 2 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON:- To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).
- 3 No demolition, construction or maintenance activities audible at the boundary, and no deliveries of construction and demolition materials shall be undertaken outside the hours 07:30 hours to 18:00 hours Monday to Friday and 08:00 hours to 13:00 hours on Saturdays. For the avoidance of doubt, no such activity shall take place on Sundays or Bank Holidays, unless otherwise agreed in writing with the Local Planning Authority.
REASON:- In the interests of the living conditions of neighbouring occupiers.
- 4 Any external lighting installed at the site shall be angled so as to avoid any spillage beyond the site boundaries unless otherwise agreed in writing by the Local Planning Authority.
REASON:- In the interests of the living conditions of neighbouring occupiers and highway safety.
- 5 In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing immediately to the local planning authority. An investigation and risk assessment must be undertaken and where remediation is necessary, a remediation scheme must be submitted to and approved in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report must be submitted to and approved in writing by the local planning authority.
REASON:- To prevent unacceptable risks to human health as a result of contamination.
- 6 Any trees or plants comprised within the scheme of landscaping, which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless otherwise agreed in writing by the Local Planning Authority.
REASON:- To ensure a satisfactory appearance for the development.
- 7 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the first occupation of the building(s) or the completion of the development whichever is the sooner.
REASON:- To ensure a satisfactory appearance for the development.
- 8 In line with the Desk Study and Ground Investigation by Hydrock dated 22 September 2022 (reference SHW-HYD-XX-XX-RP-GE-S2), a watching brief should be adopted during the initial preparation works to identify any potentially contaminated materials e.g. hydrocarbon staining due to the previous use of the site of the car park. Where identified, materials should be segregated, sampled, analysed, categorised and disposed of off-site in accordance with current legislative requirements.
REASON:- To prevent harm to human health and pollution of the water environment in accordance with Government policy set out in The National Planning Policy Framework.
- 9 At least 50% of the residential units are to meet Category 2: Accessible and Adaptable dwellings.

REASON:- To ensure the development will meet the increase in demand for accessible and adaptable units for elderly and disabled residents in accordance with Policy HO11 of the Stevenage Borough Local Plan 2011 - 2031 (adopted 2019).

- 10 The noise mitigation measures as detailed in the Noise Impact Assessment prepared by KP Acoustics Ltd, dated 26/01/2022 shall be implemented in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.
REASON:- To ensure there is an acceptable living environment for future occupiers and neighbouring residential properties.
- 11 The development hereby approved shall be constructed in accordance with the measures to address adaptation to climate change as laid out in the Sustainability and Energy Statement by Icen Projects Ltd dated January 2022 unless otherwise agreed in writing by the Local Planning Authority.
REASON:- To ensure the development is adaptable to climate change through provision of energy and water efficiency measures.
- 12 No development shall take place (including demolition and site clearance) until a construction methodology statement has been submitted to and approved in writing by the Local Authority. The construction methodology shall demonstrate consultation with the Asset Protection Project Manager at Network Rail. The development shall thereafter be carried out in accordance with the approved construction methodology unless otherwise agreed in writing by the Local Planning Authority.
REASON:- To safeguard the safety of the adjacent Network Rail mainline railway.
- 13 No development shall take place (including demolition and site clearance) until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority in consultation with the highway authority. Thereafter, the construction of the development shall only be carried out in accordance with the approved Plan. The Construction Management Plan shall include the following additional matters;
- 1) Construction vehicle numbers, type, routing;
 - 2) Access arrangements to the site;
 - 3) Traffic management requirements;
 - 4) Construction and storage compounds (including areas designated for car parking, loading/unloading and turning areas);
 - 5) Siting and details of wheel washing facilities;
 - 6) Cleaning of site entrances, site tracks and the adjacent public highway;
 - 7) Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times;
 - 8) Provision of sufficient on-site parking prior to commencement of construction activities;
 - 9) Post construction restoration/reinstatement of the working areas and temporary access to the public highway;
 - 10) where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements;
 - 11) The proposed methods of construction (including details of any excavation/buildings/piling/scaffolding which are located within 10m of the railway line and/or in close proximity to Thames Water assets);
 - 12) Risk assessment in relation to the railway;
 - 13) Details on the screening or enclosure of plant and machinery;
 - 14) Details of dust control measures;
 - 15) Details of any vibro-compaction machinery which is to be used in development;
 - 16) Details of mitigation measures to protect the Common Land, Wildlife Site and Six Hills Barrows to the east of the site during the construction phase of the development.
 - 17) Details of how the safety of existing public highway users and existing public right of way users will be maintained;
 - 18) The provision for addressing any abnormal wear and tear to the highway;

- 19) The details of consultation with local businesses or neighbours;
- 20) The details of any other Construction Sites in the local area;
- 21) Signage.

REASON:- In order to protect highway safety and the amenity of other users of the public highway and rights of way.

- 14 No development shall take place (including demolition and site clearance) unless the developer has complied fully with the requirements of the Department for Transport's DMRB Standard CG 300: Technical Approval of Highway Structures. The Approval in Principle and Design and Check Certification, accompanied by full structural details, shall be submitted and approved in writing by the Local Planning Authority. All works shall proceed in accordance with the details submitted and Construction Compliance certification and documentation submitted to the Highway Authority.

REASON:- In the interests of public safety, to ensure that construction of the development hereby permitted does not affect the stability of the adjacent public highway.

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

REASON:- In order to reduce the level of waste generated during the construction of the development and to recycle all waste where possible.

- 16 No development shall take place until a final design of the drainage scheme for the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is occupied. The scheme shall include:

- Updated surface water drainage calculations and modelling for all rainfall events up to and including the 1 in 100 year plus climate change event, including infiltration options.
- Updated full detailed surface water drainage plan showing the proposed discharge point, the location of the proposed SuDS features, any pipe runs and size.
- Detailed engineered drawings of the proposed SuDS features including their, size, volume, depth and any inlet and outlet features including any connecting pipe runs along with all corresponding detailed calculations/modelling.
- Exceedance flow paths for surface water for events greater than the 1 in 100 year plus climate change.

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

- 17 Upon completion of the drainage works, a management and maintenance plan for the SuDS features and drainage network must be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- Provision of complete set of as built drawings including the final drainage layout for site drainage network.
- Maintenance and operational activities for the lifetime of the development.
- Arrangements for adoption and any other measures to secure the operation of the scheme throughout its lifetime.

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

- 18 No development shall take place until samples of the materials to be used in the construction of the external surfaces development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.
REASON:- To ensure the development has an acceptable appearance and to protect the visual amenities of the area.
- 19 No development shall take place until an Archaeological Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of archaeological significance and research questions and:
1. The programme and methodology of site investigation and recording
2. The programme and methodology of site investigation and recording as suggested by the evaluation
3. The programme for post investigation assessment
4. Provision to be made for analysis of the site investigation and recording
5. Provision to be made for publication and dissemination of the analysis and records of the site investigation
6. Provision to be made for archive deposition of the analysis and records of the site investigation www.hertfordshire.gov.uk
7. Nomination of a competent person or persons/organisation to undertake the works set out within the Archaeological Written Scheme of Investigation.
REASON:- To ensure the preservation of potential remains of the site following archaeological investigation.
- 20 The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the approved Written Scheme of Investigation and the provision made for analysis and publication where appropriate.
REASON:- To ensure the preservation of potential remains of the site following archaeological investigation.
- 21 No development shall take place above slab level until there has been submitted to and approved by the Local Planning Authority a scheme of soft and hard landscaping and details of the treatment of all hard surfaces. The scheme shall include details of all existing trees and hedgerows on the land and details showing all trees to be removed, or retained, together with details of all new planting to take place including species, size and method of planting. Soft landscaping details will need to take into consideration Network Rail's acceptable and unacceptable planting (see Informative No.8).
REASON:- To ensure a satisfactory appearance for the development.
- 22 No development shall take place above slab level until the proposed ventilation scheme for the development has been submitted to and approved in writing by the local planning authority. The detailed measures that will be implemented shall ensure that the specifications at Table 6.1 of the Noise Impact Assessment Report (Report reference 13395.NIA.02, prepared by KP Acoustics Ltd, dated 26/01/2022) can be achieved. The ventilation scheme shall be installed in accordance with the approved scheme and shall be retained for the lifetime of the approved development
REASON:- To ensure there is an acceptable living environment for future occupiers and neighbouring residential properties.
- 23 No development shall take place above slab level until there has been submitted to and approved in writing by the Local Planning Authority, details of the treatment of all boundaries including details of any walls, fences, gates or other means of enclosure. The approved boundary treatments shall be completed before the dwellings are occupied.
REASON:- To ensure a satisfactory standard of development in the interests of amenity and that it has an acceptable appearance.

- 24 No development shall take place above slab level until details of 10 integrated swift boxes (including model and location) marked on a plan, have been submitted to and approved in writing by the Local Planning Authority. The approved swift boxes shall be fully installed prior to occupation and retained as such thereafter.
REASON:- To increase opportunities for wildlife in new developments.
- 25 No development shall take place above slab level until a scheme for the provision of adequate water supplies and fire hydrants, necessary for firefighting purposes at the site, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the scheme has been implemented in accordance with the approved details.
REASON:- To ensure adequate water infrastructure provision is made on site for the local fire service to discharge its statutory firefighting duties.
- 26 Prior to the first occupation of the dwellings hereby permitted, the approved secure cycle parking area shall be constructed in accordance with the approved plans and shall be permanently retained in that form.
REASON:- To ensure that there is sufficient cycle parking provision in accordance with the Council's adopted standards is maintained for all dwellings on site in perpetuity.
- 27 Prior to the first occupation of the dwellings hereby permitted, the general waste and recycling stores and plant areas associated with the development shall be implemented in accordance with the details shown on approved plans. The stores and plant areas shall thereafter be retained and maintained accordingly for the lifetime of the development.
REASON:- To ensure the storage areas have an acceptable appearance and are of sufficient size to accommodate the number of bins which are required for this development.
- 28 Prior to the first occupation of the development hereby permitted, the parking spaces shown on approved plans 119-3GA-01D and 119-3GA-00C shall be constructed, hardsurfaced and made ready for use taking into account the following:
a) The underlying infrastructure for connection to the electricity network to enable them to be served by electric vehicle charging points shall be provided;
b) They shall be constructed in a porous material or provision made for a sustainable urban drainage system (SuDS) to be built into the hardsurfaced areas;
Once provided, the parking facilities shall be retained in that form and thereafter be used for the parking of motor vehicles only.
REASON:- To ensure that adequate parking and servicing facilities are available within the site and to prevent surface water from passing onto the public highway which may be detrimental to highway safety.
- 29 Prior to the first occupation of the development hereby permitted, details of An Armco or similar barrier shall be provided. This barrier shall be located in positions where vehicles may be in a position to drive into or roll onto the railway or damage the lineside fencing. Network Rail's existing fencing/wall must not be removed or damaged. The barrier would need to be installed at each turning area, roadway and car parking area which is located adjacent to the railway.
REASON:- In order to protect infrastructure associated with the railway line managed by Network Rail.
- 30 Prior to the first occupation of the development hereby permitted, details of an interpretation panel in a suitable, publicly accessible location to improve public perception and understanding of the adjacent scheduled monument of 'The Six Hills Roman barrows' shall be submitted to and approved in writing by the Local Planning Authority. The interpretation panel shall be installed prior to first occupation of the development hereby permitted.
REASON:- In order to enhance the understand of the Six Hills Barrows which is a Scheduled Ancient Monument.

- 31 Before first occupation of the development hereby permitted, a Travel Plan in accordance with the provisions as laid out in Hertfordshire County Council's Travel Plan Guidance shall be submitted to and approved in writing by the Local Planning Authority. The approved Travel Plan shall be in place from the first occupation until 5 years post occupation.
REASON:- In order to deliver sustainable transport objectives including a reduction in car journeys and increased use of public transport, walking and cycling.

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

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

INFORMATIVE

1 Public Information on Planning Applications

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

2 Community Infrastructure Levy

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

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

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

3 Building Regulations

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

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

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

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

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

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

4 Party Wall etc. Act 1996

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

5 Police Crime Prevention

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

6 Thames Water

Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwqriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality. Through the centre of the proposed development there are easements and wayleaves. These are Thames Water Assets. The company will seek assurances that it will not be affected by the proposed development.

7 Network Rail

Fail Safe Use of Crane and Plant

All operations, including the use of cranes or other mechanical plant working adjacent to Network Rail's property, must at all times be carried out in a "fail safe" manner such that in the event of mishandling, collapse or failure, no materials or plant are capable of falling within 3.0m of the nearest rail of the adjacent railway line, or where the railway is electrified, within 3.0m of overhead electrical equipment or supports.

With a development of a certain height that may/will require use of a crane, the developer must bear in mind the following. Crane usage adjacent to railway infrastructure is subject to stipulations on size, capacity etc. which needs to be agreed by the Asset Protection Project Manager prior to implementation.

Excavations/Earthworks

All excavations/ earthworks carried out in the vicinity of Network Rail property/ structures must be designed and executed such that no interference with the integrity of that property/ structure can occur. If temporary works compounds are to be located adjacent to the operational railway, these should be included in a method statement for approval by Network Rail. Prior to commencement of works, full details of excavations and earthworks to be carried out near the railway undertaker's boundary fence should be submitted for the approval of the Local Planning Authority acting in consultation with the railway undertaker and the works shall only be carried out in accordance with the approved details. Where development may affect the railway, consultation with the Asset Protection Project Manager should be undertaken. Network Rail will not accept any liability for any settlement, disturbance or damage caused to any development by failure of the railway infrastructure nor for any noise or vibration arising from the normal use and/or maintenance of the operational railway. No right of support is given or can be claimed from Network Rails infrastructure or railway land.

Security of Mutual Boundary

Security of the railway boundary will need to be maintained at all times. If the works require temporary or permanent alterations to the mutual boundary the applicant must contact Network Rail's Asset Protection Project Manager.

Demolition

Any demolition or refurbishment works must not be carried out on the development site that may endanger the safe operation of the railway, or the stability of the adjoining Network Rail structures. The demolition of buildings or other structures near to the operational railway infrastructure must be carried out in accordance with an agreed method statement. Approval of the method statement must be obtained from Network Rail's Asset Protection Project Manager before the development can commence.

Vibro-impact Machinery

Where vibro-compaction machinery is to be used in development, details of the use of such machinery and a method statement should be submitted for the approval of the Local Planning Authority acting in consultation with the railway undertaker prior to the commencement of works and the works shall only be carried out in accordance with the approved method statement.

Scaffolding

Any scaffold which is to be constructed within 10 metres of the railway boundary fence must be erected in such a manner that at no time will any poles over-sail the railway and protective netting around such scaffold must be installed.

Bridge Strikes

Applications that are likely to generate an increase in trips under railway bridges may be of concern to Network Rail where there is potential for an increase in 'Bridge strikes'. Vehicles hitting railway bridges cause significant disruption and delay to rail users. Consultation with the Asset Protection Project Manager is necessary to understand if there is a problem. If required there may be a need to fit bridge protection barriers which may be at the developer's expense.

Abnormal Loads

From the information supplied, it is not clear if any abnormal loads will be using routes that include any Network Rail assets (e.g. bridges and level crossings). We would have serious reservations if during the construction or operation of the site, abnormal loads will use routes that include Network Rail assets. Network Rail would request that the applicant contact our Asset Protection Project Manager to confirm that any proposed route is viable and to agree a strategy to protect our asset(s) from any potential damage caused by abnormal loads. I would also like to advise that where any damage, injury or delay to the rail network is caused by an abnormal load (related to the application site), the applicant or developer will incur full liability.

Two Metre Boundary

Consideration should be given to ensure that the construction and subsequent maintenance can be carried out to any proposed buildings or structures without adversely affecting the safety of, or encroaching upon Network Rail's adjacent land, and therefore all/any building should be situated at least 2 metres from Network Rail's boundary. This will allow construction and future maintenance to be carried out from the applicant's land, thus reducing the probability of provision and costs of railway look-out protection, supervision and other facilities necessary when working from or on railway land.

Encroachment

The developer/applicant must ensure that their proposal, both during construction, and after completion of works on site, does not affect the safety, operation or integrity of the operational railway, Network Rail and its infrastructure or undermine or damage or adversely affect any railway land and structures.

There must be no physical encroachment of the proposal onto Network Rail land, no over-sailing into Network Rail airspace and no encroachment of foundations onto Network Rail land and soil. There must be no physical encroachment of any foundations onto Network Rail land. Any future maintenance must be conducted solely within the applicant's land ownership. Should the applicant require access to Network Rail land then must seek approval from the Network Rail Asset Protection Team. Any unauthorised access to Network Rail land or airspace is an act of trespass and we would remind the council that this is a criminal offence (s55 British Transport Commission Act 1949). Should the applicant be granted access to Network Rail land then they will be liable for all costs incurred in facilitating the proposal.

Access to the Railway

All roads, paths or ways providing access to any part of the railway undertaker's land shall be kept open at all times during and after the development.

8 **Network Rail Trees/Shrubs/Landscaping**

Where trees/shrubs are to be planted adjacent to the railway boundary these shrubs should be positioned at a minimum distance greater than their predicted mature height from the boundary. Certain broad leaf deciduous species should not be planted adjacent to the railway boundary. We would wish to be involved in the approval of any landscaping scheme adjacent to the railway. Where landscaping is proposed as part of an application adjacent to the railway it will be necessary for details of the landscaping to be known and approved to ensure it does not impact upon the railway infrastructure. Any hedge planted adjacent to Network Rail's boundary fencing for screening purposes should be so placed that when fully grown it does not damage the fencing or provide a means of scaling it. No hedge should prevent Network Rail from maintaining its boundary fencing. Lists of trees that are permitted and those that are not permitted are provided below and these should be added to any tree planting conditions:

Acceptable:-

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

Not Acceptable:-

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

A comprehensive list of permitted tree species is available upon request to Network Rail.

9 Hertfordshire County Council as Highways Authority

The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/businessanddeveloper-information/development-management/highways-developmentmanagement.aspx> or by telephoning 0300 1234047.

10 Hertfordshire County Council as Highways Authority

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

11 Hertfordshire County Council as Highways Authority

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

12 Hertfordshire County Council as Highways Authority

Debris and deposits on the highway: It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made up carriageway, or any or other debris on a highway to the interruption of any highway user. Section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.

13 **Environmental Protection Act 1990**

The applicant is advised of the Council's powers under Part III of the Environmental Protection Act 1990 to prohibit nuisances arising from dust, smoke, artificial light, and a range of other pollutants that may arise on construction sites. The applicant is advised of the Council's powers under the Control of Pollution Act 1974 to restrict noise generating construction (including demolition) activity audible beyond the development site boundary.

14 **Biodiversity Net Gain**

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

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

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

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

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

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

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

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

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

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

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

10 BACKGROUND DOCUMENTS

- 1 The application file, forms, plans and supporting documents having the reference number relating to this item. Online copies may be obtained at <https://publicaccess.stevenage.gov.uk/online-applications/>
- 2 The application file, forms, plans and supporting documents having the reference number 16/00482/FPM, relating to the extant planning permission on the site. <https://publicaccess.stevenage.gov.uk/online-applications/>
- 3 The Stevenage Borough Local Plan 2011-2031 <https://www.stevenage.gov.uk/planning-and-building-control/planning-policy/local-plan>
- 4 The Stevenage Borough Local Plan Partial Update 2025 <https://www.stevenage.gov.uk/planning-and-building-control/planning-policy/local-plan-partial-update/submission-to-secretary-of-state>
- 5 Stevenage Borough Council Supplementary Planning Documents: Parking Provision SPD 2025; Design Guidance SPD 2025; Developer Contributions SPD 2025. <https://www.stevenage.gov.uk/planning-and-building-control/planning-policy/planning-library>
- 5 Hertfordshire County Council Local Transport Plan LTP4 2018-2031 <https://www.hertfordshire.gov.uk/media-library/documents/about-the-council/consultations/ltp4-local-transport-plan-4-complete.pdf>
- 6 Government advice contained in the National Planning Policy Framework 2024 and the Planning Practice Guidance. https://assets.publishing.service.gov.uk/media/67aafe8f3b41f783cca46251/NPPF_December_2024.pdf
<https://www.gov.uk/government/collections/planning-practice-guidance>
- 7 Representations made by statutory consultees and other interested parties referred to in this report. Online copies can be found on Public Access.

Meeting: Planning and Development
Committee

Agenda Item:

Date: 30 June 2026

IMPORTANT INFORMATION - DELEGATED DECISIONS

Author – Technical Support 01438 242838

Lead Officer – Alex Robinson 01438 242257

Contact Officer – James Chettleburgh 01438 242266

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

1.	Application No :	26/00084/COND
	Date Received :	14.01.26
	Location :	Land To The North Of Stevenage Off North Road And Weston Road Stevenage Herts
	Proposal :	Discharge of Condition 12 (Hours of operation non-residential units) attached to planning permission reference number 23/00526/RMM
	Date of Decision :	12.06.26
	Decision :	The discharge of Condition(s)/Obligation(s) is APPROVED

2.	Application No :	26/00167/COND
	Date Received :	18.02.26
	Location :	Land To The North Of Stevenage Off North Road And Weston Road Stevenage Herts
	Proposal :	Discharge of Condition 10 (Phase 1C external plant machinery) attached to planning permission reference number 23/00526/RMM
	Date of Decision :	22.05.26
	Decision :	The discharge of Condition(s)/Obligation(s) is APPROVED

3. Application No : 26/00254/FPH
Date Received : 19.03.26
Location : 52 Grove Road Stevenage Herts SG1 3NU
Proposal : Erection of single storey rear extension
Date of Decision : 16.06.26
Decision : **Planning Permission is GRANTED**

4. Application No : 26/00265/FPH
Date Received : 26.03.26
Location : 28 Compton Place Stevenage Herts SG1 4FN
Proposal : Proposed loft conversion including 4no. rooflights and rear dormer
Date of Decision : 25.05.26
Decision : **Planning Permission is GRANTED**

5. Application No : 26/00270/CLPD
Date Received : 27.03.26
Location : 32 Milestone Close Stevenage Herts SG2 9RR
Proposal : Lawful Development Certificate (Proposed) Single story rear extension
Date of Decision : 22.05.26
Decision : **Certificate of Lawfulness is REFUSED**

For the following reason(s);

1. The proposed single storey rear extension under Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 would not constitute permitted development as the application property has had its permitted development rights removed under Condition 13 of Application 2/0316/81 which states that no alteration or extension to any dwelling are permitted without the grant of planning permission by the Local Planning Authority. Therefore, this proposal would require planning permission.

6. Application No : 26/00273/FPH
Date Received : 31.03.26
Location : 13 Tates Way Stevenage Herts SG1 4WP
Proposal : Proposed Garage Conversion
Date of Decision : 26.05.26
Decision : **Planning Permission is GRANTED**

7. Application No : 26/00278/CLEU
Date Received : 01.04.26
Location : Rise Gym 1 - 2 Pond Close Stevenage Herts
Proposal : Lawful development certificate for existing use of gym with unrestricted hours of operation
Date of Decision : 26.05.26
Decision : **Certificate of Lawfulness is APPROVED**

8. Application No : 26/00282/FPH
Date Received : 02.04.26
Location : 17 Tates Way Stevenage Herts SG1 4WP
Proposal : Alterations to fenestration, conversion of existing integral garage and provision of one additional car parking space
Date of Decision : 18.06.26
Decision : **Planning Permission is GRANTED**

9. Application No : 26/00287/FPH
Date Received : 07.04.26
Location : 9 Chancellors Road Stevenage Herts SG1 4AP
Proposal : Single storey detached annexe
Date of Decision : 02.06.26
Decision : **Planning Permission is GRANTED**

10. Application No : 26/00288/FP
Date Received : 08.04.26
Location : 146 Wisden Road Stevenage Herts SG1 5JB
Proposal : Change of use from residential property Use Class (C3) to House of Multiple Occupation Use Class (Sui Generis) comprising no. 6 bedrooms and associated garage conversion.
Date of Decision : 10.06.26
Decision : **Planning Permission is GRANTED**

11. Application No : 26/00291/CLPD
Date Received : 08.04.26
Location : 16 Green Close Stevenage Herts SG2 8BP
Proposal : Lawful development certificate for proposed single storey outbuilding
Date of Decision : 02.06.26
Decision : **Certificate of Lawfulness is APPROVED**

12. Application No : 26/00295/FPH
Date Received : 10.04.26
Location : 43 Ingleside Drive Stevenage Herts SG1 4RP
Proposal : Two storey side and single storey side and rear extensions
Date of Decision : 09.06.26
Decision : **Planning Permission is GRANTED**

13. Application No : 26/00298/FPH
Date Received : 15.04.26
Location : 124 Hydean Way Stevenage Herts SG2 9XP
Proposal : Single storey rear extension
Date of Decision : 09.06.26
Decision : **Planning Permission is GRANTED**

14. Application No : 26/00300/COND
Date Received : 15.04.26
Location : Stevenage Swimming Pool St. Georges Way Stevenage Herts
Proposal : Discharge of conditions 5 (construction drawings of the surface water drainage network); condition 6 (SuDS drainage maintenance and management plan); condition 9 (construction phase surface water plan); including details for the for condition 8 (interim and temporary drainage measures) attached to planning permission reference number 25/00424/FPM
Date of Decision : 29.05.26
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**

15. Application No : 26/00302/AD
Date Received : 15.04.26
Location : Land To The North Of Stevenage Weston Road Stevenage Herts
Proposal : 2no. Project signs internally illuminated and 2no. Fascia signs face illuminated
Date of Decision : 22.05.26
Decision : **Advertisement Consent is GRANTED**

16. Application No : 26/00303/AD
Date Received : 15.04.26
Location : Land To The North Of Stevenage Off North Road And Weston Road Stevenage Herts
Proposal : 2no. free-standing totem monolith signs statically illuminated.
Date of Decision : 03.06.26
Decision : **Advertisement Consent is GRANTED**

17. Application No : 26/00308/FP
Date Received : 17.04.26
Location : Argyle House Argyle Way Stevenage Herts
Proposal : The installation of 4no. additional Air Source Heat Pump (ASHP) on the roof of Argyle House
Date of Decision : 10.06.26
Decision : **Planning Permission is GRANTED**

18. Application No : 26/00313/FPH
Date Received : 20.04.26
Location : 69 Basils Road Stevenage Herts SG1 3PU
Proposal : Erection of garden room following removal of existing outbuildings.
Date of Decision : 15.06.26
Decision : **Planning Permission is GRANTED**

19. Application No : 26/00318/NMA
Date Received : 22.04.26
Location : 2 Lintott Close Stevenage Herts SG1 3LZ
Proposal : Non-material amendment to planning permission reference 23/00520/FPH to replace roof and reduce height of central side window
Date of Decision : 22.05.26
Decision : **Non Material Amendment AGREED**

20. Application No : 26/00320/FPH
Date Received : 22.04.26
Location : 10 Southsea Road Stevenage Herts SG1 2PH
Proposal : Ground floor extension to the rear and to the side
Date of Decision : 16.06.26
Decision : **Planning Permission is GRANTED**

21. Application No : 26/00321/TPTPO
Date Received : 22.04.26
Location : 2 Morley Cottages Chells Lane Stevenage Herts
Proposal : Works to tree protected by TPO 69: T1 Walnut reduce crown by 30%
Date of Decision : 10.06.26
Decision : **CONSENT TO CARRY OUT WORKS TO A TREE, THE SUBJECT OF A TREE PRESERVATION ORDER**

22. Application No : 26/00324/AD
Date Received : 23.04.26
Location : Land To The North Of Stevenage Off North Road And Weston Road Stevenage Herts
Proposal : 1no. digital advertisement screen; 2no. internally illuminated roundel signs and 3no. internally illuminated fascia signs
Date of Decision : 22.05.26
Decision : **Advertisement Consent is GRANTED**

23. Application No : 26/00325/FP
Date Received : 23.04.26
Location : Land At Martins Way Stevenage Herts SG1 3BW
Proposal : Construction and operation of a micro energy storage facility
Date of Decision : 16.06.26
Decision : **Planning Permission is GRANTED**

24. Application No : 26/00327/FPH
Date Received : 23.04.26
Location : 48 Valley Way Stevenage Herts SG2 9AF
Proposal : Demolition of an existing garden canopy and timber shed, and the erection of single-storey outbuilding
Date of Decision : 16.06.26
Decision : **Planning Permission is GRANTED**

25. Application No : 26/00328/FPH
Date Received : 23.04.26
Location : 11 Turner Close Stevenage Herts SG1 4AF
Proposal : Two storey side and single storey side and rear extensions
Date of Decision : 12.06.26
Decision : **Planning Permission is GRANTED**

26. Application No : 26/00329/CLPD
Date Received : 24.04.26
Location : 15 Montfitchet Walk Stevenage Herts SG2 7DT
Proposal : Lawful Development Certificate (Proposed) Loft conversion and rear dormer window
Date of Decision : 17.06.26
Decision : **Certificate of Lawfulness is APPROVED**

27. Application No : 26/00333/FP
Date Received : 27.04.26
Location : Tarla Restaurant 23 - 25 Middle Row Stevenage Herts
Proposal : Retention of decking and two plant pots.
Date of Decision : 18.06.26
Decision : **Planning Permission is REFUSED**
For the following reason(s);
1. The decking and plant pots adversely impact on pedestrian safety, hinder the free flow of pedestrian movement, and compromise the functional accessibility of the public highway contrary to Stevenage Borough Council's Local Plan (2019) and Local Plan Review (2024) policies GD1(b) and IT4(a).
2. The decking and plant pots result in less than substantial harm to the significance of the Old Town Conservation Area, a designated heritage asset and this harm is not outweighed by any public benefits given moveable tables and chairs under a pavement licence could be used instead. It is therefore contrary to paragraph 215 of the NPPF (2024), Stevenage Borough Council's Local Plan (2019) and Local Plan Review (2024) policies SP13 and NH10.

28. Application No : 26/00335/TPCA
Date Received : 27.04.26
Location : 1 The Close Rectory Lane Stevenage Herts
Proposal : Reduction of 50% in height and overall crown reduction laterally to 1no. Sycamore tree
Date of Decision : 02.06.26
Decision : **CONSENT TO CARRY OUT WORKS TO A TREE IN A CONSERVATION AREA**

29. Application No : 26/00339/COND
Date Received : 29.04.26
Location : Land To The North Of Stevenage Off North Road And Weston Road Stevenage Herts
Proposal : Discharge of Condition 5 (Phasing Plan) attached to planning permission reference 23/00215/COND) to reflect amendments to timing and phasing of delivery as agreed via the Deed of Variation to the S106 Agreement (planning application reference 23/00529/S106).
Date of Decision : 03.06.26
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**

30. Application No : 26/00343/HPA
Date Received : 04.05.26
Location : 148 Leaves Spring Stevenage Herts SG2 9BG
Proposal : Single storey extension which will extend beyond the rear wall of the original house by 6m for which the maximum height will be 3m and the height of the eaves will be 3m
Date of Decision : 05.06.26
Decision : **Prior Approval is REQUIRED and REFUSED**
For the following reason:
1. The proposed single storey rear extension would extend beyond a wall forming a side elevation of the original dwellinghouse and would have a width greater than half the width of the original dwellinghouse. Therefore, the proposed development would fail to accord with Schedule 2, Part 1, Class A (j) (iii) of the Town and Country Planning (General Permitted Development) (England) Order 2015 and therefore, requires planning permission.

31. Application No : 26/00344/CLPD
Date Received : 04.05.26
Location : 148 Leaves Spring Stevenage Herts SG2 9BG
Proposal : Lawful Development Certificate (Proposed) conversion of the garage and construction of the front porch
Date of Decision : 05.06.26
Decision : **Certificate of Lawfulness is REFUSED**
For the following reason(s);
1. On the basis of the information submitted, the height of the proposed front porch would exceed 3m high. Therefore, the development would fail to accord with Schedule 2, Part 1, Class D(c) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and therefore requires planning permission.

32. Application No : 26/00367/HPA
Date Received : 06.05.26
Location : 8 Claymores Stevenage Herts SG1 3TL
Proposal : Single storey rear extension which will extend beyond the rear wall of the original house by 5m for which the maximum height will be 3m and the height of the eaves will be 3m
Date of Decision : 10.06.26
Decision : **Prior Approval is NOT REQUIRED**

33. Application No : 26/00383/HPA
Date Received : 11.05.26
Location : 7 King George Close Stevenage Herts SG1 3TB
Proposal : Single storey rear extension which will extend beyond the rear wall of the original house by 5.50 metres, for which the maximum height will be 3 metres and the height of the eaves will be 3 metres.
Date of Decision : 11.06.26
Decision : **Prior Approval is NOT REQUIRED**

34. Application No : 26/00389/FP
Date Received : 14.05.26
Location : 1 Hyde Green Stevenage Herts SG2 9XU
Proposal : Single storey front extension
Date of Decision : 16.06.26
Decision : **Planning Permission is GRANTED**

35. Application No : 26/00404/NMA
Date Received : 21.05.26
Location : Land At Redcar Drive Stevenage Herts SG1 2EN
Proposal : Non material amendment to planning approval 24/00058/FPM to Condition 1 (approved plans)
Date of Decision : 02.06.26
Decision : **Non Material Amendment AGREED**

36. Application No : 26/00446/TPCA
Date Received : 10.06.26
Location : 12 Orchard Road Stevenage Herts SG1 3HE
Proposal : 5-day Notice to reduce Lime tree down to approximately 2.5m high
Date of Decision : 10.06.26
Decision : **CONSENT TO CARRY OUT WORKS TO A TREE IN A CONSERVATION AREA**

BACKGROUND PAPERS

- 1 The application file, forms, plans and supporting documents having the reference number relating to this item. Online copies may be obtained at <https://publicaccess.stevenage.gov.uk/online-applications/>
- 2 The Stevenage Borough Local Plan 2011-2031
<https://www.stevenage.gov.uk/planning-and-building-control/planning-policy/local-plan>
- 3 The Stevenage Borough Local Plan Partial Update 2025
<https://www.stevenage.gov.uk/planning-and-building-control/planning-policy/local-plan-partial-update/submission-to-secretary-of-state>
- 4 Stevenage Borough Council Supplementary Planning Documents: Parking Provision SPD 2025; Design Guidance SPD 2025; Developer Contributions SPD 2025.
<https://www.stevenage.gov.uk/planning-and-building-control/planning-policy/planning-library>
- 5 Hertfordshire County Council Local Transport Plan LTP4 2018-2031
<https://www.hertfordshire.gov.uk/media-library/documents/about-the-council/consultations/ltp4-local-transport-plan-4-complete.pdf>
- 5 Government advice contained in the National Planning Policy Framework 2024 and the Planning Practice Guidance.
https://assets.publishing.service.gov.uk/media/67aafe8f3b41f783cca46251/NPPF_December_2024.pdf
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- 7 Representations made by statutory consultees and other interested parties referred to in this report. Online copies can be found on Public Access.

Meeting: Planning and Development
Committee

Agenda Item:

Date: 30 June 2026

IMPORTANT INFORMATION - DELEGATED DECISIONS

Author – Technical Support 01438 242838

Lead Officer – Alex Robinson 01438 242257

Contact Officer – James Chettleburgh 01438 242266

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

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	Date Received :	18.02.26
	Location :	Land To The North Of Stevenage Off North Road And Weston Road Stevenage Herts
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3. Application No : 26/00254/FPH
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Location : 52 Grove Road Stevenage Herts SG1 3NU
Proposal : Erection of single storey rear extension
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Location : 28 Compton Place Stevenage Herts SG1 4FN
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Location : 32 Milestone Close Stevenage Herts SG2 9RR
Proposal : Lawful Development Certificate (Proposed) Single story rear extension
Date of Decision : 22.05.26
Decision : **Certificate of Lawfulness is REFUSED**

For the following reason(s);

1. The proposed single storey rear extension under Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 would not constitute permitted development as the application property has had its permitted development rights removed under Condition 13 of Application 2/0316/81 which states that no alteration or extension to any dwelling are permitted without the grant of planning permission by the Local Planning Authority. Therefore, this proposal would require planning permission.

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11. Application No : 26/00291/CLPD
Date Received : 08.04.26
Location : 16 Green Close Stevenage Herts SG2 8BP
Proposal : Lawful development certificate for proposed single storey outbuilding
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Proposal : Two storey side and single storey side and rear extensions
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Decision : **Planning Permission is GRANTED**

13. Application No : 26/00298/FPH
Date Received : 15.04.26
Location : 124 Hydean Way Stevenage Herts SG2 9XP
Proposal : Single storey rear extension
Date of Decision : 09.06.26
Decision : **Planning Permission is GRANTED**

14. Application No : 26/00300/COND
Date Received : 15.04.26
Location : Stevenage Swimming Pool St. Georges Way Stevenage Herts
Proposal : Discharge of conditions 5 (construction drawings of the surface water drainage network); condition 6 (SuDS drainage maintenance and management plan); condition 9 (construction phase surface water plan); including details for the for condition 8 (interim and temporary drainage measures) attached to planning permission reference number 25/00424/FPM
Date of Decision : 29.05.26
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**

15. Application No : 26/00302/AD
Date Received : 15.04.26
Location : Land To The North Of Stevenage Weston Road Stevenage Herts
Proposal : 2no. Project signs internally illuminated and 2no. Fascia signs face illuminated
Date of Decision : 22.05.26
Decision : **Advertisement Consent is GRANTED**

16. Application No : 26/00303/AD
Date Received : 15.04.26
Location : Land To The North Of Stevenage Off North Road And Weston Road Stevenage Herts
Proposal : 2no. free-standing totem monolith signs statically illuminated.
Date of Decision : 03.06.26
Decision : **Advertisement Consent is GRANTED**

17. Application No : 26/00308/FP
Date Received : 17.04.26
Location : Argyle House Argyle Way Stevenage Herts
Proposal : The installation of 4no. additional Air Source Heat Pump (ASHP) on the roof of Argyle House
Date of Decision : 10.06.26
Decision : **Planning Permission is GRANTED**

18. Application No : 26/00313/FPH
Date Received : 20.04.26
Location : 69 Basils Road Stevenage Herts SG1 3PU
Proposal : Erection of garden room following removal of existing outbuildings.
Date of Decision : 15.06.26
Decision : **Planning Permission is GRANTED**

19. Application No : 26/00318/NMA
Date Received : 22.04.26
Location : 2 Lintott Close Stevenage Herts SG1 3LZ
Proposal : Non-material amendment to planning permission reference 23/00520/FPH to replace roof and reduce height of central side window
Date of Decision : 22.05.26
Decision : **Non Material Amendment AGREED**

20. Application No : 26/00320/FPH
Date Received : 22.04.26
Location : 10 Southsea Road Stevenage Herts SG1 2PH
Proposal : Ground floor extension to the rear and to the side
Date of Decision : 16.06.26
Decision : **Planning Permission is GRANTED**

21. Application No : 26/00321/TPTPO
Date Received : 22.04.26
Location : 2 Morley Cottages Chells Lane Stevenage Herts
Proposal : Works to tree protected by TPO 69: T1 Walnut reduce crown by 30%
Date of Decision : 10.06.26
Decision : **CONSENT TO CARRY OUT WORKS TO A TREE, THE SUBJECT OF A TREE PRESERVATION ORDER**

22. Application No : 26/00324/AD
Date Received : 23.04.26
Location : Land To The North Of Stevenage Off North Road And Weston Road Stevenage Herts
Proposal : 1no. digital advertisement screen; 2no. internally illuminated roundel signs and 3no. internally illuminated fascia signs
Date of Decision : 22.05.26
Decision : **Advertisement Consent is GRANTED**

23. Application No : 26/00325/FP
Date Received : 23.04.26
Location : Land At Martins Way Stevenage Herts SG1 3BW
Proposal : Construction and operation of a micro energy storage facility
Date of Decision : 16.06.26
Decision : **Planning Permission is GRANTED**

24. Application No : 26/00327/FPH
Date Received : 23.04.26
Location : 48 Valley Way Stevenage Herts SG2 9AF
Proposal : Demolition of an existing garden canopy and timber shed, and the erection of single-storey outbuilding
Date of Decision : 16.06.26
Decision : **Planning Permission is GRANTED**

25. Application No : 26/00328/FPH
Date Received : 23.04.26
Location : 11 Turner Close Stevenage Herts SG1 4AF
Proposal : Two storey side and single storey side and rear extensions
Date of Decision : 12.06.26
Decision : **Planning Permission is GRANTED**

26. Application No : 26/00329/CLPD
Date Received : 24.04.26
Location : 15 Montfitchet Walk Stevenage Herts SG2 7DT
Proposal : Lawful Development Certificate (Proposed) Loft conversion and rear dormer window
Date of Decision : 17.06.26
Decision : **Certificate of Lawfulness is APPROVED**

27. Application No : 26/00333/FP
Date Received : 27.04.26
Location : Tarla Restaurant 23 - 25 Middle Row Stevenage Herts
Proposal : Retention of decking and two plant pots.
Date of Decision : 18.06.26
Decision : **Planning Permission is REFUSED**
For the following reason(s);
1. The decking and plant pots adversely impact on pedestrian safety, hinder the free flow of pedestrian movement, and compromise the functional accessibility of the public highway contrary to Stevenage Borough Council's Local Plan (2019) and Local Plan Review (2024) policies GD1(b) and IT4(a).
2. The decking and plant pots result in less than substantial harm to the significance of the Old Town Conservation Area, a designated heritage asset and this harm is not outweighed by any public benefits given moveable tables and chairs under a pavement licence could be used instead. It is therefore contrary to paragraph 215 of the NPPF (2024), Stevenage Borough Council's Local Plan (2019) and Local Plan Review (2024) policies SP13 and NH10.

28. Application No : 26/00335/TPCA
Date Received : 27.04.26
Location : 1 The Close Rectory Lane Stevenage Herts
Proposal : Reduction of 50% in height and overall crown reduction laterally to 1no. Sycamore tree
Date of Decision : 02.06.26
Decision : **CONSENT TO CARRY OUT WORKS TO A TREE IN A CONSERVATION AREA**

29. Application No : 26/00339/COND
Date Received : 29.04.26
Location : Land To The North Of Stevenage Off North Road And Weston Road Stevenage Herts
Proposal : Discharge of Condition 5 (Phasing Plan) attached to planning permission reference 23/00215/COND) to reflect amendments to timing and phasing of delivery as agreed via the Deed of Variation to the S106 Agreement (planning application reference 23/00529/S106).
Date of Decision : 03.06.26
Decision : **The discharge of Condition(s)/Obligation(s) is APPROVED**

30. Application No : 26/00343/HPA
Date Received : 04.05.26
Location : 148 Leaves Spring Stevenage Herts SG2 9BG
Proposal : Single storey extension which will extend beyond the rear wall of the original house by 6m for which the maximum height will be 3m and the height of the eaves will be 3m
Date of Decision : 05.06.26
Decision : **Prior Approval is REQUIRED and REFUSED**
For the following reason:
1. The proposed single storey rear extension would extend beyond a wall forming a side elevation of the original dwellinghouse and would have a width greater than half the width of the original dwellinghouse. Therefore, the proposed development would fail to accord with Schedule 2, Part 1, Class A (j) (iii) of the Town and Country Planning (General Permitted Development) (England) Order 2015 and therefore, requires planning permission.

31. Application No : 26/00344/CLPD
Date Received : 04.05.26
Location : 148 Leaves Spring Stevenage Herts SG2 9BG
Proposal : Lawful Development Certificate (Proposed) conversion of the garage and construction of the front porch
Date of Decision : 05.06.26
Decision : **Certificate of Lawfulness is REFUSED**
For the following reason(s);
1. On the basis of the information submitted, the height of the proposed front porch would exceed 3m high. Therefore, the development would fail to accord with Schedule 2, Part 1, Class D(c) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and therefore requires planning permission.

32. Application No : 26/00367/HPA
Date Received : 06.05.26
Location : 8 Claymores Stevenage Herts SG1 3TL
Proposal : Single storey rear extension which will extend beyond the rear wall of the original house by 5m for which the maximum height will be 3m and the height of the eaves will be 3m
Date of Decision : 10.06.26
Decision : **Prior Approval is NOT REQUIRED**

33. Application No : 26/00383/HPA
Date Received : 11.05.26
Location : 7 King George Close Stevenage Herts SG1 3TB
Proposal : Single storey rear extension which will extend beyond the rear wall of the original house by 5.50 metres, for which the maximum height will be 3 metres and the height of the eaves will be 3 metres.
Date of Decision : 11.06.26
Decision : **Prior Approval is NOT REQUIRED**

34. Application No : 26/00389/FP
Date Received : 14.05.26
Location : 1 Hyde Green Stevenage Herts SG2 9XU
Proposal : Single storey front extension
Date of Decision : 16.06.26
Decision : **Planning Permission is GRANTED**

35. Application No : 26/00404/NMA
Date Received : 21.05.26
Location : Land At Redcar Drive Stevenage Herts SG1 2EN
Proposal : Non material amendment to planning approval 24/00058/FPM to Condition 1 (approved plans)
Date of Decision : 02.06.26
Decision : **Non Material Amendment AGREED**

36. Application No : 26/00446/TPCA
Date Received : 10.06.26
Location : 12 Orchard Road Stevenage Herts SG1 3HE
Proposal : 5-day Notice to reduce Lime tree down to approximately 2.5m high
Date of Decision : 10.06.26
Decision : **CONSENT TO CARRY OUT WORKS TO A TREE IN A CONSERVATION AREA**

BACKGROUND PAPERS

- 1 The application file, forms, plans and supporting documents having the reference number relating to this item. Online copies may be obtained at <https://publicaccess.stevenage.gov.uk/online-applications/>
- 2 The Stevenage Borough Local Plan 2011-2031
<https://www.stevenage.gov.uk/planning-and-building-control/planning-policy/local-plan>
- 3 The Stevenage Borough Local Plan Partial Update 2025
<https://www.stevenage.gov.uk/planning-and-building-control/planning-policy/local-plan-partial-update/submission-to-secretary-of-state>
- 4 Stevenage Borough Council Supplementary Planning Documents: Parking Provision SPD 2025; Design Guidance SPD 2025; Developer Contributions SPD 2025.
<https://www.stevenage.gov.uk/planning-and-building-control/planning-policy/planning-library>
- 5 Hertfordshire County Council Local Transport Plan LTP4 2018-2031
<https://www.hertfordshire.gov.uk/media-library/documents/about-the-council/consultations/ltp4-local-transport-plan-4-complete.pdf>
- 5 Government advice contained in the National Planning Policy Framework 2024 and the Planning Practice Guidance.
https://assets.publishing.service.gov.uk/media/67aafe8f3b41f783cca46251/NPPF_December_2024.pdf
<https://www.gov.uk/government/collections/planning-practice-guidance>
- 7 Representations made by statutory consultees and other interested parties referred to in this report. Online copies can be found on Public Access.